

BILL ANALYSIS

Senate Research Center
79R2322 JD-D

H.B. 259
By: Elkins (Jackson)
Intergovernmental Relations
4/13/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

As engrossed, H.B. 259 repeals Section 542.202(b)(3) of the Transportation Code, which defines "regulating" as criminal, civil, and administrative enforcement against a person, including the owner or operator of a motor vehicle, in accordance with a state law or a municipal ordinance.

Prior to the change in this section of the Transportation Code during the 78th Legislature, motorists who ran red lights could only be ticketed with criminal citations. Tickets were required to be served to the offender in person. The change in definition to this section enabled municipalities to ticket motorists who run red lights with civil, rather than criminal, citations. Civil citations do not have to be served on the offender in person.

Enabling municipalities to prosecute red light runners with civil citations has led some municipalities to install cameras at intersections. These cameras photograph red light runners and send civil citations through the mail directly to the vehicle's registered owner. H.B. 259 would once again prohibit the use of red light cameras.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Repealer: Section 542.202(b)(3) (defining "regulating"), Transportation Code.

SECTION 2. Effective date: upon passage or September 1, 2005.