



**ARIZONA STATE SENATE**  
*Fifty-Sixth Legislature, First Regular Session*

FACT SHEET FOR S.B. 1234

prohibition; photo radar

Purpose

Prohibits a local authority from using a photo enforcement system to identify violators of laws or ordinances relating to excessive speed or failure to obey a traffic control device.

Background

A local authority or agency in Arizona that uses a photo enforcement system must adopt standards and specifications that indicate to a person operating a motor vehicle that a photo enforcement system is present and operational. At least two signs must be placed in a location before the photo enforcement system, in addition to a speed limit sign in between these two signs. If a photo enforcement system is no longer present or operational, signs indicating the photo enforcement system must be removed or covered. Streets with a speed limit of 40 miles per hour or less are exempt from the signage requirements relating to photo enforcement ([A.R.S. § 28-1204](#)).

If a person receives notice of a violation for excessive speed or failure to obey a traffic control device that is obtained using a photo enforcement system, the person does not have to: 1) identify who is in the photo; or 2) respond to the notice of violation. The notice must also state that it is not a court issued document, but that failure to respond to the notice may result in official service that may lead to an additional fee being levied. Statute specifies that an alternative service of process may be used to serve a citation. A person's driving privilege may not be suspended or revoked as a result of a citation served by alternative service of process ([A.R.S. § 28-1602](#)).

A *photo enforcement system* is a device substantially consisting of a radar unit or sensor linked to a camera or other recording device that produces one or more photographs, microphotographs, videotapes or digital or other recorded images of a vehicle's license plate for the purpose of identifying violators of traffic and vehicle regulations ([A.R.S. § 28-601](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Prohibits a local authority or an agency from using a photo enforcement system to identify violators of:
  - a) traffic and vehicle regulations;
  - b) a city or town ordinance for excessive speed; or
  - c) failure to obey a traffic control device.

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2. Removes the prohibition against an unarmed police aide, a municipally approved private contractor or a traffic investigator from serving a process resulting from a failure to obey traffic control devices or speed restrictions obtained using a photo enforcement system.
3. Expands the definition of *photo enforcement systems*.
4. Repeals the statutes relating to photo enforcement systems, including:
  - a) first responder exemptions;
  - b) service of process requirements;
  - c) the placement and use of photo enforcement systems;
  - d) signage requirements; and
  - e) red light running.
5. Contains a statement of legislative intent clause.
6. Makes technical and conforming changes.
7. Becomes effective on the general effective date.

Prepared by Senate Research

February 6, 2023

AN/SB/slp