

STATE OF TENNESSEE

PUBLIC CHAPTER NO. 389

HOUSE BILL NO. 1202

By Representatives McCord, Litz

Substituted for: Senate Bill No. 1502

By Senator Burchett

AN ACT to amend Tennessee Code Annotated, Title 6; Title 7 and Title 55, relative to surveillance cameras installed to enforce or monitor traffic laws.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-8-198, is amended by adding a new subsection thereto, as follows:

(e) No surveillance cameras shall be permitted on federal interstate highways except for Smart Way cameras, other intelligent transportation system cameras or, when employees of the department or construction workers are present, surveillance cameras used to enforce or monitor traffic violations within work zones designated by the department of transportation; provided, that such cameras shall be operated only by a state entity.

SECTION 2. Tennessee Code Annotated, Section 55-8-198, is amended by adding the following language as new subsection (c) and by redesignating the present language accordingly:

(c) Effective July 1, 2009, a state agency or political subdivision of the state that installs, owns, operates, or maintains a traffic-control signal light located in an intersection that employs a surveillance camera for the enforcement or monitoring of traffic violations shall ensure that:

(1) The surveillance camera does not identify as a violation of § 55-8-110(a)(3), or any municipal law or ordinance that mirrors, substantially duplicates or incorporates by cross-reference the language of such provision, any vehicle which legally entered the intersection during the green or yellow intervals in accordance with § 55-8-110(a)(1) and (2); and

(2) Appropriate signage is located not less than five hundred feet (500') but not more than one thousand feet (1,000') in advance of the intersection informing drivers as to the presence of surveillance cameras at the approaching intersection.

If the state agency or political division of the state violates the provisions of this subsection, then any traffic citation based solely on evidence generated by the surveillance camera shall be deemed to be invalid.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: June 2, 2009



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 9th day of June 2009



PHIL BREDEESEN, GOVERNOR