

## **BILL ANALYSIS**

C.S.H.B. 1052  
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Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Current law authorizes Texas cities to install cameras at roadway intersections to monitor motorists' compliance with traffic light signals. These cameras, commonly referred to as "red light cameras", may be used to identify motorists that fail to comply with traffic light signals, and issue subsequent citations for non-compliance. State law does not require that municipalities using red light cameras notify drivers regarding a camera's use at a given intersection. The proposed complete committee substitute for House Bill No. 1052 requires that cities using red light cameras post signs regarding the use of red light cameras on roadways leading towards intersections where such cameras are in use.

### **RULEMAKING AUTHORITY**

The proposed complete committee substitute for House Bill No. 1052 does not expressly delegate rulemaking authority to any State officer, department, agency, or institution.

### **SECTION-BY-SECTION ANALYSIS**

SECTION 1 of the substitute would add Section 544.012, Transportation Code, to define "photographic traffic monitoring system" and "recorded image". It would apply the Act to municipalities that use traffic light cameras pursuant to municipal ordinance. It would require that signage regarding traffic light cameras be installed along each roadway that leads to an intersection where cameras are in use. It would require that signs be placed at least 100 feet from the applicable intersection, that the sign be easily readable, and that the sign indicate the presence of cameras that may be used for the issuance of a traffic citation and fine.

The substitute would require that the Department of Transportation adopt rules regarding sign specifications. It would prohibit a municipality that fails to meet the requirements of the proposed Act from imposing a civil or administrative penalty upon a driver who fails to comply with a traffic light signal where a camera is installed. It clarifies that municipal non-compliance with the proposed Act does not preclude a peace officer from arresting or issuing a citation to a motorist that the officer observes to have failed to comply with the traffic light signal.

### **EFFECTIVE DATE**

September 1, 2007

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

Unlike the original bill, SECTION 1 of the proposed complete committee substitute would amend definitions to exclude reference to the rear of a motor vehicle. The substitute would add the requirement that a warning sign be located according to standards established by the Texas Transportation Commission manual. The substitute would omit from the filed bill the requirement that the Department of Transportation adopt rules regarding sign specifications. In SECTION 2 of the substitute, it omits from the introduced version the transition language regarding rulemaking.

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