



Substitute Senate Bill No. 420

Public Act No. 24-107

AN ACT CONCERNING ILLEGALLY PASSING A SCHOOL BUS.

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

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 Section 14-279 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

(a) The operator of any vehicle or motor vehicle, including an authorized emergency vehicle, as defined in section 14-1, shall immediately bring such vehicle to a stop not less than ten feet from the front when approaching and not less than ten feet from the rear when overtaking or following any registered school bus on any highway or private road or in any parking area or on any school property when such bus is displaying flashing red signal lights, except at the specific direction of a traffic officer. Vehicles so stopped for a school bus shall not proceed until such school bus no longer displays flashing red signal lights, except that a stopped authorized emergency vehicle may proceed as long as such authorized emergency vehicle is operated pursuant to section 14-283. At the intersection of two or more highways vehicular turns toward a school bus receiving or discharging passengers are prohibited. The operator of a vehicle upon a highway with [separate roadways need not stop] two or more lanes for traffic separated by a safety island or physical barrier may proceed without stopping upon meeting or passing a school bus which is on [a different roadway] the

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opposite side of such island or barrier.

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

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

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 Section 14-279a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

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

(b) A municipality or local or regional board of education may install, operate and maintain live digital video school bus violation detection monitoring systems, or may enter into an agreement with a private vendor for the installation, operation and maintenance of such monitoring systems. Such agreement shall provide for the

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

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

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

(e) (1) A municipality or local or regional board of education that is

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not operating a live digital video school bus violation detection monitoring system pursuant to subsection (b) of this section prior to July 1, 2024, shall not (A) commence operation of such a system on or after July 1, 2024, or (B) enter into an agreement with a private vendor pursuant to subsection (b) of this section for the installation, operation and maintenance of such a system on or after July 1, 2024.

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

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

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

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

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

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

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

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

(e) All defenses shall be available to any person who is alleged to have committed a violation of section 14-279, as amended by this act, that is detected and recorded by a monitoring system operating pursuant to section 14-279a, as amended by this act, including, but not limited to, that (1) the violation was necessary to allow the passage of an

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emergency vehicle, (2) the violation was necessary to avoid injuring the person or property of another, (3) the violation was incurred while participating in a funeral procession, (4) the violation was incurred during a period of time in which the motor vehicle had been reported as being stolen to an organized local police department or the state police and had not been recovered prior to the time of the violation, (5) the operator was convicted of a violation of section 14-279, as amended by this act, for the same incident based upon a separate and distinct summons issued by a sworn police officer, or (6) the violation was necessary in order for the operator to comply with any other general statute or regulation concerning the operation of a motor vehicle.

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

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

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

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(b) (1) Any municipality, as defined in section 7-148 of the general statutes, may, by vote of its legislative body, adopt an ordinance to authorize the use of a municipal school bus violation enforcement system to enforce the provisions of subsection (a) of section 14-279 of the general statutes, as amended by this act, provided such ordinance: (A) Specifies that the owner of a motor vehicle commits a violation of the ordinance if the person operating such motor vehicle violates the provisions of subsection (a) of section 14-279 of the general statutes, as amended by this act, unless an affidavit is filed pursuant to subsection (j) of this section, (B) adopts the procedures described in this section and establishes a citation hearing procedure pursuant to section 7-152c of the general statutes, as amended by this act, which may include an option for in-person and virtual citation hearings, (C) establishes a fine for committing a violation of such ordinance in the amount of two hundred fifty dollars, (D) permits the municipality or its designated agent to collect such fines, with proceeds credited to the municipality, and (E) requires funds received by the municipality from such fines to be used for the purposes of improving public safety in such municipality, compensating any private vendor that installs, operates or maintains a municipal school bus violation enforcement system or both. Any such ordinance may require proof of a violation by a preponderance of the evidence.

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

(c) (1) A municipal school bus violation enforcement system installed to enforce an ordinance adopted pursuant to subsection (b) of this

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section shall, to the extent practicable, record images of the number plate of a motor vehicle only, and shall not record images of the occupants of such motor vehicle or of any other persons or vehicles in the vicinity at the time the images are recorded. A citation issued under an ordinance adopted pursuant to subsection (b) of this section may not be dismissed in a citation hearing solely because a recorded video or digital still image reveals images of such occupants or other persons or vehicles, as long as the operator of such system has made reasonable efforts to comply with the provisions of this subsection.

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

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

(2) In the case of an alleged violation involving a motor vehicle registered in the state, the municipality, or its designated agent, shall send a copy of a citation to the owner of the motor vehicle observed in the alleged violation not later thirty days after the date of the alleged violation. In the case of an alleged violation involving a motor vehicle registered in another jurisdiction, the municipality, or its designated agent, shall send a copy of a citation to the address of the owner that is

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in the records of the official in the other jurisdiction issuing such registration not later than sixty days after the alleged violation.

(3) A citation issued pursuant to subdivision (1) of this subsection shall include: (A) The name and address of the owner of the motor vehicle; (B) the number plate of the motor vehicle; (C) the ordinance allegedly violated; (D) the date, location and time of the alleged violation; (E) a copy of or information on how to view, through electronic means, the recorded images described in this section; (F) a statement or electronically generated affirmation by the police officer or authorized employee who reviewed the recorded images and determined that the motor vehicle violated an ordinance adopted pursuant to subsection (b) of this section; (G) the fine imposed pursuant to the ordinance and how to pay such fine; (H) notice of the right to contest the citation and instructions for how to request a citation hearing; and (I) information advising the owner of the motor vehicle of the procedure for disclaiming liability by submitting an affidavit as described in subsection (j) of this section to the municipality or its designated agent.

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

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

(g) The owner of a motor vehicle shall be liable for any fine imposed pursuant to an ordinance adopted pursuant to subsection (b) of this

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section, unless (1) the vehicle identified by a municipal school bus violation enforcement system is a leased or rented motor vehicle, in which case the lessee of such vehicle shall be liable for any such fine, or (2) an affidavit is filed pursuant to subsection (j) of this section, in which case the operator shall be liable for any such fine.

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

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

(j) Not later than thirty days after the mailing of a citation pursuant to subdivision (2) of subsection (d) of this section, the owner of a motor vehicle may submit a notarized affidavit, executed by such owner and the operator of such vehicle at the time of the alleged violation, stating that such operator is the party who may be responsible for the alleged

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violation and providing the name and address of such operator. If the municipality or its designated agent receives such an affidavit, the municipality shall mail a citation to such operator not later than thirty days after receipt of the affidavit.

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

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

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

(n) A municipality or local or regional board of education may enter into an agreement with a private vendor for the installation, operation or maintenance, or any combination thereof, of a municipal school bus violation enforcement system for purposes of enforcing an ordinance adopted pursuant to subsection (b) of this section. Any such agreement that requires a vendor to operate such a system shall require such vendor to report to the municipality in which such system operates and the appropriate local or regional board of education, not later than August first following the vendor's first operation of such system pursuant to such agreement, and not later than August first in each year thereafter in which the operation of such system continues pursuant to

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such agreement: (1) The total number of citations issued in the prior fiscal year for violations of an ordinance adopted pursuant to subsection (b) of this section that were detected and recorded by the municipal school bus violation enforcement system, and (2) the total amount of funds collected for such violations in the prior fiscal year.

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

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

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

(c) Any such municipality, at any time within twelve months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any ordinance adopted pursuant to section 7-148, 14-307c, [or] 22a-226d [,] or section 4

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of this act for an alleged violation thereof, shall send notice to the person cited. Such notice shall inform the person cited: (1) Of the allegations against such person and the amount of the fines, penalties, costs or fees due; (2) that such person may contest such person's liability before a citation hearing officer by delivering in person or by mail written notice within ten days of the date thereof; (3) that if such person does not demand such a hearing, an assessment and judgment shall be entered against such person; and (4) that such judgment may issue without further notice. For purposes of this section, notice shall be presumed to have been properly sent if such notice was mailed to such person's last-known address on file with the tax collector. If the person to whom such notice is issued is a registrant, the municipality may deliver such notice in accordance with section 7-148ii, provided nothing in this section shall preclude a municipality from providing notice in another manner permitted by applicable law.