

Memorandum

To: Sensys Gatso Group
From: McDonald Hopkins LLC
Date: October 25, 2023
Re: Connecticut Automated Traffic Enforcement

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Sensys Gatso Group has asked us to provide guidance on the State of Connecticut's implementation of H.B. 5917, an act that puts into place recommendations of the state's Vision Zero Council with the goal of improving traffic safety across Connecticut. Several sections within the act permit municipal governments' use of automated traffic enforcement systems beginning in 2024, and our objective in this memo is to digest how all parties involved in the use of such systems — the state government, local governments and vendors like Sensys Gatso who provide automated enforcement systems — are affected by the legislation.

To produce this memo we read the act and related statutes, communicated with the staff of the Connecticut Department of Transportation ("DOT"), and relied on the materials produced by the Office of Legislative Research, a division of the Connecticut state legislature. This memorandum follows.

1. Summary of H.B. 5917's Provisions on Automated Traffic Enforcement

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The Connecticut Vision Zero Council is a group of state agency representatives tasked with developing a statewide policy for eliminating transportation-related fatalities and severe injuries to pedestrians, bicyclists, transit users, drivers and passengers. The Vision Zero Council made recommendations that include changes to the state's body of codified law, the General Statutes of Connecticut ("CGS"). Those recommendations were incorporated into H.B. 5917 in January 2023. The legislation was amended throughout 2023 and eventually passed by the state's House of Representatives and Senate in June 2023. The governor signed the bill into law that

month and it became effective mainly on October 1, 2023, with certain implementation actions due in January 2024.

H.B. 5917 contains 19 separate sections. Sections 10 through 14 and Sections 16 through 18 of the act are the sections authorizing municipal automated traffic enforcement programs; the other sections are not germane to automated enforcement. Under the provisions dealing with automated enforcement, municipalities generally may use speed cameras and red light cameras after (a) adopting an ordinance that meets the bill's requirements, (b) preparing a plan that contains required information and expires no more than three years from the first date of camera operation, and (c) obtaining approval of the plan by the DOT. Automated traffic enforcement plans cannot be accepted by DOT until after January 1, 2024, by which date DOT must issue guidance to municipalities for developing plans and selecting locations for equipment.

Once a plan has been approved and equipment installed, a municipality must be prepared to follow certain operational and procedural requirements provided for under the new act. We discuss those below.

2. Equipment Permitted; Vendor Agreements

Under the act, an “automated traffic enforcement safety device” is one designed to detect and collect evidence of alleged violations of ordinances adopted under the act by recording images that capture the license plate, date, time, and location of a vehicle that exceeds the posted speed limit by at least 10 miles per hour or runs a red light. Municipalities are permitted to engage vendors to design, install, operate and maintain automated traffic enforcement safety devices. Under the act, a vendor is a company that (A) provides camera-related services; (B) operates, maintains, leases or licenses speed or red light cameras; or (C) reviews and assembles images recorded by the cameras and forwards them to the municipality.

Vendor agreements are restricted in one significant way: Any vendor's fee may not be contingent on the number of citations issued by or fines paid to the municipality.

3. Obligations of DOT to Provide Guidance for Plans, Equipment and Locations

A. Plan Guidance and Criteria

By January 1, 2024, DOT is obligated to issue the first of its written guidance to municipalities.¹ This guidance must cover development and submission of municipal plans and the criteria DOT will use when evaluating plans for approval. The goals in providing municipalities with this guidance are to ensure equipment is installed in locations where they are likely to improve traffic safety and to ensure the cameras' distribution within the community prevents intentional or unintentional patterns of discrimination and disparities of race, ethnicity,

¹ In our conversations with the Connecticut Department of Transportation, DOT has represented that they are working on developing all guidance required by the act but will not have guidance available to municipalities earlier than the January 1, 2024 deadline.

and socioeconomic status. Under DOT guidance, municipalities must consider the following factors when selecting any location for inclusion in a plan:

- (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.
- (7) any other information or data DOT requires.

B. Equipment Evaluation and Subsequent Plan Guidance

By January 1, 2026, DOT must also 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 once the original approved plan expires (three years after the first camera in the municipality becomes operational). The guidance must include factors to consider when determining whether a speed or red light camera has improved traffic safety at its location.

4. Municipalities' Obligations before Operating an Automated Program

A. Preparation of Plan; Public Hearing

Under the act, municipalities must in their initial plans submitted to DOT identify the proposed speed and red light camera locations and include documentation showing that the proposed locations comply with, and consider the factors included in, the DOT-issued guidance on initial plan development and location selection (see section 3.A. above).

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 municipality's legislative body or, in municipalities that have adopted the town meeting form of government, by the board of selectman. Municipalities must then submit the plan to DOT as required by DOT.

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

B. Ordinance Requirements

Before operating automated traffic enforcement safety devices, municipalities must adopt an ordinance authorizing cameras and establishing municipal violations for vehicles whose speeding or red-light violations are intended to be captured by the automated traffic camera equipment. Every such ordinance must include the following provisions:

- (1) that speed and red light cameras must be operated by a person trained and certified to operate them.
- (2) that a motor vehicle's owner violates the ordinance if a camera detects the vehicle's driver exceeding the posted speed limit by 10 mph or more or failing to stop when facing a steady red signal on a traffic control signal.
- (3) that cameras must be used only for identifying ordinance violations.
- (4) that for the first 30 days after the cameras begin operating at a given location, a vehicle owner that is detected violating the ordinance must receive a written warning instead of a citation.
- (5) that fines and fees may be paid electronically.
- (6) that a municipal police officer, municipal police department employee, or municipal employee whom the local traffic authority designates must review and approve the recorded images before a citation is mailed to a vehicle owner.
- (7) any defenses available to motor vehicle owners, which must at least include the defenses outlined in the act (see Section 6.D. below).

C. Additional Procedures, Safety Plan and Privacy Policy to be Adopted

The act requires municipalities adopting ordinances permitting traffic cameras to also adopt a citation hearing procedure that fulfills other existing section of the code, CGS 7-152c² (see Section 6.D. below). Municipalities must also adopt a 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 at which cameras exist or are proposed to be installed must comply with state traffic administration orders or regulations. It is unclear at this point whether DOT will give municipalities guidance on what a comprehensive safety action plan must otherwise contain. ✓

Finally, municipalities seeking to operate cameras must adopt a written policy that meets or exceeds the standards of DOT's model privacy policy (see Section 6.F. below).

D. Termination or Modification of Municipal Plan; Filing of Subsequent Plans

Any initial plan adopted by a municipality and approved by DOT is valid for three years from the date of operation of the first camera in that municipality. Subsequent plans must be

² https://www.cga.ct.gov/current/pub/chap_098.htm.

filed thereafter, each effective for three years from the date DOT approves them. If municipalities intend to operate cameras at new or different locations before any plan expires, the municipality may submit a modification to DOT for approval to use cameras at additional locations. Any such modified plan must be subject to the same procedural requirements reflected above — a public hearing and a vote of the legislative authority — before it can be submitted to DOT. Any modified plan expires on the date the original full plan it is intended to modify was set to expire.

Subsequent plans must be submitted to DOT for approval if municipalities wish to continue using speed and red light cameras after an approved plan expires. Subsequent plans 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 to DOT by vote of the legislative body. The municipality must also submit supporting documentation as required in DOT guidance (with the guidance due by January 1, 2026) on camera evaluation and subsequent plan approval. Supporting 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 guidance on initial plan development and location selection.
- (3) records showing that the municipality spent fine revenue as the act requires (see Section 6.E. below).

5. DOT's Obligations with Regard to Plans Received from Municipalities

A. Plan Review and Approval

Within 60 days after receiving a plan, DOT must determine whether the plan is likely to improve traffic safety at the proposed locations and cameras' distribution throughout the municipality is equitable; and then approve or reject the plan in whole or in part. DOT must explain in writing its reason for rejecting entirely or in part the plan or any part of it, and must provide guidance for revising the plan for resubmission. Municipalities may submit a revised plan if the plan is rejected.

Within 60 days after DOT receives a subsequent plan and supporting documentation, it 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 cameras' distribution throughout the municipality is equitable. Within the same timeframe, DOT must approve or reject the plan in whole or in part. The act specifically prohibits DOT from approving any location in the subsequent plan that was previously equipped with a camera unless it determines that using the camera improved traffic safety at the location.

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B. Report to State Legislature

Starting in 2024, the act requires DOT to annually report, by February 1, to the Transportation Committee of the Connecticut state legislature on the status of the plans municipalities have submitted to DOT. The report must at least list the municipalities that submitted plans in the prior year, indicate whether they were approved or rejected, and state the reason for any rejections.

6. Municipalities' Obligations upon Operating an Automated Program

Approval of a municipal program by DOT does not end municipalities' obligations. Municipalities participating in automated traffic enforcement must adhere to additional responsibilities discussed below.

A. Public Notice of Camera Locations; Signage

The act requires municipalities to notify people about speed and red light cameras in several ways. First, at least 30 days before the first speed or red light camera begins operating in a municipality, the municipality must 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.

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 on Uniform Traffic Control Devices³ 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.

B. Camera Training and Initial and Annual Calibration

The act 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. Ostensibly, this responsibility would fall upon the municipality's equipment and program vendor. Upon completion, the manufacturer or its representative must issue a signed certificate to the operator, which must be admitted as evidence in any municipal citation 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 municipal citation hearing.

C. Image Review; Citation Form and Issuance

³ <https://mutcd.fhwa.dot.gov/>.

When a speed or red light camera detects and produces images of a vehicle allegedly violating the ordinance adopted by the municipality, the images must be reviewed by a municipal police officer, municipal police department employee, or a municipal employee whom the local traffic authority designates.⁴ If the officer or employee determines there are reasonable grounds to believe a violation of the municipal ordinance occurred, he or she 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.
- (9) the right to contest the violation and request a hearing (see Section 6.D. below).

For vehicles registered in Connecticut, the act 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 sent to the address on file with the issuing jurisdiction within 30 days after determining the owner's identity. Regardless of state of vehicle registration, the act invalidates citations if they are mailed later than 60 days after an alleged violation. Manual or automatic records of mailing prepared by the municipality's police department⁵ are *prima facie* evidence of mailing and are admissible in any municipal hearing as to facts the citation contains.

D. Citation Hearing Procedure; Defenses

Existing law, found at CGS 7-152c⁶, allows municipalities to establish by ordinance a hearing procedure for citations they issue and authorizes the appropriate Connecticut Superior Court to enforce fines and judgements imposed through the citation hearing procedure. Among other things found in CGS 7-152c, the law generally requires (1) the municipal chief executive officer to appoint citation hearing officers; (2) municipalities to inform the person to whom a

⁴ Our reading of this provision leads us to conclude that an outside vendor may perform the initial review and matching of a motorist with a citation.

⁵ Our reading of the language of the act leads us to conclude that the act does not require the police department to mail the citations; it requires a police department merely to have a record of the mailing.

⁶ https://www.cga.ct.gov/current/pub/chap_098.htm.

citation was issued of his or her right to contest the citation at a hearing; (3) the issuing police officer or official to attend the hearing if the violator requests it; and (4) the hearing officer to conduct the hearing in the manner and with methods of proof he or she deems fair and appropriate. The law also allows people found liable for a penalty through the citation hearing procedure to appeal to the Superior Court. The act extends these provisions to citations issued under a municipal ordinance authorizing speed and red light cameras and makes other technical changes.

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

- (1) the operator was driving an emergency vehicle and was speeding or running a red light as permitted by law.
- (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.
- (5) the camera did not have a calibration check as the act requires.

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

E. Restrictions on Fines, Fees and Revenue

The act allows the municipal ordinance authorizing cameras to include a fine to be imposed on owners of vehicles violating it, capped at \$50 for first violations and \$75 for subsequent violations. The ordinance may also impose a reasonable fee, up to \$15, for electronic payment processing costs.

The act 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 Section 4.D. above).

F. Data Privacy and Use of Owner Information

Under the act, DOT must include in its initial guidance (see Section 3.A. 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

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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 act requires municipalities seeking to operate cameras to adopt a written policy that meets or exceeds the standards of DOT's model privacy policy. (Ostensibly, most municipalities will simply adopt DOT's model policy for expedience.) It also generally prohibits municipalities and vendors from storing or retaining personally identifiable information or from disclosing it to any person or entity, including a law enforcement unit. However, municipalities may do so if the storage, retention, or disclosure is done to charge, collect and enforce fines imposed under an ordinance.

The act requires a municipality or vendor to destroy personally identifiable information and other data specifically identifying a motor vehicle and relating to an alleged violation within 30 days after a fine is collected or a hearing is resolved, whichever is later. Personally identifiable information is excepted from the Freedom of Information Act but all other data is subject to disclosure as a public record.

G. Initial and Annual Reporting to DOT

Finally, the act requires municipalities to submit an initial and annual report on specified camera data to DOT and the Transportation Committee of the Connecticut state legislature. It also requires DOT to post the reports it receives on its website.

Within 18 months after a speed or red light camera first begins operating in a municipality, the municipality must report the following information, ostensibly with reports to be produced by the municipality's vendor:

- (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 before their installation and during their use.
- (4) the number of speeding and red light violations and related traffic violations and crashes that occurred at locations where the cameras were used and 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.
- (8) the municipality's costs for using the cameras.

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Starting a year after submitting their initial report, municipalities must annually report the following data until speed or red light cameras are no longer operating in the municipality:

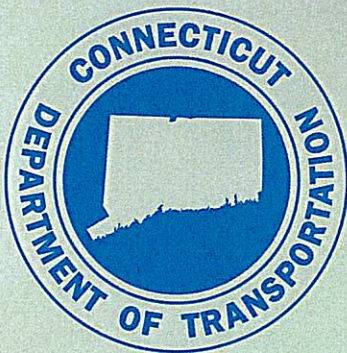
- (1) the number of vehicles subject to one citation, two citations, three citations and four or more citations.
- (2) the number of citations at each red light camera location that were issued to vehicles making a right turn, proceeding through the intersection and making a left turn.
- (3) a list of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

We appreciate the opportunity to provide this guidance, which we hope is useful, and welcome any questions on the provisions of the new Connecticut automated traffic enforcement law.

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Guidance for Municipalities Developing an Automated Traffic Enforcement Safety Device (ATESD) Plan



DATE ISSUED : JANUARY 2, 2024

Guidance for Municipalities Developing an Automated Traffic Enforcement Safety Device (ATESD) Plan

Date Issued: January 2, 2024, Connecticut Department of Transportation (CTDOT)

INTRODUCTION

[Public Act 23-116](#) (“Act”) authorizes municipalities to use automated traffic enforcement safety devices (ATESDs) at locations within school zones, pedestrian safety zones, and other locations in such municipality pursuant to (1) an ordinance adopted by the municipality in accordance with the Act’s requirements and (2) a plan approved every three years by CTDOT. The Act defines an “automated traffic enforcement safety device” as a device designed to detect and collect evidence of alleged violations of the ordinance 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.

The Act further requires CTDOT to develop, and revise as necessary, two sets of guidance for municipalities developing ATESD plans and seeking CTDOT approval. The first set of guidance covers initial ATESD plan development and submission and the criteria CTDOT will use when evaluating plans submitted for approval. The Act requires this guidance be consistent with the goals of (1) installing ATESDs in locations where they are likely to improve traffic safety and (2) ensuring that the ATESD distribution throughout the municipality is equitable. (Under the bill, “equitable” means intended to ensure that patterns of discrimination and disparities of race, ethnicity, and socioeconomic status, whether intentional or unintentional, are not reinforced or perpetuated and prevent the emergence and persistence of foreseeable future patterns of discrimination or disparities of race, ethnicity, and socioeconomic status.)

The second set of guidance, which will be issued by CTDOT by January 1, 2026, must instruct municipalities on evaluating ATESD effectiveness and submitting subsequent plans for approval.

Note: ATESDs cannot be installed until the municipality’s ATESD plan has been approved by CTDOT’s Office of the State Traffic Administration (OSTA) and the municipality has met all other requirements of the Act.

PURPOSE

As required by Section 16 of Public Act 23-116, this guidance addresses ATESD plan development and submission and the criteria CTDOT will use when evaluating ATESD plans for approval. The guidance also restates other requirements of the Act which relate to CTDOT. The Public Act summary, which includes all of the Act's requirements for municipal use of ATESDs, is available [here](#). This guidance provides information on the following:

- The factors a municipality must consider when selecting potential ATESD locations.
- Documentation municipalities must submit to CTDOT to demonstrate that the selected locations will improve safety.
- Limitations on the placement of ATESDs in economically disadvantaged communities.
- The process for municipalities to submit the ATESD plan to CTDOT.
- The OSTA's review and approval process for the ATESD plan, including the criteria to be used by the OSTA when evaluating the plan for approval.
- Duration of the ATESD plan approval.
- Reporting requirements, as required by the Act.
- A model privacy policy and protocol, as required under the Act, regarding the privacy, security, collection, and destruction of personally identifiable information and other data gathered from ATESDs.
- The process by which municipalities should notify the persons, firms, or corporations designated by CTDOT that operate a mobile application that is used for navigation purposes or real-time information on motor vehicle traffic regarding an active ATESD.

I. LOCATION SELECTION AND JUSTIFICATION

CTDOT recommends the Automobile Association of America's "[Automated Enforcement Program Checklist](#)" to assist municipalities in following best practices when developing a plan to install and use ATESDs.

1.1. FACTORS TO BE CONSIDERED BY THE MUNICIPALITY

A municipal plan proposing the use of ATESDs must identify the proposed location(s) of such devices. When selecting a location for an ATESD, the municipality must, at a minimum, consider the factors below, which are enumerated in Section 16 of Public Act 23-116. When preparing the written justification explaining how and why an ATESD was selected for installation at each location the municipality should document how these factors were considered:

- The history of traffic crashes caused by speeding or failing to obey a traffic control sign or signal at the location and the history of traffic crashes that resulted in a person's

death or serious injury at the location. CTDOT recommends that municipalities use data from the [CT Red Light Intersection Evaluation Tool \(CT-REDV\)](#) and/or review three years of crash data from the [Connecticut Crash Data Repository](#).

- The average daily traffic (ADT) at the location. Resources for ADT data include [Traffic Monitoring Station Viewer](#) and machine counts taken by the municipality. [The CT Training and Technical Assistance Center at UCONN](#) has manual traffic counters available for loan to municipalities.
- 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 ([CGS Sections 54-1l and 54-1m](#)).
- 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](#).
- The location's roadway geometry.

1.2. REQUIREMENTS FOR ALL LOCATIONS

The municipality must include the following in the ATESD plan submitted to the OSTA for all potential ATESD locations:

- **A written justification, with supporting documentation, explaining how and why an ATESD was selected for installation at each location.**
- **A scaled roadway plan or an aerial image showing the location for the ATESD at a traffic control signal, School Zone, Pedestrian Safety Zone, or other location(s). The plan or aerial image must also show the proposed location of the required two conspicuous signs to be installed on every approach at a reasonable distance in advance of the ATESD. See Attachment A for the details regarding the required signs. **Such required conspicuous signs are only permitted to be installed at locations where the ATESD is currently operational.****

NOTE: A single ATESD location may consist of multiple devices on multiple approaches to properly capture images of license plates at that location.

1.3. REQUIREMENTS BY LOCATION TYPE

1.3.1. Traffic Control Signals

1. If a municipality intends to install an ATESD at a traffic control signal, the submitted ATESD plan must include a **traffic signal control plan showing the roadway geometry, phasing/sequence, and timing for an ATESD at a traffic control signal(s).**
 - At locations where the CTDOT owns the traffic control signal, a copy of the current plan of record can be requested via email at DOT.TrafficEngineering@ct.gov.

- At locations where the municipality owns and maintains the traffic control signal, the municipality must submit a copy of the current plan of record.
2. The following conditions must be met for the OSTA to approve an ATESD at a traffic control signal:
- There are at least two crashes, over a three-year period, where an operator failed to stop at a red traffic signal indication. Municipalities are encouraged to use the [CT Red Light Intersection Evaluation Tool \(CT-REDV\)](#) which displays the number and location of red-light running crashes.
 - The location selected for an ATESD must appear on the list of intersections from the CT-REDV tool. In cases where there are numerous intersections involving operators running a red light, municipalities are encouraged to select intersection(s) where other countermeasures have already been implemented but have not been effective. The countermeasures include but are not limited to: increasing size of the signal indications from 8 inches to 12 inches, use of LED lamps, use of signal backplates with retroreflective borders, trimming of vegetation that obstruct the view of the signals, coordination with adjacent traffic signals.
 - Traffic control signals that were recently upgraded within the last 12 months or scheduled to be upgraded within the next 12 months may not be good candidates for an ATESD since the crash history associated with the location may not reflect current conditions.
 - The traffic control signal plan of record for the location has been approved by the OSTA.
 - For municipally owned traffic signals, the traffic signal change intervals (e.g. [yellow/red/pedestrian clearance timings](#)) **must have already been optimized** in accordance with Chapter 6 in CTDOT's Traffic Control Signal Design Manual. (Note: State-owned traffic signals have already been optimized).
 - The written justification required in Section 1.2 demonstrating that an ATESD will improve safety at that location. At a minimum, the written justification should include an explanation regarding how all the required elements in Section 1.1 were considered and how selected intersections were prioritized in cases where there are numerous intersections involving red-light running crashes.

1.3.2. School Zones

The following conditions must be met for the OSTA to approve an ATESD in a **school zone**:

- The location meets the definition of a school zone pursuant to [CGS 14-212b](#).
- The school zone has been approved by the appropriate statutory authority – either the OSTA or the [Local Traffic Authority](#).
- The school zone signage is consistent with Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD).
- The written justification required in Section 1.2 demonstrating that an ATESD will improve safety at that location. At a minimum, the written justification should include an explanation regarding how all the required elements in Section 1.1 were considered. Additional information, if available, may include recommendations from a Road Safety Assessment (RSA), findings from a speed study, and how other speed reduction measures are not feasible or have not been effective.

1.3.3. Pedestrian Safety Zones

The following conditions must be met for the OSTA to approve an ATESD in a **pedestrian safety zone**:

- The location(s) meets the definition of a pedestrian safety zone pursuant to [CGS 14-307a](#);
- The Pedestrian Safety Zone has been approved or established as such by the appropriate statutory authority – either the OSTA or the [Local Traffic Authority](#).
- The Pedestrian Safety Zone signage is consistent with the MUTCD.
- The written justification required in Section 1.2 demonstrating that an ATESD will improve safety at that location. At a minimum, the written justification should include an explanation regarding how all the required elements in Section 1.1 were considered. Additional information, if available, may include recommendations from an RSA, findings from a speed study, and how other speed reduction measures are not feasible or have not been effective.

1.3.4. Other Locations

The following conditions must be met for the OSTA to approve an ATESD in **other location(s)**:

- Other locations include, but are not limited to, roadways adjacent to central business districts, community centers, public parks, and hospitals. The length of the segment of roadway for location type should not exceed 0.50 miles.
- The location or roadway segment has a history of speed related crashes or speeding violations.
- The written justification required in Section 1.2 demonstrates that an ATESD will improve safety at that location. At a minimum, the written justification should include an explanation regarding how all the required elements in Section 1.1 were considered. Additional information, if available, may include recommendations from an RSA, findings from a speed study, and how other speed reduction measures are not feasible or have not been effective.

1.4. LIMITATIONS ON THE PLACEMENT OF ATESDS IN OR ADJACENT TO ECONOMICALLY DISADVANTAGED COMMUNITIES

- To ensure that the ATESD distribution throughout a municipality is equitable as defined in Public Act 23-116, **CTDOT will not approve more than two ATESD locations within a Qualified Census Tract (QCT)** as designated by the United States Department of Housing and Urban Development. Additionally, **CTDOT will not approve more than one ATESD location within a QCT that is a quarter of a square mile or less in size.** Click [here](#) for a map showing the QCTs in CT.
- For the purposes of this section, if a proposed ATESD location is on a road that is a border of two or more QCTs, a municipality may choose one of the QCTs with which to associate the ATESD location. If a proposed ATESD location is on a road that is a border of one or more QCTs and a census tract that is not designated as a QCT, the municipality must choose to associate the location with one of the QCTs.
- The ATESD plan of any municipality that borders a neighboring municipality in which more than 55% of the census tracts are QCTs will be evaluated by CTDOT to ensure that the proposed ATESD locations are not overconcentrated at or near the border of the neighboring municipality. If the ATESD locations are only proposed near the border with the neighboring municipality, it's likely that the ATESD plan will be rejected. Note: As of

January 1, 2024, municipalities where more than 55% of the census tracts are QCTs are Bridgeport, Hartford, New Britain, New Haven, New London, and Windham.

- CTDOT may reject any proposed ATESD locations if it determines that the overall distribution of ATESDs throughout the municipality violates the principles of equity described in Public Act 23-116.

NOTE: A single ATESD location may consist of multiple devices on multiple approaches to properly capture images of license plates at that location.

II. ADDITIONAL REQUIREMENTS

As part of its ATESD plan, a municipality must also include:

1. A copy of the ordinance adopted by the municipality authorizing the use of ATESDs as required by Section 11 of Public Act 23-116.
2. A copy of the notice of the public hearing conducted on the municipality's ATESD plan as required by Section 17(a)(1) of Public Act 23-116.
3. A copy of minutes of the meeting at which the municipality's legislative body or board of selectman voted to approve the ATESD plan as required by Section 17 of Public Act 23-116.
4. A copy of the municipality's Comprehensive Safety Action Plan (CSAP), required by subsection (e) of Section 11 of Public Act 23-116. Per the Act, the plan must "ensure that the streets located in the municipality safely and conveniently serve road users of all ages and abilities, including pedestrians, transit users, bicyclists, persons using wheelchairs or other assistive device and motor vehicle operators." CTDOT will also accept the following as a CSAP, provided it satisfies the requirements of the Act as quoted above:
 - a. The section in the Regional Transportation Safety Plan, which was prepared for all nine [Council of Governments](#), that is specific to the municipality.
 - b. A municipality's [Vision Zero Action Plan](#).

III. SUBMISSION AND APPROVAL

3.1. SUBMISSION

All ATESD plans (original or revised) must be submitted electronically by the municipality to [CTDOT's Office of the State Traffic Administration \(OSTA\)](#) via email at DOT.OSTA@ct.gov. The OSTA will send an email confirmation acknowledging receipt of the ATESD plan.

3.2. REVIEW AND APPROVAL PROCESS

- **Step 1:**

The OSTA will determine if the submitted ATESD plan contains the required elements as described in Sections I & II of this guidance. If the submitted ATESD plan is determined to be incomplete, the OSTA will notify the municipality, in writing, what elements are missing or incomplete and what needs to be submitted.

Note: The statutory 60-day review period does not start until the OSTA confirms, in writing, that the ATESD plan contains all the required elements.

- **Step 2:**

Once it is determined that the ATESD plan is complete, the OSTA has 60 days to determine (1) if the ATESD plan is likely to improve traffic safety at the proposed location(s) and (2) if the ATESD distribution throughout the municipality is equitable. The OSTA will either approve or reject the ATESD plan in whole or in part. If the ATESD plan is rejected in whole or in part, the OSTA will provide a written explanation of its reasoning, as well as guidance for revising the ATESD plan for resubmission.

IV: DURATION OF THE ATESD PLAN APPROVAL

The municipality's initial ATESD plan is valid for three years after the first device becomes operational. Subsequent ATESD plans are valid for three years from the date of CTDOT approval. Municipalities may submit a modification to the ATESD plan to propose the use of ATESDs at additional locations, provided that the ATESD plan has not expired. It is not necessary for a municipality to submit a modification proposal to terminate the use of an ATESD at a particular location. All modifications to the ATESD plan must follow the same submittal, review, and approval processes as the initial ATESD plan. Approval of any modifications to the ATESD plan expires on the same date the approved ATESD plan expires.

V: REPORTING

5.1 INITIAL REPORT

Not later than 18 months after an ATESD becomes operational, the municipality must submit a report to CTDOT via email at DOT.OSTA@ct.gov and to the joint standing committee of the General Assembly having cognizance of matters related to transportation. The report must include, but need not be limited to, the following elements which are outlined in Section 13 of Public Act 23-116:

1. The number of violations of [CGS 14-218a](#), [CGS 14-219](#), and [CGS 14-299\(b\)\(3\)](#) that occurred at the locations where such automated traffic safety devices were installed at least 1 year prior to the use of such devices;
2. The number of violations where a motor vehicle exceeded the posted speed limit by ten or more miles per hour that were captured at such locations by an ATESD.
3. The number of violations where a motor vehicle failed to comply with [CGS 14-299\(b\)\(3\)](#) when facing a steady red signal on a traffic control signal that were captured at such locations by an ATESD.
4. If available, the number and type of related traffic violations and crashes that occurred at each location where an ATESD was installed at least 1 year prior to such installation and during the use of an ATESD.
5. The number of violations of [CGS 14-218a](#), [CGS 14-219](#), and [CGS 14-299\(b\)\(3\)](#) and related traffic violations and crashes that occurred at locations where an ATESD was used and at similar locations where an ATESD was not used. A similar location is defined as having approximately the same conditions (e.g. [traffic control device](#), [functional classificational](#), number of lanes, speed limit, traffic volumes, etc.).
6. A description of situations where recorded images could not be used or were not used.
7. The number of leased or rented motor vehicles, out-of-state motor vehicles or other vehicles, including trucks, where enforcement efforts were unsuccessful.
8. The amount of revenue from the fines and associated fees retained by the municipality, including the percentage of fines collected from residents and the percentage of fines collected from non-residents.
9. The cost to the municipality to use an ATESD.

5.2 SUBSEQUENT ANNUAL REPORTS

No later than one year after the municipality submits its initial report after the ATESD becomes operational, and every year thereafter until the ATESD is no longer operational in the municipality, the municipality must submit a report to CTDOT via email at DOT.OSTA@ct.gov and joint standing committee of the CT General Assembly having cognizance of matters related to

transportation. At a minimum, the report must include the following elements which are outlined in Section 13(b) of Public Act 23-116:

1. The number of motor vehicles that were subject to one citation, two citations, three citations or four or more citations.
2. In the case of an ATESD that records images of motor vehicles failing to comply with the provisions of subdivision (3) of subsection (b) of Section [14-299](#) of the CGS when facing a steady red signal on a traffic control signal, the number of citations at each location that were issued to motor vehicles making a right turn, to motor vehicles proceeding through the intersection and to motor vehicles making a left turn.
3. A list of engineering and educational measures undertaken by the municipality to improve safety in locations when an ATESD is operational.
4. Data regarding how many citations were issued, how many hearings were requested and the results of any such hearings.

5.3 COMPLIANCE WITH REPORTING REQUIREMENTS

If a municipality fails to report data on any ATESD location as required by Public Act 23-116, the OSTA will decline to re-authorize such ATESD location once the initial plan has expired.

VI: MODEL PRIVACY POLICY AND PROTOCOL

Pursuant to Public Act 23-116, municipalities that adopt an ordinance authorizing the use of ATESDs, must also adopt a written privacy policy that meets or exceeds the standards of CTDOT's model privacy policy and protocol, as written below:

Personally identifiable information about a person who is alleged, through the aid of an ATESD, to have committed a traffic violation, is protected information, with exceptions noted below. While information and data gathered from ATESDs is subject to disclosure under Connecticut's Freedom of Information Act, no personally identifiable information may be disclosed.

Personally identifiable information ("PII") as defined under section 10 of PA 23-116 includes, but is not limited to, the motor vehicle owner's address, telephone number, license plate numbers, photograph, bank account information, credit card number, debit card number, or the date, time, location, or direction of travel on a highway. No such PII is permitted to be disclosed, stored, or retained by a municipality or an ATESD vendor unless the disclosure is made in connection with, or retention is necessary for, the charging, collection and enforcement of the fines imposed pursuant to an ordinance adopted according to the requirements of section 11 of the Act.

Violation data and images should be electronically encrypted at the time of their capture to prevent unauthorized access or tampering. All violation evidence, whether PII or not, should be securely stored and managed according to standard rules and requirements for the security and preservation of legal evidence. Only authorized and trained program staff should have access to

the data. Sensitive personal information such as social security numbers should not be used or linked with names and should never be printed on violation notices mailed to recipients. Furthermore, any identifying data for non-infracting vehicles, such as license plate information, should not be stored.

Within 30 days after any fine is collected or there has been a resolution of a hearing conducted for the alleged traffic violation, whichever is later, the municipality or vendor must destroy PII and all other data that specifically identifies a motor vehicle and relates to a violation of the municipal ordinance adopted pursuant to section 11 of the Act.

VII: NOTIFICATION TO OPERATORS OF NAVIGATION APPLICATIONS

Pursuant to Subsection (f) of Section 11 of Public Act 23-116, prior to the in-service operation of an ATESD, the municipality shall provide notification of such location to persons, firms or corporations that operate a mobile application that is used for navigation purposes or to provide real-time information on motor vehicle traffic. Such notification shall include appropriate detail as to the nature and hours of operation of the enforcement device, and how the municipality will support such location-based applications through baseline mapping platforms. CTDOT will designate which such persons, firms or corporations shall be notified and provide technical guidance to such municipalities regarding how to provide such notification. This list of persons, firms, or corporations is subject to change throughout the duration of the approval and, upon request from CTDOT, the municipality shall furnish the applicable information on in-service devices to the newly designated persons, firms, or corporations in a timely manner, not to exceed 30 days from the date the municipality receives notice of such change. The municipality shall provide a copy of such notification to CTDOT pursuant to Section II of this guidance.

Sign detail options for "Photo Enforced" to be installed *below a speed limit sign*

[illegible]

Sign detail options for "Speed Limit –Photo Enforced" stand alone sign

[illegible][illegible]

Sign detail options for "Photo Enforced" to be installed at a traffic control signal

