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:

§ 1 — YIELDING TO PEDESTRIANS AT CROSSTRAVELS
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 contactor, 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)