

By: Callegari

H.B. No. 1052

A BILL TO BE ENTITLED

AN ACT

1
2 relating to requiring warning signs before intersections at which a
3 municipality uses a photographic traffic monitoring system to
4 enforce compliance with a traffic-control signal.

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

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

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

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

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

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

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

20 (A) depicts the rear of a motor vehicle; and

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

23 (b) This section applies only to a municipality that
24 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, be easily readable to any operator
7 approaching the intersection, and clearly indicate the presence of
8 a photographic monitoring system that records violations that may
9 result in the issuance of a notice of violation and the imposition
10 of a monetary penalty. The Texas Department of Transportation by
11 rule shall specify the shape, color, dimensions, wording, and
12 reflectorization of the signs.

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. Not later than January 1, 2008, the Texas
24 Department of Transportation shall adopt rules specifying the
25 design of the signage required by Section 544.012, Transportation
26 Code, as added by this Act.

27 SECTION 3. This Act takes effect September 1, 2007.