



New Copy
House of Representatives

General Assembly

File No. 83

January Session, 2021

Substitute House Bill No. 5429

House of Representatives, March 18, 2021

The Committee on Transportation reported through REP. LEMAR of the 96th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING PEDESTRIAN SAFETY, VISION ZERO COUNCIL, SPEED LIMITS IN MUNICIPALITIES, FINES AND CHARGES FOR CERTAIN VIOLATIONS, THE GREENWAYS COMMEMORATIVE ACCOUNT AND MAINTENANCE WORK ZONE AND SCHOOL ZONE SAFETY ENFORCEMENT.

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

1 Section 1. Subsection (c) of section 14-300 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2021*):

4 (c) Except as provided in subsection (c) of section 14-300c, at any
5 crosswalk marked as provided in subsection (a) of this section or any
6 unmarked crosswalk, provided such crosswalks are not controlled by
7 police officers or traffic control signals, each operator of a vehicle shall
8 grant the right-of-way, and slow or stop such vehicle if necessary to so
9 grant the right-of-way, to any pedestrian crossing the roadway within
10 such crosswalk. [, provided such pedestrian steps off the curb or into the
11 crosswalk at the entrance to a crosswalk or is within that half of the

12 roadway upon which such operator of a vehicle is traveling, or such
13 pedestrian steps off the curb or into the crosswalk at the entrance to a
14 crosswalk or is crossing the roadway within such crosswalk from that
15 half of the roadway upon which such operator is not traveling.] For the
16 purposes of this subsection, a pedestrian is "crossing the roadway
17 within such crosswalk" when the pedestrian (1) is within any portion of
18 the crosswalk, (2) steps to the curb at the entrance to the crosswalk and
19 indicates his or her intent to cross the roadway by raising his or her hand
20 and arm toward oncoming traffic, or (3) indicates his or her intent to
21 cross the roadway by moving any part of his or her body or an extension
22 thereof, including, but not limited to, a wheelchair, cane, walking stick,
23 crutch, bicycle, electric bicycle, stroller, carriage, cart or leashed or
24 harnessed dog, into the crosswalk at the entrance to the crosswalk. No
25 operator of a vehicle approaching from the rear shall overtake and pass
26 any vehicle, the operator of which has stopped at any crosswalk marked
27 as provided in subsection (a) of this section or any unmarked crosswalk
28 to permit a pedestrian to cross the roadway. The operator of any vehicle
29 crossing a sidewalk shall yield the right-of-way to each pedestrian and
30 all other traffic upon such sidewalk.

31 Sec. 2. (*Effective from passage*) (a) There is established a Vision Zero
32 Council to develop a state-wide policy and interagency approach to
33 eliminate all transportation-related fatalities and severe injuries to
34 pedestrians, bicyclists, transit users, motorists and passengers. The
35 council shall consider ways to improve safety across all modes of
36 transportation by using data, new partnerships, safe planning and
37 community-based solutions to achieve the goal of zero transportation-
38 related fatalities.

39 (b) The council shall consist of the Commissioners of Transportation,
40 Motor Vehicles and Energy and Environmental Protection, or their
41 designees, and any other commissioner of a state agency, or such
42 commissioner's designee, invited to participate by the Commissioners
43 of Transportation, Motor Vehicles and Energy and Environmental
44 Protection. The Commissioner of Transportation or the commissioner's
45 designee shall serve as chairperson of the council and shall schedule the

46 first meeting of the council not later than September 1, 2021. The
47 Department of Transportation shall serve as administrative staff of the
48 council.

49 (c) On or before February 1, 2022, and annually thereafter, the council
50 shall submit the state-wide policy and interagency approach and any
51 other recommendations to the joint standing committee of the General
52 Assembly having cognizance of matters relating to transportation, in
53 accordance with the provisions of section 11-4a of the general statutes.

54 Sec. 3. Subsection (d) of section 14-311 of the general statutes is
55 repealed and the following is substituted in lieu thereof (*Effective October*
56 *1, 2021*):

57 (d) In determining the advisability of such certification, the Office of
58 the State Traffic Administration shall include, in its consideration,
59 highway safety, bicycle and pedestrian access and safety, the width and
60 character of the highways affected, the density of traffic thereon, the
61 character of such traffic and the opinion and findings of the traffic
62 authority of the municipality wherein the development is located. The
63 Office of the State Traffic Administration may require improvements to
64 be made by the applicant to the extent that such improvements address
65 impacts to highway safety or bicycle and pedestrian access and safety
66 created by the addition of the applicant's proposed development or
67 activity. If the Office of the State Traffic Administration determines that
68 such improvements, including traffic signals, pavement markings,
69 channelization, pavement widening or other changes or traffic control
70 devices, are required to handle traffic safely and efficiently, one
71 hundred per cent of the cost thereof shall be borne by the person
72 building, establishing or operating such open air theater, shopping
73 center or other development generating large volumes of traffic, except
74 that such cost shall not be borne by any municipal agency. The
75 Commissioner of Transportation may issue a permit to said person to
76 construct or install the changes required by the Office of the State Traffic
77 Administration.

78 Sec. 4. (NEW) (*Effective October 1, 2021*) (a) For the purposes of this

79 section, "moving traffic" includes, but is not limited to, a motor vehicle,
80 bicycle, electric bicycle or electric foot scooter using a highway for the
81 purpose of travel and a pedestrian or a person riding a bicycle, electric
82 bicycle or electric foot scooter on a sidewalk, shoulder or bikeway for
83 the purpose of travel, and "bikeway" has the same meaning as provided
84 in subsection (a) of section 13a-153f of the general statutes.

85 (b) No person shall open the door of a motor vehicle in such a manner
86 as to cause physical contact with moving traffic with such door.

87 (c) No person shall leave the door of a motor vehicle open for a period
88 of time longer than necessary to load or unload passengers and in such
89 a manner as to cause physical contact with moving traffic with such
90 door.

91 (d) Any person who violates any provision of this section shall have
92 committed an infraction.

93 Sec. 5. Section 51-56a of the general statutes is repealed and the
94 following is substituted in lieu thereof (*Effective October 1, 2021*):

95 (a) Each clerk of the Supreme Court and Superior Court shall account
96 for and pay or deposit all fees, fines, forfeitures and contributions made
97 to the Criminal Injuries Compensation Fund and the proceeds of
98 judgments of such clerk's office in the manner provided by section 4-32.
99 If any such clerk fails to so account and pay or deposit, such failure shall
100 be reported by the Treasurer to the Chief Court Administrator who may
101 thereupon remove the clerk. When any such clerk dies before so
102 accounting and paying or depositing, the Treasurer shall require the
103 executor of such clerk's will or administrator of such clerk's estate to so
104 account. If any such clerk is removed from office, the Treasurer shall
105 require such clerk to account for any money of the state remaining in
106 such clerk's hands at the time of such removal and, if such clerk neglects
107 to so account, the Treasurer shall certify the neglect to the Chief Court
108 Administrator.

109 (b) (1) The state shall remit to the municipalities in which the

110 violations occurred all amounts received in respect to the violation of
111 subdivision (2) of subsection (a) of section 14-12, sections 14-251, 14-252,
112 14-253a and 14-305 to 14-308, inclusive, or any regulation adopted
113 thereunder or ordinance enacted in accordance therewith, and (2) in the
114 case of the municipalities ranked one to eight, inclusive, when all
115 municipalities are ranked from highest to lowest in population, based
116 on the most recent federal decennial census, the state shall remit to the
117 municipality in which the violations occurred fifty per cent of the fine
118 amounts received in respect to the violation of section 14-250b, or any
119 ordinance enacted in accordance therewith. Each clerk of the Superior
120 Court or the Chief Court Administrator, or any other official of the
121 Superior Court designated by the Chief Court Administrator, shall, on
122 or before the thirtieth day of January, April, July and October in each
123 year, certify to the Comptroller the amount due for the previous quarter
124 under this subsection to each municipality served by the office of the
125 clerk or official, provided prior to the institution of court proceedings, a
126 city, town or borough shall have the authority to collect and retain all
127 proceeds from parking violations committed within the jurisdiction of
128 such city, town or borough.

129 (c) For the purpose of providing additional funds for municipal and
130 state police training, each person who pays in any sum as (1) a fine or
131 forfeiture for any violation of section 14-12, 14-215, 14-219, as amended
132 by this act, 14-222, as amended by this act, 14-224, 14-225, 14-227a, 14-
133 227m, 14-227n, 14-266, 14-267a, 14-269 or 14-283, as amended by this act,
134 or (2) a fine or forfeiture for any infraction, shall pay an additional fee
135 of one dollar for each eight dollars or fraction thereof of the amount such
136 person is required to pay, except if such payment is made for violation
137 of such a section which is deemed to be an infraction, such additional
138 fee shall be only on the first eighty-eight dollars of such fine or
139 forfeiture. Such additional fee charged shall be deposited in the General
140 Fund.

141 (d) Each person who pays in any sum as a fine or forfeiture for any
142 violation of sections 14-218a, as amended by this act, 14-219, as amended
143 by this act, 14-222, as amended by this act, 14-223, 14-227a, 14-227m, 14-

144 227n, sections 14-230 to 14-240, inclusive, sections 14-241 to 14-249,
145 inclusive, section 14-279 for the first offense, sections 14-289b, 14-299,
146 14-300, as amended by this act, 14-300d, sections 14-301 to 14-303,
147 inclusive, section 4 of this act or any regulation adopted under said
148 sections or ordinance enacted in accordance with said sections shall pay
149 an additional fee of [twenty] twenty-five dollars. The state shall remit to
150 the municipalities in which the violations occurred the amounts paid
151 under this subsection. Each clerk of the Superior Court or the Chief
152 Court Administrator, or any other official of the Superior Court
153 designated by the Chief Court Administrator, on or before the thirtieth
154 day of January, April, July and October in each year, shall certify to the
155 Comptroller the amount due for the previous quarter under this
156 subsection to each municipality served by the office of the clerk or
157 official.

158 (e) The state shall remit to the municipalities in which the violation
159 occurred all fine amounts received in respect to the violation of section
160 14-279 after crediting twelve per cent of such fine amounts to the Special
161 Transportation Fund established under section 13b-68 and crediting
162 eight per cent of such fine amounts to the General Fund. Each clerk of
163 the Superior Court or the Chief Court Administrator, or any other
164 official of the Superior Court designated by the Chief Court
165 Administrator, shall, on or before the thirtieth day of January, April, July
166 and October in each year, certify to the Comptroller the amount due for
167 the previous quarter under this subsection to each municipality served
168 by the office of the clerk or official.

169 (f) The state shall remit to the municipalities in which the violation
170 occurred all amounts received in respect to the violation of subdivisions
171 (2) and (3) of subsection (b) of section 22 of this act for the purpose of
172 improving traffic safety within such municipality, after depositing ten
173 dollars received from each such violation into an account controlled by
174 the Department of Transportation to be used for the cost of the public
175 awareness campaign implemented by the Commissioner of
176 Transportation pursuant to section 17 of this section. Each clerk of the
177 Superior Court or the Chief Court Administrator, or any other official of

178 the Superior Court designated by the Chief Court Administrator, shall,
179 on or before the thirtieth day of January, April, July and October in each
180 year, certify to the Comptroller the amount due for the previous quarter
181 under this subsection to each municipality served by the office of the
182 clerk or official.

183 Sec. 6. Section 14-218a of the general statutes is repealed and the
184 following is substituted in lieu thereof (*Effective July 1, 2021*):

185 (a) No person shall operate a motor vehicle upon any public highway
186 of the state, or road of any specially chartered municipal association or
187 any district organized under the provisions of chapter 105, a purpose of
188 which is the construction and maintenance of roads and sidewalks, or
189 on any parking area as defined in section 14-212, or upon a private road
190 on which a speed limit has been established in accordance with this
191 subsection, or upon any school property, at a rate of speed greater than
192 is reasonable, having regard to the width, traffic and use of highway,
193 road or parking area, the intersection of streets and weather conditions.
194 The Office of the State Traffic Administration may determine speed
195 limits which are reasonable and safe on any state highway, bridge or
196 parkway built or maintained by the state, and differing limits may be
197 established for different types of vehicles, and may erect or cause to be
198 erected signs indicating such speed limits. [The] Except as provided in
199 subsection (c) of this section and section 7 of this act, the traffic authority
200 of any town, city or borough may establish speed limits on streets,
201 highways and bridges or in any parking area for ten cars or more or on
202 any private road wholly within the municipality under its jurisdiction;
203 provided such limit on streets, highways, bridges and parking areas for
204 ten cars or more shall become effective only after application for
205 approval thereof has been submitted in writing to the Office of the State
206 Traffic Administration and a certificate of such approval has been
207 forwarded by the office to the traffic authority; and provided such signs
208 giving notice of such speed limits shall have been erected as the Office
209 of the State Traffic Administration directs, provided the erection of such
210 signs on any private road shall be at the expense of the owner of such
211 road. The presence of such signs adjacent to or on the highway or

212 parking area for ten cars or more shall be prima facie evidence that they
213 have been so placed under the direction of and with the approval of the
214 Office of the State Traffic Administration. Approval of such speed limits
215 may be revoked by the Office of the State Traffic Administration at any
216 time if said office deems such revocation to be in the interest of public
217 safety and welfare, and thereupon such speed limits shall cease to be
218 effective and any signs that have been erected shall be removed. Any
219 speed in excess of [such limits] a speed limit established in accordance
220 with this section or section 7 of this act, other than speeding as provided
221 for in section 14-219, as amended by this act, shall be prima facie
222 evidence that such speed is not reasonable, but the fact that the speed of
223 a vehicle is lower than such [limits] speed limit shall not relieve the
224 operator from the duty to decrease speed when a special hazard exists
225 with respect to pedestrians or other traffic or by reason of weather or
226 highway conditions.

227 (b) The Office of the State Traffic Administration shall establish a
228 speed limit of sixty-five miles per hour on any multiple lane, limited
229 access highways that are suitable for a speed limit of sixty-five miles per
230 hour, taking into consideration relevant factors including design,
231 population of area and traffic flow.

232 (c) (1) The traffic authority of any town, city or borough may establish
233 or modify speed limits on streets, highways and bridges or in any
234 parking area for ten cars or more or on any private road wholly within
235 the municipality under its jurisdiction without approval from the Office
236 of the State Traffic Administration, provided the traffic authority (A)
237 establishes, modifies and maintains the speed limits on all streets,
238 highways and bridges and in parking areas for ten cars or more or on
239 any private road wholly within the municipality under its jurisdiction,
240 (B) conducts an engineering study described in subdivision (2) of this
241 subsection, (C) notifies the office in writing of the intention of the traffic
242 authority to assume responsibility and authority for establishing speed
243 limits on all streets, highways and bridges and in parking areas for ten
244 cars or more or on any private road wholly within the municipality
245 under its jurisdiction, and (D) notifies the Department of Transportation

246 of each change to a speed limit on such street, highway, bridge and
247 parking area wholly within the municipality under its jurisdiction so the
248 department may maintain a state-wide inventory of speed limits. Any
249 speed limit approved by the office pursuant to the provisions of
250 subsection (a) of this section shall remain in effect until modified by such
251 traffic authority. The traffic authority shall not establish or modify a
252 speed limit lower than twenty miles per hour unless the speed limit is
253 established or modified in a pedestrian safety zone pursuant to section
254 7 of this act or the engineering study described in subdivision (2) of this
255 subsection indicates that a speed limit lower than twenty-five miles per
256 hour is reasonable.

257 (2) Prior to establishing or modifying a speed limit pursuant to the
258 provisions of subdivision (1) of this subsection, the traffic authority shall
259 conduct an engineering study in accordance with the Federal Highway
260 Administration's Manual on Uniform Traffic Control Devices for Streets
261 and Highways, as amended from time to time, and other generally
262 accepted engineering principles and guidance. The study shall be
263 completed by a professional engineer licensed to practice in this state
264 and shall consider factors, including, but not limited to, pedestrian
265 activity, type of land use and development, parking and the record of
266 traffic accidents in the jurisdiction of the traffic authority.

267 (3) The Office of the State Traffic Administration may adopt
268 regulations, in accordance with the provisions of chapter 54, to
269 implement the provisions of this subsection.

270 [(c)] (d) Any person who operates a motor vehicle at a greater rate of
271 speed than is reasonable, other than speeding, as provided for in section
272 14-219, as amended by this act, shall commit the infraction of traveling
273 unreasonably fast.

274 Sec. 7. (NEW) (Effective July 1, 2021) (a) The traffic authority of any
275 town, city or borough may establish a pedestrian safety zone on any
276 street, highway and bridge or in any parking area for ten cars or more
277 or on any private road wholly within the municipality under its
278 jurisdiction, provided (1) the traffic authority conducts an engineering

279 study described in subsection (b) of this section, (2) the posted speed
280 limit for such zone is not less than fifteen miles per hour, and (3) such
281 zone encompasses a clearly defined downtown district or community
282 center frequented by pedestrians.

283 (b) Prior to establishing a pedestrian safety zone, the traffic authority
284 shall conduct an engineering study in accordance with the Federal
285 Highway Administration's Manual on Uniform Traffic Control Devices
286 for Streets and Highways, as amended from time to time, and other
287 generally accepted engineering principles and guidance. The study shall
288 be completed by a professional engineer licensed to practice in this state
289 and shall consider factors, including, but not limited to, pedestrian
290 activity, type of land use and development, parking and the record of
291 traffic crashes in the area under consideration to be a pedestrian safety
292 zone. If the study recommends the establishment of a pedestrian safety
293 zone, the study shall also include a speed management plan and
294 recommend actions to achieve lower motor vehicle speeds.

295 (c) In a municipality where the Office of the State Traffic
296 Administration approves speed limits on the streets, highways and
297 bridges or in any parking area for ten cars or more or on any private
298 road wholly within the municipality in accordance with section 14-218a
299 of the general statutes, as amended by this act, the traffic authority shall
300 notify the Office of the State Traffic Administration in writing of the
301 establishment of any pedestrian safety zone and confirm that the
302 requirements of this section have been satisfied.

303 (d) If the Commissioner of Transportation or a traffic authority of any
304 town, city or borough seeks to establish a pedestrian safety zone on a
305 state highway that passes through a downtown or community center,
306 the commissioner or traffic authority shall submit a written request to
307 the Office of State Traffic Administration and include with such request
308 the engineering study and speed management plan conducted pursuant
309 to subsection (b) of this section. The Office of the State Traffic
310 Administration shall be the sole authority for establishing a pedestrian
311 safety zone on a state highway and shall provide a written explanation

312 of the reasons for denying any such request.

313 (e) The Office of the State Traffic Administration may adopt
314 regulations, in accordance with the provisions of chapter 54 of the
315 general statutes, to implement the provisions of this section.

316 Sec. 8. Subsection (a) of section 14-36 of the general statutes is
317 repealed and the following is substituted in lieu thereof (*Effective October*
318 *1, 2021*):

319 (a) Except as otherwise provided by this section and section 14-40a,
320 no person shall operate a motor vehicle on any public highway of this
321 state or private road on which a speed limit has been established in
322 accordance with [subsection (a) of] section 14-218a, as amended by this
323 act, or section 7 of this act, until such person has obtained a motor
324 vehicle operator's license.

325 Sec. 9. Subsections (a) and (b) of section 14-219 of the general statutes
326 are repealed and the following is substituted in lieu thereof (*Effective*
327 *October 1, 2021*):

328 (a) No person shall operate any motor vehicle (1) upon any highway,
329 road or any parking area for ten cars or more, at such a rate of speed as
330 to endanger the life of any occupant of such motor vehicle, but not the
331 life of any other person than such an occupant; (2) at a rate of speed
332 greater than fifty-five miles per hour upon any highway other than a
333 highway specified in subsection (b) of section 14-218a, as amended by
334 this act, for which a speed limit has been established in accordance with
335 the provisions of said subsection; (3) at a rate of speed greater than sixty-
336 five miles per hour upon any highway specified in subsection (b) of
337 section 14-218a, as amended by this act, for which a speed limit has been
338 established in accordance with the provisions of said subsection; or (4)
339 if such person is under eighteen years of age, upon any highway or road
340 for which a speed limit of less than sixty-five miles per hour has been
341 established in accordance with [subsection (a) of] section 14-218a, as
342 amended by this act, or section 7 of this act, at a rate of speed more than
343 twenty miles per hour above such speed limit.

344 (b) Any person who operates a motor vehicle (1) on a multiple lane,
345 limited access highway other than a highway specified in subsection (b)
346 of section 14-218a, as amended by this act, for which a speed limit has
347 been established in accordance with the provisions of said subsection at
348 a rate of speed greater than fifty-five miles per hour but not greater than
349 seventy miles per hour, (2) on a multiple lane, limited access highway
350 specified in subsection (b) of section 14-218a, as amended by this act, for
351 which a speed limit has been established in accordance with the
352 provisions of said subsection at a rate of speed greater than sixty-five
353 miles per hour but not greater than seventy miles per hour, (3) on any
354 other highway at a rate of speed greater than fifty-five miles per hour
355 but not greater than sixty miles per hour, or (4) if such person is under
356 eighteen years of age, upon any highway or road for which a speed limit
357 of less than sixty-five miles per hour has been established in accordance
358 with [subsection (a) of] section 14-218a, as amended by this act, or
359 section 7 of this act, at a rate of speed more than twenty miles per hour
360 above such speed limit, shall commit an infraction, provided any such
361 person operating a truck, as defined in section 14-260n, shall have
362 committed a violation and shall be fined not less than one hundred
363 dollars nor more than one hundred fifty dollars.

364 Sec. 10. Subsection (a) of section 14-222 of the general statutes is
365 repealed and the following is substituted in lieu thereof (*Effective October*
366 *1, 2021*):

367 (a) No person shall operate any motor vehicle upon any public
368 highway of the state, or any road of any specially chartered municipal
369 association or of any district organized under the provisions of chapter
370 105, a purpose of which is the construction and maintenance of roads
371 and sidewalks, or in any parking area for ten cars or more or upon any
372 private road on which a speed limit has been established in accordance
373 with the provisions of section 14-218a, as amended by this act, or section
374 7 of this act or upon any school property recklessly, having regard to the
375 width, traffic and use of such highway, road, school property or parking
376 area, the intersection of streets and the weather conditions. The
377 operation of a motor vehicle upon any such highway, road or parking

378 area for ten cars or more at such a rate of speed as to endanger the life
379 of any person other than the operator of such motor vehicle, or the
380 operation, downgrade, upon any highway, of any motor vehicle with a
381 commercial registration with the clutch or gears disengaged, or the
382 operation knowingly of a motor vehicle with defective mechanism, shall
383 constitute a violation of the provisions of this section. The operation of
384 a motor vehicle upon any such highway, road or parking area for ten
385 cars or more at a rate of speed greater than eighty-five miles per hour
386 shall constitute a violation of the provisions of this section.

387 Sec. 11. Subdivision (1) of subsection (b) of section 14-283 of the
388 general statutes is repealed and the following is substituted in lieu
389 thereof (*Effective October 1, 2021*):

390 (b) (1) The operator of any emergency vehicle may (A) park or stand
391 such vehicle, irrespective of the provisions of this chapter, (B) except as
392 provided in subdivision (2) of this subsection, proceed past any red light
393 or stop signal or stop sign, but only after slowing down or stopping to
394 the extent necessary for the safe operation of such vehicle, (C) exceed
395 the posted speed limits or other speed limits imposed by or pursuant to
396 section 14-218a, as amended by this act, [or] 14-219, as amended by this
397 act, or section 7 of this act as long as such operator does not endanger
398 life or property by so doing, and (D) disregard statutes, ordinances or
399 regulations governing direction of movement or turning in specific
400 directions.

401 Sec. 12. Section 53a-213 of the general statutes is repealed and the
402 following is substituted in lieu thereof (*Effective October 1, 2021*):

403 (a) A person is guilty of drinking while operating a motor vehicle
404 when [he] such person drinks any alcoholic liquor while operating a
405 motor vehicle upon a public highway of this state or upon any road of
406 any specially chartered municipal association or of any district
407 organized under the provisions of chapter 105, a purpose of which is the
408 construction and maintenance of roads and sidewalks, or in any parking
409 area for ten cars or more, or upon any private road on which a speed
410 limit has been established in accordance with the provisions of section

411 14-218a, as amended by this act, or section 7 of this act or upon any
412 school property. As used in this section, "alcoholic liquor" has the same
413 meaning as provided in section 30-1.

414 (b) Drinking while operating a motor vehicle is a class C
415 misdemeanor.

416 Sec. 13. Subsection (h) of section 14-296aa of the general statutes is
417 repealed and the following is substituted in lieu thereof (*Effective October*
418 *1, 2021*):

419 (h) Any person who violates this section shall be fined [one] two
420 hundred [fifty] dollars for a first violation, three hundred seventy-five
421 dollars for a second violation and [five] six hundred twenty-five dollars
422 for a third or subsequent violation.

423 Sec. 14. Section 14-21i of the general statutes is repealed and the
424 following is substituted in lieu thereof (*Effective October 1, 2021*):

425 (a) [On and after January 1, 1998, the] The Commissioner of Motor
426 Vehicles shall issue greenways commemorative number plates of a
427 design to enhance public awareness of, [the] and provide funding for,
428 state and local efforts to preserve, restore and protect greenways. The
429 design shall be determined by agreement between the Commissioner of
430 Energy and Environmental Protection and the Commissioner of Motor
431 Vehicles. No use shall be made of such plates except as official
432 registration marker plates.

433 (b) (1) The Commissioner of Motor Vehicles shall [establish, by
434 regulations adopted in accordance with chapter 54, a fee to be charged]
435 charge a fee of fifty dollars for a greenways commemorative number
436 [plates] plate, with letters and numbers selected by the commissioner,
437 in addition to the regular fee or fees prescribed for the registration of a
438 motor vehicle. [The fee shall be for such number plates with letters and
439 numbers selected by the Commissioner of Motor Vehicles. The
440 Commissioner of Motor Vehicles may establish a higher fee for: (1) Such
441 number plates which contain letters in place of numbers as authorized

442 by section 14-49, in addition to the fee or fees prescribed for plates issued
443 under said section; and (2) such number plates which are low number
444 plates, in accordance with section 14-160, in addition to the fee or fees
445 prescribed for plates issued under said section.] The commissioner shall
446 deposit fifteen dollars of such fee into an account controlled by the
447 Department of Motor Vehicles to be used for the cost of producing,
448 issuing, renewing and replacing such commemorative number plates,
449 and thirty-five dollars of such fee into the greenways commemorative
450 account established pursuant to subsection (d) of this section.

451 (2) The commissioner shall charge a fee of seventy dollars for a
452 greenways commemorative number plate that (A) contains letters in
453 place of numbers as authorized by section 14-49, or (B) is a low number
454 plate in accordance with section 14-160, in addition to the fee or fees
455 prescribed for plates issued under said sections. The commissioner shall
456 deposit fifteen dollars of such fee into an account controlled by the
457 Department of Motor Vehicles to be used for the cost of producing,
458 issuing, renewing and replacing such commemorative number plates,
459 and fifty-five dollars of such fee into the greenways commemorative
460 account.

461 (c) No additional renewal fee shall be charged for renewal of
462 registration for any motor vehicle bearing greenways commemorative
463 number plates which contain letters in place of numbers, or low number
464 plates, in excess of the renewal fee for greenways commemorative
465 number plates with letters and numbers selected by the Commissioner
466 of Motor Vehicles. No transfer fee shall be charged for transfer of an
467 existing registration to or from a registration with greenways
468 commemorative number plates.

469 (d) There is established an account to be known as the "greenways
470 commemorative account" which shall be a separate, nonlapsing account
471 within the General Fund. The account shall contain any moneys
472 required by law to be deposited in the account. The funds in the account
473 shall be expended by the Commissioner of Energy and Environmental
474 Protection to fund the greenways capital grant program established

475 pursuant to section 23-101 and the bikeway, pedestrian walkway,
476 recreational trail and greenway grant program described in section 23-
477 103.

478 [(d)] (e) The Commissioner of Motor Vehicles [, in consultation with
479 the Commissioner of Energy and Environmental Protection, shall] may
480 adopt regulations, in accordance with the provisions of chapter 54, to
481 establish standards and procedures for the issuance, renewal and
482 replacement of greenways commemorative number plates.

483 Sec. 15. (NEW) (*Effective October 1, 2021*) (a) For the purposes of this
484 section and section 16 of this act: (1) "Automated traffic enforcement
485 safety device" means a photographic device, radar device, laser device
486 or other electrical or mechanical device that (A) records the speed of
487 motor vehicles, and (B) produces one or more recorded images that
488 indicate the date, time and location of the image of each motor vehicle
489 committing a violation of section 22 of this act; (2) "maintenance work
490 zone" means an area of any limited access highway where maintenance
491 work is being performed by the Department of Transportation; and (3)
492 "highway worker" has the same meaning as provided in section 14-212d
493 of the general statutes.

494 (b) (1) The Commissioner of Transportation may install, operate and
495 maintain automated traffic enforcement safety devices in a maintenance
496 work zone, provided sworn members of the Division of State Police
497 within the Department of Emergency Services and Public Protection are
498 not performing highway traffic enforcement or traffic control in such
499 maintenance work zone pursuant to a memorandum of understanding.
500 The commissioner may enter into an agreement with a contractor for
501 such installation, operation and maintenance. Such safety devices may
502 only be operational on or after January 1, 2023, provided the
503 commissioner has adopted regulations concerning such safety devices
504 pursuant to section 16 of this act.

505 (2) The commissioner shall post signs that indicate the use of an
506 automated traffic enforcement safety device at a distance of not less than
507 five hundred feet in advance of a maintenance work zone in which such

508 safety device is installed and operational. Such safety device shall not
509 be operational unless one or more highway workers are in the
510 maintenance work zone. Such safety device shall be removed from the
511 maintenance work zone upon completion of the maintenance work.

512 (3) An automated traffic enforcement safety device shall be installed
513 in a manner to only record images of the number plate of a motor
514 vehicle, and shall not record images of the occupants of such motor
515 vehicle or of any other persons or vehicles in the vicinity at the time the
516 images are recorded.

517 (c) Whenever an automated traffic enforcement safety device detects
518 and produces one or more recorded images of the number plate of a
519 motor vehicle exceeding the posted speed limit by eleven miles per hour
520 or more in a maintenance work zone and allegedly committing a
521 violation of section 22 of this act, a sworn member of the Division of
522 State Police within the Department of Emergency Services and Public
523 Protection shall review the recorded images provided by such safety
524 device. If, after such review, such member determines that there are
525 reasonable grounds to believe that a violation has occurred, such
526 member may issue a citation for the alleged violation. If such member
527 authorizes the issuance of a citation for the alleged violation, the
528 Division of State Police shall, not later than ten days after the alleged
529 violation, mail the citation to the registered owner of the motor vehicle
530 together with a copy of the recorded images. Any person who receives
531 a citation pursuant to this subsection shall follow the procedures set
532 forth in section 51-164n of the general statutes, as amended by this act.

533 (d) As provided in subsection (b) of section 14-107 of the general
534 statutes, proof of the registration number of the motor vehicle therein
535 concerned shall be prima facie evidence that the owner was the operator
536 thereof, except that, in the case of a leased or rented motor vehicle, such
537 proof shall be prima facie evidence that the lessee was the operator
538 thereof. A recorded image that clearly shows the number plate of a
539 motor vehicle exceeding the posted speed limit by eleven miles per hour
540 or more in a maintenance work zone shall be sufficient proof of the

541 identity of the motor vehicle.

542 (e) A prima facie presumption of accuracy sufficient to support a
543 violation of section 22 of this act will be accorded to an automated traffic
544 enforcement safety device installed, operated and maintained pursuant
545 to this section only upon testimony by a Department of Transportation
546 employee or contractor involved in the installation, operation or
547 maintenance of such safety device that: (1) The employee or contractor
548 has adequate training and experience in the installation, operation and
549 maintenance of such safety device; (2) such safety device was in proper
550 working condition at the time such safety device detected and produced
551 one or more recorded images of the motor vehicle exceeding the posted
552 speed limit by eleven miles per hour or more in a maintenance work
553 zone, and established by proof that suggested methods of testing the
554 proper functioning of such safety device were followed; (3) such safety
555 device was used in an area where road conditions provide a minimum
556 possibility of distortion; and (4) such safety device was expertly tested
557 within a reasonable time following the date such safety device detected
558 and produced one or more recorded images of the motor vehicle
559 exceeding the posted speed limit by eleven miles per hour or more in a
560 maintenance work zone, and such testing was done by means which do
561 not rely on the internal calibrations of such safety device.

562 (f) All defenses shall be available to any person who is alleged to have
563 committed a violation of section 22 of this act, including, but not limited
564 to, that (1) the violation was necessary to allow the passage of an
565 authorized emergency vehicle, (2) the violation was necessary to avoid
566 injuring the person or property of another, (3) the violation took place
567 during a period of time in which the motor vehicle had been reported
568 as being stolen to a law enforcement unit, as defined in section 7-294a of
569 the general statutes, and had not been recovered prior to the time of the
570 violation, (4) the person was not operating the motor vehicle at the time
571 of the violation, or (5) the violation was necessary in order for the person
572 to comply with any other general statute or regulation concerning the
573 operation of a motor vehicle.

574 Sec. 16. (NEW) (*Effective October 1, 2021*) (a) Prior to the operation of
575 an automated traffic enforcement safety device in a maintenance work
576 zone pursuant to section 15 of this act or a school or hospital zone
577 pursuant to the pilot program established pursuant to section 21 of this
578 act, the Commissioner of Transportation, shall adopt regulations, in
579 accordance with the provisions of chapter 54 of the general statutes,
580 regarding the privacy, security, collection, use and disclosure of
581 recorded images and any other data produced by an automated traffic
582 enforcement safety device. Such regulations shall include, but need not
583 be limited to: (1) Procedures to ensure the privacy and security of
584 recorded images; (2) a description of any other data produced by an
585 automated traffic enforcement safety device and collected by the
586 department, municipality or a contractor; and (3) provisions to
587 appropriately limit access to recorded images and other such data.

588 (b) No recorded image or other such data produced by an automated
589 traffic enforcement safety device shall be sold or disclosed by the
590 Department of Transportation, municipality or a contractor to any
591 person or entity except where the disclosure is made: (1) Between the
592 department, the municipality, a contractor, the Division of State Police
593 within the Department of Emergency Services and Public Protection or
594 municipal police department pursuant to section 15 of this act or the
595 pilot program established pursuant to section 21 of this act; (2) pursuant
596 to a judicial order, including a search warrant or a subpoena, in a
597 criminal proceeding; or (3) to comply with federal or state law or
598 regulation.

599 (c) Not less than thirty days after a disclosure of a recorded image or
600 other such data is made pursuant to the provisions of subdivision (2) of
601 subsection (b) of this section, the Department of Transportation, the
602 municipality or a contractor shall send or transmit, in a manner
603 determined by the department, municipality or contractor, a notification
604 to the person who was the subject of the judicial order regarding such
605 disclosure. The department, municipality or contractor shall not be
606 required to send such notice by mail if the United States Postal Service
607 has determined that mail is undeliverable to such person at the address

608 for such person that is in the records of the department, municipality or
609 contractor.

610 (d) A recorded image and any other data produced by an automated
611 traffic enforcement safety device shall be destroyed (1) sixty days after
612 the date of the alleged violation, if a citation is not issued for such
613 alleged violation pursuant to subsection (c) of section 15 of this act or
614 subsection (c) of section 21 of this act, or (2) upon final disposition of the
615 case to which it pertains, if a citation is issued for such alleged violation
616 pursuant to subsection (c) of section 15 of this act or subsection (c) of
617 section 21 of this act.

618 (e) The Department of Transportation, municipality or a contractor
619 may disclose aggregate information and other data collected from the
620 use of an automated traffic enforcement safety device that does not
621 directly or indirectly identify a motor vehicle for research purposes
622 authorized by the Commissioner of Transportation.

623 (f) (1) Commencing one year from the date an automated traffic
624 enforcement safety device is operational in a maintenance work zone in
625 this state, and every year thereafter, the Department of Transportation
626 or a contractor shall conduct an internal audit of the department's or
627 contractor's compliance with the regulations adopted pursuant to
628 subsection (a) of this section.

629 (2) Commencing one year from the date an automated traffic
630 enforcement safety device is operational in a school or hospital zone
631 pursuant to the pilot program established pursuant to section 21 of this
632 act, and each year of the pilot program, the municipality or a contractor
633 shall conduct an internal audit of the municipality's or contractor's
634 compliance with the regulations adopted pursuant to subsection (a) of
635 this section.

636 (g) Commencing one year from the date an automated traffic
637 enforcement safety device is operational in a maintenance work zone in
638 this state, and every year thereafter, the Department of Transportation
639 shall submit a report, in accordance with the provisions of section 11-4a

640 of the general statutes, to the joint standing committee of the General
641 Assembly having cognizance of matters relating to transportation. Such
642 report shall include, but need not be limited to: (1) The number of times
643 number plates are recorded by an automated traffic enforcement safety
644 device; (2) the number of times the department or a contractor disclosed
645 recorded images or other data produced by an automated traffic
646 enforcement safety device pursuant to a search warrant in a criminal
647 proceeding; (3) the number of times the department or contractor
648 disclosed recorded images or other data pursuant to a subpoena in a
649 criminal proceeding; (4) the number of requests for recorded images or
650 other data received by the department or a contractor, including the
651 identity of the person or entity who made each such request and a copy
652 of each such request; and (5) the results of the internal audit conducted
653 pursuant to subsection (f) of this section.

654 (h) A recorded image or other data produced by an automated traffic
655 enforcement safety device shall not be deemed a public record, for
656 purposes of the Freedom of Information Act, as defined in section 1-200
657 of the general statutes.

658 Sec. 17. (NEW) (*Effective October 1, 2021*) The Commissioner of
659 Transportation, after consultation with pedestrian safety advocates,
660 shall develop and implement a public awareness campaign to educate
661 the public concerning (1) ways to reduce transportation-related fatalities
662 and severe injuries to pedestrians, bicyclists, transit users, motorists and
663 passengers, (2) the importance of obeying speed limits in a highway
664 work zone, as defined in section 14-212d of the general statutes, school
665 zone, established pursuant to section 14-212b of the general statutes, or
666 hospital zone, established pursuant to section 20 of this act, and (3) the
667 possible use of an automated traffic enforcement safety device, as
668 defined in subsection (a) of section 15 of this act in such zones.

669 Sec. 18. Section 14-212g of the general statutes is repealed and the
670 following is substituted in lieu thereof (*Effective January 1, 2022*):

671 (a) There is established an account to be known as the "work zone
672 safety account" which shall be a separate, nonlapsing account within the

673 Special Transportation Fund. The account shall contain any moneys
674 required by law to be deposited in the account. Moneys in the account
675 shall be expended by the Department of Transportation to [protect the
676 safety of workers in highway work zones, as defined in section 14-212d,
677 through (1) highway traffic enforcement, including, but not limited to,
678 the expansion of the "Operation Big Orange" program, and (2) the
679 purchase and implementation of technology and equipment. Any use of
680 moneys in the work zone safety account by the department, other than
681 for the "Operation Big Orange" program or direct traffic enforcement in
682 work zones, shall be approved by the Highway Work Zone Safety
683 Advisory Council, as described in section 14-212e] pay the costs of
684 sworn members of the Division of State Police within the Department of
685 Emergency Services and Public Protection who are engaged in highway
686 traffic enforcement or traffic control in highway work zones, as defined
687 in section 14-212d.

688 (b) Upon receipt of the moneys paid pursuant to subdivisions (4) and
689 (5) of subsection (b) of section 13b-61, the State Treasurer shall transfer
690 nine thousand dollars of such moneys monthly to the work zone safety
691 account established in subsection (a) of this section.

692 Sec. 19. Section 14-219c of the general statutes is repealed and the
693 following is substituted in lieu thereof (*Effective October 1, 2021*):

694 [A] Except as provided in subsection (e) of section 15 of this act and
695 subsection (f) of section 21 of this act, a prima facie presumption of
696 accuracy sufficient to support a conviction under section 14-219, as
697 amended by this act, will be accorded to a radar, speed monitoring laser,
698 vascar device or any other speed monitoring device approved by the
699 Commissioner of Emergency Services and Public Protection only upon
700 testimony by a competent police officer that: (1) The police officer
701 operating the radar, laser, vascar device or other device has adequate
702 training and experience in its operation; (2) the radar, laser, vascar
703 device or other device was in proper working condition at the time of
704 the arrest, established by proof that suggested methods of testing the
705 proper functioning of the device were followed; (3) the radar, laser,

706 vascar device or other device was used in an area where road conditions
707 provide a minimum possibility of distortion; (4) if moving radar was
708 used, the speed of the patrol car was verified; and (5) the radar, laser,
709 vascar device or other device was expertly tested within a reasonable
710 time following the arrest, and such testing was done by means which do
711 not rely on the internal calibrations of such radar, laser, vascar device or
712 other device.

713 Sec. 20. (NEW) (*Effective October 1, 2021*) (a) As used in this section,
714 "local highway" means a highway that is under the control of a town,
715 city or borough; and "local traffic authority" means the traffic authority
716 of a town, city or borough.

717 (b) (1) At the request of the legislative body of a town, city or borough,
718 the Office of the State Traffic Administration may designate as a hospital
719 zone any part of a state highway that is adjacent to hospital property or
720 is, in the opinion of said office, sufficiently close to hospital property as
721 to constitute a risk to the public safety under all the circumstances. At
722 the request of such legislative body, the commission may revoke any
723 such designation. (2) A local traffic authority may designate as a hospital
724 zone, and may revoke any such designation, any part of a local highway
725 that is adjacent to hospital property or is, in the opinion of the local
726 traffic authority, sufficiently close to hospital property as to constitute a
727 risk to the public safety under all the circumstances.

728 (c) The Office of the State Traffic Administration with regard to a state
729 highway or the local traffic authority with regard to a local highway
730 shall post a sign approved by the Office of the State Traffic
731 Administration at the beginning and at the end of a hospital zone in each
732 direction that traffic is permitted to flow that indicates the designation
733 of such hospital zone. Such sign shall conform with the Federal
734 Highway Administration's Manual on Uniform Traffic Control Devices,
735 as amended from time to time.

736 Sec. 21. (NEW) (*Effective October 1, 2021*) (a) For the purposes of this
737 section: (1) "Automated traffic enforcement safety device" has the same
738 meaning as provided in subsection (a) of section 15 of this act, (2) "school

739 zone" means an area designated by the Office of the State Traffic
740 Administration or the traffic authority of a town, city or borough
741 pursuant to section 14-212b of the general statutes, and (3) "hospital
742 zone" means an area designated by the Office of the State Traffic
743 Administration or the traffic authority of a town, city or borough
744 pursuant to section 20 of this act.

745 (b) (1) The Secretary of the Office of Policy and Management, in
746 consultation with the Commissioner of Transportation, shall establish a
747 pilot program to allow not more than ten municipalities to install,
748 operate and maintain automated traffic enforcement safety devices in
749 not more than twelve school and hospital zones located in such
750 municipality for a period of five years from the date an automated traffic
751 enforcement safety device first becomes operational in such
752 municipality. A municipality participating in the pilot program may
753 enter into an agreement with a contractor for such installation, operation
754 and maintenance. Such safety devices may only be operational on or
755 after January 1, 2023, provided the commissioner has adopted
756 regulations concerning such safety devices pursuant to section 16 of this
757 act.

758 (2) When selecting school or hospital zones to install and operate an
759 automated traffic enforcement safety device, a participating
760 municipality shall consider factors, including, but not limited to, the
761 speed data, crash history and roadway geometry of such school or
762 hospital zone.

763 (3) At least thirty days before an automated traffic enforcement safety
764 device is installed and operational, a participating municipality shall
765 develop and implement a public awareness campaign to educate the
766 public concerning (A) the importance of obeying speed limits in a school
767 and hospital work zone, and (B) the use of an automated traffic
768 enforcement safety device in such zones.

769 (4) When an automated traffic enforcement safety device is installed
770 and operational, a participating municipality shall post signs that
771 indicate the use of such safety device proximate to any sign that

772 indicates the designation of a school zone, in accordance with subsection
773 (d) of section 14-212 of the general statutes, or a hospital zone, in
774 accordance with subsection (c) of section 20 of this act.

775 (5) An automated traffic enforcement safety device shall be installed
776 in a manner to only record images of the number plate of a motor
777 vehicle, and shall not record images of the occupants of such motor
778 vehicle or of any other persons or vehicles in the vicinity at the time the
779 images are recorded.

780 (c) Whenever an automated traffic enforcement safety device detects
781 and produces one or more recorded images of the number plate of a
782 motor vehicle exceeding the posted speed limit by eleven miles per hour
783 or more in a school or hospital zone and allegedly committing a
784 violation of section 22 of this act, a sworn member of the Division of
785 State Police within the Department of Emergency Services and Public
786 Protection or a municipal police department shall review the recorded
787 images provided by such safety device. If, after such review, such
788 member determines that there are reasonable grounds to believe that a
789 violation has occurred, such member may issue a citation for the alleged
790 violation, unless such alleged violation occurred during the first thirty
791 days that such safety device became operational, in which case such
792 member shall issue a warning. If such member authorizes the issuance
793 of a citation or warning for the alleged violation, the Division of State
794 Police or municipal police department shall, not later than thirty days
795 after the alleged violation, mail the citation or warning to the registered
796 owner of the motor vehicle together with a copy of the recorded images.
797 Any person who receives a citation pursuant to this subsection shall
798 follow the procedures set forth in section 51-164n of the general statutes.

799 (d) As provided in subsection (b) of section 14-107 of the general
800 statutes, proof of the registration number of the motor vehicle shall be
801 prima facie evidence that the owner was the operator thereof, except
802 that, in the case of a leased or rented motor vehicle, such proof shall be
803 prima facie evidence that the lessee was the operator thereof. A recorded
804 image that clearly shows the number plate of a motor vehicle exceeding

805 the posted speed limit by eleven miles per hour or more in a school or
806 hospital zone shall be sufficient proof of the identity of the motor
807 vehicle.

808 (e) A prima facie presumption of accuracy sufficient to support a
809 violation under section 22 of this act will be accorded to an automated
810 traffic enforcement safety device installed, operated and maintained
811 pursuant to this section only upon testimony by a municipal employee
812 or contractor involved in the installation, operation or maintenance of
813 such safety device that: (1) The employee or contractor has adequate
814 training and experience in the installation, operation and maintenance
815 of such safety device; (2) such safety device was in proper working
816 condition at the time such safety device detected and produced one or
817 more recorded images of the motor vehicle exceeding the posted speed
818 limit by eleven miles per hour or more in a school or hospital zone, and
819 established by proof that suggested methods of testing the proper
820 functioning of such safety device were followed; (3) such safety device
821 was used in an area where road conditions provide a minimum
822 possibility of distortion; and (4) such safety device was expertly tested
823 within a reasonable time following the date such safety device detected
824 and produced one or more recorded images of the motor vehicle
825 exceeding the posted speed limit by eleven miles per hour or more in a
826 school or hospital zone, and such testing was done by means which do
827 not rely on the internal calibrations of such safety device.

828 (f) All defenses shall be available to any person who is alleged to have
829 committed a violation of section 22 of this act, including, but not limited
830 to, that (1) the violation was necessary to allow the passage of an
831 authorized emergency vehicle, (2) the violation was necessary to avoid
832 injuring the person or property of another, (3) the violation took place
833 during a period of time in which the motor vehicle had been reported
834 as being stolen to a law enforcement unit, as defined in section 7-294a of
835 the general statutes, and had not been recovered prior to the time of the
836 violation, (4) the person was convicted of committing a violation
837 specified in section 14-218a of the general statutes, as amended by this
838 act, or section 14-219 of the general statutes, as amended by this act,

839 while in a school or hospital zone for the same incident based upon a
840 separate and distinct citation issued by an officer, (5) the person was not
841 operating the motor vehicle at the time of the violation, or (6) the
842 violation was necessary in order for the person to comply with any other
843 general statute or regulation concerning the operation of a motor
844 vehicle.

845 (g) Commencing one year from the date an automated traffic
846 enforcement safety device is operational in a school or hospital zone in
847 this state, and every year thereafter, each participating municipality
848 shall submit a report to the Secretary of the Office of Policy and
849 Management. Such report shall include, but need not be limited to: (1)
850 The number of times number plates are recorded by an automated
851 traffic enforcement safety device; (2) the number of times the
852 municipality or a contractor disclosed recorded images or other data
853 produced by an automated traffic enforcement safety device pursuant
854 to a search warrant in a criminal proceeding; (3) the number of times the
855 municipality or contractor disclosed recorded images or other data
856 pursuant to a subpoena in a criminal proceeding; (4) the number of
857 requests for recorded images or other data received by the municipality
858 or a contractor, including the identity of the person or entity who made
859 each such request and a copy of each such request; and (5) the results of
860 the internal audit conducted pursuant to subsection (f) of section 15 of
861 this act. The secretary shall compile the reports and shall submit, in
862 accordance with section 11-4a of the general statutes, on an annual basis,
863 a consolidated report and any recommendations regarding the pilot
864 program to the joint standing committee of the General Assembly
865 having cognizance of matters relating to transportation.

866 Sec. 22. (NEW) (*Effective October 1, 2021*) (a) For the purposes of this
867 section, (1) "automated traffic enforcement safety device" and
868 "maintenance work zone" have the same meanings as provided in
869 subsection (a) of section 15 of this act, (2) "school zone" and "hospital
870 zone" have the same meanings as provided in section 21 of this act, and
871 (3) "emergency vehicle" has the same meaning as provided in section 14-
872 283 of the general statutes, as amended by this act.

873 (b) No person operating a motor vehicle, except an emergency
874 vehicle, shall exceed the posted speed limit by eleven or more miles per
875 hour, as detected by an automated traffic enforcement safety device,
876 within a (1) maintenance work zone, (2) school zone, or (3) hospital
877 zone.

878 (c) No person shall be subject to prosecution for committing a
879 violation of subsection (b) of this section and a violation of section 14-
880 212d of the general statutes, 14-218a of the general statutes, as amended
881 by this act, 14-219 of the general statutes, as amended by this act, or 14-
882 222 of the general statutes, as amended by this act, because of the same
883 offense.

884 (d) Any person who violates the provisions of subsection (b) of this
885 section shall, (1) for a first violation, be fined seventy-five dollars, and
886 (2) for a subsequent violation, be fined ninety dollars.

887 Sec. 23. Subsection (b) of section 51-164n of the general statutes is
888 repealed and the following is substituted in lieu thereof (*Effective October*
889 *1, 2021*):

890 (b) Notwithstanding any provision of the general statutes, any person
891 who is alleged to have committed (1) a violation under the provisions of
892 section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-283, 7-325, 7-
893 393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-198, 10-230, 10-
894 251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g, subdivision (4)
895 of section 12-408, subdivision (3), (5) or (6) of section 12-411, section 12-
896 435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115,
897 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-143b, 13a-247 or 13a-
898 253, subsection (f) of section 13b-42, section 13b-90, 13b-221, 13b-292,
899 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c, subsection
900 (a), (b) or (c) of section 13b-412, section 13b-414, subsection (d) of section
901 14-12, section 14-20a or 14-27a, subsection (f) of section 14-34a,
902 subsection (d) of section 14-35, section 14-43, 14-49, 14-50a or 14-58,
903 subsection (b) of section 14-66, section 14-66a or 14-67a, subsection (g)
904 of section 14-80, subsection (f) of section 14-80h, section 14-97a, 14-100b,
905 14-103a, 14-106a, 14-106c, 14-146, 14-152, 14-153 or 14-163b, a first

906 violation as specified in subsection (f) of section 14-164i, section 14-219
907 as specified in subsection (e) of said section, subdivision (1) of section
908 14-223a, section 14-240, 14-250 or 14-253a, subsection (a) of section 14-
909 261a, section 14-262, 14-264, 14-267a, 14-269, 14-270, 14-275a, 14-278 or
910 14-279, subsection (e) or (h) of section 14-283, section 14-291, 14-293b, 14-
911 296aa, as amended by this act, 14-300, as amended by this act, 14-300d,
912 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or 14-332a, subdivision
913 (1), (2) or (3) of section 14-386a, section 15-25 or 15-33, subdivision (1) of
914 section 15-97, subsection (a) of section 15-115, section 16-44, 16-256e,
915 16a-15 or 16a-22, subsection (a) or (b) of section 16a-22h, section 17a-24,
916 17a-145, 17a-149, 17a-152, 17a-465, 17b-124, 17b-131, 17b-137, 19a-30,
917 19a-33, 19a-39 or 19a-87, subsection (b) of section 19a-87a, section 19a-
918 91, 19a-105, 19a-107, 19a-113, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286,
919 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339,
920 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-249, 20-257, 20-
921 265, 20-324e, subsection (b) of section 20-334, 20-341l, 20-366, 20-597, 20-
922 608, 20-610, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48, 21-63 or 21-76a,
923 subsection (c) of section 21a-2, subdivision (1) of section 21a-19, section
924 21a-21, subdivision (1) of subsection (b) of section 21a-25, section 21a-26
925 or 21a-30, subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63
926 or 21a-77, subsection (b) of section 21a-79, section 21a-85 or 21a-154,
927 subdivision (1) of subsection (a) of section 21a-159, subsection (a) of
928 section 21a-279a, section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-29,
929 22-34, 22-35, 22-36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-39e,
930 22-49 or 22-54, subsection (d) of section 22-84, section 22-89, 22-90, 22-
931 98, 22-99, 22-100, 22-111o, 22-167, 22-279, 22-280a, 22-318a, 22-320h, 22-
932 324a, 22-326 or 22-342, subsection (b), (e) or (f) of section 22-344, section
933 22-359, 22-366, 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246,
934 subsection (a) of section 22a-250, subsection (e) of section 22a-256h,
935 section 22a-363 or 22a-381d, subsections (c) and (d) of section 22a-381e,
936 section 22a-449, 22a-461, 23-38, 23-46 or 23-61b, subsection (a) or
937 subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40,
938 subsection (a) of section 25-43, section 25-43d, 25-135, 26-18, 26-19, 26-
939 21, 26-31, 26-40, 26-40a, 26-42, 26-49, 26-54, 26-55, 26-56, 26-58 or 26-59,
940 subdivision (1) of subsection (d) of section 26-61, section 26-64,

941 subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94,
 942 26-97, 26-98, 26-104, 26-105, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138
 943 or 26-141, subdivision (1) of section 26-186, section 26-207, 26-215, 26-
 944 217 or 26-224a, subdivision (1) of section 26-226, section 26-227, 26-230,
 945 26-232, 26-244, 26-257a, 26-260, 26-276, 26-284, 26-285, 26-286, 26-288, 26-
 946 294, 28-13, 29-6a, 29-25, 29-143o, 29-143z or 29-156a, subsection (b), (d),
 947 (e) or (g) of section 29-161q, section 29-161y or 29-161z, subdivision (1)
 948 of section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of
 949 section 29-291c, section 29-316, 29-318, 29-381, 30-48a, 30-86a, 31-3, 31-
 950 10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-
 951 32, 31-36, 31-38, 31-40, 31-44, 31-47, 31-48, 31-51, 31-52, 31-52a or 31-54,
 952 subsection (a) or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76,
 953 31-76a, 31-89b or 31-134, subsection (i) of section 31-273, section 31-288,
 954 subdivision (1) of section 35-20, section 36a-787, 42-230, 45a-283, 45a-
 955 450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54, section
 956 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16, 53-133, 53-199,
 957 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-302a, 53-303e, 53-311a, 53-
 958 321, 53-322, 53-323, 53-331 or 53-344, subsection (c) of section 53-344b,
 959 [or] section 53-450 or section 22 of this act, or (2) a violation under the
 960 provisions of chapter 268, or (3) a violation of any regulation adopted in
 961 accordance with the provisions of section 12-484, 12-487 or 13b-410, or
 962 (4) a violation of any ordinance, regulation or bylaw of any town, city or
 963 borough, except violations of building codes and the health code, for
 964 which the penalty exceeds ninety dollars but does not exceed two
 965 hundred fifty dollars, unless such town, city or borough has established
 966 a payment and hearing procedure for such violation pursuant to section
 967 7-152c, shall follow the procedures set forth in this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2021	14-300(c)
Sec. 2	from passage	New section
Sec. 3	October 1, 2021	14-311(d)
Sec. 4	October 1, 2021	New section
Sec. 5	October 1, 2021	51-56a
Sec. 6	July 1, 2021	14-218a

Sec. 7	<i>July 1, 2021</i>	New section
Sec. 8	<i>October 1, 2021</i>	14-36(a)
Sec. 9	<i>October 1, 2021</i>	14-219(a) and (b)
Sec. 10	<i>October 1, 2021</i>	14-222(a)
Sec. 11	<i>October 1, 2021</i>	14-283(b)(1)
Sec. 12	<i>October 1, 2021</i>	53a-213
Sec. 13	<i>October 1, 2021</i>	14-296aa(h)
Sec. 14	<i>October 1, 2021</i>	14-21i
Sec. 15	<i>October 1, 2021</i>	New section
Sec. 16	<i>October 1, 2021</i>	New section
Sec. 17	<i>October 1, 2021</i>	New section
Sec. 18	<i>January 1, 2022</i>	14-212g
Sec. 19	<i>October 1, 2021</i>	14-219c
Sec. 20	<i>October 1, 2021</i>	New section
Sec. 21	<i>October 1, 2021</i>	New section
Sec. 22	<i>October 1, 2021</i>	New section
Sec. 23	<i>October 1, 2021</i>	51-164n(b)

Statement of Legislative Commissioners:

In Sections 16(d), 21(a)(1), 21(g)(5) and 22(a)(1), reference to Section 16 was changed to Section 15 for accuracy, and in Section 17(3), "in such zones" was inserted for clarity.

TRA *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
State Revenues	Various - Potential Revenue Gain	Minimal	Minimal
Resources of the General Fund	GF - Potential Revenue Gain	Minimal	Minimal
State Revenues	Various - Revenue Gain	433,144	577,525
Department of Energy and Environmental Protection	Greenways Commemorative Account - Revenue Gain/Cost	Less than 20,000	Less than 20,000
Resources of the General Fund	GF - Revenue Loss	Less than 20,000	Less than 20,000
Treasurer, Debt Serv.	GF - See Below	See Below	See Below
Department of Transportation	TF - Potential Cost	None	See Below
Department of Emergency Services and Public Protection	GF - Potential Cost	None	See Below

Note: Various=Various; GF=General Fund; TF=Transportation Fund

Municipal Impact:

Municipalities	Effect	FY 22 \$	FY 23 \$
Various Municipalities	Revenue Gain	274,433	365,910
Various Municipalities	Potential Cost	Minimal	Minimal
Municipal Police Departments	Potential Cost	None	See Below
Various Municipalities	Potential Revenue Gain/Cost	None	See Below

Explanation

Section 1 expands circumstances where pedestrians have the right-of-way and results in potential revenues to the state from additional fines. As under current law, the bill makes violations subject to up to a \$500 fine. In FY 20, 213 crosswalk violations resulted in fine revenue of \$45,152.

Section 2 establishes a Vision Zero Council to develop a state-wide policy and approach to eliminating all transportation-related fatalities and severe injuries and has no fiscal impact as PA 17-236 prohibits transportation allowances for task force members.

Section 4 creates a new infraction for making physical contact with moving traffic, including pedestrians and cyclists, with a motor vehicle door. This section, to the extent that offenders are fined, results in a potential minimal revenue gain to the General Fund.

Section 5 increases, from \$20 to \$25, the municipal surcharge for certain motor vehicle violations. In FY 20 there were 73,182 of these violations. Assuming this level of violations continues in the future, this section is estimated to generate an additional \$274,433 in FY 22 (three quarters of a year impact due to the October 1 effective date) and \$365,910 in FY 23 (full-year effect) for municipalities.

Sections 6 and 7 provide municipalities authority to establish speed limits on local roads without Office of the State Traffic Administration (OSTA) approval and to establish pedestrian safety zones within their jurisdiction under certain conditions, including a requirement to conduct an engineering study. There is a potential cost to conduct an engineering study for municipalities that choose to set speed limits without OSTA approval or establish pedestrian safety zones.

Section 13 increases the fines for distracted driving from (1) \$150 to \$200 for a first violation, (2) \$300 to \$375 for a second violation, and (3) \$500 to \$625 for a third or subsequent violation. In FY 20 there were 11,438 of these violations. Assuming this level of violations continues

in the future, this section is estimated to generate an additional \$433,144 in FY 22 (three quarters of a year impact due to the October 1 effective date) and \$577,525 in FY 23 (full-year effect) in revenues to the state.

Section 14 codifies regulations regarding greenway commemorative license plate fees and establishes the "greenways commemorative account" as a separate, nonlapsing account within the General Fund. It directs a portion of plate fees to this account and requires the Department of Energy and Environmental Protection (DEEP) to use this account to provide supplementary funding to the (1) greenways and, (2) bikeways, pedestrian walkways, recreational trail and greenway capital grant programs.

It is estimated that less than \$20,000 annually would continue to be generated from the issuance of these plates and the bill redirects DEEP's portion to the new greenways account where a commensurate amount would be expended, resulting in a net cost to the General Fund because this revenue would now be subject to spending by DEEP.

To date, \$13 million of General Obligation (GO) bonds have been authorized for the greenways program described above. As of March 1, 2021, the unallocated bond balance available to the program is \$3 million. The bill does not change GO bond authorizations relevant to the program. The Governor's proposed bond bill (GB 887) includes \$3 million of new GO bond authorization for the program in each of FY 22 and FY 23.

Future General Fund debt service costs may be altered under the terms of the bill to the degree that it causes authorized GO bond funds to be expended differently than they otherwise would have been. If the new revenues from the bill supplant the use of existing bond funds, there would be a slight reduction in future debt service costs. If these new funds lead to new or more rapid use of existing bond funds, debt service costs could be accelerated.

Sections 15 and 16 allow the Department of Transportation (DOT) to install, operate, and maintain automated traffic enforcement safety

devices, also known as speed cameras, in certain maintenance work zones beginning (1) on or after January 1, 2023 and (2) after DOT has adopted regulations. Section 22 of the bill makes it a violation to exceed posted speed limits by 11 miles per hour or more, as detected by a speed camera, and establishes fines of \$75 for a first offense and \$90 for a subsequent offense. For violations in maintenance work zones, all revenue goes to the General Fund.

To the extent these devices are utilized, DOT will incur costs to install, operate, and maintain the camera systems, including potential data storage costs and signage, resulting in a cost to the Transportation Fund. To the extent speeding violations occur, the State Police (a division of the Department of Emergency Services and Public Protection) will have to review the footage and issue citations resulting in potential overtime costs for State Troopers and a potential revenue gain to the General Fund due to citations issued.

Section 17 requires DOT to develop and implement a public awareness campaign to educate the public on various transportation safety issues. This section does not result in a fiscal impact because the bill directs \$10 from each school or hospital zone infraction to DOT for the cost of this campaign. These violations are described further in Section 21.

Section 18 modifies which expenditures can be funded from the Work Zone Safety Account resulting in no fiscal impact because this section is codifying current practice.

Section 20 allows for the designation of hospital zones on any local road or state highway that is sufficiently close to hospital property. To the extent that the state or a municipality designates a hospital zone, an OSTA-approved sign must be posted at the beginning and end of the zone, resulting in a cost to either the state or municipality for signage.

Section 21 requires the Office of Policy and Management to establish a pilot program allowing up to ten municipalities to install, operate, and maintain speed cameras in school or hospital zones for a period of up to

five years beginning (1) on or after January 1, 2023 and (2) after DOT has adopted regulations.

To the extent municipalities participate in this program, they would incur costs for installing, operating, and maintaining speed cameras. The bill requires either State Police or the municipal police departments to review the footage and issue citations (\$75 for a first offense and \$90 for a second, as noted above) resulting in potential overtime costs. Unlike the maintenance work zone program, violation revenue from school or hospital zone infractions would be remitted to the municipalities in which the violations occur (less \$10 from each fine, which would go to DOT as described in Section 17) for the purpose of improving traffic safety, which could potentially include the cost of the speed cameras.

The other sections of the bill are technical, make conforming changes, or otherwise do not have a fiscal impact to the state or municipalities.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation, the number of violations, the terms of any bonds issued, and the number of speed cameras installed, except as otherwise described.

OLR Bill Analysis**sHB 5429**

AN ACT CONCERNING PEDESTRIAN SAFETY, VISION ZERO COUNCIL, SPEED LIMITS IN MUNICIPALITIES, FINES AND CHARGES FOR CERTAIN VIOLATIONS, THE GREENWAYS COMMEMORATIVE ACCOUNT AND MAINTENANCE WORK ZONE AND SCHOOL ZONE SAFETY ENFORCEMENT.

TABLE OF CONTENTS:[TABLE OF CONTENTS:](#)[SUMMARY](#)[§ 1 — YIELDING TO PEDESTRIANS AT CROSSWALKS](#)

Expands the circumstances under which drivers must yield to pedestrians at uncontrolled crosswalks

[§ 2 — VISION ZERO](#)

Establishes a Vision Zero Council and charges it with developing a statewide policy to eliminate all transportation-related fatalities and severe injuries

[§ 3 — CERTIFICATE OF OPERATION FOR MAJOR TRAFFIC GENERATORS](#)

Requires OSTA to consider major traffic generators' impact on bicycle and pedestrian access and safety when awarding certificates of operation

[§ 4 — DOORING](#)

Prohibits causing physical contact with moving traffic by (1) opening a vehicle door or (2) leaving it open longer than necessary to load or unload passengers

[§ 5 — MUNICIPAL SURCHARGE](#)

Increases, from \$20 to \$25, the surcharge on certain moving violations that is remitted to municipalities and subjects dooring violations to the surcharge

[§§ 6-12 — LOCAL ROAD SPEED LIMITS AND PEDESTRIAN SAFETY ZONES](#)

Allows municipalities to establish speed limits on local roads without OSTA approval and allows for the establishment of pedestrian safety zones with speed limits as low as 15 mph in downtown districts and community centers

§ 13 — DISTRACTED DRIVING FINES

Increases the fines for distracted driving

§ 14 — GREENWAYS COMMEMORATIVE PLATES

Requires that greenways commemorative plate fees be deposited into a dedicated account and used to fund grant programs for greenways and other bicycle and pedestrian trails

§§ 5, 15-17, 19 & 21-23 — SPEED CAMERAS IN MAINTENANCE WORK ZONES AND SCHOOL AND HOSPITAL ZONES

Allows the use of speed cameras to enforce speed violations in (1) maintenance work zones and (2) school and hospital zones under a pilot program in up to 10 municipalities

§ 18 — WORK ZONE SAFETY ACCOUNT

Requires that money in the work zone safety account be used only to pay costs of state police traffic enforcement in highway work zones

§ 20 — HOSPITAL ZONES

Allows LTAs to establish hospital zones on roads adjacent or sufficiently close to hospital property

BACKGROUND

SUMMARY

This bill creates programs for using speed cameras to detect and enforce violations in school and hospital zones, under a pilot program the bill establishes, and in maintenance work zones. These programs may begin operation in 2023, and only if the Department of Transportation (DOT) adopts regulations on speed camera data privacy and related matters.

The bill allows for (1) local control of speed limits on local roads and (2) the establishment of pedestrian safety zones.

It also makes changes related to bicycle and pedestrian access and safety, such as:

1. expanding the circumstances under which drivers must yield to pedestrians at uncontrolled crosswalks,
2. establishing a Vision Zero Council with the goal of eliminating transportation-related deaths and serious injuries,
3. establishing an infraction for “dooring” moving traffic,
4. increasing distracted driving fines, and
5. dedicating revenue from greenways commemorative license plates to fund greenways-related grant programs.

It also makes a number of technical and conforming changes.

EFFECTIVE DATE: October 1, 2021, unless otherwise noted below.

§ 1 — YIELDING TO PEDESTRIANS AT CROSSWALKS

Expands the circumstances under which drivers must yield to pedestrians at uncontrolled crosswalks

The bill expands the circumstances under which drivers must yield the right-of-way to pedestrians at marked and unmarked crosswalks that are not controlled by traffic signals or police officers (i.e., uncontrolled crosswalks).

Under current law, a driver must yield to a pedestrian, slowing or stopping as necessary, if the pedestrian has stepped off the curb or into the crosswalk at the entrance. Under the bill, a driver must do so if the pedestrian:

1. is within any portion of the crosswalk;
2. steps to the curb at a crosswalk’s entrance and indicates intent to cross the road by raising his or her hand and arm toward oncoming traffic; or
3. indicates intent to cross the road by moving into the crosswalk’s entrance any body part or any extension of a body part, including a wheelchair, cane, walking stick, crutch, bicycle, electric bicycle,

stroller, carriage, cart, or leashed or harnessed dog.

As under existing law, drivers who fail to yield at a crosswalk when required are subject to a \$500 fine.

By law, pedestrians crossing at crosswalks controlled by traffic signals or police officers may cross only as indicated by the signal or officer. Pedestrians must also yield the right of way to emergency vehicles.

§ 2 — VISION ZERO

Establishes a Vision Zero Council and charges it with developing a statewide policy to eliminate all transportation-related fatalities and severe injuries

The bill establishes a Vision Zero Council and charges it with developing a statewide policy and interagency approach to eliminate all transportation-related fatalities and severe injuries to pedestrians, bicyclists, transit users, drivers, and passengers. It must consider ways to improve safety in all transportation modes using data, new partnerships, safe planning, and community-based solutions to achieve the goal of zero transportation-related fatalities.

The council is composed of the DOT, Department of Motor Vehicles (DMV), and Department of Energy and Environmental Protection (DEEP) commissioners and any other agency commissioners they invite. Any commissioner may instead send a designee. The DOT commissioner, or his designee, serves as chairperson of the council and must schedule its first meeting by September 1, 2021. DOT must also serve as administrative staff for the council.

Starting by February 1, 2022, the council must annually submit the statewide policy and interagency approach, along with any other recommendations, to the Transportation Committee.

EFFECTIVE DATE: Upon passage

§ 3 — CERTIFICATE OF OPERATION FOR MAJOR TRAFFIC GENERATORS

Requires OSTA to consider major traffic generators' impact on bicycle and pedestrian access and safety when awarding certificates of operation

The law generally requires an entity that is building, expanding, establishing, or operating an open air theatre, shopping center, or any other development generating large volumes of traffic that substantially affect highway traffic (i.e., "major traffic generators") to obtain the Office of the State Traffic Administration's (OSTA) certification that the operation will not endanger public safety. State regulations specify that a development qualifies as a major traffic generator if it has (1) 200 or more parking spaces or (2) a gross floor area of at least 100,000 square feet (Conn. Agencies Regs. § 14-312-1).

Existing law (1) establishes a number of factors that OSTA must include in its consideration of highway safety (e.g., traffic density and highway width and character) and (2) allows OSTA to require applicants to make certain improvements to address the development's highway safety impact. The bill adds bicycle and pedestrian access and safety to the factors OSTA must consider and allows it to require improvements that address impacts to bicycle and pedestrian access and safety, conforming to current OSTA practice.

§ 4 — DOORING

Prohibits causing physical contact with moving traffic by (1) opening a vehicle door or (2) leaving it open longer than necessary to load or unload passengers

The bill prohibits a person from causing physical contact between a vehicle door and moving traffic by (1) opening the door or (2) leaving it open longer than is necessary to load or unload passengers. Violations of the bill are infractions.

Under the bill, "moving traffic" includes (1) motor vehicles, bicycles, electric bicycles, and electric foot scooters traveling on the highway and (2) pedestrians and people riding bicycles, electric bicycles, or electric foot scooters on sidewalks, shoulders, or bikeways.

§ 5 — MUNICIPAL SURCHARGE

Increases, from \$20 to \$25, the surcharge on certain moving violations that is remitted to municipalities and subjects dooring violations to the surcharge

The act increases, from \$20 to \$25, the surcharge paid, in addition to a fine, by people who violate specified motor vehicle laws, regulations, and ordinances, such as speeding and reckless driving. It also adds dooring to the list of violations to which the surcharge applies.

By law, the state must remit this fee to the municipality in which a violation occurs.

§§ 6-12 — LOCAL ROAD SPEED LIMITS AND PEDESTRIAN SAFETY ZONES

Allows municipalities to establish speed limits on local roads without OSTA approval and allows for the establishment of pedestrian safety zones with speed limits as low as 15 mph in downtown districts and community centers

By law, a municipality's local traffic authority (LTA) is responsible for setting speed limits on streets, highways, or bridges or parking areas for 10 or more cars within the town's jurisdiction (i.e., local roads). But under current law, the LTA must obtain approval from OSTA before the limits can take effect.

Under certain conditions, the bill allows LTAs to establish or modify speed limits on local roads without OSTA approval and establish pedestrian safety zones on those roads. It also allows OSTA to establish pedestrian safety zones on state roads at an LTA's or DOT's request.

By law, the entity designated as the LTA varies by town, but may be the police commission, board of selectman, mayor, town manager, police chief, or traffic authority (CGS § 14-297(6)).

The bill also makes numerous technical and conforming changes.

EFFECTIVE DATE: July 1, 2021, for the provisions allowing LTAs to set local speed limits and authorizing the establishment of pedestrian safety zones; October 1, 2021, for the other provisions, including certain conforming changes.

Speed Limits on Local Roads

The bill allows LTAs to establish or modify speed limits on local roads without OSTA approval, as long as the LTA:

1. establishes, modifies, and maintains speed limits on all roads, bridges, and parking areas under its jurisdiction;
2. conducts an engineering study (see below);
3. notifies OSTA of its intent to assume responsibility and authority for establishing speed limits within its jurisdiction; and
4. notifies DOT of each speed limit change so the department can maintain a statewide inventory of speed limits.

Under the bill, LTAs may not set a speed limit lower than 20 mph unless (1) the speed limit is part of a pedestrian safety zone (see below) or (2) the engineering study indicates a speed limit lower than 25 mph is reasonable. Under existing law and the bill, LTAs may establish speed limits on private roads wholly within the municipality under its jurisdiction without OSTA approval.

The bill also (1) specifies that any speed limit established with OSTA approval remains in effect until the LTA modifies it and (2) makes conforming changes to specify that exceeding a speed limit established by an LTA without OSTA approval is prima facie evidence that a driver is traveling unreasonably fast.

Pedestrian Safety Zones

The bill authorizes LTAs, in the case of local roads, or OSTA, in the case of state roads, to establish pedestrian safety zones with speed limits as low as 15 mph on roads in clearly defined downtown districts and community centers frequented by pedestrians.

Under the bill, LTAs may establish a zone on local roads after completing an engineering study as the bill requires. In municipalities where OSTA approves speed limits, LTAs must notify OSTA in writing that it is establishing a pedestrian safety zone and confirm that the bill's applicable requirements have been satisfied.

If an LTA or DOT seeks to establish a pedestrian safety zone on a state highway that passes through a downtown district or community center,

it must submit a written request for approval to OSTA that includes the required engineering study and speed management plan. If OSTA denies the request, it must provide a written explanation of the reasons for doing so.

Engineering Studies and Speed Management Plans

Under the bill, before an LTA establishes or modifies a speed limit or establishes a pedestrian safety zone, the LTA must conduct an engineering study in accordance with the Federal Highway Administration's (FHWA) Manual on Uniform Traffic Control Devices (MUTCD) and other generally accepted engineering principles and guidance. (A study must also be conducted in order for OSTA to approve an LTA's or DOT's request for a pedestrian safety zone on a state highway.)

The study must be completed by a professional engineer licensed in the state and consider factors including pedestrian activity, land use and development, parking, and traffic accident records in the LTA's jurisdiction or area under consideration for a pedestrian safety zone.

If an engineering study on establishing a pedestrian safety zone recommends doing so, the study must also include a speed management plan and recommended actions to achieve lower motor vehicle speeds.

Regulations

The bill authorizes OSTA to adopt regulations on (1) setting local speed limits without OSTA approval and (2) establishing pedestrian safety zones.

§ 13 — DISTRACTED DRIVING FINES

Increases the fines for distracted driving

The bill increases the fines for violating the state's distracted driving law from (1) \$150 to \$200 for a first violation, (2) \$300 to \$375 for a second violation, and (3) \$500 to \$625 for a third or subsequent violation.

The distracted driving law generally prohibits a person, while driving, from using a handheld mobile telephone to engage in a call,

using a mobile electronic device (e.g., texting), and engaging in any activity unrelated to driving in a manner that interferes with safely operating the vehicle, among other things.

§ 14 — GREENWAYS COMMEMORATIVE PLATES

Requires that greenways commemorative plate fees be deposited into a dedicated account and used to fund grant programs for greenways and other bicycle and pedestrian trails

Under current law, the purpose of greenways commemorative plates is to enhance public awareness of state and local efforts to preserve, restore, and protect greenways. The money collected from the special fee for greenways plates, less a \$15 administrative fee, goes to the General Fund.

The bill expands the purpose of the plate to include providing funding for greenways and requires that the money collected be deposited in the “greenways commemorative account,” which the bill establishes as a separate, nonlapsing account within the General Fund. Account funds must be spent by DEEP for the greenways capital grant program and the bikeway, pedestrian walkway, recreation trail, and greenways grant program.

The bill also (1) codifies regulations regarding greenways plate fees, (2) allows, rather than requires, the DMV commissioner to establish regulations on the plates, and (3) eliminates the requirement that any regulations be developed in consultation with DEEP.

§§ 5, 15-17, 19 & 21-23 — SPEED CAMERAS IN MAINTENANCE WORK ZONES AND SCHOOL AND HOSPITAL ZONES

Allows the use of speed cameras to enforce speed violations in (1) maintenance work zones and (2) school and hospital zones under a pilot program in up to 10 municipalities

The bill authorizes the use of speed cameras (“automated traffic enforcement safety devices”) to detect and enforce violations for exceeding the posted speed limit by 11 mph or more in (1) maintenance work zones and (2) school and hospital zones under a pilot program the bill establishes. The cameras may be operated only (1) on or after January 1, 2023, and (2) after DOT has adopted privacy-related regulations as the bill requires (see below).

The bill defines “automated traffic enforcement safety device” as a photographic, radar, or laser device or other electrical or mechanical device that (1) records motor vehicles’ speed and (2) produces one or more recorded images indicating the date, time, and location of each vehicle committing a speed camera violation (i.e., exceeding the posted speed limit by 11 mph or more in a zone monitored by a speed camera, see below).

Maintenance Work Zone Speed Cameras (§ 15)

The bill allows the DOT commissioner to install, operate, and maintain speed cameras in maintenance work zones or enter into an agreement with a contractor to do so. A “maintenance work zone” is an area of limited access highway where DOT is performing maintenance work.

The bill establishes requirements for operating speed cameras, including that:

1. at least one highway worker (see BACKGROUND) must be present in the zone,
2. state police must not be performing highway traffic enforcement or control in the zone pursuant to a memorandum of understanding,
3. signs indicating that the cameras are being used must be posted at least 500 feet ahead of the zone, and
4. the cameras must be removed from the zone after the maintenance work is complete.

School and Hospital Zones Speed Camera Pilot Program (§ 21)

The bill requires the Office of Policy and Management (OPM) secretary, in consultation with the DOT commissioner, to establish a pilot program allowing up to 10 municipalities to install, operate, and maintain speed cameras in school and hospital zones (see below) or to enter into an agreement with a contractor to do so. OPM may allow

these municipalities to participate in the program for a period of five years from when the first camera starts operating in the municipality, and each participating municipality may operate cameras in up to 12 school and hospital zones.

Under the bill, participating municipalities must consider certain factors when selecting zones for speed camera operation, including a zone's speed data, crash history, and roadway geometry. The bill requires that towns post signs indicating that speed cameras are in use proximate to the signs indicating the designated school or hospital zone.

Image Review and Ticket Issuance (§§ 15 (c)-(d) & 21 (c)-(d))

Under the bill, police officers must review speed camera images and issue tickets—state police in the case of cameras in maintenance work zones and state or municipal police in the case of the pilot program.

Whenever a speed camera detects, and produces a recorded image of, the license plate of a vehicle allegedly committing a speed camera violation, a police officer must review the images. If, after doing so, the officer determines there are reasonable grounds to believe a speed camera violation occurred, the officer may authorize a citation for the violation. However, under the pilot program, police must issue warnings for violations occurring in the first 30 days after a camera begins operating.

If an officer issues a ticket or a warning, the state police or the municipal police department must mail the ticket and a copy of the recorded images to the vehicle's registered owner within (1) 10 days after the alleged violation in a maintenance work zone and (2) 30 days after the alleged violation in a school or hospital zone. Violations are processed through the Centralized Infractions Bureau (CIB) (see BACKGROUND).

Under the bill, a recorded image that clearly shows the license plate of a vehicle exceeding the posted speed limit by 11 mph or more in a maintenance work, school, or hospital zone is sufficient proof of the vehicle's identity. Proof of registration number is prima facie evidence

that the vehicle's owner was driving at the time of the violation, except that for rented or leased motor vehicles, it is proof that the lessee was driving.

Use of Speed Cameras to Support Conviction (§§ 15 (e), 19 & 21(e))

Under the bill, there is a prima facie presumption of a speed camera's accuracy sufficient to support a violation only upon testimony from a DOT employee, municipal employee, or a contractor, as applicable, that:

1. the employee or contractor has adequate experience and training in installing, maintaining, and operating speed cameras;
2. the speed camera was in proper working condition when it detected and recorded a motor vehicle allegedly committing a speed camera violation, established by proof that the suggested methods were followed for testing the camera's proper functioning;
3. the speed camera was used in an area where road conditions provide a minimum possibility of distortion; and
4. the speed camera was expertly tested within a reasonable time after it detected and recorded the vehicle, and the testing was done in a way that does not rely on the camera's internal calibrations.

Available Defenses (§§ 15(f) & 21(f))

The bill makes all defenses available to a person who allegedly committed a speed camera violation. These defenses specifically include the following:

1. the violation was necessary to (a) allow an emergency vehicle to pass or (b) avoid injuring a person or property,
2. the violation occurred during a time that the vehicle was reported stolen to law enforcement and had not yet been recovered,

3. the person was not operating the vehicle at the time, and
4. the violation was necessary for the driver to comply with another law concerning vehicle operation.

In the case of speed cameras in school and hospital zones, the bill also specifically makes available the defense that the person was convicted of traveling unreasonably fast (CGS § 14-218a) or speeding (CGS § 14-219) for the same incident based upon a separate and distinct citation issued by an officer.

Speed Camera Violations and Fine Revenue Distribution (§§ 5, 22 & 23)

The bill creates a specific violation for speeding captured by speed cameras. Specifically, it prohibits people operating motor vehicles, other than emergency vehicles, from exceeding the posted speed limit by 11 mph or more, as detected by a speed camera, in a maintenance work, school, or hospital zone.

The violation is separate from other speed-related violations under the law, and the bill specifically prohibits prosecution for a speed camera violation and the other speed-related violations or endangerment of a highway worker because of the same offense.

The bill establishes a fine for speed camera violations of (1) \$75 for a first offense and (2) \$90 for a subsequent offense. The fines are not subject to any additional surcharges.

Under the bill, the state must remit all fine revenue collected from speed camera violations in schools and hospital zones, less \$10 per ticket, to the municipalities in which the violations occurred. The municipalities must use the revenue to improve traffic safety within the town. The \$10 from each ticket must be deposited into a DOT-controlled account and used to fund its required public awareness campaign (see below). The bill does not specify where revenue from speed camera violations in maintenance work zones must be deposited, but presumably it must be deposited in the General Fund. Under existing

law, fines from speed-related violations (CGS §§ 14-218a, -219 & -222) are deposited into the Special Transportation Fund (STF)(CGS §§ 13b-59 & -61(b)(4)). It is unclear whether the bill has implications for the STF “lockbox” (see BACKGROUND) because it does not deposit speed camera violation revenue into the STF.

The bill requires each clerk of the Superior Court or the Chief Court Administrator, or any other Superior Court official designated by the Chief Court Administrator, to certify to the comptroller, by the 30th day of each January, April, July, and October, the amount due for the previous quarter to each municipality serviced by the office of the clerk or official.

Image and Data Privacy and Security (§§ 15(b)(3), 16, 21(b)(5) & 21(g))

Image Recording. Under the bill, speed cameras must be installed so that they only record images of a vehicle’s license plate and not of the vehicle’s occupants or any other people or vehicles in the vicinity when the images are recorded.

DOT Regulations. Before speed cameras may be operated in a maintenance work zone, school zone, or hospital zone, DOT must adopt regulations regarding the privacy, security, collection, use, and disclosure of recorded images and any other data produced by speed cameras. The regulations must include:

1. procedures to ensure recorded images’ privacy and security;
2. a description of any other data produced by a speed camera and collected by DOT, a municipality, or a contractor; and
3. provisions to appropriately limit access to the images and data.

Image Disclosure. The bill prohibits DOT, a municipality, or a contractor from disclosing any speed camera images or data to any person except where the disclosure is made (1) between DOT, a municipality, the police, or a contractor in order to operate the cameras or issue a ticket; (2) pursuant to judicial orders (e.g., a search warrant or

subpoena) in criminal proceedings; or (3) to comply with state or federal law. DOT, a municipality, or a contractor may also disclose aggregate information and data collected from speed cameras for DOT-approved research purposes as long as the data does not directly or indirectly identify vehicles.

Within 30 days after disclosing images or data pursuant to a judicial order, DOT, the municipality, or its contractor must notify the subject person that it made the disclosure. They are not required to send the notice by mail if the United States Postal Service has determined that mail is undeliverable to the person at the address they have for the person.

Under the bill, speed camera images or data are not deemed a public record for purposes of the Freedom of Information Act.

Image Destruction. Under the bill, images and data recorded by speed cameras must be destroyed (1) 60 days after the alleged violation's date, if a citation is not issued, or (2) upon the case's final disposition, if a citation is issued.

Audit. The bill requires DOT and participating municipalities, or their contractors, to conduct internal audits regarding compliance with the privacy regulations DOT adopts. In the case of maintenance work zone cameras, the audit must be completed annually starting one year after a speed camera begins operating in a maintenance work zone. In the case of the pilot program, the audit must be conducted one year after a speed camera begins operating and in each year of the pilot program.

Annual Reporting. Beginning one year after a speed camera becomes operational in a maintenance work zone, school zone or hospital zone, DOT or a participating municipality must annually submit a report containing the following information:

1. the number of times speed cameras captured license plates;
2. the number of times DOT, a municipality, or a contractor, as applicable, disclosed speed camera images or data pursuant to a

- criminal search warrant or criminal subpoena;
3. the number of requests for images or data DOT, a municipality, or a contractor received, including the requestor's identity and a copy of the request; and
 4. the results of the internal audit the bill requires.

DOT must submit the report to the Transportation Committee. Municipalities participating in the pilot program must submit their reports to OPM, and then OPM must compile them into a consolidated report with any recommendations about the pilot program to the Transportation Committee. The bill does not specify a deadline by which OPM must submit the report.

Public Safety Awareness Campaigns (§§ 17 & 21(b)(3))

The bill requires DOT, after consulting with pedestrian safety advocates, to develop and implement a public awareness campaign to educate the public about (1) ways to reduce transportation-related fatalities and severe injuries to pedestrians, bicyclists, transit users, motorists, and passengers; (2) the importance of obeying speed limits in highway work zones, school zones, and hospital zones; and (3) the possible use of speed cameras in maintenance work zones. A "highway work zone" is an area of a state highway where construction, maintenance, or utility work is being performed.

It also requires municipalities participating in the pilot program, at least 30 days before a speed camera is installed and operational, to develop and implement a public awareness campaign about (1) the importance of obeying speed limits in school and hospital zones and (2) the use of speed cameras in the zone. It is unclear whether a municipality must conduct this campaign each time it installs a camera or just for the first one.

§ 18 — WORK ZONE SAFETY ACCOUNT

Requires that money in the work zone safety account be used only to pay costs of state police traffic enforcement in highway work zones

By law, the work zone safety account is a separate, nonlapsing account within the Special Transportation Fund. Under current law, money in the account must be spent by DOT to protect the safety of highway workers in highway work zones through (1) highway traffic enforcement, including the expansion of the “Operation Big Orange” program, and (2) purchasing and implementing technology and equipment. Any money used for purposes other than the Operation Big Orange program or direct traffic enforcement in work zones must be approved by the Highway Work Zone Safety Advisory Council (see BACKGROUND).

Under the bill, money in the account must instead be used only to pay the costs of traffic enforcement and control by state police in highway work zones.

EFFECTIVE DATE: January 1, 2022

§ 20 — HOSPITAL ZONES

Allows LTAs to establish hospital zones on roads adjacent or sufficiently close to hospital property

The bill allows LTAs and OSTA to (1) designate as a hospital zone any local road or state highway, as applicable, that is adjacent to hospital property or sufficiently close to hospital property to constitute, in the LTA’s opinion, a risk to public safety under all the circumstances and (2) revoke such designation. In the case of state roads, OSTA may only designate and revoke a zone at the request of a municipality’s legislative body.

The LTA or OSTA, as applicable, must post an OSTA-approved sign at the beginning and end of the zone, in each direction that traffic is permitted to flow, indicating the zone’s designation. The sign must conform to the MUTCD.

BACKGROUND

Highway Worker

By law, a “highway worker” is a person who is required to perform his or her job duties on state bridges, state roads, or in highway work

zones, including:

1. a person performing maintenance, repair, or construction of state bridges, state roads, shoulders, medians, and associated rights-of-way in highway work zones;
2. a person operating a truck, loader, or other equipment or performing any other related maintenance on state bridges, state roads, or in highway work zones;
3. a state or local public safety officer enforcing work zone-related transportation management and traffic control;
4. a state or local public safety officer conducting traffic control or enforcement operations on state bridges, state roads, shoulders, medians, and associated rights-of-way; and
5. a state or local public safety officer or firefighter, an emergency medical services provider, or any other authorized person (a) removing hazards on state bridges, state roads, shoulders, medians, or associated rights-of-way or (b) responding to accidents and other incidents in such locations or in highway work zones (CGS § 14-212d).

Centralized Infractions Bureau (CIB)

By law, individuals charged with a motor vehicle violation may, generally, pay the fine through the CIB without appearing in court. Payment is considered a plea of nolo contendere (no contest) and is not admissible in any civil or criminal proceeding. If an individual pleads not guilty, the CIB must send the plea and request for trial to the clerk of the geographical area court where the trial is to take place. The practice, procedure, rules of evidence, and burden of proof applicable in criminal proceedings apply in such a trial (CGS § 51-164n).

Special Transportation Fund and the “Lockbox”

The STF is a dedicated fund used to finance the state’s transportation infrastructure program and operate DOT and DMV (CGS § 13b-68). The law requires specified tax revenue (e.g., fuel taxes and a portion of sales

and use tax revenue) and various transportation-related fees, fines, and charges to be credited to the STF.

Both the state constitution and the general statutes contain a “lockbox” provision, which preserves the STF as a perpetual fund, requires that it be used exclusively for transportation purposes, including paying transportation-related debt, and requires that any funding sources directed to the STF by law continue to be directed there, as long as the law authorizes the state to collect or receive them (Conn. Const., art. III, § 19; CGS § 13b-68(b)).

Highway Work Zone Safety Advisory Council

The six-member council is made up of the DOT, DMV, and emergency services and public protection commissioners, or their designees; the presidents of Connecticut Employees Union Independent and the state police union, or their designees; and a representative of Connecticut Construction Industries Association. The council is charged with making ongoing recommendations to improve safety for workers, public safety officers, and drivers in highway work zones (CGS § 14-212e).

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 30 Nay 4 (03/03/2021)