

§2117. Use of traffic surveillance cameras restricted

Except as provided in subsections 1 and 2, the State or a municipality may not use a traffic surveillance camera to prove or enforce a violation of this Title. For purposes of this section, "traffic surveillance camera" means a device that, in conjunction with a lighted traffic-control device or a lane direction control device, as described in section 2057, subsections 1 and 3, or a speed measurement device as described in section 2075, subsection 4, automatically produces one or more photographs, one or more microphotographs, a videotape or any other recorded image of a vehicle at the time the vehicle is operated in violation of state law. [PL 2019, c. 318, §1 (AMD).]

1. School buses. The State or a municipality may use a traffic surveillance camera mounted on a school bus in conjunction with a lighted traffic-control device to prove or enforce a violation of section 2308, subsection 2. A photograph, microphotograph, videotape or other recorded image or audio produced by a traffic surveillance camera mounted on a school bus is confidential and may only be released to a law enforcement officer for the purpose of an investigation into a violation of the law or to a law enforcement officer, prosecutor, defendant or court for the purpose of a prosecution of a violation of the law.

The state or a municipality may not retain a photograph, microphotograph, videotape or other recorded image or audio produced by a traffic surveillance camera mounted on a school bus for more than 30 days from the date of production unless it is released in accordance with this subsection.

For the purposes of this subsection, "prosecutor" means a person who by virtue of public employment is vested by law with a duty to prosecute offenders for crimes, whether that duty extends to all crimes or is limited to specific crimes.

[PL 2019, c. 318, §1 (NEW).]

2. Toll enforcement. The Maine Turnpike Authority may use a photo-monitoring system, as defined by Title 23, section 1980, subsection 2-A, paragraph B, subparagraph (4), for toll enforcement purposes.

[PL 2019, c. 318, §1 (NEW).]

REVISOR'S NOTE: §2117. Failure to maintain control of a motor vehicle (As enacted by PL 2009, c. 446, §1 is REALLOCATED TO TITLE 29-A, SECTION 2118)

SECTION HISTORY

RR 2009, c. 1, §18 (RAL). PL 2009, c. 223, §1 (NEW). PL 2009, c. 446, §1 (NEW). PL 2019, c. 318, §1 (AMD).

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