

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 1076

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S.P. 445

In Senate, March 9, 2023

**An Act to Expand the Use of Traffic Cameras for School and Work  
Zones**

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Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator DAUGHTRY of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 29-A MRSA §2117**, as amended by PL 2019, c. 318, §1, is further amended  
3 to read:

4 **§2117. Use of traffic surveillance cameras restricted**

5 Except as provided in subsections 1 ~~and~~, 2, 3 and 4, the State or a municipality may  
6 not use a traffic surveillance camera to prove or enforce a violation of this Title. For  
7 purposes of this section, "traffic surveillance camera" means a device that, in conjunction  
8 with a lighted traffic-control device or a lane direction control device, as described in  
9 section 2057, subsections 1 and 3, or a speed measurement device as described in section  
10 2075, subsection 4, automatically produces one or more photographs, one or more  
11 microphotographs, a videotape or any other recorded image of a vehicle at the time the  
12 vehicle is operated in violation of state law.

13 **1. School buses.** The State or a municipality may use a traffic surveillance camera  
14 mounted on a school bus in conjunction with a lighted traffic-control device to prove or  
15 enforce a violation of section 2308, subsection 2. A photograph, microphotograph,  
16 videotape or other recorded image or audio produced by a traffic surveillance camera  
17 mounted on a school bus is confidential and may only be released to a law enforcement  
18 officer for the purpose of an investigation into a violation of the law or to a law enforcement  
19 officer, prosecutor, defendant or court for the purpose of a prosecution of a violation of the  
20 law.

21 ~~The state or a municipality may not retain a photograph, microphotograph, videotape or~~  
22 ~~other recorded image or audio produced by a traffic surveillance camera mounted on a~~  
23 ~~school bus for more than 30 days from the date of production unless it is released in~~  
24 ~~accordance with this subsection.~~

25 ~~For the purposes of this subsection, "prosecutor" means a person who by virtue of public~~  
26 ~~employment is vested by law with a duty to prosecute offenders for crimes, whether that~~  
27 ~~duty extends to all crimes or is limited to specific crimes.~~

28 **1-A. Definition.** For the purposes of this section, "prosecutor" means a person who  
29 by virtue of public employment is vested by law with a duty to prosecute offenders for  
30 crimes, whether that duty extends to all crimes or is limited to specific crimes.

31 **2. Toll enforcement.** The Maine Turnpike Authority may use a photo-monitoring  
32 system, as defined by Title 23, section 1980, subsection 2-A, paragraph B, subparagraph  
33 (4), for toll enforcement purposes.

34 **3. School zones.** The State or a municipality may use a traffic surveillance camera  
35 equipped with a speed measurement device in a school zone to prove or enforce a violation  
36 of section 2074, subsection 1, paragraph A. A photograph, microphotograph, videotape or  
37 other recorded image or audio produced by a traffic surveillance camera mounted in a  
38 school zone is confidential and may only be released to a law enforcement officer for the  
39 purpose of an investigation into a violation of the law or to a law enforcement officer,  
40 prosecutor, defendant or court for the purpose of a prosecution of a violation of the law.

41 **4. Public ways under construction.** The State or a municipality may use a traffic  
42 surveillance camera equipped with a speed measurement device in a portion of a public  
43 way under construction to prove or enforce a violation of section 2075, subsection 2. A

1 photograph, microphotograph, videotape or other recorded image or audio produced by a  
2 traffic surveillance camera mounted in a public way under construction is confidential and  
3 may only be released to a law enforcement officer for the purpose of an investigation into  
4 a violation of the law or to a law enforcement officer, prosecutor, defendant or court for  
5 the purpose of a prosecution of a violation of the law.

6 **5. Retention of data.** The State or a municipality may not retain a photograph,  
7 microphotograph, videotape or other recorded image or audio produced by a traffic  
8 surveillance camera mounted on a school bus, in a school zone or in a public way under  
9 construction for more than 30 days from the date of production unless it is released in  
10 accordance with this subsection.

## 11 SUMMARY

12 This bill expands the authorized use of traffic surveillance cameras to school zones and  
13 portions of a public way under construction. The bill makes the data of the cameras  
14 confidential and restricts the dissemination of the data to only the purposes of investigation  
15 or prosecution of a violation of the law.