Council Agenda Report

City Council Meeting
03-23-26
Item 1.B.10.

To: Mayor Silverstein and the Honorable Members of the City Council

Prepared by: Tatiana Holden, Interim Public Works Director/City Engineer
Susan Dueñas, Public Safety Director

Approved by: Joseph D. Irvin, City Manager

Date prepared: March 4, 2026 Meeting date: March 23, 2026

Subject: Professional Services Agreement with Blue Line Solutions

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RECOMMENDED ACTION: Authorize the Mayor to execute a Professional Services Agreement with Blue Line Solutions-CA, LLC (Blue Line) to implement and operate a Speed Safety Camera System Pilot Program for a six-year term supporting five years of camera operations for an annual cost of $2,801,751 for a total five-year program contract amount not to exceed $14,008,755.

FISCAL IMPACT: No additional appropriation is required. This is a service-based contract, and fees are deducted directly from the citation revenue. Based on speed studies that were included in the Speed Safety System Impact Report, it is anticipated that the system will generate approximately 227,176 citations per year with a minimum fine of $50 each: therefore, generating approximately $11,358,800 per year. The anticipated revenue will be more than sufficient to offset the annual contract amount that is not to exceed $2,801,751. Surplus revenue derived from the program must be used for traffic calming measures on the Pacific Coast Highway.

STRATEGIC PLAN IMPLEMENTATION: This item supports the City's 2025-2028 Strategic Plan Goal 4: Improve Public Safety.

DISCUSSION: On September 27, 2024, Senate Bills 1297, which authorized the City of Malibu to implement a speed safety system pilot program, was signed into law. The purpose of the program is to improve traffic safety and reduce fatalities on the Pacific Coast Highway in Malibu by targeting high-speed areas. The bill authorizes installation of up to five safety systems within the city limits. Once implemented and operational, the program will continue until its expiration on January 1, 2032.

On October 16, 2025, the City issued a Request for Proposals (RFP) for experienced firms to provide a turnkey Automated Speed Safety Camera System (SSCS), including the design, hardware, software, installation, operations support, maintenance, and related services. More specifically, the following services were requested:

- An integrated SSCS solution including field equipment and communications;
- Violation detection and evidence packages;
- Notice production and mailing;
- Payment/call-center/web portal services;
- Role-based software for City review/approval;
- Data security and audit logging;
- Program analytics and reporting;
- Training;
- Maintenance, inspections/calibration; and,
- Compliance with all applicable provisions of SB 1297 and the City of Malibu's Speed Safety System Use Policy.

Staff received eight proposals and after careful review of the proposals, four vendors were invited for interviews for further evaluation: Elovate, Blue Line Solutions, Verra Mobility and Novoa Global. Based on the proposals, reference checks and interviews, staff determined that Blue Line was the best fit for the project. While all of the vendors have extensive experience with speed safety systems, Blue Line clearly understood the conditions in Malibu and were able to clearly identify the project needs and estimate the likely citation rate and resulting workload.

Based on the Michelin Mobility Intelligence Study that was conducted in 2024 and included in the Speed Safety System Impact Report that was approved by the City Council in August 2025, approximately 12,448 vehicles exceed the posted speed limit by more than 10 MPH each day. According to Blue Line representatives, after speed safety systems are implemented, the number of vehicles that exceed the posted speed limit generally falls by 95%. Therefore, we can anticipate approximately 622 vehicles per day will exceed the posted speed limit and generate a citation.

Based on the minimum fine of $50, approximately $11.3 million in revenue could be generated each year. Senate Bills 1297 requires that revenues derived from the speed safety system shall first be used to recover program costs. Program costs include, but are not limited to, the installation of speed safety systems, the adjudication of violations, and reporting requirements as specified in this section. After covering program costs, any excess revenue shall be used for traffic-calming measures within three years of the end of the fiscal year in which the excess revenue was received. The City shall enter into an agreement with the Department of Transportation regarding the use of any excess revenue. If traffic-calming measures are not planned or constructed after the third year, excess revenue shall revert to the Active Transportation Program established pursuant to

Chapter 8 (commencing with Section 2380) of the Streets and Highways Code, to be allocated by the California Transportation Commission pursuant to Section 2381 of the Streets and Highways Code.

Next Steps

The six-year term agreement with Blue Line Solutions covers the five-year speed safety program operation and maintenance with the sixth year of decommissioning of the program, including fulfilling reporting requirements set by Senate Bill 1297.

After the agreement is fully executed, staff will work with Blue Line to install the cameras, train staff and work with their marketing team to implement a comprehensive public education campaign for the required 30 days prior to activating the system.

Staff recommends the City Council authorize the Mayor to execute a Professional Services Agreement with Blue Line Solutions-CA, LLC (Blue Line) to implement and operate a Speed Safety Camera System Pilot Program for a six-year term supporting five years of camera operations for an annual cost of $2,801,751 for a total five-year program contract amount not to exceed $14,008,755. The city anticipates the start of camera operation before July 4, 2026.

ATTACHMENTS:

1) Senate Bill No. 1297
2) Professional Services Agreement with Blue Line Solutions-CA, LLC (This attachment will be distributed under separate cover)

STATE OF CALIFORNIA
LEGISLATIVE COUNSEL BUREAU
AUTHENTICATED
ELECTRONIC LEGAL MATERIAL

Senate Bill No. 1297

CHAPTER 631

An act to amend Section 70615 of the Government Code, and to add and repeal Article 4 (commencing with Section 22435) of Chapter 7 of Division 11 of the Vehicle Code, relating to vehicles.

[Approved by Governor September 27, 2024. Filed with Secretary of State September 27, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1297, Allen. The City of Malibu's speed safety system pilot program.

Existing law authorizes, until January 1, 2032, the Cities of Los Angeles, San Jose, Oakland, Glendale, and Long Beach, and the City and County of San Francisco to establish a speed safety system pilot program if the system meets specified requirements. Existing law requires a participating city or city and county to adopt a Speed Safety System Use Policy and a Speed Safety System Impact Report before implementing the program, and requires the participating city or city and county to engage in a public information campaign at least 30 days before implementation of the program, including information relating to when the systems would begin detecting violations and where the systems would be utilized. Existing law requires a participating city or city and county 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 a participating city or city and county to develop uniform guidelines for, among other things, the processing and storage of confidential information. Existing law designates all photographic or administrative records, not including data about the number of violations issued or the speeds at which they were issued for, made by a system as confidential, 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 City of Malibu to establish a similar program for speed enforcement that utilizes up to 5 speed safety systems on the Pacific Coast Highway.

Existing law specifies that any violation of a speed law recorded by a speed safety system authorized by the Speed Safety System Pilot Program provisions would be subject only to the provided civil penalties. Existing law provides, among other things, for the issuance of a notice of violation, an initial review, an administrative hearing, and an appeals process, as specified, for a violation under this program. Existing law requires any program created pursuant to these provisions to offer a diversion program for indigent speed safety system violation recipients, as specified. Existing law requires a city or city and county participating in the pilot program 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 any program to first be used to cover program costs, including, among other things, the construction of traffic-calming measures, as specified.

This bill would require the City of Malibu to also implement the above provisions if it establishes the speed safety system program on the Pacific Coast Highway. The bill would additionally require the City of Malibu to enter into an agreement with the Department of Transportation regarding the use of any excess revenue for traffic-calming measures on the Pacific Coast Highway, in the City of Malibu.

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 City of Malibu's speed safety system 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 make legislative findings and declarations as to the necessity of a special statute for the City of Malibu.

The people of the State of California do enact as follows:

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

(a) On October 17, 2023, a driver speeding at 104 miles per hour on the Pacific Coast Highway (PCH) in the City of Malibu lost control of their vehicle and killed four university students standing on the side of the highway.

(b) Since 2010, 59 people have been killed in vehicle accidents along the PCH in the City of Malibu.

(c) Crash data from the Los Angeles County Sheriff's Department shows that, in 2023, there were 127 property-damage collisions, 93 injury collisions, and seven deaths in the City of Malibu.

(d) The City of Malibu suffers uniquely from collisions. Over the past five years, the City of Malibu has had the highest number of fatalities and serious injuries resulting from vehicle crashes among similarly sized cities. Compared to all cities of every size, the City of Malibu is ranked 91st highest out of 482 cities despite being one of the smallest cities in the state.

(e) The City of Malibu's traffic environment is uniquely hazardous with few sidewalks or separated bike lanes, limited parking, regionally popular beaches, and commercial establishments adjacent to a major highway with few safe ways to cross.

(f) To address its traffic safety problem, the City of Malibu has contracted for additional traffic patrols from the Los Angeles County Sheriff's

Department and, more recently, from the Department of the California Highway Patrol.

(g) The City of Malibu would like to obtain additional traffic patrols and is willing to pay for them, but staffing shortages limit the ability of the Los Angeles County Sheriff's Department or the Department of the California Highway Patrol to provide them.

SEC. 2. Section 70615 of the Government Code, as amended by Section 2 of Chapter 808 of the Statutes of 2023, 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) This section shall remain in effect only until January 1, 2032, and as of that date is repealed.

SEC. 3. Article 4 (commencing with Section 22435) is added to Chapter 7 of Division 11 of the Vehicle Code, to read:

Article 4. The City of Malibu's Speed Safety Pilot Program

22435. (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) "Designated jurisdiction" means the City of Malibu.

(3) 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.

(4) "Local department of transportation" means the City of Malibu's department that administers transportation and traffic matters under this code.

(5) "Speed safety system" or "system" means a fixed or mobile radar or laser system or any other electronic device that utilizes automated equipment to detect a violation of speed laws and obtains a clear photograph of a speeding vehicle's license plate.

(b) The designated jurisdiction may establish a program for speed enforcement that utilizes up to five speed safety systems, to be operated by the local department of transportation, on the Pacific Coast Highway.

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

(1) The designated jurisdiction continues funding the additional traffic enforcement on the Pacific Coast Highway provided by the Department of the California Highway Patrol.

(2) 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, no more than 500 feet before the placement of the system. The signs shall be visible to traffic traveling on the street 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 of Transportation after consultation with the California Traffic Control Devices Committee.

(3) Identifies the street or portions of the street approved for enforcement using a speed safety system and the hours of enforcement on the municipality's internet website, which shall be updated whenever the municipality changes locations of enforcement.

(4) 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.

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

(d) Prior to enforcing speed laws utilizing speed safety systems, the designated jurisdiction 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 draft Speed Safety System Use Policy pursuant to subdivision (e), the Speed Safety System Impact Report pursuant to subdivision (f), information on when systems will begin detecting violations, the street, or portions of the street, where systems will be utilized, and the designated jurisdiction's internet website, where additional information about the program can be obtained. Notwithstanding the above, no further public announcement by the municipality 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 governing body of the designated jurisdiction shall adopt a Speed Safety System Use Policy before entering into an agreement regarding a speed safety system, purchasing or leasing equipment for a program, or implementing a program. The Speed Safety System Use Policy shall set forth the specific purpose for the system, the uses that are authorized, the rules and processes required to be followed by employees and contractors of the designated jurisdiction administering the system prior to its use, and the uses of the equipment and data collected that are prohibited. The policy shall identify 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 rules and processes related to the access, transfer, and use or use of the information. The policy shall also include provisions for protecting data from unauthorized access, data retention, public access, third-party data sharing, training, auditing, and oversight to ensure compliance with the Speed Safety System Use Policy. The Speed Safety System Use Policy shall be made available for public review, including, but not limited to, by posting it on the designated jurisdiction's internet website at least 30 calendar days prior to adoption by the governing body of the designated jurisdiction.

(f) (1) The governing body of the designated jurisdiction shall approve a Speed Safety System Impact Report prior to implementing a program. The Speed Safety System Impact Report shall include all of the following information:

(A) Assessment of the potential impact of the speed safety system on civil liberties and civil rights and any plans to safeguard those public rights.

(B) Description of the speed safety system and how it works.

(C) Fiscal costs for the speed safety system, including program establishment costs, ongoing costs, and program funding.

(D) If potential deployment locations of systems are predominantly in low-income neighborhoods, a determination of why these locations experience high fatality and injury collisions due to unsafe speed.

(E) Locations where the system may be deployed and traffic data for these locations, including the address where the cameras will be located.

(F) Proposed purpose of the speed safety system.

(2) The Speed Safety System Impact Report shall be made available for public review at least 30 calendar days prior to adoption by the governing body at a public hearing.

(3) The governing body of the designated jurisdiction shall consult and work collaboratively with relevant local stakeholder organizations, including racial equity, privacy protection, and economic justice groups, in developing the Speed Safety System Use Policy and Speed Safety System Impact Report.

(g) The designated jurisdiction shall develop uniform guidelines, consistent with the provisions of this section, for both of the following:

(1) The screening and issuing of notices of violation.

(2) The processing and storage of confidential information and procedures to ensure compliance with confidentiality requirements.

(h) Notices of violation issued pursuant to this section shall include a clear photograph 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.

(i) 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.

(j) (1) Notwithstanding any provision of the California Public Records Act, or any other law, photographic or administrative records made by a system shall be confidential. Public agencies 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. Designated jurisdictions' 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 designated jurisdiction may retain information that a vehicle has been cited and fined for a violation for up to three years. The municipality may adopt a retention period of less than 60 days in the Speed Safety System Use Policy. 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) 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 the photograph 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 a designated jurisdiction to administer a 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 state or federal law, court order, or in response to a subpoena in an individual case or proceeding.

(k) Notwithstanding subdivision (j), 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 photographic evidence of the alleged violation.

(*l*) A contract between the designated jurisdiction and a manufacturer or supplier of speed safety systems shall allow the local authority 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 municipality 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 designated jurisdiction 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.

(m) Notwithstanding subdivision (*l*), a designated jurisdiction may contract with a vendor for the processing of notices of violation after an employee of a designated jurisdiction 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 designated jurisdiction. Any contract between the designated jurisdiction 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.

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

(o) Notwithstanding subdivision (c) of Section 21455.6, the designated jurisdiction listed herein may use automated enforcement systems and photographic radar for speed enforcement consistent with this article.

22436. (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 22435 shall be subject only to a civil penalty, as provided in subdivision (c), and shall not result in the department 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 (4) of subdivision (c) of Section 22435.

(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 22437.

(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 processing agency 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 processing agency 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 processing agency 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 processing agency shall not subject the registered owner to a civil violation.

(7) A proof of service consistent with Section 1013a of the Code of Civil Procedure.

(f) Mobile radar or laser systems shall not be used until at least two years after the installation of the first fixed radar or laser system unless the mobile radar or laser system is kept at a fixed location.

(g) (1) Revenues derived from any program utilizing a speed safety system for speed limit enforcement shall first be used to recover program costs. Program costs include, but are not limited to, the installation of speed safety systems, the adjudication of violations, and reporting requirements as specified in this section.

(2) The designated jurisdiction shall maintain their existing commitment of local funds for traffic-calming measures in order to remain authorized to participate in the pilot program, and shall annually expend not less than the annual average of expenditures for traffic-calming measures during the 2016–17, 2017–18, and 2018–19 fiscal years. For purposes of this subdivision, in calculating average expenditures on traffic-calming measures, restricted funds that may not be available on an ongoing basis, including those from voter-approved bond issuances or tax measures, shall not be included. The designated jurisdiction shall enter into an agreement with the Department of Transportation for the use of any excess revenue for traffic calming-measures on the Pacific Coast Highway, in the City of Malibu. Excess revenue shall be used for traffic-calming measures within three years of the end of the fiscal year in which the excess revenue was received. If traffic-calming measures are not planned or constructed after the third year, excess revenue shall revert to the Active Transportation Program established pursuant to Chapter 8 (commencing with Section 2380) of the Streets and Highways Code, to be allocated by the California Transportation Commission pursuant to Section 2381 of the Streets and Highways Code.

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

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

22437. (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 issuing agency. 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 issuing agency 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 issuing agency shall cancel the notice of violation. The issuing agency shall advise the processing agency, if any, of the cancellation. The issuing agency or the processing agency 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 designated jurisdiction 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 issuing agency'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 processing agency. The issuing agency 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 jurisdiction of the issuing agency.

(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 processing agency 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 issuing agency and approved by the governing body or chief executive officer of the issuing agency. The hearing shall provide an independent, objective, fair, and impartial review of contested automated speed violations.

(4) (A) The issuing agency's governing body or chief executive officer of the designated jurisdiction 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 designated jurisdiction, is responsible for the costs of the training. The issuing agency 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 governing body or chief executive officer of the issuing agency, including a program developed and provided by, or for, the agency.

(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 governing body or chief executive officer of the issuing agency, 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 governing body or chief executive officer of the issuing agency, based upon training programs or courses described in this subparagraph that the individual attended within the last five years.

(5) The employee of the designated jurisdiction who issues a notice of violation shall not be required to participate in an administrative hearing. To establish a violation, the issuing agency 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 designated jurisdiction 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 may, consistent with the written guidelines established by the issuing agency, allow payment of the civil penalty in installments, or an issuing agency may allow for deferred payment or payments in installments, if the person provides evidence satisfactory to the examiner or the issuing agency, as the case may be, of an inability to pay the civil penalty in full. If authorized by the governing body of the issuing agency, the examiner may permit the performance of community service in lieu of payment of the civil penalty.

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

22438. (a) Within 30 days after personal delivery or mailing of the final decision described in subdivision (c) of Section 22437, 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 processing agency's file in the case on appeal shall be lodged by the designated agency at the designated agency's 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 processing agency 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 designated jurisdiction 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 issuing agency 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 processing agency may, promptly after the decision becomes final, proceed to collect the civil penalty under Section 22436.

22439. (a) A designated jurisdiction shall offer a diversion program for indigent speed safety system violation recipients, to perform community service in lieu of paying the penalty for a speed system violation.

(b) A designated jurisdiction 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.

(c) Notwithstanding subdivisions (a) and (b), a designated jurisdiction 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.

(d) 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 processing agency or its designee. The processing agency 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 processing agency. The processing agency or its designee shall not unreasonably withhold its approval.

22440. The designated jurisdiction that used a speed safety system shall, on or before March 1 of the fifth year in which the system has been implemented, submit to its governing body and the transportation committees of the Legislature, consistent with Section 9795 of the Government Code, an evaluation of the speed safety system in their respective jurisdictions to determine the system's impact on street safety and the system's economic impact on the communities where the system is utilized. The report shall be made available on the internet website of the jurisdiction and shall include all of the following information:

(a) Data, at least three months before and at least six months after implementation of each system, on the number and proportion of vehicles speeding 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, 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. To the extent feasible, the data should be collected at the same time of day, day of week, and location.

(b) The number of notices of violation issued under the program by month and year, the corridors or locations where violations occurred, and the number of vehicles with two or more violations in a monthly period and a yearly period.

(c) Data, before and after implementation of the system, on the number of traffic collisions that occurred where speed safety systems are used, relative to citywide data, and the transportation mode of the parties involved. 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.

(d) 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.

(e) The costs associated with implementation and operation of the speed safety system and revenues collected by the jurisdiction.

(f) A racial and economic equity impact analysis, developed in collaboration with local racial justice and economic equity stakeholder groups. The analysis shall include 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 each ZIP Code.

22441. 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 22435 to 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 notices of violation under a speed safety system pilot program, the Legislature finds and declares that the photographic 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 violations and assessing the impact of the use of speed safety systems, as required by this act.

SEC. 5. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique need to provide additional traffic safety in the City of Malibu.

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Attachment 2

This attachment will be distributed under separate cover.