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**Testimony to the Senate Utilities Committee
In Support of HB 2109
March 5, 2025**

Chairman Fagg and Committee Members:

In the last several decades, law enforcement has been utilizing technology to assist with investigations involving violent crimes, drug sales, gambling operations, burglary rings and fencing operations, to name a few. A key tool in these enforcement operations involves video recording devices often mounted on public easements utilizing utility poles.

The three ways a pole camera can be utilized is with a search warrant, written permission from a property owner or placing the camera in a location that captures images of what is visible from a public right-of-way. This has been established through court rulings. In the past the utility companies were gracious enough to allow law enforcement to place these cameras on their poles and even install them with no cost.

In the past couple of years, the utility companies changed their stance on placing video recording devices on their property after a Missouri lawsuit involving the contents of the law enforcement actions related to the use of the cameras. Law enforcement understood their dilemma.

The purpose of HB 2109 is to provide the utility company protection from liability relating to use of the pole cameras. This will address their concerns with the installation of the pole cameras and allow us to have use of these tools again. The pole attachment agreement would require the law enforcement agency to indemnify, defend and hold harmless utility company from and against all liability relating to the pole camera.

In section (b) the bill allows for the public utility to assess reasonable fees or charges to recover the actual costs of attachment, maintenance, or removal of the law enforcement equipment. This is reasonable since it is the law enforcement agency who is responsible for the proper use of the cameras.

Our associations believe this will assist the utility companies in assisting us with this important investigative tool.

We urge you to move this bill forward favorably.

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