

PA 11-255

HB6449

House	8087-8103	17
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H – 1115

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2011**

**VOL.54
PART 24
7913 – 8263**

Will the members please check the board to determine if your vote is properly cast. If all members have voted, the machine will be locked and the Clerk will take a tally.

Will the Clerk please call the tally?

THE CLERK:

House Bill 5489 as amended by House "A".

Total number of voting 148

Necessary for passage 75

Those voting Yea 143

Those voting Nay 5

Absent and not voting 3.

DEPUTY SPEAKER RYAN:

Bill passes as amended.

Will the Clerk please call Calendar Number 369.

THE CLERK:

On page 13, Calendar 369, substitute for House Bill Number 6449, AN ACT CONCERNING THE SAFETY OF PERSONS ENTERING OR EXITING A SCHOOL BUS. Favorable report of the Committee on Judiciary.

DEPUTY SPEAKER RYAN:

The distinguished chair of the Transportation Committee, Representative Guerrera of the 29th, you have the floor, sir.

REP. GUERRERA (29th):

Good afternoon, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Good afternoon.

REP. GUERRERA (29th):

Mr. Speaker, I move to accept this joint committee's favorable report and passage of the bill.

DEPUTY SPEAKER RYAN:

The questions is acceptance of the joint committee's favorable report and passage of the bill. Will you remark?

Representative Guerrero.

REP. GUERRERA (29th):

Yes, I will. Thank you, Mr. Speaker.

Mr. Speaker, basically what this bill is is it -- I think all of us in this chamber at many times have followed school buses where there have been incidents where people have violated and went around the school bus when it was stopped to pick up children. What we're doing here is trying to make sure that no child ever gets hurt. In this bill, what it does, would add a video system to the school bus and would enact once the arm is moved out with the stop sign and transferred into a central station

to capture live footage of that individual who tries to run around a school bus.

Mr. Speaker, the Clerk has an amendment, and may I ask that you please call it.

DEPUTY SPEAKER RYAN:

Could you give the LCO number, sir.

REP. GUERRERA (29th):

7608.

DEPUTY SPEAKER RYAN:

7608?

REP. GUERRERA (29th):

Yes.

DEPUTY SPEAKER RYAN:

Okay. Will the Clerk please call LCO 7608, which will be designated House Amendment Schedule "A".

THE CLERK:

LCO Number 7608, House "A" offered by
Representatives Fox, Sawyer, et al.

DEPUTY SPEAKER RYAN:

The Representative seeks leave of the chamber to summarize the amendment. Is there any objection to summarization? Any -- do I hear any objection?

If not, Representative Guerrero, you can

summarize the amendment.

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

What this is is basically it makes sure that it clarifies the fine of \$450 and makes sure how it's divided up in regards to 12 percent will go to into the special transportation fund, 8 percent into the general fund, and -- and 80 percent will go to the municipality. And I move for acceptance.

DEPUTY SPEAKER RYAN:

The question before the chamber is adoption of House Amendment Schedule "A". Will you remark further on the amendment? Will you remark -- Representative Scribner of the 107th.

REP. SCRIBNER (107th):

Good afternoon, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Good afternoon.

REP. SCRIBNER (107th):

Thank you.

I rise in support of the bill that is before us. This was a broadly supported measure brought out by the Transportation Committee, and it truly does provide an opportunity for municipalities and their

local school districts to implement this process.

Important to note that, inasmuch as we've had a lot of discussion in prior times about the importance of safety on our public school transportation buses, a child is three times more likely to be injured or killed getting on or off a bus as they are in the bus itself. And I think this provides a really good opportunity for those that violate the law that exists in passing school buses, but more than that, and most importantly, it really provides a very significant safety measure for the children themselves as they're boarding or exiting a school bus.

At the time, important to note as well, that the infraction revenue, the largest portion of it, does get returned to the municipality to help them, should they decide to implement this process, defray the costs of the installation of the monitoring system.

So I think it's really a win-win for the safety of the children and for the municipality that decides to take advantage of it. I urge adoption.

Thank you.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Will you remark further on the amendment?

Representative Sawyer of the 108th.

I'm sorry.

Representative Sawyer from the 55th.

REP. SAWYER (55th):

Map me right, too, Mr. Speaker. Thank you very much for the correction.

There's nothing more terrifying to a parent than to have a child who's in an accident, particularly when you're not there to pick up the pieces. We heard from testimony that gave the very frightening description of different children who have been struck by school buses. We heard about in 2009 a 12-year-old in Dartmouth, Mass.; that same year a 5-year-old in Georgia, a 17-year-old in 2009 in Florida; and on January 11th, a 7-year-old that died in Texas; and what a rude awakening it was this February to have a 12-year-old in Danbury who was struck as she got off the bus. She sustained serious head injuries and a broken arm. I'm going to say, though they claim they were minor, I'm going to say the head injuries were serious because any time a child is injured in the head, that's serious.

There has been a pilot in the state of

Connecticut, as you may have read in the past, that they have had these on two buses that were loaded in New Canaan and New Britain and they yielded, what I think of, exceptional results.

There were nine active shifts, so there -- there were 45 days. In those 45 days, there were 107 violations, 107 cars that they caught passing a stopped school bus with the lights flashing.

This particular creative proposal allows -- it's not mandatory -- allows school systems to use this particular package, and it was -- it was crafted in a way that it doesn't cost the school system any money, that they could actually pay it through the fines that are received. Partial payment of those fines will go back to paying for the systems.

As we look at these safety issues across our state -- we recently just talked about the fire schools -- taking care of our children as they get on and off the school buses is probably one of the paramount responsibilities we have as government officials because we send our children off to school every day and a majority of them by bus.

Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative Hetherington of the 125th.

REP. HETHERINGTON (125th):

Thank you, Mr. Speaker.

Actually Tim Hetherington is in worse shape than I am having been killed in Afghanistan, so I -- forgive me, I thought you referred to me as Tim Hetherington.

DEPUTY SPEAKER RYAN:

I think I said Representative Hetherington.

REP. HETHERINGTON (125th):

I'm sorry. I apologize. I'm obviously delusional as well as others.

Anyway, I -- I rise in strong support of this -- this bill. It's remarkable how common this violation is. You would think that it is pretty obvious when a school bus is stopped. There is certainly every indication that it is a school bus. The flaps go out on either side, the lights flash, and yet, there continue to be reported numerous, numerous violations as indicated by Representative Sawyer's report.

So in spite of what we would think, this is an area that strongly needs attention. And this is a good way to do it. It provides a way to fund

municipalities in setting up the camera system, and I think the independent monitoring, which is anticipated, is a very important function because it takes the monitoring away from law enforcement personnel, and in that way does not -- it does not take the time of law enforcement personnel and it is done by people who, perhaps, have -- would be totally disinterested in their monitoring. So I -- I'm glad to see this, and I'm very pleased to support it, and I would urge adoption of the amendment.

Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative Smith of the 108th on the amendment.

REP. SMITH (108th):

Thank you, Mr. Speaker.

Just a few questions, if I may, for the proponent of the amendment.

DEPUTY SPEAKER RYAN:

Please proceed, sir.

REP. SMITH (108th):

I was looking through the language of the bill, and I was first concerned that there were no

procedures set up for those who are alleged to have violated the act, but I now have found that language. So as I understand the amendment as proposed, if you are -- if you run a -- and violate this statute, it is prima facie evidence based on the photographs that are taken that you have, in fact, committed the infraction. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Guerrero.

REP. GUERRERA (29th):

Through you -- through you, Mr. Speaker.

Yes, that is.

REP. SMITH (108th):

And as I further read the --

DEPUTY SPEAKER RYAN:

Representative Smith.

REP. SMITH (108th):

I'm sorry, Mr. Speaker. Thank you.

Again, through you, Mr. Speaker.

And as I further read the amendment, it appears that the photographs have to also be reviewed by a police officer, either municipal or state police officer, to verify that there was, in fact, an

infraction.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Guerrero.

REP. GUERRERA (29th):

Through you, Mr. Speaker.

That is true.

DEPUTY SPEAKER RYAN:

Representative Smith.

REP. SMITH (108th):

Thank you, Mr. Speaker.

And finally, it appears in line 61 that the image or the photograph cannot be used in any other subsequent proceeding whether criminal or civil. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Guerrero.

REP. GUERRERA (29th):

Through you, Mr. Speaker.

The Representative is correct.

DEPUTY SPEAKER RYAN:

Representative Smith.

REP. SMITH (108th):

And as to that aspect of it not being able to be used in any other criminal or civil proceeding, I was just wondering why that is.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Guerrero.

REP. GUERRERA (29th):

Well, through you, Mr. Speaker, that, you know, many in this chamber know that when we have discussed anything to do with cameras has been a very difficult subject. Therefore, our purpose here was specifically meant to use for school buses to help those individuals to make sure that they do not, and let me repeat that, do not run around school buses, and therefore, we catch them on camera to make sure that they don't go out and maybe someday kill a child that's entering or exiting off a school bus. So we specifically made it for this purpose.

DEPUTY SPEAKER RYAN:

Representative Smith.

REP. SMITH (108th):

Thank you for that answer. And I understand the desire just to limit the -- the amendment to the infraction at hand. I'm just wondering if any one of

us had a child who was injured as a result of getting off a school bus, somebody having run to the right-hand side or left-hand side, follow the flashing lights and whose child was injured seriously and brought a civil claim, certainly they would love to have those photographs to be used in a civil trial for that type of claim. So I think it's something the chamber should consider in -- in years going forward, assuming this bill goes beyond today.

So thank you, Mr. Speaker, and thank you for the answers.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Remark further on the amendment?

Representative Kirkley-Bey of the 5th.

REP. KIRKLEY-BEY (5th):

Thank you, Mr. Speaker, and good afternoon.

DEPUTY SPEAKER RYAN:

Good afternoon, ma'am.

REP. KIRKLEY-BEY (5th):

I'd like to ask a question of Representative Guerrero. It may have been posed already, but I didn't hear it.

Are -- when the bus is stopped to let the

children off, do they all come out of the front door of the bus?

DEPUTY SPEAKER RYAN:

Representative Guerrero.

REP. GUERRERA (29th):

Well, through you, Mr. Speaker, it's been a long time since I -- I exited or entered off a school bus, as far as I know, yes, it does enter off the side of the school bus.

Through you, Mr. Speaker.

REP. KIRKLEY-BEY (5th):

Are the buses --

DEPUTY SPEAKER RYAN:

Representative Kirkley-Bey.

REP. KIRKLEY-BEY (5th):

Thank you, sir.

Are the buses required to stay there until all the children have crossed the street?

DEPUTY SPEAKER RYAN:

Representative Guerrero.

REP. GUERRERA (29th):

Through you, Mr. Speaker.

I do believe that through my experiences, as you remember, last session dealing with the school bus

incident with seat belts, I do believe that most of the drivers will wait for the children to cross the street, prior them reactivating the arm to come down and the stop sign.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Kirkley-Bey.

REP. KIRKLEY-BEY (5th):

Thank you, Mr. Speaker.

I would just like to say I have always and I always will hopefully, God willing, stop when the -- I see the school buses, but I'm not necessarily sure that the school buses stay parked with the -- with the stop sign out until all children have crossed the street, and they should make them all cross in front of the bus and not come around behind the bus, because then you're more likely to think the buses pull the sign down and have an accident occur.

Thank you, sir.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Will you remark further on the amendment before us? Will you remark further on the amendment before us?

If not, I will try your minds. All those in favor signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER RYAN:

Opposed, nay.

The ayes have it. The amendment is adopted.

Will you remark further on the bill as amended?

Will you remark further on the bill as amended?

If -- Representative Serra of the 33rd.

Well, then if not, will staff and guests please come to the well of the House. Will the members please take your seats, and the machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the chamber. The House is voting by roll call. Members to the chamber, please.

DEPUTY SPEAKER RYAN:

Have all members voted?

Have all members voted? Will the members please check the board to determine if your vote is properly cast. If all members have voted, the machine will be locked and the Clerk will take a tally.

The Clerk will please announce the tally.

THE CLERK:

House Bill 6449 as amended by House "A".

Total Number Voting 148

Necessary for passage 75

Those voting Yeah 48

Those voting Nay 0

Absent and not voting 3

DEPUTY SPEAKER RYAN:

The bill, as amended, is passed.

Representative Olson of the 46th.

REP. OLSON (46th):

Thank you, Mr. Speaker.

Mr. Speaker, I move to immediately transmit all acts acted upon that require further action in the Senate.

Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

The motion is to immediately transfer all items needing further action to the Senate. Is there objection?

Is there objection?

Hearing none, so ordered.

The chamber will stand at ease.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**TRANSPORTATION
PART 4
962 – 1282**

2011

particularly, work very closely with the Department of Motor Vehicle, and the Department of Motor Vehicle actually illicit your responses to changes such as this because it shows that, you know, that communication could probably make the process work very well and we wouldn't have to revisit issues like this. Thank you.

CHIEF DOUGLAS FUCHS: Agreed.

REP. GUERRERA: Any other comments? Thank you, Chief, very much. Very informative.

CHIEF DOUGLAS FUCHS: Thank you all very much.

REP. GUERRERA: Representative Hetherington, is he here? There he is. Followed by Senator Kevin Kelly. Good morning, Representative.

REP. HETHERINGTON: Good morning, Chairman Guerrero and ranking members, distinguished members of the Transportation Committee.

I'm here primarily to testify on 6192. However, I would mention in passing that 6449 concerns a program to put cameras on school buses, there's been a pilot program in New Canaan that has worked quite satisfactorily, I'm told, so that would be a positive indication for that.

But as to Proposed Bill, House Bill 6192, our great goal is to, where possible, rehabilitate persons who go to prison and make them once again, or maybe for the first time, productive and contributing members of society.

And to that end, I am told by people who are very active in assisting former prisoners, that one of the greatest barriers to becoming an employed, functioning member of society, is the lack of a driver's license in many cases.

One more paragraph. Many in the bike community might say that this is unfair because it limits their selection of mufflers, but this would be wrong.

Currently, Vance and Hines BUB Enterprises, Crusher Muffler and Harley Davidson all offer EPA certified mufflers and a company called S&S makes a certified slip-on muffler.

With the recent passage of the EPA label standard in California, the number of manufacturers making compliant mufflers is sure to increase, given that the majority of the aftermarket manufacturers are based in California and California has the largest number of motorcycles of any state.

With further revision, I urge passage of this bill in order to protect the fundamental rights of citizens to live in their homes and on their properties in a reasonable and legal peace promised us by law. Thank you.

REP. GUERRERA: Thank you, Anthony. Any comments? Thank you for your testimony. Is Representative Ayala here? Representative Ayala? Samuel Gold? Is Tom O'Connor here, from Smart Bus?

TOM O'CONNOR: Good afternoon. Thank you, Mr. Chairman and members of the Transportation Committee for allowing me to testify today on House Bill Number 6449 AN ACT CONCERNING THE SAFETY OF PERSONS ENTERING OR EXISTING A SCHOOL BUS, primarily children.

I'm here today as a father and a resident of Connecticut, foremost, to shed some light on a glaring safety issue. As recently as last Tuesday, a 12-year-old girl was struck getting off her school bus in Danbury, Connecticut. Fortunately, she only broke her arm and she had

some minor head injuries and she's going to be okay.

We have an issue here in the State of Connecticut and across the country that is widely under-reported. It is well documented for those people in pupil transportation as well as the American Pediatric Society that the occurrence of stop-arm violations, motorists passing school buses when they're stopped with the stop-arm deployed and the injuries that are created by that, are widely under-reported.

There is no central agency responsible for tracking this, and the fact is, a school bus is a moving intersection creating safety hazards between 20 and 30 times per run in the a.m. and the p.m.

So, I wanted to shed some light on some of the factual information and statistics that are going on around us. Plenty of studies have been done. Statewide studies in Florida, Virginia, which incidentally their Legislature enacted, passed a bill Saturday by midnight to deal with this issue as recently as two days ago.

New York and Illinois have all done studies, independent people that are in pupil transportation, all those studies indicate that at least there is one pass per bus per day.

In Connecticut, that is between six and seven thousand passes per day if you apply that verified study to this state, but we don't stop there.

NHTSA, the National Highway Transportation Safety Administration keeps stats on this as best they can, and what they report is that 22 children are injured or killed every year. Ten of those 22

are killed, if you want to break down the 22 and want to know how many.

We know a lot more are injured and what we've done, and we've submitted to you today as a timeline of what we have become aware of since we got into this area of safety and started to document what was happening. There's a little timeline in there and I just want to highlight a few that are in here in New England.

If you look at the timeline, in January of '09 a 12-year-old was hit in Dartmouth, Mass, injured, was not killed. In June of '09 a seven-year-old boy was hit in (inaudible) Rhode Island.

In October of '09 there was a death in Raleigh, North Carolina and so on and so forth. I won't give you all of them, up to and including the incident we had in Danbury last Tuesday.

The fact is from these studies, a child is three times more likely to die getting on or off a bus than riding on it. The fact is, there are over 600,000 kids in the State of Connecticut getting on and riding and getting off approximately 6,200 buses every day.

I don't know why we take the chance, when we have technology available to us today, to address it and simply aid law enforcement in enforcing violations that are occurring as documented by the studies.

Most importantly what we did in this past year is we worked with cities that recognize they had a problem here in the State of Connecticut. We worked with the City of New Canaan, and we worked with the City of New Britain and we have put this technology on one bus in each of those cities, simply to gather data and document the number of

problems so that we could verify if indeed, it was an issue in the State of Connecticut.

And the important statistic there is that with those, just those two buses loaded, which started, and it's only been about 90 active shifts, about 45 school days, there have been 107 violations documented. That's an average of 1.2 tickets per bus per day, thereby supporting the other state studies that I just indicated talking about one pass per bus per day.

The technology that's available comes in, it's not very different. It doesn't come in too many different forms. It's a simple black box on the outside of a school bus, and it simply captures violators when the stop-arm is deployed, gets the license plate and then allows for an evidence file to be processed, sent over to law enforcement.

Law enforcement is in the process. This is not an automatic ticket. Law enforcement then opines and issues the ticket, and the ticket follows the same process that's already been set up under Connecticut Statutes.

So it is really just a means to, it's a force multiplier, to be able to enforce the violations that are occurring. With that, I'll take any questions. Thank you.

REP. GUERRERA: Thank you, Tom. I know this is a very important issue to many of us on this Committee. I would say all of us on this Committee and to the public.

I want you just to give us a quick scenario. I mean quick in regards to, and I'm not trying to be funny. I'm just saying, if I'm following a school bus and I decide to go around it, all right, you're saying it's going to, there's a

picture? Is there a film constantly going inside the bus outside the vehicle? Is that what it's doing?

TOM O'CONNOR: Yes. I can take you though --

REP. GUERRERA: It takes a picture of the entire vehicle or just the license plate?

TOM O'CONNOR: License plate. It's going to catch, because it's aimed down. It's installed at the height of the stop-arm, and there's multiple cameras inside this box and the goal is to catch the tag and not catch anything else in the periphery.

REP. GUERRERA: Okay. But does it catch the front and the rear?

TOM O'CONNOR: The camera's going both, yes. It can catch a front plate or a rear plate.

REP. GUERRERA: Both, or not?

TOM O'CONNOR: It can catch both if that's the standard of evidence in the state, or one.

REP. GUERRERA: I don't have a front license plate and if I drive around it, will it be able to catch the rear?

TOM O'CONNOR: The system is built to catch both.

REP. GUERRERA: Okay. So then what happens from there, then?

TOM O'CONNOR: From there, the software, it's a documented tag, a tag in the system. The software pulls five seconds before, five seconds after, packages it with any other required standards of evidence. Some states want a signed affidavit. Some states want a still photo. It

puts it all together electronically, sends it over to law enforcement.

So in New Canaan, if you are able to issue tickets, they would send over a package to the designated law enforcement office.

REP. GUERRERA: So that company then gets that information, sends it to that --

TOM O'CONNOR: Trained law enforcement, which is how it's written. Yes.

REP. GUERRERA: Okay.

TOM O'CONNOR: The company, any company that would be hired to do it is a third party administrator. They load the equipment. They maintain the equipment. They administer the evidence file processing, but it gets ultimately issued by law enforcement.

REP. GUERRERA: And then, Tom, does the ticket get issued from their mail to that registration of that vehicle?

TOM O'CONNOR: Yes.

REP. GUERRERA: And if I wasn't driving the car and Representative Scribner was driving the car, do we have a chance to appeal that then?

TOM O'CONNOR: Absolutely.

REP. GUERRERA: Okay. I think that's important to know, too, then.

TOM O'CONNOR: Due process has actually been, first of all it remains the same, so any rights you have to contest or appeal are still there, but there are specific language that says if you aren't the registered, if the operator is not the registered

owner, then you have the opportunity to come in and basically transfer the liability to the operator. They have to accept it.

REP. GUERRERA: And so, if there were, and bear with me, Tom because I think this is a very important issue and I think all of us care about this when it comes to the safety of the children out there.

When does it start taking the picture? When that arm starts to move out and stops, or, does it (inaudible).

TOM O'CONNOR: No.

REP. GUERRERA: -- going around it. I mean, technically that arm has not swung out completely, yet.

TOM O'CONNOR: Right. And so the technology is a live streaming video for the duration of time that a bus is on between 6:00 and 9:00 in the morning. When it's parked at the yard it's off. And in between 2:00 and 5:00 in the afternoon.

The technology is not good enough to deploy the camera to be on instantaneously as the arm moves. You actually can miss one or two seconds and you can miss violations, and bus drivers do vary in how they open an arm.

REP. GUERRERA: Right.

TOM O'CONNOR: You can't make it, standardize that, so it is live streaming video that goes back to a central monitoring station. That can be anywhere. It can be at our facility. It can be at a school department as it is in Dallas County, the school department monitors.

It could be with law enforcement if they wanted to take the responsibility.

REP. GUERRERA: So it's continuously going.

TOM O'CONNOR: It's continuous for that period.

REP. GUERRERA: And then it's up to the person that's reviewing it or that committee that's reviewing it --

TOM O'CONNOR: Live monitors, yep.

REP. GUERRERA: -- to determine whether they think there's a violation.

TOM O'CONNOR: They tag it and then the system, once it's tagged they don't do anything else. They, being the live monitors tag it. And then the software takes care of the evidence file and then it's up to the police officer to determine if they think it was a violation.

There are times when the arms are not out in time, and they say, you know what? That's not a violation. We're not trying to persecute anybody. We're simply trying to create a deterrent.

REP. GUERRERA: Very good. Any comments?
Representative Scribner.

REP. SCRIBNER: Thank you, Mr. Chairman. Good afternoon. You referenced during your testimony about some studies and some statistics and I gather that the, it's the Smartbus label testimony that you submitted?

TOM O'CONNOR: Yes.

REP. SCRIBNER: Which does provide some degree of some references.

TOM O'CONNOR: Yes.

REP. SCRIBNER: Do you have additional specific points of reference as far as statistical information goes, perhaps from other states that we might have access to, to be helpful.

TOM O'CONNOR: Would you like me to give you some verbally, or you want me to just tell you where you can find some of the information?

Well, I do have, you know, I'll tell you, first of all if you want, you can go, you know, there's, we've documented every piece of information that we found, even though it's a widely under-reported violation.

Whether it's been a study documenting the safety hazard to kids getting on and off or whether it's incidents, or it's other states and what they've done with this type of safety issue on our particular website, which is SmartbusLive.com.

I can tell you the most developed program, quickly, is in the State of Rhode Island. They enacted a law back in July of '08. The year before they asked us to come in for an RFP and quote on it. They have 1,400 buses in the fleet. They had 131 officer-witnessed violations, which generated about \$15,000 for the State of Rhode Island.

After we were asked to come in the first year, we signed up with the City of Providence, mostly for our internal system, by the way, which comes as a pro bono tool to help manage students in a bus.

But we came in and we loaded 25 buses. In the first year, on just 25 buses as compared to 1,400, the system issued 2,187 violations, which generated a 6,000 percent increase in revenue stream to the city and it also more importantly, captured 2,187 people passing school buses.

And that program is still in place and we continue to load more and more buses in the State of Rhode Island. More cities are coming on every day.

I can also tell you, incidentally, Representative, that the State of Massachusetts we have data gathering pilots working in Medford and Quincy, Mass. We have a bus loaded in Boston. Anybody who is pupil transportation recognizes this is a big issue.

REP. SCRIBNER: As you probably are aware, we had a similar proposal before us last year --

TOM O'CONNOR: Yes.

REP. SCRIBNER: -- not only for the exterior process that you're testifying on. We had a separate proposal that was for the interior monitoring of a school bus.

From your experience and knowledge, do you find that in other states that have either enabled or enacted legislation to encourage or mandate this, that there has much resistance in regard to cost factors associated with the implementation or is it typically enabled?

I know you've already cited a couple of towns in the state that are kind of working through a pilot-type program, because that certainly would have to be part of our consideration. I'm not really interested in looking at it as revenue producer for issuing infractions. I'm more interested in increasing the safety levels, but obviously, to some degree they go hand in hand.

TOM O'CONNOR: Yeah. It's a natural byproduct. I figured it would be worth mentioning.

But other, first of all we get, there's no resistance whenever we're asked to, you know, we're working in North Carolina, who also by the way has passed a law. We have buses loaded in Fayetteville County. North Carolina incidentally had six deaths from 2002 to 2009, the one I just mentioned most recently.

But no resistance, because the way it's set up, the way this bill is drafted here, and the way most legislators decide to draft it is to make the program work so there is no cost in the system.

There's only cost if somebody passes a school bus, to load the systems, to monitor the systems, but that cost is certainly not the entire ticket value.

So it's zero cost, cost neutral, to anybody in the schools or anybody in the city, so they are more than interested in putting this safety tool on their buses.

Particularly, again, I don't want to underestimate the internal component, jumpers, drugs, bullying, you can Google any of that and see what a real problem that is today.

Providence brought us on because they needed something to handle that and they didn't want to pay \$3,000 in internal system. They got out system for free internally because, it's just easy to add two cameras.

And so we, our goal as a company, is to provide a better, safer bus, and it just starts with this one piece on the external. There's a lot of places we can go to work.

REP. GUERREAR: Representative Sawyer.

REP. SAWYER: Thank you, Mr. Chairman. How have you found it in the other states in looking at the bill as it's written? It says the municipalities shall apply for such funds from the Office of Policy and Management not later than 15 days after the end of the month.

How has that worked in the other states? Have the municipalities been able to receive their percentage of the money? Do they do it through the state? Do they, or is it done per municipality?

TOM O'CONNOR: Yeah, we designate. It's a good question. We designated, we, whoever is the designated authority in the state for tracking these violations, so you start with the DMV.

I guess here it's determined that OPM would manage that, so it would be set aside, a separate fund for these fines. The fines get tagged with a reference number from the police. Any of those fines would go into this fund and then OPM would opine, you know, receive "invoices" from the municipality to run the program, so it would remain cost neutral, and OPM would pay out of that fund.

And how has the experience been in other states? It's been, the program has been paid for easily, and other cities, including the state, the way Rhode Island wrote it, have made residual revenue, which they're using for other programs, to keep teachers working, to put seat belts on, you know they're it for other programs, which is great, because that money is not otherwise there.

So we haven't had nay resistance. Everyone's highly motivated to do it because of the safety, and the program has genuinely paid for itself.

REP. SAWYER: And then has excess money?

TOM O'CONNOR: It has excess and has excess funds.

REP. SAWYER: Which is a very interesting thought process at the moment. Thank you for that answer.

And in the experience that you've had in the other states, is it something where it's almost contagious, where a few towns start with it and then other towns have latched on to it?

TOM O'CONNOR: Yes. I can, to be perfectly frank, it's simple and straightforward. It's almost too good to be true, so, and everyone's always looking for something behind the green curtain.

Once somebody like a major city or a credible official in pupil transportation or a superintendent stands up and says, you know, this is something I want to do, all the other cities line up, to the point where it's evolved in Rhode Island now where it's still enabling, but they're trying to talk about somehow having the program work at the state level rather than going to all these municipalities because they want to figure out a way to get more buses load quicker.

So yes, in short, it's very infectious, because the safety is so easy.

REP. SAWYER: Was the Rhode Island law passed after a child was killed or is it because of the influence of --

TOM O'CONNOR: No. Fortunately, there's been no child killed in the State of Rhode Island. They did have some injuries, and they had a very motivated pupil transportation expert in the City of Providence, and that's why we're there, quite frankly.

And anywhere we are, New Canaan. We got a phone call and we were asked to evaluate our technology alongside someone else's technology. In North Carolina we were called. In the City of Boston we were called, because either an incident has happened or they have enough parents complaining.

Very often it's not hard to get requests to use this technology, so that's how we're attacking our mission.

REP. SAWYER: I hope we'll be, this technology would move forward without having to have the horrid, horrible experience of losing a child.

I want to thank you very much for bringing this up the second year in a row. Thank you.

TOM O'CONNOR: Thank you.

REP. GUERRERA: Representative Sawyer, I couldn't agree with you more. We don't want to see, let's be a little proactive rather than reactive here. Senator Leone. Again.

SEN. LEONE: Trying to keep it quick. Just one quick question. You said this would be live streaming video?

TOM O'CONNOR: Yes.

SEN. LEONE: Is that something, say, that a parent could tap into and watch the bus travel on its daily route, something like that?

TOM O'CONNOR: It could. It's something we've thought about and are exploring.

I can tell you, there was an incident in Rhode Island prior to us loading our system where a snowstorm trapped about 27 buses and parents were

lining up in a frenzy not knowing where their kids were.

And our system right now as loaded, which has two-way voice over IP, have some Homeland Security safety applications, which I won't go into detail here, but they could. A two-way voice over IP using a streaming video, they could have seen and heard, you know, from their children and basically took a head count.

That was, again, one of the impetus for getting our system going in Providence. So we really want to make a bus a safer place to be in, as well as get on or off of, and that is one of the ways that we could do it.

SEN. LEONE: Okay, which is a good thing. But then there's also some pitfalls in doing that. It opens up another can of works, so you've just got to make sure if you do go down that route, there are some privacy concerns and protections, and also it doesn't get abused in any way.

TOM O'CONNOR: Absolutely.

SEN. LEONE: Okay. Thank you. Thank you, Mr. Chairman.

REP. GUERRERA: Thank you, Senator. Any other comments? Seeing none, thank you, Tom.

TOM O'CONNOR: Thank you very much for your time.

REP. GUERRERA: Sandra Clarke, followed by Sandra Eagle.

SANDRA CLARKE: Hello. My name is Sandra Clarke. I'm from the City of Meriden, Connecticut. I'm a volunteer with the Connecticut Motorcycle Riders Association, and thank you to the Transportation

SB 821
SB 826
HB 6214



Safety Issue Overview

- General consensus of those in Pupil Transportation as well as American Pediatrics Society that the documented occurrence of stop-arm violations and the injuries that occur as a result are widely under-reported
 - There is no central agency responsible for tracking so there is nowhere to report
 - Fact is a school bus is a moving intersection creating safety hazards between 20-30 times per run in both the AM and the PM.

That Being Said...

- State wide studies done in Florida, Virginia, New York, and Illinois all indicate that the average school bus is illegally passed once every day. In CT that's potentially 7000 violations daily
- NHTSA has reported an average of 9 children under the age of 19 die each year
 - Including injuries: 22 children injured or killed each year loading and unloading the school bus
 - 6 Children killed in North Carolina between 2002 and 2009
 - February 2009, 12 year old hit in Dartmouth, MA
 - December 2009, a 5-year old was struck and killed in Cobb County, GA
 - December 2009, a 17-year old killed in Florida
 - November 2010 a 14-year old struck in Andover, MA
 - January 2011, a 7-year old boy was killed in Texas
- A child is 3 times more likely to die getting on or off a school bus than riding it.
- Fact is there are over 600,000 kids in the state of Connecticut getting on riding and getting off approximately 6,200 buses every day. Why are we taking that chance with 600,000 kids riding our buses every day
- Currently a stopping school bus tells drivers to "speed up" rather than "slow down." Need to create the soccer ball effect.

SmartBus Program Overview

- We are here as one of many providers of school bus monitoring systems and services
- We are here to present our system, as just one example of how a school bus monitoring system could work under the terms of this proposed legislation

How Our System Works:

- Utilize a series of cameras, mounted on the exterior of the school bus to stream live footage from the school bus to a central monitoring station
- Stop arm deployed, the attention of a live monitor is directed to that screen to identify any potential violations that may occur
- When a potential violation is witnessed, that footage is put into an evidence file specific to the state of _____ and forwarded to law enforcement
- Generally, the evidence file includes:
 - still images identifying the license plate of the vehicle
 - footage of the alleged violation
 - signed affidavit attesting to the monitors live witness of the event
- Up to the professional judgment of law enforcement to determine whether or not a violation occurred and a citation should be mailed.
- SmartBus covers the expense of mailing all violations
- Once the ticket is mailed it follows the same life cycle as any other police issued ticket –can be paid or contested by the owner of the vehicle

49 Pavilion Avenue, 2nd Floor, Providence, RI 02905

p 888.723.3009 | 401.863.6182 | www.smartbuslive.com

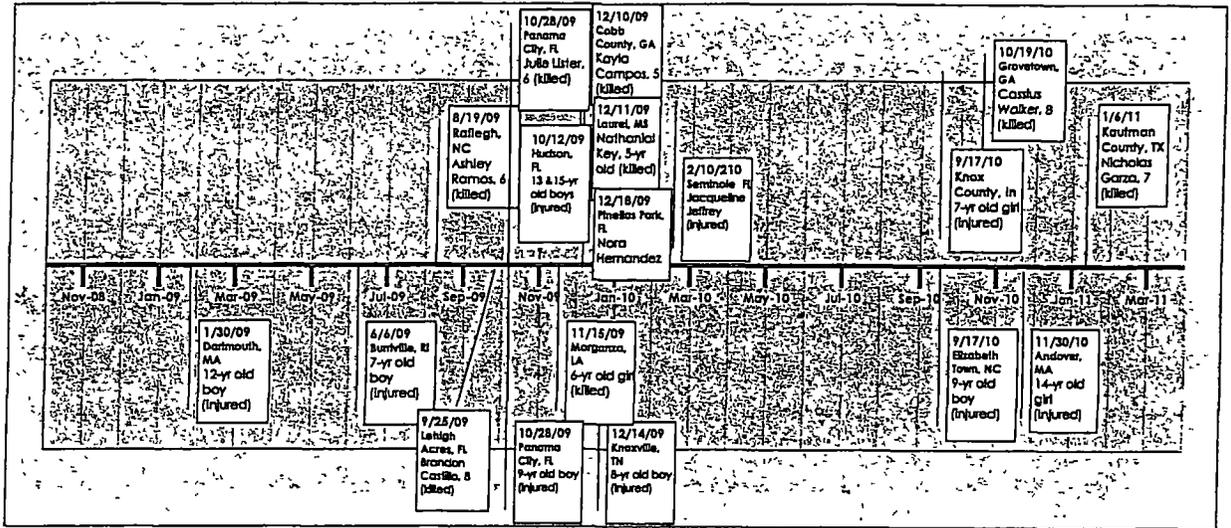


WHY Our System Works:

- Enforcement cost money. Right here in Connecticut even the one day program aimed at creating awareness called Operation Safe Stop (started in 1995) was eliminated because of budget cuts. Protecting our children from this safety issue takes time and money and resources are very thin these days. As a parent I would prefer to have a police officer behind every school bus for the morning and afternoon run but it isn't practical.
- Without enforcement there is little to no driver awareness
- Photo-enforcement acts as a force multiplier
- Benefit of developing our system on the heels of red-light cameras --able to incorporate the efficiencies without drawbacks (lack of discretion and ability to game the system)

Success In Rhode Island & Spreading Awareness:

- Consistent 1.2 ticket per day in Rhode Island
- Over 5,261 tickets issued in 2 years on 36 buses
 - Compared that number to the 128 tickets issued in the year prior to our involvement on 1400 buses (RI)
- Pilot bus in New Canaan and New Britain yielding similar results:
 - 2 buses loaded
 - 90 active shifts (45 school days)
 - 107 violations (1.19 ticket per day average)
- Bus routes with cameras have seen a decrease in the occurrence of stop arm violations over the course of the school year
- More than 15 states nationwide are considering similar legislation --unfortunately many of those bills are in memory of children that fell victim to motorists illegally passing (Nathan's Law in Mississippi and Nicolas Adkins Law in North Carolina)



12-year-old girl struck while getting off school bus - NewsTimes

12-year-old girl struck while getting off school bus

Libor Jany, Staff Writer

Updated 11:44 p.m., Friday, February 25, 2011

DANBURY -- A 12-year-old girl suffered minor head injuries and a broken arm Tuesday when she was struck by a car as she got off a school bus, police said.

A police spokesman said the incident happened at 2:30 p.m. near the intersection of Padanaram Road and North Street.

The girl, whose name was not released by officials, was trying to cross two lanes of traffic when the driver hit her, said Capt. Thomas Wendel of the Danbury Police Department.

He said the bus was stopped and its warning signals were flashing at the time.

"Parents can instruct their children that even though the bus has its lights on, they still should be cautious, especially when crossing multiple lanes," Wendel warned.

According to the girl's grandfather, Ralph Nathanson, she was taken to Danbury Hospital, where she was treated for a head injury and a broken arm.

Nathanson is the apparatus supervisor for the Wilton Fire Department. He said his granddaughter briefly lost consciousness, then she got up "and staggered (back) to the school bus."

"It's an accident. Is a preventable accident? I truly believe it is," Nathanson said, adding that "it's a wake-up call" for both parents and drivers.

Police charged Amanda Simon, of New Jersey, with passing a stopped school bus. She was later released with a summons.

Simon was traveling south on Padanaram Road when she tried to pass the two vehicles stopped ahead of her, police said.

Apparently, she did not see the bus when she ran into the victim, Wendel said.

He said this is a persistent problem among drivers, many of whom didn't consider that "the reason (the car in front of you) is stopped is possibly for pedestrians and/or a school bus."



State of Connecticut

SENATE

STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

SENATOR L. SCOTT FRANTZ
ASSISTANT MINORITY LEADER
THIRTY-SIXTH DISTRICT

TOLL FREE 800-842-1421
OFFICE 860-240-8800
FAX 860-240-8306
E-mail ScottL.Frantz@cga.ct.gov

RANKING MEMBER
BANKS COMMITTEE
COMMERCE COMMITTEE

MEMBER
FINANCE, REVENUE & BONDING COMMITTEE
TRANSPORTATION COMMITTEE

Testimony

In Support of Raised Bill 6449

An Act Concerning the Safety of Persons Entering or Exiting a School Bus

Transportation Committee

February 28, 2011

Good morning Senator Maynard, Representative Guerrero, Senator Boucher, Rep. Scribner, and members of the committee. I am writing in support of Raised Bill 6449, An Act Concerning the Safety of Persons Entering or Exiting a School Bus.

This bill proposal would allow for an external school bus violation reporting system to be installed on school buses. The detection system known as SmartBus provides a live digital video feed that monitors all bus stops for violators passing illegally. The monitoring system also provides an automatic ticket issuance system to those captured passing a stopped school bus. SmartBus is a great concept that can help aide as a deterrent to possible violators and further protect our children loading and unloading from school buses. This bill is a great idea and all about the safety of school children and has my full support. I believe we owe it to the children to allow such systems to be put in place in our school districts to better their safety.

Many thanks for your time and consideration of my testimony.

Sincerely,

L. Scott Frantz, State Senator 36th District

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2011**

**VOL. 54
PART 22
6915-7208**

cd/lg/sg/mhr/gbr
SENATE

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June 8, 2011

SENATOR LOONEY:

Thank you, Madam President.

Also Calendar page 23, Calendar 659, House Bill is 5489; Madam President, move to place this item on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

A final item on Calendar page 23, Calendar 655, House Bill 6497; Madam President, move to place the item on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Moving to Calendar page 24, Calendar 660, House Bill 6449; Madam President, move to place the item on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber. Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber.

Madam President, the items placed on the first Consent Calendar begin on Calendar page 10, Calendar Number 478, House Bill 6488; Calendar 480, House Bill 5256.

Calendar page 11, Calendar 513, substitute for House Bill 6557.

Calendar page 12, Calendar Number 535, substitute for House Bill 6226; Calendar 555, House Bill 6259.

Calendar page 13, Calendar 560, substitute for House Bill 5368; Calendar 567, substitute for House Bill 6157.

Calendar page 14, Calendar 574, substitute for House Bill 6410; Calendar 578, House Bill 6156.

Calendar page 15, Calendar 591, House Bill 6263; Calendar 594, substitute for House Bill 5508; Calendar 595, substitute for House Bill 62 -- 5263.

Calendar page 16, Calendar Number 606, substitute for House Bill 6581; Calendar 609, substitute for House Bill 6501.

Calendar page 17, Calendar 610, substitute for House Bill 6224; Calendar 613, substitute for House Bill 6453.

Calendar page 18, Calendar 614, substitute for House Bill 5068; Calendar 628, substitute for House Bill 5008; Calendars 633, House Bill 6489.

Calendar page 19, Calendar 635, substitute for House Bill 6351; Calendar 640, House Bills, 6559.

Calendar page 20, Calendar 642; House Bill 6595.

Calendar page 21, Calendar 645, substitute for House Bill 6267; Calendar 648, substitute for House Bill 5326; Calendar 650, substitute for House Bill 6344.

Calendar page 22, Calendar 651, substitute for House Bill 6540.

Calendar page 23, Calendar Number 655, substitute for House Bill 6497; Calendar 657, substitute for House Bill 6262; Calendar 658, House Bill 6364; Calendar 659, House Bill 5489.

Calendar page 24, Calendar 660, substitute for House Bill 6449.

Calendar page 36 -- correction -- Calendar page 33, Calendar Number 390, substitute for Senate Bill 1181.

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Calendar page 36, Calendar Number 481, House Bill 5472.

Calendar page 37, Calendar Number 584, substitute for House Joint Resolution Number 34; Calendar 585, substitute for House Joint Resolution Number 54; Calendar 586, House Joint Resolution Number 65, Calendar 587, House Joint Resolution Number 66.

Calendar page 38, Calendar 588, House Joint Resolution Number 80; Calendar 589, House Joint Resolution Number 63; Calendar 590, House Joint Resolution Number 35; Calendar 620, substitute for House Joint Resolution Number 45.

Calendar page 39, Calendar Number 621, substitute for House Joint Resolution Number 47; Calendar 622, House Joint Resolution Number 68; Calendar 623, substitute for House Joint Resolution Number 69; Calendar 624, substitute for House Joint Resolution Number 73.

Calendar page 40, Calendar 625, substitute for House Joint Resolution Number 81; Calendar 626, House Joint Resolution Number 84.

Madam President, I believe that completes the items placed on Consent Calendar Number 1.

THE CHAIR:

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Thank you.

SENATOR LOONEY:

Thank you, Madam President.

THE CHAIR:

Mr. Clerk, please call for a roll call vote, and the machine will be open.

THE CLERK:

The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber. The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber.

THE CHAIR:

Senator Gomes?

If all members have voted; all members have voted? The machine shall be locked.

And, Mr. Clerk, will you please call the tally.

THE CLERK:

Motion is on adoption of Consent Calendar
Number 1.

Total number voting	36
Those voting Yea	36
Those voting Nay	0

Those absent and not voting 0

THE CHAIR:

Consent Calendar passes.

The Senate will stand at ease for a moment.

(Chamber at ease.)

SENATOR LOONEY:

Madam President?

THE CHAIR:

Yes, Senator.

The Senate will come to order.

SENATOR LOONEY:

Yes. Madam President, the Clerk is in possession of Senate Agenda Number 5 for today's session.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Madam President, the Clerk is in possession of Senate Agenda Number 5, dated Wednesday, June 8, 2011.

Copies have been made available.

THE CHAIR:

Senator Looney.