



# Recent Trends in State Highway Safety Legislation

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# NCSL's Traffic Safety Legislative Resources

- [Traffic Safety Legislation Database](#)
- [Traffic Safety Trends Report](#), 2020
- [Traffic Safety Trends Report](#), 2021
- [Traffic Safety Trends Report](#), 2022

# Other Legislative Databases

## 911 Database

TOPICS

Clear

☐ All Topics

☐ 911 Administration, Plans, Boards & Commissions

☐ 911 Fee, Service Fee or Surcharge

☐ 911 Funding and Appropriations

☐ 911 Other/Miscellaneous

☐ 911 Privacy and Confidentiality

STATES

Clear

☐ All States

☐ Alabama

☐ Alaska

☐ Arizona

☐ Arkansas

☐ California

KEYWORD

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## EMS Database

TOPICS

Clear

☐ All Topics

☐ Administration-EMS as an Essential Service

☐ Administration-Quality Assurance

☐ Administration-State EMS Office

☐ Funding-Changes in Funding Structure

☐ Funding-Fee, Service Fee, Surcharge

STATES

Clear

☐ All States

☐ Alabama

☐ Alaska

☐ Arizona

☐ Arkansas

☐ California

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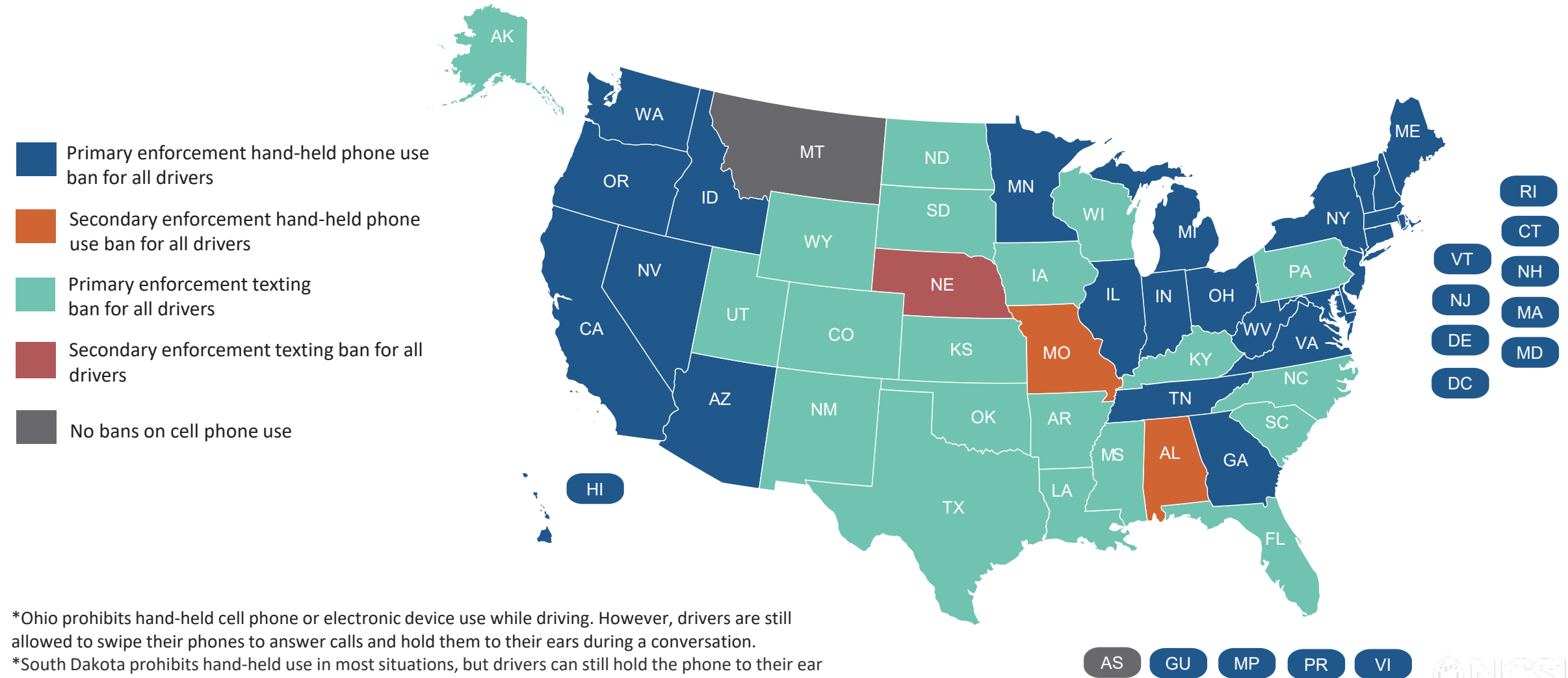
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# Today's Traffic Safety Topics

- Distracted Driving
- Impaired Driving
- Child Passenger Safety
- Automated Enforcement
- Speeding
- Aggressive Driving
- School Bus Safety
- Bicyclist & Pedestrian Safety

# State Distracted Driving Laws



\*Ohio prohibits hand-held cell phone or electronic device use while driving. However, drivers are still allowed to swipe their phones to answer calls and hold them to their ears during a conversation.

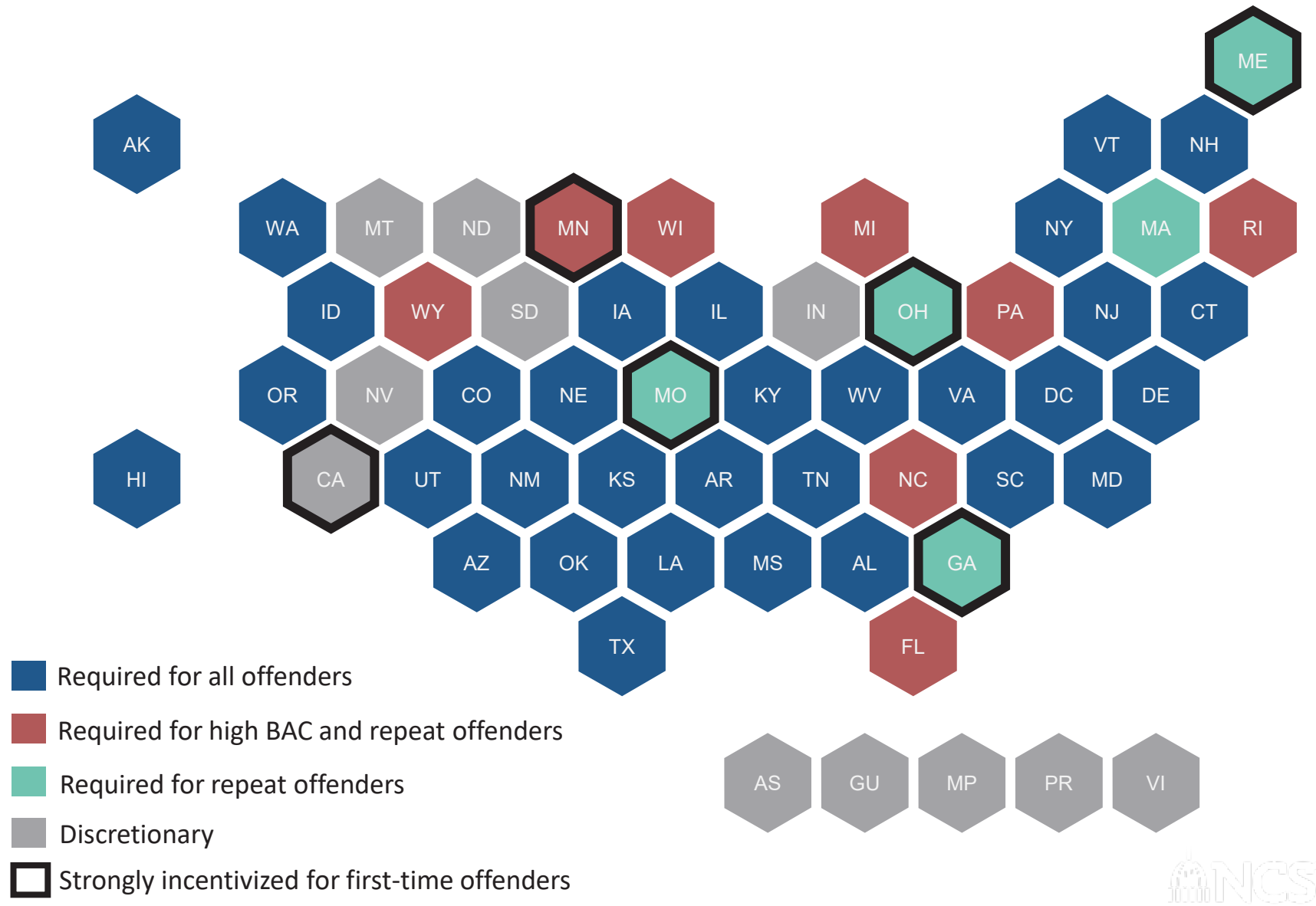
\*South Dakota prohibits hand-held use in most situations, but drivers can still hold the phone to their ear while on a call.



# State All Offender IID Installation Laws

31

States and DC have laws requiring all offenders, including first-time offenders to install an IID



# Impaired Driving Legislative Trends

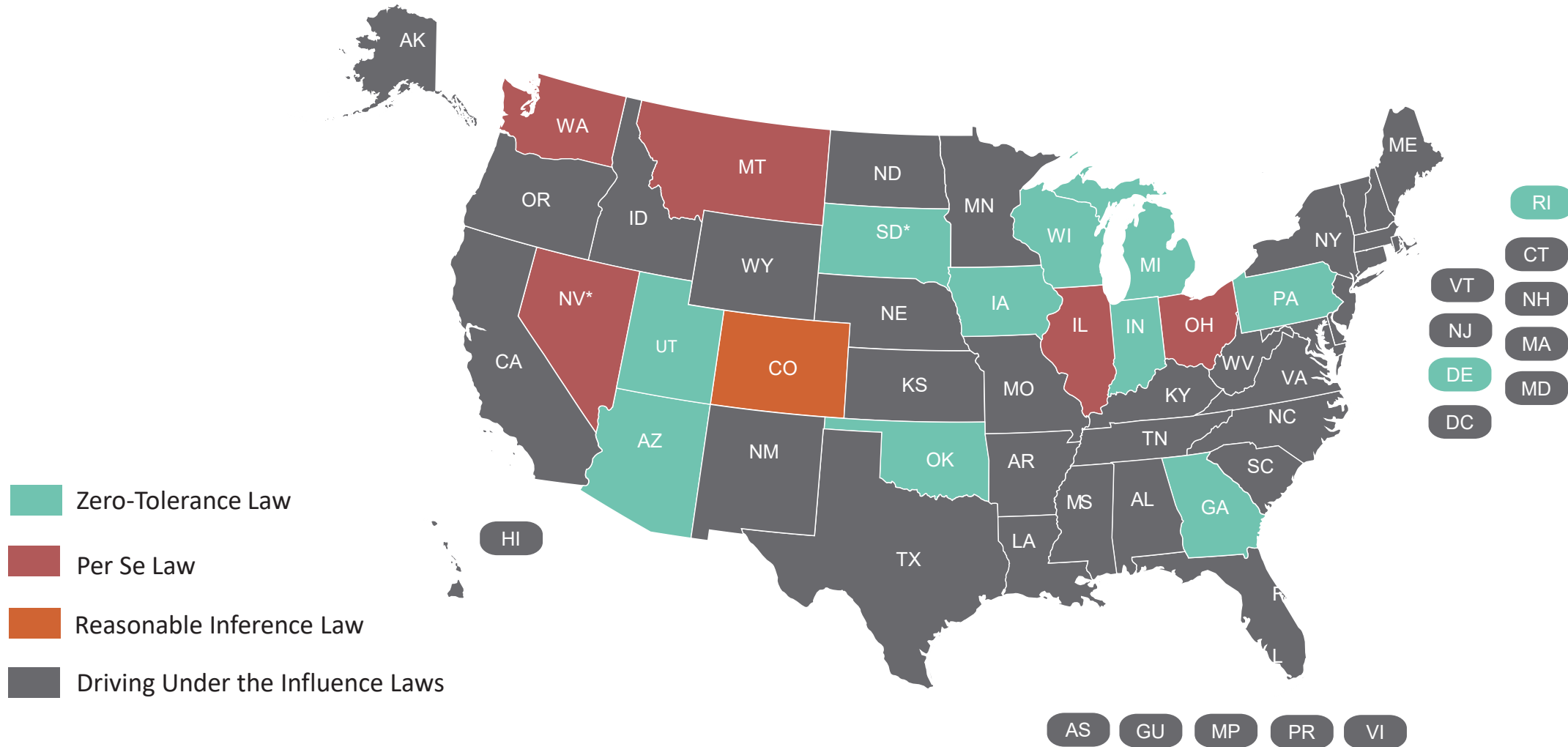
## IIDs and Restricted Driving Privileges

- **At least 23 states** enacted laws in 2021-23 regarding restricted or suspended driver's licenses as an addition or alternative to an IID.
- RI, HB 5094/ SB 314 (2021): IID and/or mandatory testing for first-time DUI/D offenders seeking hardship license.
- Tennessee HB 2184/SB 2434 (2022): DUI offenders who violate the implied consent law cannot receive a restricted driver's license unless they install an IID.

## Drugged Driving

- **At least 16 states** enacted laws in 2021-23 regarding drugged driving.
- Louisiana HB 234 (2021): Banned smoking or vaping marijuana in a vehicle on public highways or right-of-ways.
- Oregon HB 2316 (2023): Broadened the offense of DUI w/ intoxicants to encompass any substance capable of impairing the ability to safely operate a vehicle.

# State Cannabis-Impaired Driving Laws



\*South Dakota has a zero-tolerance law for drivers under the age of 21

\*Nevada's per se law of 2 ng/ml for THC and 5 ng/mg for THC metabolite only applies for felony violations.



# Child Passenger Safety

19

States and DC require children younger than 2 to be in a rear-facing car seat or until the top height or weight limit recommended by the seat's manufacturer is reached



- Maryland (SB 176) and Hawaii (SB 152), 2022
- New Hampshire (SB 118), 2023

# Red-Light Cameras

338

338 communities currently operate red-light cameras in 24 states and the District of Columbia.

24

## Recently Enacted Legislation

- New York (AB 6686 & AB 7206, 2023) authorized red-light cameras in the city of Syracuse and county of Westchester. Syracuse can install 36 cameras at major intersections. Westchester can implement 50 cameras.
- Hawaii (SB 766, 2021) appropriated \$2.8 million over three years to establish a statewide red-light pilot program. Follows a 2020 law which authorized a demonstration program for at least two years.
- Connecticut (HB 5917, 2023) authorized red-light cameras for use in pedestrian safety zones and other locations. Initial violations are capped at \$50 with \$75 fees for subsequent violations.

# Speed Cameras

**Communities in 18 states**—AL, AZ, CO, DE, GA, IL, IA, LA, MD, NM, NY, OH, OR, PA, RI, TN, VA and WA—and DC operate speed cameras.

## Recently Enacted Legislation:

- California (AB 645, 2023) authorized six cities to establish a Speed Safety Pilot Program. The number of systems allowed is proportionate to the city's population. Speed camera revenue must cover the cost of the pilot first. Leftover funds then can be used towards traffic calming initiatives, and excess revenue must be allocated to the state's Active Transportation program.
- Florida (HB 657, 2023) authorized local governments to utilize speed cameras in school zones to catch drivers exceeding the speed limit by 10 mph. Signage notifying motorists a detection system is in use is required.
- Pennsylvania (HB 1284, 2023) permitted five additional speed cameras be installed along highway corridors in the Philadelphia area. A second speeding violation is not considered committed until at least 15 days after the mailing date of the written warning for a first offense.

# Work Zone Cameras

**At least 13 states**—AR, CO, CT, DE, IL, IN, LA, MD, NY, OR, PA, VA and WA—have authorized speed cameras to be utilized in highway work or construction zones.

## Recently Enacted Legislation:

- Indiana (2023 HB 1015) established a Worksite Speed Control Pilot Program to enforce construction and worksite speed limits.
- Delaware (2023 HB 94) permitted using electronic speed monitoring systems in work zones to issue civil penalties for drivers that exceed the speed limit by 11 mph or more.
- Washington (2023 SB 5272) expanded the use of automated speed monitoring systems to state highway work zones.

# Speeding and Speed Limits

## Recently Enacted Legislation

21

States enacted new speeding and speed limit laws in 2023

### Lowering Speed Limits:

- Tennessee (SB 505) permitted local governments to establish special speed limits on public roads, streets or sections of highway within its jurisdiction that is within  $\frac{1}{4}$  mile of a residential use area.
- Oregon (HB 2095) legislated cities may set speed limits up to 10 mph lower than the statutory speed on highways in residential districts.

### Construction Zones:

Montana (HB 809) expanded the defined area of a work zone to include 500 feet in any direction of a construction activity.

### Move Over Laws:

Colorado (HB 1123), Florida (HB 425), Maine (SB 399), Montana (HB 320, 374, 470), New York (SB 5129), North Dakota (HB 1141), Rhode Island (HB 5294 & SB 88), Utah (SB 27), Virginia (HB 1932) and Washington (HB 1125 & SB 5023).

# Aggressive Driving

9

States enacted new laws addressing aggressive drivers and street racing in 2023.

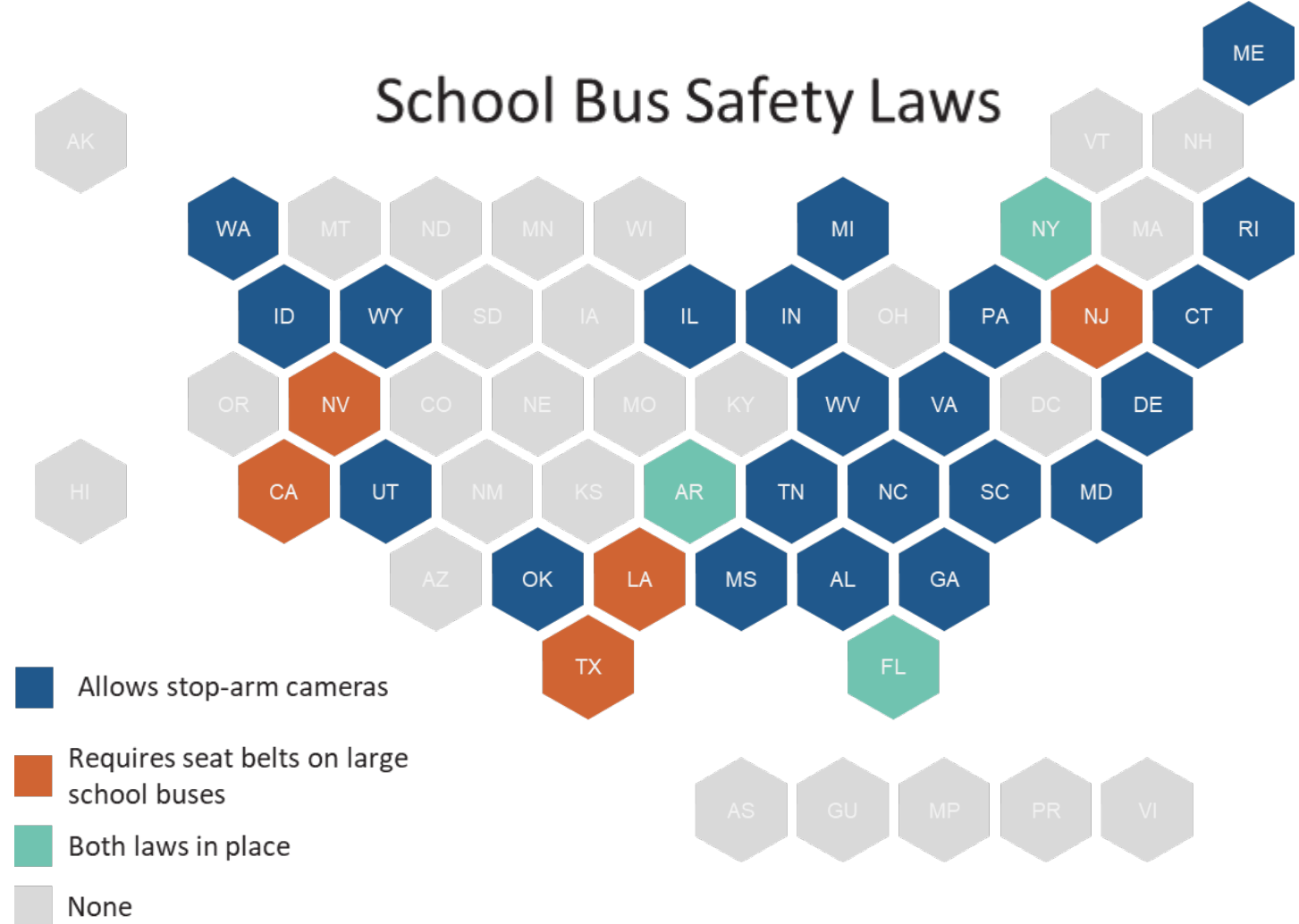
## Recently Enacted Legislation

- **Street Racing Penalties:** Alabama (HB 29 and HB 107), Connecticut (SB 904), Nevada (AB 408), Oregon (SB 615), Texas (HB 2899 and 1442), Washington (SB 5606).
- Arkansas (HB 1623) legislated that fleeing in a motor vehicle is considered a Class D felony if that person also exceeded the posted speed limit.
- Wisconsin (AB 55) **increased penalties** for reckless driving:
  - First time offenders: penalty range \$50 to \$400
  - Second and subsequent: \$100 to \$1,000
  - Any offense resulting in bodily harm: \$600 to \$4,000 and jail time between 60 days to two years.
  - Any offense resulting in great bodily harm: Class H Felony; fine up to \$10,000 and/or imprisonment for up to six years.

# School Bus Safety

**25** States explicitly allow local governments or school districts to use school bus stop-arm cameras to ticket motorists that illegally pass a stopped school bus.

**8** States have laws requiring seat belt installation on school buses. Arkansas, Louisiana and Texas' laws, however, are subject to appropriations or approval or denial by local jurisdictions.



# Bicycle Safety Stop

10

States – AR, CO, DE, ID, MN, ND, OK, OR, UT and WA - allow bicyclists to treat stop signs as yield signs.

4

States - AR, CO, ID and OK allow bicyclists to treat stoplights as stop signs.



# Upcoming Traffic Safety Webinar!

## States in Action: Addressing America's Traffic Safety Crisis

Thursday, May 23, 2024  
3:00 p.m. ET / 1:00 p.m. MT

State legislatures play a critical role in creating laws and programs to address the 40,000-plus deaths that occur annually on American roadways. Join NCSL for an overview of the current state of America's traffic safety landscape and legislative trends related to impaired and distracted driving, pedestrian and bicyclist safety, automated enforcement and more.



# Save the Date!

## **NCSL Traffic Safety Pre-Conference Sun. August 4, 2024| Louisville, KY**

Join NCSL, state legislators and other traffic safety experts for a pre-conference before NCSL's Legislative Summit Aug. 4 in Louisville, KY to explore the latest traffic safety policies and programs.



# 2024 Legislative Summit

Aug. 5-7, 2024



# Thank you for joining today!

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