



General Assembly

January Session, 2005

Amendment

LCO No. 7563

HB0574407563HR0

Offered by:
REP. FARR, 19th Dist.

To: Subst. House Bill No. 5744 File No. 620 Cal. No. 444

**"AN ACT CONCERNING ENFORCEMENT OF SPEEDING AND
TRAFFIC CONTROL SIGNAL VIOLATIONS."**

1 Strike lines 14 to 29, inclusive, and insert the following in lieu
2 thereof:

3 "Sec. 2. (NEW) (*Effective October 1, 2005*) (a) For the purposes of
4 sections 2 to 4, inclusive, of this act, "automated traffic enforcement
5 device" means a device that (1) is designed to automatically record the
6 image of the license plate of a motor vehicle that is entering an
7 intersection in violation of a traffic control signal, and (2) indicates on
8 the recorded image produced the date, time of day, location of the
9 violation and the traffic control signal.

10 (b) Any municipality may, by ordinance, authorize the use of
11 automated traffic enforcement devices to enforce the provisions of
12 section 14-299 of the general statutes and establish a fine not to exceed
13 one hundred dollars for any violation of said section 14-299 that is
14 detected and recorded by such device, provided the use of such device
15 serves a highway safety purpose. For the purposes of this section, a

16 municipality shall determine if the installation and use of an
17 automated traffic enforcement device would serve a highway safety
18 purpose by conducting a site specific traffic engineering study
19 verifying the existence, extent and cause of the safety problem the
20 device is intended to address. The adequacy of the clearance intervals
21 of the traffic control signal shall be addressed by the study and any
22 timing deficiencies that are identified shall be corrected prior to the
23 installation. An automated traffic enforcement device that is installed
24 within a state highway right-of-way shall meet the requirements of the
25 Department of Transportation."

26 In line 30, strike "an ordinance regulating the speed of"

27 In line 31, strike "motor vehicles or of section 14-218a, 14-219 or" and
28 insert in lieu thereof "section"

29 In line 46, strike "speeding and"

30 After line 47, add the following:

31 "(d) An automated traffic enforcement device used by a
32 municipality pursuant to this section shall be activated and record
33 images only upon detecting the approach of a motor vehicle and a
34 probable violation."

35 In line 48, strike "(d) Any" and insert the following in lieu thereof:

36 "(e) Except as provided in subsection (f) of this section, any"

37 After line 50, add the following:

38 "(f) One-half of any fine collected by a municipality pursuant to this
39 section with respect to a violation of a traffic control signal that was
40 placed and maintained by the state shall be paid to the State Treasurer
41 for deposit in the Special Transportation Fund.

42 (g) Any municipality that authorizes the use of automated traffic
43 enforcement devices pursuant to this section shall report the location

44 where any such device is installed to the State Traffic Commission."

45 In lines 53 and 58, strike "speeding and"

46 In line 63, strike "an ordinance"

47 Strike line 64 in its entirety and insert in lieu thereof "section"

48 In line 72, strike "speeding and"

49 In line 151, strike "14-218a, 14-219"

50 In line 152, strike "or"

51 After line 158, add the following:

52 "Sec. 5. (NEW) (*Effective October 1, 2005*) (a) For the purposes of this
53 section, "automated speed enforcement device" means a device that (1)
54 is designed to automatically record the image of the license plate of a
55 motor vehicle that is traveling at a speed in excess of the speed limit
56 established for a street, road or highway, and (2) indicates on the
57 recorded image produced the date, time of day, location of the
58 violation and the speed of the motor vehicle.

59 (b) The Department of Public Safety, in conjunction with the
60 Department of Transportation, may authorize the use of automated
61 speed enforcement devices in highway construction zones and utility
62 work zones on limited access highways to enforce the provisions of
63 sections 14-218a and 14-219 of the general statutes in such zones. Such
64 speed enforcement devices shall be approved by the Commissioner of
65 Public Safety and be subject to the same criteria for determining their
66 accuracy as speed monitoring devices pursuant to section 14-219c of
67 the general statutes.

68 (c) Whenever a violation of section 14-218a or 14-219 of the general
69 statutes is detected and recorded by an automated speed enforcement
70 device, the Department of Public Safety shall, not later than five days
71 after the alleged violation, mail a complaint or summons ticket to the

72 registered owner of the motor vehicle and a copy of the recorded
73 image or images produced by the device. Proof of the registration
74 number of the motor vehicle therein concerned shall be prima facie
75 evidence that the owner was the operator thereof, except that, in the
76 case of a leased or rented motor vehicle, such proof shall be prima facie
77 evidence that the lessee was the operator thereof, as provided in
78 subsection (b) of section 14-107 of the general statutes, as amended by
79 this act. A complaint or summons ticket shall not be issued under this
80 subsection unless a sign was posted on the limited access highway
81 prior to the highway construction zone or utility work zone where the
82 automated speed enforcement device was used not less than thirty
83 days prior to such use providing notice to operators of motor vehicles
84 that such device may be used to enforce speeding laws in such zone on
85 such limited access highway."