

BILL ANALYSIS

Senate Research Center
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S.B. 87
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Transportation
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

According to a March 2015 article in *Governing Magazine*, cities have been hitting the brakes on red light cameras. Outrage over the devices is no longer limited to angry motorists facing hefty fines. Judges have now tossed tens of thousands of tickets. Newspapers and government inspectors have exposed deep flaws in many cities' equipment and enforcement methods. And the former CEO of one of the two major camera red light manufacturers was indicted on bribery and other charges related to Chicago's cameras.

The Department of Motor Vehicles, and in some cases counties themselves, have policies that prevent the registration of a motor vehicle if the owner of a motor vehicle is delinquent in the payment of a civil penalty imposed for a red light camera violation.

Since accused violators' Sixth Amendment rights to face their accuser are negated in the instance of a photo violation, government should not have the ability to prevent the owner of a motor vehicle from registering their vehicle.

Until the use of red light cameras can be ended state wide, restricting the punitive capability of the local entities is the least the state should do.

S.B. 87 would prevent a county tax assessor-collector or the Texas Department of Motor Vehicles from refusing to register a motor vehicle alleged to have been involved in a red light camera violation solely because the owner of the motor vehicle is delinquent in the payment of the civil penalty imposed for the offense.

As proposed, S.B. 87 amends current law relating to registration of a motor vehicle alleged to have been involved in a violation detected by a photographic traffic signal enforcement system.

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 707.017, Transportation Code, as follows:

Sec. 707.017. New heading: REGISTRATION AFTER CIVIL PENALTY IMPOSED. Prohibits the county assessor-collector or the Texas Department of Motor Vehicles (TxDMV) from refusing to register a motor vehicle alleged to have been involved in a violation of this chapter solely because the owner of the motor vehicle is delinquent in the payment of a civil penalty, rather than authorizes the county assessor-collector or the TxDMV, if the owner of a motor vehicle is delinquent in the payment of a civil penalty imposed under this chapter, to refuse to register a motor vehicle alleged to have been involved in the violation.

(b) Deletes this subsection.

SECTION 2. Effective date: September 1, 2017.