

AN ACT

relating to requiring warning signs before intersections at which a municipality uses a photographic traffic monitoring system to enforce compliance with a traffic-control signal.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 544, Transportation Code, is amended by adding Section 544.012 to read as follows:

Sec. 544.012. NOTIFICATION OF PHOTOGRAPHIC TRAFFIC MONITORING SYSTEM. (a) In this section:

(1) "Photographic traffic monitoring system" means a system that:

(A) consists of a camera and vehicle sensor installed to work in conjunction with an electrically operated traffic-control signal; and

(B) is capable of producing one or more recorded images that depict the license plate attached to a motor vehicle that is not operated in compliance with the instructions of the traffic-control signal.

(2) "Recorded image" means an image that:

(A) depicts a motor vehicle; and

(B) is automatically recorded on a photograph or digital image.

(b) This section applies only to a municipality that pursuant to an ordinance of the municipality employs a photographic

1 traffic monitoring system to enforce compliance with the  
2 instructions of traffic-control signals in the municipality.

3 (c) The municipality shall install signs along each roadway  
4 that leads to an intersection at which a photographic traffic  
5 monitoring system is in active use. The signs must be at least 100  
6 feet from the intersection or located according to standards  
7 established in the manual adopted by the Texas Transportation  
8 Commission under Section 544.001, be easily readable to any  
9 operator approaching the intersection, and clearly indicate the  
10 presence of a photographic monitoring system that records  
11 violations that may result in the issuance of a notice of violation  
12 and the imposition of a monetary penalty.

13 (d) A municipality that fails to comply with Subsection (c)  
14 may not impose or attempt to impose a civil or administrative  
15 penalty against a person, including the owner of a motor vehicle or  
16 an operator, for a failure to comply with the instructions of a  
17 traffic-control signal located at the applicable intersection.

18 (e) Subsection (d) does not prohibit a peace officer from  
19 arresting or issuing a citation and notice to appear to a person  
20 whom the officer observes to have failed to comply with the  
21 instructions of a traffic-control signal located at the  
22 intersection.

23 SECTION 2. This Act takes effect September 1, 2007.

David Newkumst

President of the Senate

Jim Caddick

Speaker of the House

I certify that H.B. No. 1052 was passed by the House on April 19, 2007, by the following vote: Yeas 142, Nays 0, 2 present, not voting.

Robert Haney  
Chief Clerk of the House

I certify that H.B. No. 1052 was passed by the Senate on May 21, 2007, by the following vote: Yeas 29, Nays 2.

Datsy Saw  
Secretary of the Senate

APPROVED: 15 JUN 07

Date

Rick Perry  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
5 PM O'CLOCK

JUN 15 2007

Roger Winnie  
Secretary of State