

Date of Hearing: July 16, 2025

Fiscal: Yes

ASSEMBLY COMMITTEE ON PRIVACY AND CONSUMER PROTECTION

Rebecca Bauer-Kahan, Chair

SB 720 (Ashby) – As Amended May 1, 2025

SENATE VOTE: 31-3

AS PROPOSED TO BE AMENDED

SUBJECT: Automated traffic enforcement system programs

SYNOPSIS

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

The question before this Committee is whether gathering additional license plate information using red light cameras constitutes an unnecessary privacy risk for drivers in California. The author has included the same privacy protections that this Committee has required for other traffic surveillance technologies, including speed cameras. These provisions ensure that personal information related to the location of drivers passing through intersections remains protected.

This bill is co-sponsored by Sacramento Area Bicycle Advocates, Streets for All, and Streets are for Everyone (SAFE). It also enjoys the support of a large number of roadway safety organizations, including Families for Safe Streets San Diego and Move LA. It is opposed by the National Motorists Association and Western States Trucking Association.

This bill was previously heard by the Transportation Committee. The author agreed to amendments requested by that Committee. However, given the short time period between that Committee's hearing and this Committee's hearing, this Committee will be processing the Transportation Committee amendments. This analysis reflects the updated language in the bill.

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 rear license plate and video recording of the violation.
- 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. Further prohibits a designated jurisdiction from reducing 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. Further requires the designated jurisdiction to 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.
 - 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) Provides that the jurisdiction shall develop uniform guidelines for screening and issuing notices of violations, including a violation for a prohibited right turn, and the processing and storage of confidential information. Requires the jurisdiction to 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, requires the designated jurisdiction to 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.
 - 7) 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. Further prohibits a designated jurisdiction that proposes to install or operate an automated traffic enforcement system from considering 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.

- 8) 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.
- 9) 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.
- 10) Requires that photographic evidence that is obtained from an automated traffic enforcement system that does not result in the issuance of a notice of violation to be destroyed within five business days after the decision to not issue a citation has been made.
- 11) Prohibits the use of facial recognition technology in conjunction with an automated traffic enforcement system.
- 12) 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.
- 13) Requires a notice of violation to, 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.
- 14) Exempts the photographic and video evidence stored by an automated traffic enforcement system from evidentiary hearsay rules. Exempts photographic, video, or administrative records made by a system from the California Public Records Act.
- 15) Requires, to the extent feasible, the traffic enforcement system to be angled and focused so as to only capture photographs of the rear license plate and evidence that the vehicle violated the traffic control system.
- 16) Prohibits capturing identifying images of other vehicles or drivers.
- 17) Declares that the photographic, video, or administrative records generated by the program shall be confidential and only made available to alleged violators and to government agencies solely for the purpose of enforcing violations and assessing the impact of the system.

- 18) 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, video, and administrative evidence of the alleged violation.
- 19) Subjects violations to the following civil penalties:
 - a) \$100 when no penalty has been assessed in the prior three years.
 - b) \$200 when there are two violations within three years.
 - c) \$350 when there are three violations within a three year period.
 - d) \$500 for four or more violations within three years.
- 20) Prohibits charging any additional processing fees other than electronic payment processing fees.
- 21) Prohibits the suspension of license or assessing a violation point.
- 22) Limits late fees to \$50 for the first violation and \$100 for every subsequent violation.
- 23) 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 to only be issued to registered owners of those vehicles based on that evidence.
- 24) 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 include specified information.
- 25) 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.
- 26) Permits a person contesting the notice of violation who is dissatisfied with the results of the initial review to request an administrative hearing.
- 27) Requires the administrative hearing to be held within 90 calendar days, as provided. Further requires the administrative hearing process include specified features.
- 28) Establishes an appeals process.
- 29) 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 to limit the processing fee.

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 prohibits such recordings from being 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).)

COMMENTS:

1) **Author’s statement.** 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.

In short, SB 720:

- Reduces traffic accidents, saving lives;
- Addresses broad historic bias in policing;
- Decriminalizes traffic violations;
- Eases insurance burdens and costs; and
- Creates a revenue source for local entities to build improved multimodal infrastructure.

2) **Background.** According to the thorough Transportation Committee analysis:

According to California Highway Patrol (CHP) data between 2013 and 2022 1,245 people in California lost their lives as a result of someone running a red light. Most of those deaths were people inside of a vehicle (974 of the 1,245 deaths). In that same time period, 6,872 people were seriously injured (more than 5,500 within their vehicle and 848 on a bicycle) by someone running a red light.

Red light deaths and serious injuries have been on the rise. In 2012, 106 people died and 467 people were seriously injured as a result of red light running. By 2022, that number has risen to 171 deaths and 927 serious injuries. Nationally 1,149 people were killed as a result of someone running a red light (red light running deaths are 27% higher than expected in California based on its population share).

Effectiveness of red light cameras: Automated enforcement for reducing red light violations has been shown to be effective. According to the Insurance Institute for Highway Safety (IIHS), “Institute studies in Oxnard, California, and Fairfax, Virginia, reported reductions in red light violation rates of about 40% after the introduction of red light safety cameras (Retting et al., 1999; Retting et al., 1999). In addition to the decrease in red light running at camera-equipped sites, the effect carried over to nearby signalized intersections not equipped with cameras.

“When it comes to crash reductions, an IIHS study comparing large cities with red light safety cameras to those without found the devices reduced the fatal red light running crash rate by 21% and the rate of all types of fatal crashes at signalized intersections by 14% (Hu & Cicchino, 2017).

Previous research in Oxnard, California, found significant citywide crash reductions followed the introduction of red light safety cameras, and injury crashes at intersections with traffic signals were reduced by 29% (Retting & Kyrychenko, 2002). Front-into-side collisions — the crash type most closely associated with red light running — at these intersections declined by 32% overall, and front-into-side crashes involving injuries fell 68%.

“A study sponsored by the Federal Highway Administration evaluated red light safety camera programs in seven cities (Council et al., 2005). It found that, overall, right-angle crashes decreased by 25% while rear-end collisions increased by 15%. Results showed a positive aggregate economic benefit of more than \$18.5 million in the seven communities. The authors concluded that the economic costs from the increase in rear-end crashes were more than offset by the economic benefits from the decrease in right-angle crashes targeted by cameras.”

3) **Privacy concerns related to technology that collects location information.** Americans leave a trail of personal data with almost every action they take either in the physical or digital

world, including every website visited, credit card payment, and browser search.¹ As the author notes, Californians are more vulnerable to digital exploitation than ever before.

In the physical world, we can no longer step out of our homes without being monitored and tracked. Cars collect location data everywhere we drive. Phones, our constant companions, collect location data everywhere we go. If a car is too old to collect location data and a person leaves their phone at home, license plate readers and traffic cameras are at virtually every intersection, on freeways, at the entrances of parking garages, in store parking lots, and on toll roads. These devices are tracking the movement of every single car that passes by. It has become virtually impossible for people to move through the United States without being tracked.

The gradual erosion of privacy through the collection of seemingly relatively small pieces of personal information may not cause people to be overly concerned. However, those pieces of information are being amassed into dossiers that disclose every aspect of the lives of everyone in the United States. The fact that these dossiers are being made available to individuals, private companies, and local, state, and federal government agencies should be cause for alarm. University of Virginia Law Professor Danielle Citron warned in a 2022 interview with *The Guardian*, “We don’t viscerally appreciate the ways in which companies and governments surveil our lives by amassing intimate information about our bodies, our health, our closest relationships, our sexual activities and our innermost thoughts. Companies are selling this information to data brokers, who are compiling dossiers with about 3,000 data points on each of us.”²

As it pertains to this bill, adding the installation of red light cameras introduces yet another method for tracking people in California because the cameras not only capture the license plate information in a photograph, they also collect the exact time, date, and location of each image. However, if the bill appropriately limits the collection, storage, and retention of the data, the information should be adequately protected from being accessed by data brokers, who can combine the information with thousands of other data points related to the registered owner of the vehicle.

4) Privacy protections contained in this bill. The bill currently restricts the collection and use of the data in the following ways:

- Establishes that the photos, videos and administrative records are confidential, and requires that public agencies use and allow access to these records only for the purposes of the automated speed enforcement system.
- Prohibits the use of facial recognition technology.
- Requires that images or video recordings that are obtained from the system that do not result in the issuance of a notice of violation must be destroyed within five business days after the image was taken.

¹ Emile Ayoub and Elizabeth Goitein. *Closing the Data Broker Loophole*, The Brennan Center for Justice (Feb. 13, 2024).

² Laurie Clarke. “Interview - Law professor Danielle Citron: ‘Privacy is essential to human flourishing,’” *The Guardian* (Oct. 2, 2022) <https://www.theguardian.com/technology/2022/oct/02/danielle-citron-privacy-is-essential-to-human-flourishing>.

- Requires, to the extent feasible, for the speed safety system camera to be angled and focused so as to only capture photographs, video recordings, or other visual images of red light violations and not capture identifying images of other drivers or vehicles.

5) **Analysis.** The question before this Committee is whether gathering additional license plate information using red light cameras constitutes an unnecessary privacy risk for drivers in California. The author has included similar privacy protections in this bill as were included in SB 1297 (Allen) and in AB 645 (Friedman), which were passed by this Committee in 2024 and 2023, respectively. These provisions ensure that the personal information related to the location of drivers passing through intersections remains protected.

6) **Larger policy questions.** As it stands now, the continued proliferation of surveillance technology, including speed safety cameras, red light cameras, public surveillance cameras, public and private security cameras, including cameras built into doorbells, and automated license plate recognition tools means that whenever someone steps out the front door of their home, any expectation of privacy vanishes. Should Californians simply accept the complete loss of privacy as people move through their lives in public and private spaces?

Much like the focus that is being placed on the impact of social media, advances in artificial intelligence technology, the collection and sale of personal information for profit, and the constant surveillance by private individuals, businesses, and government has a profound impact on Californians' lives. Rather than considering the risks of one device or technological advancement at a time, at some point, it might behoove the Legislature, and this Committee in particular, to explore the larger surveillance policy questions, including the dangers associated with the unchecked proliferation of surveillance tools and their impact on Californians' privacy rights enshrined in the state's constitution.

7) **Amendments.** The author agreed to amendments requested by the Transportation Committee. However, given the short time period between that Committee's hearing and this Committee's hearing, this Committee will be processing the Transportation Committee amendments. This analysis reflects the updated language in the bill.

ARGUMENTS IN SUPPORT: Sacramento Bicycle Advocates, co-sponsors of the bill, and a coalition of street safety organizations write in support:

Drivers running red lights is a major factor resulting in serious injuries and deaths in the State of California. In 2023, data from Berkeley's Transportation Injury Mapping System (TIMS) revealed that over 167 traffic fatalities and 985 severe injuries were linked to red light running and traffic signal violations. While this marks a decrease from the previous year, which saw 228 fatalities and 1,058 severe injuries, it still highlights a significant and ongoing road safety concern and issue. The data from 2021 further demonstrates this concern, with 188 fatalities and 988 severe injuries attributed to red light and traffic light violations.

Red light running is not just a problem for vehicle-on-vehicle collisions but continues to be a disproportionate risk faced by vulnerable populations, such as pedestrians, cyclists, and children traveling to school.

California's red light traffic enforcement system has not been updated since 1995 and contains several outdated features. It requires capturing a photo of the driver, raising concerns regarding data collection and storage, and imposes one of the highest fines in the

country, up to \$500. California is currently the only state in the US that still issues moving violations to drivers caught by red light traffic enforcement systems. This has proven problematic in a court of law.

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.

ARGUMENTS IN OPPOSITION: In opposition to the bill, the National Motorists Organization argues:

This bill eliminates citizens' right to a court trial and to makes the vehicle owner responsible for the actions of others. SB-720 further undermines due process rights by treating the government's accusation as sufficient evidence of guilt, offering no meaningful opportunity to challenge the citation. The accused are denied access to witnesses, the ability to cross-examine, or any practical means of defending themselves—effectively replacing proof with assumption. Additionally, the bill imposes a fine on citizens who are unable or unwilling to provide testimony or evidence against others. This runs counter to our system of justice where defendants are entitled to due process and to be free from government coercion to provide information on the alleged wrongdoing of others.

Misinformation in the Fact Sheet

The fact sheet in support of SB-720 contains several misleading and inaccurate claims that overstate the necessity for this legislation. Below, we clarify these statements with accurate data to ensure a more informed discussion of the bill's true impact.

Claim: *In 2021 alone, 4,258 Californians lost their lives to traffic collisions. Over a quarter of these deaths occurred due to drivers who ran red lights.* **The Truth:** This is blatantly **FALSE**. Fatalities due to red light running represent about 2.5% - 5% of fatal collisions in California and throughout the nation. Data from the SWITRS Database and NHTSA prove this fact. Data is available upon request.

Claim: *Difficulties in enforcing and recouping funds under the current system have forced many cities to abandon their programs, worsening road safety for pedestrians, cyclists, and drivers.* **The Truth:** The vast majority of programs in CA have ended because the cameras did not provide the safety benefits promised or the program was losing money due to engineering solutions imposed on the cities running the programs for profit. In 2013, Caltrans updated the protocols for setting yellow light times, requiring a longer yellow interval. As a result, through violations plummeted in many cities with red light cameras. Once the cities started losing money and canceled their programs, all their claims that the program was only intended for safety were shown to be disingenuous. The only cities still running programs are

those who issue massive numbers of tickets for slow rolling-right-turns that don't cause any accidents or follow-through left turns on too short yellow lights.

Claim: *California now ranks in the top five states in the nation for fatal crashes.* **The Truth:** **NOT EVEN CLOSE.** Data from the Insurance Institute for Highway Safety shows that California ranks 20th in fatal collisions based on deaths per 100 million vehicle miles traveled. See <https://www.iihs.org/topics/fatality-statistics/detail/state-by-state>

Claim: *Cameras are often placed in neighborhoods with predominantly Black and Latino populations, raising equity concerns with already marginalized communities.* **The Truth:** While often true, the Author's solution seems to be to make it easier to run these abusive camera programs with only a \$100 fine. If the Author is concerned about "Equity", why run a bill that takes away virtually all due process rights from members of "already marginalized communities"?

REGISTERED SUPPORT / OPPOSITION:

Support

Sacramento Area Bicycle Advocates (Co-Sponsor)
Streets are for Everyone (SAFE) (ORG) (Co-Sponsor)
Streets for All (Co-Sponsor)
3 Individuals
Active San Gabriel Valley
Bicycle Solutions
Bike LA
Bike Long Beach
Bike Slo County
Bike Sunnyvale
Car-lite Long Beach
Circulate San Diego
City of Sacramento
City of San Diego
Costa Mesa Alliance for Better Streets
East Bay for Everyone
Families for Safe Streets San Diego
League of California Cities
Livable Communities Initiative
Los Angeles Neighborhood Initiative
Los Angeles Walks
Malibu; City of
Marin County Bicycle Coalition
Move LA
Move Santa Barbara County
Mujeres De LA Tierra
National Coalition for Safer Roads
Norwalk Unides
Pasadena Complete Streets Coalition
Peopleforbikes

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
Street Racing Kills
Strong Towns Artesia
Strong Towns Santa Barbara
Walk San Francisco
West Hollywood Bicycle Coalition
West Hollywood/hernan Molina, Governmental Affairs Liaison

Oppose

National Motorists Association
Western States Trucking Association

Analysis Prepared by: Julie Salley / P. & C.P. / (916) 319-2200