



House of Representatives

File No. 821

General Assembly

January Session, 2023

(Reprint of File No. 304)

Substitute House Bill No. 5917
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 25, 2023

***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. (*Effective from passage*) The Commissioner of Transportation
2 shall study and make recommendations concerning the advisability of
3 (1) permitting a person riding a bicycle to treat a stop sign as a yield sign
4 and a traffic control signal with a steady red signal as a stop sign, and
5 (2) amending subdivision (3) of subsection (b) of section 14-299 of the
6 general statutes to prohibit a motor vehicle operator from making a
7 right turn when facing a traffic control signal with a steady red signal.
8 Not later than February 1, 2024, the commissioner shall submit the
9 results of such study and the commissioner's recommendations, in
10 accordance with the provisions of section 11-4a of the general statutes,
11 to the joint standing committee of the General Assembly having
12 cognizance of matters relating to transportation.

13 Sec. 2. (NEW) (*Effective from passage*) Not later than July 1, 2024, the

14 Commissioner of Transportation shall adopt an intersection control
15 evaluation policy to be used by the Department of Transportation when
16 evaluating the construction of a new intersection or the modification of
17 an existing intersection. Such policy shall (1) provide a decision-making
18 framework to screen intersection alternatives with specific
19 performance-based criteria in order to identify an optimal solution, (2)
20 require the use of consistent documentation for each evaluation of a new
21 or existing intersection, and (3) be revised as the commissioner deems
22 necessary.

23 Sec. 3. (NEW) (*Effective from passage*) The Department of
24 Transportation, in consultation with the State Board of Education and
25 the Department of Motor Vehicles, upon receipt of a request by a local
26 or regional board of education, shall award an exemplary "Vision Zero"
27 program distinction to those local and regional boards of education that
28 offer a program that provides students in grades six to twelve, inclusive,
29 with opportunities to learn about the mission of the Vision Zero
30 Council, established pursuant to section 13b-23b of the general statutes,
31 and the importance of practicing safe driving habits and learning
32 pedestrian safety skills. Such opportunities may include, but need not
33 be limited to, classes, extracurricular activities, presentations,
34 symposiums, peer-to-peer education, parent involvement and
35 parenting education and outreach. A local or regional board of
36 education may submit, at such time and in such manner as the
37 Department of Transportation prescribes, a request for such distinction
38 by providing details about such board's program to the department. The
39 Department of Transportation shall make information about the
40 distinction available on the department's Internet web site.

41 Sec. 4. Subsection (g) of section 51-164n of the general statutes is
42 repealed and the following is substituted in lieu thereof (*Effective October*
43 *1, 2023*):

44 (g) If a person elects to plead not guilty and send the plea of not guilty
45 to the Centralized Infractions Bureau in accordance with subsection (d)
46 of this section, such person may subsequently, at a proceeding at

47 Superior Court, reach an agreement with the prosecutorial official as to
48 the amount of the fine to be paid and elect to pay such fine without
49 appearing before a judicial authority. As a part of any such agreement,
50 the prosecutorial official may require such person to attend a motor
51 vehicle operator safety course that addresses the nature of such
52 infraction or violation and that is offered or approved by the Chief
53 State's Attorney. The amount of the fine agreed upon shall not exceed
54 the amount of the fine established for such infraction or violation. Any
55 person who pays a fine pursuant to this subsection shall also pay any
56 additional fees or costs established for such infraction or violation. Such
57 person shall make such payment to the clerk of the Superior Court and
58 such payment shall be considered a plea of nolo contendere and shall be
59 inadmissible in any proceeding, civil or criminal, to establish the
60 conduct of such person, provided the provisions of this section and
61 section 51-164m shall not affect the application of any administrative
62 sanctions by either the Commissioner of Energy and Environmental
63 Protection authorized under title 26 or the Commissioner of Motor
64 Vehicles authorized under title 14. A plea of nolo contendere pursuant
65 to this subsection does not have to be submitted in writing. Nothing in
66 this subsection shall affect the right of a person who is alleged to have
67 committed an infraction or any violation specified in subsection (b) of
68 this section to plead not guilty and request a trial before a judicial
69 authority.

70 Sec. 5. Section 14-41 of the general statutes is amended by adding
71 subsection (g) as follows (*Effective January 1, 2024*):

72 (NEW) (g) The commissioner shall develop, and thereafter revise as
73 needed, a video presentation concerning current state laws that impact
74 motorists, pedestrians and bicyclists and ways to practice safe driving
75 behaviors and reduce transportation-related fatalities and severe
76 injuries. In developing such video presentation, the commissioner may
77 use materials and one or more video presentations developed by a
78 governmental entity, independent contractor or any other party. Upon
79 every other renewal of a motor vehicle operator's license, the
80 commissioner shall require the licensee to watch such video

81 presentation prior to issuing such license.

82 Sec. 6. Subdivision (5) of subsection (e) of section 14-36 of the general
83 statutes is repealed and the following is substituted in lieu thereof
84 (*Effective July 1, 2023*):

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

89 Sec. 7. Section 14-111k of the general statutes is amended by adding
90 subsection (e) as follows (*Effective January 1, 2024*):

91 (NEW) (e) Prior to issuing an operator's license to a person who holds
92 an operator's license issued by another jurisdiction, the commissioner
93 shall require such person to watch the video presentation developed
94 pursuant to subsection (g) of section 14-41, as amended by this act, and
95 provide such person with other safe driving training materials.

96 Sec. 8. (*Effective from passage*) For the purposes of this section,
97 "cannabis", "dispensary facility", "hybrid retailer" and "retailer" have the
98 same meanings as provided in section 21a-420 of the general statutes.
99 The Department of Transportation, in collaboration with the
100 Department of Public Health and one or more local health departments
101 or district departments of health, shall conduct a public awareness
102 campaign about the dangers of operating a motor vehicle under the
103 influence of certain over-the-counter drugs and prescription drugs, with
104 an emphasis on opioids and cannabis. Such campaign shall include, but
105 need not be limited to, outreach to pharmacies, hospitals, substance
106 abuse treatment facilities, dispensary facilities, hybrid retailers and
107 retailers that can communicate information about such dangers to motor
108 vehicle operators who are receiving or purchasing such drugs.

109 Sec. 9. (*Effective from passage*) When developing the next five-year
110 transportation capital plan, the Department of Transportation shall
111 examine the proposals from the equity subcommittee of the Vision Zero

112 Council, established pursuant to section 13b-23b of the general statutes,
113 and consider infrastructure that specifically protects vulnerable users of
114 the highways, including pedestrians, bicyclists and persons who have
115 disabilities.

116 Sec. 10. (NEW) (*Effective October 1, 2023*) For the purposes of this
117 section, sections 11 to 13, inclusive, and sections 16 to 18, inclusive, of
118 this act:

119 (1) "Automated traffic enforcement safety device" means a device
120 designed to detect and collect evidence of alleged violations of an
121 ordinance adopted under section 11 of this act by recording images that
122 capture the number plate, date, time and location of a motor vehicle that
123 (A) exceeds the posted speed limit by ten or more miles per hour, or (B)
124 fails to stop such vehicle when facing a steady red signal on a traffic
125 control signal.

126 (2) "Automated traffic enforcement safety device operator" means a
127 person who is trained and certified to operate an automated traffic
128 enforcement safety device.

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

131 (4) "Equitable" means efforts, policies, standards, processes and any
132 other functions of government intended to (A) ensure that patterns of
133 discrimination and disparities of race, ethnicity and socioeconomic
134 status, whether intentional or unintentional, are neither reinforced nor
135 perpetuated, and (B) prevent the emergence and persistence of
136 foreseeable future patterns of discrimination or disparities of race,
137 ethnicity and socioeconomic status.

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

141 (6) "Personally identifiable information" means information created

142 or maintained by the municipality or a vendor that identifies or
143 describes an owner and includes, but need not be limited to, the owner's
144 address, telephone number, number plate, photograph, bank account
145 information, credit card number, debit card number or the date, time,
146 location or direction of travel on a highway.

147 (7) "School zone" means an area designated by the Office of the State
148 Traffic Administration or the traffic authority of a town, city or borough
149 pursuant to section 14-212b of the general statutes, as amended by this
150 act.

151 (8) "Traffic authority", "traffic control sign" and "traffic control signal"
152 have the same meanings as provided in section 14-297 of the general
153 statutes.

154 (9) "Vendor" means a person who (A) provides services to a
155 municipality under sections 11 and 12 of this act; (B) operates,
156 maintains, leases or licenses an automated traffic enforcement safety
157 device; or (C) is authorized to review and assemble the recorded images
158 captured by an automated traffic enforcement safety device and
159 forward such recorded images to the municipality.

160 Sec. 11. (NEW) (*Effective October 1, 2023*) (a) Any municipality may
161 authorize the use of automated traffic enforcement safety devices at
162 locations within school zones, pedestrian safety zones and other places
163 in such municipality, provided (1) the municipality adopts an ordinance
164 in accordance with the provisions of this section, and (2) the locations of
165 such devices are identified in a plan approved by the Department of
166 Transportation pursuant to section 17 of this act.

167 (b) The municipality may enter into agreements with vendors for the
168 design, installation, operation or maintenance, or any combination
169 thereof, of automated traffic enforcement safety devices. If a vendor
170 designs, installs, operates or maintains an automated traffic
171 enforcement safety device, the vendor's fee may not be contingent on
172 the number of citations issued or fines paid pursuant to an ordinance
173 adopted under this section.

174 (c) Any ordinance adopted under this section shall specify the
175 following: (1) That an automated traffic enforcement safety device shall
176 be operated by an automated traffic enforcement safety device operator;
177 (2) that the owner of a motor vehicle commits a violation of the
178 ordinance if the person operating such motor vehicle (A) exceeds the
179 posted speed limit by ten or more miles per hour and such operation is
180 detected by an automated traffic enforcement safety device, or (B) fails
181 to stop such motor vehicle when facing a steady red signal on a traffic
182 control signal and such failure is detected by an automated traffic
183 enforcement safety device; (3) an automated traffic enforcement safety
184 device shall be used solely for identifying violations of the ordinance;
185 (4) for the first thirty days after a location is equipped with an
186 operational automated traffic enforcement safety device, the owner of a
187 motor vehicle allegedly committing a violation of such ordinance that is
188 detected by such device shall receive a written warning instead of a
189 citation, as described in subsection (i) of this section; (5) payment of a
190 fine and any associated fee imposed for a violation of the ordinance may
191 be made by electronic means; (6) a sworn member or employee of the
192 municipality's police department or an employee of the municipality, as
193 designated by the traffic authority, shall review and approve the
194 recorded images before a citation is mailed to the owner of such motor
195 vehicle; and (7) the defenses available to the owner of a motor vehicle
196 allegedly committing a violation of such ordinance, which shall include,
197 but need not be limited to, the defenses listed in subsection (j) of this
198 section.

199 (d) Any ordinance adopted under this section may: (1) Establish a fine
200 to be imposed against the owner of a motor vehicle committing a
201 violation of such ordinance, provided the amount of such fine is not
202 more than fifty dollars for a first violation and not more than seventy-
203 five dollars for a second or subsequent violation, and (2) impose a
204 reasonable fee, not to exceed fifteen dollars, for the costs associated with
205 the electronic processing of the payment of any such fine. Any funds
206 received by a municipality from fines imposed pursuant to an ordinance
207 adopted under this section shall be used for the purposes of improving

208 transportation mobility, investing in transportation infrastructure
209 improvements or paying the costs associated with the use of automated
210 traffic enforcement safety devices in the municipality.

211 (e) Any municipality that adopts an ordinance under this section
212 shall also adopt the following: (1) A citation hearing procedure pursuant
213 to section 7-152c of the general statutes, as amended by this act, (2) a
214 comprehensive safety action plan to ensure that the streets located in the
215 municipality safely and conveniently serve road users of all ages and
216 abilities, including pedestrians, transit users, bicyclists, persons using
217 wheelchairs or other assistive devices and motor vehicle operators, and
218 (3) a written policy that meets or exceeds the standards of the model
219 privacy policy and protocol developed pursuant to subsection (a) of
220 section 16 of this act. Such municipality shall also be in compliance with
221 any order made by the Office of the State Traffic Administration
222 pursuant to the provisions of chapter 249 of the general statutes or any
223 regulation adopted pursuant to said chapter by the office regarding a
224 traffic control sign or traffic control signal at a location equipped or
225 proposed to be equipped with an automatic traffic enforcement safety
226 device.

227 (f) (1) Prior to the operation of an automated traffic enforcement
228 safety device, the municipality shall (A) install at least two conspicuous
229 signs at a reasonable distance in advance of such location, in accordance
230 with the Federal Highway Administration's Manual on Uniform Traffic
231 Control Devices for Streets and Highways, as amended from time to
232 time, notifying motor vehicle operators of such location, and (B) provide
233 notification of such location to persons, firms or corporations that
234 operate a mobile application that is used for navigation purposes or to
235 provide real-time information on motor vehicle traffic. The Department
236 of Transportation shall designate which such persons, firms or
237 corporations shall be notified and provide technical guidance to such
238 municipalities regarding how to provide such notification.

239 (2) At least thirty days before the date the first automated traffic
240 enforcement safety device becomes operational in the municipality, the

241 municipality shall develop and implement a public awareness
242 campaign to educate the public concerning the importance of obeying
243 speed limits and traffic control signals and the imminent use of
244 automated traffic enforcement safety devices in the municipality at the
245 locations identified in the plan approved by the Department of
246 Transportation pursuant to section 17 of this act.

247 (g) An automated traffic enforcement safety device operator shall
248 complete training offered by the manufacturer of such device or the
249 manufacturer's representative regarding procedures for setting up,
250 testing and operating such device. The manufacturer or manufacturer's
251 representative shall issue a signed certificate to the automated traffic
252 enforcement safety device operator upon such operator's completion of
253 the training. Such signed certificate shall be admitted as evidence in any
254 hearing conducted pursuant to section 7-152c of the general statutes, as
255 amended by this act.

256 (h) The municipality shall ensure each automated traffic enforcement
257 safety device used by such municipality undergoes an annual
258 calibration check performed at a calibration laboratory. The calibration
259 laboratory shall issue a signed certificate of calibration after the annual
260 calibration check. Such signed certificate of calibration shall be kept on
261 file and admitted as evidence in any hearing conducted pursuant to
262 section 7-152c of the general statutes, as amended by this act.

263 (i) (1) Whenever an automated traffic enforcement safety device
264 detects and produces recorded images of a motor vehicle allegedly
265 committing a violation of an ordinance adopted under this section, a
266 sworn member or employee of the municipality's police department or
267 an employee of the municipality designated by the traffic authority shall
268 review the recorded images provided by such device. If, after such
269 review, such member or employee determines that there are reasonable
270 grounds to believe that a violation of the ordinance has occurred, such
271 member or employee may issue a citation to the owner of the motor
272 vehicle. The citation shall include the following: (A) The name and
273 address of the owner of the motor vehicle; (B) the number plate of the

274 motor vehicle; (C) the violation charged; (D) the location of the
275 automated traffic enforcement safety device and the date and time of
276 the violation; (E) a copy of or information on how to view, through
277 electronic means, the recorded images described in this section; (F) a
278 statement or electronically generated affirmation by the member or
279 employee who reviewed the recorded images and determined that the
280 motor vehicle violated the ordinance; (G) verification that the
281 automated traffic enforcement safety device was operating correctly at
282 the time of the alleged violation and the date of the most recent
283 calibration check performed pursuant to subsection (h) of this section;
284 (H) the amount of the fine imposed and how to pay such fine; and (I)
285 the right to contest the violation and request a hearing pursuant to
286 section 7-152c of the general statutes, as amended by this act.

287 (2) In the case of an alleged violation involving a motor vehicle
288 registered in the state, the citation shall be mailed not later than thirty
289 days after the identity of the owner is ascertained to the address of the
290 owner that is in the records of the Department of Motor Vehicles. In the
291 case of an alleged violation involving a motor vehicle registered in
292 another jurisdiction, the citation shall be mailed not later than thirty
293 days after the identity of the owner is ascertained to the address of the
294 owner that is in the records of the official in the other jurisdiction issuing
295 such registration. A citation shall be invalid unless mailed to an owner
296 not later than sixty days after the alleged violation.

297 (3) The citation shall be sent by first class mail. A manual or
298 automated record of mailing prepared by the municipality's police
299 department shall be prima facie evidence of mailing and shall be
300 admissible in any hearing conducted pursuant to section 7-152c of the
301 general statutes, as amended by this act, as to the facts contained in the
302 citation.

303 (j) The following defenses shall be available to the owner of a motor
304 vehicle who is alleged to have committed a violation of such ordinance
305 adopted under this section: (1) The operator was driving an emergency
306 vehicle in accordance with the provisions of subdivision (1) of

307 subsection (b) of section 14-283 of the general statutes; (2) the traffic
308 control signal was inoperative, which is observable on the recorded
309 images; (3) the violation was necessary in order for the operator to
310 comply with an order or direction from a law enforcement officer, which
311 is observable on the recorded images; (4) the violation was necessary to
312 allow the passage of an authorized emergency vehicle, which is
313 observable on the recorded images; (5) the violation took place during a
314 period of time in which the motor vehicle had been reported as being
315 stolen to a law enforcement unit, as defined in section 7-294a of the
316 general statutes, and had not been recovered prior to the time of the
317 violation; or (6) the automated traffic enforcement safety device was not
318 in compliance with the calibration check required pursuant to
319 subsection (h) of this section.

320 Sec. 12. (NEW) (*Effective October 1, 2023*) (a) No personally identifiable
321 information shall be disclosed by the municipality or a vendor to any
322 person or entity, including any law enforcement unit, except where the
323 disclosure is made in connection with the charging, collection and
324 enforcement of the fines imposed pursuant to an ordinance adopted
325 under section 11 of this act.

326 (b) No personally identifiable information shall be stored or retained
327 by the municipality or a vendor unless such information is necessary for
328 the charging, collection and enforcement of the fines imposed pursuant
329 to an ordinance adopted under section 11 of this act.

330 (c) The municipality or a vendor shall destroy personally identifiable
331 information and other data that specifically identifies a motor vehicle
332 and relates to a violation of an ordinance adopted under section 11 of
333 this act not later than thirty days after any fine is collected or the
334 resolution of a hearing conducted for the alleged commission of such
335 violation, whichever is later.

336 (d) Any information and other data gathered from automated traffic
337 enforcement safety devices shall be subject to disclosure under the
338 Freedom of Information Act, as defined in section 1-200 of the general

339 statutes, except no personally identifiable information may be disclosed.

340 Sec. 13. (NEW) (*Effective October 1, 2023*) (a) Not later than eighteen
341 months following the date an automated traffic enforcement safety
342 device becomes operational in a municipality pursuant to section 11 of
343 this act, the municipality shall submit a report to the Department of
344 Transportation and to the joint standing committee of the General
345 Assembly having cognizance of matters relating to transportation, in
346 accordance with the provisions of section 11-4a of the general statutes.
347 Such report shall include, but need not be limited to: (1) The number of
348 violations of sections 14-218a and 14-219 of the general statutes and
349 subdivision (3) of subsection (b) of section 14-299 of the general statutes
350 that occurred at the locations where such automated traffic safety
351 devices were installed prior to the use of such devices; (2) the number
352 of violations where a motor vehicle exceeded the posted speed limit by
353 ten or more miles that were captured by such devices at such locations;
354 (3) the number of violations where a motor vehicle failed to comply with
355 the provisions of subdivision (3) of subsection (b) of section 14-299 of
356 the general statutes when facing a steady red signal on a traffic control
357 signal that were captured by such devices at such locations; (4) if
358 available, the number and type of related traffic violations and crashes
359 that occurred at each location where an automated traffic safety device
360 was installed prior to such installation and during the use of such
361 devices; (5) the number of violations of sections 14-218a and 14-219 of
362 the general statutes and subdivision (3) of subsection (b) of section 14-
363 299 of the general statutes and related traffic violations and crashes that
364 occurred at locations where such devices were used and at similar
365 locations where such devices were not used; (6) a description of
366 situations where recorded images could not be used or were not used;
367 (7) the number of leased or rented motor vehicles, out-of-state motor
368 vehicles or other vehicles, including trucks, where enforcement efforts
369 were unsuccessful; (8) the amount of revenue from the fines and
370 associated fees retained by the municipality; and (9) the cost to the
371 municipality to use such devices.

372 (b) Not later than a year after a municipality submits a report

373 pursuant to subsection (a) of this section, and each year thereafter until
374 an automated traffic safety device is no longer operational in the
375 municipality, the municipality shall submit a report to the Department
376 of Transportation and to the joint standing committee of the General
377 Assembly having cognizance of matters relating to transportation, in
378 accordance with the provisions of section 11-4a of the general statutes.
379 Such annual report shall include, but need not be limited to, (1) the
380 number of motor vehicles that were subject to one citation, two citations,
381 three citations or four or more citations, (2) in the case of an automated
382 traffic safety device that records images of motor vehicles failing to
383 comply with the provisions of subdivision (3) of subsection (b) of section
384 14-299 of the general statutes when facing a steady red signal on a traffic
385 control signal, the number of citations at each location that were issued
386 to motor vehicles making a right turn, proceeding through the
387 intersection and making a left turn, (3) a list of engineering and
388 educational measures undertaken by the municipality to improve safety
389 in locations when automated traffic enforcement safety devices are
390 operational, and (4) data regarding how many citations were issued,
391 how many hearings were requested and the results of any such
392 hearings.

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

396 Sec. 14. Subsection (c) of section 7-152c of the general statutes is
397 repealed and the following is substituted in lieu thereof (*Effective October*
398 *1, 2023*):

399 (c) Any such municipality, at any time within twelve months from
400 the expiration of the final period for the uncontested payment of fines,
401 penalties, costs or fees for any citation issued under any ordinance
402 adopted pursuant to section 7-148 or [section] 22a-226d or section 11 of
403 this act, for an alleged violation thereof, shall send notice to the person
404 cited. Such notice shall inform the person cited: (1) Of the allegations
405 against [him] such person and the amount of the fines, penalties, costs

406 or fees due; (2) that [he] such person may contest [his] such person's
407 liability before a citation hearing officer by delivering in person or by
408 mail written notice within ten days of the date thereof; (3) that if [he]
409 such person does not demand such a hearing, an assessment and
410 judgment shall be entered against [him] such person; and (4) that such
411 judgment may issue without further notice. For purposes of this section,
412 notice shall be presumed to have been properly sent if such notice was
413 mailed to such person's last-known address on file with the tax collector.
414 If the person to whom such notice is issued is a registrant, the
415 municipality may deliver such notice in accordance with section 7-148ii,
416 provided nothing in this section shall preclude a municipality from
417 providing notice in another manner permitted by applicable law.

418 Sec. 15. (NEW) (*Effective from passage*) The Department of
419 Transportation, in collaboration with the Departments of Education,
420 Motor Vehicles, Public Health, Social Services and Veterans Affairs,
421 shall establish a program to promote the use of seat safety belts among
422 vulnerable communities, as identified by the Department of
423 Transportation, that are less likely to wear a seat safety belt when in a
424 motor vehicle. Such program may include, but need not be limited to,
425 peer-to-peer education and outreach to parents and various community
426 organizations.

427 Sec. 16. (NEW) (*Effective from passage*) (a) Not later than January 1,
428 2024, the Department of Transportation shall issue written guidance to
429 municipalities concerning the development of a plan to use automated
430 traffic enforcement safety devices, the submission of such plan and the
431 criteria to be used by the department when evaluating any such plan for
432 approval. Such guidance shall be consistent with the goal of installing
433 automated traffic enforcement safety devices at locations likely to
434 improve traffic safety and ensuring that the distribution of such devices
435 throughout the municipality is equitable. Such guidance shall include
436 the following factors to be considered by the municipality when
437 determining the locations to include in a plan: (1) The history of traffic
438 crashes caused by excessive speeding or the violation of a traffic control
439 sign or traffic control signal at such location, (2) the history of traffic

440 crashes that resulted in the fatality or serious injury of a person at such
441 location, (3) the rate of poverty in such municipality as determined by
442 the five-year estimates of the most recent American Community Survey
443 conducted by the United States Census Bureau, (4) the per cent of
444 occupied housing units with vehicles available as determined by the
445 five-year estimates of the most recent American Community Survey
446 conducted by the United States Census Bureau, (5) the average daily
447 traffic of such location, (6) the history of traffic stops conducted in the
448 municipality and reported to the Office of Policy and Management
449 pursuant to subsection (h) of section 54-1m of the general statutes, (7)
450 the roadway geometry of any such location, and (8) any other additional
451 information or data as determined by the department. Such guidance
452 shall include a model privacy policy and protocol regarding the privacy,
453 security, collection and destruction of personally identifiable
454 information and other information and data gathered from automated
455 traffic enforcement safety devices and establishing internal audit
456 requirements to ensure compliance with such policy and protocol.

457 (b) Not later than January 1, 2026, the Department of Transportation
458 shall issue written guidance to municipalities concerning how to
459 evaluate the effectiveness of automated traffic enforcement safety
460 devices and submit a subsequent plan to use such devices together with
461 supporting documentation. Such guidance shall include the factors to
462 be considered when determining whether an automated traffic
463 enforcement safety device at a location improved traffic safety.

464 (c) The guidance issued pursuant to the provisions of this section
465 shall be revised as necessary and published on the department's Internet
466 web site.

467 Sec. 17. (NEW) (*Effective October 1, 2023*) (a) (1) A municipality's plan
468 concerning the use of automated traffic enforcement safety devices in
469 the municipality shall identify the proposed locations of such devices
470 and include documentation that such proposed locations comply with
471 the guidelines developed pursuant to subsection (a) of section 16 of this
472 act. The municipality shall conduct a public hearing regarding any such

473 plan prior to submission and, by vote of its legislative body or, in a
474 municipality where the legislative body is a town meeting, by vote of
475 the board of selectman, shall submit such plan to the Department of
476 Transportation, in such form as the department may prescribe.

477 (2) Not later than sixty days after the date a plan is received by the
478 department, the department shall determine if the plan is likely to
479 improve traffic safety at the proposed locations and the distribution of
480 such devices throughout the municipality is equitable, and shall
481 approve or disapprove the plan, in whole or in part. If the department
482 disapproves any such plan, in whole or in part, the department shall
483 provide a written explanation of the reason for such disapproval and
484 guidance to revise such plan for resubmission. Any such disapproval
485 shall not preclude the submission of a revised plan.

486 (3) The approval of a municipality's initial plan shall be valid for a
487 period of three years from the date the first automated traffic
488 enforcement safety device becomes operational in the municipality and,
489 thereafter, the approval of any subsequent plan shall be valid for a
490 period of three years from the date of approval.

491 (b) A municipality operating automated traffic enforcement safety
492 devices pursuant to an approved plan that has not yet expired may
493 submit to the Department of Transportation a modification to such plan
494 to propose the use of such devices at additional locations, in the same
495 manner as described in subdivision (1) of subsection (a) of this section.
496 The department shall approve or disapprove any such modification, in
497 whole or in part, in the same manner as described in subdivision (2) of
498 subsection (a) of this section. The approval of any such modification
499 shall expire on the date the approved plan expires.

500 (c) (1) A municipality that seeks to continue to use automated traffic
501 enforcement safety devices after such expiration shall submit a
502 subsequent plan to the Department of Transportation for approval. Such
503 subsequent plan may include some or all of the previously approved
504 locations for such devices and propose new locations for such devices.

505 The municipality shall conduct a public hearing regarding such
506 subsequent plan prior to its submission to the department and, by vote
507 of its legislative body or, in a municipality where the legislative body is
508 a town meeting, by vote of the board of selectman, submit to the
509 department such plan and supporting documentation in accordance
510 with the guidelines issued pursuant to subsection (b) of section 16 of this
511 act. Supporting documentation for any subsequent plan shall include,
512 but need not be limited to: (A) Evidence that the devices used by the
513 municipality at locations identified in a prior plan improved traffic
514 safety, (B) a description of how any proposed new locations comply
515 with the guidelines developed pursuant to subsection (a) of section 16
516 of this act, and (C) records that the funds received by the municipality
517 from fines imposed pursuant to an ordinance adopted under this section
518 were expended in accordance with the provisions of subsection (d) of
519 section 11 of this act.

520 (2) Not later than sixty days after the date a subsequent plan and
521 supporting documentation is received by the department, the
522 department shall determine: (A) If the subsequent plan is likely to
523 improve traffic safety at the proposed locations, (B) if the subsequent
524 plan includes a location previously equipped with an automated traffic
525 enforcement safety device, whether the use of such device improved
526 traffic safety at such location, and (C) if the distribution of such devices
527 throughout the municipality is equitable, and shall approve or
528 disapprove the plan, in whole or in part. The department shall not
529 approve any part of a plan that includes a location previously equipped
530 with an automated traffic enforcement safety device unless the
531 department determines the use of such device improved traffic safety at
532 such location.

533 (d) In no event shall a municipality use, install or operate an
534 automated traffic enforcement safety device unless such use, installation
535 or operation complies with the provisions of a plan approved by the
536 Department of Transportation and the approval of such plan is effective.

537 Sec. 18. (NEW) (*Effective October 1, 2023*) Not later than February 1,

538 2024, and annually thereafter, the Department of Transportation shall
 539 submit a report, in accordance with the provisions of section 11-4a of the
 540 general statutes, to the joint standing committee of the General
 541 Assembly having cognizance of matters relating to transportation,
 542 concerning the status of plans submitted by municipalities pursuant to
 543 section 17 of this act. Such report shall, at a minimum, (1) list the
 544 municipalities that submitted such plans during the previous year, (2)
 545 identify which plans the department approved, and (3) identify which
 546 plans the department disapproved and provide the reasoning for each
 547 such disapproval.

548 Sec. 19. Subsection (b) of section 14-212b of the general statutes is
 549 repealed and the following is substituted in lieu thereof (*Effective July 1,*
 550 *2023*):

551 (b) (1) At the request of the legislative body of a town, city or borough,
 552 the Office of the State Traffic Administration may designate as a school
 553 zone any part of a state highway that is adjacent to school property or
 554 is, in the opinion of said office, sufficiently close to school property as to
 555 constitute a risk to the public safety under all the circumstances. At the
 556 request of such legislative body, the [commission] office may revoke any
 557 such designation. (2) A local traffic authority may designate as a school
 558 zone, and may revoke any such designation, any part of a local highway
 559 that is adjacent to school property or is, in the opinion of the local traffic
 560 authority, sufficiently close to school property as to constitute a risk to
 561 the public safety under all the circumstances.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>October 1, 2023</i>	51-164n(g)
Sec. 5	<i>January 1, 2024</i>	14-41(g)
Sec. 6	<i>July 1, 2023</i>	14-36(e)(5)
Sec. 7	<i>January 1, 2024</i>	14-111k(e)

Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>October 1, 2023</i>	New section
Sec. 11	<i>October 1, 2023</i>	New section
Sec. 12	<i>October 1, 2023</i>	New section
Sec. 13	<i>October 1, 2023</i>	New section
Sec. 14	<i>October 1, 2023</i>	7-152c(c)
Sec. 15	<i>from passage</i>	New section
Sec. 16	<i>from passage</i>	New section
Sec. 17	<i>October 1, 2023</i>	New section
Sec. 18	<i>October 1, 2023</i>	New section
Sec. 19	<i>July 1, 2023</i>	14-212b(b)

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 \$
Department of Motor Vehicles	TF - Cost	Potential	None
Department of Transportation	TF - Cost	Up to \$1.8 million	Up to \$1.6 million

Note: TF=Transportation Fund

Municipal Impact:

Municipalities	Effect	FY 24 \$	FY 25 \$
Various Municipalities	Potential Cost/ Revenue Gain	Minimal	Minimal

Explanation

Section 5 allows the Department of Motor Vehicles (DMV) to use third-party resources in developing the required video presentation. To the extent DMV opts to purchase third-party resources, there would be a potential one-time cost to the department in FY 24.

Section 8 requires the Department of Transportation (DOT), in collaboration with the Department of Public Health (DPH) and one or more local health departments, to conduct a public awareness campaign that must include outreach to pharmacies, hospitals, substance abuse treatment facilities, cannabis dispensary facilities, and certain retailers, which results in a cost of approximately \$1.8 million in FY 24 and \$1.6 million in FY 25 for development of campaign content, printing and distribution of materials, and related costs. It is expected that DOT

would use federal transportation safety grants for some or all of these costs. To the extent that federal funds do not fully cover these costs, this section results in a cost to the Special Transportation Fund.

Sections 10 through 14 permit municipalities to authorize, by ordinance, and pending the approval of certain plans by DOT, 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 to be used toward improving transportation mobility, investing in transportation infrastructure improvements, or paying costs associated with the use of speed cameras and red-light cameras.

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.

Section 16 requires DOT to issue guidance to municipalities concerning the development of plans for using speed cameras and red-light cameras and how to evaluate the effectiveness of such devices. This is not expected to have a fiscal impact because DOT has existing expertise in the areas it must consider as part of the guidance.

Section 17 requires municipalities to submit a plan for using speed cameras and red-light cameras to DOT. This may result in a potential cost to municipalities beginning in FY 24 to the extent they require consultants to assist in developing the plans. Municipalities that wish to use speed cameras and red-light cameras must have their plan approved by DOT. Additionally, this section stipulates DOT's involvement in reviewing and approving the municipal plans and results in a potential cost to DOT depending on the number of municipalities that pursue the use of these devices.

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

House "A" alters the original bill by eliminating Sections 1 to 3 and Section 6 and the associated fiscal impacts. Additionally, the amendment allows DMV to use third-party resources in developing the required video presentation, resulting in a potential cost to the department. The amendment makes DOT the lead department for the public awareness campaign in Section 8, which allows for potential reimbursement of costs from federal transportation safety grants. The amendment also alters the provisions regarding automated enforcement, resulting in a potential cost to both municipalities and DOT for plan development and review.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation and the use of speed cameras and red-light cameras as outlined in the bill.

OLR Bill Analysis (LCO 8388)**sHB 5917 (as amended by House A)******AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE VISION ZERO COUNCIL.***

TABLE OF CONTENTS:

SUMMARY§ 1 — “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

§ 2 — INTERSECTION CONTROL EVALUATION POLICY

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

§ 3 — 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

§ 4 — 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

§§ 5-7 — SAFETY VIDEO AND MATERIALS AT LICENSE RENEWAL AND ISSUANCE TO NEW RESIDENTS

Requires DMV to (1) develop a safety video 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

§ 8 — PUBLIC AWARENESS CAMPAIGN ON DRUG IMPAIRED DRIVING

Requires DOT 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

§ 9 — 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

§§ 10-14 & 16-18 — AUTOMATED ENFORCEMENT

Allows municipalities to use speed cameras and red light cameras pursuant to an ordinance meeting the bill's requirements and a plan approved by DOT every three years; requires DOT to provide guidance to municipalities developing plans and selecting locations; includes provisions on public participation and notice, camera operation, fine revenue use, violation enforcement, and data privacy, among others

§ 15 — 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

§ 19 — TECHNICAL CHANGE

Makes a technical change

BACKGROUND

SUMMARY

This bill allows municipalities to authorize the use of speed and red light cameras in school zones, pedestrian safety zones, and other locations meeting specified criteria, subject to oversight by the Department of Transportation (DOT) and under various other conditions the bill sets. It also enacts various other policies related to traffic safety.

*House Amendment "A" eliminates the underlying bill's provisions

on open containers, motorcycle helmets, and a fatal collision reduction team and makes numerous changes to the speed and red light camera provisions, including, among other things, (1) subjecting municipalities' use of speed and red light cameras to DOT approval and oversight; (2) eliminating the indefinite authorization for municipal speed and red light camera use, instead requiring that camera locations get approved by DOT every three years; (3) modifying the process for selecting camera locations, such as requiring municipalities to hold public hearings and requiring DOT to provide guidelines for municipalities to do so; (4) eliminating the authorization for vendors to issue citations, instead requiring that a municipal police officer, police department employee, or municipal employee issue them; (5) restricting the use of cameras only to enforcing ordinance violations and prohibiting sharing personally identifiable with anyone for any purpose other than enforcing violations and collecting fines; and (6) requiring DOT to develop a model data privacy policy and towns to adopt one that meets or exceeds the model policy's standards.

EFFECTIVE DATE: Various, see below

§ 1 — “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

§ 2 — INTERSECTION CONTROL EVALUATION POLICY

Requires DOT to 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 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

§ 3 — 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, which a board may submit 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

§ 4 — 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, at a subsequent 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

§§ 5-7 — SAFETY VIDEO AND MATERIALS AT LICENSE RENEWAL AND ISSUANCE TO NEW RESIDENTS

Requires DMV to (1) develop a safety video 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

The bill requires the DMV commissioner to develop, and revise as needed, a video presentation about (1) state laws impacting drivers, pedestrians, and bicyclists and (2) ways to practice safe driving behaviors and reduce transportation-related fatalities and severe injuries. When developing the video, the commissioner may use videos developed by a governmental entity, independent contractor, or other party.

Under the bill, DMV must require people to watch the video upon every other renewal, prior to issuing a 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.) DMV must also (1) require anyone seeking to transfer a license from another jurisdiction to Connecticut to watch the video and (2) give them other safe driving training materials.

EFFECTIVE DATE: January 1, 2024, except a technical change is effective July 1, 2023.

§ 8 — PUBLIC AWARENESS CAMPAIGN ON DRUG IMPAIRED DRIVING

Requires DOT 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, DOT, in collaboration with the Department of Public Health (DPH) and 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, 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

§ 9 — 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

§§ 10-14 & 16-18 — AUTOMATED ENFORCEMENT

Allows municipalities to use speed cameras and red light cameras pursuant to an ordinance meeting the bill's requirements and a plan approved by DOT every three years; requires DOT to provide guidance to municipalities developing plans and selecting locations; includes provisions on public participation and notice, camera operation, fine revenue use, violation enforcement, and data privacy, among others

The bill allows municipalities to use speed cameras and red light cameras (which the bill calls "automated traffic enforcement safety devices") if they (1) adopt an ordinance meeting the bill's requirements and (2) get a speed and red light camera plan approved by DOT every

three years. 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 designed to detect and collect evidence of alleged violations of ordinances adopted under the bill 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 and forwards them to the municipality.

EFFECTIVE DATE: October 1, 2023, except that the provision on DOT guidelines is effective upon passage.

DOT Guidance for Location Selection and Plan Evaluation (§ 16)

The bill requires DOT to develop, and revise as necessary, two sets of guidance for municipalities developing speed and red light camera plans and seeking DOT approval. DOT must post the guidance on its website.

First, by January 1, 2024, DOT must issue written guidance to municipalities that covers plan development and submission and the criteria DOT will use when evaluating plans for approval. The guidance must be consistent with the goals of (1) installing speed and red light cameras in locations where they are likely to improve traffic safety and (2) ensuring that the cameras’ distribution is “equitable” (meaning, under the bill, it is intended to (a) ensure that patterns of discrimination and disparities of race, ethnicity, and socioeconomic status, whether intentional or unintentional, are not reinforced or perpetuated and (b)

prevent the emergence and persistence of foreseeable future patterns of discrimination or disparities of race, ethnicity, and socioeconomic status).

This initial guidance must list the factors that municipalities must consider when selecting locations for inclusion in a plan. The factors must include the following:

1. the history of traffic crashes caused by speeding or failing to obey a traffic control sign or signal at the location;
2. the history of traffic crashes that resulted in a person's death or serious injury at the location;
3. the municipality's poverty rate and the percent of occupied housing units with vehicles, as determined by the five-year estimates of the U.S. Census Bureau's most recent American Community Survey;
4. the average daily traffic at the location;
5. the history of traffic stops conducted in the municipality and reported to the Office of Policy and Management under the Alvin W. Penn Racial Profiling Prohibition Act;
6. the location's roadway geometry; and
7. any other information or data DOT requires.

Second, by January 1, 2026, DOT must issue written guidance to municipalities on (1) evaluating speed and red light camera effectiveness and (2) submitting subsequent plans for approval with supporting documentation. The guidance must include factors that will be considered when determining if a speed or red light camera improved traffic safety at its location.

Municipal Plan Submission and DOT Review and Approval (§§ 17 & 18)

The bill specifically prohibits a municipality from using, installing, or operating a speed or red light camera unless they do so in compliance with a DOT-approved speed and red light camera plan that has not yet expired.

Initial Plan. Under the bill, a municipality's speed and red light camera plan must identify the proposed camera locations and include documentation showing that the proposed locations comply with, and consider the factors included in, the guidelines DOT developed.

Before submitting a plan to DOT for approval, the municipality must hold a public hearing on it. The plan's submission must be approved by a vote of the (1) municipality's legislative body or (2) board of selectman in municipalities where the legislative body is a town meeting. Municipalities must then submit the plan to DOT in the way the department prescribes.

Within 60 days after receiving a plan, DOT must (1) determine if the plan is likely to improve traffic safety at the proposed locations and whether the cameras' distribution throughout the municipality is equitable and (2) approve or reject it in whole or in part. If the department rejects the plan or any part of it, the department must explain its reasoning in writing and provide guidance for revising the plan for resubmission. If DOT rejects the plan, the municipality may submit a revised one.

Plan Term. A municipality's approved initial speed and red light camera plan is valid for three years after the first camera begins operating in the municipality. After that, subsequent plans are valid for three years after DOT approves them.

Modifications Before Plan Expiration. Municipalities operating cameras under a plan that has not expired may submit a modification to DOT for approval to use cameras at additional locations. The modification must go through the same hearing and vote as the plan itself, and DOT must approve or reject it in the same manner as it does the plan. Approval for any modifications expire on the same date the

approved plan does.

Subsequent Plans. The bill requires municipalities to submit a subsequent plan for DOT approval if they want to continue using speed and red light cameras after a DOT-approved plan expires. The subsequent plan may include some or all of the previously approved camera locations and may propose new locations.

As with the initial plan, municipalities must hold public hearings on subsequent speed and red light camera plans and submit them by vote of the legislative body or board of selectman in municipalities where the legislative body is a town meeting. The municipality must also submit supporting documentation as required in DOT guidance. The documentation must include at a minimum (1) evidence that the municipality's camera locations under the prior plan improved traffic safety, (2) a description of how any newly proposed locations comply with DOT guidelines, and (3) records demonstrating that the municipality spent fine revenue as the bill requires.

Within 60 days after DOT receives a subsequent plan and supporting documentation, DOT must determine (1) whether the plan will likely improve traffic safety at the proposed locations; (2) in the case of locations where cameras were operated under a prior plan, whether using the cameras improved traffic safety; and (3) whether the camera's distribution throughout the municipality is equitable. Within the same timeframe, DOT must approve or reject the plan in whole or in part. The bill specifically prohibits DOT from approving any location in the plan that was previously equipped with a camera unless DOT determines that using the camera improved traffic safety at the location.

DOT Report to Legislature. Starting in 2024, the bill requires DOT to annually report, by February 1, to the Transportation Committee on the status of plans municipalities have submitted to DOT. At a minimum, the report must list the municipalities that submitted plans in the prior year, identify which DOT approved and rejected, and provide the reason for any rejections.

Ordinance Requirements and Other Conditions (§ 11(c) & (e))

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 cameras (i.e., an “automated traffic enforcement safety device operator”).
2. A motor vehicle’s owner violates the ordinance if a camera detects the vehicle’s driver (a) exceeding the posted speed limit by 10 mph or more or (b) running a red light.
3. Speed and red light cameras must be used only for identifying ordinance violations.
4. 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.
5. Payment of fines and fees may be done electronically.
6. A municipal police officer, municipal police department employee, or municipal employee who the local traffic authority designates must review and approve the recorded images before a citation is mailed to a vehicle owner.
7. The defenses available to motor vehicle owners, which must include the defenses outlined in the bill, at a minimum (see below).

The bill requires municipalities that adopt ordinances authorizing cameras to also adopt a (1) municipal citation hearing procedure meeting requirements set in existing law 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. Traffic control signs and signals at locations equipped, or proposed to be equipped, with cameras must comply with all Office of the State Traffic Administration orders or regulations (e.g., on yellow light timing).

Fines and Revenue Use (§ 11(d))

The bill allows municipalities to include in the ordinance a fine to be imposed on owners of vehicles violating it, capped at (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 transportation mobility, invest in transportation infrastructure, or pay costs associated with the cameras. Municipalities must submit records showing that fine revenue was used for these purposes when it applies for approval of any subsequent plan (see above).

Public Notice of Camera Locations (§ 11(f))

The bill requires municipalities to notify people about speed and red light cameras in several ways.

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 at locations identified in the DOT-approved plan (see above).

Additionally, before operating a camera at a location, a municipality must (1) install at least two clearly visible signs notifying drivers about the camera at a reasonable distance ahead of its location and in accordance with the Federal Manual of Uniform Traffic Control Devices and (2) submit information on the camera's location to entities operating mobile applications used for navigation or real-time traffic information.

DOT must designate which entities must be notified and provide technical guidance to municipalities on how to do it.

Camera Training and Calibration (§ 11(g) & (h))

The bill requires camera operators to complete training from the camera's manufacturer, or the manufacturer's representative, on the 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. After the check, the laboratory must issue a signed certificate of calibration, which must be kept on file and admitted as evidence in any resulting municipal citation hearing.

Image Review and Ticket Issuance (§ 11(i))

Under the bill, when a speed or red light camera detects and produces images of a vehicle allegedly violating the ordinance adopted under the bill, the images must be reviewed by a municipal police officer, municipal police department employee, or a municipal employee whom the local traffic authority designates. If the officer or 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 citation 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 officer

or 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 how to pay it, 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 vehicle owner's identity is determined. For vehicles registered elsewhere, the citation must be similarly sent to the address on file with the issuing jurisdiction within 30 days after determining 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 municipality's police department are prima facie evidence of mailing and are admissible in any municipal hearing as to facts the citation contains.

Available Defenses (§ 11(c) & (j))

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

1. the operator 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, which is observable in the images;
4. the violation took place when the vehicle had been reported as stolen and had not yet been recovered; and

5. the camera did not have a calibration check as the bill requires.

The bill requires that ordinances adopted under the bill specify the defenses available to a vehicle owner, which must include the above defenses at a minimum.

Privacy (§§ 11(e), 12 & 16)

Under the bill, DOT must include in its initial guidance (see above) a model privacy policy and protocol on (1) the privacy, security, collection, and destruction of “personally identifiable information” and other information and data collected from speed and red light cameras and (2) establishing internal audit requirements to ensure compliance with the policy and protocol. “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.

The bill requires municipalities seeking to operate cameras to adopt a written policy that meets or exceeds the standards of DOT’s model privacy policy. It also generally prohibits municipalities and vendors from storing or retaining personally identifiable information or from disclosing it to any person or entity, including any law enforcement unit. But they may do so if the storage, retention, or disclosure is done to charge, collect, and enforce fines imposed under an ordinance.

The bill 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 30 days after a fine is collected or a hearing is resolved, whichever is later.

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

Reporting (§ 13)

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) locations where the cameras were used and (b) similar locations 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 their 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. the number of citations at each red light camera 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.

§ 15 — 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

§ 19 — TECHNICAL CHANGE

Makes a technical change

The bill makes a technical change to correct an obsolete reference to the State Traffic Commission.

EFFECTIVE DATE: July 1, 2023

BACKGROUND

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.

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 on limited access highways in up to three highway work zones at any one time. 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 Appropriations and Transportation committees.

Related Bills

HB 6625, File 356, 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)

Appropriations Committee

Joint Favorable

Yea 40 Nay 13 (05/01/2023)