



2025 ASSEMBLY BILL 371

July 17, 2025 - Introduced by Representatives NOVAK, HAYWOOD, GOODWIN, KIRSCH, BROOKS, DUCHOW, MIRESE, MELOTIK, TUSLER, ARNEY, PALMERI, PRADO, NEYLON, UDELL and PHELPS, cosponsored by Senators TOMCZYK, DRAKE, L. JOHNSON, CARPENTER, LARSON, HABUSH SINYKIN, KEYESKI, PFAFF, SPREITZER and JAMES. Referred to Committee on Criminal Justice and Public Safety.

1 **AN ACT** *to amend* 346.01 (2), 346.02 (12) and 346.43 (1) (b) 1.; *to create*
2 346.375, 346.43 (5), 346.575 and 346.60 (6) of the statutes; **relating to:** the
3 use of speed safety camera systems and traffic control photographic systems in
4 a first class city and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill allows law enforcement agencies in a first class city (presently only Milwaukee) to use a speed safety camera system (SSCS) to identify speed limit violations and a traffic control photographic system (TCPS) to identify certain traffic signal violations.

Under current law, law enforcement officers may not use any radar device combined with photographic identification of a vehicle to determine compliance with motor vehicle speed limits. Under this bill, a first class city may use an SSCS to determine compliance with speed limits. With exceptions, the vehicle owner is subject to a forfeiture for a speed limit violation detected by an SSCS. However, no traffic citation may be issued for a speed limit violation for which the SSCS indicated a speed of less than 15 miles per hour above the speed limit alleged to be violated. The owner is subject to the same forfeiture that would be applicable to the vehicle operator for the violation. The bill also imposes a number of administrative requirements on a municipality that uses an SSCS to determine compliance with

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speed limits. The authorization of the use of an SSCS to determine compliance with speed limits expires five years after an SSCS is implemented.

This bill also authorizes a first class city to use a TCPS to detect motor vehicles that fail to properly stop at red traffic signals at intersections. A TCPS is an electronic system that automatically produces photographs of motor vehicles traveling through an intersection. With exceptions, the vehicle owner is subject to a forfeiture for a traffic signal violation detected by a TCPS of not more than the amount provided for a traffic signal violation under current law, currently between \$20 and \$100. The authorization of the use of a TCPS to detect traffic signal violations expires five years after a TCPS is implemented.

Forfeitures collected under either of these authorizations must be appropriated for the costs of implementing and operating the system and after those costs have been paid may be used only for traffic enforcement, traffic safety programs, and traffic safety infrastructure.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 346.01 (2) of the statutes is amended to read:

346.01 (2) In this chapter, notwithstanding s. 340.01 (42), “owner” means, with respect to a vehicle that is registered, or is required to be registered, by a lessee of the vehicle under ch. 341, the lessee of the vehicle for purposes of vehicle owner liability under ss. 346.175, 346.195, 346.205, 346.375, 346.452, 346.457, 346.465, 346.485, 346.505 (3), 346.575, 346.675, and 346.945.

SECTION 2. 346.02 (12) of the statutes is amended to read:

346.02 (12) APPLICABILITY TO ELECTRIC SCOOTERS AND ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES. An electric scooter and an electric personal assistive mobility device shall be considered a vehicle for purposes of ss. 346.04 to 346.10, 346.12, 346.13, 346.15, 346.16, 346.18, 346.19, 346.20, 346.215 (3), 346.23 to 346.28, 346.31 to 346.35, 346.37, 346.38 to 346.40, 346.44, 346.46, 346.47, 346.48, 346.50 to 346.55, 346.57, 346.59, 346.62, 346.65 (5m), 346.67 to 346.70, 346.78,

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1 346.80, 346.87, 346.88, 346.90, 346.91, and 346.94 (4), (5), (9), and (10), except those
2 provisions which by their express terms apply only to motor vehicles or which by
3 their very nature would have no application to electric scooters or electric personal
4 assistive mobility devices.

5 **SECTION 3.** 346.375 of the statutes is created to read:

6 **346.375 Owner's liability for certain violations related to traffic**
7 **control signals.** (1) In this section, "traffic control photographic system" or
8 "system" means an electronic system consisting of a photographic, video, or
9 electronic camera and a vehicle sensor installed for use with an official traffic
10 control signal to automatically produce photographs or video or digital images,
11 stamped with the time and date, of vehicles moving through an intersection.

12 (2) (a) Subject to sub. (6), a local authority may use a traffic control
13 photographic system to detect a motor vehicle doing any of the following:

14 1. When facing a traffic control signal at an intersection that exhibits a red
15 light, including a flashing red light, fully entering the intersection without
16 stopping.

17 2. When facing a traffic control signal at an intersection that exhibits a red
18 light, other than a flashing red light, after stopping at the intersection, proceeding
19 through the intersection before the traffic control signal exhibits a green light if the
20 vehicle is not making a right turn.

21 (b) Subject to sub. (5), the owner of a vehicle involved in a violation of par. (a)
22 or a local ordinance in conformity with par. (a) that is determined by a system shall
23 be liable for the violation as provided in this section.

24 (3) If a traffic officer or other employee of the local authority prepares a

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1 uniform traffic citation under s. 345.11 for a violation of this section, the traffic
2 officer or employee shall serve the owner of the vehicle with the citation, within 30
3 business days after the violation, by personal service or by mailing the citation by
4 1st class mail addressed to the owner's last-known address. A traffic officer or
5 employee shall send with the citation a duplicate of the photograph, video, or digital
6 image, taken by the traffic control photographic system, of the vehicle involved in
7 the violation.

8 (4) Any forfeiture collected under this section shall be deposited into a
9 separate segregated account from which moneys shall be used for the costs of
10 implementing and operating the system and after those costs have been paid shall
11 be administered by the collecting local authority and may be used only for purposes
12 of traffic enforcement, traffic safety programs, and traffic safety infrastructure.

13 (5) (a) Except as provided in par. (b), it is not a defense to a violation of this
14 section that the owner was not in control of the vehicle at the time of the violation.

15 (b) All of the following are defenses to a violation of this section:

16 1. That a report that the vehicle was stolen was made by the owner to a law
17 enforcement agency before the violation occurred or within 7 business days after
18 the violation occurred.

19 2. That the vehicle is owned by a lessor of vehicles and is registered in the
20 name of the lessor, that at the time of the violation the vehicle was in the possession
21 of a lessee, and that the lessor provided a traffic officer or designated employee of
22 the local authority with the information required under s. 343.46 (3). In that case,

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1 the lessee may be charged with a violation of s. 346.37 (1) (c) 1. or an ordinance in
2 conformity with s. 346.37 (1) (c) 1.

3 3. That the vehicle is owned by a dealer, as defined in s. 340.01 (11) (intro.),
4 but including the persons specified in s. 340.01 (11) (a) to (d), at the time of the
5 violation the vehicle was being operated by a person on a trial run, and the dealer
6 provided a traffic officer or designated employee of the local authority with the
7 name, address, and operator's license number of the person operating the vehicle.
8 In that case, the person operating the vehicle may be charged with a violation of s.
9 346.37 (1) (c) 1. or an ordinance in conformity with s. 346.37 (1) (c) 1.

10 (6) If a local authority uses a traffic control photographic system, the local
11 authority shall do all of the following:

12 (a) Place official traffic signs at or reasonably near the jurisdictional limits of
13 the local authority on all county trunk highways and state trunk highways under
14 the jurisdiction of the local authority informing motorists that intersections in the
15 local authority may be monitored by traffic control photographic systems.

16 (b) Ensure that any photograph or video or digital image produced by the
17 traffic control photographic system is taken from a direction to the rear of the
18 vehicles moving through an intersection and be focused on the rear registration
19 plate of such vehicles.

20 (c) Use traffic control photographic systems only at intersections that are
21 identified as having an annual accident rate of 1.0 or greater in studies performed
22 by the local authority in the 5 most recent years of high-frequency crash locations.

23 (7) Nothing in this section prohibits the issuance of a citation to the operator

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1 of a motor vehicle for a violation of s. 346.37 (1) (c) 1. or a local ordinance in
2 conformity with s. 346.37 (1) (c) 1., but a person may not be subject to a forfeiture for
3 a violation under this section and a violation of s. 346.37 (1) (c) 1. or a local
4 ordinance in conformity with s. 346.37 (1) (c) 1. arising from the same incident or
5 occurrence.

6 (8) (a) This section applies only in a 1st class city.

7 (b) If a 1st class city uses traffic control photographic systems under this
8 section, systems may be used at no more than 5 intersections in an aldermanic
9 district.

10 (9) Subsection (2) does not apply 5 years after the initial implementation of a
11 traffic control photographic system.

12 **SECTION 4.** 346.43 (1) (b) 1. of the statutes is amended to read:

13 346.43 (1) (b) 1. Except as provided in subd. 2. or 3. or sub. (4), any operator of
14 a vehicle violating ss. 346.37 ~~to~~, 346.38, or 346.39 may be required to forfeit not less
15 than \$20 nor more than \$40 for the first offense and not less than \$50 nor more
16 than \$100 for the 2nd or subsequent conviction within a year.

17 **SECTION 5.** 346.43 (5) of the statutes is created to read:

18 346.43 (5) A vehicle owner found liable under s. 346.375 is subject to a
19 forfeiture of the same amount that may be imposed on a vehicle operator for the
20 corresponding violation of s. 346.37 (1) (c) 1. including, if applicable, the doubling of
21 the forfeiture as provided in sub. (1) (b) 3. For purposes of this subsection a person's
22 prior violation of s. 346.37 (1) (c) 1. may be counted as a prior violation of s. 346.375.
23 Imposition of liability under s. 346.375 shall not result in suspension or revocation

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1 of a person's operating privilege under s. 343.30 or 343.31, nor shall it result in
2 demerit points being recorded on a person's driving record under s. 343.32 (2) (a).

3 **SECTION 6.** 346.575 of the statutes is created to read:

4 **346.575 Owner's liability for speed restriction violations detected by**
5 **a speed safety camera system.** (1) In this section, "speed safety camera system"
6 or "system" means an electronic device that uses automated equipment to detect a
7 vehicle's speed and that is designed to obtain a clear visual image of a vehicle's rear
8 license plate.

9 (2) Notwithstanding s. 349.02 (3) (b) and subject to sub. (6), a local authority
10 may use a speed safety camera system to determine compliance with a speed
11 restriction established under s. 346.57 or 349.11 on highways under its jurisdiction.
12 Subject to sub. (5) (b), the owner of a vehicle involved in a violation of s. 346.57 or a
13 local ordinance in conformity with s. 346.57 that is determined by a system shall be
14 liable for the violation as provided in this section.

15 (3) If a traffic officer or other employee of the local authority reviews and
16 prepares a uniform traffic citation under s. 345.11 for a violation of this section, the
17 officer or employee shall serve the owner of the vehicle with the citation by mailing
18 the citation by 1st class mail addressed to the owner's last-known address within 30
19 business days after the violation. A traffic officer or employee shall send with the
20 citation a duplicate of a visual image, taken by the speed safety camera system, of
21 the rear license plate of the vehicle involved in the violation, the system's location,
22 and the date and time when the violation occurred. No traffic citation may be
23 issued for a violation under this section for which the system indicated a speed of

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1 less than 15 miles per hour above the speed restriction established under s. 346.57
2 or 349.11.

3 (4) Any forfeiture collected under this section shall be deposited into a
4 separate segregated account from which moneys shall be used for the costs of
5 implementing the system and after those costs have been paid shall be
6 administered by the collecting local authority and may be used only for purposes of
7 traffic enforcement, traffic safety programs, and traffic safety infrastructure.

8 (5) (a) Except as provided in par. (b), it is not a defense to a violation of this
9 section that the owner was not operating the vehicle at the time of the violation.

10 (b) All of the following are defenses to a violation of this section:

11 1. That a report that the vehicle was stolen was made by the owner to a law
12 enforcement agency before the violation occurred or within 7 business days after
13 the violation occurred.

14 2. That the owner of the vehicle provided a traffic officer or employee of the
15 local authority with the name and address of the person operating the vehicle at the
16 time of the violation and the person so named admits operating the vehicle at the
17 time of the violation. In that case, the person operating the vehicle may be charged
18 with a violation of s. 346.57 or a local ordinance in conformity with s. 346.57.

19 3. That the vehicle is owned by a lessor of vehicles and is registered in the
20 name of the lessor, that at the time of the violation the vehicle was in the possession
21 of a lessee, and that the lessor provided a traffic officer or employee of the local
22 authority with the information required under s. 343.46 (3). In that case, the lessee

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1 may be charged with a violation of s. 346.57 or a local ordinance in conformity with
2 s. 346.57.

3 4. That the vehicle is owned by a dealer, as defined in s. 340.01 (11) (intro.),
4 but including the persons specified in s. 340.01 (11) (a) to (d), that at the time of the
5 violation the vehicle was being operated by a person on a trial run, and that the
6 dealer provided a traffic officer or employee of the local authority with the name,
7 address, and operator's license number of the person operating the vehicle. In that
8 case, the person operating the vehicle may be charged with a violation of s. 346.57
9 or a local ordinance in conformity with s. 346.57.

10 (6) (a) If a local authority uses a speed safety camera system, the local
11 authority shall do all of the following:

12 1. Clearly identify the presence of a system by signs stating "Photo Enforced,"
13 along with the posted speed limit. The signs shall conform to the manual on the
14 uniform system of traffic control devices adopted by the department under s. 84.02
15 (4) (e), shall be visible to traffic traveling on the highway from the direction of travel
16 for which the system is used, and shall be posted at all locations the local authority
17 determines are necessary to provide adequate notice of the presence of a system.

18 2. Identify the streets or portions of streets for which the use of a system has
19 been approved and the hours of enforcement on the local authority's website. The
20 information under this subdivision shall be updated whenever the local authority
21 changes locations that are enforced with a system or hours of enforcement.

22 3. a. Use law enforcement officers or other trained designated employees to

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1 oversee the operation of systems and maintain control over all enforcement
2 activities, including the determination of when a citation should be issued.

3 b. Properly train law enforcement officers and other designated employees in
4 the use of a system, including the operation, set-up, and testing of a system
5 deployed by the local authority, and the enforcement of traffic and speeding laws.

6 c. Retain documentation demonstrating the successful completion of required
7 training by a law enforcement officer or designated employee who oversees the
8 operation of a system and enforcement activities.

9 4. Ensure that the system is regularly inspected and certify that the system is
10 installed and operating properly. Each camera unit shall be calibrated in
11 accordance with the manufacturer's instructions, and, at least once a year, each
12 camera unit shall be calibrated by an independent calibration laboratory. The local
13 authority shall retain documentation of the regular inspection, operation, and
14 calibration of a system until the date on which the system has been permanently
15 removed from use.

16 5. Use a system that provides real-time notification when violations are
17 detected.

18 (b) Before using a speed safety camera system under this section, a local
19 authority shall do all of the following:

20 1. Administer a public information campaign for at least 30 days before the
21 commencement of use of a system. The campaign shall include public
22 announcements in major media outlets and press releases. The campaign shall
23 include the following information:

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- 1 a. The system use policy under par. (c).
- 2 b. The system impact report under par. (d).
- 3 c. The date on which use of systems will begin.
- 4 d. The highways on which a system will be used.
- 5 e. The local authority's website.

6 2. Issue warning notices rather than citations for violations detected by a
7 system during the first 90 days during which a system is used under this section.
8 Whenever a system is first used on a highway, the local authority shall issue
9 warning notices rather than citations for violations detected by the systems during
10 the first 90 calendar days of enforcement.

11 (c) A local authority shall prepare and adopt a system use policy before
12 entering into an agreement regarding a system, purchasing or leasing equipment
13 for a system, or implementing this section. The system use policy shall include the
14 specific purpose for the system, the uses that are authorized, the rules and
15 processes required before that use, and the uses that are prohibited. The policy
16 shall specify the information that may be collected by a system, the individuals who
17 may access and use the collected information, and the procedure for accessing and
18 using the information. The policy shall include provisions for protecting data from
19 unauthorized access, data retention, public access, 3rd-party data sharing,
20 training, auditing, and oversight. The system use policy shall be made available for
21 public review, including by posting it on the local law enforcement agency's website,
22 at least 30 calendar days before adoption.

23 (d) A local authority shall prepare and adopt a system impact report and

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1 make the report available for public review and comment at least 30 days before
2 approval. The system impact report shall include all of the following:

- 3 1. A description of the systems to be used and how they work.
- 4 2. The proposed purpose of a system.
- 5 3. The locations in which a system may be deployed and traffic data for these
6 locations.
- 7 4. An assessment of the potential impact of the system on civil liberties and
8 civil rights and any plans to safeguard those public rights.
- 9 5. The fiscal costs of a system, including establishment costs, ongoing costs,
10 and program funding.

11 (e) A local authority shall develop uniform guidelines for all of the following:

- 12 1. The screening and issuing of citations under this section.
- 13 2. The processing and storage of confidential information under this section
14 and procedures to ensure compliance with confidentiality requirements.

15 (f) A contract between a local authority and a manufacturer or supplier of a
16 speed safety camera system shall allow the local authority to purchase materials,
17 lease equipment, and contract for processing services from the manufacturer or
18 supplier based on the services rendered on a monthly schedule or another schedule
19 agreed upon by the local authority and contractor. The contract may not include
20 provisions for payment or compensation based on the number of citations issued
21 under this section, or as a percentage of revenue generated, from the use of the
22 system. The contract shall include a provision that all data collected from a system
23 is confidential, and shall prohibit the manufacturer or supplier of a system from

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1 sharing, repurposing, or monetizing collected data. The local authority shall
2 oversee and maintain control over all enforcement activities, including the
3 determination of when a citation should be issued.

4 (g) Five years after implementation of a speed safety camera system, a local
5 authority shall prepare and submit to the standing committees of the legislature
6 with jurisdiction over transportation matters a system report that includes all of
7 the following information:

8 1. A description of how systems were used.

9 2. Whether and how often system data was shared with outside entities, the
10 name of any recipient entity, the type of data disclosed, and the legal reason for the
11 disclosure.

12 3. A summary of any community complaints or concerns about the use of
13 systems.

14 4. Results of any internal audits, information about any violations of the
15 system use policy, and any actions taken in response.

16 5. Information regarding the impact that the use of systems has had on the
17 highways where the systems were deployed.

18 6. A summary of any public records requests related to systems.

19 (h) Not later than March 1 of the 5th year beginning after the effective date of
20 this paragraph [LRB inserts date], a local authority shall prepare and submit to
21 the standing committees of the legislature with jurisdiction over transportation
22 matters an evaluation of the use of speed safety camera systems in its jurisdiction,
23 including an assessment of the system's impact on highway safety and the system's

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1 economic impact on the communities where the system is used. The report shall be
2 made available on the website of the local authority and shall include all of the
3 following information:

4 1. Before and after data on the number and proportion of vehicles speeding
5 between 10 and 19 miles per hour over the legal speed limit, between 20 and 29
6 miles per hour over the legal speed limit, between 30 and 39 miles per hour over the
7 legal speed limit, and every additional 10 miles per hour increment thereafter on a
8 highway on which a system is used to enforce speed limits.

9 2. The number of citations issued under this section by month and year and
10 the corridors or locations where violations occurred and, to the extent feasible, the
11 day of the week and time the violation occurred.

12 3. Before and after data on the number of traffic collisions, categorized by
13 injury severity, that occurred where systems are used relative to jurisdiction-wide
14 data and the mode of transportation of the parties involved.

15 4. The number of citations paid and citations dismissed.

16 5. The costs associated with implementation and operation of the systems,
17 and revenues collected by each jurisdiction.

18 6. The uses of revenues collected by use of systems in the jurisdiction,
19 including information on roadway traffic safety projects, traffic safety education,
20 and law enforcement activities and programs that were implemented.

21 7. Before and after data on the number of law enforcement officers, including
22 the number of officers dedicated to traffic enforcement.

23 8. An evaluation of whether use of systems has resulted in traffic impacts on

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1 highways that may be susceptible to traffic diversion, in the vicinity of corridors
2 with installed systems.

3 9. The results of surveys and outreach to low-income and predominantly
4 minority communities where systems were deployed.

5 (7) A visual image made by a speed safety camera system is not subject to the
6 right of inspection and copying under s. 19.35 (1).

7 (8) This section applies only in a 1st class city.

8 (9) Subsection (2) does not apply 5 years after the initial implementation of a
9 speed safety camera system.

10 **SECTION 7.** 346.60 (6) of the statutes is created to read:

11 346.60 (6) A vehicle owner found liable under s. 346.575 is subject to a
12 forfeiture in the same amount that may be imposed on a vehicle operator for the
13 corresponding violation of s. 346.57 including, if applicable, the doubling of the
14 forfeiture as provided in sub. (3m) (a). For purposes of this subsection, a person's
15 prior violation of s. 346.57 may be counted as a prior violation of s. 346.575.
16 Imposition of liability under s. 346.575 shall not result in suspension or revocation
17 of a person's operating privilege under s. 343.30 or 343.31, nor shall it result in
18 demerit points being recorded on a person's driving record under s. 343.32 (2) (a).

19 (END)