



# Vision Zero Council


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October 4, 2022

1:00p.m. – 3:00p.m.



# Vision Zero Council - Agenda

- I. Committee Chair Welcome and Introductions
  - II. Adoption of 6/14/22 Meeting Minutes
  - III. Sub-Committees – Summary of Subcommittee Activity and Potential Policy Recommendations
    - a. Report Outs
      - i. Engineering
      - ii. Enforcement
      - iii. Education
      - iv. Equity
    - b. Sub-Committee Policy Recommendation Next Steps- Discussion
  - IV. Administrative Items
  - V. Next Meeting – date and topics,
  - VI. Public Comment
  - VII. Adjourn
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# Welcome and Introductions





# Adoption of 6.14.22 Meeting Minutes

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# Vision Zero Council – Sub-Committee Recap

- Four Sub-Committees commissioned by VZC
  - Engineering
  - Enforcement
  - Education
  - Equity
- Sub-Committees formed via survey response and appointments by council members
- Sub-Committee chairs appointed by VZC members, co-chairs selected by sub-committees
- Sub-Committee chairs tasked with scheduling and holding two meetings prior to 6.14.22 VZC meeting and reporting out on progress
- Sub-Committees tasked with discussing and drafting policy recommendations at 10.4.22 VZC meeting
- Sub-Committees to provide final policy recommendations prior to 12.13.22 VZC meeting

# Vision Zero Council - Engineering Sub-Committee

- Co-chair: Marissa Pfaffinger, Transportation Principal Engineer, DOT
- Co-chair: Charles Harlow, Fuss and O'Neil





# ROAD TO SAVING LIVES



Summary &  
Possible Policy  
Recommendations

Vision Zero Council  
Engineering  
Sub-Committee

# Engineering Sub-Committee

Meetings were held April 27, 2022 and May 24, 2022

- 24 participants in April / 23 participants in May
- State Agencies represented: CTDOT; CTDCJ; CTADS; CTDPH
- Other public agencies represented: CRCOG; Naugatuck Valley COG; City of New Haven
- Multiple engineering consultants
- Community based committees: Milford and Fairfield





# Engineering Sub-Committee

- Purpose:

To recommend to the Vision Zero Council statewide Engineering related POLICY to eliminate transportation-related fatalities and severe injuries involving pedestrians, bicyclists, transit users, motorists, and passengers.

- Problem:

Statistics show a trend of increasing road-user fatalities and serious injuries

- Sub-Committee Discussion:

- Current **Engineering** efforts to address identified problems
- Potential **Engineering** countermeasure selection



# Engineering Sub-Committee

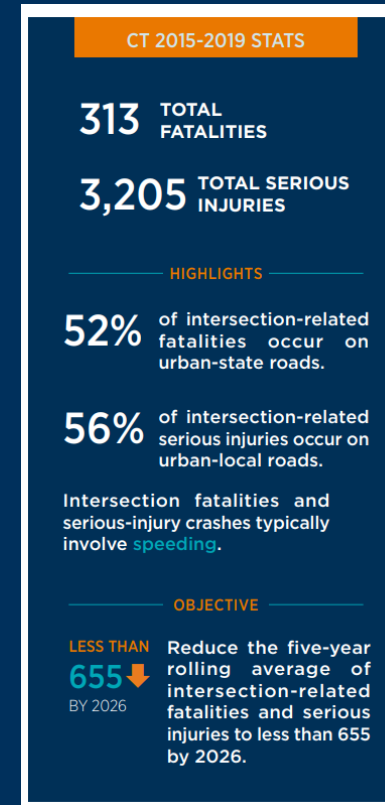
## ■ Sub-Committee Discussion:

What We Know – through SHSP, 3 major engineering emphasis areas for crashes:

1. Infrastructure - Roadway Departure
2. Infrastructure – Intersections
3. Pedestrians



(1)



(2)



(3)

# Engineering Sub-Committee

## ■ Sub-Committee Discussion

What we heard through discussion and brainstorming:

1. Focus on bicycle infrastructure and bicycle safety
2. Concern about excessive vehicle speeds
3. General conversations around Bicycle/Pedestrian safety, including discussion about Complete Streets
4. Inquiry into Road Diets and how they are being investigated/implemented

Minor Discussion Points –  
Intersection Safety  
Roadway Departure Crashes



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# Preliminary Policy Recommendations

Review of Drafts and Ideas  
for possible advancement to Vision Zero Council

Engineering  
Sub-Committee  
Vision Zero Council



# Potential Policy Recommendation #1

## ■ Requiring a Complete Streets Plan

- Each municipality would be required to have a Complete Streets Plan in order to be eligible for certain State funding programs/grants (i.e. Community Connectivity)

Policy Level – State Legislature

Reason – Funding

To ensure equity in opportunity to develop and implement a Complete Streets Plan, funding should be provided by the Legislature for local development and adoption

Additional Needs:

- Establish a “base level plan” or the minimum level of plan that would be considered acceptable Statewide. Doesn’t preclude “above and beyond” plans.
- Engage and coordinate with COGs for regional involvement. ID their role.

# Potential Policy Recommendation #2

- Clarify CTDOT Authority to Acquire Land for Trails

- Currently, CTDOT may not have legislative authority to condemn ROW for off-road trails or bike/ped facilities. With trail networks growing to support non-motorized travel, this authority can facilitate expansion of these networks.

Authority Level – Legislature

Reason – Authority

NOTE: This issue has previously been discussed at high levels. Incorporating this into a Vision Zero discussion draws more attention and garners more stakeholder awareness. Separated facilities have fewer conflict areas than on-road facilities.

# Potential Policy Recommendation #3

- Adoption of an ICE Policy (Intersection Control Evaluation)
  - Intersection control evaluation (ICE) is a data-driven, performance-based framework to screen intersection alternatives and identify an optimal solution.

Authority Level – Agency (CTDOT)

Reason – Internal Practice

Can provide **consistent documentation** to support **transparency** of decisions, increased awareness of innovative solutions, & objective performance metrics for decision making

Additional Needs: Determine CT-specific process and evaluation criteria. Plan to utilize established processes from other states.



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# Potential Policy Recommendation #4

## ■ Question for Council

- Considerable Sub-Committee discussion around excessive speed and speed enforcement relative to crash-reduction. Understand that Enforcement Committee is putting forward “Speed Enforcement Cameras” as possible policy recommendation.
- Should Engineering Sub-Committee endorse Enforcement Committee’s policy recommendation or is it appropriate to put speed enforcement forward as a recommendation of our own?





# Discussion Items

- Roadway Departure Crashes
  - Working Group now established within Sub-Committee
  - Intention is to examine what policies may support crash reduction
- Quick-Builds on State Roads
  - Working Group now established within Sub-Committee
  - Intention is to research other State policies and investigate CT State road applications.
- Main Street is a State Road
- Use of Raised Intersections and Crosswalks
- Road Diets



# Vision Zero Council – Enforcement Subcommittee

- Chair: Mark DiCocco, Sergeant, Connecticut State Police – Collision Analysis and Reconstruction Squad
- Co-Chair: Terri Thompson, Transportation Planner, Greater Hartford TIM Coalition Chair, Capitol Region Council of Governments (CRCOG)





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**Enforcement  
Proposals & Analysis**

**VZC  
Enforcement  
Subcommittee**

# 4 Proposals:

1. Enact a Helmet Law for ALL Motorcycle Riders
2. Establish a Fatal Collision Reduction Team to Engage in High Visibility Enforcement Blitzes \*
3. Implement Automated Speed Enforcement Cameras
4. Enact an Open Container Statute and Enforce the Statute

Process: Received a number of suggestions, which were discussed at subcommittee meetings. Chair consolidated and circulated e-mail to subcommittee members for voting/ranking. These were the proposals that received the highest rankings across members.



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# Enact a Helmet Law for ALL Motorcycle Riders

Proposal #1

VZC Enforcement  
Subcommittee

# Motorcycle Helmet Law for all Riders

- Would require legislative change.\*\*
- Currently Connecticut requires helmets for riders:
  1. under age 18 (C.G.S. 14-289g); and
  2. who have a motorcycle instruction permit only. (C.G.S. 14-40a)



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# Brief History of Full Helmet Laws

- 1966 National Highway Safety Act withheld federal funding from any state that had not enacted a full helmet law. Between 1967 and 1975, all states, except California had enacted such a law.
- Connecticut had such a law until 1976, when it was repealed.
- By 1970, the highest State court in 15 States, plus lower courts in New York, and a federal district court in Massachusetts rejected claims that the laws infringed on their rights.
- Only the Michigan and Illinois Supreme Courts agreed with the motorcyclists that the helmet laws violated their constitutional rights. Both Courts later reversed their decisions, finding that the State had a rational basis for the laws and states overwhelmingly determined such laws were constitutional.



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# Arguments Against Helmet Requirement

The constitutional challenges focused principally on 2 arguments:

- 1) helmet statutes violated the equal protection clause of the Fourteenth Amendment or state constitutional equivalents by discriminating against motorcycle riders as a class, and
- 2) helmet statutes constituted an infringement on the motorcyclist's liberty and an excessive use of the state's police power under the due process clause of the Fourteenth Amendment or similar state provisions.



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# Rationale Highlights

- Economic impact
  - To State, rider, rider's family & employer, cost of clearing crash
- Safety of others
  - Framing issue as a matter of personal safety ignores the threat to other riders on the road
  - “[a] flying object could easily strike the bareheaded cyclist and cause him to lose control of his vehicle,” and “the wind or an insect flying into the cyclist’s eyes could create a hazard to others on the highway.” *Bogue v. Faircloth*, 316 F. Supp. 486 (1970) at 489.
- Overall health of citizens
  - Note: concept of “unlimited paternalism” and helmets for automobile drivers and riders



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# Fatal Collision Reduction Team and High Visibility Enforcement Blitzes

Proposals # 2 and #3

VZC Enforcement  
Subcommittee



# Premise

- Gather traffic officers from State Police and/or Municipal Departments, including specially-trained officers (DRE, ARIDE)
- Identify traffic violations that correlate with crashes
- Identify high frequency crash locations
- Engage in high visibility enforcement efforts targeting those identified traffic violations in the identified areas, using the special team



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# Overview/Considerations

- Legislation Required? No \*
- Legal Considerations: Comparison to Sobriety Checkpoints?
  - Notice
  - Standardized procedures
  - Basis for selection of locations
- Discretionary use of agency resources/assignments of duties
- Mutual Aid Agreements between agencies



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# Implement Automated Speed Enforcement Cameras

## Proposal #4

VZC Enforcement  
Subcommittee



# Legislation needed?

- Unclear, but likely *some* legislative changes
- Speeding prohibited by C.G.S. § § 14-218a and 14-219.
  - Text of the statutes does not explicitly limit enforcement to in person police action or prohibit use of camera enforcement.
  - Though, we do have “prima facie presumption[s] of accuracy” codified regarding certain equipment police use to detect speed currently (i.e. radar, laser). See C.G.S. § 14-219(c).
  - Note: presumption can be extended to “any other speed monitoring device approved by the Commissioner of Emergency Services and Public Protection...”
- Speed Enforcement Camera Pilot Program for Work Zones



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# Nationwide Use

As of September 2022:

- 18 states have active speed enforcement cameras in place.
  - Some are limited to certain areas like work zones or school zones
  - +2 that have pilot programs for work zones (DE and CT)
  - +3 have laws that permit or do not ban the use, but have no cameras in place
- 22 states have active red light cameras in place
- 6 states ban the use of speed enforcement cameras pursuant to state law

<https://www.iihs.org/topics/red-light-running/automated-enforcement-laws>



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# Unsuccessful Challenges:

- Lack Rational Basis
- Violate Substantive Due Process
- Violate Procedural Due Process
- Violate Equal Protection
- Violate Right to Inter/Intra State Travel
- Violate Privileges and Immunities Clause
- Violate Fourth Amendment (because issuance of the ticket is a seizure)
- Violate state law by punishing owner rather than operator\*



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# Open Questions

## What about Privacy rights?

- Vehicle and its occupants are in public view and cannot escape public scrutiny. *Cardwell v. Lewis*, 417 U.S. 583 (1974)
- Defendant has no reasonable expectation of privacy in using public streets and surveillance by police OK. *United States v. Knotts*, 460 U.S. 276 (1983)
- Police search for VIN does not violate individual privacy rights. *NY v. Class*, 475 U.S. 106 (1986)
- No expectation of privacy in license plate. *California v. Carney*, 471 U.S. 386 (1985)
- BUT courts wary of developing technologies. See *Carpenter v. U.S.*, 138 S. Ct. 2206 (2018) (concerning cell site data)

## Evidentiary concerns?

- ATE digital photos not hearsay and admission does not violate confrontation clause. See *People v. Goldsmith*, 59 Cal.4<sup>th</sup> 258, 273-75 (2014)
- Confrontation clause not applicable because not criminal proceeding; no heightened due process for red light violation. See *Krieger v. Rochester*, 978 N.Y.S.2d 588, 768 n.6 (Sup. Ct. 2013)
- Rebuttable presumption that owner was the operator unconstitutional. See *Tupper v. City of St. Louis*, 468 S.W.3d 360 (2015)



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# Work Zone Pilot, C.G.S. § 13a-263

- (a) No person operating a motor vehicle shall exceed the posted speed limit by fifteen or more miles per hour, as detected by a work zone speed control system, within a highway work zone where a work zone speed control system is operational.
- (b) The owner of a motor vehicle identified by a work zone speed camera control system as violating the provisions of subsection (a) of this section shall, (1) for a first violation, receive a written warning, (2) for a second violation, be fined seventy-five dollars, (3) for a subsequent violation, be fined one hundred fifty dollars. ***The owner shall be liable for any such fine imposed unless the driver of the motor vehicle received a citation from a law enforcement officer at the time of the violation.***



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# C.G.S. § 13a-264(i)- Defenses for Owner

(i) The following defenses shall be available to the owner of a motor vehicle identified by a work zone speed camera control system as allegedly violating section 13a-263: (1) 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, and had not been recovered prior to the time of the violation, and (2) the work zone speed control system used to determine speed was not in compliance with the provisions of this section relating to tests for accuracy, certification or calibration.

**NOTE: Not a defense that the owner was NOT the operator at the time of the violation.**



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# Enact an Open Alcohol Container Statute and Enforce the Statute

## Proposal #5

VZC Enforcement  
Subcommittee

# Legislation Needed!

- Currently, Connecticut has legislation that prohibits drinking alcohol while operating a vehicle. See C.G.S. § 53a-213.
  - Drinking while driving is a class C misdemeanor, punishable by up to 3 months in jail and a fine of up to \$500.
- There are no statutes that prohibit simply having an open container of alcohol in the vehicle or a passenger's consumption of alcohol while a vehicle is in operation.



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# Transportation Equity Act for the 21<sup>st</sup> Century

- 23 USC § 154 (1998)
- encouraged states to adopt laws prohibiting the possession and consumption of alcohol in the passenger compartment of motor vehicles generally
- Penalizes states by diverting funds if no open container law



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# To comply with federal program, open container law must:

1. prohibit both possession of any open alcoholic beverage container and consumption of any alcoholic beverage;
2. cover the passenger area of any motor vehicle, including unlocked glove compartments and any other areas of the vehicle that are readily accessible to the driver or passengers while in their seats;
3. apply to all open alcoholic beverage containers and all alcoholic beverages, including beer, wine, and spirits that contain 0.5% or more of alcohol by volume (including 3.2% beer);
4. apply to all vehicle occupants except for passengers of vehicles designed, maintained, or used primarily for the transportation of people for compensation (such as buses, taxi cabs, and limousines), or the living quarters of motor homes;
5. apply to all vehicles on a public highway or the right-of-way (i.e. on the shoulder) of a public highway;
6. ***require primary enforcement of the law, rather than requiring probable cause that another violation had been committed before allowing enforcement of the open container law.***

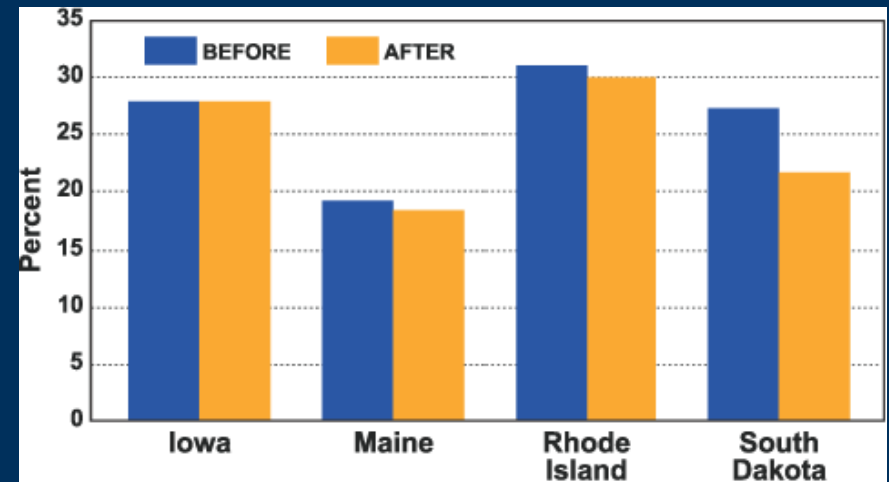


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# Legal Considerations

- Rational basis:
  - ***What is the government's goal?***
    - ***Will open container laws have an impact on roadway safety?***
- Inconsistency with other laws and application of other laws (i.e. smoking cannabis in a motor vehicle as secondary offense only)

Figure 1.  
Percent of All Fatal Crashes That Were Alcohol Involved:  
Six-Month Period After Enforcement Began  
Compared to the Same Period in the Previous Year



[NHTSA Open Container- 4 State Study](#)



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# Vision Zero Council – Education Subcommittee

- Co-chair: Ernie Bertothy, Corporate and Public Relations, DMV
- Co-chair: Amy Watkins, MPH, Watch for Me CT
- Co-chair: Shaun Formica, Corporate and Public Relations, DMV





# ROAD TO SAVING LIVES



Summary &  
Possible Policy  
Recommendations

Vision Zero Council  
Education  
Sub-Committee

# Education Sub-Committee

Meetings were held April 29, May 16, June 6, July 25 and Sept. 28

- State Agencies represented: DOT, DMV, DPH, DCJ, SDE, OEC
- Other agencies: COGs, AARP, AAA, Connecticut Children's, Connecticut Transportation Institute, New Haven Coalition for Active Transportation/NH Parking Authority, Valley Transit District, CT Association of Schools,
- Others: Bicycle and Pedestrian Advisory Board, Bike Walk CT, community bike/walk/transit advocates, engineers, health departments





# Education Sub-Committee

## ■ Sub-Committee Discussion

What we heard through discussion and brainstorming:

1. Need for driver re-training
2. Need for education of children
3. Need to address current dangerous trends: vulnerable user deaths, wrong-way crashes, impairment, speeding, distraction

Additional Discussion Points – DMV Initiatives

- Need for DMV training materials to reflect new laws in a timely manner
- Child passenger safety





# Preliminary Policy Recommendations

Review of Ideas for possible advancement to  
Vision Zero Council

Education  
Sub-Committee  
Vision Zero Council

# Potential Policy Recommendation #1

## Utilize schools to better educate children about road safety

Rationale: Teaching children to be safe pedestrians and bicyclists is a good starting point for a lifetime of road safety awareness

Proposal idea 1: Create an initiative between DOT and the Department of Education to include transportation education in scholastic curriculums in Connecticut. This proposal is aimed at teaching school-aged children the importance of transportation safety and the benefits of walking and taking public transportation. Furthermore, this initiative would educate children on the importance of their participation in the active transportation network in their communities.

# Potential Policy Recommendation #1

## Utilize schools to better educate children about road safety

Proposal idea 2: Create a Vision Zero Schools program - Based on efforts from North Dakota, create a list of criteria for a school to become a Vision Zero school, which could include traffic safety education to students, peer-to-peer education, outreach to parents, safety messaging to teachers and staff, etc. Ideally, DMV/DOT/DOE would not need to do much of that education, but could help nudge the schools to do it themselves (with help from community safety partners).



# Potential Policy Recommendation #2

## Utilize the judicial system in driver re-training

Rationale: The criminal justice system provides an opportunity for driver retraining, specifically for traffic offenders

Proposal idea: Offense-specific retraining classes - Expand the operator retraining program to include an option for the Judicial Branch to offer a class tailored to an offense as part of a plea deal, which could reduce the fine amount that a driver must pay. For example, if the driver received a distracted driving ticket, they could take a short class on the types of distractions and why they're dangerous. (This could be similar to the CPS course). This would require some more work to set up and have a longer time horizon, but could continue to emphasize safety in the traffic ticket process.

# Potential Policy Recommendation #3

## Increase options for driver retraining

Rationale: after initial driver training, there are no driver re-training opportunities except for an optional class for older drivers

Proposal idea 1: Offer a skills refresher at other points in a lifetime. We test once at the onset and nothing after. Not one that is tied to a carrot (a decrease in auto insurance) but required, especially for those who have been driving for 40 or 50 years

Proposal idea 2: Offer a statewide, incentive-based driver education for drivers to get a refresher on law updates and other safety reminders.



# Potential Policy Recommendation #4

## Utilize DMV to educate drivers on a more frequent basis

Rationale: The DMV has frequent touch points where they can impart new information and reminders to current drivers throughout their lives

Proposal idea 1: Empowering CT's DMV to have more thoughtful engagement with customers/drivers at every available opportunity, such as at license renewals and registration. This could be in the form of a video that must be watched in its entirety before an online application could be processed. The video would be an update on new laws that impact drivers and pedestrians. Additionally, the videos could be responsive to emerging trends in traffic violence. An example this year would be the proliferation of wrong way driving deaths.





# Potential Policy Recommendation #4

## Utilize DMV to educate drivers on a more frequent basis

Proposal idea 2: Incorporate CT driver training materials within the DMV process of awarding a CT license to out-of-state licensed drivers when they become CT residents. Focus on key points that have been implicated in car-to-pedestrian or car-to-cyclist fatalities.



# Potential Policy Recommendation #5

## Utilize DPH to educate around emerging traffic safety issues

Rationale: DPH is a leading source for safety and health information, and could perhaps play a role in traffic safety messaging

Proposal idea: Prescription drugs and driving outreach - DPH could choose one or two local health departments and/or health districts to collaborate on an educational initiative about the dangers of driving under the influence of prescription drugs. It could include outreach to pharmacies or hospitals (or possibly even methadone clinics) who could themselves communicate information to drivers receiving medications.



# Additional Points of Discussion

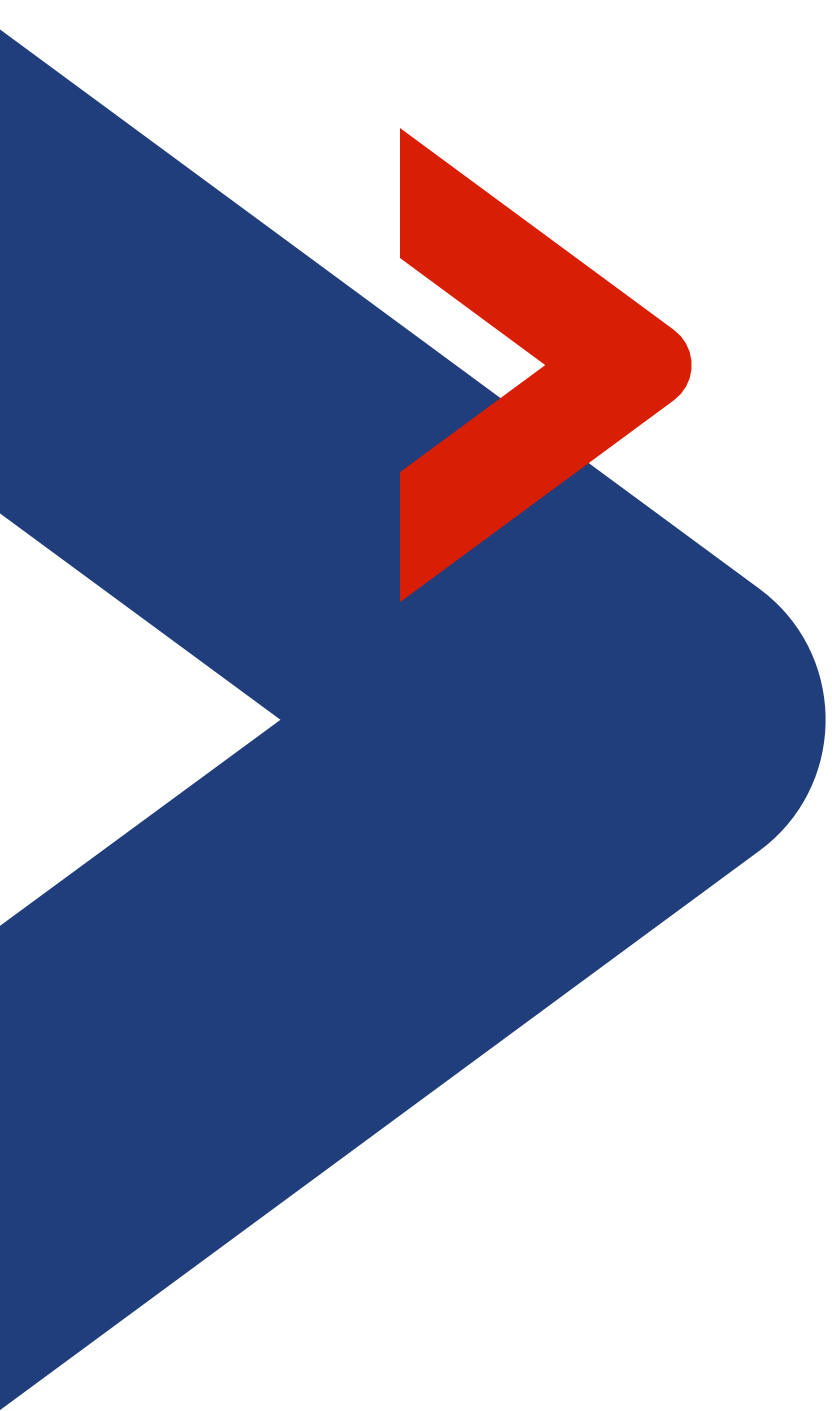
- Child passenger safety – This came up frequently. We are aware there is currently a working group in Connecticut, sponsored by the National Governor’s Association, focused on issues related to CPS. The proposals from that group should be seriously considered.
- Driver's education materials should be updated to reflect new laws and also responsive to current traffic violence trends (speeding, wrong way driving deaths, etc.)
- Option for coordinated messaging among agencies: (example: “Enact a weekly social media time slot when all organizations and agencies can release important information. Our focus can be public Facebook pages for each town, such as: Unionville Talks, Farmington Chatters, Bristol All Heart, etc.)





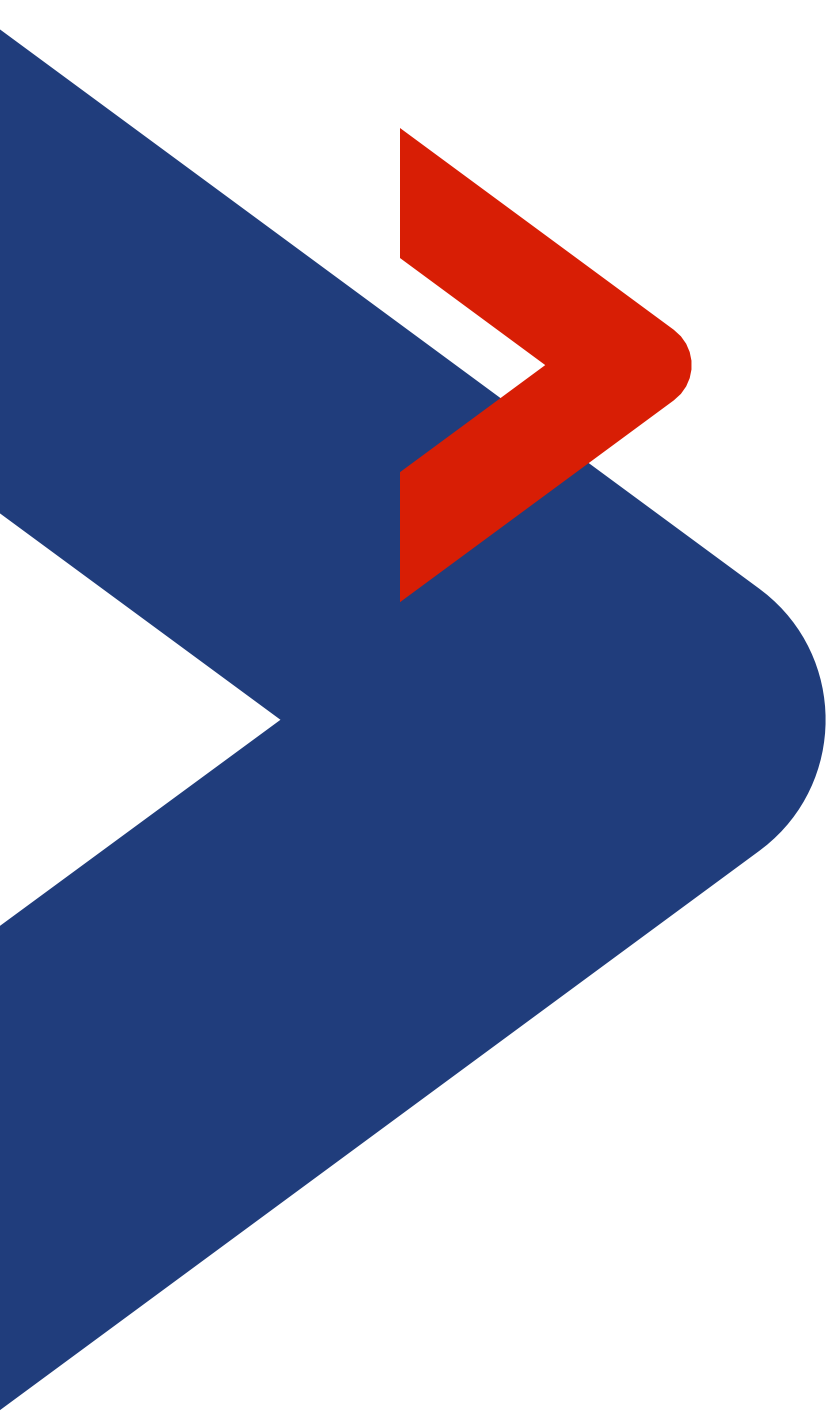
# Vision Zero Council – Equity Subcommittee

- Equity Subcommittee
  - Co-chair: Sibongile Magubane, Commissioner, DMV
  - Co-chair: Alec Slatky, AAA Northeast



# **Vision Zero Council – Equity Subcommittee**

October 4, 2022 meeting



## Actions since June meeting

- August subcommittee meeting
- Division into working groups focused on four types of road users that are vulnerable and/or have inequitable outcomes
  - Individuals with disabilities
  - Pedestrians
  - Bicyclists
  - Low-income individuals
- Further discussion of possible recommendations





## **Policy recommendation #1: Car seat distribution program for needy families**

- IIJA requires states' highway safety plans to include actions “to encourage more widespread and proper use of child restraints, with an emphasis on underserved populations”
- IIJA also offers CPS grants to:
  - Recruit/train technicians serving low-income and underserved populations
  - Educate caregivers in low-income and underserved populations about the importance of proper use of child restraints
  - Purchase and distribute child restraints to low-income and underserved populations



## **Policy recommendation #1: Car seat distribution program for needy families**

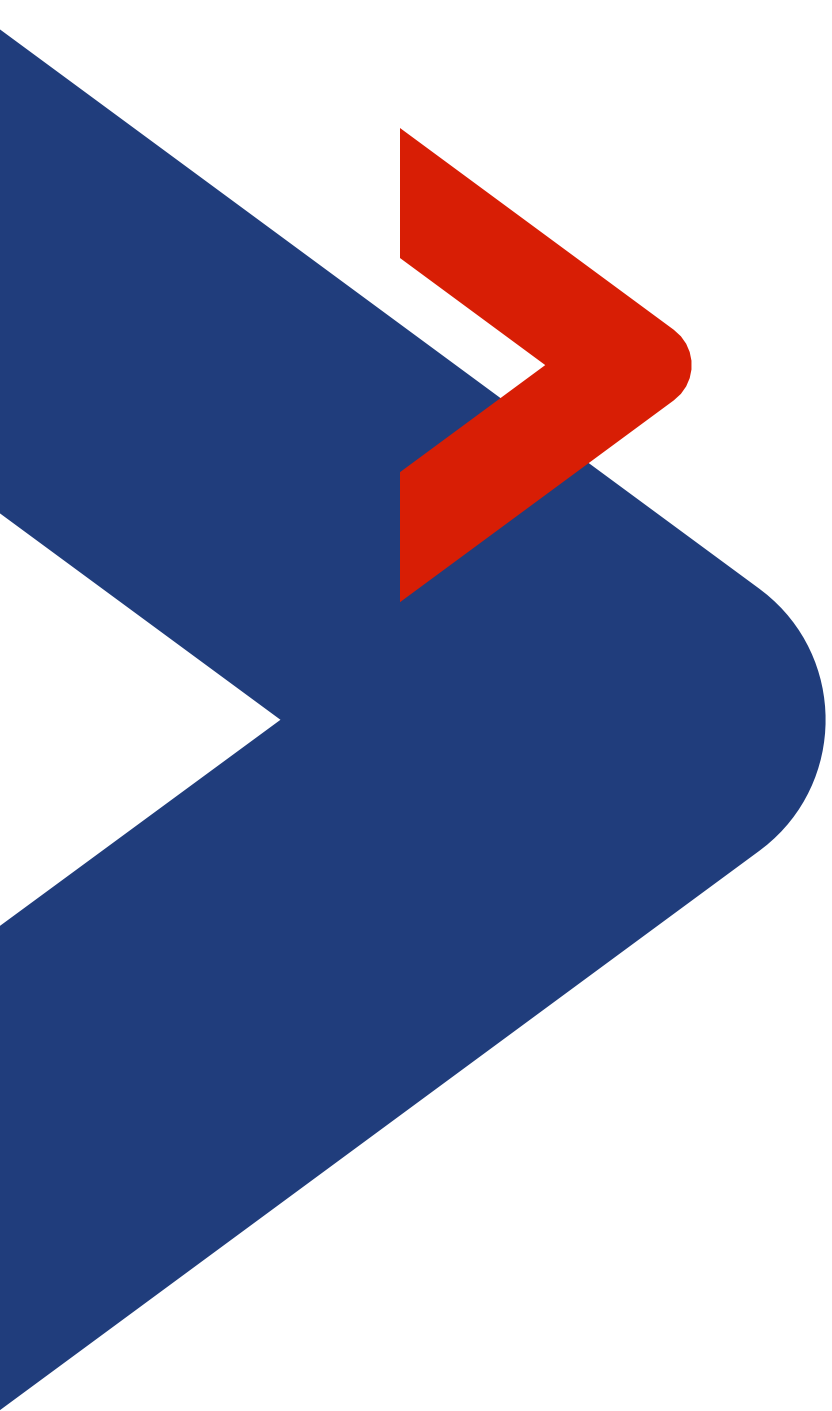
- Aim to formalize a program to distribute car seats to low-income families
- Eligibility may be based on enrollment in other social service programs (e.g. WIC, SNAP)
- Coordinated via state government, but run with assistance of partners at distribution sites



## **Policy recommendation #2: Optimize traffic ticket process for safety**

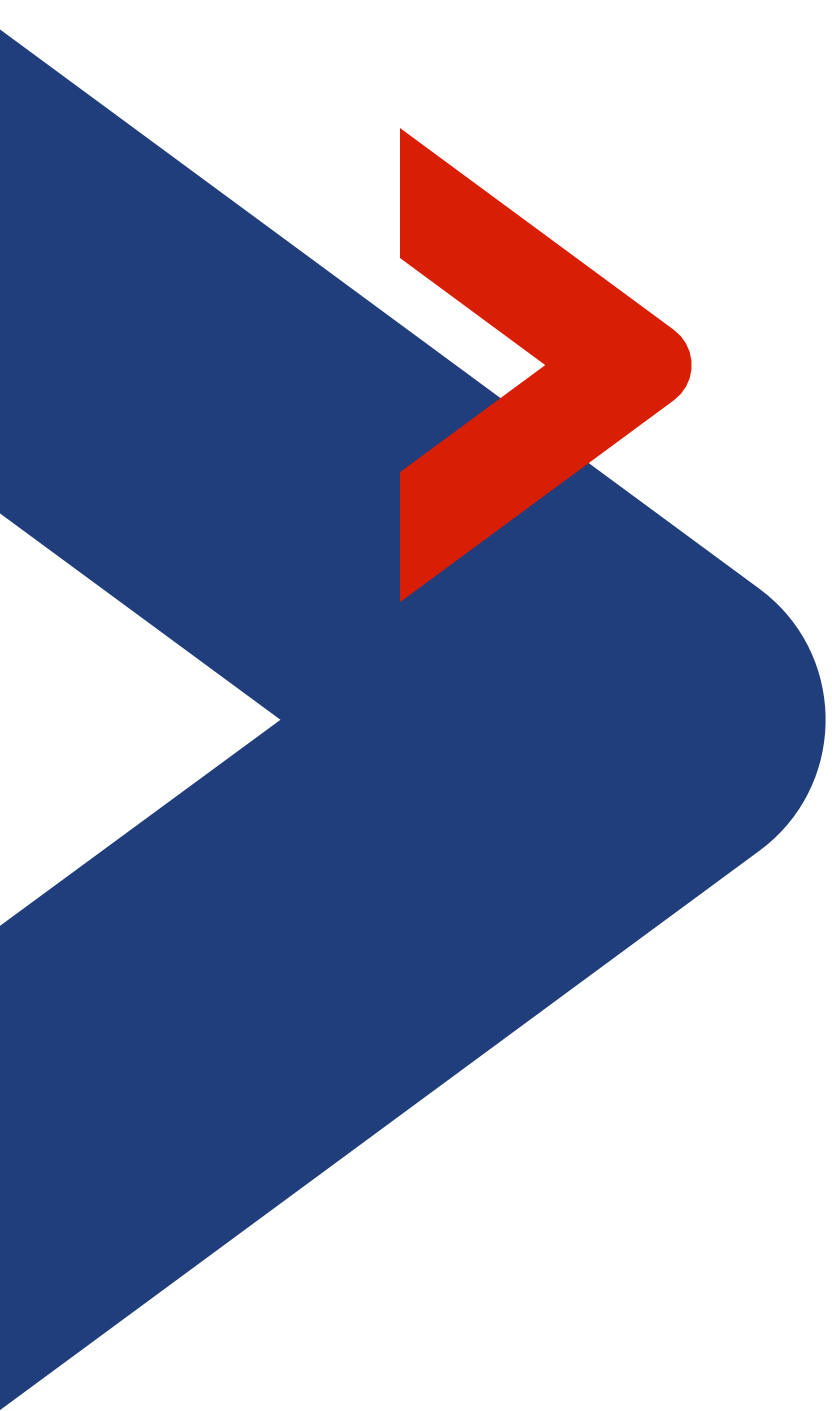
- Connecticut's Judicial Branch is one of the leaders in the nation in terms of access-to-justice for traffic tickets, with an award-winning online adjudication system
- Prosecutors often make plea offers, but they do not necessarily include a requirement for safety education
- Offender programs are only required after multiple tickets





## **Policy recommendation #2: Optimize traffic ticket process for safety**

- For select offenses, create offense-specific classes that violators can take to reinforce the safety message that receiving a ticket should give
- Possibly incentivize the classes by making them part of a plea deal for a lower fine
- Aligns with the Education Subcommittee recommendations



## **Policy recommendation #3: Tailored educational outreach**

- Partner with immigrant and refugee organizations to provide safety education to new arrivals to the USA
- Partner with re-entry programs to provide traffic safety refreshers to individuals leaving incarceration (in addition to CDL program)
- Culturally competent safety campaigns (e.g. seatbelts) tailored to minority and/or low-income communities
- Possibly incentivize the classes by making them part of a plea deal for a lower fine
- Aligns with the Education Subcommittee recommendations



## **Policy recommendation #4: Get a better understanding of the problems**

- Analyze injury data by race and sex to pinpoint any behaviors that disproportionately affect certain groups
- Analyze access to driver education for rural and urban communities as well as low-income families
- Study disability access (including curb ramps, sidewalks, and accessible pedestrian signals) on both state and local roads



## Vision Zero Council – Sub-Committee Draft Policy Proposals

- Sub-Committee Feedback, goals and next steps:
  - **Discussion** – Sub-Committee policy proposals prior to 12.13.22 VZC meeting

# Vision Zero Council – Administrative Items



## **Next Meeting(s)**

December 13, 2022

Will work to schedule 2023 meeting schedule prior to year end



## **Other Administrative items:**

# Vision Zero Council – Public Comment

Please raise hand or use Q&A  
box

Due to FOIA and public access laws, please refrain from using the Chat feature for anything other than our ability to coordinate/help speakers who need assistance using zoom.