
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 289 (Haney) - State highway work zone speed safety program

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Urgency: No

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Policy Vote: TRANS. 13 - 2, JUD. 12 - 0

Mandate: No

Consultant: Mark McKenzie

Bill Summary: AB 289 would require the Department of Transportation (Caltrans) to establish a five-year speed safety system pilot program that utilizes up to 75 speed safety systems on state highway construction or maintenance areas until January 1, 2032.

Fiscal Impact:

- Caltrans would incur one-time costs for additional staff resources for up to two years to conduct “phase I” activities, including development and adoption of program guidelines and regulations, conducting stakeholder outreach and engagement, implementing a public information campaign, and evaluating the most cost-effective way to implement and operate the speed safety program. While these costs are unknown, staff estimates initial costs are likely to be at least in the high hundreds of thousands annually over two years, prior to the deployment of automated enforcement systems. (State Highway Account).
- Caltrans anticipates significant ongoing costs through 2031-32, to implement and administer the pilot program. Staff estimates that Caltrans contracting and staffing costs would exceed \$10 million annually from 2028-29 through 2031-32, depending on the scale of the program, and whether Caltrans opts to procure and deploy all 75 systems throughout the state, or rolls out a more limited program on a regional basis. Caltrans indicates it would evaluate options for administering the pilot program during the first phase of the program to determine whether to conduct certain operational duties in-house or through vendor contracts. See Staff Comments. (State Highway Account, Safe Highway Work Zone Account, and potentially federal funds)
- Unknown, likely significant civil penalty revenues, which would at least partially offset Caltrans costs to administer the speed safety program. Actual revenues would depend upon the number of systems that are operational, the volume of citations issued, and the number of violations for each level of fines imposed. To the extent the citation revenues fully offset Caltrans costs to administer the program, any remaining funds would be available for expenditure on specified enhanced enforcement program costs in construction and maintenance zones (see background below). (Safe Highway Work Zone Account)
- Unknown, potentially significant court workload cost pressures for superior courts to hear and adjudicate appeals of hearing officer determinations that are brought under the provisions of this bill. These costs would be partially offset by the \$25 fees for filing appeals. Staff notes that it generally costs about \$10,500 to operate a

courtroom for one eight-hour day. Although courts are not funded on the basis of workload, increased staff time and resources may create a need for additional support from the General Fund to support court operations. The 2025-26 Budget includes \$38 million in ongoing support from the General Fund to backfill the current fund imbalance in the Trial Court Trust Fund and help pay for court operations, (Trial Court Trust Fund, General Fund).

Background: Existing law, as enacted by AB 645 (Friedman), Chap. 808/2023, authorizes the cities of Los Angeles, San Jose, Oakland, Glendale, Long Beach and San Francisco to establish an automated speed enforcement pilot program for five years until January 1, 2032. Existing law specifies the number of cameras that may be installed in each jurisdiction, and limits their use to school zones, streets that local authorities have determined to have a high number of incidents of speed contests or exhibitions of speed, and streets that are safety corridors, as specified. Existing law requires a participating jurisdiction to do the following:

- Adopt a specified Speed Safety System Use Policy and Speed Safety System Impact Report prior to implementing the program.
- Engage in a specified public information campaign at least 30 days prior to implementation, as specified.
- Issue warning notices rather than notices of violation for the first 60 days of the program.
- Develop uniform guidelines for the screening and issuing of notices of violation and for the processing and storage of confidential information.
- Impose a specified graduated scale of civil penalties for violations, depending on the speed recorded over the established speed limit, provide for an appeals process, and offer a specified diversion program for indigent persons who receive a notice of violation.
- Use revenues from automated enforcement violation penalties to first be used to recover program costs, including installation of cameras, adjudication of violations, reporting requirements, and the construction of traffic calming measures.
- Submit an evaluation of the program to its local governing body and the Legislature to determine the system's impact on street safety and the economic impact on the communities where the system is utilized, as specified.

Subsequently, SB 1297 (Allen), Chap. 631/2024 was enacted to authorize the City of Malibu to join the pilot program and install speed cameras along the Pacific Coast Highway. To date, only the City and County of San Francisco has fully implemented an automated speed enforcement program.

Caltrans has adopted several directives for improving safety for workers in construction and maintenance work zones on the state highway system. Specifically, the Construction Work Zone Enhanced Enforcement Program (COZEEP), and the Maintenance Work Zone Enhanced Enforcement Program (MAZEEP) provide traffic control and safety in Caltrans work zones through contracts with the California Highway Patrol to ensure that officers are present during installation and removal of stationary traffic control systems. CHP officers shadow traffic control crews during installation and removal of traffic control components.

Proposed Law: AB 289 would authorize Caltrans to establish an automated speed enforcement program until January 1, 2032. Specifically, this bill would:

- Authorize Caltrans to establish a program for speed enforcement that uses up to 75 automated cameras to enforce speed limits in state highway work zones (state highway construction or maintenance areas) if the program meets all of the following requirements:
 - Identifies the presence of a speed safety system by signs stating “Photo Enforced,” along with speed limit signs with flashing beacons and speed feedback, within 500 feet of the placement of the system, as specified.
 - Identifies the state highway work zones approved for automated enforcement and the hours of enforcement on the Caltrans website, which must be updated whenever the department changes locations of enforcement.
 - Ensures that the system is regularly inspected at least every 60 days and certified as properly installed and operating, and calibrated at least once each year, as specified. Documentation of regular inspection, operation, and calibration must be retained for at least 180 days after the system has been permanently removed.
 - Utilizes fixed or mobile systems that provide real-time notification to the driver when violations are detected.
 - Records speed violations and actively issues citations only when construction or maintenance workers are present in the work zone.
- Require that a public information program be commenced for at least 30 days prior to the implementation of the camera program and that for the first 60 days of enforcement only warning notices be issued. A vehicle’s first violation for traveling 11-15 miles per hour over the posted speed limit would also be a warning notice.
- Require Caltrans to develop and adopt written guidelines for the use of speed safety systems before entering into an agreement, purchasing or leasing equipment, or implementing a program that includes the purpose of the system, authorized uses, data or information that can be collected and who can access the information, efforts for protecting that information and data, and procedures for the screening and issuing of citations, as well as storage of confidential information. The written guidelines must be available for public review at least 30 days adoption, and final guidelines must be posted on the Caltrans website. The guidelines would be exempt from the Administrative Procedures Act.
- Require a contract between Caltrans and a speed safety system manufacturer or supplier to allow Caltrans to purchase materials, lease equipment, and contract for processing services, as specified. The contract must not allow for payment or compensation based on the number notices of violations issued, or as a percentage of revenue generated, from the use of the system.
- Require Caltrans to oversee, maintain, control, and have the final decision over all enforcement activities, including when a notice of violation should be issued.
- Authorize Caltrans to contract with a vendor for the processing of notices of violation after a Caltrans employee has issued a notice of violation. The vendor must be a separate legal and corporate entity from the manufacturer or supplier of speed safety systems, and a contract with a vendor to provide processing services may include a provision for the payment of compensation based on the number of notices of violation processed by the vendor.

- Require notices of violation to include a clear photograph of the license plate and rear of the vehicle only, the Vehicle Code violation, the camera location, and the date and time when the violation occurred. Notices must not include images of the rear window area of the vehicle.
- Require the notice of violation to be in writing and issued to the registered owner of the vehicle within 15 calendar days of the date of violation, and include: the violation, (including reference to the speed law violated, speed of the vehicle, speed limit for the road); the date, time, and location where the violation occurred; the vehicle license number and name and address of the registered owner; a statement that payment is required within 30 days, or that the violation may be contested; the amount of the civil penalty and procedures for payment or contesting the violation; an affidavit of nonliability and instructions for returning the affidavit; a phone number to request additional information about the speed safety program; and proof of service.
- Specify a violation of speed laws captured by an automated speed enforcement system is subject to a civil penalty assessed to the registered owner of the vehicle in the amount of \$50 for a speed violation from 11 to 15 miles per hour over the posted speed limit, \$100 for a speed violation from 16 to 25 miles per hour over the posted speed limit, \$200 for a speed violation of 26 miles per hour or more over the posted speed limit, and \$500 for traveling at a speed of 100 miles per hour or greater. The penalty would not result in a loss of the driving privilege or in a violation point being assessed against the violator.
- Require Caltrans to offer a payment plan for indigent speed safety violation recipients to pay fines in monthly installments of no more than \$25 with a processing fee of no more than \$5, and reduce the applicable fines and penalties by 80% for indigent persons and by 50% for persons up to 250% above the federal poverty level, as specified.
- Prescribe a process for contesting a violation, including requesting an initial review of the notice of violation by Caltrans, conducting an administrative hearing, and authorization for a violator to file an appeal with the superior court if the person is not satisfied with the results of the administrative hearing, as specified.
- Require moneys generated from the issuance of citations to be deposited into the Safe Highway Work Zone Account, created by the bill, which must be continuously appropriated to Caltrans for program administration, COZEEL, and MAZEEL.
- Require Caltrans to submit a report evaluating the state highway work zone speed safety program and its impact on state highway work zone safety to the Legislature within two years of commencing the automated enforcement program, and annually thereafter. The report must also be posted on the Caltrans website and include specified violation data, the number of traffic collisions in work zones with speed cameras relative to data in all work zones, the costs associated with implementation and operation of the program, among other things.
- Sunset the provisions of the bill on January 1, 2032.

Related Legislation: SB 720 (Ashby), which is currently pending in the Assembly Appropriations Committee, would authorize cities and counties to establish a program for traffic control signal enforcement that utilizes an automated traffic enforcement system, and subjects a violation to a civil, rather than criminal, penalty.

SB 1297 (Allen), Chap. 631/2024, authorizes the City of Malibu to establish a five-year Speed Safety System Pilot Program that utilizes up to five speed safety systems for automated enforcement on the Pacific Coast Highway until January 1, 2032.

AB 645 (Friedman), Chap. 808/2023, authorizes the Cities of Glendale, Long Beach, Los Angeles, Oakland, San Francisco, and San Jose to establish a Speed Safety System Pilot Program, which provides for automated speed enforcement on specified streets for up to five years until January 1, 2032.

Staff Comments: As noted above, Caltrans anticipates that it would incur significant costs to administer the pilot program, which are unknown at this time. Costs would be based upon the following resource needs, which would be identified during the program design phase:

- The acquisition, maintenance, and operation of a speed safety camera system (costs to purchase a mobile camera unit and associated equipment can be up to \$100,000; cost-effectiveness of leasing equipment as opposed to purchasing and maintaining equipment will be determined during first phase).
- The issuance of warning notices and citations.
- Developing the necessary accounting systems and the processing of citation payments.
- Processing of appeals, and legal costs associated with defending citations in an appeals process.
- Maintaining a call center to assist customers with questions about citations.
- Developing the necessary information technology and information security systems to operate the program (operating the program entirely in house will require more resources to develop and integrate all necessary systems).
- Continuing coordination with state agency partners through program implementation.
- Conducting a public information and education campaign.

At least 14 other states have authorized the use of automated speed enforcement systems in highway construction and maintenance zones. Caltrans is unable to estimate the costs associated with administering the speed enforcement pilot program established by this bill until it completes a full assessment of program design during the first phase of program development. For illustrative purposes, however, the department indicates that vendor contract expenditures associated with the program implemented in Pennsylvania have been approximately \$4.4 million per year to operate 17 speed cameras. Furthermore, Caltrans notes that New York's program, which is jointly operated by the state Department of Transportation and the New York State Thruway Authority, reported \$6.83 million in vendor expenses in 2023 to operate 30 enforcement units. If Caltrans deployed 75 cameras and costs were comparable to the lower end of the scale of these costs, the department's vendor expenses would be approximately \$17 million annually, which would not include any necessary state operations and personnel costs to administer the program, including review of each individual citation (as required in the bill), conducting administrative hearings for appeals, establishing and maintaining call centers, and developing and maintaining information technology and information security systems.

While this bill is modeled after recent legislation enacted to authorize specified cities to conduct automated speed enforcement pilot projects, this bill presents several

significant challenges for Caltrans that would not apply to systems established on the municipal level. First and foremost among these is that, unlike cities, Caltrans does not have the internal operational infrastructure or personnel to issue and process traffic citations. The bill provides authority to contract with vendors for both the procurement of camera systems and for the processing of citations, but the bill requires Caltrans to oversee, maintain, control, and have final decision over all enforcement activities, including a requirement that Caltrans employees issue the actual notices of violation. Another key difference is that Caltrans would be operating cameras throughout the state on a dynamic basis, as construction and maintenance zones are temporary in nature. However, if a person who receives a notice of violation wishes to appeal that notice through the administrative hearing process established by the bill, it is unclear where those hearings would be held, and whether they could feasibly be conducted in each jurisdiction in which citations are issued. Cities, on the other hand, would operate cameras in fixed locations within their jurisdictional boundaries, and can administer those hearings in municipal buildings in the same geographic area as where the enforcement action occurred. The costs for Caltrans to establish the necessary operational infrastructure to administer an automated enforcement program from the ground up, as specified in the bill, would be significant.

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