

AN ACT

relating to requiring warning signs before intersections at which a municipality uses a photographic traffic monitoring system to enforce compliance with a traffic-control signal.

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

SECTION 1. Chapter 544, Transportation Code, is amended by adding Section 544.012 to read as follows:

Sec. 544.012. NOTIFICATION OF PHOTOGRAPHIC TRAFFIC MONITORING SYSTEM. (a) In this section:

(1) "Photographic traffic monitoring system" means a system that:

(A) consists of a camera and vehicle sensor installed to work in conjunction with an electrically operated traffic-control signal; and

(B) is capable of producing one or more recorded images that depict the license plate attached to a motor vehicle that is not operated in compliance with the instructions of the traffic-control signal.

(2) "Recorded image" means an image that:

(A) depicts a motor vehicle; and

(B) is automatically recorded on a photograph or digital image.

(b) This section applies only to a municipality that pursuant to an ordinance of the municipality employs a photographic

1 traffic monitoring system to enforce compliance with the
2 instructions of traffic-control signals in the municipality.

3 (c) The municipality shall install signs along each roadway
4 that leads to an intersection at which a photographic traffic
5 monitoring system is in active use. The signs must be at least 100
6 feet from the intersection or located according to standards
7 established in the manual adopted by the Texas Transportation
8 Commission under Section 544.001, be easily readable to any
9 operator approaching the intersection, and clearly indicate the
10 presence of a photographic monitoring system that records
11 violations that may result in the issuance of a notice of violation
12 and the imposition of a monetary penalty.

13 (d) A municipality that fails to comply with Subsection (c)
14 may not impose or attempt to impose a civil or administrative
15 penalty against a person, including the owner of a motor vehicle or
16 an operator, for a failure to comply with the instructions of a
17 traffic-control signal located at the applicable intersection.

18 (e) Subsection (d) does not prohibit a peace officer from
19 arresting or issuing a citation and notice to appear to a person
20 whom the officer observes to have failed to comply with the
21 instructions of a traffic-control signal located at the
22 intersection.

23 SECTION 2. This Act takes effect September 1, 2007.

President of the Senate

Speaker of the House

I certify that H.B. No. 1052 was passed by the House on April 19, 2007, by the following vote: Yeas 142, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1052 was passed by the Senate on May 21, 2007, by the following vote: Yeas 29, Nays 2.

Secretary of the Senate

APPROVED: _____

Date

Governor