

BILL ANALYSIS

Senate Research Center
80R1424 ACP-D

S.B. 125
By: Carona
Transportation & Homeland Security
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Red light camera systems, designed to capture photographs of and ticket individuals running red lights, have been appearing in major Texas cities. Some members of the media and the public have claimed that the cameras are being used as a lucrative revenue generating instrument for the cities that use the cameras, rather than being used to promote public safety. Current law does not address the use of red light cameras. Consequently, there are no statutes that regulate their use.

As proposed, S.B. 125 limits the amount of revenue a municipality may receive from red light cameras to that amount sufficient for the maintenance and operation of the camera system and requires excess revenue generated from the camera system to be sent to the comptroller of public accounts for deposit into trauma facility and emergency medical services accounts.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the comptroller of public accounts in SECTION 1 (Section 542.405, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 542, Transportation Code, by adding Section 542.405, as follows:

Sec. 542.405. DEPOSIT OF REVENUE FROM CERTAIN TRAFFIC PENALTIES IN DESIGNATED TRAUMA FACILITY AND EMERGENCY MEDICAL SERVICES ACCOUNT. (a) Defines "photographic traffic signal enforcement system" (system).

(b) Provides that this section applies only to a civil or administrative penalty imposed on the owner of a motor vehicle under the jurisdiction of a local authority that operates or contracts for the operation of a system or another type of electronic traffic law enforcement system.

(c) Requires the local authority to send revenue from penalties from infractions under this section to the comptroller of public accounts for deposit to the credit of a designated trauma facility and emergency medical services account after deduction of amounts permitted by this section to be retained by the local authority.

(d) Authorizes a local authority to retain an amount not in excess of 50 percent of the penalty to cover amounts necessary to purchase, install, operate, and maintain the system.

(e) Requires the comptroller of public accounts to adopt rules necessary for implementation and enforcement of this section.

SECTION 2. Amends Section 780.003(b), Health and Safety Code, as follows.

(b) Adds Section 542.405, Transportation Code, to the sections under which money is collected and deposited into the designated trauma facility and medical emergency account. Makes nonsubstantive changes.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2007.