



General Assembly

Substitute Bill No. 6449

January Session, 2011

* _____ HB06449JUD ___ 040711 _____ *

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 Section 14-279 of the general statutes is repealed and the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

3 (a) The operator of any vehicle, motor vehicle, or authorized
4 emergency vehicle, as defined in section 14-1, shall immediately bring
5 such vehicle to a stop not less than ten feet from the front when
6 approaching and not less than ten feet from the rear when overtaking
7 or following any registered school bus on any highway or private road
8 or in any parking area or on any school property when such bus is
9 displaying flashing red signal lights, except at the specific direction of
10 a traffic officer. Vehicles so stopped for a school bus shall not proceed
11 until such bus no longer displays flashing red signal lights. At the
12 intersection of two or more highways vehicular turns toward a school
13 bus receiving or discharging passengers are prohibited. The operator
14 of a vehicle upon a highway with separate roadways need not stop
15 upon meeting or passing a school bus which is on a different roadway.

16 (b) Any person who violates any provision of subsection (a) of this
17 section shall be fined not less than one hundred dollars nor more than
18 five hundred dollars for the first offense and for each subsequent
19 offense, not less than five hundred dollars nor more than one thousand

20 dollars or imprisoned not more than thirty days or both.

21 (c) Upon receipt of a written report from any school bus operator or
22 an evidence file from a live digital video school bus violation detection
23 monitoring system, as defined in section 2 of this act, specifying the
24 license plate number, color and type of any vehicle observed by such
25 operator or recorded by a camera affixed to such school bus violating
26 any provision of subsection (a) of this section and the date,
27 approximate time and location of such violation, a police officer shall
28 issue a written warning or a summons to the owner of any such
29 vehicle. A photographic or digital still or video image that clearly
30 shows the license plate number of a vehicle violating any provision of
31 subsection (a) of this section shall be sufficient proof of the identity of
32 such vehicle for purposes of subsection (b) of section 14-107.

33 Sec. 2. (NEW) (*Effective July 1, 2011*) (a) As used in subsection (c) of
34 section 14-279 of the general statutes, as amended by this act, this
35 section and sections 3 and 5 of this act, "live digital video school bus
36 violation detection monitoring system" or "monitoring system" means
37 a system with one or more camera sensors and computers that
38 produce live digital and recorded video images of motor vehicles
39 being operated in violation of section 14-279 of the general statutes, as
40 amended by this act. Such monitoring system shall produce a live
41 visual image that is viewable remotely and a recorded image of the
42 license plate number of a motor vehicle violating said section 14-279.
43 Such recorded image shall indicate the date, time and location of the
44 violation.

45 (b) A municipality or local or regional board of education may
46 install, operate and maintain live digital video school bus violation
47 detection monitoring systems, or may enter into an agreement with a
48 private vendor for the installation, operation and maintenance of such
49 monitoring systems. Such agreement shall provide for the
50 compensation to the vendor for the expense of the monitoring services
51 and cost of equipment provided by the vendor and for the
52 reimbursement of the vendor for the expenses of installing, operating

53 and maintaining the monitoring system. Such agreement shall provide
54 that the vendor shall, on an annual basis, submit a report to such
55 municipality or local or regional board of education that includes, but
56 is not limited to: (1) The total number of citations issued as a result of a
57 violation detected and recorded by the monitoring system, and (2) the
58 total amount of funds collected. The municipality or local or regional
59 board of education shall, within thirty days, submit such report to the
60 joint standing committee of the General Assembly having cognizance
61 of matters relating to transportation.

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

65 (d) A monitoring system shall be installed so as to record images of
66 the license plate number of a motor vehicle only, and shall not record
67 images of the occupants of such motor vehicle or of any other persons
68 or vehicles in the vicinity at the time the images are recorded.

69 Sec. 3. (NEW) (*Effective July 1, 2011*) (a) There is established a school
70 bus camera account which shall be a separate, nonlapsing account
71 within the General Fund. The account shall contain any moneys
72 required by law to be deposited in the account. The funds in the
73 account shall be used by the Office of Policy and Management for
74 grants to reimburse municipalities and local and regional boards of
75 education for (1) the cost of equipping school buses with a live digital
76 video school bus violation detection monitoring system, and (2) the
77 cost of operating and maintaining such system.

78 (b) Any municipality or local or regional board of education that has
79 entered into a contract with a vendor for the installation, operation and
80 maintenance of a live digital video school bus violation detection
81 monitoring system, for not more than ten per cent of the school bus
82 fleet of such municipality or local or regional board of education, and
83 for a period of not more than five years, shall be eligible to receive
84 funds from the school bus camera account for the costs to install,

85 operate and maintain such system.

86 (c) Municipalities and local and regional boards of education shall
87 apply for such funds to the Office of Policy and Management not later
88 than fifteen days after the end of each month. The amount of the
89 reimbursement shall be based on the total cost to such municipality or
90 local or regional board of education for the installation, operation and
91 maintenance of such system. Such cost reimbursement shall include
92 monthly payments for fixed costs associated with the number of buses
93 on which such monitoring system is installed and the corresponding
94 variable administrative fee per month to operate, administer and
95 maintain such program by such municipality or local or regional board
96 of education. Funds shall be paid to municipalities and local and
97 regional boards of education by the thirtieth day of each month, for the
98 preceding month, and shall be based on the cost incurred during such
99 month to install, operate and maintain the program. Funds expended
100 in any one month shall not exceed eighty-five per cent of all amounts
101 paid into the school bus camera account during such month.

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

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

108 Sec. 4. (NEW) (*Effective July 1, 2011*) On and after July 1, 2011,
109 eighty-five per cent of all amounts received for any violation of section
110 14-279 of the general statutes, as amended by this act, shall be credited
111 to the school bus camera account established under section 3 of this
112 act.

113 Sec. 5. (NEW) (*Effective July 1, 2011*) (a) Whenever a violation of
114 section 14-279 of the general statutes, as amended by this act, is
115 detected and recorded by a live digital video school bus violation
116 detection monitoring system, a state or municipal police officer shall

117 review the evidence file which shall include two or more digital
118 photographs, recorded video or other recorded images and a signed
119 affidavit of a person who witnessed such violation live. If, after such
120 review, such officer determines that there are reasonable grounds to
121 believe that a violation of said section 14-279 has occurred, such officer
122 shall authorize the issuance of a summons for such alleged violation. If
123 such officer authorizes the issuance of a summons for such alleged
124 violation, the law enforcement agency shall, not later than ten days
125 after the alleged violation, mail a summons to the registered owner of
126 the motor vehicle together with a copy of two or more digital
127 photographs, recorded video or other recorded images and a signed
128 affidavit of a person who witnessed such violation live.

129 (b) As provided in subsection (b) of section 14-107 of the general
130 statutes, proof of the registration number of the motor vehicle therein
131 concerned shall be prima facie evidence that the owner was the
132 operator thereof, except that, in the case of a leased or rented motor
133 vehicle, such proof shall be prima facie evidence that the lessee was the
134 operator thereof.

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

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

144 (e) All defenses shall be available to any person who is alleged to
145 have committed a violation of section 14-279 of the general statutes, as
146 amended by this act, that is detected and recorded by a monitoring
147 system, including, but not limited to, that (1) the violation was
148 necessary to allow the passage of an emergency vehicle, (2) the

149 violation was necessary to avoid injuring the person or property of
150 another, (3) the violation was incurred while participating in a funeral
151 procession, (4) the violation was incurred during a period of time in
152 which the motor vehicle had been reported as being stolen to an
153 organized local police department or the state police and had not been
154 recovered prior to the time of the violation, (5) the operator was
155 convicted of a violation of section 14-279 of the general statutes, as
156 amended by this act, for the same incident based upon a separate and
157 distinct summons issued by a sworn police officer, or (6) the violation
158 was necessary in order for the operator to comply with any other
159 general statute or regulation concerning the operation of a motor
160 vehicle.

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

164 (g) A recorded image produced by a monitoring system shall be
165 destroyed (1) ninety days after the date of the alleged violation if a
166 summons is not issued for such alleged violation pursuant to
167 subsection (a) of this section, or (2) upon final disposition of the case to
168 which it pertains if a summons is issued for such alleged violation
169 pursuant to subsection (a) of this section.

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

Statement of Legislative Commissioners:

In section 5(a), "in his or her discretion" was deleted for accuracy since the officer is required to issue a summons if reasonable grounds are found that a violation occurred.

