

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 29, 2015

TO: Honorable Joseph Pickett, Chair, House Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1131 by Elkins (Relating to prohibiting the use of photographic traffic signal enforcement systems.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1131, As Introduced: an impact of \$0 through the biennium ending August 31, 2017.

However, there would be an estimated revenue loss of (\$32,206,000) to Regional Trauma Account 5137 in the 2016-17 biennium.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2016	\$0
2017	\$0
2018	\$0
2019	\$0
2020	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from Regional Trauma Account 5137	Probable Revenue Gain/(Loss) from Cities
2016	(\$16,103,000)	(\$16,103,000)
2017	(\$16,103,000)	(\$16,103,000)
2018	(\$16,103,000)	(\$16,103,000)
2019	(\$16,103,000)	(\$16,103,000)
2020	(\$16,103,000)	(\$16,103,000)

Fiscal Analysis

The bill would change the title of Chapter 707 to "Prohibiting Photographic Traffic Signal Enforcement."

The bill would amend Sections 707.001(3) and (4) relating to the definition of a photographic

traffic signal enforcement system.

The bill would amend Section 707.002 to remove local governments' authority to impose a civil penalty relating to photographic traffic signal enforcement systems, and to prohibit the governments from issuing or filing in court a traffic complaint, notice of violation, or other form of criminal charge relating to the operation of a motor vehicle if the alleged violation was detected through the use of a photographic traffic enforcement system.

The bill would amend Section 707.003 to remove the authority to install and operate a photographic traffic signal enforcement system. The bill would stipulate any state, county, municipality, or local authority that issues a complaint, notice of violation, or another form of civil or criminal charge arising from the use of a photographic traffic signal enforcement system would be liable for the costs incurred by an owner or operator who receives such a complaint.

The bill would amend Section 707.004 to remove provisions requiring reports from local government authorities before and after the installation of a photographic traffic signal enforcement system regarding the number of accidents at a given intersection.

The bill would repeal various sections in Chapter 707 to make conforming changes.

The bill would take effect immediately upon receiving two-thirds votes in both houses; otherwise, it would take effect September 1, 2015.

Methodology

Currently 50 percent of the fines collected for traffic violations relating to traffic cameras are deposited to the credit of GR Account 5137-Regional Trauma; the remainder are used by local authorities to fund traffic safety programs. The estimated fiscal impacts were based on the *2016-17 Biennial Revenue Estimate*.

Local Government Impact

The revenue loss to each affected local government entity would vary depending on the number of systems in place and the number of traffic violations enforced through the photographic system.

The Comptroller's estimate of the statewide revenue loss to cities from fines no longer being collected is reflected in the above table.

The City of Fort Worth reported a total estimated revenue loss of \$6.3 million in Fiscal Year (FY) 2016; and similar losses ranging from \$5.8 to \$5.0 million in FY 2017- FY 2020.

The City of Corpus Christi reported an estimated yearly revenue loss of \$492,460 due to the provisions of the bill.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 529 Health and Human Services Commission, 537 State Health Services, Department of, 601 Department of Transportation, 608 Department of Motor Vehicles

LBB Staff: UP, AG, SD, EK, TBo