

## **BILL ANALYSIS**

Senate Research Center

C.S.H.B. 364  
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Transportation & Homeland Security  
4/21/2005  
Committee Report (Substituted)

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

Traffic control devices allow emergency personnel to manipulate traffic signals in emergency situations. However, such devices are now available to the general public on the Internet. Unauthorized use of these devices could cause traffic hazards.

C.S.H.B. 364 prohibits the unauthorized use or possession of a traffic control device.

### **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 544, Transportation Code, by adding Section 544.0055, as follows:

Sec. 544.0055. TRAFFIC-CONTROL SIGNAL PREEMPTION DEVICE; OFFENSE. (a) Defines "traffic-control signal preemption device" (device).

(b) Provides, except as provided by Subsection (e), that a person commits an offense if a person uses, sells, offers for sale, purchases, or possesses for use or sale a device.

(c) Provides that the possession of a device creates the presumption that the person possessed the device for use or sale.

(d) Provides that an offense under this section is a Class C misdemeanor.

(e) Sets forth the entities to which this section does not apply.

SECTION 2. Effective date: upon passage or September 1, 2005.