



## **TEXAS PRIVATE SECURITY BUREAU**

### **Municipal Red-Light Camera Systems and the Private Security Act**

The Private Security Bureau of the Texas Department of Public Safety does not interpret Chapter 1702 of the Occupations Code (the “Private Security Act”) as requiring those who assist a municipality with the administration of a photographic traffic signal enforcement system to obtain licenses as private investigators.

Photographic traffic signal enforcement systems are operated for the express purpose of detecting a violation or suspected violation of a traffic-control signal. The Private Security Act exempts photographs taken for criminal justice purposes on behalf of a governmental entity. In addition, such a system is authorized by Chapter 707, Transportation Code, and Section 707.003 of that Code specifically allows a municipality to contract for any aspect of the system.

While Section 1702.104(a)(2) of the Private Security Act does state that a person acts as an investigations company if the person engages in the business of securing “evidence for use before a court, board, officer, or investigating committee,” the photographic traffic signal enforcement systems with which we are familiar are operated and overseen by the municipalities, not by the contractors. The contractors’ activities are generally ministerial, and are performed at the direction of city employees. Thus the municipalities are the entities that “secure evidence” for use at hearings associated with the photographic traffic signal enforcement system, and as governmental entities, they are exempt from the licensing requirement.

For these reasons, we do not believe that the activities of the contractors associated with municipalities’ photographic traffic signal enforcement systems require licensure as private investigators under the Private Security Act. This determination is based on our understanding of the most common contractual arrangements and may not be applicable to all such contracts between governmental entities and private vendors.