



**STATE OF TENNESSEE**  
**DEPARTMENT OF TRANSPORTATION**  
**TRAFFIC OPERATIONS DIVISION**  
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**CLAY BRIGHT**  
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**TRAFFIC OPERATIONS MEMORANDUM NO. 2102**

**Surveillance Cameras Operated by Law Enforcement on Interstates and State Routes for a Non-Highway Use**


The Tennessee General Assembly has enacted legislation [2021 Public Chapter 450; effective May 14, 2021; codified in T.C.A. § 55-8-198(f)(2)] that expressly authorizes TDOT to permit law enforcement agencies to install surveillance cameras on federal interstate highway ROW and state route ROW as a non-highway use to aid in criminal investigations or searches for missing or endangered persons so long as such use of the ROW does not interfere with the free and safe flow of traffic or the operation, maintenance, and safety of the highway. The updated law does not require TDOT to allow law enforcement surveillance cameras on interstate or state route ROW but instead simply recognizes that TDOT has the permissive authority to do so. The accepted method for considering any request for a non-highway use of the ROW is through TDOT's excess land process.

**Effective immediately**, the following procedures shall be followed regarding installation of surveillance cameras on interstate and state route ROW. Any agency with such cameras already installed on state ROW will also need to complete the following procedures to ensure their devices are legally placed with the required license.

1. Request must come from a local government or a state or local law enforcement agency.
2. Local government or law enforcement agency will submit an excess land license application to the [Region Excess Land Coordinator](#).
3. In addition to the application, the local government or law enforcement agency must also provide:
  - Exact location(s) of new camera poles (State Route, MM, Lat/Long coordinates, distance from edge of pavement).
  - Exact location(s) if camera(s) will be installed on existing poles/structures (State Route, MM, coordinates).
  - Aerial exhibit of each proposed location with the exact location designated.
  - Proposed plan for how the camera(s) will be installed/maintained; and
  - Explanation of how the camera(s) will be powered (no installation of power is allowed longitudinally on the Interstate).
4. If the proposed location of the camera(s) is within a municipality's jurisdiction but the request did not come from the municipality, the Region Excess Land

- Coordinator will notify the municipality and provide them the opportunity to comment on the proposed camera location(s).
5. The Region Excess Land Coordinator will coordinate a regional review of the proposed cameras/poles and locations with the Region Traffic Office and Operations Office.
  6. Once approved at the Region level, the Region Excess Land Coordinator will submit a typical license request packet to Headquarters to be presented to the Excess Land Committee.
  7. If the Committee recommends the license request, an environmental document will be prepared when required by federal law.
  8. Once all necessary approvals have been obtained, the local government or law enforcement agency will be issued a license agreement to install/maintain the surveillance camera(s).
  9. No local government or law enforcement agency will have authorization to use State ROW for the installation/operation of surveillance cameras until they have received a fully executed license agreement.

Note this TOM covers cameras for non-traffic management purposes. [TOM 1001](#) covers cameras for traffic enforcement.

  
Phillip Freeze (Jul 23, 2021 13:58 CDT)  
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Director  
Traffic Operations Division

PBF:MN  
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