

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**March 4, 2009**

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

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

**IN RE: SB374** by Carona (Relating to the power of a county or the Department of Public Safety to enforce compliance with posted speed limits by an automated traffic control system.),  
**Committee Report 1st House, Substituted**

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

The bill would amend the Transportation Code by prohibiting a county or the Department of Public Safety from implementing or operating an automated traffic control system to enforce speed limits on a highway or street under its jurisdiction. The Office of the Attorney General (OAG) would be responsible for enforcing this prohibition. The bill would take effect immediately if it were to receive the required two-thirds vote in each house; otherwise, it would take effect September 1, 2009.

The Department of Public Safety does not currently own or operate devices meeting the definitions of this device; therefore, there would be no fiscal impact to the agency.

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

**Local Government Impact**

If a county does not currently use an automated traffic control system to enforce speed limits, there would be no fiscal implications. If a county has already implemented an automated traffic control system to enforce speed limits, there would be costs associated with removing the system and with increasing the use of law enforcement officers to enforce speed limits. There could also be revenue loss from a reduction in catching violators.

**Source Agencies:** 405 Department of Public Safety, 302 Office of the Attorney General

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