

## **BILL ANALYSIS**

H.B. 259  
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Urban Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

HB 259 would repeal 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 to 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 to the offender in person.

Enabling municipalities to prosecute red light runners with civil citations has allowed them an opportunity 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. HB 259 would once again prohibit the use of red light cameras.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

- SECTION 1. Repeals Section 542.202(b)(3), Transportation Code which authorizes municipalities to distribute traffic tickets to traffic light violators based upon evidence secured from a "red light camera".
- SECTION 2. Establishes the effective date of the Act.

### **EFFECTIVE DATE**

This Act takes effect September 1, 2005 or immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution.