



Written by [Ty Bodden](#) on August 5, 2025

Automated Traffic-enforcement Laws Erode Constitutional Protections

State legislatures are increasingly enacting laws to expand automated traffic-enforcement systems — including speed, [red-light](#), and noise-detection cameras — under the pretense of enhancing public safety without adding more law-enforcement personnel. However, these measures — embraced in states such as Hawaii, Iowa, Kentucky, Virginia, and Washington — violate constitutional protections guaranteed by the [Fourth](#), [Fifth](#), and [14th](#) Amendments by expanding government surveillance and prioritizing revenue generation over individual liberty, due process, and the principles of limited government.



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Expansion of Automated Enforcement

In Oregon, [House Bill 4105 \(HB4105\)](#) was signed into law in 2022. It authorizes traffic enforcement agents to issue citations [based solely on images](#) from red-light and radar cameras — a troubling expansion of automated policing that undermines privacy and due process.

[House Bill 2384 \(HB2384\)](#), enacted by the Washington Legislature in 2024, [expanded the use](#) of red-light and speed cameras across the state. It authorized the permanent use of these surveillance systems in larger municipalities. Notably, the law also reduced fines for low-income violators — a provision that raises additional constitutional concerns regarding equal protection and selectively enforced penalties — violating the [14th Amendment](#) of the [U.S. Constitution](#).

In mid-2024, the Hawaii State Legislature passed [Senate Bill 2443 \(SB2443\)](#), creating the [Automated Speed Enforcement Systems Program](#). The bill authorizes fixed speed cameras in up to 10 school zones and appropriates \$230,000 to implement the program. Fines collected are deposited into a dedicated state fund.

In August 2024, the California Legislature passed [Senate Bill 1297 \(SB1297\)](#) by a [bipartisan vote](#), allowing the [city of Malibu to launch a speed-camera pilot program](#) along the Pacific Coast Highway through 2032. The bill authorizes up to five automated speed-enforcement systems and mandates a public information campaign and 60-day warning period before fines are imposed. Drivers face a \$25 fee to appeal citations, and excess revenue is directed toward city projects — further incentivizing predatory enforcement.

2025 Automated Enforcement Legislation

In early March of 2025, the Kentucky Legislature passed [House Bill 664 \(HB664\)](#), establishing a pilot program for [automated speed enforcement in highway work zones](#). Administered by the state's Transportation Cabinet, the program authorizes speed cameras to issue civil citations to drivers exceeding the speed limit by more than 10 miles per hour when workers are present. The law mandates



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signage and a 30-day warning period before fines are enforced. Revenue from citations first funds the program, with any surplus directed to a highway work zone safety fund.

In Virginia, lawmakers tried expanding automated enforcement under the guise of improving safety. [Senate Bill 1233 \(SB1233\)](#), [vetoed](#) by Governor Youngkin, in March 2025, would have [authorized automated systems](#) to monitor pedestrian-crossing and stop-sign violations in school zones and high-risk intersections. The law would have required signage and annual reporting, with excess revenue directed toward traffic safety programs. In 2024, the Virginia House of Delegates passed [Senate Bill 336 \(SB336\)](#), permitting photo speed-monitoring devices at intersections where traffic fatalities have occurred since 2014.

[House Bill 1423 \(HB1423\)](#), passed by the Washington House of Representatives in April 2025, would authorize a pilot program allowing the [use of cameras equipped with both audio and visual sensors to detect noise violations](#) in cities with populations greater than 2,000. These devices would issue civil fines of up to \$145, adjusted annually for inflation. Although [approved](#) by the House, the bill did not receive a vote in the Senate.

In April 2025, Alabama enacted [Senate Bill 238 \(SB238\)](#), authorizing the Town of Kinston to use speed cameras and issue civil citations up to [\\$100 for violations](#), with liability presumed on the vehicle owner unless successfully contested — a troubling expansion of surveillance enforcement without due-process protections.

A Nationwide Trend

This legislative pattern reflects a broader nationwide trend toward surveillance-based enforcement. States such as [California](#), [Illinois](#), and [New York](#) have long employed automated traffic systems. In [New York City](#) alone, thousands of speed cameras operate in school zones, issuing [millions](#) of citations annually. Red-light and speed cameras are widespread in cities such as [Chicago](#) and [Los Angeles](#), while [Knoxville](#), [Miami](#), and [Sacramento](#) pilot [noise-detection systems](#) that issue [tickets](#) without human enforcement.

In July 2025, bipartisan [legislation was introduced](#) in [Wisconsin](#) allowing Milwaukee to use “speed safety cameras” and traffic-control photographic systems to enforce speed-limit and red-light violations. Vehicle owners face civil forfeitures, with funds directed toward traffic-safety programs — a function exceeding proper government authority.

This trend did not emerge overnight. It stems from decades of regulatory expansion under the guise of public safety, dating back to [mandatory seatbelt laws](#) and federal automotive regulations [championed by consumer activist](#) and former third-party presidential candidate [Ralph Nader](#). The [first fixed speed camera](#), known as a “Gatso,” was installed in Twickenham, in the United Kingdom, in 1992. It marked the beginning of automated speed enforcement, which quickly spread across Europe and beyond as a tool for citizen surveillance and revenue generation — all under the pretext of safety.

These early interventions [paved the way](#) for today’s automated enforcement systems in the United States, increasingly regulating individual behavior with minimal oversight or accountability.

Automated Enforcement in Practice

Automated enforcement through red-light and speed cameras has become widespread across the United States as local governments seek to enforce traffic laws without diverting limited law-enforcement resources. According to the Insurance Institute for Highway Safety, red-light-running



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crashes caused more than [136,000 injuries and 1,086 fatalities in 2023](#), while speed-related crashes accounted for nearly [12,000 deaths — 29 percent](#) of all motor-vehicle fatalities that year.

About 343 communities use [red-light cameras](#) and 306 employ [speed cameras](#), with laws varying by state regarding where and how these devices may be used. [Twenty-four states](#) and the District of Columbia authorize red-light cameras, including major states such as California, Illinois, and New York. Speed-camera programs operate in [21 states](#) and D.C., often limited to school and work zones. [Conversely](#), nine states prohibit red-light cameras, and eight prohibit speed cameras, while others restrict usage or require officer presence.

States Reversing Course

Several [Chicago suburbs are beginning to dismantle their red-light camera programs](#) — a welcome step toward transparency, accountability, and limited government. Gurnee, Illinois, recently scrapped its system after [16 years](#), citing declining revenue and persistent delays from the [Illinois Department of Transportation](#), which left many cameras offline for extended periods. Other towns, including Hanover Park and Palatine, Illinois, faced similar setbacks, with revenue from fines plummeting as they waited months or even years for state approval to reactivate devices or certify new vendors.

While red-light cameras have generated more than [\\$1.56 billion](#) in fines across Illinois since 2008, municipalities have stated they have [failed to improve traffic safety](#) and, in some cases, contributed to an increase in crashes. Their removal reflects growing public skepticism, particularly in light of past scandals involving corruption and backroom deals tied to camera contracts. By eliminating these surveillance tools, local governments are backing away from predatory enforcement schemes and moving toward more constitutionally sound approaches to traffic regulation.

[Outsourcing enforcement to private, for-profit companies](#) undermines due process and removes accountability from law enforcement. [Privacy concerns](#) are mounting, as third-party operators often control surveillance equipment and personal data collected from motorists. While proponents claim these systems enhance public safety, research is mixed, and programs across the country have been dismantled due to [public backlash](#) and [legal challenges](#). Growing resistance reflects deeper concerns about the privatization of policing and erosion of constitutional protections — especially when profit motives replace the rule of law.

Outright Bans

The constitutionally problematic nature of red-light and speed cameras has prompted several states — including [Arizona](#) and Oklahoma— to pass legislation, such as Arizona’s [SB1019](#), to ban their use entirely. (Arizona Governor Katie Hobbs, however, [vetoed](#) her state’s bill.)

[Texas banned](#) new red-light camera programs in 2019, allowing existing contracts to run their course. Constitutional challenges to automated enforcement continue, highlighted by the [Missouri Supreme Court’s 2015 ruling](#) that red-light and speed cameras violate the state constitution. The Florida House of Representatives passed [House Bill 6001 \(HB6001\)](#) in a [bipartisan](#) vote in January 2018, but the measure never received a vote in the Senate. Opposition to the bill was also bipartisan. The bill would have prohibited counties and municipalities from creating red-light camera programs — a significant rejection of automated enforcement.

In recent years, about [19 states have debated legislation governing automated traffic-enforcement cameras](#), reflecting a nationwide struggle over these devices. Following a 2022 [federal push led by](#)



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[Transportation Secretary Pete Buttigieg](#) — who included automated cameras among tools to reduce rising traffic deaths — many statehouses have considered bills expanding or restricting their use.

Constitutional Violations and Due-process Concerns

Traffic-enforcement cameras undermine [constitutional](#) protections. Automated enforcement replaces law-enforcement officers with machines, presuming guilt and issuing citations without proper [due process](#). Such systems violate the [Fourth Amendment](#), which protects against unreasonable searches and seizures, as these devices capture data without warrants or individualized suspicion. They also undermine the [Fifth](#) and [14th Amendments](#), which guarantee due process and equal protection under the law, by removing context and discretion from enforcement.

Additionally, these laws often carve out exemptions for government workers, farmers, or utility employees — creating unequal application of the law. Such carveouts erode the rule of law and undermine public trust, especially as some push for “[equity](#)” in speed-camera enforcement.

Surveillance, Centralization, and Control

Perhaps most concerning is the cultural shift these laws represent. By continuously monitoring roadways and public spaces, automated enforcement expands the surveillance state, inverting the proper relationship between government and citizens. Rather than a limited government that serves and protects individual rights, citizens are treated as suspects by a faceless, automated bureaucracy.

Such systems mark a departure from constitutional governance. The proper role of government is to secure [life, liberty, and property](#) — not to monitor every street corner or regulate every aspect of behavior. Local issues such as speeding, distracted driving, or noise complaints are better addressed through education, local engagement, and voluntary community efforts — not top-down mandates from a bureaucratic enforcement apparatus. Upholding the Constitution requires rejecting surveillance-based enforcement that treats liberty as expendable in the name of security.

Upholding the Constitution

The New American and [The John Birch Society](#) commend legislators who have voted against these surveillance-based enforcement bills. Such systems violate constitutional protections, erode the rule of law, and prioritize revenue over individual rights. Lawmakers must reject these measures and uphold their oaths to defend the Constitution. Citizens must remain vigilant and use tools such as *The New American's* [Freedom Index](#) and [Legislative Scorecards](#) to hold elected officials accountable.

To learn more about how your state and federal legislators vote on issues of constitutional importance, visit The New American's [Freedom Index](#) and state [Legislative Scorecards](#). You can also stay informed about what is happening in your state legislature and in Congress by signing up for legislative alerts [here](#).



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