

By: Carona

S.B. No. 125

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the deposit of revenue collected from certain traffic
3 penalties in the designated trauma facility and emergency medical
4 services account.

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

6 SECTION 1. Subchapter D, Chapter 542, Transportation Code,
7 is amended by adding Section 542.405 to read as follows:

8 Sec. 542.405. DEPOSIT OF REVENUE FROM CERTAIN TRAFFIC
9 PENALTIES IN DESIGNATED TRAUMA FACILITY AND EMERGENCY MEDICAL
10 SERVICES ACCOUNT. (a) In this section, "photographic traffic
11 signal enforcement system" means a system that:

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

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

20 (3) is designed to enforce compliance with the
21 instructions of the traffic-control signal by imposition of a civil
22 or administrative penalty against the owner of the motor vehicle.

23 (b) This section applies only to a civil or administrative
24 penalty imposed on the owner of a motor vehicle by a local authority

1 that operates or contracts for the operation of a photographic
2 traffic signal enforcement system with respect to a highway under
3 its jurisdiction or that operates or contracts for the operation of
4 any other type of electronic traffic law enforcement system
5 consisting of a camera system that automatically produces one or
6 more recorded photographs or digital images of the license plate on
7 a motor vehicle or the operator of a motor vehicle.

8 (c) After deducting amounts the local authority is
9 authorized by this section to retain, the local authority shall
10 send all revenue derived from civil or administrative penalties
11 collected by the local authority under this section to the
12 comptroller for deposit to the credit of the designated trauma
13 facility and emergency medical services account established under
14 Section 780.003, Health and Safety Code.

15 (d) A local authority may retain an amount, not to exceed 50
16 percent of the penalty, to cover the amounts necessary to:

17 (1) purchase or lease equipment that is part of or used
18 in connection with the photographic traffic signal enforcement
19 system in the local authority;

20 (2) install the photographic traffic signal
21 enforcement system at sites in the local authority, including the
22 costs of installing cameras, flashes, computer equipment, loop
23 sensors, detectors, utility lines, data lines, poles and mounts,
24 networking equipment, and associated labor costs;

25 (3) operate the photographic traffic signal
26 enforcement system in the local authority, including the costs of
27 creating, distributing, and delivering violation notices, any

1 review of violations by trained police officers, the processing of
2 fine payments and collections, and the costs associated with
3 administrative adjudications and appeals; and

4 (4) maintain the general upkeep and functioning of the
5 photographic traffic signal enforcement system.

6 (e) The comptroller shall adopt rules to implement and
7 enforce this section.

8 SECTION 2. Section 780.003(b), Health and Safety Code, is
9 amended to read as follows:

10 (b) The account is composed of money deposited to the credit
11 of the account under:

12 (1) Section 780.002;

13 (2) Section 542.405, Transportation Code; [7] and

14 (3) the earnings of the account.

15 SECTION 3. This Act applies to revenue received by a local
16 authority unit of this state from the imposition of a civil or
17 administrative penalty on or after the effective date of this Act,
18 regardless of whether the penalty was imposed before, on, or after
19 the effective date of this Act.

20 SECTION 4. This Act takes effect September 1, 2007.