

+BILL ANALYSIS

H.B. 988
By: Fletcher
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The 80th Legislature, Regular Session, 2007, enacted Chapter 707, Transportation Code, authorizing municipalities and counties to implement a photographic traffic signal enforcement system and impose a civil penalty against the owner of a vehicle when the vehicle is photographed running a red traffic signal light.

Section 546.001, Transportation Code, authorizes the operator of an authorized emergency vehicle to proceed past a red light after slowing as necessary for safe operation. This provision prevents the operator from receiving a citation for a criminal violation of the statute. However, there is not a similar provision in Chapter 707. Emergency vehicles routinely pass through intersections against the red light. Most of the time the operators of these vehicles are using emergency lights and siren when acting contrary to a traffic law. However, there are times when a police officer may need to proceed past a red light when not using emergency equipment, as is authorized under Sections 546.003 and 546.004, Transportation Code.

Since there is no provision in Chapter 707, Transportation Code, to expressly exempt emergency vehicles from that law, some municipalities are routinely issuing red light camera citations to employees operating an emergency vehicle in the line of duty when the vehicle proceeds through an intersection against the red light. H.B. 988 provides the same exemption under Chapter 707, Transportation Code, that exists for operators of an authorized emergency vehicle under Section 546.001, Transportation Code.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 988 amends the Transportation Code to prohibit a local authority from imposing or attempting to impose a civil penalty on the owner of an authorized emergency vehicle for a violation recorded by a photographic traffic signal enforcement system. The bill defines "authorized emergency vehicle" to have the meaning assigned by the law governing rules of the road.

EFFECTIVE DATE

September 1, 2009.