

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 19, 2007**

**TO:** Honorable Kevin Bailey, Chair, House Committee on Urban Affairs

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB985** by Isett, Carl (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.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Transportation Code by prohibiting a local authority from implementing or operating on a highway an automated traffic-control system consisting of photographic devices, radar devices, laser devices, or other electrical or mechanical devices that can produce one or more recorded photographic or digital images depicting license plates attached to a vehicle and that are used to enforce speed limits or the instructions of a traffic-control signal. The Office of the Attorney General (OAG) would be charged with the responsibility of enforcing the statute.

The bill would take effect immediately upon approval of two-thirds of the members elected to each house; otherwise it would take effect September 1, 2007.

The OAG anticipates any legal work resulting from the passage of the bill could be reasonably absorbed with current resources.

**Local Government Impact**

The fiscal impact of provisions of the bill would depend on whether a device is already installed on a highway and if so, how many devices would have to be removed.

If a local authority has not already installed or begun to install a device as described in the bill, there would be no fiscal impact. However, several cities have installed and are operating devices for enforcing laws related to the instructions of a traffic-control signal and several others have begun the process of installation; some of these installations have occurred on highways. Those cities would experience a loss in both money already spent for purchasing and installing equipment, as well as lost revenue and the cost of removing the equipment. The negative fiscal impact would vary.

In addition, cities responding to an inquiry about the fiscal impact of the bill indicated the level of violations would again increase in those locations where cameras would have to be removed, resulting in other incalculable costs. For example, the City of El Paso, where a trial program is under way, reports that as a result of the program so far, the number of accidents caused by running a red light has decreased 80 percent. The city anticipates without the automated system, the number of accidents would once again rise and place higher demands on emergency personnel.

Harris County reports that the county uses an automated traffic-control system that includes photographic devices for enforcing instructions of a traffic-control signal on toll lanes. While the traffic-control signal is not a traffic light, the county assumes the definition of a traffic-control system included in the bill would apply to that system and removal would result in a loss of \$372 million in revenue generated annually.

**Source Agencies:** 302 Office of the Attorney General

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