

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 20, 2011

TO: Honorable Harold V. Dutton Jr., Chair, House Committee on Urban Affairs

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

IN RE: HB2361 by Truitt (Relating to the authority of a municipality, a county, or the Department of Public Safety to enforce compliance with posted speed limits by an automated traffic control system.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to prohibit a county or the Texas Department of Public Safety (DPS) from implementing or operating an automated traffic control system for the purpose of enforcing compliance with posted speed limits. Under current statute, a municipality is prohibited from implementing or operating a system.

A municipality, a county or DPS would not be prohibited from using a device that records the speed of a motor vehicle and obtains photographs or other recorded images, or from relying on images obtained from a device in the prosecution of a criminal offense provided the peace officer personally observes the violation and issues a citation at the time of the violation, or the device is used by a peace officer working in a team engaged in a localized collective effort to enforce compliance with posted speed limits. The attorney general would be required to enforce Section 542.207 of the Transportation Code.

Local Government Impact

There could be a positive fiscal impact to a local government authorized to use certain devices to record the speed of a motor vehicle and issue a citation for a violation, but the amounts would vary depending on the number of citations issued and the amount of the fines collected.

Harris County indicated there would be some impact on revenues due to the volume of Class C misdemeanor cases tried in the county's justice or municipal courts annually. In addition, there may be a slight savings on equipment and a slight increase in revenue from traffic citations; however, the amounts are not anticipated to exceed \$200,000.

Source Agencies: 405 Department of Public Safety

LBB Staff: JOB, KKR, SD, TP, ESi