

SENATE No. 2639

The Commonwealth of Massachusetts

PRESENTED BY:

Brendan P. Crighton

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act authorizing automated curb enforcement and improving parking violation procedures.

PETITION OF:

NAME:

Brendan P. Crighton

DISTRICT/ADDRESS:

Third Essex

SENATE No. 2639

By Mr. Crighton, a petition (accompanied by bill, Senate, No. 2639) (subject to Joint Rule 12) of Brendan P. Crighton for legislation to authorize automated curb enforcement and improving parking violation procedures. Transportation.

The Commonwealth of Massachusetts

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

An Act authorizing automated curb enforcement and improving parking violation procedures.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 20A of chapter 90 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by adding the following sentence at the end thereof:

3 Notwithstanding any general or special law to the contrary, a notice of a parking violation
4 may be served by mail to the registered owner of the vehicle if the violation is detected by an
5 automated enforcement system as provided in section 20A1/4, and in such case the requirement
6 of affixing a notice to the vehicle shall not apply.

7 SECTION 2. Chapter 90 of the General Laws is hereby further amended by inserting
8 after section 20A1/2 the following section:

9 Section 20A1/4. (a) As used in this section the following words shall, unless the context
10 clearly requires otherwise, have the following meanings:

11 “Automated curb enforcement system”, a stationary camera, sensor, or other device
12 capable of detecting and recording a parking, standing, or stopping violation within a designated
13 enforcement zone, and producing photographic or digital evidence of such violation. The system
14 may record images of the vehicle and license plate, the location, date and time of the offense, and
15 any other facts necessary to establish a violation of applicable parking or stopping rules. The
16 system shall not include any device capable of biometric identification or facial recognition.

17 (b) Any city or town may, at its discretion, implement an automated curb enforcement
18 program as provided in this section. Such program may be used to enforce parking regulations or
19 restrictions in designated curb areas including smart loading zones, bicycle lanes, bus stops, no
20 stopping zones, loading zones, smart curbs, and crosswalks. The decision to establish or
21 terminate an automated curb enforcement program shall rest solely with the city or town, and
22 nothing in this section shall require a municipality to adopt such a program or participate in any
23 state pilot.

24 (c) Notwithstanding sections 20A or 20A1/2 or any other general or special law, a
25 violation of any ordinance, by-law, rule or regulation regulating the parking, standing, or
26 stopping of motor vehicles within a location monitored by an automated curb enforcement
27 system may be enforced by a city or town based on the recorded evidence from such system. A
28 notice of violation or citation for a violation detected by an automated curb enforcement system
29 may be issued by the parking clerk or other authorized municipal official without the presence of
30 a police officer at the scene. Such notice shall be mailed to the registered owner of the offending
31 vehicle at the address of record with the registry of motor vehicles. Mailing of the notice of
32 violation within a reasonable time after the alleged offense, not to exceed 14 days, shall be
33 deemed sufficient notice. The notice shall include at a minimum: the date, time, and location of

34 the violation; the specific violation charged; photographic or digital evidence of the vehicle's
35 unlawful parking or standing; the amount of the fine or civil penalty imposed; and instructions
36 on how to pay or contest the violation. The registered owner of the vehicle shall be responsible
37 for such violation as if they were the operator, in accordance with section 20E and other
38 applicable laws. The recipient of the notice may contest the violation by following the same
39 procedure provided for parking violations under section 20A or 20A1/2, including the right to a
40 hearing before the parking clerk or hearing officer. Failure to pay or contest the citation within
41 the prescribed time period may result in liability as provided in this chapter, including non-
42 renewal of the vehicle's registration, but shall not incur any criminal penalty or offense.

43 (d) A city or town implementing automated curb enforcement may, by ordinance or by-
44 law, establish the fines or civil penalties for violations detected by an automated curb
45 enforcement system. Such fines may be set in amounts deemed appropriate by the municipality
46 for each type of violation, notwithstanding any general or special law that prescribes a different
47 fine amount for the same violation when enforced by other means. All revenue collected from
48 fines or penalties issued under an automated curb enforcement program shall be retained by the
49 municipality. The city or town may use such revenue for any lawful municipal purpose,
50 including but not limited to transportation infrastructure, traffic safety programs, or funding the
51 administration of the enforcement system, at the sole discretion of the local authorities.

52 (e) Any automated curb enforcement system operated under this section shall be subject
53 to robust privacy protections. Data collected by the system, including photographs, video, or
54 license plate information, shall be used solely for the purpose of documenting and enforcing
55 parking or standing violations and for no other purpose. Under no circumstances shall images or
56 other data produced by the system be used for facial recognition, biometric identification, or any

57 law enforcement or commercial purpose outside of parking regulation enforcement. All recorded
58 images or personally identifying data that do not relate to a violation or are not necessary for the
59 enforcement process shall not be retained. Any images or data that are used to issue a notice of
60 violation may be retained only as long as needed for the adjudication of the offense and any
61 administrative appeals, after which they shall be permanently deleted or destroyed in compliance
62 with applicable record retention laws. The municipality shall establish procedures to ensure the
63 privacy of individuals is protected in the collection, storage, and disposal of data from automated
64 curb enforcement systems, consistent with this section and other privacy laws.

65 (f) A city or town that deploys automated curb enforcement systems shall install
66 conspicuous signs or markings at or near each designated enforcement zone to inform drivers
67 that automated enforcement is in use in that area. Such signage shall, at a minimum, notify the
68 public that parking or standing violations are monitored by stationary camera or sensor and that
69 citations will be issued by mail. The absence of a sign in a particular location shall be a defense
70 against a violation captured by an automated system at that location. Municipalities are also
71 encouraged to conduct public outreach or education about the implementation of automated curb
72 enforcement to ensure that residents and drivers are aware of the program.

73 (g) Any violation recorded by an automated curb enforcement system under this section
74 shall be handled as a non-criminal civil violation in the same manner as a parking ticket. Such a
75 violation shall not be considered a criminal offense and shall not be deemed a moving violation.
76 No surcharge, penalty, or points shall be assessed on any person's driving record or insurance
77 policy as a result of a violation enforced through an automated curb enforcement system.
78 Enforcement actions under this section shall not result in any criminal charges, arrest, or
79 incarceration, and the sole penalties shall be civil fines and consequences as set forth for unpaid

80 parking violations (such as registration holds pursuant to section 20A or 20A1/2 and related
81 laws).

82 (h) The implementation of automated curb enforcement pursuant to this section is purely
83 at the option of each city or town. Nothing in this section or any other law shall be construed to
84 require a municipality to participate in automated enforcement, nor to limit the number of
85 systems or locations a municipality may operate except as the municipality itself so chooses. The
86 commonwealth and its agencies shall not impose any pilot program requirement, numeric cap, or
87 other precondition on local adoption beyond the provisions of this section. A city or town may
88 commence an automated curb enforcement program at such time and in such manner as it deems
89 appropriate and may terminate or modify its program at any time without seeking approval from
90 any state agency, provided it remains in compliance with this section and other applicable laws.

91 SECTION 3. This act shall take effect upon its passage.