



General Assembly

February Session, 2008

**Bill No. 41**

LCO No. 367

\*00367 \_\_\_\_\_ \*

Referred to Committee on Public Safety and Security

Introduced by:

SEN. MCKINNEY, 28<sup>th</sup> Dist.

REP. CAFERO, 142<sup>nd</sup> Dist.

***AN ACT CREATING AN AUTOMATED HIGHWAY SPEED ENFORCEMENT PILOT PROGRAM.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section:

2 (1) "Automatic traffic safety camera system" means a device  
3 consisting substantially of a radar unit or sensor linked to a camera or  
4 other recording device that produces one or more photographs,  
5 microphotographs, videotapes or digital or other recorded images of  
6 the license plate of a vehicle that is traveling in excess of the speed  
7 limit or unreasonably fast; and

8 (2) "Pilot system area" means the area where the automatic traffic  
9 safety camera system is installed pursuant to subsection (b) of this  
10 section.

11 (b) On or before October 1, 2008, the Commissioner of Public Safety  
12 shall establish a pilot program for the installation of an automatic  
13 traffic safety camera system on Interstate 95 in the town of Old Lyme

14 to identify violators of section 14-218a or 14-219 of the general statutes.  
15 For purposes of such pilot program, the commissioner shall arrange  
16 for signs to be posted prior to the pilot system area to advise motorists  
17 of the operation of an automatic traffic safety camera system.

18 (c) Whenever a violation of section 14-218a or 14-219 of the general  
19 statutes is detected and recorded by the automatic traffic safety camera  
20 system, the law enforcement agency shall, not later than fourteen days  
21 after the alleged violation, mail a summons to the registered owner of  
22 the vehicle and include with the summons a copy of the recorded  
23 image or images produced by the automatic traffic safety camera  
24 system and a sworn affidavit of the law enforcement officer issuing the  
25 summons, containing the facts supporting the summons. Said affidavit  
26 shall be prima facie evidence of the facts contained within it and shall  
27 be admissible in a proceeding charging a violation of section 14-218a or  
28 14-219 of the general statutes. Any images produced by the automatic  
29 traffic safety camera evidencing the violation shall be available for  
30 inspection and admission into evidence in a proceeding charging a  
31 violation of section 14-218a or 14-219 of the general statutes.

32 (d) There shall be a presumption that the registered owner of the  
33 vehicle was the person in control of the vehicle at the time that the  
34 alleged violation occurred, in accordance with section 14-107 of the  
35 general statutes. Such presumption may be rebutted if the registered  
36 owner states, under oath, that said vehicle was, at the time of the  
37 alleged violation, stolen, or in the care, custody or control of some  
38 person other than the registered owner.

|                                                                               |                     |             |
|-------------------------------------------------------------------------------|---------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: |                     |             |
| Section 1                                                                     | <i>from passage</i> | New section |

**Statement of Purpose:**  
To implement the Governor's budget recommendations.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*