**BILL ANALYSIS**

|  |  |
| --- | --- |
| Senate Research Center | S.B. 446 |
| 88R2517 AJZ-F | By: Menéndez |
|  | Transportation |
|  | 3/23/2023 |
|  | As Filed |

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

During the 86th Session, the legislature passed H.B. 1631 which outlawed red-light cameras in the state. However, if local governments had enacted an ordinance to implement a photographic traffic signal system before May 7, 2019, the local authority would be able to continue operating that system under their ordinance and under the terms of that contract until it expires, unless the contract authorizes termination.

Many local governments are in opposition to red-light cameras and have a strong desire to end their contracts. Red-light cameras are highly sensitive, with the slightest motion and small technicalities resulting in tickets. Drivers have also reported receiving tickets for split-second violations where collisions have not actually occurred. Furthermore, many individuals across the state have argued that red-light cameras violate their due process rights, as many drivers receive tickets for violations they are not sure they committed.

Since the passage of H.B. 1631 (86R), cities with grandfathered red-light camera contracts have a strong desire to remove their red-light cameras. However, it can costs millions of dollars to end these contracts, which is money that many local governments do not have. For example, in Senate District 26, Leon Valley attempted to end their contract with their red-light camera provider Verra Mobility, which ends in 2034, however it would cost them over $3 million, which is a large portion of their budget.

S.B. 446 would add Chapter 707 to the Transportation Code clarifying that contracts authorizing the use of red-light cameras violate Chapter 707, Transportation Code, and are therefore void. This allows local governments that cannot afford to buy their way out of contracts to exit them if they find violations.

As proposed, S.B. 446 amends current law relating to contracts authorizing the use of photographic traffic signal enforcement systems.

**RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 707, Transportation Code, by adding Section 707.022, as follows:

Sec. 707.022. CONTRACTS VOID. Provides that a contract that violates Chapter 707 (Photographic Traffic Signal Enforcement System Prohibited) is void.

SECTION 2. Repealers: Sections 7(a) (relating to permitting the operation of certain photographic traffic signal enforcement systems) and (b) (relating to the termination of contracts for photographic traffic signal enforcement systems entered into before a certain date), Chapter 372 (H.B. 1631), Acts of the 86th Legislature, Regular Session, 2019.

SECTION 3. Effective date: upon passage or September 1, 2023.