



OLR RESEARCH REPORT

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PUBLIC SCHOOL PARKING LOT TRAFFIC LAWS

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You asked whether a public school parking lot, owned by a municipality, is private property and therefore not subject to most Connecticut traffic laws.

The Office of Legislative Research is not authorized to give legal opinions and this should not be considered one.

SUMMARY

Connecticut law is silent on whether public school property is private or public property for purposes of the state's traffic laws. But it gives municipalities general and specific authority to regulate traffic on streets within their jurisdiction. The law specifically prohibits certain activities on school property and in a parking area for ten cars or more. If a certain activity is not proscribed by local parking regulations or state law, it is not clear if the general traffic laws would apply.

GENERAL AUTHORITY REGARDING TRAFFIC REGULATIONS

Generally, state traffic regulations apply to "highways." Effective July 1, 2011, the definition of highway "includes any state or other public highway, road, street, avenue, alley, driveway, parkway or place, under the control of the state or any political subdivision of the state, dedicated, appropriated or opened to public travel or other use" ([CGS § 14-1\(39\)](#)).

Connecticut law establishes the State Traffic Commission (STC) within the Department of Transportation (DOT). The law requires the commission, for the purpose of standardization and uniformity, to adopt and publish regulations establishing a uniform system of traffic control signals, devices, signs, and markings consistent with state law for use upon the public highways ([CGS § 14-298](#)).

The law also gives municipalities a general authority to govern the use of streets within their jurisdictions, including the authority to regulate traffic and the operation of vehicles on streets and highways ([CGS §§ 7-148\(c\)\(6\)\(C\)](#) and [\(7\)\(B\)](#)). Municipalities are given authority to establish, maintain, and control school houses and parking lots, among other public facilities ([CGS § 7-148\(c\)\(6\)\(A\)\(i\)](#)).

STC, in cooperation with local traffic authorities, may establish traffic controls for access to and from, and for traffic within, any parking area for twenty or more vehicles having an entrance or exit on or near any state highway. The local traffic authority of any city, town or borough may establish similar controls if parking areas for twenty or more vehicles have an entrance or exit on or near any highway under their jurisdiction. The owner or operator of a parking area where traffic controls have been established must obtain a permit from STC to install and maintain the necessary traffic control signals or devices ([CGS §14-311b](#)).

SPECIFIC LAWS REGARDING SCHOOL PROPERTY AND PARKING LOTS

We could not find a law that treats public school property, owned by a municipality, as private property for purposes of Connecticut traffic laws. But the law contains specific provisions regarding traffic violations on school property and in parking lots. The following are some examples of these.

In Connecticut, it is illegal for someone to drink an alcoholic beverage while operating a motor vehicle in a parking area for 10 cars or more; on a private road on which a speed limit has been established according to law; or on any school property ([CGS § 53a-213](#)). The law also prohibits driving recklessly while operating a motor vehicle on these roadways ([CGS § 14-222](#)).

The law prohibits traveling at an unreasonable speed while operating a motor vehicle in a parking lot open to public use at no charge; on a private road on which a speed limit has been established according to law; or on any school property ([CGS § 14-218a](#)).

The law permits STC to determine speed limits which are reasonable and safe on any state highway, bridge, or parkway built or maintained by the state. The law confers on the traffic authority of any town, city, or borough the power to establish, with the approval of STC, speed limits on streets, highways, bridges, in any parking area for 10 cars or more, or on any private road wholly within the municipality under its jurisdiction ([CGS § 14-218a](#)).

The operator of any vehicle must stop more than ten feet from a school bus displaying flashing red signal lights on any highway, private road, parking area, or school property, unless directed otherwise by a traffic officer ([CGS § 14-279](#)).

Finally, STC, at the request of the legislative body of a town, city or borough, and the local traffic authority may designate any part of a state highway that is adjacent or close to school property as a school zone. Both authorities may revoke this designation ([CGS § 14-212b\(b\)](#)). Additional fees for speeding violations can be imposed in areas designated as school zones ([CGS § 14-212b\(c\)](#)).

See OLR Report [2006-R-0646](#) regarding municipalities' general and specific authority to regulate traffic and the speed of vehicles on streets within their jurisdiction, including private roads solely within the municipality.

JB: ek