

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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

**March 8, 2007**

**TO:** Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

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

**IN RE: SB125** by Carona (Relating to a civil or administrative penalty imposed by a local authority to impose compliance with a traffic control signal.), **Committee Report 1st House, Substituted**

**The fiscal impact on the state and units of local government cannot be definitively estimated because it is unknown how many cameras might be installed, how many municipalities would install them, at what schedule, and at what allowable expense, among other factors.**

The bill would amend Chapter 542 of the Transportation Code to define "photographic traffic signal enforcement system" (system) and require certain local authorities to remit certain system revenues to the state.

The bill would amend Chapter 780 of the Health and Safety Code to create GR Account—Trauma Service Area Regional Advisory Council to receive the remittances. Money in the account would be dedicated and could only be appropriated to the Health and Human Services Commission to make distributions to trauma service area regional advisory councils. The distributions would be proportional to the amounts deposited to the account by local authorities.

The bill would define system expenses and allow local authorities to retain expenses before remitting 50 percent of the net revenues to the state for deposit in the new account. The remainder, after expenses and remittance to the state, would be deposited into a special account in the local treasury to be used for traffic safety programs. Under the bill, the maximum civil or administrative penalty would be \$75; and the maximum late penalty would be \$25.

The bill would allow the Comptroller to audit local authorities and impose a penalty equal to twice the amount of the money retained in excess of permissible amounts for retention.

The bill would take effect September 1, 2007, conditioned on the enactment of SB 1119, 80th Legislature, Regular Session, relating to the authority of local authorities to implement a photographic traffic signal enforcement system; and it would apply to penalties received by local authorities on or after that date.

There are 21 Texas cities that have implemented or are in the process of implementing "photographic traffic signal enforcement systems," also known as red-light cameras.

The system in the City of Garland has been in operation the longest. The city generated over \$1 million in the first year of operation (2004), followed by \$1.4 million in 2005, the first full year of operation. Since then, revenues have dropped substantially, with receipts of \$0.8 million in 2006 and \$0.09 million for 2007 year-to-date.

The cities of Plano, Denton, and Richardson are in the first year of system implementation, but their data are insufficient to forecast revenues at this time. For reference purposes, Richardson and Plano have generated \$660,000 and \$560,000, respectively, since March 2006. Based on the monthly data from Richardson, revenues already may have peaked in October 2006. These data are gross revenue and do not include expenses.

The bill would do one or more of the following: create or recreate a dedicated account in the General Revenue Fund, create or recreate a special or trust fund either with or outside of the Treasury, or create a dedicated revenue source. Therefore, the fund, account, or revenue dedication included in this bill would be subject to funds consolidation review by the current Legislature.

Although this bill would not make an appropriation, it would establish the basis for an appropriation.

### **Local Government Impact**

The fiscal implication to units of local government cannot be estimated for reasons outlined above.

**Source Agencies:** 304 Comptroller of Public Accounts, 601 Department of Transportation

**LBB Staff:** JOB, SD, CT