



House of Representatives

General Assembly

File No. 304

January Session, 2023

Substitute House Bill No. 5917

House of Representatives, March 29, 2023

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 IMPLEMENTING THE RECOMMENDATIONS OF THE VISION ZERO COUNCIL.

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

1 Section 1. (NEW) (*Effective October 1, 2023*) (a) For the purposes of this
2 section:

3 (1) "Alcoholic beverage" has the same meaning as provided in section
4 30-1 of the general statutes;

5 (2) "Highway", "motor bus", "motor vehicle" and "recreational
6 vehicle" have the same meanings as provided in section 14-1 of the
7 general statutes;

8 (3) "Open alcoholic beverage container" means a bottle, a can or other
9 receptacle (A) that contains any amount of an alcoholic beverage, and
10 (B) (i) that is open or has a broken seal, or (ii) the contents of which are
11 partially removed. "Open alcoholic beverage container" does not
12 include a container sealed pursuant to section 30-16b of the general

13 statutes or a partially consumed bottle of wine sealed pursuant to
14 subsection (d) of section 30-22 of the general statutes that is not
15 transported in the passenger area of a motor vehicle;

16 (4) "Passenger" means any occupant of a motor vehicle other than the
17 operator;

18 (5) "Passenger area" means (A) the area designed to seat the operator
19 of, and any passenger in, a motor vehicle while such vehicle is being
20 operated on a highway, or (B) any area that is readily accessible to such
21 operator or passenger while such person is in such person's seated
22 position. "Passenger area" does not include (i) a locked container, such
23 as a locked glove compartment or console, (ii) the trunk, or (iii) in a
24 motor vehicle that is not equipped with a trunk, the area behind the last
25 upright seat or any area not normally occupied by the operator or a
26 passenger;

27 (6) "Taxicab" has the same meaning as provided in section 13b-95 of
28 the general statutes; and

29 (7) "Transportation network company vehicle" has the same meaning
30 as provided in section 13b-116 of the general statutes.

31 (b) No person shall consume or possess an open alcoholic beverage
32 container within the passenger area of a motor vehicle while such motor
33 vehicle is on any highway in this state.

34 (c) The provisions of subsection (b) of this section shall not apply to:
35 (1) A passenger in a motor vehicle designed, maintained and primarily
36 used for the transportation of passengers for hire, including, but not
37 limited to, a taxicab, motor bus or motor vehicle in livery service, (2) a
38 passenger in a transportation network company vehicle, or (3) a
39 passenger in the living quarters of a recreational vehicle.

40 (d) Any person who violates the provisions of subsection (b) of this
41 section shall have committed an infraction.

42 Sec. 2. Subsection (i) of section 54-1m of the general statutes is

43 repealed and the following is substituted in lieu thereof (*Effective October*
44 *1, 2023*):

45 (i) The Office of Policy and Management shall, within available
46 resources, review the prevalence and disposition of traffic stops and
47 complaints reported pursuant to this section, including any traffic stops
48 conducted on suspicion of a violation of section 14-227a, 14-227g, 14-
49 227m or 14-227n or section 1 of this act. Not later than July 1, [2014] 2024,
50 and annually thereafter, the office shall report the results of any such
51 review, including any recommendations, to the Governor, the General
52 Assembly and any other entity deemed appropriate. The Office of Policy
53 and Management shall make such report publicly available on the
54 office's Internet web site.

55 Sec. 3. Section 14-289g of the general statutes is repealed and the
56 following is substituted in lieu thereof (*Effective October 1, 2023*):

57 (a) No person [under eighteen years of age] may (1) operate a
58 motorcycle or a motor-driven cycle, as defined in section 14-1, or (2) be
59 a passenger on a motorcycle or motor-driven cycle, unless such operator
60 or passenger is wearing protective headgear of a type which conforms
61 to the minimum specifications established in 49 CFR 571.218, as
62 amended from time to time. Any person who violates [this section] any
63 provision of this subsection shall have committed an infraction and shall
64 be fined not less than ninety dollars.

65 (b) As used in this section, the term "motorcycle" [shall] does not
66 include "autocycle".

67 Sec. 4. (*Effective from passage*) The Commissioner of Transportation
68 shall study and make recommendations concerning the advisability of
69 (1) permitting a person riding a bicycle to treat a stop sign as a yield sign
70 and a traffic control signal with a steady red signal as a stop sign, and
71 (2) amending subdivision (3) of subsection (b) of section 14-299 of the
72 general statutes to prohibit a motor vehicle operator from making a
73 right turn when facing a traffic control signal with a steady red signal.
74 Not later than February 1, 2024, the commissioner shall submit the

75 results of such study and the commissioner's recommendations, in
76 accordance with the provisions of section 11-4a of the general statutes,
77 to the joint standing committee of the General Assembly having
78 cognizance of matters relating to transportation.

79 Sec. 5. (NEW) (*Effective from passage*) Not later than July 1, 2024, the
80 Commissioner of Transportation shall develop, adopt and thereafter
81 revise as necessary, an intersection control evaluation policy to be used
82 by the Department of Transportation when evaluating the construction
83 of a new intersection or the modification of an existing intersection. Such
84 policy shall (1) provide a decision-making framework to screen
85 intersection alternatives with specific performance-based criteria in
86 order to identify an optimal solution, and (2) require the use of
87 consistent documentation for each evaluation of a new or existing
88 intersection.

89 Sec. 6. Section 14-315 of the general statutes is repealed and the
90 following is substituted in lieu thereof (*Effective July 1, 2023*):

91 (a) The Commissioner of Emergency Services and Public Protection
92 shall (1) study the problems of street and highway safety, [shall] (2) act
93 as the central coordinating agency of state departments, organizations
94 and instrumentalities engaged in the elimination of motor vehicle
95 accidents; [shall] (3) study all phases of the problem of obtaining better
96 observance and uniform enforcement of the laws for the regulation of
97 highway travel and motor vehicle operation; [shall] (4) study methods
98 of safety control and engineering in this and other states with a view to
99 improvement in such methods in this state; [shall] (5) study problems of
100 safety as they affect home, farm and school accidents; [shall] (6) act as
101 the central coordinating agency of the state in the planning and
102 execution of safety programs and campaigns for the prevention of
103 accidents and the loss of manpower and may conduct educational
104 programs and campaigns relating to industrial safety; and [shall] (7)
105 advise with and assist the Commissioner of Transportation and other
106 state department heads in the accomplishment of the purposes stated
107 [herein] in this subsection.

108 (b) For the purposes of this subsection, "drug recognition expert" and
109 "advanced roadside impaired driving enforcement" have the same
110 meanings as provided in section 7-294kk. The Division of State Police
111 within the Department of Emergency Services and Public Protection
112 shall form a fatal collision reduction team to (1) identify motor vehicle
113 violations that correlate with traffic crashes, (2) identify intersections
114 and locations throughout the state with a history of traffic crashes, (3)
115 engage in high-visibility enforcement efforts to issue warnings or
116 citations for those identified traffic violations that correlate with traffic
117 crashes at such intersections and locations, and (4) solicit input from the
118 public to help identify other unsafe or dangerous intersections and
119 locations. Such fatal collision reduction team shall include municipal
120 law enforcements officers, drug recognition experts and police officers
121 trained in advanced roadside impaired driving enforcement.

122 Sec. 7. (NEW) (*Effective from passage*) The Department of
123 Transportation, in consultation with the State Board of Education and
124 the Department of Motor Vehicles, upon receipt of a request by a local
125 or regional board of education, shall award an exemplary "Vision Zero"
126 program distinction to those local and regional boards of education that
127 offer a program that provides students in grades six to twelve, inclusive,
128 with opportunities to learn about the mission of the Vision Zero
129 Council, established pursuant to section 13b-23b of the general statutes,
130 and the importance of practicing safe driving habits and learning
131 pedestrian safety skills. Such opportunities may include, but need not
132 be limited to, classes, extracurricular activities, presentations,
133 symposiums, peer-to-peer education, parent involvement and
134 parenting education and outreach. A local or regional board of
135 education may submit, at such time and in such manner as the
136 Department of Transportation prescribes, a request for such distinction
137 by providing details about such board's program to the department. The
138 Department of Transportation shall make information about the
139 distinction available on the department's Internet web site.

140 Sec. 8. Subsection (g) of section 51-164n of the general statutes is
141 repealed and the following is substituted in lieu thereof (*Effective October*

142 1, 2023):

143 (g) If a person elects to plead not guilty and send the plea of not guilty
144 to the Centralized Infractions Bureau in accordance with subsection (d)
145 of this section, such person may subsequently, at a proceeding at
146 Superior Court, reach an agreement with the prosecutorial official as to
147 the amount of the fine to be paid and elect to pay such fine without
148 appearing before a judicial authority. As a part of any such agreement,
149 the prosecutorial official may require such person to attend a motor
150 vehicle operator safety course that addresses the nature of such
151 infraction or violation and that is offered or approved by the Chief
152 State's Attorney. The amount of the fine agreed upon shall not exceed
153 the amount of the fine established for such infraction or violation. Any
154 person who pays a fine pursuant to this subsection shall also pay any
155 additional fees or costs established for such infraction or violation. Such
156 person shall make such payment to the clerk of the Superior Court and
157 such payment shall be considered a plea of nolo contendere and shall be
158 inadmissible in any proceeding, civil or criminal, to establish the
159 conduct of such person, provided the provisions of this section and
160 section 51-164m shall not affect the application of any administrative
161 sanctions by either the Commissioner of Energy and Environmental
162 Protection authorized under title 26 or the Commissioner of Motor
163 Vehicles authorized under title 14. A plea of nolo contendere pursuant
164 to this subsection does not have to be submitted in writing. Nothing in
165 this subsection shall affect the right of a person who is alleged to have
166 committed an infraction or any violation specified in subsection (b) of
167 this section to plead not guilty and request a trial before a judicial
168 authority.

169 Sec. 9. Section 14-41 of the general statutes is amended by adding
170 subsection (g) as follows (*Effective January 1, 2024*):

171 (NEW) (g) The commissioner shall develop, and thereafter revise as
172 needed, a video presentation concerning current laws that impact
173 motorists, pedestrians and bicyclists and the need to practice safe
174 driving behaviors. Upon every other renewal of a motor vehicle

175 operator's license, the commissioner shall require the licensee to watch
176 the video presentation prior to issuing such license.

177 Sec. 10. Subdivision (5) of subsection (e) of section 14-36 of the general
178 statutes is repealed and the following is substituted in lieu thereof
179 (*Effective July 1, 2023*):

180 (5) The issuance of a motor vehicle operator's license to any applicant
181 who is the holder of a license issued by another state shall be subject to
182 the provisions of [sections 14-111c and] section 14-111k, as amended by
183 this act.

184 Sec. 11. Section 14-111k of the general statutes is amended by adding
185 subsection (e) as follows (*Effective January 1, 2024*):

186 (NEW) (e) The commissioner shall develop, and thereafter revise as
187 needed, a video presentation concerning state laws that impact
188 motorists, pedestrians and bicyclists, the need to practice safe driving
189 behaviors and ways to reduce transportation-related fatalities and
190 severe injuries to pedestrians, bicyclists, motorists and passengers. Prior
191 to issuing an operator's license to a person who holds an operator's
192 license issued by another jurisdiction, the commissioner shall require
193 such person to watch such video presentation and provide such person
194 with other safe driving training materials.

195 Sec. 12. (*Effective from passage*) For the purposes of this section,
196 "cannabis", "dispensary facility", "hybrid retailer" and "retailer" have the
197 same meanings as provided in section 21a-420 of the general statutes.
198 The Department of Public Health, in collaboration with one or more
199 local health departments or district departments of health, shall conduct
200 a public awareness campaign about the dangers of operating a motor
201 vehicle under the influence of certain over-the-counter drugs and
202 prescription drugs, with an emphasis on opioids and cannabis. Such
203 campaign shall include, but need not be limited to, outreach to
204 pharmacies, hospitals, substance abuse treatment facilities, dispensary
205 facilities, hybrid retailers and retailers that can communicate
206 information about such dangers to motor vehicle operators who are

207 receiving or purchasing such drugs.

208 Sec. 13. (*Effective from passage*) When developing the next five-year
209 transportation capital plan, the Department of Transportation shall
210 examine the proposals from the equity subcommittee of the Vision Zero
211 Council, established pursuant to section 13b-23b of the general statutes,
212 and consider infrastructure that specifically protects vulnerable users of
213 the highways, including pedestrians, bicyclists and persons who have
214 disabilities.

215 Sec. 14. (NEW) (*Effective October 1, 2023*) For the purposes of this
216 section and sections 15 to 17, inclusive, of this act:

217 (1) "Automated traffic enforcement safety device" means a device
218 installed to work in conjunction with radar speed detection equipment
219 or a traffic control signal and designed to collect photographic or video
220 evidence, or both, of alleged traffic violations by recording images that
221 capture the number plate, date, time and location of a motor vehicle that
222 (A) exceeds the posted speed limit by ten or more miles, or (B) fails to
223 comply with the provisions of subdivision (3) of subsection (b) of section
224 14-299 of the general statutes when facing a steady red signal on a traffic
225 control signal.

226 (2) "Automated traffic enforcement safety device operator" means a
227 person who is trained and certified to operate an automated traffic
228 enforcement safety device.

229 (3) "Driver", "number plate" and "owner" have the same meanings as
230 provided in section 14-1 of the general statutes.

231 (4) "Pedestrian safety zone" means an area designated by the Office
232 of the State Traffic Administration or the traffic authority of a town, city
233 or borough pursuant to section 14-307a of the general statutes.

234 (5) "Personally identifiable information" means information created
235 or maintained by the municipality or a vendor that identifies or
236 describes an owner and includes, but need not be limited to, the owner's
237 address, telephone number, number plate, photograph, bank account

238 information, credit card number, debit card number or the date, time,
239 location or direction of travel on a highway.

240 (6) "School zone" means an area designated by the Office of the State
241 Traffic Administration or the traffic authority of a town, city or borough
242 pursuant to section 14-212b of the general statutes.

243 (7) "Traffic authority", "traffic control sign" and "traffic control signal"
244 have the same meanings as provided in section 14-297 of the general
245 statutes.

246 (8) "Vendor" means a person who (A) provides services to a
247 municipality under sections 15 and 16 of this act; (B) operates,
248 maintains, leases or licenses an automated traffic enforcement safety
249 device; or (C) is authorized to review and assemble the recorded images
250 captured by an automated traffic enforcement safety device.

251 Sec. 15. (NEW) (*Effective October 1, 2023*) (a) Any municipality, by
252 ordinance adopted by its legislative body, may authorize the use of
253 automated traffic enforcement safety devices (1) at intersections and
254 locations within school zones and pedestrian safety zones, provided
255 such municipality considers the speed data, traffic crash history and
256 roadway geometry when selecting any such intersection or location; and
257 (2) at other intersections and locations within such municipality that
258 have a history of traffic crashes caused by excessive speeding or the
259 violation of a traffic control sign or traffic control signal, provided the
260 Office of the State Traffic Administration approves such other
261 intersections and locations. Any municipality that adopts an ordinance
262 pursuant to this section shall also adopt a citation hearing procedure
263 pursuant to section 7-152c of the general statutes, as amended by this
264 act, and a comprehensive safety action plan to ensure that the streets
265 located in the municipality safely and conveniently serve road users of
266 all ages and abilities, including pedestrians, transit users, bicyclists,
267 persons using wheelchairs or other assistive devices and motor vehicle
268 operators.

269 (b) The municipality may enter into agreements with vendors for the

270 design, installation, operation or maintenance, or any combination
271 thereof, of automated traffic enforcement safety devices. If a vendor
272 designs, installs, operates or maintains an automated traffic
273 enforcement safety device, the vendor's fee may not be contingent on
274 the number of citations issued or fines paid pursuant to the provisions
275 of this section.

276 (c) (1) Prior to the operation of an automated traffic enforcement
277 safety device, the traffic authority of the municipality shall approve the
278 location of the automated traffic enforcement safety device and the
279 municipality shall install at least two conspicuous signs at a reasonable
280 distance in advance of such location, in accordance with the Federal
281 Highway Administration's Manual on Uniform Traffic Control Devices
282 for Streets and Highways, as amended from time to time, notifying
283 motor vehicle operators of such location.

284 (2) At least thirty days before the date the first automated traffic
285 enforcement safety device becomes operational in the municipality, the
286 municipality shall develop and implement a public awareness
287 campaign to educate the public concerning the importance of obeying
288 speed limits and traffic control signals and the imminent use of an
289 automated traffic enforcement safety device in the municipality.

290 (d) Any ordinance adopted under this section shall specify the
291 following: (1) That an automated traffic enforcement safety device shall
292 be operated by an automated traffic enforcement safety device operator;
293 (2) that the owner of a motor vehicle commits a violation of the
294 ordinance if the person operating such motor vehicle (A) exceeds the
295 posted speed limit by ten or more miles per hour and such operation is
296 detected by an automated traffic enforcement safety device, or (B) fails
297 to comply with the provisions of subdivision (3) of subsection (b) of
298 section 14-299 of the general statutes when facing a steady red signal on
299 a traffic control signal and such failure is detected by an automated
300 traffic enforcement safety device; (3) for the first thirty days after an
301 intersection or location is equipped with an operational automated
302 traffic enforcement safety device, the owner of a motor vehicle

303 committing a violation of such ordinance that is detected by such device
304 shall receive a written warning instead of a citation, as described in
305 subsection (h) of this section; (4) payment of a fine and any associated
306 fee imposed for a violation of the ordinance may be made by electronic
307 means; and (5) an authorized employee of the municipality or of the
308 vendor shall review and approve the recorded images before a citation
309 is mailed to the owner of such motor vehicle.

310 (e) Any ordinance adopted under this section may (1) establish a fine
311 to be imposed against the owner of a motor vehicle committing a
312 violation of such ordinance, provided the amount of such fine is not
313 more than fifty dollars for a first violation and not more than seventy-
314 five dollars for a second or subsequent violation, and (2) impose a
315 reasonable fee, not to exceed fifteen dollars, for the costs associated with
316 the electronic processing of the payment of any such fine. Any funds
317 received by a municipality pursuant to the provisions of this section
318 shall be used for the purposes of improving traffic safety within such
319 municipality, including, but not limited to, the expenses for installing,
320 operating and maintaining an automated traffic enforcement safety
321 device.

322 (f) An automated traffic enforcement safety device operator shall
323 complete training offered by the manufacturer of such device or the
324 manufacturer's representative regarding procedures for setting-up,
325 testing and operating such device. The manufacturer or manufacturer's
326 representative shall issue a signed certificate to the automated traffic
327 enforcement safety device operator upon such operator's completion of
328 the training. Such signed certificate shall be admitted as evidence in any
329 hearing conducted pursuant to section 7-152c of the general statutes, as
330 amended by this act.

331 (g) The municipality shall ensure each automated traffic enforcement
332 safety device used by such municipality undergoes an annual
333 calibration check performed at a calibration laboratory. The calibration
334 laboratory shall issue a signed certificate of calibration after the annual
335 calibration check. Such signed certificate of calibration shall be kept on

336 file and admitted as evidence in any hearing conducted pursuant to
337 section 7-152c of the general statutes, as amended by this act.

338 (h) (1) Whenever an automated traffic enforcement safety device
339 detects and produces recorded images of a motor vehicle, an authorized
340 employee of the municipality or of the vendor shall review the recorded
341 images provided by such device. If, after such review, such employee
342 determines that there are reasonable grounds to believe that a violation
343 of an ordinance adopted under this section has occurred, such employee
344 may issue a citation to the owner of the motor vehicle. The citation shall
345 include the following: (A) The name and address of the owner of the
346 motor vehicle; (B) the number plate of the motor vehicle; (C) the
347 violation charged; (D) the location of the automated traffic enforcement
348 safety device and the date and time of the violation; (E) a copy of or
349 information on how to view, through electronic means, the recorded
350 images described in this section; (F) a statement or electronically
351 generated affirmation by the authorized employee of the municipality
352 or the vendor who reviewed the recorded images and determined that
353 the motor vehicle violated the ordinance; (G) verification that the
354 automated traffic enforcement safety device was operating correctly at
355 the time of the alleged violation and the date of the most recent
356 calibration check performed pursuant to subsection (g) of this section;
357 (H) the amount of the fine imposed; and (I) the right to contest the
358 violation and request a hearing pursuant to section 7-152c of the general
359 statutes, as amended by this act.

360 (2) In the case of an alleged violation involving a motor vehicle
361 registered in the state, the citation shall be mailed not later than thirty
362 days after the commission of the alleged violation or after the identity
363 of the owner is ascertained, whichever is later, to the address of the
364 owner that is in the records of the Department of Motor Vehicles. In the
365 case of an alleged violation involving a motor vehicle registered in
366 another jurisdiction, the citation shall be mailed not later than thirty
367 days after the identity of the owner is ascertained to the address of the
368 owner that is in the records of the official in the other jurisdiction issuing
369 such registration. A citation shall be invalid unless mailed to an owner

370 not later than sixty days after the alleged violation.

371 (3) The citation shall be sent by first class mail. A manual or
372 automated record of mailing prepared by the authorized employee of
373 the municipality or of the vendor in the ordinary course of business shall
374 be prima facie evidence of mailing and shall be admissible in any
375 hearing conducted pursuant to section 7-152c of the general statutes, as
376 amended by this act, as to the facts contained in the citation.

377 (i) The following defenses shall be available to the owner of a motor
378 vehicle who is alleged to have committed a violation of an ordinance
379 adopted under this section: (1) The person was operating an emergency
380 vehicle in accordance with the provisions of subdivision (1) of
381 subsection (b) of section 14-283 of the general statutes; (2) the traffic
382 control signal was inoperative, which is observable on the recorded
383 images; (3) the violation was necessary in order for the person to comply
384 with an order or direction from a law enforcement officer, which is
385 observable on the recorded images; (4) the violation was necessary to
386 allow the passage of an authorized emergency vehicle, which is
387 observable on the recorded images; (5) the violation took place during a
388 period of time in which the motor vehicle had been reported as being
389 stolen to a law enforcement unit, as defined in section 7-294a of the
390 general statutes, and had not been recovered prior to the time of the
391 violation; (6) the operator of the motor vehicle was convicted of
392 committing a violation specified in section 14-218a or 14-219 of the
393 general statutes or subdivision (3) of subsection (b) of section 14-299 of
394 the general statutes for the same incident based upon a separate and
395 distinct citation issued by a law enforcement officer; or (7) the
396 automated traffic safety enforcement device was not in compliance with
397 the calibration check required pursuant to subsection (g) of this section.

398 (j) A violation of an ordinance adopted under this section shall not (1)
399 be included in the operating record of the driver maintained pursuant
400 to section 14-137a of the general statutes, (2) be subject to merit rating
401 for insurance purposes, or (3) authorize the imposition of surcharge
402 points in the provision of motor vehicle insurance coverage.

403 Sec. 16. (NEW) (*Effective October 1, 2023*) (a) No personally identifiable
404 information shall be disclosed by the municipality or a vendor to any
405 person or entity except where the disclosure is made (1) in connection
406 with the charging, collection and enforcement of the fines imposed
407 pursuant to section 15 of this act, (2) pursuant to a judicial order,
408 including a search warrant or subpoena, in a criminal proceeding, or (3)
409 to comply with federal or state laws or regulations.

410 (b) No personally identifiable information shall be stored or retained
411 by the municipality or a vendor unless such information is necessary for
412 the collection and enforcement of the fines imposed pursuant to section
413 15 of this act.

414 (c) Except as otherwise provided by law or in connection with an
415 administrative summons or judicial order, including a search warrant
416 or subpoena, in a criminal proceeding, the municipality or a vendor
417 shall destroy personally identifiable information and other data that
418 specifically identifies a motor vehicle and relates to a violation of section
419 15 of this act not later than one year after any fine is collected or the
420 resolution of a hearing conducted for the alleged commission of such
421 violation, whichever is later.

422 (d) Any information and other data gathered from automated traffic
423 safety enforcement devices shall be subject to disclosure under the
424 Freedom of Information Act, as defined in section 1-200 of the general
425 statutes, except no personally identifiable information may be disclosed.

426 Sec. 17. (NEW) (*Effective October 1, 2023*) (a) Not later than eighteen
427 months following the date an automated traffic enforcement safety
428 device becomes operational in a municipality pursuant to section 15 of
429 this act, the municipality shall submit a report to the Department of
430 Transportation and to the joint standing committee of the General
431 Assembly having cognizance of matters relating to transportation, in
432 accordance with the provisions of section 11-4a of the general statutes.
433 Such report shall include, but need not be limited to: (1) The number of
434 violations of sections 14-218a and 14-219 of the general statutes and
435 subdivision (3) of subsection (b) of section 14-299 of the general statutes

436 that occurred at the locations where such automated traffic safety
437 devices were installed prior to the use of such devices; (2) the number
438 of violations where a motor vehicle exceeded the posted speed limit by
439 ten or more miles that were captured by such devices at such locations;
440 (3) the number of violations where a motor vehicle failed to comply with
441 the provisions of subdivision (3) of subsection (b) of section 14-299 of
442 the general statutes when facing a steady red signal on a traffic control
443 signal that were captured by such devices at such locations; (4) if
444 available, the number and type of related traffic violations and crashes
445 that occurred at each location where an automated traffic safety device
446 was installed prior to such installation and during the use of such
447 devices; (5) the number of violations of sections 14-218a and 14-219 of
448 the general statutes and subdivision (3) of subsection (b) of section 14-
449 299 of the general statutes and related traffic violations and crashes that
450 occurred at intersections where such devices were used and at similar
451 intersections where such devices were not used; (6) a description of
452 situations where recorded images could not be used or were not used;
453 (7) the number of leased or rented motor vehicles, out-of-state motor
454 vehicles or other vehicles, including trucks, where enforcement efforts
455 were unsuccessful; (8) the amount of revenue from the fines and
456 associated fees retained by the municipality; and (9) the cost to the
457 municipality to use such devices.

458 (b) Not later than a year after a municipality submits a report
459 pursuant to subsection (a) of this section, and each year thereafter until
460 an automated traffic safety device is no longer operational in the
461 municipality, the municipality shall submit a report to the Department
462 of Transportation and to the joint standing committee of the General
463 Assembly having cognizance of matters relating to transportation, in
464 accordance with the provisions of section 11-4a of the general statutes.
465 Such annual report shall include, but need not be limited to, (1) the
466 number of motor vehicles that were subject to one citation, two citations,
467 three citations or four or more citations, (2) in the case of an automated
468 traffic safety device that records images of motor vehicles failing to
469 comply with the provisions of subdivision (3) of subsection (b) of section
470 14-299 of the general statutes when facing a steady red signal on a traffic

471 control signal, the number of citations at each location that were issued
472 to motor vehicles making a right turn, proceeding through the
473 intersection and making a left turn, (3) a list of engineering and
474 educational measures undertaken by the municipality to improve safety
475 in locations when automated traffic enforcement safety devices are
476 operational, and (4) data regarding how many citations were issued,
477 how many hearings were requested and the results of any such
478 hearings.

479 (c) The Department of Transportation shall make any report received
480 pursuant to the provisions of this section available on the department's
481 Internet web site.

482 Sec. 18. Subsection (c) of section 7-152c of the general statutes is
483 repealed and the following is substituted in lieu thereof (*Effective October*
484 *1, 2023*):

485 (c) Any such municipality, at any time within twelve months from
486 the expiration of the final period for the uncontested payment of fines,
487 penalties, costs or fees for any citation issued under any ordinance
488 adopted pursuant to section 7-148 or [section] 22a-226d or section 15 of
489 this act, for an alleged violation thereof, shall send notice to the person
490 cited. Such notice shall inform the person cited: (1) Of the allegations
491 against [him] such person and the amount of the fines, penalties, costs
492 or fees due; (2) that [he] such person may contest [his] such person's
493 liability before a citation hearing officer by delivering in person or by
494 mail written notice within ten days of the date thereof; (3) that if [he]
495 such person does not demand such a hearing, an assessment and
496 judgment shall be entered against [him] such person; and (4) that such
497 judgment may issue without further notice. For purposes of this section,
498 notice shall be presumed to have been properly sent if such notice was
499 mailed to such person's last-known address on file with the tax collector.
500 If the person to whom such notice is issued is a registrant, the
501 municipality may deliver such notice in accordance with section 7-148ii,
502 provided nothing in this section shall preclude a municipality from
503 providing notice in another manner permitted by applicable law.

504 Sec. 19. (NEW) (*Effective from passage*) The Department of
 505 Transportation, in collaboration with the Departments of Education,
 506 Motor Vehicles, Public Health, Social Services and Veterans Affairs,
 507 shall establish a program to promote the use of seat safety belts among
 508 vulnerable communities, as identified by the Department of
 509 Transportation, that are less likely to wear a seat safety belt when in a
 510 motor vehicle. Such program may include, but need not be limited to,
 511 peer-to-peer education and outreach to parents and various community
 512 organizations.

| | | |
|---|------------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>October 1, 2023</i> | New section |
| Sec. 2 | <i>October 1, 2023</i> | 54-1m(i) |
| Sec. 3 | <i>October 1, 2023</i> | 14-289g |
| Sec. 4 | <i>from passage</i> | New section |
| Sec. 5 | <i>from passage</i> | New section |
| Sec. 6 | <i>July 1, 2023</i> | 14-315 |
| Sec. 7 | <i>from passage</i> | New section |
| Sec. 8 | <i>October 1, 2023</i> | 51-164n(g) |
| Sec. 9 | <i>January 1, 2024</i> | 14-41(g) |
| Sec. 10 | <i>July 1, 2023</i> | 14-36(e)(5) |
| Sec. 11 | <i>January 1, 2024</i> | 14-111k(e) |
| Sec. 12 | <i>from passage</i> | New section |
| Sec. 13 | <i>from passage</i> | New section |
| Sec. 14 | <i>October 1, 2023</i> | New section |
| Sec. 15 | <i>October 1, 2023</i> | New section |
| Sec. 16 | <i>October 1, 2023</i> | New section |
| Sec. 17 | <i>October 1, 2023</i> | New section |
| Sec. 18 | <i>October 1, 2023</i> | 7-152c(c) |
| Sec. 19 | <i>from passage</i> | New section |

Statement of Legislative Commissioners:

In Section 1(d), "be deemed to" was deleted for consistency with standard drafting conventions, in Section 2, the effective date "July 1, 2023" was changed to "October 1, 2023" and "2023" was changed to "2024" to conform with the changes being made in Section 1; in Section 5, "On and after" was changed to "Not later than" for accuracy and "thereafter" was added for clarity; in Section 6(a), subdivision

designators were added for clarity; in Section 7, "shall award" was moved for clarity; in Sections 9 and 11, "thereafter" was added for clarity; in Section 12, "'cannabis'," was added for clarity; in Section 14(5), "limited access" was deleted for internal consistency; in Section 15, Subsec. (a) was made into Subsecs. (a) and (b) for clarity and the remaining subsections were relettered for accuracy; in Section 15(b), "designs," was added for internal consistency; in Section 15(f), the second sentence was redrafted for clarity; in Section 15(f), (g) and (h), "7-152" was changed to "7-152c" for accuracy; and in Section 16(c), "whichever is later" was added 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 24 \$ | FY 25 \$ |
|--|-------------------|-------------------|-------------------|
| Resources of the General Fund | GF - Revenue Gain | See Below | See Below |
| Department of Emergency Services and Public Protection | GF - Cost | 287,000 - 836,000 | 294,000 - 857,000 |
| State Comptroller - Fringe Benefits ¹ | GF - Cost | 42,000 - 122,000 | 43,000 - 126,000 |
| Public Health, Dept. | GF - Cost | 1,767,570 | 1,615,570 |

Note: GF=General Fund

Municipal Impact:

| Municipalities | Effect | FY 24 \$ | FY 25 \$ |
|------------------------------|---------------------------------|-----------|-----------|
| Municipal Police Departments | Potential Cost | See Below | See Below |
| Various Municipalities | Potential Cost/ Revenue Gain | Minimal | Minimal |

Explanation

Section 1 prohibits open alcoholic containers in the passenger compartment of most motor vehicles operating on a public road and makes violations an infraction, resulting in General Fund revenue gain from any fines collected.

This section is expected to bring Connecticut into compliance with

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 42.82% of payroll in FY 24.

federal transportation law, which would remove a penalty that directs a percentage of the state's federally funded highway construction funding to the state's federally funded highway safety programs. This would not impact the total federal formula dollars received by the state but could lead to a reallocation of federal dollars between construction and safety programs.

Section 3 requires all motorcycle riders to wear a helmet, rather than just those under age 18, and is expected to result in additional revenue from fines. Under current law, revenue related to violations for those under age 18 is typically less than \$500 annually.

Section 6 requires the Department of Emergency Services and Public Protection (DESPP) to form a fatal collision reduction team, resulting in a cost to the state ranging from \$329,000 to \$958,000 in FY 24 and \$337,000 to \$983,000 in FY 25.

To meet the requirements of the bill, DESPP will need to assign an estimated 6 to 12 troopers to the fatal collision reduction team in each of its three districts. It is anticipated that these troopers will work on this team an average of 12 hours of overtime per pay period, given current staffing shortages in the State Police. The hourly overtime rate per trooper can range from \$47 to \$73, resulting in a cost ranging from \$287,000 to \$836,000 in FY 24, with associated fringe benefits ranging from \$42,000 to \$122,000. The FY 25 costs account for a 2.5% salary increase.

There is also a potential cost to municipal police departments to the extent that they commit officers to the fatal collision reduction team and incur associated salary and overtime expenses.

Section 12 requires the Department of Public Health (DPH) to conduct a public awareness campaign² that must include outreach to pharmacies, hospitals, substance abuse treatment facilities, cannabis

²The campaign is about the dangers of driving while under the influence of certain over-the-counter drugs and prescription drugs, with an emphasis on opioids and cannabis.

dispensary facilities, and certain retailers, which results in a cost to the agency of \$1,767,570 in FY 24 and \$1,615,570 in FY 25. This total includes costs of: (1) approximately \$264,000 in FY 24 only to develop campaign content, (2) approximately \$1,486,595 annually to print educational materials, (3) approximately \$16,975 annually to distribute educational materials to an estimated 700 sites, and (4) approximately \$112,000 in FY 25 only to hire a marketing consultant to provide campaign evaluation and improvement recommendations.

Sections 14 through 18 permit municipalities to authorize, by ordinance, the use of speed cameras and red-light cameras in qualifying areas and collect fines up to \$50 for first violations, up to \$75 for subsequent violations, and processing fees up to \$15. This may result in a potential minimal revenue gain to municipalities beginning in FY 24. Any revenue gain is dependent on if the fine is established, the amount of the fine, and the number of violations. All fine revenue is required be used toward improving traffic safety.

To the extent municipalities participate in this program, they would incur costs for installing, operating, and maintaining speed cameras. Potential costs may be partially mitigated by revenue collected from violations and fees.

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, and the use of speed cameras and red-light cameras as outlined in the bill.

OLR Bill Analysis**sHB 5917****AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE VISION ZERO COUNCIL.**

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§ 4 — “IDAHO STOP” AND NO RIGHT TURN ON RED STUDY

Requires DOT to study (1) allowing a bicycle rider to treat a stop sign as a yield sign and red light as a stop sign (the “Idaho Stop”) and (2) prohibiting right turns on red

§ 5 — INTERSECTION CONTROL EVALUATION POLICY

Requires DOT to develop, adopt, and revise, as needed, an intersection control evaluation policy to use when evaluating new and existing intersections

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Requires the State Police to form a fatal collision reduction team that will identify violations and locations correlated with traffic crashes and conduct high-visibility enforcement

§ 7 — VISION ZERO PROGRAM DISTINCTION FOR SCHOOL PROGRAMS

Requires DOT to award an exemplary “Vision Zero” program distinction to local and regional boards of education offering

programs to students in grades 6 to 12 about safe driving habits, pedestrian safety skills, and the mission of the Vision Zero Council

§ 8 — SAFETY COURSE AFTER TRAFFIC VIOLATIONS

Allows prosecutorial officials to require people who contest infractions and certain violations to attend an approved driving safety course as a condition for resolving the ticket before a hearing

§§ 9-11 — SAFETY VIDEO AND MATERIALS AT LICENSE RENEWAL AND ISSUANCE TO NEW RESIDENTS

Requires DMV to (1) develop specified safety videos and require people to watch them upon every other renewal and when transferring a license from another jurisdiction and (2) provide other safety materials to people transferring a license from another jurisdiction

§ 12 — PUBLIC AWARENESS CAMPAIGN ON DRUG IMPAIRED DRIVING

Requires DPH to conduct a public awareness campaign about the dangers of driving while under the influence of certain over-the-counter drugs and prescription drugs, with an emphasis on opioids and cannabis

§ 13 — DOT FIVE-YEAR CAPITAL PLAN AND EQUITY PROPOSALS

Requires DOT, when developing its next five-year capital plan, to examine proposals from the Vision Zero Council's equity subcommittee and consider infrastructure that specifically protects vulnerable highway users

§§ 14-18 — AUTOMATED ENFORCEMENT

Allows municipalities to authorize using speed cameras and red light cameras in school zones, pedestrian safety zones, and other OSTA-approved locations with a history of crashes; establishes conditions and procedures for camera operation, violation enforcement, and data privacy

§ 19 — SEAT BELT PROMOTION

Requires DOT, in collaboration with specified agencies, to establish a program promoting seatbelt use among vulnerable communities that are less likely to wear a seat belt

BACKGROUND

SUMMARY

This bill makes a number of changes related to traffic safety and enforcement. Among other things, it does the following:

1. allows municipalities to authorize, by ordinance, the use of speed cameras and red light cameras in school zones, pedestrian safety zones, and other Office of the State Traffic Administration (OSTA)-approved locations with a history of crashes (§§ 14-18);
2. requires all motorcycle and motor-driven cycle riders to wear a helmet, rather than only those under age 18 and those with motorcycle instruction permits (§ 3);
3. generally prohibits consuming or possessing open alcoholic beverage containers in a vehicle's passenger area while on the highway (§§ 1 & 2);
4. requires the State Police to form a fatal collision reduction team to engage in high-visibility enforcement in areas with a history of crashes (§ 6); and
5. requires the Department of Transportation (DOT) to study and advise the legislature on whether to (a) begin allowing cyclists to treat a stop sign as a yield sign and a red light as a stop sign (the "Idaho Stop") and (b) prohibit right turns on red (§ 4).

EFFECTIVE DATE: Various, see below

§§ 1 & 2 — OPEN CONTAINERS

Generally prohibits drinking from or possessing an open alcoholic beverage container in a motor vehicle's passenger area, with exceptions for for-hire transportation and RVs

The bill prohibits consuming or possessing an open alcoholic beverage container in a motor vehicle's "passenger area" while the vehicle is on a public road. An open alcoholic beverage container is a bottle, can, or other receptacle that contains an alcoholic beverage and is either (1) open or has a broken seal or (2) partially empty. Under federal law, states must adopt an open container prohibition or face fiscal penalties (see BACKGROUND).

The bill's prohibition does not apply to passengers in (1) vehicles designed, maintained, and primarily used as for-hire passenger transportation, including taxis, motor buses, and livery vehicles; (2) transportation network company (e.g., Uber and Lyft) vehicles; or (3) a recreational vehicle's (RV) living quarters. It also specifically excludes partially consumed bottles of wine and to-go alcoholic beverages that are sealed as the law requires, if they are not transported in the passenger area.

Violations of the bill's provisions are infractions (see BACKGROUND). Under existing law, drivers who drink an alcoholic beverage while driving are guilty of a class C misdemeanor (punishable by up to three months imprisonment and a fine of up to \$500, CGS § 53a-213).

Passenger Area

The bill's open container prohibition applies to occupants of a vehicle's passenger area, which is (1) the area designed to seat the driver and any passenger while the vehicle is moving and (2) any area that is readily accessible to the driver or a passenger while sitting. It does not include (1) locked containers (e.g., glove compartments or consoles), (2) the trunk, or (3) in motor vehicles without trunks, the area behind the last upright seat or any area not normally occupied by a driver or passenger.

Reporting (§ 2)

Existing law requires police departments to collect and report data to the Office of Policy and Management (OPM) on (1) traffic stops (including the characteristics of the person stopped and the alleged violation) and (2) complaints of discriminatory stops. It also requires OPM, within available resources, to annually report on the prevalence and disposition of these stops and complaints. The bill specifically requires that this report review stops for open container violations.

EFFECTIVE DATE: October 1, 2023, for the open container prohibition and July 1, 2023, for the reporting requirement.

§ 3 — UNIVERSAL MOTORCYCLE HELMET REQUIREMENT

Requires all motorcycle and motor-driven cycle drivers and passengers to wear a helmet, rather than just those under age 18 and those with motorcycle instruction permits

The bill requires all motorcycle and motor-driven cycle drivers and passengers to wear a helmet meeting federal helmet safety standards. Current law only requires helmets for (1) drivers and passengers under age 18 and (2) motorcycle instruction permit holders of any age (CGS § 14-40a).

Under the bill, violations of the helmet requirement are infractions (see BACKGROUND) and subject to the \$90 fine that applies under current law to drivers and passengers under age 18. As under existing law, the fine for motorcycle instruction permit holders is subject to the general infraction parameters and is currently set at \$50.

By law, a motor-driven cycle is a motorcycle, motor scooter, or bicycle with an attached motor (except an electric bicycle) that has a (1) seat height of at least 26 inches and (2) motor with a piston displacement under 50 cc. As under current law, the helmet requirement does not apply to autocycles.

EFFECTIVE DATE: October 1, 2023

§ 4 — “IDAHO STOP” AND NO RIGHT TURN ON RED STUDY

Requires DOT to study (1) allowing a bicycle rider to treat a stop sign as a yield sign and red light as a stop sign (the “Idaho Stop”) and (2) prohibiting right turns on red

Under the bill, the DOT commissioner must study (1) allowing bicyclists to treat a stop sign as a yield sign and red light as a stop sign (known as the “Idaho Stop”) and (2) prohibiting right turns at red lights. By February 1, 2024, the commissioner must report to the Transportation Committee on the study’s results and recommend whether these changes to the law are advisable.

EFFECTIVE DATE: Upon passage

§ 5 — INTERSECTION CONTROL EVALUATION POLICY

Requires DOT to develop, adopt, and revise, as needed, an intersection control evaluation policy to use when evaluating new and existing intersections

Starting July 1, 2024, the bill requires DOT to develop, adopt, and revise, as needed, an intersection control evaluation policy for it to use when evaluating new intersection construction and modifications to existing intersections. The policy must (1) have a decision-making framework with specific, performance-based criteria to screen intersection alternatives and identify an optimal solution and (2) require consistent documentation of each intersection evaluation.

EFFECTIVE DATE: Upon passage

§ 6 — FATAL COLLISION REDUCTION TEAM

Requires the State Police to form a fatal collision reduction team that will identify violations and locations correlated with traffic crashes and conduct high-visibility enforcement

The bill requires the State Police to form a fatal collision reduction team that includes municipal law enforcement officers, drug recognition experts (DREs), and police officers trained in advanced roadside impaired driving enforcement (ARIDE). The team must do the following:

1. identify motor vehicle violations that correlate with traffic crashes,
2. identify intersections and other locations throughout the state with a history of traffic crashes,
3. conduct high-visibility enforcement at the identified locations to issue warnings or tickets for violations correlated with traffic crashes, and
4. solicit public input to help identify other unsafe intersections and locations.

By law, a DRE is someone certified by the International Association of Chiefs of Police (IACP) as having met all requirements of the International Drug Evaluation and Classification Program. DREs conduct drug influence evaluations to enforce alcohol- and drug-impaired driving laws. ARIDE is a program developed by the National

Highway Traffic Safety Administration with the IACP and the Technical Advisory Panel, or a successor program, that focuses on impaired driving enforcement education for police officers.

EFFECTIVE DATE: July 1, 2023

§ 7 — VISION ZERO PROGRAM DISTINCTION FOR SCHOOL PROGRAMS

Requires DOT to award an exemplary “Vision Zero” program distinction to local and regional boards of education offering programs to students in grades 6 to 12 about safe driving habits, pedestrian safety skills, and the mission of the Vision Zero Council

The bill requires DOT, in consultation with the State Board of Education and Department of Motor Vehicles (DMV), to award an exemplary “Vision Zero” program distinction to local and regional boards of education offering programs that give students in grades 6 to 12 opportunities to learn about the importance of practicing safe driving habits, pedestrian safety skills, and the Vision Zero Council’s mission (see BACKGROUND). These opportunities may include classes, extracurricular activities, presentations, symposiums, peer-to-peer education, parent involvement, and parenting education and outreach.

DOT must award this distinction upon a school board’s request, and a board may submit a request by providing DOT with details about its program at a time and in the way DOT prescribes. DOT must also make information about the distinction available on its website.

EFFECTIVE DATE: Upon passage

§ 8 — SAFETY COURSE AFTER TRAFFIC VIOLATIONS

Allows prosecutorial officials to require people who contest infractions and certain violations to attend an approved driving safety course as a condition for resolving the ticket before a hearing

By law, people charged with motor vehicle infractions and specified violations that are processed by the Centralized Infractions Bureau (CIB) may either (1) pay the fine and any additional fees, which is considered a plea of no contest (*nolo contendere*), or (2) plead not guilty and be scheduled for a hearing.

If a person pleads not guilty to the CIB and is scheduled for a hearing,

the person may subsequently, at a Superior Court proceeding, reach an agreement with a prosecutorial official on the fine amount and elect to pay the fine without appearing before a judicial authority. The bill allows the prosecutorial official, as a part of this agreement, to require that the person attend a driving safety course. Any course required must address the nature of the violation or infraction and be offered or approved by the chief state's attorney.

EFFECTIVE DATE: October 1, 2023

§§ 9-11 — SAFETY VIDEO AND MATERIALS AT LICENSE RENEWAL AND ISSUANCE TO NEW RESIDENTS

Requires DMV to (1) develop specified safety videos and require people to watch them upon every other renewal and when transferring a license from another jurisdiction and (2) provide other safety materials to people transferring a license from another jurisdiction

Video at Renewal

The bill requires the DMV commissioner to develop, and revise as needed, a video presentation about current laws impacting drivers, pedestrians, and bicyclists and the need to practice safe driving behaviors. The commissioner must require applicants or license holders to watch the video upon every other renewal of a driver's license. By law, the DMV commissioner may issue a license for a period he determines, up to eight years. In practice, DMV is currently phasing in eight-year licenses.

New Residents

The bill requires the DMV commissioner to develop, and revise as needed, a video presentation about (1) state laws impacting drivers, pedestrians, and bicyclists; (2) the need to practice safe driving behaviors; and (3) ways to reduce transportation-related fatalities and severe injuries to pedestrians, bicyclists, drivers, and passengers. DMV must require an applicant who is seeking to transfer their license from another jurisdiction to Connecticut to watch the video before issuing his or her license. The commissioner must also give the person other safe driving training materials.

EFFECTIVE DATE: January 1, 2024, except a technical change is

effective July 1, 2023.

§ 12 — PUBLIC AWARENESS CAMPAIGN ON DRUG IMPAIRED DRIVING

Requires DPH to conduct a public awareness campaign about the dangers of driving while under the influence of certain over-the-counter drugs and prescription drugs, with an emphasis on opioids and cannabis

Under the bill, the Department of Public Health (DPH), in collaboration with local health departments or district departments of health, must conduct a public awareness campaign about the dangers of driving while under the influence of certain over-the-counter drugs and prescription drugs, with an emphasis on opioids and cannabis. The campaign must include outreach to pharmacies, hospitals, substance abuse treatment facilities and cannabis dispensary facilities, hybrid retailers, and retailers that can communicate information about these dangers to drivers who are receiving or purchasing these drugs.

EFFECTIVE DATE: Upon passage

§ 13 — DOT FIVE-YEAR CAPITAL PLAN AND EQUITY PROPOSALS

Requires DOT, when developing its next five-year capital plan, to examine proposals from the Vision Zero Council's equity subcommittee and consider infrastructure that specifically protects vulnerable highway users

The bill requires DOT, when developing its next five-year capital plan, to examine proposals from the Vision Zero Council's equity subcommittee (see BACKGROUND) and consider infrastructure that specifically protects vulnerable highway users, including pedestrians, bicyclists, and people with disabilities.

EFFECTIVE DATE: Upon passage

§§ 14-18 — AUTOMATED ENFORCEMENT

Allows municipalities to authorize using speed cameras and red light cameras in school zones, pedestrian safety zones, and other OSTA-approved locations with a history of crashes; establishes conditions and procedures for camera operation, violation enforcement, and data privacy

The bill allows municipalities to authorize, by an ordinance adopted by its legislative body, the use of speed cameras and red light cameras (which the bill calls "automated traffic enforcement safety devices") in

school zones, pedestrian safety zones (see BACKGROUND), and other locations approved by OSTA. Existing law authorizes the use of speed cameras only by DOT through the work zone speed camera pilot program (see BACKGROUND).

The bill defines an “automated traffic enforcement safety device” as a device that works in conjunction with radar speed detection equipment or a traffic control signal to collect photo or video evidence of alleged traffic violations by recording images that capture the license plate, date, time, and location of a vehicle that (1) exceeds the posted speed limit by 10 or more miles per hour or (2) runs a red light.

Under the bill, municipalities may enter into agreements with vendors to design, install, operate, and maintain speed and red light cameras, but the vendor’s fee may not depend on the number of citations issued or fines paid. A “vendor” is someone who (1) provides camera-related services; (2) operates, maintains, leases, or licenses speed or red light cameras; or (3) reviews and assembles the images the cameras record.

EFFECTIVE DATE: October 1, 2023

Ordinance Requirements, Municipal Violation, and Fines

Before operating cameras, municipalities must adopt an ordinance authorizing cameras and establishing a municipal violation for vehicles that the cameras capture speeding or running red lights. Specifically, the ordinance must include the following provisions:

1. speed and red light cameras must be operated by a person trained and certified to operate the device (i.e., an “automated traffic enforcement safety device operator”);
2. a motor vehicle’s owner violates the ordinance if the vehicle’s driver is detected by the camera (a) exceeding the posted speed limit by 10 mph or more or (b) running a red light;
3. for the first 30 days after speed or red light cameras begin

operating at a given location or intersection, the vehicle owner violating the ordinance must receive a written warning instead of a citation;

4. payment of fines and fees may be done electronically; and
5. an authorized municipal or vendor employee must review and approve the recorded images before a citation is mailed to a vehicle owner.

The bill requires municipalities that adopt ordinances authorizing cameras to also adopt a (1) citation hearing procedure and (2) comprehensive safety action plan to ensure the municipality's streets safely and conveniently serve users of all ages and abilities, including pedestrians, transit users, bicyclists, wheelchair or assistive device users, and drivers.

Fines. The bill allows the municipal ordinances to include a fine for owners of vehicles violating the ordinance of up to (1) \$50 for first violations and (2) \$75 for subsequent violations. They may also impose a reasonable fee, up to \$15, for electronic payment processing costs.

The bill requires that any fine revenue the municipality collects be used to improve traffic safety in the municipality, including camera installation, operation, and maintenance costs.

Other Penalties. Violations of ordinances adopted under the bill must not (1) be included in a person's driving record, (2) be subject to merit rating for insurance purposes, or (3) authorize imposing surcharge points for motor vehicle insurance coverage.

Location Selection and Approval

Under the bill, municipalities may use speed or red light cameras (1) within school zones and pedestrian safety zones and (2) at other intersections and locations within the municipality that had a history of traffic crashes caused by excessive speed or by violations of a traffic sign or traffic signal. When selecting intersections or locations within school

and pedestrian safety zones, the municipality must consider speed data, crash history, and roadway geometry.

The bill requires the municipality's local traffic authority (LTA) to approve camera locations before the cameras begin operating. It also requires that OSTA approve camera locations outside of school zones and pedestrian safety zones. By law, the entity designated as the LTA varies by municipality but may be the police commission, board of selectmen, mayor, town manager, or police chief (CGS § 14-297(6)).

Public Notice

The bill requires municipalities to notify people about speed and red light cameras in two ways. First, before operating any camera, they must install at least two clearly visible signs notifying drivers about the camera at a reasonable distance ahead of the camera's location and in accordance with the Federal Manual of Uniform Traffic Control Devices.

Second, at least 30 days before the first speed or red light camera begins operating in the municipality, the municipality must develop and implement a public awareness campaign to educate the public about the importance of obeying speed limits and traffic signals and that speed or red light cameras will soon be used in the municipality.

Camera Training and Calibration

The bill requires speed camera operators to complete training from the camera's manufacturer, or the manufacturer's representative, on the speed camera's set up, testing, and operation. Upon completion, the manufacturer or its representative must issue a signed certificate to the operator, which must be admitted as evidence in any municipal hearing.

The act also requires municipalities to make sure that cameras they use have an annual calibration check performed at a calibration laboratory. The laboratory must issue a signed certificate of calibration after the check, which must be kept on file and admitted as evidence in any resulting municipal citation hearing.

Image Review and Ticket Issuance

Under the bill, when a speed or red light camera detects and produces images of a vehicle, an authorized municipal or vendor employee must review them. If the employee determines there are reasonable grounds to believe a violation of the municipal ordinance occurred, the employee may issue a citation to the vehicle owner. The notice must include the following:

1. the motor vehicle owner's name and address,
2. the vehicle's license plate,
3. the violation charged,
4. the camera location and the date and time of the violation,
5. a copy of the recorded images or information on how to view them electronically,
6. a statement or electronically generated affirmation by the employee who reviewed the images and determined that the vehicle violated the ordinance,
7. the date of the most recent calibration check and verification that the camera was operating correctly during the alleged violation,
8. the fine imposed, and
9. the right to contest the violation and request a hearing.

For vehicles registered in Connecticut, the bill requires the citation to be sent by first class mail to the address on file with DMV within 30 days after the alleged violation occurred or the vehicle owner's identity is ascertained, whichever is later. For vehicles registered elsewhere, the citation must be similarly sent to the address on file with the issuing jurisdiction within 30 days after ascertaining the owner's identity. However, the bill makes citations invalid if they are mailed later than 60 days after an alleged violation. Manual or automatic records of mailing prepared by the municipal or vendor employee in the ordinary course of business are prima facie evidence of mailing and are admissible in

any municipal hearing as to facts the citation contains.

Available Defenses

The bill makes the following defenses available to a vehicle owner alleged to have violated an ordinance adopted under the bill:

1. the person was driving an emergency vehicle on the way to an emergency;
2. the traffic signal was not working, and this is observable in the images;
3. the violation was necessary to comply with an order from a law enforcement officer or to allow an emergency vehicle to pass, and this is observable in the images;
4. the violation took place when the vehicle had been reported as stolen and had not yet been recovered;
5. the driver was convicted for a speeding or red light violation for the same incident based on a separate citation issued by a law enforcement officer; and
6. the camera did not have a calibration check as the bill requires.

Privacy

The bill prohibits municipalities and vendors from disclosing “personally identifiable information” to any person or entity unless the disclosure is made (1) in connection with charging, collecting, and enforcing fines imposed under an ordinance; (2) pursuant to a judicial order in a criminal proceeding; or (3) to comply with state or federal laws or regulations. It also prohibits a municipality or a vendor from storing or keeping this information unless it is necessary to collect and enforce fines imposed under the ordinance.

Under the bill, “personally identifiable information” is information a municipality or vendor creates or maintains that identifies or describes a vehicle owner and includes the owner’s address; phone number;

license plate; photo; bank account information; credit card or debit card number; and the date, time, location, or direction of travel on a highway.

Unless otherwise required by law, or related to an administrative summons or judicial order in a criminal proceeding, the act requires a municipality or vendor to destroy personally identifiable information and other data specifically identifying a motor vehicle and relating to an alleged violation within one year after a fine is collected or a hearing is resolved.

The bill specifies that any other data is subject to disclosure under the Freedom of Information Act, except for personally identifiable information.

Reporting

The bill requires municipalities to submit an initial and annual report on specified camera data to DOT and the Transportation Committee. It also requires DOT to post the reports it receives on its website.

Initial Report. Within 18 months after a speed or red light camera starts operating in a municipality, the municipality must report the following information to DOT and the Transportation Committee:

1. the number of speeding and red light camera violations that occurred at places with cameras before the cameras started operating;
2. the number of speeding (10 mph over the limit or more) and red light violations that the camera captured;
3. if available, the number and type of related traffic violations and crashes that occurred at each location with cameras (a) before their installation and (b) during their use;
4. the number of speeding and red light violations and related traffic violations and crashes that occurred at (a) intersections where the cameras were used and (b) similar intersections where they were not used;

5. a description of situations where recorded images could not be used or were not used;
6. the number of leased vehicles, rented vehicles, out-of-state vehicles, or other vehicles, including trucks, for which enforcement efforts were unsuccessful;
7. the fine and fee revenue collected; and
8. the municipality's costs for using the cameras.

Annual Report. Starting a year after submitting the initial report, the bill requires municipalities to annually report the following data until speed or red light cameras are no longer operating in the municipality:

1. the number of vehicles subject to one citation, two citations, three citations, and four or more citations;
2. for red light cameras, the number of citations at each location that were issued to vehicles making a right turn, proceeding through the intersection, and making a left turn;
3. a list of engineering and education measures the municipality undertook to improve safety at camera locations; and
4. data on how many citations were issued, how many hearings were requested, and the results of any hearings.

§ 19 — SEAT BELT PROMOTION

Requires DOT, in collaboration with specified agencies, to establish a program promoting seatbelt use among vulnerable communities that are less likely to wear a seat belt

Under the bill, DOT must collaborate with DPH and the Education, Social Services, and Veterans Affairs departments to establish a program promoting seatbelt use among vulnerable communities that DOT identifies as less likely to wear a seat belt. The program may include things like peer-to-peer education and outreach to parents and community organizations.

EFFECTIVE DATE: Upon passage

BACKGROUND***Federal Open Container Law Requirement***

Federal law requires states to adopt an open container law that meets federal compliance criteria (23 U.S.C. § 154). To comply, the state law must apply to (1) possession and consumption, (2) the entire passenger area, (3) all alcoholic beverages, (4) all occupants, and (5) all motor vehicles. It must also provide for primary enforcement (i.e., law enforcement may issue a citation upon observing someone violating the law). It allows states to provide exceptions for (1) open containers stored in a locked container or, in vehicles without trunks, behind the last seat and (2) passengers in a for-hire transportation vehicle or an RV's living quarters (23 C.F.R. § 1270.4).

States without a compliant law must transfer 2.5% of their annual apportionment under specified highway construction programs (i.e., National Highway Performance Program and the Surface Transportation Block Grant Program) to specified traffic safety programs (i.e., 402 Highway Safety DUI Countermeasures Program or the Hazard Elimination Program) (23 C.F.R. § 1270.6).

Infractions

Infractions are punishable by fines, usually set by Superior Court judges, of between \$35 and \$90, plus a \$20 or \$35 surcharge and an additional fee based on the fine's amount. There may also be other applicable charges depending on the type of infraction. For example, certain motor vehicle infractions trigger a Special Transportation Fund surcharge of 50% of the fine. An infraction is not a crime and violators can generally pay the fine by mail without making a court appearance.

Vision Zero Council

PA 21-28, § 2, established the Vision Zero Council and charged it with developing a statewide policy and interagency approach to eliminating 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.

By law, the council is composed of the DOT, DPH, and Department of Emergency Services and Public Protection commissioners and any other agency commissioners they invite. The council may establish committees to advise it in carrying out its duties.

School Zones and Pedestrian Safety Zones

State law allows for the designation of a school zone on roads that are adjacent to school property or close enough to a school to constitute a risk to public safety under all the circumstances. For zones on state-owned roads, the municipality's legislative body may request that OSTA designate the zone. On municipally owned roads, the municipality's LTA has the authority to designate a zone (CGS § 14-212b).

State law also allows 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 20 mph on roads (1) in clearly defined downtown districts and community centers frequented by pedestrians or (2) adjacent to hospital property or sufficiently close to it as to constitute a public safety risk. LTAs may establish a zone if they (1) receive general authority to establish zones from the municipality by vote of the legislative body and (2) conduct an engineering study as required by law (CGS § 14-307a).

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

Work Zone Speed Camera Pilot Program

PA 21-2, June Special Session, §§ 296-305, authorized DOT to establish a two-year pilot program to operate speed cameras in up to three highway work zones, at any one time, on limited access highways. The act required that the program begin by January 1, 2022, and end by December 1, 2023. (In practice, DOT has not started the program yet but anticipates doing so in the next few months.) It creates a specific violation for exceeding posted speed limits in zones by 15 mph or more

and sets the following penalties: (1) a written warning for a first violation, (2) a \$75 fine for a second violation, and (3) a \$150 fine for a subsequent violation. DOT may contract with a vendor to operate the cameras, but State Police are charged with reviewing the images and issuing tickets. By January 1, 2024, the DOT commissioner must assess the pilot program’s efficacy and report on the assessment to the Transportation and Appropriations committees.

Related Bills

HB 6625, favorably reported by the Public Safety and Security Committee, allows Waterbury to authorize the use of red light cameras in school zones and pedestrian safety zones, intersections on highways with speed limits above 25 mph, and other locations with a history of traffic crashes and red light violations.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 22 Nay 14 (03/10/2023)