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## AB-289 State highway work zone speed safety program. (2025-2026)

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### Assembly Bill No. 289

#### CHAPTER 684

An act to amend Section 70615 of the Government Code, and to add and repeal Article 5 (commencing with Section 22445) of Chapter 7 of Division 11 of the Vehicle Code, relating to vehicles, and making an appropriation therefor.

[ Approved by Governor October 13, 2025. Filed with Secretary of State October 13, 2025. ]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 289, Haney. State highway work zone speed safety program.

Existing law authorizes, until January 1, 2032, the City of Malibu to establish a speed safety system pilot program for speed enforcement on the Pacific Coast Highway if the system meets specified requirements. Existing law requires the city to administer a public information campaign at least 30 days before implementation of the program, including information relating to when the systems would begin detecting violations. Existing law requires the city to issue warning notices rather than notices of violations for violations detected within the first 60 calendar days of the program. Existing law also requires the city to develop guidelines for, among other things, the processing and storage of confidential information. Existing law requires photographic or administrative records made by a system to be confidential, except as specified, and would only authorize public agencies to use and allow access to these records for specified purposes.

This bill would authorize, until January 1, 2032, the Department of Transportation to establish a similar program for speed enforcement that utilizes up to 35 speed safety systems on state highway construction or maintenance areas, as specified. The bill would require the department to adopt written guidelines for the use of speed safety systems before entering into an agreement regarding a speed safety system, purchasing or leasing equipment for a program, or implementing a program, and would require the department, in developing the guidelines, to consult with relevant state agencies and other relevant stakeholder organizations. The bill would only authorize the Department of Transportation to use and allow access to the photograph or administrative records for specified purposes.

Existing law requires a violation of a speed law recorded by a speed safety system to be subject only to civil penalties, as specified. Existing law requires, among other things, the issuance of a notice of violation, an initial review, an administrative hearing, and an appeals process, as specified, for a violation under the speed safety pilot program.

This bill would require the department to also implement similar provisions if it establishes the state highway work zone speed safety program on state highway construction or maintenance areas.

Existing law requires the city to submit a report to evaluate the speed safety system to determine the system's impact on street safety and the economic impact on the communities where the system is utilized. Existing law requires revenues derived from a program to first be used to cover program costs, such as the installation of speed safety systems, the adjudication of violations, and reporting requirements.

This bill would require the department to submit a report to the Legislature evaluating the state highway work zone speed safety program and its impact on state highway work zone safety no later than 2 years after the commencement of the program, and annually thereafter. The bill would require moneys generated from the issuance of citations to be deposited in the Safe Highway Work Zone Account, which the bill would create in the State Transportation Fund. The bill would require moneys in the account to be continuously appropriated to the department for administration of the program, and would require any remaining funds to be used by the department for the Construction Zone Enhanced Enforcement Program and the Maintenance Zone Enhanced Enforcement Program. By authorizing moneys to be continuously appropriated to the department for these purposes, the bill would make an appropriation.

Existing law establishes a \$25 filing fee for specified appeals and petitions.

This bill would require a \$25 filing fee for an appeal challenging a notice of violation issued as a result of the department's speed safety program until January 1, 2032.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

This bill would incorporate additional changes to Section 70615 of the Government Code proposed by SB 720 to be operative only if this bill and SB 720 are enacted and this bill is enacted last.

Vote: 2/3 Appropriation: yes Fiscal Committee: yes Local Program: no

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## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** The Legislature finds and declares all of the following:

- (a) Speed is a major factor in traffic collisions that result in worker fatalities or injuries in state highway work zones.
- (b) California should do everything possible to protect the safety and well-being of construction workers who build and maintain our state's vital infrastructure systems. While contractors, unions, and agencies are doing everything in their power to keep workers safe, highway construction zones continue to be hazardous areas, where workers are at high risk of injury or death due to fast-moving vehicles.
- (c) Construction workers should not have to put their lives at risk to maintain and build our state's roads and highways. Yet, that is the reality for thousands of women and men who go to work on our highways every day.
- (d) Automated speed enforcement is a proven, sensible, and effective strategy to improve the safety and health of workers and roadway users as they navigate roadway construction work zones. It will help save lives, reduce injuries, and provide a safer environment for our highway construction workers and drivers.

**SEC. 2.** Section 70615 of the Government Code, as amended by Section 2 of Chapter 631 of the Statutes of 2024, is amended to read:

**70615.** The fee for filing any of the following appeals to the superior court is twenty-five dollars (\$25):

- (a) An appeal of a local agency's decision regarding an administrative fine or penalty under Section 53069.4.
- (b) An appeal under Section 40230 of the Vehicle Code of an administrative agency's decision regarding a parking violation.
- (c) An appeal under Section 99582 of the Public Utilities Code of a hearing officer's determination regarding an administrative penalty for fare evasion or a passenger conduct violation.
- (d) A petition under Section 186.35 of the Penal Code challenging a law enforcement agency's inclusion of a person's information in a shared gang database.
- (e) An appeal under Section 22428 of the Vehicle Code of a hearing officer's determination regarding a civil penalty for an automated speed violation, as defined in Section 22425 of the Vehicle Code.
- (f) An appeal under Section 22438 of the Vehicle Code of a hearing officer's determination regarding a civil penalty for an automated speed violation, as defined in Section 22435 of the Vehicle Code.
- (g) An appeal under Section 22445.3 of the Vehicle Code of a hearing officer's determination regarding a civil penalty for an automated speed violation, as defined in Section 22445 of the Vehicle Code.

(h) This section shall remain in effect only until January 1, 2032, and as of that date is repealed.

**SEC. 2.5.** Section 70615 of the Government Code, as amended by Section 2 of Chapter 631 of the Statutes of 2024, is amended to read:

**70615.** The fee for filing any of the following appeals to the superior court is twenty-five dollars (\$25):

- (a) An appeal of a local agency's decision regarding an administrative fine or penalty under Section 53069.4.
- (b) An appeal under Section 40230 of the Vehicle Code of an administrative agency's decision regarding a parking violation.
- (c) An appeal under Section 99582 of the Public Utilities Code of a hearing officer's determination regarding an administrative penalty for fare evasion or a passenger conduct violation.
- (d) A petition under Section 186.35 of the Penal Code challenging a law enforcement agency's inclusion of a person's information in a shared gang database.
- (e) An appeal under Section 22428 of the Vehicle Code of a hearing officer's determination regarding a civil penalty for an automated speed violation, as defined in Section 22425 of the Vehicle Code.
- (f) An appeal under Section 22438 of the Vehicle Code of a hearing officer's determination regarding a civil penalty for an automated speed violation, as defined in Section 22435 of the Vehicle Code.
- (g) An appeal under Section 21455.9 of the Vehicle Code of a hearing officer's determination regarding a civil penalty for an automated traffic enforcement violation, as defined in Section 21455.9 of the Vehicle Code.
- (h) An appeal under Section 22445.3 of the Vehicle Code of a hearing officer's determination regarding a civil penalty for an automated speed violation, as defined in Section 22445 of the Vehicle Code.
- (i) This section shall remain in effect only until January 1, 2032, and as of that date is repealed.

**SEC. 3.** Article 5 (commencing with Section 22445) is added to Chapter 7 of Division 11 of the Vehicle Code, to read:

**Article 5. State Highway Work Zone Speed Safety Program**

**22445.** (a) As used in this article, the following definitions apply:

- (1) "Automated speed violation" means a violation of a speed law detected by a speed safety system operated pursuant to this article.
- (2) "Construction Zone Enhanced Enforcement Program" refers to a program whereby the Department of Transportation contracts with the Department of the California Highway Patrol to reimburse the actual and incurred costs for supplemental California Highway Patrol units to assist in the management of traffic passing through state highway construction zones.
- (3) "Department" means the Department of Transportation.
- (4) A person is "indigent" if either of the following conditions is met:
  - (A) The person meets the income criteria set forth in subdivision (b) of Section 68632 of the Government Code.
  - (B) The person receives public benefits from a program listed in subdivision (a) of Section 68632 of the Government Code.
- (5) "Maintenance Zone Enhanced Enforcement Program" refers to a program whereby the Department of Transportation contracts with the Department of the California Highway Patrol to reimburse the actual and incurred costs for supplemental California Highway Patrol units to assist in the management of traffic passing through state highway maintenance project zones.
- (6) "Speed safety system" means a fixed or mobile radar or laser system or any other electronic device that utilizes automated equipment to detect a violation of speeding laws and is designed to obtain a clear photographic image of a rear vehicle license plate. "Speed safety system" is also known as an automated speed enforcement system.
- (7) "State highway work zone" means a state highway construction or maintenance area, during any time when traffic is regulated or restricted through or around that area pursuant to Section 21367.

(b) The department may establish a program for automated speed enforcement that utilizes up to 35 speed safety systems, to be operated by the department in state highway work zones.

(c) The speed safety system may be utilized pursuant to subdivision (b) if the program meets all of the following requirements:

(1) Clearly identifies the presence of the speed safety system by signs stating "Photo Enforced," along with the speed limit signs with flashing beacons and speed feedback signs, between 500 feet and one mile, inclusive, before the placement of the system, as determined by the department. The signs shall be visible to traffic traveling on the highway from the direction of travel for which the system is utilized, and shall be posted at locations as may be determined necessary by the department after consultation with the California Traffic Control Devices Committee.

(2) Identifies the state highway work zones approved for enforcement using a speed safety system and the hours of enforcement on the department's internet website, which shall be updated whenever the department changes locations of enforcement.

(3) Ensures that the speed safety system is regularly inspected no less than once every 60 days, and certifies that the system is installed and operating properly. Each camera unit shall be calibrated in accordance with the manufacturer's instructions, and at least once per year by an independent calibration laboratory. Documentation of the regular inspection, operation, and calibration of the system shall be retained for at least 180 days after the date on which the system has been permanently removed from use.

(4) Utilizes fixed or mobile speed safety systems that provide real-time notification to the driver when violations are detected.

(5) A speed safety system records speed violations and actively issues citations only when workers from the Department of Transportation, including persons contracted to perform construction, maintenance, or repair of a highway, are present in the state highway work zone.

(d) Prior to enforcing speed laws utilizing speed safety systems, the department shall do both of the following:

(1) Administer a public information campaign for at least 30 calendar days prior to the commencement of the program, which shall include public announcements in major media outlets and press releases. The public information campaign shall include the information on when systems will begin detecting violations in state highway work zones, and the department's internet website, where additional information about the program can be obtained. Notwithstanding the above, no further public announcement by the department shall be required for additional systems that may be added to the program.

(2) (A) Issue warning notices rather than notices of violation for violations detected by the speed safety system during the first 60 calendar days of enforcement under the program.

(B) A vehicle's first violation for traveling 11 to 15 miles per hour over the posted speed limit shall be a warning notice.

(e) The department shall adopt written guidelines for the use of speed safety systems prior to entering into an agreement regarding a speed safety system, purchasing or leasing equipment for a program, or implementing a program. In developing the guidelines, the department shall consult with the relevant state agencies and relevant stakeholder organizations, including, but not limited to, racial equity, privacy protection, and economic justice groups. The written guidelines shall be made available for public review at least 30 calendar days prior to adoption. Upon adoption of the guidelines, the department shall post the final adopted guidelines on its internet website. The written guidelines shall include all of the following:

(1) A statement of the specific purpose for the speed safety system, the uses that are authorized and uses that are prohibited, and the procedures required prior to that use.

(2) An identification of the data or information that can be collected by the speed safety system and the individuals who can access or use the collected information, and the processes related to the access, transfer, or use of the information.

(3) The allowable uses for information collected and maintained is limited to the administration of the state highway work zone speed safety program only.

(4) Procedures for the retention and disposal of data collected by the speed safety system.

(5) Procedures for the screening and issuing of notices of violation.

(6) Procedures for the storage of confidential information to ensure compliance with confidentiality requirements.

(f) The development and adoption of guidelines pursuant to this article are exempt from the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

(g) Notices of violation issued pursuant to this section shall include a clear image of the license plate and rear of the vehicle only, identify the specific section of the Vehicle Code violated, the camera location, and the date and time when the violation occurred. Notices of violation shall exclude images of the rear window area of the vehicle.

(h) The photographic evidence stored by a speed safety system does not constitute an out-of-court hearsay statement by a declarant under Division 10 (commencing with Section 1200) of the Evidence Code.

(i) (1) Notwithstanding any provision of the California Public Records Act, or any other law, any photographic image or administrative records made by a system shall be confidential. The department shall use and allow access to these records only for the purposes authorized by this article or to assess the impacts of the system. Data about the number of violations issued and the speeds at which they were issued is not considered an administrative record required not to be disclosed by this section.

(2) Confidential information obtained from the Department of Motor Vehicles for the administration of speed safety systems and enforcement of this article shall be held confidential, and shall not be used for any other purpose. The department and its contractors and agents shall establish procedures to protect the confidentiality of these records consistent with Section 1808.47.

(3) Except for court records described in Section 68152 of the Government Code, or as provided in paragraph (4), the confidential records and evidence described in paragraphs (1) and (2) may be retained for up to 60 days after final disposition of the notice of violation. The department may retain information that a vehicle has been cited and fined for a violation for up to three years. The department may adopt a retention period of less than 60 days. Administrative records described in paragraph (1) may be retained for up to 120 days after final disposition of the notice of violation. Notwithstanding any other law, the confidential records and evidence shall be destroyed in a manner that maintains the confidentiality of any person included in the record or evidence.

(4) The photographic evidence that is obtained from a speed safety system that does not result in the issuance of a notice of violation shall be destroyed within five business days after it was first made. The use of facial recognition technology in conjunction with a speed safety system shall be prohibited.

(5) Information collected and maintained by the department to administer the program shall only be used to administer the program, and shall not be disclosed to any other persons, including, but not limited to, any other state or federal governmental agency or official for any other purpose, except as required by a court order, or in response to a subpoena in an individual case or proceeding.

(j) Notwithstanding subdivision (i), the registered owner or an individual identified by the registered owner as the driver of the vehicle at the time of the alleged violation shall be permitted to review and obtain a copy of the photograph of the alleged violation.

(k) A contract between the department and a manufacturer or supplier of speed safety systems shall allow the department to purchase materials, lease equipment, and contract for processing services from the manufacturer or supplier based on the services rendered on a monthly schedule or another schedule agreed upon by the department and contractor. The contract shall not allow for payment or compensation based on the number of notices of violation issued, or as a percentage of revenue generated, from the use of the system. The contract shall include a provision that all data collected from the speed safety system is confidential, and shall prohibit the manufacturer or supplier of the contracted speed safety system from sharing, repurposing, or monetizing collected data, except as specifically authorized in this article. The department shall oversee, maintain control, and have the final decision over all enforcement activities, including the determination of when a notice of violation should be issued.

(l) Notwithstanding subdivision (k), the department may contract with a vendor for the processing of notices of violation after an employee of the department has issued a notice of violation. The vendor shall be a separate legal and corporate entity from, and not related to or affiliated in any manner with, the manufacturer or supplier of speed safety systems used by the department. Any contract between the department and a vendor to provide processing services may include a provision for the payment of compensation based on the number of notices of violation processed by the vendor.

(m) The speed safety system, to the extent feasible, shall be angled and focused so as to only capture rear license plate photographs of speeding violations and shall not capture identifying images of other drivers or vehicles.

(n) Notwithstanding subdivision (c) of Section 21455.6, the department may use automated enforcement systems and photo radar for speed enforcement consistent with this article.

**22445.1.** (a) Notwithstanding any other law, a violation of any speed law pursuant to this chapter that is recorded by a speed safety system authorized pursuant to Section 22445 shall be subject only to a civil penalty, as provided in subdivision (c), and shall not result in the Department of Motor Vehicles suspending or revoking the privilege of a violator to drive a motor vehicle or in a violation point being assessed against the violator.

(b) The speed safety system shall capture images of the rear license plate of vehicles that are traveling 11 miles per hour or more over the posted speed limit and notices of violation shall only be issued to registered owners of those vehicles based on that evidence.

(c) A civil penalty shall be assessed as follows:

- (1) Fifty dollars (\$50) for driving at a speed of 11 to 15 miles per hour over the posted speed limit.
- (2) One hundred dollars (\$100) for driving at a speed of 16 to 25 miles per hour over the posted speed limit.
- (3) Two hundred dollars (\$200) for driving at a speed of 26 miles per hour or more over the posted speed limit, unless paragraph (4) applies.
- (4) Five hundred dollars (\$500) for driving at a speed of 100 miles per hour or more.

(d) A civil penalty shall not be assessed against an authorized emergency vehicle.

(e) The notice of violation shall be in writing and issued to the registered owner of the vehicle within 15 calendar days of the date of the violation. The notice of violation shall include all of the following information:

- (1) The violation, including reference to the speed law that was violated, the speed of the vehicle, the speed limit for the road on which the violation occurred, and verification of the most recent calibration of the system in accordance with paragraph (3) of subdivision (c) of Section 22445.
- (2) The date, approximate time, and location where the violation occurred.
- (3) The vehicle license number and the name and address of the registered owner of the vehicle.
- (4) A statement that payment is required to be made no later than 30 calendar days from the date of mailing of the notice of violation, or that the violation may be contested pursuant to Section 22445.2.
- (5) The amount of the civil penalty due for that violation and the procedures for the payment of the civil penalty or for contesting the notice of violation.
- (6) An affidavit of nonliability, and information of what constitutes nonliability, information as to the effect of executing the affidavit, and instructions for returning the affidavit to the processor. If the affidavit of nonliability is returned to the department within 30 calendar days of the mailing of the notice of violation, together with proof of a written lease or rental agreement between a bona fide rental company, as defined in Section 1939.01 of the Civil Code, or a personal vehicle sharing program, as defined in Section 11580.24 of the Insurance Code, and its customer that identifies the renter or lessee, the department shall serve or mail a notice of violation to the renter or lessee identified in the affidavit of nonliability. If the affidavit of nonliability is returned to the department within 30 calendar days of the mailing of the notice of violation, together with proof of a copy of a police report indicating the vehicle had been stolen at the time of the violation, the department shall not subject the registered owner to a civil violation.
- (7) A phone number that the recipient may use to request additional information about the State Highway Work Zone Speed Safety Program.
- (8) A proof of service consistent with Section 1013a of the Code of Civil Procedure.

(f) (1) Moneys generated from the issuance of citations pursuant to the state highway work zone speed safety program shall be deposited in the Safe Highway Work Zone Account, which is hereby created in the State Transportation Fund. Moneys in the account shall be continuously appropriated to the department for the administration of this program. Any remaining funds shall be used by the department for the Construction Zone Enhanced Enforcement Program and the Maintenance Zone Enhanced Enforcement Program.

(2) It is the intent of the Legislature that speed safety systems complement traffic enforcement by the Department of the California Highway Patrol, and that the program authorized by Section 22445 shall supplement, and not supplant, existing traffic enforcement efforts in highway construction and maintenance zones, including the Construction Zone Enhanced Enforcement Program and the Maintenance Zone Enhanced Enforcement Program.

(3) It is the intent of the Legislature that the department expend for purposes of enhanced traffic enforcement in construction and maintenance zones an amount not less than its expenditures for the Construction Zone Enhanced Enforcement Program and the Maintenance Zone Enhanced Enforcement Program in the 2023–24 fiscal year.

(g) A person shall not be assessed a civil penalty if they are subject to criminal penalties for the same act.

(h) A speed safety system may only be in operation for five years, or until January 1, 2032, whichever date is sooner.

**22445.2.** (a) No later than 30 calendar days from the date of mailing of a notice of violation, the recipient may request an initial review of the notice by the department. The request may be made by telephone, in writing, electronically, or in person. There shall be no charge for this review. If, following the initial review, the department is satisfied that the violation did not occur, or that extenuating circumstances make cancellation of the notice of violation appropriate in the interest of justice, the department shall cancel the notice of violation. The department shall mail the results of the initial review to the person contesting the notice within 60 days of receipt of the recipient's request for an initial review, and, if cancellation of the notice does not occur following that review, include a reason for that denial, notification of the ability to request an administrative hearing, and notice of the procedures adopted by the department for the administrative hearing, including for waiving prepayment of the civil penalty based upon an inability to pay pursuant to paragraph (2) of subdivision (b).

(b) (1) If the person contesting the notice of violation is dissatisfied with the results of the initial review, the person may, no later than 21 calendar days following the mailing of the results of the department's initial review, request an administrative hearing of the violation. The request may be made by telephone, in writing, electronically, or in person.

(2) The person requesting an administrative hearing shall pay the amount of the civil penalty to the department. There shall be no additional charge for this hearing. The department shall adopt a written procedure to allow a person to request an administrative hearing without payment of the civil penalty upon satisfactory proof of an inability to pay the amount due.

(3) The administrative hearing shall be held within 90 calendar days following the receipt of a request for an administrative hearing. The person requesting the hearing may request one continuance, not to exceed 21 calendar days.

(c) The administrative hearing process shall include all of the following:

(1) The person requesting a hearing shall have the choice of a hearing upon written declaration, video conference, or in person. An in-person hearing shall be conducted within the department district where the violation was issued.

(2) If the person requesting a hearing is an unemancipated minor, that person shall be permitted to appear at a hearing or admit responsibility for the automated speed violation without the appointment of a guardian. The department may proceed against the minor in the same manner as against an adult.

(3) The administrative hearing shall be conducted in accordance with written procedures established by the department. The hearing shall provide an independent, objective, fair, and impartial review of contested automated speed violations.

(4) (A) The department shall appoint or contract with qualified independent examiners or administrative hearing providers that employ qualified independent examiners to conduct the administrative hearings. Examiners shall demonstrate the qualifications, training, and objectivity necessary to conduct a fair and impartial review, and shall meet the minimum requirements specified in subparagraph (B). The examiner shall be separate and independent from the notice of violation issuing and processing functions. An examiner's continued employment, performance evaluation, compensation, and benefits shall not, directly or indirectly, be linked to the amount of civil penalties upheld by the examiner or the number or percentage of violations upheld by the examiner.

(B) (i) Examiners shall have a minimum of 20 hours of training. The examiner, unless an employee of the department, is responsible for the costs of the training. The department may reimburse the examiner for those costs. Training may be provided through any of the following:

(I) An accredited college or university.

(II) A program conducted by the Commission on Peace Officer Standards and Training.

(III) A program conducted by the American Arbitration Association or a similar organization.

(IV) Any program approved by the department, including a program developed and provided by, or for, the department.

(ii) Training programs shall include topics relevant to the administrative hearing, including, but not limited to, applicable laws and regulations, enforcement procedures, due process, evaluation of evidence, hearing procedures, and effective oral and written communication. Upon the approval of the department, up to 12 hours of relevant experience may be substituted for up to 12 hours of training. Up to eight hours of the training requirements described in this subparagraph may be credited to an individual, at the discretion of the department, based upon training programs or courses described in this subparagraph that the individual attended within the last five years.

(5) The employee of the department who issues a notice of violation shall not be required to participate in an administrative hearing. To establish a violation, the department shall not be required to produce any evidence other than, in proper form, the notice of violation or copy thereof, including the photograph of the vehicle's license plate, and information received from the

Department of Motor Vehicles identifying the registered owner of the vehicle. The documentation in proper form shall be prima facie evidence of the violation. If the department meets its initial burden, the recipient of the notice of violation may present any evidence and argument in defense.

(6) The examiner's final decision following the administrative hearing may be personally delivered to the person by the examiner or sent by first-class mail within 60 days of the date of the conclusion of the administrative hearing.

(7) Following a determination by the examiner that a person has committed the violation, the examiner or the department shall offer violation recipients who are indigent or who otherwise provide evidence satisfactory to the examiner or the department of an inability to pay the civil penalty in full, the option to pay applicable fines and penalties over a period of time under a payment plan with monthly installments not to exceed twenty-five dollars (\$25). Any processing fee to participate in a payment plan shall not exceed five dollars (\$5).

(8) If a notice of violation is dismissed following an administrative hearing, any civil penalty, if paid, shall be refunded by the department within 30 days.

**22445.3.** (a) Within 30 days after personal delivery or mailing of the final decision described in subdivision (c) of Section 22445.2, the contestant may seek review by filing an appeal to the superior court, where the case shall be heard de novo, except that the contents of the department's file in the case on appeal shall be lodged by the department at its expense and be received into evidence. A copy of the notice of violation shall be admitted into evidence as prima facie evidence of the facts stated in the notice. A copy of the notice of appeal shall be served in person or by certified first-class mail with return receipt upon the department by the appellant. For purposes of computing the 30-day period, Section 1013 of the Code of Civil Procedure shall be applicable. A proceeding under this subdivision is a limited civil case.

(b) The fee for filing the notice of appeal shall be as provided in Section 70615 of the Government Code. Upon receipt of the notice of appeal, the department shall lodge its administrative record for the case with the court within 15 calendar days. The court shall notify the appellant of the appearance date by mail or personal delivery. The court shall retain the fee under Section 70615 of the Government Code regardless of the outcome of the appeal. If the appellant prevails, this fee and any payment of the civil penalty shall be promptly refunded by the department in accordance with the judgment of the court.

(c) The conduct of the hearing on appeal under this section is a subordinate judicial duty that may be performed by a commissioner or other subordinate judicial officer at the direction of the presiding judge of the court.

(d) If a notice of appeal of the examiner's decision is not filed within the period set forth in subdivision (a), the decision shall be deemed final.

(e) If the civil penalty has not been paid and the final decision is adverse to the appellant, the department may, promptly after the decision becomes final, proceed to collect the civil penalty under Section 22445.1.

**22445.4.** (a) The department shall offer the ability for indigent speed safety system violation recipients to pay applicable fines and penalties over a period of time under a payment plan with monthly installments of no more than twenty-five dollars (\$25) and shall limit the processing fee to participate in a payment plan to five dollars (\$5) or less.

(b) Notwithstanding subdivision (a), the department shall reduce the applicable fines and penalties by 80 percent for indigent persons, and by 50 percent for individuals up to 250 percent above the federal poverty level.

(c) The person may demonstrate that they are indigent or make up to 250 percent above the poverty level or less by providing either of the following information, as applicable:

(1) Proof of income from a pay stub or another form of proof of earnings, such as a bank statement, that shows that the person meets the income criteria set forth in subdivision (b) of Section 68632 of the Government Code, subject to review and approval by the department or its designee. The department or its designee shall not unreasonably withhold its approval.

(2) Proof of receipt of benefits under the programs described in subdivision (a) of Section 68632 of the Government Code, including, but not limited to, an electronic benefits transfer card or another card, subject to review and approval by the department. The department or its designee shall not unreasonably withhold its approval.

**22445.5.** (a) No later than two years after the commencement of the state highway work zone speed safety program, and annually thereafter, the department shall prepare and submit a report to the Legislature evaluating the state highway work zone speed safety program and its impact on state highway work zone safety. The report shall be made available on the department's internet website and shall include all of the following information:



(1) Data on the number and proportion of vehicles speeding in state highway work zones where speed safety systems were deployed from 11 to 15 miles per hour over the legal speed limit, inclusive, from 16 to 25 miles per hour over the legal speed limit, inclusive, from 26 miles per hour over the legal speed limit, and for every violator traveling at a speed of 100 miles per hour or greater. Data shall also be collected on the average speed of vehicles and 85th percentile speed of vehicles in state highway work zones where speed safety systems were deployed.

(2) The number of notices of violation issued under the program by month and year, the state highway work zones where violations occurred, and the number of vehicles with two or more violations in the same location over a monthly period and a yearly period.

(3) Data on the number of traffic collisions that occurred in state highway work zones where speed safety systems were used, relative to data in all state highway work zones. The data on traffic collisions shall be categorized by collision type and injury severity, such as property damage only, complaint of pain, other visible injury, or severe or fatal injury.

(4) The number of violations paid, the number of delinquent violations, and the number of violations for which an initial review is requested. For the violations in which an initial review was requested, the report shall indicate the number of violations that went to initial review, administrative hearing, and de novo hearing, the number of notices that were dismissed at each level of review, and the number of notices that were not dismissed after each level of review.

(5) The costs associated with implementation and operation of the speed safety systems, and revenues collected.

(6) The number of notices of violations issued to indigent individuals, the number of notices of violations issued to individuals of up to 250 percent above the poverty line, and the number of violations issued to vehicles registered in each California ZIP Code.

(b) The report required by this section shall be submitted in compliance with Section 9795 of the Government Code.

**22445.6.** This article shall remain in effect only until January 1, 2032, and as of that date is repealed.

**SEC. 4.** The Legislature finds and declares that Section 3 of this act, which adds Section 22445 of the Vehicle Code, imposes a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

To protect the privacy interests of persons who are issued citations under a state highway work zone speed safety program, the Legislature finds and declares that the photograph or administrative records generated by the program shall be confidential, and shall be made available only to alleged violators and to governmental agencies solely for the purpose of enforcing these citations and assessing the impact of the use of the speed safety systems, as required by this act.

**SEC. 5.** Section 2.5 of this bill incorporates amendments to Section 70615 of the Government Code proposed by both this bill and Senate Bill 720. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2026, (2) each bill amends Section 70615 of the Government Code, and (3) this bill is enacted after Senate Bill 720, in which case Section 2 of this bill shall not become operative.