



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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An ordinance amending Section 13.08.080 of the Metropolitan Code of Law to authorize the use of data collection and video technologies solely for the purpose of traffic monitoring and management by the Metropolitan Department of Information Technology Services and the Nashville Department of Transportation and Multimodal Infrastructure.

WHEREAS, historic traffic management practices have relied on embedded roadway sensors, static configurations of traffic controllers, and manual traffic counts/travel timings -- practices which are rigid, costly to maintain, and lack efficiency when adjustment or reconfiguration of the equipment is required; and,

WHEREAS, modern solutions to traffic management are designed to be adaptive, operate in real-time, and are best achieved by using one or a combination of the following technologies: video technology, connected vehicle communications technology, and/or traffic sensor technology; and,

WHEREAS, in close collaboration with the Tennessee Department of Transportation (TDOT), the Nashville Department of Transportation and Multimodal Infrastructure (NDOT) will utilize traffic management sensors placed upon both State and Metro rights of way to facilitate traffic management; and,

WHEREAS, as Nashville continues to grow, it is imperative that these solutions are utilized to ensure transportation modernization.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Metropolitan Code of Law Section 13.08.080 is hereby amended by adding new subsection (J) and the following language:

The Metropolitan Department of Information Technology Services and/or the Nashville Department of Transportation and Multimodal Infrastructure may use technology/equipment for the sole and exclusive purpose of monitoring and managing traffic for non-law enforcement purposes. Such technology shall:

1. not save or store data that can be associated with any specific individual or group;
2. not include video that can be paused, rewound, or otherwise viewed in any manner other than real-time;
3. not be monitored by, used by, or acquired by law enforcement personnel for law enforcement purposes, including but not limited to the purposes listed in subsection (E), except for real-time emergency response to support public safety; and
4. be reviewed by the Metropolitan Department of Information Technology Services for data and network security concerns prior to implementation.

Section 2. This ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

### Analysis

This ordinance adds a new subsection to Metropolitan Code of Laws Section 13.08.080, which governs the

deployment of surveillance or electronic data gathering devices, to allow for the Department of Information Technology Services ("ITS") and/or the Nashville Department of Transportation and Multimodal Infrastructure to use data collection and video technologies solely for the purpose of traffic monitoring and management.

The ordinance provides that this technology would be used for non-law enforcement purposes only. The technology could not save or store data that could be associated with any specific individual or group, could not have video that is paused or rewound and is instead viewed in real-time only, and could not be monitored, used, or acquired by law enforcement personnel for law enforcement purposes, except for real-time emergency response to support public safety. The technology must be reviewed by ITS for data and network concerns prior to implementation.