



General Assembly

January Session, 2011

Raised Bill No. 6449

LCO No. 3808

* HB06449TRAJUD032111 *

Referred to Committee on Transportation

Introduced by:
(TRA)

**AN ACT CONCERNING THE SAFETY OF PERSONS ENTERING OR
EXITING A SCHOOL BUS.**

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

1 Section 1. Subsection (c) of section 14-279 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2011*):

4 (c) Upon receipt of a written report from any school bus operator or
5 an evidence file from a live digital video school bus violation detection
6 monitoring system, as defined in section 2 of this act, specifying the
7 license plate number, color and type of any vehicle observed by such
8 operator or recorded by a camera affixed to such school bus violating
9 any provision of subsection (a) of this section and the date,
10 approximate time and location of such violation, a police officer shall
11 issue a written warning or a summons to the owner of any such
12 vehicle. A photographic or digital still or video image that clearly
13 shows the license plate number of a vehicle violating any provision of
14 subsection (a) of this section shall be sufficient proof of the identity of
15 such vehicle for purposes of subsection (b) of section 14-107.

16 Sec. 2. (NEW) (*Effective July 1, 2011*) (a) As used in subsection (c) of
17 section 14-279 of the general statutes, as amended by this act, and
18 sections 2 to 5, inclusive, "live digital video school bus violation
19 detection monitoring system" or "monitoring system" means a system
20 with one or more camera sensors and computers that produce live
21 digital and recorded video images of motor vehicles being operated in
22 violation of section 14-279 of the general statutes, as amended by this
23 act. Such monitoring system shall produce a live visual image that is
24 viewable remotely and a recorded image of the license plate number of
25 a motor vehicle violating said section 14-279. Such recorded image
26 shall indicate the date, time and location of the violation.

27 (b) A municipality or local or regional board of education may
28 install, operate and maintain live digital video school bus violation
29 detection monitoring systems, or may enter into an agreement with a
30 private vendor for the installation, operation and maintenance of such
31 monitoring systems. Such agreement shall provide for the
32 compensation to the vendor for the expense of the monitoring services
33 and cost of equipment provided by the vendor and for the
34 reimbursement of the vendor for the expenses of installing, operating
35 and maintaining the monitoring system. Such agreement shall provide
36 that the vendor shall, on an annual basis, submit a report to such
37 municipality or local or regional board of education that includes, but
38 is not limited to: (1) The total number of citations issued as a result of a
39 violation detected and recorded by the monitoring system, and (2) the
40 total amount of funds collected. The municipality or local or regional
41 board of education shall, within thirty days, submit such report to the
42 joint standing committee of the General Assembly having cognizance
43 of matters relating to transportation.

44 (c) A warning sign shall be posted on all school buses in which a
45 monitoring system is installed and operational indicating the use of
46 such system.

47 (d) A monitoring system shall be installed so as to record an image
48 of the license plate number of a motor vehicle only, and shall not

49 record an image of the occupants of such motor vehicles or of any
50 other persons or vehicles in the vicinity at the time the images are
51 recorded.

52 Sec. 3. (NEW) (*Effective July 1, 2011*) (a) There is established a school
53 bus camera account which shall be a separate, nonlapsing account
54 within the General Fund. The account shall contain any moneys
55 required by law to be deposited in the account. The funds in the
56 account shall be used by the Office of Policy and Management for
57 grants to reimburse municipalities for (1) the cost of equipping school
58 buses with a live digital video school bus violation detection
59 monitoring system, and (2) the cost of operating and maintaining such
60 system.

61 (b) Any municipality that has entered into a contract with a vendor
62 for the installation, operation and maintenance of a live digital video
63 school bus violation detection monitoring system, for not more than
64 ten per cent of the school bus fleet of such municipality, and for a
65 period of not more than five years, shall be eligible to receive funds
66 from the school bus camera account for the costs to install, operate and
67 maintain such system.

68 (c) Municipalities shall apply for such funds to the Office of Policy
69 and Management not later than fifteen days after the end of each
70 month. The amount of the reimbursement shall be based on the total
71 cost to such municipality for the installation, operation and
72 maintenance of such system. Such cost reimbursement shall include
73 monthly payments for fixed costs associated with the number of buses
74 on which such monitoring system is installed and the corresponding
75 variable administrative fee per month to operate, administer and
76 maintain such program in such municipality. Funds shall be paid to
77 municipalities by the thirtieth day of each month, for the preceding
78 month, and shall be based on the cost incurred during such month to
79 install, operate and maintain the program. Funds expended in any one
80 month shall not exceed eighty-five per cent of all amounts paid into
81 the school bus camera account during such month.

82 (d) The Secretary of the Office of Policy and Management may
83 adopt regulations, in accordance with the provisions of chapter 54 of
84 the general statutes, to carry out the provisions of this section.

85 (e) The Secretary of the Office of Policy and Management may
86 receive private donations to said account and any such donations shall
87 be deposited in said account.

88 Sec. 4. (NEW) (*Effective July 1, 2011*) On and after July 1, 2011,
89 eighty-five per cent of all amounts received for any violation of section
90 14-279 of the general statutes, as amended by this act, shall be credited
91 to the school bus camera account established under section 3 of this
92 act.

93 Sec. 5. (NEW) (*Effective July 1, 2011*) (a) Whenever a violation of
94 section 14-279 of the general statutes, as amended by this act, is
95 detected and recorded by a live digital video school bus violation
96 detection monitoring system, a state or municipal police officer shall
97 review the evidence file which shall include two or more digital
98 photographs, recorded video or other recorded images and a signed
99 affidavit of a person who witnessed such violation. If, after such
100 review, such officer determines that there are reasonable grounds to
101 believe that a violation of said section 14-279 has occurred, such officer
102 shall, in his or her discretion, authorize the issuance of a summons for
103 such alleged violation. If such officer authorizes the issuance of a
104 summons for such alleged violation, the law enforcement agency shall,
105 not later than ten days after the alleged violation, mail a summons to
106 the registered owner of the motor vehicle together with a copy of two
107 or more digital photographs, recorded video or other recorded images
108 and a signed affidavit of a person who witnessed such violation live.

109 (b) As provided in subsection (b) of section 14-107 of the general
110 statutes, proof of the registration number of the motor vehicle therein
111 concerned shall be prima facie evidence that the owner was the
112 operator thereof, except that, in the case of a leased or rented motor
113 vehicle, such proof shall be prima facie evidence that the lessee was the

114 operator thereof.

115 (c) Any person who is alleged to have committed a violation of
116 section 14-279 of the general statutes, as amended by this act, and
117 receives a summons pursuant to subsection (a) of this section shall
118 follow the procedures set forth in section 51-164n of the general
119 statutes.

120 (d) A recorded image produced by a monitoring system shall be
121 sufficient evidence of a violation of section 14-279 of the general
122 statutes, as amended by this act, and shall be admitted without further
123 authentication.

124 (e) All defenses shall be available to any person who is alleged to
125 have committed a violation of section 14-279 of the general statutes, as
126 amended by this act, that is detected and recorded by a monitoring
127 system, including, but not limited to, that (1) the violation was
128 necessary to allow the passage of an emergency vehicle, (2) the
129 violation was necessary to avoid injuring the person or property of
130 another, (3) the violation was incurred while participating in a funeral
131 procession, (4) the violation was incurred during a period of time in
132 which the motor vehicle had been reported as being stolen to an
133 organized local police department or the state police and had not been
134 recovered prior to the time of the violation, (5) the operator was
135 convicted of a violation of section 14-279 of the general statutes, as
136 amended by this act, for the same incident based upon a separate and
137 distinct summons issued by a sworn police officer, or (6) the violation
138 was necessary in order for the operator to comply with any other
139 general statute or regulation concerning the operation of a motor
140 vehicle.

141 (f) No recorded image produced by a monitoring system pursuant
142 to this section may be introduced as evidence in any other civil or
143 criminal proceedings.

144 (g) A recorded image produced by a monitoring system shall be

145 destroyed upon the final disposition of the case to which it pertains.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2011</i>	14-279(c)
Sec. 2	<i>July 1, 2011</i>	New section
Sec. 3	<i>July 1, 2011</i>	New section
Sec. 4	<i>July 1, 2011</i>	New section
Sec. 5	<i>July 1, 2011</i>	New section

TRA

Joint Favorable C/R

JUD