SENATE . . . . . No. 3225

Senate, July 23, 2026 -- Text of amendment (215) (offered by Senator Brownsberger) to the Ways and Means amendment (Senate, No. 3178) to the House Bill relative to economic development in the commonwealth.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

by inserting after section 3A the following section:-

"SECTION 3B. Subclause (w) of clause Twenty-sixth of section 7 of chapter 4 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting after the figure "90K" the following words:- "and photographs, video or other images and other personal identifying information collected under chapter 90L"; and

by inserting after section 102 the following 2 sections:-

"SECTION 102A. Section 17 of said chapter 90, as so appearing, is hereby amended by striking out, in lines 9 and 11, each time they appear, the words "for a distance of a quarter of a mile".

SECTION 102B. Said section 17 of said chapter 90, as so appearing, is hereby further amended by striking out, in line 13, the words "for a distance of one-eighth of a mile"; and

by inserting after section 105 the following section:-

SECTION 105A. The General Laws are hereby amended by inserting after chapter 90K the following chapter:-

“CHAPTER 90L. AUTOMATED ROAD SAFETY ENFORCEMENT PROGRAM.

Section 1. For the purposes of this chapter, the following words shall have the following meanings unless the context clearly requires otherwise:

"Automated road safety camera system", an automated motor vehicle sensor device that produces digital photographs, video or other images of a motor vehicle that commits a speed camera enforceable violation at the location where the automated motor vehicle sensor device is installed.

"Department", the Massachusetts Department of Transportation.

"Enforcing authority", (i) the municipal entity designated by the city manager in a city with a Plan D or E form of government, the mayor in all other cities or the select board in a town; (ii) the department; or (iii) such other person, contractor or entity as the municipal entity or the department may designate to supervise and coordinate the administration of speed camera enforceable violations under this chapter.

"Registrar", the registrar of motor vehicles.

"Secretary", the secretary of the Massachusetts Department of Transportation.

"Social and racial equity", efforts, policies, standards, processes and any other functions of government intended to ensure that patterns of discrimination against and disparities of race, ethnicity or socioeconomic status, whether intentional or unintentional, are neither reinforced nor perpetuated and to prevent the emergence and persistence of foreseeable future patterns of discrimination against or disparities of race, ethnicity or socioeconomic status.

"Speed camera enforceable violation", exceeding the posted speed limit in violation of section 17, section 17C, section 17D or section 18 of chapter 90, by: (i) 11 miles per hour or more in a school zone established by a city or town pursuant to section 2 of chapter 85, when a school zone speed limit is in effect; or (ii) 11 miles per hour or more in an active construction or work zone, or a designated safety zone established pursuant to section 18B of said chapter 90.

Section 2. (a) There shall be within the department’s highway division an automated road safety enforcement program. The department's highway division shall establish by regulation the requirements, standards and processes for participation in the automated road safety enforcement program for municipalities and issue a procurement pursuant to which enforcing authorities may obtain road safety camera systems and other related services to implement speed camera enforcement of violations. An enforcing authority may install automated road safety camera systems as a means of promoting traffic safety. The automated road safety camera systems may be placed: (i) by a municipality along any school zone established by the city or town pursuant to section 2 of chapter 85; (ii) by a municipality along any safety zone established by the city or town as provided in section 18B of chapter 90; or (iii) by the department in any active construction or work zone.

Nothing in this section shall be construed as limiting the authority of law enforcement to issue citations for speeding violations pursuant to section 2 of chapter 90C.

(b) An enforcing authority shall not employ more than 1 automated road safety camera system per 5,000 residents as measured by using the most recent census data. Plans for locating automated road safety camera systems shall be approved by the select board in a town, or by the city council and the mayor in a city. Nothing in this paragraph shall limit the department from

employing an automated road safety camera system in a construction or work zone, irrespective of the number of automated road safety camera systems in use in the city or town in which the work zone exists.

(c) Annually, not later than December 1, a participating city or town shall transmit a report to the department detailing each automated road safety camera system located in the city or town during the previous fiscal year. The report shall be in the form and manner determined by the department and shall include, but not be limited to: (i) a list of the locations of the automated road safety camera system in the city or town; (ii) the number of fines and warnings issued for each separate location; (iii) the number of fines and warnings successfully contested for each separate location's speed camera enforceable violations; (iv) an analysis of speed and crash data at each separate location; and (v) a description of any other public safety impacts of the city or town's participation in the automated road safety enforcement program. The department shall post all reports received pursuant to this section on its website.

Section 3. (a) The fines and warnings imposed for speed camera enforceable violations, as accrued in a 2-year look-back period, shall be as follows: (i) a warning for a first violation and (ii) either: (A) $25 for a second or subsequent violation or (B) $100 for a second or subsequent violation of driving at a speed of 25 miles per hour or more over the posted speed limit; provided, however, that if subclause (B) applies, then the fine under subclause (A) shall not apply. Enforcing authorities shall be responsible for tracking subsequent violations to ascertain the appropriate fee under this section.

(b) Except as provided in section 4, the registered owner of a motor vehicle shall be liable for the fine; provided, however, that a registered owner of a motor vehicle shall not be liable for

the fine imposed under this program for a speed camera enforceable violation if the operator of the motor vehicle was issued a citation for the violation in accordance with section 2 of chapter 90C.

(c) A certificate, or a facsimile thereof, based upon inspection of photographs, video or other images and data produced by an automated road safety camera system and sworn to or affirmed by the enforcing authority shall be prima facie evidence of the facts contained therein.

(d) Notice of a speed camera enforceable violation issued by an enforcing authority under the automated road safety enforcement program shall not be: (i) made part of the official record of the person upon whom such liability is imposed as provided in section 27 of chapter 90; or (ii) a conviction of a moving violation of the motor vehicle laws for the purpose of determining a surcharge on a motor vehicle premium pursuant to section 113B of chapter 175.

(e) An enforcing authority may hire and designate personnel as necessary or contract for services to implement the automated road safety enforcement program through the procurement conducted by the highway division provided in subsection (a) of section 2. Any such contract shall include a provision that all data collected from automated road safety camera systems is confidential and the exclusive property of the contracting enforcement authority, and shall prohibit the contractor from using, disclosing, selling or permitting access to data collected by an automated road safety camera system except as necessary to process speed camera enforceable violations and conduct reporting in accordance with this chapter.

(f)(1) The enforcing authority shall provide a notice of violation to the registered owner of a motor vehicle that is identified in photographs, video or other images produced by an automated road safety camera system as evidence of a speed camera enforceable violation

pursuant to the automated road safety enforcement program. The notice shall include, but not be limited to: (i) a copy of the photographs produced by the automated road safety camera system and any other data showing the vehicle in the process of a speed camera enforceable violation; (ii) the registration number and state of issuance of the vehicle; (iii) the date, time and location of the alleged speed camera enforceable violation; (iv) the specific speed camera enforceable violation charged; (v) the speed limit and the actual speed of the vehicle; (vi) instructions for payment of the fine imposed pursuant to subsection (a); (vii) instructions on how to appeal the speed camera enforceable violation in writing and to obtain a hearing; and (viii) an affidavit form approved by the enforcing authority for the purposes of making a written appeal pursuant to subsection (i).

(2) In the case of a violation involving a motor vehicle registered in the commonwealth, the enforcing authority shall mail the notice of violation within 14 days of the violation to the address of the registered owner of the motor vehicle as listed in the records of the registrar. If a motor vehicle is registered under the laws of another state or country, the notice of violation shall be mailed within 21 days of the violation to the address of the registered owner as listed in the records of the official in the state or country that has charge of the registration of the motor vehicle. If the address is unavailable, it shall be sufficient for the enforcing authority to mail a notice of violation to the official in the state or country that has charge of the registration of the motor vehicle.

(3) The notice of violation shall be sent by first class mail. A manual or automatic record of mailing processed by or on behalf of the enforcing authority in the ordinary course of business shall be prima facie evidence thereof and shall be admitted as evidence in any judicial or administrative proceeding as to the facts contained therein.

(g) A registered owner of a motor vehicle shall not be liable for a speed camera enforceable violation under this program if the: (i) operator of the motor vehicle was operating an emergency vehicle; (ii) violation was necessary to allow the passage of an emergency vehicle; (iii) violation was incurred during a period of time in which the motor vehicle was reported to the police department of any state, city or town as having been stolen and had not been recovered before the time the violation occurred; (iv) operator of the motor vehicle was operating the motor vehicle under a rental or lease agreement and the registered owner of the motor vehicle is a rental or leasing company and has complied with section 4; (v) operator of the motor vehicle was issued a citation for the violation in accordance with section 2 of chapter 90C; or (vi) violation was necessary to comply with any other law or regulation governing the operation of a motor vehicle.

(h) A registered owner of a motor vehicle to whom a notice of violation has been issued pursuant to this program may admit responsibility for the violation and pay the fine provided therein in accordance with the instructions in the notice of violation. Payment of the established fine shall operate as the final disposition of a speed camera enforceable violation; provided, however, that payment by a registered owner of a motor vehicle shall operate as the final disposition of the violation as to any other registered owner of the same motor vehicle for the same violation.

(i) Not more than 60 days after notice of a speed camera enforceable violation is given pursuant to this chapter, a registered owner of a motor vehicle may contest responsibility for the violation in writing by mail or online. The registered owner shall provide the enforcing authority with a signed affidavit, in a form approved by the enforcing authority, stating the: (i) reason for disputing the violation; (ii) full legal name and address of the registered owner of the motor

vehicle; and (iii) full legal name and address of the operator of the motor vehicle at the time the violation occurred. The registered owner may include signed statements from witnesses, including the names and addresses of witnesses, supporting the registered owner's defense. Not more than 21 days after receipt of the signed affidavit, the enforcing authority or the hearing officer shall send the decision of the hearing officer, including the reasons for the outcome, by first class mail to the registered owner. If the registered owner is found responsible for the violation, the registered owner shall pay the fine in the manner described in subsection (h) not more than 14 days after the issuance of the decision or request further judicial review pursuant to section 14 of chapter 30A.

(j) In lieu of contesting responsibility for a violation in writing or online pursuant to subsection (i) and not more than 60 days after a violation under this program, a registered owner of the motor vehicle may request a hearing in accordance with the instructions in the notice of violation to contest responsibility for a speed camera enforceable violation. A hearing request shall be made in writing by mail or online. Upon receipt of a hearing request, the enforcing authority shall schedule the matter before a hearing officer. The hearing officer may be an employee of the enforcing authority or such other person as the enforcing authority may designate. Written notice of the date, time and place of the hearing shall be sent by first class mail to each registered owner of the motor vehicle. The hearing shall be informal, the rules of evidence shall not apply and the decision of the hearing officer shall be final subject to judicial review pursuant to section 14 of chapter 30A. Not more than 21 days after the hearing, the enforcing authority or the hearing officer shall send the decision of the hearing officer, including the reason for the outcome, by first class mail to the registered owner. If the registered owner is found to be responsible for the speed camera enforceable violation, the registered owner shall

pay the fine in the manner described in subsection (h) not more than 14 days after the issuance of the decision or request further judicial review pursuant to said section 14 of said chapter 30A.

(k) Subject to any limitations the department may impose by regulation or by agreement with the registrar, the enforcing authority may notify the registrar when a Massachusetts resident and registered owner of a motor vehicle to whom a notice of a speed camera enforceable violation has been issued: (i) fails to contest the responsibility for a violation pursuant to subsection (i) or subsection (j) and fails to pay the fine in the notice in accordance with subsection (h) within 60 days of the violation; or (ii) is found responsible for the violation and does not pay the fine in accordance with subsection (h) and the registrar shall not renew the vehicle's registration. The enforcing authority may, not later than 2 years after the initial fine issuance was made, transmit such notice of non-payment to the registrar, in such form and containing such information as required by the registrar; provided, however, that no notice shall be transmitted to the registrar under this section at a time when there is pending, before either the enforcing authority or a court, a duly filed appeal of the fine. Upon receipt of such notification of nonpayment the registrar shall place the matter on record and not renew the registration of the motor vehicle to which a notice of a speed camera enforceable violation has been issued to the registered owner, nor allow an exchange of the registration of such vehicle nor issue a new registration of such vehicle to the person to whom the unpaid fine was assessed until after notice from the enforcing authority that the matter has been disposed of in accordance with the requirements herein. Upon such notification of nonpayment to the registrar, an additional $20 charge payable to the registrar of motor vehicles shall be assessed against the registered owner of said vehicle to be collected by the enforcing authority to be transferred to the registry of motor vehicles as part of the non- renewal process. It shall be the duty of the enforcing authority to

notify the registrar that such matters have been disposed of in accordance with the requirements herein; provided however, that a certified receipt of full and final payment from the enforcing authority shall also serve as a legal notice to the registrar that the matter has been resolved. The registrar shall approve such forms as they deem necessary to implement this section and said forms shall be printed and used by the enforcing authorities.

Section 4. (a) Notwithstanding section 3, if the registered owner of a motor vehicle is a person or entity engaged in the business of leasing or renting motor vehicles and the motor vehicle was operated under a rental or lease agreement at the time of the speed camera enforceable violation, this section shall be applicable and the registered owner shall not be liable for any unpaid fines if the registered owner has complied with the requirements of this section.

(b) The enforcing authority shall provide notice in writing of each speed camera enforceable violation to the registered owner of a motor vehicle if a motor vehicle owned by the registered owner is involved in a speed camera enforceable violation.

(c) Not more than 45 days after the violation, the registered owner shall furnish to the enforcing authority, in writing, the name and address of the lessee or rentee of the motor vehicle at the time of the speed camera enforceable violation, the lessee's or rentee's driver's license number, the state that issued the driver's license and the lessee's or rentee's date of birth.

(d) Upon receipt of the information required under subsection (c), the enforcing authority shall issue a notice of a speed camera enforceable violation to the lessee or rentee in the form prescribed by section 3 and the lessee or rentee shall be liable for the violation.

(e) Subject to any limitations the department may impose by regulation or by agreement with the registrar, the enforcing authority may notify the registrar as provided in subsection (k)

of section 3 if the lessee or rentee to whom a notice of violation has been issued: (i) fails to contest the responsibility for a speed camera enforceable violation pursuant to either subsection (i) or subsection (j) of section 3 and fails to pay the fine in the notice in accordance with subsection (h) of said section 3 within 90 days of the violation; or (ii) is found responsible for the violation and does not pay the fine in accordance with said subsection (h) of said section 3; provided, however, that if the vehicle owner furnished the information under subsection (c), such non-renewal shall only apply to the license or right to operate of the lessee or rentee and not the registration of the vehicle.

Section 5. (a) An enforcing authority shall install a reasonable distance away from each road safety camera system an unobstructed sign notifying the public that an automated road safety camera system is in use.

(b) An enforcing authority shall make a public announcement and conduct a public awareness campaign concerning its use of automated road safety camera systems beginning not less than 60 days before the first such automated road safety camera system is put into use; provided, however, that an enforcing authority may install but shall not activate automated road safety camera systems during the 60-day time period; provided further, that no further public awareness campaign shall be required for additional automated road safety camera systems that may be added in the participating city or town.

Section 6. (a) The compensation paid to the manufacturer or vendor of an automated road safety camera system shall not be based on the number of speed camera enforceable violations issued or the revenue generated by the automated road safety camera system.

(b) Not less than every 90 days, a city or town that adopts this chapter, or their designee, shall inspect the automated road safety camera system to verify that the automated road safety camera system is correctly calibrated. Not less than annually, an independent professional engineer registered in the commonwealth or an independent laboratory shall verify that the automated road safety camera system are correctly calibrated. Prior to the installation of an automated road safety camera system in a work zone, the department or their designee shall inspect the automated road safety camera system to verify that the automated road safety camera system is correctly calibrated.

Section 7. (a) An automated road safety camera system shall only retain photographs, video or other images when a speed camera enforceable violation occurs. Photographs and video shall be destroyed not more than 48 hours after the final disposition of a speed camera enforceable violation.

(b) A photograph, video or other image taken pursuant to this chapter shall not be discoverable in any judicial or administrative proceeding, other than in a proceeding held pursuant to this chapter, without a court order. A photograph or video taken pursuant to this chapter shall not be admissible in any judicial or administrative proceeding, other than in a proceeding to adjudicate liability for a violation of this chapter, without a court order. A court shall not order a release of a photograph or video taken pursuant to this chapter unless the photograph or video establishes or undermines a finding of a moving violation and the speed camera enforceable violation is material as to a finding of civil or criminal liability.

(c) Photographs, video or other images and other personal identifying information collected pursuant to this chapter shall not be a public record under clause Twenty-sixth of

section 7 of chapter 4 or chapter 66. Each enforcing authority shall maintain the confidentiality of all information including, but not limited to, photographs or other recorded images and credit and account data, relative to the registered vehicle or registered owner of the vehicle subject to a speed camera enforceable violation. Such information shall be used for enforcement purposes only with respect to speed camera enforceable violations under this chapter.

(d) An automated road safety camera system shall not be utilized to take a frontal view photograph of a motor vehicle operator committing a speed camera enforceable violation or other occupants of the vehicle. A frontal view photograph of a motor vehicle committing a speed camera enforceable violation taken by an automated road safety camera system that captures the operator or occupants of the vehicle shall not be discoverable or admissible in any judicial or administrative proceeding and shall not be used as the basis for a speed camera enforceable violation under this chapter. To the extent practicable, additional efforts shall be made to ensure that photographs produced by an automated road safety camera system shall not be used to identify the vehicle operator, the passengers or the contents of the vehicle. The use of facial recognition technology in conjunction with an automated road safety camera system is prohibited.

(e) A city or town or a manufacturer or vendor of an automated road safety camera system may not use, disclose, sell or permit access to data collected by an automated road safety camera system except as necessary to process speed camera enforceable violations and fulfill reporting requirements in accordance with this chapter.

Section 8. An enforcing authority may recover costs reasonably related to the implementation and operation of an automated road safety camera system including, but not

limited to, costs associated with: (i) purchasing, maintaining and operating the automated road safety camera system; (ii) issuing notices of speed camera enforceable violations; (iii) holding hearings for appeals of speed camera enforceable violations; (iv) notifying the registrar of a failure to pay a fine under this program; (v) fulfilling reporting requirements in accordance with this chapter; and (vi) collecting a fine; provided, however, that net revenues collected by participating cities and towns pursuant to this program shall be deposited in the Massachusetts Transportation Trust Fund established in section 4 of chapter 6C.

Section 9. A city or town shall not implement this program unless the city or town has submitted a plan for the implementation of automated road safety camera systems to the department and the department has approved the plan. The plan submitted to the department shall include, but shall not be limited to, data and analysis of the traffic and safety history of the locations where automated road safety camera systems are proposed to be located, the discussion of social and racial equity impacts of the plan and steps the municipality shall take to ensure social and racial equity in the implementation of the plan.

Nothing in this section shall limit the number of work zones in which the department may install automated road safety camera systems.”; and

by inserting after section 160 the following 2 sections:-

“SECTION 160A. Not later than September 1, 2027, the department of transportation shall promulgate regulations to establish the requirements, standards and processes for a city or town's participation in the automated road safety enforcement program established under chapter 90L of the General Laws. The regulations shall include, but not be limited to: (i) establishing standardized forms for notices of violations and written warnings; (ii) developing uniform

signage and distance requirements for the purpose of complying with subsection (a) of section 5 of said chapter 90L; (iii) establishing guidance for the calibration and verification of automated road safety camera systems under subsection (b) of section 6 of said chapter 90L; and (iv) establishing provisions for protecting data collected by an automated road safety camera system from unauthorized access.

SECTION 160B. Sections 3B, 102A, 102B and 105A shall take effect on September 1, 2027.”.