

By: Isett

H.B. No. 985

A BILL TO BE ENTITLED

AN ACT

relating to the power of a local authority to enforce compliance with speed limits or a traffic-control signal on a highway under its jurisdiction by an automated traffic-control system.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 542.203, Transportation Code, is amended to read as follows:

Sec. 542.203. LIMITATIONS ~~[LIMITATION]~~ ON LOCAL AUTHORITIES.

SECTION 2. Section 542.203, Transportation Code, is amended by adding Subsections (d) and (e) to read as follows:

(d) A local authority may not implement or operate an automated traffic-control system with respect to a highway under its jurisdiction. The attorney general shall enforce this subsection.

(e) In this section, "automated traffic-control system" means a system consisting of one or more photographic devices, radar devices, laser devices, or other electrical or mechanical devices that:

(1) is capable of producing one or more recorded photographic or digital images depicting the license plate attached to the front or rear of a motor vehicle that is not operated in compliance with posted speed limits or the instructions of a traffic-control signal; and

1 (2) is used by the local authority to enforce
2 compliance with posted speed limits or the instructions of a
3 traffic-control signal by imposition of a civil or administrative
4 penalty against the owner or operator of the motor vehicle.

5 SECTION 3. Section 542.202(b)(3), Transportation Code, is
6 repealed.

7 SECTION 4. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2007.