



General Assembly

Amendment

February Session, 2024

LCO No. 4960



Offered by:

SEN. GASTON, 23rd Dist.

SEN. COHEN, 12th Dist.

To: Subst. Senate Bill No. 420

File No. 265

Cal. No. 191

"AN ACT CONCERNING ILLEGALLY PASSING A SCHOOL BUS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 14-279 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2024*):

5 (a) The operator of any vehicle or motor vehicle, including an
6 authorized emergency vehicle, as defined in section 14-1, shall
7 immediately bring such vehicle to a stop not less than ten feet from the
8 front when approaching and not less than ten feet from the rear when
9 overtaking or following any registered school bus on any highway or
10 private road or in any parking area or on any school property when such
11 bus is displaying flashing red signal lights, except at the specific
12 direction of a traffic officer. Vehicles so stopped for a school bus shall
13 not proceed until such school bus no longer displays flashing red signal
14 lights, except that a stopped authorized emergency vehicle may proceed
15 as long as such authorized emergency vehicle is operated pursuant to

16 section 14-283. At the intersection of two or more highways vehicular
17 turns toward a school bus receiving or discharging passengers are
18 prohibited. The operator of a vehicle upon a highway with [separate
19 roadways need not stop] two or more lanes for traffic separated by a
20 safety island or physical barrier may proceed without stopping upon
21 meeting or passing a school bus which is on [a different roadway] the
22 opposite side of such island or barrier.

23 (b) Any person who violates any provision of subsection (a) of this
24 section shall be fined four hundred fifty dollars for the first offense and
25 for each subsequent offense, not less than five hundred dollars nor more
26 than one thousand dollars or imprisoned not more than thirty days or
27 both.

28 (c) Upon receipt of a written report from any school bus operator
29 specifying the [license plate] number plate, color and type of any vehicle
30 observed by such operator violating any provision of subsection (a) of
31 this section and the date, approximate time and location of such
32 violation, a police officer shall issue a written warning or a summons to
33 the owner of any such vehicle.

34 Sec. 2. Section 14-279a of the general statutes is repealed and the
35 following is substituted in lieu thereof (*Effective July 1, 2024*):

36 (a) As used in this section and section 14-279b, as amended by this
37 act, "live digital video school bus violation detection monitoring system"
38 or "monitoring system" means a system with one or more camera
39 sensors and computers that produce live digital and recorded video
40 images of motor vehicles being operated in violation of section 14-279,
41 as amended by this act. A monitoring system shall produce a live visual
42 image that is viewable remotely and a recorded image of the [license
43 plate] number plate of a motor vehicle violating section 14-279, as
44 amended by this act. Such recorded image shall indicate the date, time
45 and location of the violation.

46 (b) A municipality or local or regional board of education may install,
47 operate and maintain live digital video school bus violation detection

48 monitoring systems, or may enter into an agreement with a private
49 vendor for the installation, operation and maintenance of such
50 monitoring systems. Such agreement shall provide for the
51 compensation to the vendor for the expense of the monitoring services
52 and cost of equipment provided by the vendor and for the
53 reimbursement of the vendor for the expenses of installing, operating
54 and maintaining the monitoring system. Such agreement shall provide
55 that the vendor shall, on an annual basis, submit a report to such
56 municipality or local or regional board of education that includes, but is
57 not limited to: (1) The total number of citations issued pursuant to
58 section 14-279b, as amended by this act, as a result of a violation detected
59 and recorded by the monitoring system, and (2) the total amount of
60 funds collected from such citations. The municipality or local or regional
61 board of education shall, [within] not later than thirty days after receipt
62 of such report, submit such report to the joint standing [committee]
63 committees of the General Assembly having cognizance of matters
64 relating to transportation and public safety and security. A municipality
65 or local or regional board of education serving a municipality that has
66 entered into an agreement with a private vendor for the installation,
67 operation and maintenance of a live digital video school bus violation
68 detection monitoring system shall use amounts remitted to such
69 municipality in accordance with subsection (e) of section 51-56a, in
70 respect to the violation of section 14-279, as amended by this act, to
71 reimburse the private vendor for the expenses for installing, operating
72 and maintaining the monitoring system.

73 (c) A warning sign shall be posted on all school buses in which a
74 monitoring system is installed and [operational] operated pursuant to
75 this section indicating the use of such system.

76 (d) A monitoring system [shall be] installed [so as to] pursuant to this
77 section shall record images of the number plate of a motor vehicle only,
78 and shall not record images of the occupants of such motor vehicle or of
79 any other persons or vehicles in the vicinity at the time the images are
80 recorded.

81 (e) (1) A municipality or local or regional board of education that is
82 not operating a live digital video school bus violation detection
83 monitoring system pursuant to subsection (b) of this section prior to July
84 1, 2024, shall not (A) commence operation of such a system on or after
85 July 1, 2024, or (B) enter into an agreement with a private vendor
86 pursuant to subsection (b) of this section for the installation, operation
87 and maintenance of such a system on or after July 1, 2024.

88 (2) A municipality or local or regional board of education, or a private
89 vendor under an agreement pursuant to subsection (b) of this section,
90 that is operating a live digital video school bus violation detection
91 monitoring system pursuant to subsection (b) of this section on July 1,
92 2024, shall cease operation of such system not later than July 1, 2026,
93 except as provided in subdivision (3) of this subsection.

94 (3) A private vendor operating a live digital video school bus
95 violation detection monitoring system may continue operating such
96 system on or after July 1, 2026, provided (A) the agreement regarding
97 such operation was entered into pursuant to subsection (b) of this
98 section prior to July 1, 2024, (B) no option to renew or extend such
99 agreement is exercised on or after July 1, 2024, that would extend such
100 operation to include any period of time on or after July 1, 2026, and (C)
101 such operation ceases upon termination of such agreement.

102 Sec. 3. Section 14-279b of the general statutes is repealed and the
103 following is substituted in lieu thereof (*Effective July 1, 2024*):

104 (a) Whenever a violation of section 14-279, as amended by this act, is
105 detected and recorded by a live digital video school bus violation
106 detection monitoring system operated pursuant to section 14-279a, as
107 amended by this act, a state or municipal police officer shall review the
108 evidence file which shall include two or more digital photographs,
109 recorded video or other recorded images. If, after such review, such
110 officer determines that there are reasonable grounds to believe that a
111 violation of section 14-279, as amended by this act, has occurred, such
112 officer shall authorize the issuance of a summons for such alleged

113 violation. If such officer authorizes the issuance of a summons for such
114 alleged violation, the law enforcement agency shall, not later than thirty
115 days after the alleged violation, mail a summons to the registered owner
116 of the motor vehicle together with a copy of two or more digital
117 photographs, recorded video or other recorded images.

118 (b) As provided in subsection (b) of section 14-107, proof of the
119 registration number of the motor vehicle therein concerned shall be
120 prima facie evidence that the owner was the operator thereof, except
121 that, in the case of a leased or rented motor vehicle, such proof shall be
122 prima facie evidence that the lessee was the operator thereof. A
123 photographic or digital still or video image produced by a live digital
124 video school bus detection monitoring system operating pursuant to
125 section 14-279a, as amended by this act, that clearly shows the number
126 plate of a vehicle violating section 14-279, as amended by this act, shall
127 be sufficient proof of the identity of such vehicle for purposes of
128 subsection (b) of section 14-107.

129 (c) Any person who is alleged to have committed a violation of
130 section 14-279, as amended by this act, and receives a summons
131 pursuant to subsection (a) of this section shall follow the procedures set
132 forth in section 51-164n.

133 (d) A recorded image produced by a monitoring system operating
134 pursuant to section 14-279a, as amended by this act, shall be sufficient
135 evidence of a violation of section 14-279, as amended by this act, and
136 shall be admitted without further authentication.

137 (e) All defenses shall be available to any person who is alleged to have
138 committed a violation of section 14-279, as amended by this act, that is
139 detected and recorded by a monitoring system operating pursuant to
140 section 14-279a, as amended by this act, including, but not limited to,
141 that (1) the violation was necessary to allow the passage of an
142 emergency vehicle, (2) the violation was necessary to avoid injuring the
143 person or property of another, (3) the violation was incurred while
144 participating in a funeral procession, (4) the violation was incurred

145 during a period of time in which the motor vehicle had been reported
146 as being stolen to an organized local police department or the state
147 police and had not been recovered prior to the time of the violation, (5)
148 the operator was convicted of a violation of section 14-279, as amended
149 by this act, for the same incident based upon a separate and distinct
150 summons issued by a sworn police officer, or (6) the violation was
151 necessary in order for the operator to comply with any other general
152 statute or regulation concerning the operation of a motor vehicle.

153 (f) No recorded image produced by a monitoring system pursuant to
154 this section may be introduced as evidence in any other civil or criminal
155 proceedings.

156 (g) A recorded image produced by a monitoring system operated
157 pursuant to section 14-279a, as amended by this act, shall be destroyed
158 [(1) ninety] the later of: (1) Ninety days after the date of the alleged
159 violation if a summons is not issued for such alleged violation pursuant
160 to subsection (a) of this section, or (2) upon final disposition of the case
161 to which it pertains if a summons is issued for such alleged violation
162 pursuant to subsection (a) of this section.

163 Sec. 4. (NEW) (*Effective July 1, 2024*) (a) As used in this section,
164 "municipal school bus violation enforcement system" means a system
165 with one or more camera sensors and computers that produce: (1)
166 Digital and recorded video images of motor vehicles being operated in
167 violation of an ordinance adopted pursuant to subsection (b) of this
168 section, (2) a visual image that is viewable remotely and a recorded
169 image of the number plate of a motor vehicle violating an ordinance
170 adopted pursuant to subsection (b) of this section, and (3) a recorded
171 image that indicates the date, time and location of the violation.

172 (b) (1) Any municipality, as defined in section 7-148 of the general
173 statutes, may, by vote of its legislative body, adopt an ordinance to
174 authorize the use of a municipal school bus violation enforcement
175 system to enforce the provisions of subsection (a) of section 14-279 of the
176 general statutes, as amended by this act, provided such ordinance: (A)

177 Specifies that the owner of a motor vehicle commits a violation of the
178 ordinance if the person operating such motor vehicle violates the
179 provisions of subsection (a) of section 14-279 of the general statutes, as
180 amended by this act, unless an affidavit is filed pursuant to subsection
181 (j) of this section, (B) adopts the procedures described in this section and
182 establishes a citation hearing procedure pursuant to section 7-152c of the
183 general statutes, as amended by this act, which may include an option
184 for in-person and virtual citation hearings, (C) establishes a fine for
185 committing a violation of such ordinance in the amount of two hundred
186 fifty dollars, (D) permits the municipality or its designated agent to
187 collect such fines, with proceeds credited to the municipality, and (E)
188 requires funds received by the municipality from such fines to be used
189 for the purposes of improving public safety in such municipality,
190 compensating any private vendor that installs, operates or maintains a
191 municipal school bus violation enforcement system or both. Any such
192 ordinance may require proof of a violation by a preponderance of the
193 evidence.

194 (2) No ordinance adopted by a municipality pursuant to subdivision
195 (1) of this subsection shall be effective if such municipality, the local or
196 regional board of education serving such municipality or a private
197 vendor under an agreement with such municipality or such board of
198 education is operating a live digital video school bus violation detection
199 monitoring system pursuant to section 14-279a of the general statutes,
200 as amended by this act.

201 (c) (1) A municipal school bus violation enforcement system installed
202 to enforce an ordinance adopted pursuant to subsection (b) of this
203 section shall, to the extent practicable, record images of the number plate
204 of a motor vehicle only, and shall not record images of the occupants of
205 such motor vehicle or of any other persons or vehicles in the vicinity at
206 the time the images are recorded. A citation issued under an ordinance
207 adopted pursuant to subsection (b) of this section may not be dismissed
208 in a citation hearing solely because a recorded video or digital still image
209 reveals images of such occupants or other persons or vehicles, as long
210 as the operator of such system has made reasonable efforts to comply

211 with the provisions of this subsection.

212 (2) A warning sign shall be posted on all school buses in which a
213 municipal school bus violation enforcement system is installed and
214 operated indicating the use of such system.

215 (d) (1) Upon receipt of an evidence file from a municipal school bus
216 violation enforcement system that captures an alleged violation of an
217 ordinance adopted pursuant to subsection (b) of this section, a police
218 officer or authorized municipal employee shall review such file. If such
219 officer or employee has reasonable grounds to believe that such a
220 violation occurred and such file captures the number plate, color and
221 type of vehicle allegedly violating such ordinance and the date,
222 approximate time and location of such violation, such officer or
223 employee shall issue a written warning or citation to the owner of such
224 vehicle. Such officer or employee shall electronically certify a citation,
225 and such citation shall only be issued if mailed within the time period
226 described in subdivision (2) of this subsection.

227 (2) In the case of an alleged violation involving a motor vehicle
228 registered in the state, the municipality, or its designated agent, shall
229 send a copy of a citation to the owner of the motor vehicle observed in
230 the alleged violation not later than thirty days after the date of the alleged
231 violation. In the case of an alleged violation involving a motor vehicle
232 registered in another jurisdiction, the municipality, or its designated
233 agent, shall send a copy of a citation to the address of the owner that is
234 in the records of the official in the other jurisdiction issuing such
235 registration not later than sixty days after the alleged violation.

236 (3) A citation issued pursuant to subdivision (1) of this subsection
237 shall include: (A) The name and address of the owner of the motor
238 vehicle; (B) the number plate of the motor vehicle; (C) the ordinance
239 allegedly violated; (D) the date, location and time of the alleged
240 violation; (E) a copy of or information on how to view, through
241 electronic means, the recorded images described in this section; (F) a
242 statement or electronically generated affirmation by the police officer or

243 authorized employee who reviewed the recorded images and
244 determined that the motor vehicle violated an ordinance adopted
245 pursuant to subsection (b) of this section; (G) the fine imposed pursuant
246 to the ordinance and how to pay such fine; (H) notice of the right to
247 contest the citation and instructions for how to request a citation
248 hearing; and (I) information advising the owner of the motor vehicle of
249 the procedure for disclaiming liability by submitting an affidavit as
250 described in subsection (j) of this section to the municipality or its
251 designated agent.

252 (e) A citation shall be sent by first class mail. A manual or automated
253 record prepared by the police officer, authorized employee or vendor in
254 the ordinary course of business shall be prima facie evidence of such
255 mailing and shall be admissible in any citation hearing as to the facts
256 contained in the citation.

257 (f) A certificate or facsimile of a certificate of the review of the
258 evidence produced by the municipal school bus violation enforcement
259 system, sworn to by the police officer or authorized municipal employee
260 who conducted such review, shall be prima facie evidence of the facts
261 contained in such certificate.

262 (g) The owner of a motor vehicle shall be liable for any fine imposed
263 pursuant to an ordinance adopted pursuant to subsection (b) of this
264 section, unless (1) the vehicle identified by a municipal school bus
265 violation enforcement system is a leased or rented motor vehicle, in
266 which case the lessee of such vehicle shall be liable for any such fine, or
267 (2) an affidavit is filed pursuant to subsection (j) of this section, in which
268 case the operator shall be liable for any such fine.

269 (h) A digital still or video image produced by a municipal school bus
270 violation enforcement system shall be sufficient evidence of a violation
271 of an ordinance adopted pursuant to subsection (b) of this section and
272 shall be admitted at a citation hearing proceeding without further
273 authentication.

274 (i) All defenses shall be available to any person who is alleged to have

275 committed a violation of an ordinance adopted pursuant to subsection
276 (b) of this section, including, but not limited to, that: (1) The operator
277 was driving an emergency vehicle in accordance with the provisions of
278 subdivision (1) of subsection (b) of section 14-283 of the general statutes,
279 (2) the violation was necessary to allow the passage of an emergency
280 vehicle, (3) the violation was necessary in order for the operator to
281 comply with an order or direction from a law enforcement officer, which
282 is observable on the recorded images, (4) the violation was necessary to
283 avoid injuring the person or property of another, (5) the violation took
284 place during a period of time in which the motor vehicle had been
285 reported as being stolen to a law enforcement unit, as defined in section
286 7-294a of the general statutes, and had not been recovered prior to the
287 time of the violation, or (6) the operator received a citation for a violation
288 of section 14-279 of the general statutes, as amended by this act, for the
289 same incident.

290 (j) Not later than thirty days after the mailing of a citation pursuant
291 to subdivision (2) of subsection (d) of this section, the owner of a motor
292 vehicle may submit a notarized affidavit, executed by such owner and
293 the operator of such vehicle at the time of the alleged violation, stating
294 that such operator is the party who may be responsible for the alleged
295 violation and providing the name and address of such operator. If the
296 municipality or its designated agent receives such an affidavit, the
297 municipality shall mail a citation to such operator not later than thirty
298 days after receipt of the affidavit.

299 (k) No recorded image produced by a municipal school bus violation
300 enforcement system may be introduced as evidence in any other civil or
301 criminal proceedings.

302 (l) A digital still or video image produced by a municipal school bus
303 violation enforcement system to enforce an ordinance adopted pursuant
304 to subsection (b) of this section shall be destroyed the later of: (1) Ninety
305 days after the date of the creation of such digital still or video image, or
306 (2) upon payment or final disposition of all matters related to a citation
307 issued for a violation of an ordinance adopted pursuant to subsection

308 (b) of this section, to which such digital still or video image pertains.

309 (m) Violations of an ordinance adopted pursuant to subsection (b) of
310 this section shall not be made part of the driving control record, as
311 described in section 14-1111 of the general statutes, of such owner and
312 may not be used for any purpose in the provision of a motor vehicle
313 insurance policy.

314 (n) A municipality or local or regional board of education may enter
315 into an agreement with a private vendor for the installation, operation
316 or maintenance, or any combination thereof, of a municipal school bus
317 violation enforcement system for purposes of enforcing an ordinance
318 adopted pursuant to subsection (b) of this section. Any such agreement
319 that requires a vendor to operate such a system shall require such
320 vendor to report to the municipality in which such system operates and
321 the appropriate local or regional board of education, not later than
322 August first following the vendor's first operation of such system
323 pursuant to such agreement, and not later than August first in each year
324 thereafter in which the operation of such system continues pursuant to
325 such agreement: (1) The total number of citations issued in the prior
326 fiscal year for violations of an ordinance adopted pursuant to subsection
327 (b) of this section that were detected and recorded by the municipal
328 school bus violation enforcement system, and (2) the total amount of
329 funds collected for such violations in the prior fiscal year.

330 (o) (1) Each municipality that adopts an ordinance pursuant to
331 subsection (b) of this section shall, not later than October first following
332 adoption of such an ordinance, and not later than October first in each
333 year thereafter in which such ordinance is in effect, submit a report to
334 the Department of Transportation, which shall include, but need not be
335 limited to: (A) A copy of such ordinance, (B) the total number of citations
336 issued for a violation of such ordinance in the prior fiscal year, (C) the
337 total amount of funds collected for such violations in the prior fiscal
338 year, and (D) how the municipality spent such funds in the prior fiscal
339 year.

340 (2) Not later than January 1, 2026, and annually thereafter, the
341 Department of Transportation shall submit a report, in accordance with
342 the provisions of section 11-4a of the general statutes, to the joint
343 standing committees of the General Assembly having cognizance of
344 matters relating to public safety and security and transportation. Such
345 report shall include copies of the ordinances and a summary of the
346 information submitted to the department pursuant to subdivision (1) of
347 this section.

348 Sec. 5. Subsection (c) of section 7-152c of the 2024 supplement to the
349 general statutes is repealed and the following is substituted in lieu
350 thereof (*Effective July 1, 2024*):

351 (c) Any such municipality, at any time within twelve months from
352 the expiration of the final period for the uncontested payment of fines,
353 penalties, costs or fees for any citation issued under any ordinance
354 adopted pursuant to section 7-148, 14-307c, [or] 22a-226d [,] or section 4
355 of this act for an alleged violation thereof, shall send notice to the person
356 cited. Such notice shall inform the person cited: (1) Of the allegations
357 against such person and the amount of the fines, penalties, costs or fees
358 due; (2) that such person may contest such person's liability before a
359 citation hearing officer by delivering in person or by mail written notice
360 within ten days of the date thereof; (3) that if such person does not
361 demand such a hearing, an assessment and judgment shall be entered
362 against such person; and (4) that such judgment may issue without
363 further notice. For purposes of this section, notice shall be presumed to
364 have been properly sent if such notice was mailed to such person's last-
365 known address on file with the tax collector. If the person to whom such
366 notice is issued is a registrant, the municipality may deliver such notice
367 in accordance with section 7-148ii, provided nothing in this section shall
368 preclude a municipality from providing notice in another manner
369 permitted by applicable law."

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2024</i>	14-279
Sec. 2	<i>July 1, 2024</i>	14-279a
Sec. 3	<i>July 1, 2024</i>	14-279b
Sec. 4	<i>July 1, 2024</i>	New section
Sec. 5	<i>July 1, 2024</i>	7-152c(c)