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ACLU OF RI POSITION: OPPOSE

TESTIMONY ON 22 – S 2510, AN ACT RELATING TO MOTOR AND OTHER VEHICLES – AUTOMATED SCHOOL ZONE-SPEED-ENFORCEMENT ACT OF 2022 May 17, 2022

The ACLU of Rhode Island urges rejection of this legislation, which would significantly broaden the current statutory limitations on the implementation of speed cameras.

In 2016, when this law was initially enacted, we noted concerns about the installation of widespread camera systems which could then provide tracking of any resident who drove by the cameras and create a “log” of the travel of Rhode Islanders. We further commented that these types of camera systems undermine the purported goal of traffic stops, to stop drivers engaged in potentially dangerous driving as it occurs. The receipt of a speeding ticket weeks after an infraction – and to the owner of the car, regardless of who was driving – clearly misses the mark if the intent is to make particular roads or intersections safe.

By their nature, speed cameras do little to prevent individuals from speeding in school zones, flagging them only after they have sped through the zone. Instead of acting primarily as a safety measure, this technology makes speeding tickets first about making money and second about driver safety. Instead of being on the street where they belong, police officers are relegated to watching a screen, unable to determine if a speeding individual is also under the influence of alcohol, experiencing a medical emergency, or involved in any other situation requiring law enforcement intervention.

These concerns are greatly compounded by the broad expansion of speed camera operation that this legislation would propose. Where the statute is currently restricted to school-zones, this bill would allow for installation of these cameras anywhere, merely expressing a desire that they be placed, without any detail, where “genuine traffic safety/speed issues exist.”

The legislation additionally contains several other problematic new provisions. The legislative findings of the bill, for example, state that “automated speed-enforcement systems are not to be used for the purpose of revenue generation,” but the bill actually *increases* the fine for infractions from \$50 to \$75 per violation. This bill would also reduce the signage requirements for all speed cameras; where the current statute mandates that four signs of specific size be installed, including one on each approach to the speed camera location, this bill only requires that signs be “clearly posted” and provides no further specifications for location or clarity of signage. This reduces the opportunity for drivers in good faith to adjust their behavior before being subjected to the steep fine that this bill would proscribe. It is hard to see how this legislation could be seen as

anything but a means of revenue generation with these two amended provisions, and especially considering that the municipalities which have introduced speed cameras in school zones have profited mightily since the implementation of the programs.

The money collected from violations of this bill specifically “shall be designated for exclusive use to fund traffic violation enforcement, and for safety programs by municipalities,” among other uses. Leaving aside the very vague and open-ended allowance of the money to fund “safety programs,” we are greatly concerned that this provision has the circular effect of encouraging the installation of even more traffic surveillance systems.

As a matter of setting appropriate limits on law enforcement technology, as well as curbing community surveillance, this legislation, the ACLU urges that this legislation be rejected. Although the ACLU opposes the use of these cameras as a general matter because their ultimate achievement in surveilling vehicles is in raising money, not ensuring safety, the current statute at least sets some meaningful standards and limits on their use. Because this bill upsets those standards and limits, we oppose its passage.

Thank you for your consideration of our views.