



Legislative Fiscal Office
83rd Oregon Legislative Assembly
2025 Regular Session

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Date: April 18, 2025

Bill Title: Relating to photo radar in highway work zones.

Government Unit(s) Affected: Counties, Cities, Judicial Department, Department of Revenue, Department of State Police, Department of Transportation

Summary of Fiscal Impact

Costs related to the measure are indeterminate at this time - see explanatory analysis.

Summary of Revenue Impact

Revenues related to the measure are indeterminate at this time - see explanatory analysis.

Measure Description

The measure requires the Oregon Department of Transportation (ODOT), in collaboration with the Oregon State Police (OSP), to establish a program to operate photo radar units in state highway work zones when workers are present. ODOT is responsible for procuring and administering contracts necessary to implement the program. Citations may be issued to drivers who exceed the posted speed limit by six miles per hour or more, as long as photographic evidence of driver conduct is reviewed by a police officer, a sign is posted to indicate that photo radar is in use, and the citation is mailed to the registered owner of the vehicle within 30 days. Previously, ODOT was authorized but not required to operate photo radar units in highway work zones, and radars were to be operated by either OSP or authorized jurisdictions.

The measure also transfers responsibility for citation review from jurisdictions to courts, and stipulates that municipal and justice courts have no jurisdiction over citation issued for speeding in a highway work zone, therefore the jurisdiction is the sole responsibility of circuit courts staffed by the Oregon Judicial Department (OJD). OSP is responsible for transmitting citations and evidence to courts for processing.

The measure creates the Highway Worker Safety Fund with moneys continuously appropriated to ODOT for the costs of the highway worker photo radar program. Revenue that exceeds program costs can be used for general traffic safety purposes as determined by ODOT in consultation with OSP and OJD. Traffic citations issued due to photo radar in highway work zones will be deposited in the Criminal Fine Account and then allocated in full to the Highway Worker Safety Fund.

Fiscal Analysis

There are indeterminate costs associated with the measure due to uncertainty of the intended program scope, including the number, placement, and deployment duration of photo radar units, which inform the number of citations issued. As a frame of reference, if four photo radar units are placed in work zones for forty hours a week year-round starting in January 2027, the total estimated fiscal impact of this measure is \$4,950,878 total funds and 41 positions (16.00 FTE) in the 2025-27 biennium and \$11,071,959 total funds and 41 positions (41.00 FTE) in the 2027-29 biennium. ODOT has approximately 100 active worksites in the state at any given time, so these numbers could increase substantially if additional units are operationalized. Citation revenues depend on the total citations issued, the portions dismissed, and the volume of each type of violation: Class A (\$875), Class

B (\$525), Class C (\$325), or Class D (\$225). These fines are roughly double the standard fine amounts, due to occurring in highway work zones.

Judicial Department

The estimated fiscal impact to OJD in the 2025-27 biennium is estimated to be \$3,891,582 General Fund, including 38 positions (14.25 FTE), and \$9,264,817 General Fund and 38 positions (38.00 FTE) in the 2027-29 biennium. OJD will need to modify the Department's case management system, including recoding for new laws. OJD is responsible for transferring collected civil penalties into the Criminal Fine Account, which is then transferred to ODOT.

On average, OJD processes between 130,000 and 150,000 traffic violation cases per year. Assuming four photo radar units are deployed for forty hours a week, with an average of 9.5 citations per unit per hour (based on prior radar unit deployments), each of the photo radar units would generate 19,857 citations per year, equivalent to 79,428 violation cases filed in circuit courts per year. This is an approximately 60% increase in violations that OJD is required to process, and the number of violations could be much higher if additional units are deployed. To process the increased violations, OJD would hire 38 positions:

- One permanent, full-time Hearings Referee to conduct appearances at citation trials, and review letters to the court.
- Two permanent, full-time Court Manager 1 positions to coordinate and supervise processing of work zone photo radar citations, and coordinate the transfer of citation filing information between OJD, ODOT, and OSP.
- 35 permanent, full-time Court Operations Specialist positions to support court operations.

Photo radar violation cases typically generate more inquiries that necessitate additional staffing. Processing of these cases has some complexities and additional steps due to the lack of front-loaded processing of citations (as would happen with citations issued in person by uniformed officers). Additionally, due to the temporary nature of the prescribed use of photo radar units on highways, it is likely a portion of these violations will be from out of state drivers, increasing the difficulty of collecting penalties.

Oregon Department of Transportation

The estimated fiscal impact to ODOT in the 2025-27 biennium is \$1,059,296 General Fund, including three positions (1.75 FTE), and \$1,807,142 Other Funds (3.00 FTE) in the 2027-29 biennium. General Fund will be used for program startup costs, with costs in subsequent biennia absorbed by revenue generated from the program's traffic citations.

Program stand-up is estimated to take 18 months: six months for establishment of rules and policies, followed by 12 months for the procurement process. Assuming four photo radar units, an estimated three permanent, full-time positions would be needed to support the work for this program, including one Operations and Policy Analyst 2 position to develop program requirements, coordinate with stakeholders, oversee procurement, and manage start-up and deployment of devices; one Professional Engineer 2 position to conduct outreach, provide expertise when coordinating with engineers and technical experts, and to evaluate deployment locations; and one Office Specialist 1 to absorb work related to enforcement and increased traffic violations. These estimates also include \$511,000 per year for a flat fee-based procurement of four photo radar units. Costs and position needs would increase with deployment of additional photo radar units. ODOT estimates that at any one time they have around 100 active construction sites that, under this measure, could potentially utilize photo radar. To operate a unit at all 100 active sites would cost up to \$51 million, not inclusive of positions required for that additional workload.

Other entities

The measure has an indeterminate but likely minimal fiscal impact on OSP, which has an existing agreement with ODOT to provide work zone enforcement. The measure may transfer the workload for speed limit enforcement from patrol employees to those reviewing evidence captured by photo radar. The estimated workload is dependent on the number of radar units, preliminary review of DMV systems by OSP staff, traffic volume, citation volume, and contested citations. OSP notes the limit of exceeding the speed limit by six miles per hour could substantially increase the number of generated citations, as opposed to a higher violator speed. OSP may need to return during a subsequent legislative session or a meeting of the Emergency Board to request funds if this workload exceeds budgeted resources.

There is a minimal fiscal impact for the Department of Revenue (DOR). The Department will need to separately track photo radar traffic fines collected from OJD, which will be allocated to the Fund for specified program expenditures and managed within current DOR resources.

There is no fiscal impact to local governments.

Relevant Dates

The measure takes effect on January 1, 2026.