

1-1 By: Callegari (Senate Sponsor - Carona) H.B. No. 1052
1-2 (In the Senate - Received from the House April 23, 2007;
1-3 April 26, 2007, read first time and referred to Committee on
1-4 Transportation and Homeland Security; May 16, 2007, reported
1-5 favorably by the following vote: Yeas 6, Nays 2; May 16, 2007,
1-6 sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to requiring warning signs before intersections at which a
1-10 municipality uses a photographic traffic monitoring system to
1-11 enforce compliance with a traffic-control signal.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 544, Transportation Code, is amended by
1-14 adding Section 544.012 to read as follows:

1-15 Sec. 544.012. NOTIFICATION OF PHOTOGRAPHIC TRAFFIC
1-16 MONITORING SYSTEM. (a) In this section:

1-17 (1) "Photographic traffic monitoring system" means a
1-18 system that:

1-19 (A) consists of a camera and vehicle sensor
1-20 installed to work in conjunction with an electrically operated
1-21 traffic-control signal; and

1-22 (B) is capable of producing one or more recorded
1-23 images that depict the license plate attached to a motor vehicle
1-24 that is not operated in compliance with the instructions of the
1-25 traffic-control signal.

1-26 (2) "Recorded image" means an image that:

1-27 (A) depicts a motor vehicle; and

1-28 (B) is automatically recorded on a photograph or
1-29 digital image.

1-30 (b) This section applies only to a municipality that
1-31 pursuant to an ordinance of the municipality employs a photographic
1-32 traffic monitoring system to enforce compliance with the
1-33 instructions of traffic-control signals in the municipality.

1-34 (c) The municipality shall install signs along each roadway
1-35 that leads to an intersection at which a photographic traffic
1-36 monitoring system is in active use. The signs must be at least 100
1-37 feet from the intersection or located according to standards
1-38 established in the manual adopted by the Texas Transportation
1-39 Commission under Section 544.001, be easily readable to any
1-40 operator approaching the intersection, and clearly indicate the
1-41 presence of a photographic monitoring system that records
1-42 violations that may result in the issuance of a notice of violation
1-43 and the imposition of a monetary penalty.

1-44 (d) A municipality that fails to comply with Subsection (c)
1-45 may not impose or attempt to impose a civil or administrative
1-46 penalty against a person, including the owner of a motor vehicle or
1-47 an operator, for a failure to comply with the instructions of a
1-48 traffic-control signal located at the applicable intersection.

1-49 (e) Subsection (d) does not prohibit a peace officer from
1-50 arresting or issuing a citation and notice to appear to a person
1-51 whom the officer observes to have failed to comply with the
1-52 instructions of a traffic-control signal located at the
1-53 intersection.

1-54 SECTION 2. This Act takes effect September 1, 2007.

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