

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 374
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Transportation & Homeland Security
3/4/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Technology to enforce compliance with posted speed limits with the use of cameras is available. Some cities have begun to use such technology or have examined the possibility of doing so. H.B. 922, 80th Legislature, Regular Session, prohibited municipalities from using cameras for this purpose. Section 542.2035, Transportation Code, provides that a municipality may not implement or operate an automated traffic control system for the purpose of enforcing compliance with posted speed limits.

C.S.S.B. 374 prohibits a county and the Department of Public Safety from using automated traffic control systems to enforce compliance with posted speed limits.

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 Section 542.2035, Transportation Code, as follows:

Sec. 542.2035. New heading: **LIMITATION ON MUNICIPALITIES AND COUNTIES.**

(a) Prohibits a municipality or county, rather than a municipality, from implementing or operating an automated traffic control system with respect to a highway or street under its jurisdiction for the purpose of enforcing compliance with posted speed limits.

(b) Makes no changes to this subsection.

SECTION 2. Amends Subchapter B, Chapter 542, Transportation Code, by adding Section 542.207, as follows:

Sec. 542.207. **LIMITATION ON DEPARTMENT.** (a) Defines "automated traffic control system."

(b) Prohibits the Department of Public Safety from implementing or operating an automated traffic control system for the purpose of enforcing compliance with posted speed limits. Requires the attorney general to enforce this section.

SECTION 3. Effective date: upon passage or September 1, 2009.