



Governor's Office of Highway Safety

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Brian P. Kemp
GOVERNOR

Allen Poole
DIRECTOR

February 28, 2020

Ms. Carmen Hayes
Regional Administrator
National Highway Traffic Safety Administration
61 Forsyth Street, Suite 17T30
Atlanta, GA 30303

Re: 2019 State Survey of Automated Traffic Enforcement Systems

Dear Ms. Hayes:

Georgia is please to submit the 2019 state survey of automated traffic enforcement systems for your review.

Georgia law O.C.G.A. Title 40, Chapter 14 governs the Use of Speed Detection Devices and Red Light Cameras within the State of Georgia. Specifically, O.C.G.A. 40-14-18 addresses Enforcement of speed limit in school zones with recorded images and O.C.G.A. 40-14-21 addresses Traffic-control signal monitoring devices.

The Georgia Department of Transportation (GDOT) has been authorized to provide policies and procedure for Permitting Automated Traffic Enforcement Safety Systems. The GDOT has established these policies as well as the process for obtaining a permit as well as the duties of the permittee once the permit is granted.

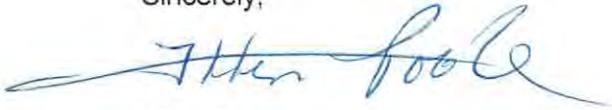
As a part of the permitting process, GDOT requires documentation of location, specific model number of device, traffic data, permissions obtained, and law enforcement agency approval. Additionally, we have also developed our "Biennial Survey of State Automated Traffic Enforcement Systems" that will be deployed to all permit holders that will specifically address transparency, accountability, and safety attributes of each system and provide all information required by 23 CFR 1300.13(d).

Please find attached a listing of all Automated Traffic Enforcement Systems that have been permitted in Georgia. This listing provides specific data in regards to each of the systems, to include location, jurisdiction, permit number, and date permitted. As part of the permitting process, GDOT ensures compliance with FHWA Operational Guidelines for Red Light Cameras and DOT Operational Guidelines for Speed Cameras. It should also be noted that, although permitted, not all of the systems are currently in operation.



If you have any questions, please contact Mr. Jimmy Sumner, Deputy Director, at 404-656-6996 or via email at jimmy.sumner@gohs.ga.gov.

Sincerely,

A handwritten signature in blue ink that reads "Allen Poole". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Allen Poole
Director
Georgia Governor's Office of Highway Safety

Enclosures:

Automated Traffic Enforcement Systems Listing
GDOT Policy 672-20, Permitting Automated Traffic Enforcement Safety Devices
O.C.G.A. 40-14.18, Speed Detection Devices
O.C.G.A. 40-14-21, Red Light Cameras
GOHS Biennial Survey of State Automated Traffic Enforcement Systems



Name of Jurisdiction	School	Type of Gov Entity (City, State, etc)	Population	Type of AE System Used	Did the jurisdiction refer to and follow Federal DOT speed enforcement camera systems operational guideline?	Did the jurisdiction follow FWHA red light camera operation guidelines	Speed Camera Location	How often is it audited (speed)?	How often is it audited (red light)?	Name of Jurisdiction	Applicant Name	Date of Application	Permit #	Date Granted
Bartow	Central Middle	County	106,408	Speed	YES		Old Alabama Rd	12 Months		Emerson, GA	Phillip Page	April 15, 2019	SZ-015-000001-6	October 25, 2019
Ben Hill	Ben Hill County Elem	County	16,787	Speed	YES		Ga-90	12 Months		Fitzgerald, GA	J. Shawn Haralson	July 26, 2019	SZ-017-000001-4	November 5, 2019
Ben Hill	Ben Hill County Middle	County	16,787	Speed	YES		Ga-90	12 Months		Fitzgerald, GA	J. Shawn Haralson	July 26, 2019	SZ-017-000002-4	November 5, 2019
Chatham	Bloomington Elem	County	289,195	Speed	YES		Ga Hwy 17	12 Months		Bloomington, GA	M. Ann Levett	August 23, 2019	SZ-051-000001-5	September 27, 2019
Chatham	Port Wentworth Elem	County	289,195	Speed	YES		Ga Hwy 25	12 Months		Port Wentworth, GA	M. Ann Levett	September 22, 2019	SZ-051-000002-5	October 29, 2019
Clarke	Barnett Shoals Elem	County	127,330	Speed	YES		Barnett Shoals Rd	12 Months		Athens, GA	Demond Means	November 26, 2019	SZ-059-001000-1	November 26, 2019
Clarke	Whitehead Road Elem	County	127,330	Speed	YES		Whitehead Road	12 Months		Athens, GA	Demond Means	November 26, 2019	SZ-059-002000-1	November 26, 2019
Clarke	Judia Jackson Harris Elem	County	127,330	Speed	YES		Ga 106	12 Months		Athens, GA	Demond Means	November 26, 2019	SZ-059-003000-1	November 26, 2019
Colquitt	Norman Park Elem	County	45,592	Speed	YES		Ga 319	12 Months		Norman Park, GA	Doug Howell	June 12, 2019	SZ-071-000001-4	October 28, 2019
David Emanuel Academy	David Emanuel Academy		528	Speed	YES		Ga 192 South	12 Months		Stillmore, GA	Haylee Free	August 1, 2019	SZ-107-000001-2	October 11, 2019
Fulton County	A. Phillip Randolph Elem	County	1,050,114	Speed	YES		State Hwy 154	12 Months		South Fulton, GA	Mike Looney	August 23, 2019	SZ-121-000003-7	October 10, 2019
Fulton County	Cliftondale Elem	County	1,050,114	Speed	YES		West Stubbs Road	12 Months		South Fulton, GA	Mike Looney	August 23, 2019	SZ-121-000002-7	October 10, 2019
Fulton County	Seaborn Lee Elem	County	1,050,114	Speed	YES		Scarborough Rd	12 Months		South Fulton, GA	Mike Looney	August 23, 2019	SZ-121-000001-7	October 1, 2019
Fulton County	Haynes Bridge Middle	County	1,050,114	Speed	YES		Haynes Bridge Rd	12 Months		Alpharetta, GA	Mike Looney	September 5, 2019	SZ-121-000005-7	
Fulton County	Webb Bridge Middle	County	1,050,114	Speed	YES		Webb Bridge Rd	12 Months		Alpharetta, GA	Mike Looney	September 5, 2019	SZ-121-000006-7	
Georgia Miitary College	Georgia Miitary College		19,193	Speed	YES		Ga-112	12 Months		Milledgeville, GA	Curt Alan Rauhut	November 21, 2019	SZ-009-000001-2	December 3, 2019
Gwinnett	Trickum Middle	County	927,781	Speed	YES		Killian Hill Rd	12 Months		Lilburn, Ga	Wayne Rikard	July 24, 2019	SZ-135-005000-1	September 12, 2019
Gwinnett	Arcado Elem	County	927,781	Speed	YES		Arcado Rd SW	12 Months		Lilburn, Ga	Wayne Rikard	July 24, 2019	SZ-135-004000-1	September 12, 2019
Gwinnett	Chattahoochee Elem	County	927,781	Speed	YES		Albion Farm Rd	12 Months		Duluth, GA	Wayne Rikard	June 7, 2019	SZ-135-003000-1	August 26, 2019
Gwinnett	Mason Elem	County	927,781	Speed	YES		Bunten Rd	12 Months		Duluth, GA	Wayne Rikard	June 7, 2019	SZ-135-002000-1	August 26, 2019
Gwinnett	Coleman Middle	County	927,781	Speed	YES		Duluth Hwy	12 Months		Duluth, GA	Wayne Rikard	June 7, 2019	SZ-135-001000-1	August 26, 2019
Gwinnett	Duluth Middle	County	927,781	Speed	YES		Pleasant Hill Rd	12 Months		Duluth, GA	Wayne Rikard	June 7, 2019	SZ-135-006000-1	November 26, 2019
Gwinnett	Norcross Elem	County	927,781	Speed	YES		Lawrenceville Rd	12 Months		Norcross, GA	Wayne Rikard	November 6, 2019	SZ-135-007000-1	December 20, 2019
Gwinnett	Beaver Ridge Elem	County	927,781	Speed	YES		Ga 378	12 Months		Norcross, GA	Wayne Rikard	November 6, 2019	SZ-135-010000-1	January 7, 2020
Gwinnett	Summerour Middle	County	927,781	Speed	YES		Beaver Ruin Rd NW	12 Months		Norcross, GA	Wayne Rikard	November 6, 2019	SZ-135-009000-1	January 3, 2020
Gwinnett	Baldwin Elem	County	927,781	Speed	YES		Mitchell Rd	12 Months		Norcross, GA	Wayne Rikard	November 6, 2019	SZ-135-008000-1	December 20, 2019
Habersham	Baldwin Elem	County	45,388	Speed	YES		Willingham Ave	12 Months		Baldwin, GA	Matthew J. Cooper	December 16, 2019	SZ-137-001000-1	January 2, 2020
Henry	Union Grove High	County	230,220	Speed	YES		E Lake Rd	12 Months		McDonough, GA	Mary Elizabeth Davis		SZ-151-000003-3	August 20, 2019
Henry	Stockbridge High	County	230,220	Speed	YES		Old Conyers Rd	12 Months		McDonough, GA	Mary Elizabeth Davis		SZ-151-000005-3	August 20, 2019
Henry	Ola High	County	230,220	Speed	YES		N Ola Rd	12 Months		McDonough, GA	Mary Elizabeth Davis		SZ-151-000001-3	August 20, 2019
Henry	Luella Elem	County	230,220	Speed	YES		Walker Rd	12 Months		McDonough, GA	Mary Elizabeth Davis		SZ-151-000002-3	August 20, 2019
Henry	Hampton High	County	230,220	Speed	YES		Hampton Locust Grove	12 Months		McDonough, GA	Mary Elizabeth Davis		SZ-151-000004-3	August 20, 2019
Thomasville	Thomasville High	City	18,094	Speed	YES		E Clay St	12 Months		Thomasville, GA	Lance Heard	August 15, 2019	SZ-275-000001-4	December 13, 2019
Thomasville	Thomasville High	City	18,094	Speed	YES		E Jackson St	12 Months		Thomasville, GA	Lance Heard	August 15, 2019	SZ-275-000002-4	December 13, 2019
Thomasville	Jerger Elem	City	18,094	Speed	YES		S Broad St	12 Months		Thomasville, GA	Lance Heard	August 15, 2019	SZ-275-000003-4	December 13, 2019
Thomasville	Harper Elem	City	18,094	Speed	YES		Fletcher St	12 Months		Thomasville, GA	Lance Heard	August 15, 2019	SZ-275-000004-4	December 12, 2019
Treutlen	Treutlen Elem/Middle/High	County	6,809	Speed	YES		Ga-29	12 Months		Soperton, GA	Bradley S. Anderson	July 15, 2019	SZ-285-000001-2	October 11, 2019
Turner	Turner County High	County	7,912	Speed	YES		Randall H. Whidden Dr	12 Months		Ashburn, GA	Elizabeth Walker	June 18, 2019	SZ-287-000001-4	October 23, 2019

Vidalia	Vidalia Comprehensive High	City	10,403	Speed	YES		Ga 292 (North St)		12 Months		Vidalia, GA	J. Garrett Wilcox	May 23, 2019	SZ-279-000001-5	August 9, 2019
Wheeler	Wheeler Co High	County	7,879	Speed	YES		Co Rd 178		12 Months		Alamo, GA	Suzanne F. Couey	May 2, 2019	SZ-309-000001-5	
Clarke		County	127,330	Red Light		YES		SR10/US78/Broad St @ Alps Rd		12 Months	Athens-Clarke Co			N/A	December 22, 2015
Clarke		County	127,330	Red Light		YES		Barnett Shoals Rd @ Gaines School Rd		12 Months	Athens-Clarke Co			N/A	February 15, 2016
Clayton		County	279,400	Red Light		YES		Tara Blvd @ Upper Riverdale Rd - NB, EB		12 Months	Clayton County			N/A	Expired 12/15/16
Clayton		County	279,400	Red Light		YES		Mt Zion Blvd @ Mt Zion Rd - EB, WB		12 Months	Clayton County			N/A	December 15, 2015
Marietta		City	60,806	Red Light		YES		Cobb Pkwy @ Windy Hill Rd - NB, SB, EB, WB		12 Months	Marietta			N/A	December 4, 2015
Marietta		City	60,806	Red Light		YES		Cobb Pkwy @ Allgood Rd - NB, SB, EB, WB		12 Months	Marietta			N/A	December 4, 2015
Marietta		City	60,806	Red Light		YES		SR120 Loop/Reynolds St @ SR120 Loop/Powder Springs Rd - NB, SB		12 Months	Marietta			N/A	December 4, 2015
Savannah		City	289,195	Red Light		YES		Abercorn St @ White Bluff - NB, SB		12 Months	Savannah			N/A	January 2, 2016
Savannah		City	289,195	Red Light		YES		Abercorn St @ Mall Blvd - EB		12 Months	Savannah			N/A	January 2, 2016
Savannah		City	289,195	Red Light		YES		Derenne Ave @ Abercorn St - NB, SB		12 Months	Savannah			N/A	January 2, 2016
Savannah		City	289,195	Red Light		YES		Abercorn St & Montgomery Cross Rd - SB		12 Months	Savannah			N/A	January 2, 2016

Note: Red Light Cameras do not require Permit Numbers. They are tracked with longitude/latitude

Georgia Governor's Office of Highway Safety
Biennial Survey of State Automated Traffic Enforcement Systems
FIXING AMERICA'S SURFACE TRANSPORTATION (FAST Act)
23 CFR 1300.13 - Special funding conditions for Section 402 Grants

General:

1. Name of Jurisdiction: _____
2. Type of Government Entity (city, state, etc.): _____
3. Population: _____
4. Type of automated enforcement system used:
Red light camera _____
Speed Enforcement Camera _____
Both _____
5. Did the jurisdiction refer to and follow federal DOT "Speed Enforcement Camera Systems Operational Guidelines" when implementing its automated enforcement system?
Yes _____
No _____
Not Applicable (No Automated Speed Cameras) _____
Don't Know _____
6. Did the jurisdiction refer to and follow FHWA "Red Light Camera Systems Operational Guidelines" when implementing its automated enforcement system?
Yes _____
No _____
Not Applicable (No Automated Speed Cameras) _____
Don't Know _____
7. Ownership of system (camera & equipment):
Speed Camera:
Jurisdiction-owned _____
Contracted/leased _____
Not Applicable _____
Red Light Camera:
Jurisdiction-owned _____
Contracted/leased _____
Not Applicable _____

Transparency:

1. Are placement locations of automated enforcement publicly available?
Speed Camera:
Yes _____
No _____
Not Applicable _____
Red Light Camera:
Yes _____
No _____
Not Applicable _____
2. Is information regarding automated enforcement revenue publicly available?
Speed Camera:
Yes _____
No _____
Not Applicable _____
Red Light Camera:
Yes _____
No _____
Not Applicable _____
3. Is information regarding the disbursement of this revenue publicly available?
Speed Camera:
Yes _____
No _____
Not Applicable _____

Georgia Governor's Office of Highway Safety
Biennial Survey of State Automated Traffic Enforcement Systems
FIXING AMERICA'S SURFACE TRANSPORTATION (FAST Act)
23 CFR 1300.13 - Special funding conditions for Section 402 Grants

Red Light Camera:

Yes _____

No _____

Not Applicable _____

4. Is the number-of automated enforcement citations issued publicly available?

Speed Camera:

Yes _____

No _____

Not Applicable _____

Red Light Camera:

Yes _____

No _____

Not Applicable _____

5. Upon deployment at a specific location, is there a warning period before citations are issued?

Speed Camera:

Yes _____

No _____

Not Applicable _____

Red Light Camera:

Yes _____

No _____

Not Applicable _____

Accountability:

1. Are citations reviewed and signed by a sworn law enforcement officer?

Speed Camera:

Yes _____

No _____

Not Applicable _____

Red Light Camera:

Yes _____

No _____

Not Applicable _____

2. Is there a process in place for dispute resolution?

Speed Camera:

Yes _____

No _____

Not Applicable _____

Red Light Camera:

Yes _____

No _____

Not Applicable _____

3. Is the automated enforcement program audited?

Speed Camera:

Yes _____ How Often? _____

No _____

Not Applicable _____

Red Light Camera: Yes _____ How Often? _____

No _____

Not Applicable _____

Georgia Governor's Office of Highway Safety
Biennial Survey of State Automated Traffic Enforcement Systems
FIXING AMERICA'S SURFACE TRANSPORTATION (FAST Act)
23 CFR 1300.13 - Special funding conditions for Section 402 Grants

Safety Attributes:

1. Is traffic data (engineering & crash) utilized to determine placement of enforcement platforms?

Speed Camera:

Yes _____

No _____

Not Applicable _____

Red Light Camera:

Yes _____

No _____

Not Applicable _____

2. Does the jurisdiction analyze traffic data to determine its automated enforcement's impact on safety elements (i.e. crashes, speed, etc.)?

Speed Camera:

Yes _____

No _____

Not Applicable _____

Red Light Camera:

Yes _____

No _____

Not Applicable _____

Source of Information

Name: _____

Title: _____

Agency: _____

Date: _____

RULES
OF
GEORGIA DEPARTMENT OF TRANSPORTATION
CHAPTER 672-20
PERMITTING AUTOMATED TRAFFIC ENFORCEMENT SAFETY DEVICES
IN SCHOOL ZONES
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672-20-.01 Purpose of Rules.

- (1) School zones are unique to Georgia's roadway system due to the reoccurring reduction of the designated speed limit. This reduction in vehicular speed provides two primary functions: (1) it affords the driver with more time to recognize and react to pedestrians in the travel way; and (2) it offers schoolchildren additional time to anticipate vehicular movement in order to safely avoid crashes. The goal of the placement and use of Automated Traffic Enforcement Safety Devices is to increase safety throughout Georgia's School Zones.
- (2) Prior to the placement of an Automated Traffic Enforcement Safety Device within a School Zone, each school or if a public school the school system housing the school within whose School Zone such Automated Traffic Enforcement Safety Device is to be placed shall first apply for and secure a permit from the Department for the use of such Automated Traffic Enforcement Safety Device.
- (3) These rules establish the process for obtaining, reviewing or cancelling a permit for an Automated Traffic Enforcement Safety Device and how need for such a permit shall be determined by the Department.

Authority: O.C.G.A. § 40-14-18

672-20-.02 Definitions.

The following words when used in Chapter 672-20 shall have the following meaning unless the context thereof indicates another meaning:

- (a) "AASHTO Roadside Design Guide" means the American Association of State Highway and Transportation Officials Roadside Design Guide, current edition.
- (b) "Applicant" means any school or if a public school the school system housing the school that requests a permit for the placement and use of an Automated Traffic Enforcement Safety Device pursuant to O.C.G.A. § 40-14-18.
- (c) "Automated Traffic Enforcement Safety Device" means a speed detection device that:
 - (A) Is capable of producing photographically recorded still or video images, or both, of the rear of a motor vehicle or of the rear of a motor vehicle being towed by another vehicle, including an image of such vehicle's rear license plate;
 - (B) Is capable of monitoring the speed of a vehicle as photographically recorded pursuant to subparagraph (A) of this paragraph; and
 - (C) Indicates on each photographically recorded still or video image produced the date, time, location, and speed of a photographically recorded vehicle traveling at a speed above the posted speed limit within a marked school zone.
- (d) "Automated Traffic Enforcement Safety Device Permit Form" is a Department form which may change from time to time, is available on the Department's website and is to be used to apply for a permit for an Automated Traffic Enforcement Safety Device.
- (e) "Clear Zone" means the unobstructed, traversable area provided beyond the edge of the through traveled way for the recovery of errant vehicles. The Clear Zone includes

shoulders, bike lanes, and auxiliary lanes, except those auxiliary lanes that function like through lanes.

- (f) “Department” means the Georgia Department of Transportation.
- (g) “List of Roads” means a list of the roadways, segment lengths, and speed limits found within the jurisdiction of a local municipality or entity in which law enforcement is permitted to use speed detection devices.
- (h) “Master State Order” means a county specific document approved by the Commissioners of both the Department of Public Safety and the Department of Transportation that lists all state routes and their designated speed limits and all school zones located on state routes within a specific county.
- (i) “MUTCD” means the Manual on Uniform Traffic Control Devices, current edition.
- (j) “Off System” means a route that is not owned or maintained by the Department but by a local government.
- (k) “On System” means a route that is owned and maintained by the Department (typically denoted by “GA” prior to the designated route number).
- (l) “Recorded images” means still or video images recorded by an Automated Traffic Enforcement Safety Device.
- (m) “School Zone” means the area within 1,000 feet of the boundary of any public or private elementary or secondary school.

Authority: O.C.G.A. §§ 40-14-18; 40-14-1.1

672-20-.03 Permit Requirements.

- (1) The Applicant must complete the Automated Traffic Enforcement Safety Device Permit Form and submit it to the Department. The Automated Traffic Enforcement Safety Device Permit Form shall include sufficient information and documentation for the Department to determine the need for such permit. Such Automated Traffic Enforcement Safety Device Permit Form shall include at a minimum:
 - (a) Location of the Automated Traffic Enforcement Safety Device;
 - (b) Specific Model number or identification information of the Automated Traffic Enforcement Safety Device;
 - (c) Traffic data indicating the number and speed of vehicles traveling in the area of the proposed Automated Traffic Enforcement Safety Device;
 - (d) List of all schools within the subject School Zone;
 - (e) Proof that the Applicant has obtained all required permissions, permits and property rights necessary for the installation, maintenance and operation of the desired Automated Traffic Enforcement Safety Device which may include but are not limited to other permits from the Department;
 - (f) Any additional information deemed necessary by the Department to determine need for the Automated Traffic Enforcement Safety Device at the specific location; and
 - (g) Written correspondence from the appropriate local law enforcement agency approving the Applicant’s request for an Automated Traffic Enforcement Safety Device.
- (2) The Automated Traffic Enforcement Safety Device Permit Form for must be signed by the school system’s superintendent or designee when submitted by a public school system.

- (3) The Department is authorized to establish additional guidelines to assist it in determining need for an Automated Traffic Enforcement Safety Device.
- (4) The Department may request additional information or documentation to supplement the Automated Traffic Enforcement Safety Device Permit Form.
- (5) The Applicant must comply with any Department guidelines regarding the Automated Traffic Enforcement Safety Device Permit.

Authority: O.C.G.A. § 40-14-18

672-20-.04 Review by the Department and Determination of Need.

- (1) The Department will review and either approve or deny a completed application for an Automated Traffic Enforcement Safety Device Permit.
- (2) The decision of whether to approve or deny an application for an Automated Traffic Enforcement Safety Device Permit will be at the discretion of the State Traffic Engineer.
- (3) An Automated Traffic Enforcement Safety Device Permit Form will only be considered for those areas where a School Zone is already named on the Master State Order or List of Roads.
- (4) Placement of an Automated Traffic Enforcement Safety Device may be required to be outside the Clear Zone as specified by the AASHTO Roadside Design Guide as determined by the Department.
- (5) If a request is made for an Automated Traffic Enforcement Safety Device Permit along a Department designated On-System Route, the Applicant will review and reassess the limits and established speed limits of the location in question by conducting an Engineering and Traffic Investigation pursuant to Department policy.

Authority: O.C.G.A. § 40-14-18

672-20.05 Permit Holder Requirements.

In addition to those requirements set forth in the Automated Traffic Enforcement Safety Device Permit, the permit holder:

- (a) Must maintain and make available to the Department upon the request all calibration tests and performance logs as required in O.C.G.A. § 40-14-5 for a period of three (3) years.
- (b) Is responsible for the operation of the Automated Traffic Enforcement Safety Device as long as the device is in place and is responsible for maintaining the device in good working order during the term of the Permit. All maintenance work on said device within the Department's right-of-way must be coordinated with the Department's appropriate District Traffic Engineer. All Contractor work times shall be in accordance with the appropriate District Traffic Engineer's directive.
- (c) The Applicant must ensure the maintenance of all School Zone Signage as defined in the MUTCD, including but not limited to School Zone Flashers.

- (d) The permitted Automated Traffic Enforcement Safety Device shall otherwise be operated in accordance with all other laws and regulations.

Authority: O.C.G.A. §§ 40-14-18; § 40-4-5

672-20-.06 Changes to and Cancellation of the Automated Traffic Enforcement Safety Device Permit.

- (1) The Department may require a change in the location of the proposed Automated Traffic Enforcement Safety Device either temporarily or permanently in response to active or proposed construction projects, including but not limited to Department projects, within the area, all costs of which will be borne by the permittee.
- (2) The Department may review at any time a Permit for an Automated Traffic Enforcement Safety Device and require the permittee to submit information and documentation that shows proper operation and maintenance of the Automated Traffic Enforcement Safety Device.
- (3) The Department reserves the right to cancel any Automated Traffic Enforcement Safety Device Permit for the following reasons:
 - (a) The subject school relocates;
 - (b) The subject School Zone is changed or removed;
 - (c) The Georgia Department of Public Safety revokes the local government's permit to use speed detection devices;
 - (d) The permit issued by the Georgia Department of Public Safety for the use of speed detection devices expires and is not renewed;
 - (e) The permittee does not maintain an Automated Traffic Enforcement Safety Device in proper working order in accordance with Rule 672-20.05(b);
 - (f) The permittee fails to meet or follow any requirements of the Permit or any other Department rules, policies or guidelines; or
 - (g) Any other reason that the Department determines requires cancellation of the Permit.

Authority: O.C.G.A. § 40-14-18

Document: O.C.G.A. Section 40-14-18

O.C.G.A. Section 40-14-18[Copy Citation](#)

Current through the 2019 Regular Session of the General Assembly

[GA - Official Code of Georgia Annotated](#) [TITLE 40. MOTOR VEHICLES AND TRAFFIC](#) [CHAPTER 14. USE OF SPEED DETECTION DEVICES AND RED LIGHT CAMERAS](#) [ARTICLE 2. SPEED DETECTION DEVICES](#)

Section 40-14-18. Enforcement of speed limit in school zones with recorded images; civil monetary penalty; vehicle registration and transfer of title restrictions for failure to pay penalty

(a)

(1) The speed limit within any school zone as provided for in Code Section 40-14-8 and marked pursuant to Code Section 40-14-6 may be enforced by using photographically recorded images for violations which occurred only on a school day during the time in which instructional classes are taking place and one hour before such classes are scheduled to begin and for one hour after such classes have concluded when such violations are in excess of ten miles per hour over the speed limit.

(2) Prior to the placement of a device within a school zone, each school within whose school zone such automated traffic enforcement safety device is to be placed shall first apply for and secure a permit from the Department of Transportation for the use of such automated traffic enforcement safety device. Such permit shall be awarded based upon need. The Department of Transportation shall promulgate rules and regulations for the implementation of this paragraph.

(b) For the purpose of enforcement pursuant to this Code section:

(1) The owner of a motor vehicle shall be liable for a civil monetary penalty to the governing body of the law enforcement agency provided for in paragraph (2) of this subsection if such vehicle is found, as evidenced by photographically recorded images, to have been operated in disregard or disobedience of the speed limit within any school zone and such disregard or disobedience was not otherwise authorized by law. The amount of such civil monetary penalty shall be \$75.00 for a first violation and \$125.00 for a second or any subsequent violation, in addition to fees associated with the electronic processing of such civil monetary penalty which shall not exceed \$25.00; provided, however, that for a period of 30 days after the first automated traffic enforcement safety device is introduced by a law enforcement agency within a school zone, the driver of a motor vehicle shall not be liable for a civil monetary penalty but shall be issued a civil warning for disregard or disobedience of the speed limit within the school zone;

(2) A law enforcement agency authorized to enforce the speed limit of a school zone, or an agent working on behalf of a law enforcement agency or governing body, shall send by first class mail addressed to the owner of the motor vehicle within 30 days after obtaining the name and address of the owner of the motor vehicle but no later than 60 days after the date of the alleged violation:

(A) A citation for the alleged violation, which shall include the date and time of the violation, the location of the infraction, the maximum speed at which such motor vehicle was traveling in photographically recorded images, the maximum speed applicable within such school zone, the civil warning or the amount of the civil monetary penalty imposed, and the date by which a civil monetary penalty shall be paid;

- (B)** An image taken from the photographically recorded images showing the vehicle involved in the infraction;
 - (C)** A website address where photographically recorded images showing the vehicle involved in the infraction and a duplicate of the information provided for in this paragraph may be viewed;
 - (D)** A copy of a certificate sworn to or affirmed by a certified peace officer employed by a law enforcement agency authorized to enforce the speed limit of the school zone and stating that, based upon inspection of photographically recorded images, the owner's motor vehicle was operated in disregard or disobedience of the speed limit in the marked school zone and that such disregard or disobedience was not otherwise authorized by law;
 - (E)** A statement of the inference provided by paragraph (4) of this subsection and of the means specified therein by which such inference may be rebutted;
 - (F)** Information advising the owner of the motor vehicle of the manner in which liability as alleged in the citation may be contested through an administrative hearing; and
 - (G)** A warning that failure to pay the civil monetary penalty or to contest liability in a timely manner as provided for in subsection (d) of this Code section shall waive any right to contest liability;
- (3)** Proof that a motor vehicle was operated in disregard or disobedience of the speed limit of the marked school zone shall be evidenced by photographically recorded images. A copy of a certificate sworn to or affirmed by a certified peace officer employed by a law enforcement agency and stating that, based upon inspection of photographically recorded images, a motor vehicle was operated in disregard or disobedience of the speed limit in the marked school zone and that such disregard or disobedience was not otherwise authorized by law shall be prima-facie evidence of the facts contained therein; and
- (4)** Liability under this Code section shall be determined based upon a preponderance of the evidence. Prima-facie evidence that the vehicle described in the citation issued pursuant to this Code section was operated in violation of the speed limit of the school zone, together with proof that the defendant was, at the time of such violation, the registered owner of the vehicle, shall permit the trier of fact in its discretion to infer that such owner of the vehicle was the driver of the vehicle at the time of the alleged violation. Such an inference may be rebutted if the owner of the vehicle:
- (A)** Testifies under oath in open court or submits to the court a sworn notarized statement that he or she was not the operator of the vehicle at the time of the alleged violation;
 - (B)** Presents to the court a certified copy of a police report showing that the vehicle had been reported to the police as stolen prior to the time of the alleged violation.
 - (c)** A violation for which a civil warning or a civil monetary penalty is imposed pursuant to this Code section shall not be considered a moving traffic violation for the purpose of points assessment under Code Section 40-5-57. Such violation shall be deemed noncriminal, and imposition of a civil warning or civil monetary penalty pursuant to this Code section shall not be deemed a conviction and shall not be made a part of the operating record of the person upon whom such liability is imposed, nor shall it be used for any insurance purposes in the provision of motor vehicle insurance coverage.
 - (d)** If a person issued and mailed a citation pursuant to subsection (b) of this Code section fails to pay the civil monetary penalty for the violation or has not filed a police report or notarized statement pursuant to paragraph (4) of subsection (b) of this Code section in no less than 30 nor more than 60 days after such mailing as determined and noticed by the law enforcement agency, the agent or law enforcement agency shall send to such person by first class mail a second notice of any unpaid civil monetary penalty, except in cases where there is an adjudication that no violation occurred or there is otherwise a lawful determination that no civil monetary penalty shall be imposed. The second notice shall include all information required in paragraph (2) of subsection (b) of this Code section and shall include a new date of return which shall be no less than 30 days after such mailing as determined and noticed by the law enforcement agency. If such person notified by second notice again fails to pay the civil monetary penalty or file a police report or notarized statement pursuant to paragraph (4) of subsection (b) of this Code section by the new date of return, such person shall have waived the right to contest the violation and shall be liable for the civil monetary penalty provided for under this Code section, except in cases where there is an adjudication that no violation occurred or there is otherwise a lawful determination that no civil monetary penalty shall be imposed.

- (e)** Notices mailed by first class mail pursuant to this Code section shall be adequate notification of the fees and penalties imposed by this Code section. No other notice shall be required for the purposes of this Code section.
- (f)** Any court having jurisdiction over violations of subsection (a) of this Code section shall have jurisdiction over cases arising under this subsection and shall be authorized to impose the civil monetary penalty provided by this subsection. Except as otherwise provided in this subsection, the provisions of law governing jurisdiction, procedure, defenses, adjudication, appeal, and payment and distribution of penalties otherwise applicable to violations of subsection (a) of this Code section shall apply to enforcement under this Code section except as provided in subsection (b) of this Code section; provided, however, that any appeal from superior or state court shall be by application in the same manner as that provided by Code Section 5-6-35.
- (g)** If a violation has not been contested and the assessed penalty has not been paid, the agent or governing body shall send to the person who is the registered owner of the motor vehicle a final notice of any unpaid civil monetary penalty authorized by this Code section, except in cases where there is an adjudication that no violation occurred or there is otherwise a lawful determination that no civil monetary penalty shall be imposed. The notice shall inform the registered owner that the agent or governing body shall send a referral to the Department of Revenue if the assessed penalty is not paid within 30 days after the final notice was mailed and such that such referral shall result in the nonrenewal of the registration of such motor vehicle and shall prohibit the title transfer of such motor vehicle within this state.
- (h)** The agent or governing body shall send a referral to the Department of Revenue not sooner than 30 days after the final notice required under subsection (g) was mailed if a violation of an ordinance or resolution adopted under this article has not been contested and the assessed penalty has not been paid. The referral to the Department of Revenue shall include the following:
- (1)** Any information known or available to the agent or governing body concerning the license plate number, year of registration, and the name of the owner of the motor vehicle;
 - (2)** The date on which the violation occurred;
 - (3)** The date when the notice required under this Code section was mailed; and
 - (4)** The seal, logo, emblem, or electronic seal of the governing body.
- (i)** If the Department of Revenue receives a referral under subsection (h) of this Code section, such referral shall be entered into the motor vehicle database within five days of receipt and the Department of Revenue shall refuse to renew the registration of the motor vehicle and shall prohibit the title transfer of such vehicle within this state unless and until the civil monetary penalty plus any late fee is paid to the governing body. The Department of Revenue shall mail a notice to the registered owner:
- (1)** That the registration of the vehicle involved in the violation will not be permitted to be renewed;
 - (2)** That the title of the vehicle involved in the violation will not be permitted to be transferred in this state;
 - (3)** That the aforementioned penalties are being imposed due to the failure to pay the civil monetary penalty and any late fee for an ordinance violation adopted under the authority of this Code section; and
 - (4)** Of the procedure that the person may follow to remove the penalties.
- (j)** The Department of Revenue shall remove the penalties on a vehicle if any person presents the Department of Revenue with adequate proof that the penalty and any late fee, if applicable, has been paid.
- (k)** Recorded images made for purposes of this Code section shall not be a public record for purposes of Article 4 of Chapter 18 of Title 50.
- (l)** A civil warning or civil monetary penalty under this Code section on the owner of a motor vehicle shall not be imposed if the operator of the vehicle was arrested or issued a citation and notice to appear by a certified peace officer for the same violation.
- (m)** The money collected and remitted to the governing body pursuant to paragraph (1) of subsection (b) of this Code section shall only be used by such governing body to fund local law enforcement or public safety initiatives. This subsection shall not preclude the appropriation of a greater amount than collected and remitted under this subsection.

Document: O.C.G.A. Section 40-14-21**O.C.G.A. Section 40-14-21****Copy Citation**

Current through the 2019 Regular Session of the General Assembly

GA - Official Code of Georgia Annotated TITLE 40. MOTOR VEHICLES AND TRAFFIC CHAPTER 14. USE OF SPEED DETECTION DEVICES AND RED LIGHT CAMERAS ARTICLE 3. RED LIGHT CAMERAS

Section 40-14-21. Traffic-control signal monitoring devices; application and permit for operation; collection and use of civil monetary penalty; inspection of devices

- (a)** A governing authority must obtain an operating permit from the Department of Transportation prior to using any traffic-control signal monitoring device. The governing authority shall not use traffic-control signal monitoring devices unless the chief law enforcement officer of such governing authority desires the use of such devices and such use is approved by a properly adopted resolution of the governing authority.
- (b)** The governing authority shall also conduct a public hearing on the proposed use of such devices prior to entering any contract on or after July 1, 2001, for the use or purchase of such devices.
- (c)** The Department of Transportation is authorized to prescribe by appropriate rules and regulations the manner and procedure in which applications shall be made for traffic-control signal monitoring device permits and to prescribe the required information to be submitted by an applicant consistent with the requirements of this title. The Department of Transportation may deny an application or suspend or revoke a permit for failure of the governing authority to provide requested information or documentation or for any other violation of this article or violation of the rules and regulations of the department.
- (d)** An application for the operation of a traffic-control signal monitoring device by a governing authority shall name the intersection at which the device is to be used and provide demonstrable evidence that there is a genuine safety need for the use of such device at the designated intersection. The documented safety need for each designated intersection shall be approved by the Department of Transportation in accordance with nationally recognized safety standards. For each designated intersection, the governing authority shall conduct a traffic engineering study to determine whether, in addition to or as an alternative to the traffic-control signal monitoring device, there are other possible design or operational changes likely to reduce the number of accidents or red light violations at that intersection. This report shall be submitted with the application for an operation permit required under these provisions and any request to amend the operation permit to include an additional intersection.
- (e)** The revenue generated by the use of a traffic-control signal monitoring device shall not be considered when determining whether to issue a permit for the operation of such devices at a designated intersection. The only consideration shall be the increased life-saving safety value by the use of such a device at the designated intersection.
- (f)** Permits shall be issued by the Department of Transportation within three months of receiving a completed permit application from a governing authority where such governing authority is otherwise in compliance with the provisions of this article. An application for amendment to an existing permit and an application for a renewal permit following a suspension or revocation of a permit shall also be processed within three months of receipt of such application, provided that the application

is complete and complies with the provisions of this article. A permit shall authorize use of a traffic-control signal monitoring device for only those designated intersections approved as having a documented life-saving safety need by the Department of Transportation.

(g) No governing authority shall be authorized to use traffic-control signal monitoring devices where any arresting officer or official of the court having jurisdiction of traffic cases is paid on a fee system. This subsection shall not apply to any official receiving a recording fee.

(h) If a governing authority elects to use traffic-control signal monitoring devices, no portion of any civil monetary penalty collected through the use of such devices may be paid to the manufacturer or vendor of the traffic-control signal monitoring devices. The compensation paid by the governing authority for such devices shall be based on the value of such equipment and shall not be based on the number of citations issued or the revenue generated by such devices.

(i) Charges for violations based on evidence obtained from a traffic-control signal monitoring device shall not be made by a law enforcement agency unless the law enforcement agency employs at least one full-time certified peace officer.

(j) A traffic-control signal monitoring device shall not be used to produce any photograph, microphotograph, electronic image, or videotape showing the identity of any person in a motor vehicle.

(k) A governing authority utilizing traffic-control signal monitoring devices shall at all times cooperate fully with the Department of Transportation. The department is authorized, at any time, to inspect traffic-control signal monitoring devices used by a governing authority and any records pertaining to revenues collected from the use of such devices.

(l) A permit may be amended at any time by amended application submitted by a governing authority. The request to amend an application and to add a new intersection to the list of authorized intersections for the operation of a traffic-control signal monitoring device shall be considered by the department in the same manner as original permit applications.

(m) A permit shall be reviewed by the Department of Transportation once every three years from the date of issuance or date of the most recent extension unless the permit has been revoked or suspended by the department. The review shall be conducted in the same manner as the original permit application.

(n) The department is authorized to set reasonable application fees to compensate the department for necessary costs in issuing, amending, or reviewing a permit to operate traffic-control signal monitoring devices.

(o) Any governing authority operating a traffic-control signal monitoring device on December 31, 2008, shall have until January 1, 2010, to obtain a permit for the operation of such device as required by this Code section.

History

Code 1981, § 40-14-21, enacted by Ga. L. 2001, p. 770, § 4; Ga. L. 2003, p. 597, § 3; Ga. L. 2004, p. 498, § 2; Ga. L. 2008, p. 1184, § 4/HB 77.

OFFICIAL CODE OF GEORGIA ANNOTATED

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Content Type:

Terms:

Narrow By: -None-

DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA
ATLANTA, GEORGIA



(FOR DOT USE ONLY)	
State Highway No.	_____
Local Road	_____
Milepost No.	_____
County	_____
Permit No.	_____

APPLICATION AND PERMIT FOR AUTOMATED TRAFFIC ENFORCEMENT SAFETY DEVICES (ATESD)

TO: GEORGIA DEPARTMENT OF TRANSPORTATION/TRAFFIC MANAGEMENT CENTER
935 UNITED AVE., SE, BLDG. 24, ATLANTA, GEORGIA 30316

Application is hereby made for _____
Name of School (Area Code) Phone

by _____
Governing Agency (Area Code) Phone

_____ Post Office Address City and State Zip Code

for permission to accomplish work on the Right-of-Way of STATE HIGHWAY NO. _____

U.S. _____ within the City Limits of _____ and in _____ County,
pursuant to O.C.G.A. Sec. 40-14-18 and in accordance with and subject to the ATTACHED DESIGN, Chapter 672 of the Rules and Regulations of the Georgia Department of Transportation and the Georgia Department of Transportation Regulations for Driveway and Encroachment Control, all made a part hereto by reference thereto, and any SPECIAL REQUIREMENTS set forth herein.

The ATESD will operate one hour before instructional classes begin at _____ until one hour after such instructional classes have concluded at _____ for the dismissal of school Monday through Friday.

Permit requested this _____ day of _____, 20 _____.

By _____
Signature

Print Name

Title _____
Governing Agency or Official for Applicant

****Note: Permit Holder and/or local government are/is responsible for the operation and maintenance of the Automated Traffic Enforcement Safety Devices including the operation and maintenance of school zone flashers. Please see rules for further details.****

FORM TO BE COMPLETED BELOW THIS LINE BY GEORGIA DEPARTMENT OF TRANSPORTATION

SPECIAL REQUIREMENTS: (by GDOT only)

PERMIT GRANTED to perform the above-described work in accordance with REQUIREMENTS of the Georgia Department of Transportation; this _____ day of _____, 20 _____.

DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA

By _____

District Engineer