

## **BILL ANALYSIS**

H.B. 1347  
By: Isett  
Urban Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Prior to the 78th Legislative session, municipalities were unable to use red light cameras for traffic enforcement because a moving citation was required to be ticketed in person as criminal enforcement. Upon passage of Section 542.202(b)(3) of the Transportation Code, traffic violations were no longer required to be classified as criminal enforcement, but could now be classified as civil or administrative enforcement. Civil and administrative citations do not have to be served in person and therefore created an opportunity for violators of traffic lights to be ticketed by mail. Municipalities are now able to ticket violators caught by cameras at traffic lights.

H. B. 1347 repeals Section 542.202(b)(3) of the Transportation Code and establishes that a local authority may not operate a "photographic traffic signal enforcement system" within its jurisdiction.

### **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**

Amends Section 542.203 of the Transportation Code to define "photographic traffic signal enforcement system" and establish that a local authority may not use a photographic traffic signal enforcement system within its jurisdiction. The bill also repeals Section 542.202(b)(3) of the Transportation Code.

### **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.