

BILL ANALYSIS

C.S.H.B. 922
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Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Advances in digital photography combined with improved electronic controls over radar equipment have combined to allow municipalities to issue speeding tickets without the direct interaction of a police officer with the driver of the speeding car. Several communities have begun issuing speeding tickets without making any attempt to pull the driver over to deliver the citation. Using digital equipment, a speeding vehicle is detected and photographed, and using the car's license number as identification, a speeding ticket is issued to the car's registered owner. The proposed complete committee substitute for House Bill No. 922 would prohibit this practice.

RULEMAKING AUTHORITY

It is the opinion of the committee that this bill does not expressly delegate any additional rulemaking authority to a State officer, department, agency, or institution.

SUMMARY ANALYSIS

The proposed complete committee substitute for House Bill No. 922 would amend Subchapter B, Chapter 542 of the Transportation Code by adding language that prohibits a municipality from implementing or operating an automated traffic control system with respect to a highway or street under its jurisdiction. The attorney general is required to enforce this new subsection of the code. An "automated traffic control system" is defined as a photographic device, radar device, laser device, or other electrical or mechanical device designed to:

- (1) record the speed of a motor vehicle; and
- (2) obtain one or more photographs or other recorded images of the vehicle, the license plate attached to the vehicle, or the operator of the vehicle.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act would take effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

Unlike the original bill, the substitute revises the language in Sec. 542.2035 (a) adding the words "or street" between the words "highway" and "under" on line 9, page 1 of the filed version.