

By: Orr

H.B. No. 1561

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the authority of a municipality to implement a
3 photographic traffic signal enforcement system and impose civil
4 penalties.

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

6 SECTION 1. Section 707.002, Transportation Code, is amended
7 to read as follows:

8 Sec. 707.002. AUTHORITY TO PROVIDE FOR CIVIL PENALTY. (a)
9 Except as provided by Subsection (b), the [The] governing body of a
10 local authority by ordinance may implement a photographic traffic
11 signal enforcement system and provide that the owner of a motor
12 vehicle is liable to the local authority for a civil penalty if,
13 while facing only a steady red signal displayed by an electrically
14 operated traffic-control signal located in the local authority, the
15 vehicle is operated in violation of the instructions of that
16 traffic-control signal, as specified by Section 544.007(d).

17 (b) the governing body of a municipality may not enact an
18 ordinance described by Subsection (a) unless:

19 (1) the municipality holds an election called for the
20 purpose of authorizing the ordinance; and

21 (2) a majority of the voters approve the proposition.

22 SECTION 2. (a) A municipality that has enacted an ordinance
23 under Section 707.002, Transportation Code, on or before the
24 effective date of this Act shall hold a referendum as required by

1 that section, as amended by this Act, not later than November 8,
2 2011.

3 (b) If a majority of the voters do not approve the
4 proposition as required by Section 707.002, Transportation Code, as
5 amended by this Act, and the municipality had enacted before June 1,
6 2011, an ordinance under that section to implement a photographic
7 traffic signal enforcement system and entered into a contract for
8 the administration and enforcement of the system, the municipality
9 may continue to operate the system under that ordinance and under
10 the terms of that contract until the expiration date specified in
11 the contract as the contract existed on June 1, 2011.

12 SECTION 3. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2011.