

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

SB 720 (Ashby)
Version: March 26, 2025
Hearing Date: April 29, 2025
Fiscal: Yes
Urgency: No
CK

SUBJECT

Automated traffic enforcement system programs

DIGEST

This bill establishes an alternative automated traffic enforcement program for the enforcement of red light violations.

EXECUTIVE SUMMARY

California has taken an incremental approach at phasing in automated enforcement of certain laws. Starting in 1994, the Legislature authorized automated rail crossing enforcement systems, recognizing the potential fatal consequences of the relevant violations. Over the following years, the trend moved to red-light cameras under a trial basis that was then made permanent. Next, a very limited pilot was authorized in San Francisco to install cameras on public transit vehicles, for the first time explicitly authorizing automated enforcement of parking violations, but limited to transit-only lanes. This law has since been extended state-wide indefinitely. Current law also authorizes cameras on street sweeping vehicles, and just last session, a pilot project was authorized in six cities to deploy automated speed enforcement systems.

Automated enforcement can provide more thorough enforcement of certain laws and reduce the need for employees conducting such enforcement, a cost savings measure. However, with these benefits come concerns regarding due process, privacy, and equity. Furthering the reach of automated surveillance should arguably be gradual, thoughtful, and done with an understanding of, and countermeasures to prevent, potential unintended consequences. Such enforcement gathers personal data, may reduce the judicious enforcement of relevant laws, and has the ability to create a perverse incentive for governments that stand to financially benefit from increased citations.

This bill establishes an alternative automated traffic enforcement program for the enforcement of red light violations. It is sponsored by Streets are for Everyone, Sacramento Area Bicycle Advocates, and Streets for All. It is supported by a number of bike advocacy groups, local governments, and others, including Slow Down Sacramento and the City of San Diego. It is opposed by the National Motorists Association. It passed out of the Senate Transportation Committee on a 12 to 0 vote.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Authorizes the use of an automated enforcement system for enforcement of red light violations by a governmental agency, subject to specific requirements and limitations. (Veh. Code § 21455.5.)
- 2) Establishes the Active Transportation Program (ATP), a grant program administered by the California Transportation Commission (CTC) to encourage increased use of active modes of transportation, such as walking and biking. (Sts. & Hy. Code § 2380.)
- 3) Authorizes the designation of “safety corridors” for up to one-fifth of a local jurisdiction’s streets with the highest number of injuries and fatalities. Authorizes jurisdictions to lower speed limits in safety corridors by 5 mph from the existing speed limit established by an engineering and traffic survey. (Veh. Code § 22358.7.)
- 4) Provides that a person is “indigent” for purposes of parking violations if the person meets specified income criteria or the person receives specified public benefits. (Veh. Code § 40220(c).)
- 5) Authorizes a public transit operator to install automated forward facing parking control devices on city-owned or district-owned public transit vehicles for the purpose of video imaging parking violations occurring in transit-only traffic lanes and at transit stops. Existing law defines a “transit-only traffic lane” to mean any designated transit-only lane on which use is restricted to mass transit vehicles, or other designated vehicles including taxis and vanpools, during posted times. (Veh. Code § 40240(a), (h).)
- 6) States that citations shall only be issued for violations captured during the posted hours of operation for a transit-only traffic lane. Existing law requires designated employees to review video image recordings for the purpose of determining whether a parking violation occurred in a transit-only traffic lane, and permits alleged violators to review the video image evidence of the alleged violation during normal business hours at no cost. (Veh. Code § 40240(a), (c), (d).)

- 7) Requires automated forward facing parking control devices to be angled and focused so as to capture video images of parking violations and not unnecessarily capture identifying images of other drivers, vehicles, and pedestrians. Existing law requires the devices to record the date and time of the violation at the same time video images are captured, and provides that video image records are confidential and shall not be used or accessed for any purposes not related to the enforcement of parking violations occurring in transit-only traffic lanes. (Veh. Code § 40240(a), (f).)

This bill:

- 1) Authorizes an alternative automated traffic enforcement system to that existing under current law. “Automated traffic enforcement system” or “system” means a fixed system that utilizes automated equipment to detect a violation of a traffic control signal and obtains a clear photograph of the detected vehicle’s license plate.
- 2) Provides that such a system may be operated by a local department of transportation, at the limit line, the intersection, or a place designated, where a driver is required to stop, if the program meets specified requirements, including:
 - a) Identifies the system by signs that clearly indicate the system’s presence, are visible to traffic approaching from all directions in which the system is being utilized to issue citations, and are posted within specified distances.
 - b) Locates the system at an intersection and ensures that the system meets the specified criteria. A designated jurisdiction shall not reduce the yellow light interval durations after placement of the system.
- 3) Requires the systems to be placed in locations that are geographically and socioeconomically diverse. The designated jurisdiction shall describe how it has complied with this provision.
- 4) Requires a designated jurisdiction to consider traffic data or other evidence supporting the installation and operation of each system and determine that the intersection where a system is to be placed or installed constitutes a heightened safety risk that warrants additional enforcement measures. A designated jurisdiction shall consider placing a system on a street that has had a high number of incidents for motor vehicle contests or exhibitions of speed. A high number of incidents shall be calls for law enforcement to respond to the area for at least four separate incidences within the last two years before the placement of the automated traffic enforcement system.

- 5) Requires the governing body of the designated jurisdiction to approve an automated traffic enforcement system impact report, which shall be made available to the public at least 30 days before adoption by the governing body at a public hearing. The governing body must collaborate with relevant local stakeholders, including racial equity, privacy protection, and economic justice groups, in developing the report.
- 6) Requires the report to include all of the following information:
 - a) Assessment of potential impact of the automated traffic enforcement system on civil liberties and civil rights and any plans to safeguard those public rights.
 - b) Description of the automated traffic enforcement system and how it works.
 - c) Fiscal costs for the automated traffic enforcement system, including program establishment costs, ongoing costs, and program funding.
 - d) If potential deployment locations of systems are predominantly in low-income neighborhoods, a determination of why these locations experience high fatality and injury collisions due to traffic control signal violations at intersections.
 - e) Locations where the system may be deployed and traffic data for these locations, including the intersection where the cameras will be located.
 - f) Proposed purpose of the automated traffic enforcement system.
- 7) Provides that the jurisdiction shall develop uniform guidelines for screening and issuing notices of violation and the processing and storage of confidential information. It shall also perform the following functions:
 - a) Establishing guidelines for the selection of a location. Prior to installing an automated traffic enforcement system after January 1, 2026, the designated jurisdiction shall make and adopt a finding of fact establishing that the system is needed at a specific location for reasons related to safety.
 - b) Ensuring that the equipment is regularly inspected, but at least annually.
 - c) Calibrating the equipment in accordance with the manufacturer's instructions upon installation.
 - d) Regularly inspecting and maintaining warning signs.
 - e) Overseeing the establishment or change of signal phases and the timing thereof.
 - f) Maintaining controls necessary to ensure that only those citations that have been reviewed and approved by the issuing agency are delivered to violators.
- 8) Prohibits contractual arrangements with third parties that provide for payment or other compensation based on the number of citations or as a percentage of revenue generated. A designated jurisdiction that proposes to install or operate

an automated traffic enforcement system shall not consider revenue generation, beyond recovering its actual costs of operating the system, as a factor when considering whether or not to install or operate a system within its local jurisdiction.

- 9) Requires a designated jurisdiction to publish a report that includes, but is not limited to, all of the following information, if this information is in the possession of, or readily available to, the designated jurisdiction:
 - a) The number of alleged violations captured by the systems they operate.
 - b) The number of citations issued by the issuing agency based on information collected from the automated traffic enforcement system.
 - c) For citations identified, the number of violations that involved traveling straight through the intersection, turning right, and turning left.
 - d) The number and percentage of citations that are dismissed.
 - e) The funds generated from the automated traffic enforcement systems.
- 10) Requires the program to only issue warning notices for the first 60 days and to publicly announce the program at least 30 days prior to commencement.
- 11) Requires a notice of violation to include a clear photograph of the license plate and rear of the vehicle only, and identify the specific section of the Vehicle Code violated, the camera location, and the date and time when the violation occurred. A notice of violation shall, when practical, exclude images inside of the rear window area of the vehicle. A notice of violation issued from an automated traffic enforcement system that was installed prior to January 1, 2026, may continue to include pictures of the driver at the discretion of the designated jurisdiction.
- 12) Exempts the photographic evidence stored by an automated traffic enforcement system from evidentiary hearsay rules. Exempts photographic or administrative records made by a system from the California Public Records Act.
- 13) Provides that the registered owner or an individual identified by the registered owner as the driver shall be permitted to review and obtain a copy of the photographic evidence of the alleged violation.
- 14) Subjects violations to a \$100 civil penalty and not suspension of license or a violation point. Late fees shall not exceed 50 percent of the penalty. Only processing fees for electronic payment may be added.
- 15) Requires the system to capture images of the rear license plate of vehicles that are violating the traffic control signal, and a notice of violation shall only be issued to registered owners of those vehicles based on that evidence.

- 16) Requires 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 the violation. The notice of violation shall include specified information, including:
 - a) The violation, including reference to the traffic control signal law that was violated.
 - b) The date, approximate time, and location where the violation occurred.
 - c) The vehicle license number and the name and address of the registered owner of the vehicle.
 - d) A clear photograph of the traffic control signal.
 - e) A statement that payment is required to be made no later than 30 calendar days from the date of mailing, or that the violation may be contested.
 - f) The amount of the civil penalty due and the procedures for payment of the civil penalty or for contesting the notice of violation.
 - g) An affidavit of nonliability, and information of what constitutes nonliability, information as to the effect of executing the affidavit, and instructions for returning the affidavit to the processor.
- 17) Provides that revenues derived from any program utilizing an automated traffic enforcement system shall first be used to recover program costs.
- 18) Authorizes a recipient, no later than 30 calendar days from the date of mailing of a notice of violation, to request an initial review of the notice by the issuing agency. The request may be made by telephone, in writing, electronically, or in person. There shall be no charge for this review. If, following the initial review, the issuing agency is satisfied that the violation did not occur, or that extenuating circumstances make cancellation of the notice of violation appropriate in the interest of justice, the issuing agency shall cancel the notice of violation. The results of the initial review shall be mailed to the person contesting the notice within 60 days, and, if cancellation of the notice does not occur following that review, include a reason for that denial, notification of the ability to request an administrative hearing, and notice of the procedures.
- 19) Permits a person contesting the notice of violation who is dissatisfied with the results of the initial review to request an administrative hearing. The person is still required to pay the amount of the civil penalty to the processing agency. The issuing agency shall adopt a written procedure to allow a person to request an administrative hearing without payment of the civil penalty upon satisfactory proof of an inability to pay the amount due.
- 20) Requires the administrative hearing to be held within 90 calendar days, as provided. The administrative hearing process shall include specified features, including:
 - a) The person requesting a hearing shall have the choice of a hearing upon written declaration, video conference, or in person.

- b) The administrative hearing shall be conducted in accordance with written procedures established by the issuing agency and approved by the governing body or chief executive officer of the issuing agency. The hearing shall provide an independent, objective, fair, and impartial review of contested automated traffic enforcement violations.
 - c) Examiners shall have a minimum of 20 hours of training, which can be accomplished through a program developed and provided by, or for, the agency.
- 21) Provides that the employee of the designated jurisdiction who issues a notice of violation shall not be required to participate in an administrative hearing. To establish a violation, the issuing agency shall not be required to produce any evidence other than, in proper form, the notice of violation or copy thereof, including the photograph of the vehicle's license plate, and information received from the Department of Motor Vehicles identifying the registered owner of the vehicle. The documentation in proper form shall be prima facie evidence of the violation. If the designated jurisdiction meets its initial burden, the recipient of the notice of violation may present any evidence and argument in defense.
- 22) Provides that within 30 days after personal delivery or mailing of the final decision, the contestant may seek review by filing an appeal to the superior court, where the case shall be heard de novo, except that the contents of the processing agency's file in the case on appeal shall be lodged by the designated agency at the designated agency's expense and be received into evidence. A copy of the notice of violation shall be admitted into evidence as prima facie evidence of the facts stated in the notice.
- 23) Provides that the conduct of the hearing on appeal is a subordinate judicial duty that may be performed by a commissioner or other subordinate judicial officer at the direction of the presiding judge of the court.
- 24) Requires a designated jurisdiction to offer the ability for indigent automated traffic enforcement system violation recipients to pay applicable fines and penalties over a period of time under a payment plan with monthly installments and shall limit the processing fee.
- 25) Clarifies that it does not affect a designated jurisdiction that utilizes an automated traffic enforcement system pursuant to Section 21455.5 of the Vehicle Code. A designated jurisdiction may utilize an automated traffic enforcement system pursuant to this section or Section 21455.5.
- 26) Establishes fees for an appeal of a hearing officer's determination regarding a civil penalty for an automated traffic enforcement violation.

COMMENTS

1. The history of automated enforcement

While some counties may have installed automated traffic enforcement systems at an earlier date, legislative authorization for automated enforcement procedures relating to traffic violations began in 1994 with SB 1802 (Rosenthal, Ch. 1216, Stats. 1994). That bill authorized the use of “automated rail crossing enforcement systems” to enforce prohibitions on drivers from passing around or under rail crossings while the gates are closed. (Veh. Code § 22451.) Those systems functioned by photographing the front license plate and the driver of vehicles who proceeded around closed rail crossing gates in violation of the Vehicle Code provisions. The drivers of photographed vehicles, in turn, received citations for their violations.

In 1995, the Legislature authorized a three-year trial for red light camera enforcement programs. (SB 833, Kopp, Ch. 922, Stats. 1995.) Using similar technology, that program used sensors connected to cameras to take photographs of the front license plate and driver upon entering an intersection on a red light. That program was permanently extended in 1998 by SB 1136 (Kopp, Ch. 54, Stats. 1998).

In 2007, the Legislature authorized a four-year pilot project where San Francisco was authorized to install video cameras on city-owned public transit vehicles for the purpose of video imaging parking violations occurring in transit-only traffic lanes. (AB 101, Ma, Ch. 377, Stats. 2007.) Three years later, the Legislature authorized a five-year statewide pilot project to allow local public agencies to use automated parking enforcement systems for street sweeping-related violations. (AB 2567, Bradford, Ch. 471, Stats. 2010.) In 2011, the Legislature extended San Francisco’s automated transit-only lane enforcement program for an additional year, and required the City and County to provide a report to the Transportation and Judiciary Committees of the Legislature no later than March 1, 2015, describing the effectiveness of the pilot program and its impact on privacy. (AB 1041, Ma, Ch. 325, Stats. 2011.) Following the receipt of that report, San Francisco’s transit-only lane enforcement program was permanently extended in AB 1287 (Chiu, Ch. 485, Stats. 2015).

The following year, AB 1051 (Hancock, Ch. 427, Stats. 2016) authorized AC Transit to operate an automated transit-only lane enforcement program similar to San Francisco’s with a sunset on January 1, 2022. AC Transit was required to provide to the Transportation, Privacy and Consumer Protection, and Judiciary Committees of the Legislature an evaluation report of the enforcement system’s effectiveness, impact on privacy, cost to implement, and generation of revenue, no later than January 1, 2021. (Veh. Code § 40240.5.) AB 917 (Bloom, Ch. 709, Stats. 2021) expanded automated enforcement of parking violations using forward-facing cameras on transit vehicles to include both transit-only lanes and transit stops and extended the authorization statewide until January 1, 2027.

Last session, AB 645 (Friedman, Ch. 808, Stats. 2023) authorized six localities to deploy speed safety systems in designated roadways, namely official “safety corridors,” school zones, and streets a local authority has determined to have had a high number of incidents for motor vehicle speed contests or motor vehicle exhibitions of speed.

2. Expanding automated enforcement to speed violations

This bill establishes an alternative automated enforcement system to that existing in current law for monitoring traffic signals. It closely models recent laws with a number of features requested by this Committee to address some of the equity and privacy concerns. This includes involvement of local groups focused on racial equity, privacy protection, and economic justice in developing the required system report. Locations must be identified in an equitable manner taking into consideration quantitative data about relevant incidents. Contractual provisions that tie compensation to number of citations or a percentage of revenue generated by the system are prohibited. Notice must be provided to the public and day-to-day oversight needs to ensure proper functioning and overall compliance. The bill also includes a required report to indicate the number of alleged violations, the number and type of citations issued, the number of citations dismissed, and the funds generated. However, this information is only required to be included if this information is “in the possession of, or readily available to, the designated jurisdiction.” Given the importance of this data to proper evaluation and oversight of these programs, the author has agreed to amendments that remove this condition.

However, there are a few key differences that should be noted. This alternative system does not require cooperation of law enforcement and turns this into a civil enforcement scheme. Only civil penalties can be assessed and violations can not result in suspension of a license or in a violation point being assessed against the violator. The system can enforce the citation against the registered owner rather than the actual driver.

Initial review is provided through an administrative process conducted pursuant to procedures established by the issuing agency in front of an examiner who may be an employee and who only needs 20 hours of training, which may be accomplished through a program developed by the agency. The employee of the agency who issues a notice of violation is not required to participate in the hearing. To establish a violation, the issuing agency cannot be required to produce any evidence other than:

- a notice of violation;
- a photograph of the vehicle’s license plate,
- and DMV information identifying the registered owner of the vehicle.

This alone constitutes prima facie evidence of the violation. If the agency meets this initial burden, the recipient of the notice of violation must present any evidence and argument in defense.

An appeal can be taken in the courts, but a copy of the notice of violation shall be admitted into evidence as prima facie evidence of the facts stated therein. To get around evidentiary issues, the bill exempts its photographic evidence from relevant hearsay rules. In addition, the appeal need not be in front of a judge, as the bill deems it a subordinate judicial duty that may be performed by a commissioner or other subordinate judicial officer at the direction of the presiding judge of the court. The author has agreed to amend the provision regarding the notice of violation to instead provide a presumption of admissibility rather than as prima facie evidence of the facts stated therein. In addition, amendments provide for the appeal to be taken in small claims court where registered owners may be more comfortable pleading their case.

Concerns have been raised about these differences and the arguably insufficient due process afforded. Writing in opposition, the National Motorists Association argues:

I. SB-720 Makes The Vehicle Owner Responsible for the Ticket Even When Someone Else Was Driving

- 1) The bill eliminates the requirement that the red light camera system produce a clear photo of the driver, or any photo of the driver for that matter. Under SB-720, even if an innocent vehicle owner wishes to identify the person driving their vehicle at the time of the alleged violations, they may not be able to. They will have to pay the fine themselves.
- 2) Since the driver is not identified, they will not be subject to a point on their license, preventing the State from holding accountable drivers who are truly a danger on our roadway.

II. Eliminates Your Right to a Trial if You Get a Red Light Camera Ticket

- 1) Tickets will be handled in an administrative hearing where the jurisdiction running the ticketing program makes up the rules under which defendants' cases will be handled. This unacceptably removes the separation of powers between the legislative and judicial branches of government.
- 2) The hearing officer deciding guilt or innocence will be hired and paid for by the jurisdiction. This also removes the separation of powers between the legislative and judicial branches of government. Defendants are entitled to have their cases heard by an impartial and independent entity, not an employee of the entity accusing them. Furthermore, the hearing officer will likely not be a judge and will only have 20 hours of training, some of which can be substituted by "relevant experience".
- 3) SB-720 makes the ticket itself prima facie evidence. Defendants are assumed guilty and will have to prove their innocence. This removes one of the most sacred tenants of our judicial system, that a defendant is to be considered innocent until proven guilty

- 4) The ticket itself is the only evidence needed for a conviction. No other evidence is required.
- 5) No one is required to testify against the defendant. Defendants will have no right to face their accuser. They will have no right to cross examine anyone.
- 6) Formal rules of evidence will not apply in the administrative hearing.
- 7) SB-720 eliminates the right to discovery of evidence.
- 8) SB-720 eliminates the right to subpoena witnesses.
- 9) SB-720 lowers the standard of proof from “beyond a reasonable doubt” to “preponderance of the evidence”.

SB-720 establishes a system in which the burden of proof is effectively reversed. A notice of violation need only include a photo of the vehicle's license plate, the alleged Vehicle Code section violated, the camera location, and the date and time of the incident. This minimal information is deemed prima facie evidence, and the issuing agency is not required to provide further proof – such as video of the event or confirmation of what actually occurred. There is no obligation to show the specific infraction, present witnesses, or provide access to additional evidence. The accused cannot subpoena witnesses, cross-examine anyone involved, or meaningfully challenge the citation. In effect, the government's accusation is accepted as fact, and the vehicle owner is left with no practical way to defend themselves. The notice becomes a demand for payment, not based on proof, but on assumption. This structure eliminates the presumption of innocence and denies basic due process. It invites error, discourages accountability, and undermines public trust in the legal system.

According to the author:

Every year, roughly 4,000 people lose their lives to unsafe driving on California streets. SB 720 establishes the Safer Streets Act, which is a critical step towards reducing traffic accidents and fatalities. This bill allows cities to opt in to a new red light camera system in high collision areas. SB 720 changes the violation from a criminal penalty to a civil penalty – easing insurance prices for drivers and creating a more equitable framework in a space historically associated heavily with bias and over criminalization. The Safer Streets Act ensures that revenue generated from the new program funds local safety initiatives, including vital road infrastructure improvements. SB 720 ensures that cities have the tools to create safer streets and to invest in local pedestrian and motorist safety measures.

A coalition of groups in support, including People for Bikes, writes:

SB 720 would establish an opt-in red light camera program for local jurisdictions to use called the Safer Streets Program, which is designed to save lives, improve privacy and security, and eliminate costly fines. The Safer Streets Program would issue civil violations (similar to a parking ticket) to the owners of vehicles that run red lights. The fine is \$100, with no additional administrative fees allowed. It wouldn't affect one's driving record and wouldn't result in higher insurance. It has stronger privacy provisions since a photo of the driver's face is no longer required. It also has a way for low-income drivers to reduce their fines automatically. Any profit generated by the Safer Streets Program must first be used for program cost recovery and any remaining funds can only be utilized for safer streets initiatives, including pedestrian, cyclist, and vehicle safety improvements.

SUPPORT

Active San Gabriel Valley
Bike LA
Bike Long Beach
Bike Slo County
Car-lite Long Beach
Circulate San Diego
City of Sacramento
City of San Diego
City of West Hollywood
Costa Mesa Alliance for Better Streets
East Bay for Everyone
Livable Communities Initiative
Los Angeles Neighborhood Initiative
Los Angeles Walks
Move LA
Move Santa Barbara County
Mujeres De LA Tierra
Norwalk Unides
Pasadena Complete Streets Coalition
Peopleforbikes
Sacramento Area Bicycle Advocates
San Diego County Bicycle Coalition
San Francisco Bicycle Coalition
Santa Monica Families for Safe Streets
Santa Monica Safe Streets Alliance
Santa Monica Spoke

Slow Down Sacramento
So Cal Cycling
Sonoma County Bicycle Coalition
Streets are for Everyone (SAFE) (ORG)
Streets for All
Strong Towns Artesia
Strong Towns Santa Barbara
West Hollywood Bicycle Coalition

OPPOSITION

National Motorists Association

RELATED LEGISLATION

Pending Legislation: AB 1379 (Nguyen, 2025) expands the list of cities authorized to establish a speed safety system pilot program to include the City of Sacramento. AB 1379 is currently in the Assembly Transportation Committee.

Prior Legislation:

AB 645 (Friedman, Ch. 808, Stats. 2023) *See Comment 1.*

AB 550 (Chiu, 2021) would have authorized a pilot program for automated speed enforcement in several cities in California. AB 550 was held in the Assembly Appropriations Committee.

AB 917 (Bloom, Ch. 709, Stats. 2021) *See Comment 1.*

AB 1051 (Hancock, Ch. 427, Stats. 2016) *See Comment 1.*

AB 1287 (Chiu, Ch. 485, Stats. 2015) *See Comment 1.*

AB 1041 (Ma, Ch. 325, Stats. 2011) *See Comment 1.*

AB 2567 (Bradford, Ch. 471, Stats. 2010) *See Comment 1.*

AB 101 (Ma, Ch. 377, Stats. 2007) *See Comment 1.*

SB 1136 (Kopp, Ch. 54, Stats. 1998) *See Comment 1.*

SB 833 (Kopp, Ch. 922, Stats. 1995) *See Comment 1.*

SB 1802 (Rosenthal, Ch. 1216, Stats. 1994) *See Comment 1.*

PRIOR VOTES:

Senate Transportation Committee (Ayes 12, Noes 0)
