
OLR Bill Analysis

sHB 5328

AN ACT CONCERNING AUTOMATED TRAFFIC SAFETY ENFORCEMENT IN WORK ZONES AND MUNICIPALITIES.

SUMMARY

This bill restarts and makes permanent the Department of Transportation's (DOT) work zone speed camera program. The speed camera program was initially established as a pilot program in PA 21-2, June Special Session (§§ 296-305) and ended on December 31, 2023. The bill generally retains the pilot program's provisions on vendors, speed camera placement and operation, ticket issuance and processing, and data retention and privacy, but it makes the following changes:

1. expands the permissible locations for work zone speed cameras;
2. lowers, from at least 15 mph to at least 10 mph, the amount by which a vehicle must exceed the posted speed limit in a work zone in order to be issued a warning or ticket;
3. simplifies the fine structure and requires a fine to be issued for a first violation if the vehicle's detected speed is 85 mph or more;
4. requires notifying the chief elected official of a municipality before operating speed cameras in the municipality; and
5. requires DOT to annually report certain information on the program.

The bill also modifies the penalty and data retention provisions applicable to municipal speed and red light camera programs enacted under PA 23-116 (§§ 10-14 & 16-18). Generally, it specifies when a violation is considered a second or subsequent violation, which may be subject to higher penalties, and allows municipalities or their vendors

to retain data necessary to impose the penalties.

Lastly, the bill makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2024

WORK ZONE SPEED CAMERAS

Permissible Locations

The bill expands the possible locations for speed cameras and eliminates the limit on the number of locations with cameras. Under the pilot program, cameras could be placed in up to three work zones on limited access highways at any one time. Under the bill, cameras may be used in a work zone on any highway (i.e., public road), and there is no cap on the number of locations. But the bill retains the provision limiting the use of speed cameras to roads with speed limits of at least 45 mph.

Notice Requirements

The bill adds a requirement that DOT or a work zone speed camera operator give written notice of the date work zone cameras will start operating in a given work zone to the Division of State Police and the chief executive officer of a municipality where the cameras will be located. DOT or the operator must give this notice at least seven days before the cameras begin operating. Under the pilot program, DOT or the operator had to certify to the State Police when work zone speed cameras were operating.

The bill retains public notice requirements from the pilot program. Specifically, in order to use speed cameras in a work zone, there must be at least two conspicuous signs placed at a reasonable distance ahead of the zone, and one of these signs must indicate whether the cameras are currently in use. DOT must also post the locations where work zone speed cameras are operating on its website.

Violations and Penalties

Under the pilot program and the bill, speed cameras in work zones detect vehicles exceeding the speed limit by a specified amount, and the

State Police review camera images and issue warnings and tickets as appropriate.

Vehicle owners could be ticketed or issued a warning under the pilot program if they exceeded the posted speed limit in a work zone by 15 mph or more. The bill lowers this amount to 10 mph or more for the permanent program. As under the pilot program, speed cameras in work zones record only vehicles exceeding the speed limit by this amount.

Under the pilot program, vehicle owners were issued a written warning for their first violation detected by a work zone speed camera. The bill generally retains this requirement from the pilot program, except that it imposes a \$75 fine for a first violation if the vehicle's detected speed is 85 mph or more. (By law, driving more than 85 mph is considered reckless driving (CGS §14-222).)

The bill also simplifies the fine structure for second violations detected by work zone speed cameras. Under the pilot program, a second violation was subject to a \$75 fine and a subsequent violation was subject to a \$150 fine. The bill makes the fine amount \$75 for all second and subsequent violations. It also specifies that second and subsequent violations are those that occur within one year after the owner's most recent violation, and subsequent violations occurring after that period are considered first violations. As under the pilot program, fine revenue goes to the Special Transportation Fund.

Annual Report

Under the bill, DOT must annually report to the Transportation Committee on the work zone speed camera program, starting by February 1, 2026. The report must include the following information from the preceding calendar year:

1. the number of warnings and violations issued by each operational speed camera;
2. the number of warnings and violations where the vehicle exceeded the speed limit by (a) 11-20 mph, (b) 21-30 mph, (c) 31-

- 40 mph, and (d) 41 mph or more;
3. the number of crashes that happened in each work zone where a speed camera was operating;
 4. the amount of fine revenue received and DOT's costs for using the cameras;
 5. the number of motor vehicles that committed one violation, two violations, three violations, or four or more violations;
 6. a list of engineering and education measures that DOT implemented to improve safety in work zones that have operating speed cameras;
 7. descriptions of situations where work zone speed camera images could not be or were not used; and
 8. the number of leased or rented motor vehicles, out-of-state vehicles, or other vehicles (including trucks) where enforcement efforts were unsuccessful.

MUNICIPAL SPEED AND RED LIGHT CAMERA CHANGES

By law, municipalities implementing speed or red light cameras may set fines for violations the cameras detect, but the fines cannot be more than \$50 for a first violation or \$75 for a second or subsequent violation. The bill specifies that (1) second and subsequent violations are those that occur within one year after the most recent violation and (2) subsequent violations occurring after that period are considered first violations. Current law does not specify a timeframe for second and subsequent violations.

Under existing law, municipalities and vendors generally must destroy the personally identifiable information they collect in connection with enforcing speed or red light camera violations and penalties within 30 days after a fine is collected or a hearing on the alleged violation is resolved. The bill creates an exception allowing a municipality or vendor to retain a portion of personally identifiable

information for the limited purpose of determining whether a person committed a second or subsequent offense. The municipality or vendor must destroy any information it keeps under this exception within one year after the date of a person's most recent violation.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 33 Nay 3 (03/18/2024)