



# House of Representatives

General Assembly

**File No. 297**

February Session, 2000

Substitute House Bill No. 5204

*House of Representatives, March 29, 2000*

The Committee on Transportation reported through REP. COCCO of the 127<sup>th</sup> Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***An Act Revising Certain Transportation Laws.***

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

1 Section 1. Section 7-136d of the general statutes is repealed and the  
2 following is substituted in lieu thereof:

3 The legislative body of any municipality, may, by ordinance,  
4 authorize any existing agency, authority, board, commission, stock or  
5 nonstock corporation, or create a new agency, authority, board or stock  
6 or nonstock corporation to apply for a grant of the privilege of  
7 establishing, operating and maintaining a foreign trade zone as  
8 permitted pursuant to the federal Foreign-Trade Zones Act of 1934, [as  
9 amended,] 19 USC Sections 81a to 81u, inclusive, as from time to time  
10 amended, provided such ordinance shall be submitted to the electors  
11 of such municipality for approval or rejection at a regular election or a  
12 special election warned and held for that purpose. Such vote shall be  
13 taken in the manner prescribed by section 9-369. Any municipality  
14 having once rejected such an ordinance shall not vote again on the

15 question within one year from the previous vote thereon.

16 Sec. 2. Section 7-329c of the general statutes is amended by adding  
17 subdivision (17) as follows:

18 (NEW) (17) Apply for a grant of the privilege of establishing,  
19 operating and maintaining a foreign trade zone as permitted pursuant  
20 to the federal Foreign-Trade Zone Act of 1934, 19 USC Sections 81a to  
21 81u, inclusive, as from time to time amended.

22 Sec. 3. Section 7-329d of the general statutes is repealed and the  
23 following is substituted in lieu thereof:

24 Each port authority may make and enforce any reasonable  
25 regulations [which] that it may determine to be necessary for the  
26 proper development, maintenance and use of the port facilities,  
27 relating to the construction, equipment, repair, maintenance, use and  
28 rental of any dock, wharf, slip, bus or air terminal, rail tracks or  
29 terminal or warehouse or other port authority owned or leased by any  
30 individual or corporation within the port [district] facility and may  
31 operate and maintain a foreign trade zone, as permitted pursuant to  
32 the federal Foreign-Trade Zone Act of 1934, 19 USC Sections 81a to  
33 81u, inclusive, as from time to time amended.

34 Sec. 4. Subsection (a) of section 13a-80g of the general statutes, as  
35 amended by section 37 of public act 99-181, is repealed and the  
36 following is substituted in lieu thereof:

37 (a) Any municipality may sell, lease or otherwise transfer easements  
38 or other interests in, above or below any street, highway or other  
39 public right-of-way to the centerline thereof, other than the right-of-  
40 way of a state highway as defined in section 13a-1, in the same manner  
41 that it may dispose of any other interest in real property owned by  
42 such municipality; provided that adequate provision is made for the  
43 safe and convenient public use of the street, highway or other public

44 right-of-way and for the protection of adjacent land users and that the  
45 transferee of said interest restores the street, highway [ ] or right-of-  
46 way to its condition existing prior to the transfer of said interest and  
47 provided further that any sale, lease [ ] or transfer of easements or  
48 other interests above any street, highway [ ] or other public right-of-  
49 way is made with the consent of the owner of the real property  
50 abutting the portion of the street, highway [ ] or other public right-of-  
51 way above which such easement or other interest is sold, leased or  
52 transferred. The sale, lease or transfer of easements or other interests  
53 in, above or below the portion of a street, highway or other public  
54 right-of-way lying to one side of the centerline thereof, shall not  
55 prevent the sale, lease or transfer of easements or other interests in,  
56 above or below the portion lying on the other side of such centerline,  
57 unless the terms of the initial sale, lease or transfer so provide.

58 Sec. 5. Section 13a-98m of the general statutes is repealed and the  
59 following is substituted in lieu thereof:

60 As used in sections 13a-98e, 13a-98f and 13a-98i, as amended by  
61 section 1 of public act 99-181, to 13a-98k, inclusive, "federal surface  
62 transportation urban program roadway or facility" means any state or  
63 locally maintained roadway or facility [which] that is deemed eligible  
64 for surface transportation urban program funding in accordance with  
65 the [Intermodal Surface Transportation Efficiency Act of 1991]  
66 Transportation Equity Act for the 21st Century, all amendments  
67 [thereto] to said act and all applicable federal regulations.

68 Sec. 6. Section 13b-15 of the general statutes is repealed and the  
69 following is substituted in lieu thereof:

70 (a) The commissioner shall develop and revise biennially a  
71 comprehensive, long-range, master transportation plan designed to  
72 fulfill the present and future needs of the state and to assure the  
73 development and maintenance of an adequate, safe and efficient  
74 transportation system. In developing the plan, the commissioner shall

75 investigate and study all existing transportation facilities and services  
76 in the state and shall examine the feasibility of planning a long-term  
77 commercial transportation system, with the goal of coordinating all  
78 transportation services, including airports, seaports, rail, freight and  
79 transit systems. The commissioner shall give particular consideration  
80 to reports and studies prepared under the auspices of the Connecticut  
81 interregional planning program relating to the planning and  
82 development of the state and any existing reports, surveys, plans or  
83 studies relating to transportation prepared for or by any agency of the  
84 state.

85 (b) In such plan the commissioner shall: (1) Set forth [his] the  
86 commissioner's recommendations for planning, engineering,  
87 acquisition of rights-of-way, construction and reconstruction and  
88 rehabilitation and modernization of transportation facilities; (2)  
89 consider, among other things, federal air quality standards,  
90 conservation and cost of energy supplies, present and projected travel  
91 volumes, reduction in travel volumes due to the implementation of  
92 transportation management programs, safety, maintenance costs and  
93 other sufficiency factors where appropriate, as well as long-range land  
94 use, environmental impact, energy impact and economic development  
95 patterns of the state; (3) indicate the order of priority of need for  
96 improvements within each mode of transportation, according to [his]  
97 the commissioner's judgment; and (4) indicate the priorities for the  
98 next two and five-year periods, both by need and by fiscal capability,  
99 in the area of public transportation. The indication of such priorities  
100 for public transportation shall include an individual accounting of the  
101 amount and source of all funding for each potential program and an  
102 approximate timetable, including the starting and completion dates for  
103 each potential program.

104 (c) The commissioner shall, relative to the [Intermodal Surface  
105 Transportation Efficiency Act of 1991] Transportation Equity Act for  
106 the 21st Century: (1) Identify the funds to be received annually in the

107 following categories: [; interstate] Interstate construction, interstate  
108 maintenance, national highway system, bridge, surface transportation  
109 program, interstate transfer, congestion mitigation and air quality,  
110 metropolitan planning, special projects and any other category  
111 designation under the act; (2) identify the projects to be funded  
112 annually through each funding category; (3) identify the projects to be  
113 funded annually through each category, as a result of the change in  
114 formulas and new flexibility allowed under the [Intermodal Surface  
115 Transportation Efficiency Act of 1991] Transportation Equity Act for  
116 the 21st Century; (4) identify which projects [shall] will require the  
117 expenditure of state funds to leverage federal funds; (5) identify the  
118 amount and percentage of state funds [which] that must be expended  
119 for each project in order to leverage federal funds; (6) identify the  
120 amount of federal funds [which] that may be expended annually to  
121 repair local bridges identified as being in poor condition; (7) identify  
122 the economic impact of the federal funds allocated to the state in terms  
123 of job creation or retention; (8) identify the mass transit projects to be  
124 funded; (9) identify the manner in which the department intends to  
125 comply with the requirements of the Clean Air Act, as amended by  
126 P.L. 101-549, and how the department intends to expend any funds  
127 allocated to the department to achieve the goals of the act; and (10)  
128 identify with specificity the expenditures to be made from funds  
129 received in the congestion mitigation and air quality grant in relation  
130 to the needs identified by employers in their compliance plans  
131 submitted pursuant to substitute house bill 5659 of the February, 1992,  
132 regular session\*.

133 (d) In such plan the commissioner shall identify the amount of  
134 funds and projects to be undertaken pursuant to the Americans with  
135 Disabilities Act of 1990.

136 (e) The plan shall be completed and submitted biennially to the  
137 Governor on or before January thirty-first of each odd-numbered year.  
138 The commissioner shall, biennially, on or before January thirty-first of

139 each odd-numbered year, notify all members of the General Assembly  
140 of the availability of the plan. [A member requesting a plan shall be  
141 sent] The commissioner shall send a written copy or electronic storage  
142 media of the plan [by the commissioner] to any member requesting the  
143 plan.

144 (f) In developing and revising the plan, the commissioner may: (1)  
145 Conduct public hearings; (2) consult and cooperate with officials and  
146 representatives of the federal government, neighboring states,  
147 interstate commissions and authorities, local agencies and authorities,  
148 interested corporations and other organizations concerning problems  
149 affecting transportation in the state; (3) request and receive from any  
150 agency or other unit of the government of the state or of any political  
151 subdivision [thereof] of the state, or from any public authority, such  
152 assistance and data as may be necessary to enable the commissioner to  
153 carry out [his] the commissioner's responsibilities under this section;  
154 (4) to the extent [he] the commissioner may deem appropriate, make  
155 use of, and incorporate in the plan, any existing long-range  
156 transportation plan, survey or report developed by any public or  
157 private agency or person; and (5) employ consultants.

158 (g) Copies of the plan, as revised, shall be kept on file as a public  
159 record in the office of the commissioner.

160 Sec. 7. Subsection (a) of section 13b-16 of the general statutes is  
161 repealed and the following is substituted in lieu thereof:

162 (a) On or before September first annually, the commissioner shall  
163 conduct and complete an investigation and study of the several modes  
164 of transportation in the state, in which [he] the commissioner shall  
165 evaluate the adequacy of the facilities and services connected with  
166 each such mode [,] and shall determine the needs of the state  
167 transportation system. The commissioner shall consult with the  
168 Connecticut Public Transportation Commission which shall advise the  
169 commissioner in matters pertaining to rail and motor carrier facilities

170 and services. The studies shall be used in the [annual] biennial revision  
171 of the comprehensive long-range master transportation plan.

172 Sec. 8. Section 13b-79c of the general statutes is repealed and the  
173 following is substituted in lieu thereof:

174 (a) The Department of Transportation shall give due consideration  
175 to the recommendations of the state-wide transit study in its  
176 implementation of the flexibility provisions of the [Intermodal Surface  
177 Transportation Efficiency Act of 1991] Transportation Equity Act for  
178 the 21st Century.

179 (b) On and after October 1, 1992, the Department of Transportation  
180 shall pursue a reasonable funding level or goal of projects to be  
181 financed through the issuance of special transportation bonds for mass  
182 transit projects to be funded by the state and under the [Intermodal  
183 Surface Transportation Efficiency Act of 1991] Transportation Equity  
184 Act for the 21st Century. As of July 1, 1996, a thirty per cent funding  
185 level or goal shall be deemed reasonable, provided if a reasonable  
186 effort is made to reach such goal or funding level, the department shall  
187 be in compliance with this subsection.

188 Sec. 9. Section 13b-103 of the general statutes, as amended by  
189 sections 3 and 5 of public act 99-181, is repealed and the following is  
190 substituted in lieu thereof:

191 (a) (1) No person, association, limited liability company or  
192 corporation shall operate a motor vehicle in livery service until such  
193 person, association, limited liability company or corporation has  
194 obtained a permit from the Department of Transportation, specifying  
195 the nature and extent of the service to be rendered and certifying that  
196 public convenience and necessity will be improved by the operation  
197 and conduct of such livery service. Such permits shall be issued only  
198 after a written application for the same has been made and a public  
199 hearing has been held thereon. Upon receipt of such application,

200 together with the payment of a fee of two hundred dollars, the  
201 department shall fix a time and place of hearing thereon, within a  
202 reasonable time, and shall promptly give written notice of the  
203 pendency of such application and of the time and place of such  
204 hearing to each applicant, the mayor of each city, the warden of each  
205 borough and the first selectman of each town, within which any such  
206 applicant desires to maintain an office or headquarters, to any carrier  
207 legally operating motor vehicles in livery service within the same  
208 territory and to other interested parties as determined by the  
209 department. (2) Notwithstanding any provision of subdivision (1) of  
210 this subsection to the contrary, the department may issue a permit for  
211 the operation of vehicles (A) having a capacity of less than eleven  
212 adults or to be used exclusively at funerals, weddings, christenings,  
213 processions or celebrations, without holding a hearing and certifying  
214 that public convenience and necessity would be improved by the  
215 operation of such vehicles, or (B) having a capacity of not less than  
216 eleven ~~[nor]~~ or more than fourteen adults and used for sightseeing and  
217 related purposes, without holding a hearing, provided the department  
218 issues a legal notice, as provided under section 1-2, of such application  
219 and no objection is filed with the department within thirty days of  
220 publication of such notice. (3) Notwithstanding any provision of  
221 subdivision (1) of this subsection to the contrary, the department may  
222 issue a temporary or permanent permit to any person, association,  
223 limited liability company or corporation operating a motor vehicle  
224 engaged in the transportation of passengers for hire by virtue of a  
225 contract with, or a lower tier contract for, any federal, state or  
226 municipal agency that (A) [which] is in effect on July 1, 1997, with or  
227 without hearing, after a written application for the same has been  
228 made and the department has determined that the applicant meets the  
229 requirements of subsection (b) of this section except with respect to  
230 public convenience and necessity, or (B) [which] becomes effective  
231 after July 1, 1997, with or without hearing, after a written application  
232 for the same has been made and the department has determined that

233 the applicant meets the requirements of subsection (b) of this section.  
234 Any such permit issued under the provisions of this subdivision (i)  
235 shall be limited to service provided under any such contract, and (ii)  
236 with respect to any contract under the provisions of subparagraph (A)  
237 of this subdivision, shall not authorize a total number of motor  
238 vehicles exceeding the number required to provide service existing  
239 under such contract on July 1, 1997.

240 (b) In determining whether or not such a permit [shall] will be  
241 granted, the Department of Transportation shall take into  
242 consideration the present or future public convenience and necessity  
243 for the service the applicant proposes to render, the suitability of the  
244 applicant or the suitability of the management if the applicant is a  
245 limited liability company or corporation, the financial responsibility of  
246 the applicant, the ability of the applicant efficiently and properly to  
247 perform the service for which authority is requested and the fitness,  
248 willingness and ability of the applicant to conform to the provisions of  
249 this chapter and the requirements and regulations of the department  
250 [thereunder] under this chapter.

251 (c) Any interested party may bring a written petition to the  
252 Department of Transportation in respect to fares, service, operation or  
253 equipment, or the convenience, protection and safety of the public  
254 with regard to any carrier operating a motor vehicle in livery service.  
255 Thereupon, the department may fix a time and place for a hearing  
256 upon such petition and give notice thereof. No permit shall be sold or  
257 transferred until the department, upon written application to it setting  
258 forth the purpose, terms and conditions thereof and accompanied by a  
259 fee of two hundred dollars, after investigation, approves the same. The  
260 department may amend or, for sufficient cause shown, may suspend  
261 or revoke any such permit. The department may impose a civil penalty  
262 on any person or any officer of any association, limited liability  
263 company or corporation who violates any provision of this chapter or  
264 any regulation adopted under section 13b-102 with respect to fares,

265 service, operation or equipment, in an amount not to exceed one  
266 hundred dollars per day for each violation. Prior to the imposition of a  
267 civil penalty under this subsection, the department shall provide notice  
268 to said person or officer no later than fifteen business days [of] after  
269 receipt of information concerning an alleged violation and shall  
270 provide an opportunity for a hearing.

271 (d) The owner or operator of each motor vehicle in livery service  
272 shall display therein such permit or a memorandum thereof.

273 Sec. 10. Subsection (a) of section 13b-251 of the general statutes, as  
274 amended by section 16 of public act 99-181, is repealed and the  
275 following is substituted in lieu thereof:

276 (a) The minimum overhead clearance for any structure crossing  
277 over railroad tracks for which construction is begun on or after  
278 October 1, 1986, shall be twenty feet, six inches, except that, (1) if the  
279 construction includes only deck replacement or minor widening of the  
280 structure, and the existing piers or abutments remain in place, the  
281 minimum overhead clearance shall be the structure's existing overhead  
282 clearance; [;] (2) the minimum overhead clearance for any structure  
283 crossing any railroad tracks on which trains are operated [which] that  
284 are attached to or powered by means of overhead electrical wires shall  
285 be twenty-two feet, six inches; [;] (3) the minimum overhead clearance  
286 for the structure [which] that carries (A) Route 372 over railroad tracks  
287 in New Britain, designated state project number 131-156, [;] (B) U.S.  
288 Route 1 over railroad tracks in Fairfield, designated state project  
289 number 50-6H05, [;] (C) Route 729 over railroad tracks in North Haven,  
290 designated state project number 100-149, [;] (D) Grove Street over  
291 railroad tracks in Hartford, designated state project number 63-376, [;]  
292 (E) Route 1 over railroad tracks in Milford, designated state project  
293 number 173-117, [;] (F) Ingham Hill Road over railroad tracks in Old  
294 Saybrook, designated state project number 105-164, [;] (G) Ellis Street  
295 over railroad tracks in New Britain, designated state project number

296 88-114, [;] (H) Route 100 over the railroad tracks in East Haven, bridge  
297 number 01294, [;] and (I) Church Street Extension over certain railroad  
298 storage tracks located in the New Haven Rail Yard, designated state  
299 project number 92-526, shall be eighteen feet; [;] (4) the minimum  
300 overhead clearance for those structures carrying (A) Fair Street, bridge  
301 number 03870, [;] (B) Crown Street, bridge number 03871, [;] and (C)  
302 Chapel Street, bridge number 03872, over railroad tracks in New  
303 Haven shall be seventeen feet, six inches; [, and] (5) the minimum  
304 overhead clearance for the structure carrying State Street railroad  
305 station pedestrian bridge over railroad tracks in New Haven shall be  
306 nineteen feet, ten inches; and (6) the overhead clearance for the  
307 structure carrying Woodland Street over the Griffins Industrial Line in  
308 Hartford, designated state project number 63-501, shall be fifteen feet,  
309 nine inches, with new foundations placed at depths which may  
310 accommodate an overhead clearance to a maximum of seventeen feet,  
311 eight inches.

312 Sec. 11. Section 13b-281 of the general statutes is repealed and the  
313 following is substituted in lieu thereof:

314 If the view of that portion of the tracks of any railroad, crossing a  
315 highway at grade, which adjoins such crossing, is obstructed by trees,  
316 shrubbery [,] or embankments of earth, [or structures of any kind,] the  
317 Commissioner of Transportation may, after a hearing [had] upon such  
318 notice as [he] the commissioner deems reasonable to the company or  
319 companies owning or operating such railroad or railroads and to the  
320 selectmen of the town, mayor of the city or warden of the borough  
321 wherein such crossing is situated and to the owners of the land  
322 adjoining such crossing, make such orders for or concerning the  
323 removal of any such obstruction as will afford an unobstructed view of  
324 such railroad tracks and such highway, [for a distance of at least one  
325 hundred and fifty feet in each direction from such crossing. For the  
326 purposes of this section, land or easements in land may be taken in the  
327 manner provided in section 13b-256] provided such orders are in

328 accordance with current American Association of State Highway and  
329 Transportation Officials standards for vehicles to safely traverse a  
330 railroad crossing from a stopped position. All orders of the  
331 commissioner pursuant to the provisions of this section shall  
332 specifically set forth the limits within which land may be taken and the  
333 nature, purposes and specific limits of the easements so authorized to  
334 be taken. The [entire] expense occasioned by any order of said  
335 commissioner under the provisions of this section shall be [borne and]  
336 paid by [such railroad company] the owner of the land upon which the  
337 obstruction is located.

338 Sec. 12. Section 13b-344 of the general statutes is repealed and the  
339 following is substituted in lieu thereof:

340 (a) Each town, city or borough shall furnish, place, inspect and  
341 maintain warning signs and pavement markings consisting of stop  
342 lines and advance warning markings on each highway approaching a  
343 crossing at grade of such highway and the tracks of any railroad  
344 within the respective limits of such town, city or borough. [Such signs  
345 shall be furnished by the railroad company crossing such highway.]  
346 Such signs and pavement markings shall conform [as nearly as  
347 practicable to the standard road marking signs as adopted and revised  
348 by the American Association of State Highway Officials, and,  
349 wherever practicable, shall be placed in conspicuous locations beside  
350 the highway at a distance of not less than three hundred feet nor more  
351 than five hundred feet from the nearest rail of such crossing] with the  
352 Federal Highway Administration's Manual on Uniform Traffic Control  
353 Devices and shall be placed in a manner that conforms with said  
354 manual. If in the case of any such crossing it appears that the placing of  
355 the signs prescribed by this section is impracticable or unnecessary, the  
356 Commissioner of Transportation [, on petition of the municipality in  
357 which such crossing is situated,] may release such municipality from  
358 the obligation of placing and maintaining such signs on the highway  
359 near such crossing. The railroad company operating over such

360 crossing, or the private party or corporation owning a railroad right-  
361 of-way, shall annually notify the appropriate town, city, borough or, in  
362 the case of a state highway, the Commissioner of Transportation of the  
363 location of all railroad crossings within the respective limits of such  
364 town, city or borough and the obligations of such town, city or  
365 borough under the provisions of this subsection. The commissioner  
366 shall provide each such railroad company, private party or corporation  
367 with a list of the towns, cities and boroughs to be notified in  
368 accordance with this subsection. Such list shall include the name and  
369 address of the official to whom such notification shall be delivered.

370 (b) Each town, city or borough, upon receipt of a report of a  
371 malfunctioning grade crossing gate or signal shall dispatch local police  
372 or firemen to the crossing [to] who shall, upon consultation with the  
373 railroad company crossing such highway, either direct traffic across  
374 the crossing or to an alternate route until such time as the railroad  
375 company crossing such highway repairs the gate or signal or assumes  
376 responsibility for directing traffic.

377 Sec. 13. Section 13b-345 of the general statutes is repealed and the  
378 following is substituted in lieu thereof:

379 (a) The Commissioner of Transportation shall investigate conditions  
380 surrounding all railroad crossings with public highways at grade and  
381 determine at which of such crossings public safety reasonably requires  
382 that any person traveling upon the highway shall come to a stop or  
383 proceed with caution before passing over the tracks at such crossing.  
384 The commissioner may require the railroad company at each of such  
385 crossings so determined to erect and maintain on the highway and  
386 within the limits of its right-of-way a "stop", "caution" or other sign of a  
387 type approved by the commissioner, and may require the company at  
388 any grade crossing to erect and maintain stop, caution, warning or  
389 other signs of a type approved by the commissioner, but where the  
390 tracks cross at grade on state highways, the State Traffic Commission

391 shall prescribe the nature of traffic control devices and traffic control  
392 measures to be installed at such grade crossings. When traffic control  
393 measures are to be installed on state highways, they shall be furnished  
394 and installed by the Commissioner of Transportation.

395 (b) The commissioner shall require each railroad company operating  
396 trains at or above twenty-five miles per hour, at all of its crossings at  
397 grade with gates or signals, to erect and maintain, within the limits of  
398 its right-of-way, a sign advising the public to call the 911 emergency  
399 telecommunications number upon the malfunctioning of any grade  
400 crossing gates or signals. Such sign shall be of a type approved by the  
401 commissioner or the State Traffic Commission.

402 (c) The commissioner shall require each railroad company to  
403 maintain logs, subject to the inspection of the department, listing all  
404 reports of the malfunctioning of its grade crossing gates or signals.  
405 Each log shall contain information concerning all investigations and  
406 actions taken by the company to repair the malfunctioning gates or  
407 signals. Each company shall report to the municipality all actions taken  
408 to repair any malfunctioning gates or signals within the municipality.

409 (d) Each railroad company, upon receiving a report of the  
410 malfunctioning of one of its crossing gates or signals, shall  
411 immediately investigate such report and repair any malfunction. Such  
412 inspection shall not be completed from a moving train.

413 [(e) The provisions of this section shall not apply to a railroad  
414 company operating trains which do not exceed twenty-five miles per  
415 hour.]

416 Sec. 14. Section 13b-410a of the general statutes is repealed and the  
417 following is substituted in lieu thereof:

418 The Commissioner of Motor Vehicles shall adopt regulations in  
419 accordance with chapter 54 to implement the participation by this state

420 in the single state registration system, as established by standards  
421 adopted by the Interstate Commerce Commission or its successor  
422 agency in the Code of Federal Regulations, Title 49, Part 1023, as  
423 amended pursuant to United States Public Law 102-240, the  
424 [Intermodal Surface Transportation Efficiency Act of 1991]  
425 Transportation Equity Act for the 21st Century. Such regulations shall  
426 require the payment to the state, by or on behalf of interstate motor  
427 carriers regulated by the Interstate Commerce Commission or its  
428 successor agency, of annual fees for the filing of proof of insurance.  
429 Such fees shall equal the amount previously required, as of November  
430 15, 1991, of such carriers for the purchase of identification stamps,  
431 except that the amount and the method of payment of such fees by  
432 such carriers shall not conflict with the provisions of the standards  
433 adopted by said commission.

434 Sec. 15. Subsection (a) of section 23-101 of the general statutes is  
435 repealed and the following is substituted in lieu thereof:

436 (a) There is established a greenways capital grant program [which]  
437 that shall be administered by the Department of Environmental  
438 Protection. Grants may be made to municipalities and other  
439 organizations for the purpose of providing matching funds to develop  
440 greenways, including, but not limited to, transportation-related  
441 greenways supported by the federal [Intermodal Surface  
442 Transportation Efficiency Act of 1991] Transportation Equity Act for  
443 the 21st Century, as amended from time to time. The amount of any  
444 grant shall be as follows: (1) For transportation greenways projects that  
445 are part of interstate greenways, not more than twenty per cent of the  
446 project cost; and (2) for transportation greenways projects that are local  
447 spurs from interstate greenways or that are intertown greenways  
448 projects, not more than ten per cent of the project cost; and (3) for  
449 greenways that are not transportation greenways, not more than half  
450 of the capital costs of the project.

451 Sec. 16. Subsection (b) of section 32-6a of the general statutes is  
452 repealed and the following is substituted in lieu thereof:

453 (b) The Commissioner of Economic and Community Development  
454 may provide grants to develop greenways from the Restoration of  
455 Historic Assets in Connecticut Fund established with the proceeds of  
456 the bonds issued pursuant to subdivision (2) of subsection (g) of  
457 section 2 of special act 77-47. Grants may be made to municipalities  
458 and other organizations to develop greenways, including, but not  
459 limited to, transportation-related greenways supported by the federal  
460 [Intermodal Surface Transportation Efficiency Act of 1991]  
461 Transportation Equity Act for the 21st Century, as amended from time  
462 to time. The amount of any grant shall be as follows: (1) For  
463 transportation greenways projects that are part of interstate  
464 greenways, not more than twenty per cent of the project cost; (2) for  
465 transportation greenways projects that are local spurs from interstate  
466 greenways or that are intertown greenways projects, not more than ten  
467 per cent of the project cost; and (3) for greenways that are not  
468 transportation greenways, not more than half of the capital costs of the  
469 project.

470 Sec. 17. Subsection (c) of section 32-328 of the general statutes is  
471 repealed and the following is substituted in lieu thereof:

472 (c) Financial assistance may be provided to municipalities and other  
473 organizations to develop greenways, including, but not limited to,  
474 transportation-related greenways supported by the federal  
475 [Intermodal Surface Transportation Efficiency Act of 1991]  
476 Transportation Equity Act for the 21st Century, as amended from time  
477 to time. The amount of any grant shall be as follows: (1) For  
478 transportation greenways projects that are part of interstate  
479 greenways, not more than twenty per cent of the project cost; (2) for  
480 transportation greenways projects that are local spurs from interstate  
481 greenways or that are intertown greenways projects, not more than ten

482 per cent of the project cost; and (3) for greenways that are not  
483 transportation greenways, not more than half of the capital costs of the  
484 project.

485 Sec. 18. Subsection (c) of section 32-9qq of the general statutes is  
486 repealed and the following is substituted in lieu thereof:

487 (c) Grants may be made under this section to municipalities and  
488 other organizations for the purpose of providing funds to develop  
489 greenways, including, but not limited to, transportation-related  
490 greenways supported by the federal [Intermodal Surface  
491 Transportation Efficiency Act of 1991] Transportation Equity Act for  
492 the 21st Century, as amended from time to time. The amount of any  
493 grant shall be as follows: (1) For transportation greenways projects that  
494 are part of interstate greenways, not more than twenty per cent of the  
495 project cost; (2) for transportation greenways projects that are local  
496 spurs from interstate greenways or that are intertown greenways  
497 projects, not more than ten per cent of the project cost; and (3) for  
498 greenways that are not transportation greenways, not more than half  
499 of the capital costs of the project.

500 Sec. 19. Subsection (b) of section 51-164n of the general statutes, as  
501 amended by section 1 of public act 99-23, section 8 of public act 99-163,  
502 section 27 of public act 99-194, section 4 of public act 99-255 and section  
503 31 of public act 99-268, is repealed and the following is substituted in  
504 lieu thereof:

505 (b) Notwithstanding any provision of the general statutes to the  
506 contrary, any person who is alleged to have committed (1) a violation  
507 under the provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-18, 7-  
508 35, 7-41, 7-83, 7-104, 7-283, 7-325, 7-393, 8-25, 8-27, 9-63, 9-296, 9-305, 9-  
509 322, 9-350, 10-193, 10-197, 10-198, 10-230, 10-251, 10-254, 12-52, 12-  
510 170aa, 12-292, 12-326g, subsection (4) of section 12-408, subsection (3),  
511 (5) or (6) of section 12-411, section 12-435c, 12-476a, 12-476b, 12-487,  
512 13a-71, 13a-107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124,

513 13a-139, 13a-140, 13a-143b, 13a-247, 13a-253, subsection (f) of section  
514 13b-42, section 13b-90, 13b-221, 13b-224, 13b-292, 13b-336, 13b-337, 13b-  
515 338, 13b-410a, 13b-410b, 13b-410c, subsection (a), (b) or (c) of section  
516 13b-412, section 13b-414, subsection (d) of section 14-12, section 14-20a,  
517 14-27a, subsection (e) of section 14-34a, subsection (d) of section 14-35,  
518 section 14-43, 14-49, 14-50a, 14-58, subsection (b) of section 14-66,  
519 section 14-66a, 14-66b, 14-67a, subsection (f) of section 14-80h, section  
520 14-97a, subsection (c) of section 14-100a, section 14-100b, 14-103a, 14-  
521 106a, 14-106c, 14-146, 14-152, 14-153, 14-163b, a first violation as  
522 specified in subsection (f) of section 14-164i, section 14-219 specified in  
523 subsection (e) of said section, subsection (b) of section 14-227a, section  
524 14-240, 14-249, 14-250, subsection (a), (b) or (c) of section 14-261a,  
525 section 14-262, 14-264, 14-267a, 14-269, 14-270, 14-275a, 14-278, 14-279,  
526 subsection (e) of section 14-283, section 14-291, 14-293b, 14-319, 14-320,  
527 14-321, 14-325a, 14-326, 14-330, 14-332a, subdivision (1), (2) or (3) of  
528 section 14-386a, section 15-33, subsection (a) of section 15-115, section  
529 16-256, 16-256e, 16a-15, 16a-22, subsection (a) or (b) of section 16a-22h,  
530 section 17a-24, 17a-145, 17a-149, 17a-152, 17a-465, 17a-642, 17b-124,  
531 17b-131, 17b-137, 17b-407, 17b-451, 17b-734, subsection (b) of section  
532 17b-736, 19a-30, 19a-33, 19a-39, 19a-87, subsection (b) of section 19a-  
533 87a, section 19a-91, 19a-105, 19a-107, 19a-108, 19a-215, 19a-219, 19a-222,  
534 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336,  
535 19a-338, 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231,  
536 20-257, 20-265, 20-324e, subsection (a) of section 20-341, section 20-341l,  
537 20-597, 20-608, 20-610, 21-30, 21-38, 21-39, 21-43, 21-47, 21-48, 21-63, 21-  
538 76a, 21a-21, 21a-25, 21a-26, 21a-30, 21a-31, subsection (a) of section 21a-  
539 37, section 21a-46, 21a-61, 21a-63, 21a-77, subsection (b) of section 21a-  
540 79, section 21a-85, 21a-154, 21a-159, 21a-201, 21a-211, 22-13, 22-14, 22-  
541 15, 22-16, 22-29, 22-34, 22-35, 22-36, 22-37, 22-38, 22-39, 22-39a, 22-39b,  
542 22-39c, 22-39d, 22-39e, 22-49, 22-54, 22-61, 22-89, 22-90, 22-98, 22-99, 22-  
543 100, 22-111o, 22-123, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-326,  
544 22-342, subsection (b) or (e) of section 22-344, section 22-359, 22-366, 22-  
545 379, 22-380, 22-391, 22-413, 22-414, 22-415, 22a-66a, 22a-246, subsection

546 (a) of section 22a-250, subsection (e) of section 22a-256h, section 22a-  
547 449, 22a-461, 23-37, 23-38, 23-46, 23-61b, subsection (a) or (b) of section  
548 23-65, section 25-37, 25-40, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-49, 26-  
549 54, 26-59, 26-61, 26-64, 26-79, 26-89, 26-97, 26-107, 26-117, 26-128, 26-  
550 131, 26-132, 26-138, 26-141, 26-207, 26-215, 26-221, 26-222, 26-224a, 26-  
551 227, 26-230, 26-234, 26-267, 26-269, 26-294, 28-13, 29-6a, 29-109, 29-161a,  
552 29-161b, 29-198, 29-210, 29-243, 29-277, 29-316, 29-318, 29-341, 29-381,  
553 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18,  
554 31-23, 31-24, 31-25, 31-28, 31-32, 31-36, 31-38, 31-38a, 31-40, 31-44, 31-47,  
555 31-48, 31-51, 31-51k, 31-52, 31-52a, 31-54, subsection (a) or (c) of section  
556 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b, 31-134,  
557 subsection (g) of section 31-273, section 31-288, 36a-787, 42-230, 44-3,  
558 45a-450, 45a-634, 45a-658, subdivision (13) or (14) of section 46a-54,  
559 section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16, 53-  
560 133, subsection (a) or (b) of section 53-211, section 53-212a, 53-249a, 53-  
561 252, 53-264, 53-301, 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-  
562 331, 53-344 or 53-450, or (2) a violation under the provisions of chapter  
563 268, or (3) a violation of any regulation adopted in accordance with the  
564 provisions of section 12-484, 12-487 or 13b-410, shall follow the  
565 procedures set forth in this section.

566 Sec. 20. Subsection (b) of section 1 of public act 99-6 is repealed and  
567 the following is substituted in lieu thereof:

568 (b) Any reciprocity agreement, arrangement or declaration relating  
569 to livery services in effect on April 9, 1999, between this state and any  
570 jurisdiction not a party to any reciprocal agreement or plan authorized  
571 by subsection (a) of this section, or [which relates] relating to any  
572 matters not covered in such reciprocal agreement or plan, shall  
573 continue in force and effect until specifically amended or revoked as  
574 provided by law.

575 Sec. 21. Section 24 of public act 99-181 is repealed and the following  
576 is substituted in lieu thereof:

577 The Commissioner of Transportation may enter into contracts for  
578 repair, improvement and maintenance work on any limited access  
579 highway, or concerning any adopt a highway program, excluding the  
580 Merritt Parkway.

581 Sec. 22. Section 4 of public act 99-265 is repealed and the following is  
582 substituted in lieu thereof:

583 (a) Not later than January 1, 2000, [~~and~~] then not later than October  
584 1, 2000, and annually after October 1, 2000, the Commissioner of  
585 Transportation, within available General Fund appropriations, shall  
586 [~~make~~] establish a state matching grant program, in accordance with  
587 the provisions of this section, which shall be available to any  
588 municipality upon application of such municipality. Such grants shall  
589 be expended by such municipalities for elderly and disabled demand  
590 responsive transportation programs that shall be available to persons  
591 age sixty or older.

592 (b) Not later than thirty days after the commissioner determines [a  
593 grant] an allocation amount, the commissioner shall notify  
594 municipalities of the availability of such amount.

595 (c) Municipalities shall apply to the state through a designated  
596 regional planning organization or transit district within the  
597 transportation service region, as established in section 13b-38m, for  
598 funding allocations. The regional planning organization or transit  
599 district and municipalities interested in applying for the funds  
600 allocated to municipalities within that transportation service region  
601 shall collaborate on service design to determine how to use the  
602 funding most effectively in that municipality and region. The  
603 commissioner shall have the authority to approve or disapprove the  
604 final mechanism for delivery of service.

605 [(c)] (d) The maximum amount [of any such grant] allocated to a  
606 municipality [shall be eligible to receive] shall be determined by the

607 commissioner in accordance with the following formula: Fifty per cent  
608 of such funds shall be apportioned on the basis of the share of the  
609 population of persons age sixty or older in the municipality relative to  
610 the state's total population of persons age sixty or older, as defined in  
611 the most recent federal decennial census or in estimates provided in  
612 the five-year interim by the Office of Policy and Management. Fifty per  
613 cent of such funds shall be apportioned on the basis of a municipality's  
614 square mileage relative to the state's total square mileage.

615 [(d)] (e) Each municipality applying for such grant funds shall  
616 provide a fifty per cent match to such funds. If a municipality chooses  
617 not to apply for such funds, its portion shall revert to the General  
618 Fund.

619 [(e)] (f) A municipality, receiving a grant provided pursuant to this  
620 section, shall annually submit to the Commissioner of Transportation,  
621 on forms provided by said commissioner, the following data on such  
622 transportation programs: (1) The number of unduplicated riders; (2)  
623 the number of one-way trips; (3) the number of miles traveled; (4) the  
624 number of trip denials; (5) the number of hours vehicles are in use  
625 annually; (6) all federal, state, municipal and other revenues received  
626 and expenditures incurred in the provision of dial-a-ride services; and  
627 (7) any other information determined to be necessary by the  
628 commissioner.

629 [(f)] (g) A municipality receiving a grant pursuant to this section  
630 shall annually submit to the Commissioner of Transportation a  
631 certification that any state grant shall be in addition to current  
632 municipality levels of spending on such programs.

633 [(g)] (h) Any funds appropriated for the purposes of this section  
634 shall not be expended for any other purpose.

635 Sec. 23. Within available appropriations, the Department of  
636 Transportation, in collaboration with the Connecticut Coastline Port

637 Authority and current Long Island ferry operators, shall conduct a  
638 study of means by which to increase waterborne transportation to and  
639 from the ports along Long Island Sound, including, but not limited to,  
640 establishing additional intrastate passenger ferry services, providing  
641 incentives for commercial roadway carriers to use ferry services and  
642 expanding the transportation by barge of commercial products. The  
643 department shall, in conducting its study, review and evaluate: (1) The  
644 cost and benefit of establishing such services or providing such  
645 incentives, and (2) whether such services and incentives are likely to  
646 result in motor vehicle traffic reduction. In conducting its study, the  
647 department shall, to the greatest extent possible, utilize information,  
648 data and resources developed by the United States Department of  
649 Transportation in its ongoing study of these issues. Not later than  
650 March 15, 2001, the department shall submit a report of its findings  
651 and recommendations to the joint standing committee of the General  
652 Assembly having cognizance of matters relating to transportation, in  
653 accordance with the provisions of section 11-4a of the general statutes.

654 Sec. 24. The segment of bridge number 6222, running in the  
655 southbound direction, located on Route 218 in the town of Windsor,  
656 passing over Interstate Route 91, shall be designated the "Anthony J.  
657 Shelto Bridge".

658 Sec. 25. The segment of bridge number 1745, running in the  
659 westbound direction, located on Interstate Route 84 in the town of  
660 West Hartford, passing over Berkshire Road, shall be designated the  
661 "William E. Lehmann Memorial Bridge".

662 Sec. 26. The segment of Route 167 located in Avon, running in a  
663 generally northerly direction, from Harris Road to the Simsbury-Avon  
664 town line shall be designated the "First Company Governor's Horse  
665 Guards Memorial Highway".

666 Sec. 27. The segment of Route 10, located in Simsbury, running in a  
667 generally northerly direction, from Route 167 to the Simsbury-Granby

668 town line shall be designated the "Defenders of Bataan and Corregidor  
669 Memorial Highway".

670 Sec. 28. Bridge Number 2857, located on Route 32, running in a  
671 generally southerly direction, passing over Williams Street #1, shall be  
672 designated the "Donna Millette-Fridge Memorial Bridge".

673 Sec. 29. Bridge Number 5864, located on Interstate Route 91 in  
674 Hartford, running in a generally northerly direction, passing over  
675 Leibert Road, shall be designated the "Paul Laffin Memorial Bridge".

676 Sec. 30. Bridge Number 6130, located on Interstate Route 95, in the  
677 town of Waterford, shall be designated the "African-American War  
678 Veterans Bridge".

679 Sec. 31. Bridge Number 806, located on the Berlin Turnpike, located  
680 in the town of Wethersfield, passing over Route 175, shall be  
681 designated the "Fred H. Callahan, Jr. Memorial Bridge".

682 Sec. 32. Route 94, from Route 2 to the Glastonbury-Hebron town  
683 line, running in a generally eastbound direction, shall be designated  
684 the "94th Infantry Division Memorial Highway".

685 Sec. 33. Bridge Number 1453, located on Interstate Route 91  
686 northbound in the town of Wethersfield, shall be designated the "Neil  
687 Esposito Memorial Bridge."

688 Sec. 34. Bridge Number 860, located on Route 17 in the town of  
689 Middletown, shall be designated the "Max Corvo Memorial Bridge."

690 Sec. 35. Bridge Number 3502, located on Route 175 in the town of  
691 Newington, shall be designated the "John F. Klett Memorial Bridge."

692 Sec. 36. (a) Sections 13b-247, 13b-255 to 13b-259, inclusive, 13b-266  
693 and 13b-306 of the general statutes are repealed.

694 (b) In codifying the provisions of this act, the Legislative

695 Commissioners shall delete the references to sections 13b-247, 13b-255  
696 to 13b-259, inclusive, 13b-266 and 13b-306 that appear in the following  
697 sections of the general statutes: 13b-205, 13b-218, 13b-219, 13b-268, 13b-  
698 270, 13b-274, 13b-281, 13b-287, 13b-288, 13b-293 and 13b-307.

699 Sec. 37. This act shall take effect from its passage, except that  
700 sections 1 to 10, inclusive, 14 to 22, inclusive, and 36 shall take effect  
701 October 1, 2000.

**TRA Committee Vote:** Yea 24 Nay 0 JFS

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** Cost, Savings, Administrative Efficiencies, Minimal or None, (Transportation Fund)

**Affected Agencies:** Department of Transportation

**Municipal Impact:** See Explanation Below

**Explanation**

**State Impact:**

Most sections in this bill are technical and would have no fiscal impact.

Section 10 which authorizes the construction of a new pedestrian bridge over the New Haven Rail Line at minimum overhead clearance of 19 feet, 20 inches instead of the mandated minimum clearance of 22 feet, six inches would result in bond fund savings of \$250,000. At a 6.25% interest rate over a twenty-year period, debt service savings would total \$194,811 for long-term project savings totaling \$444,811.

Section 22 which establishes procedures for municipalities to apply for state grants for the elderly transportation services grant program established under PA 99-265 encourages cooperation between municipalities and regional planning agencies or transit districts; it would create administrative efficiencies.

Section 23 which requires the Department of Transportation (DOT) to conduct a study of means to increase waterborne transportation between ports along Long Island Sound and to submit the study to the Transportation Committee by March 15, 2001 will be completed within available appropriations.

Sections 24 through 35 designate commemorative and memorial names for nine state highway bridges and three road segments. Costs for signs and supports can be handled within available appropriations.

***Municipal Impact:***

The bill revises and extends statutory responsibility for furnishing and inspecting warning signs and pavement markings for at-grade crossings. Currently, there are agreements between the Department of Transportation (DOT), railroad companies and municipalities for municipalities to place and maintain warning signs on local roads. Towns, cities and boroughs have as a courtesy installed pavement markings and advance warning signs on the approaches to railroad at-grade crossings. This bill would codify and conform with current practice. It is not presently clear whether or not municipalities would be subject to additional liability activity over and beyond current liability responsibilities.

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**OLR Bill Analysis**

sHB 5204

***AN ACT REVISING CERTAIN TRANSPORTATION LAWS.***

**SUMMARY:**

This bill:

1. allows any authority to operate a foreign trade zone created pursuant to federal law, if a municipality authorizes it by ordinance, and makes specific changes to the statutory powers of port authorities to allow them to operate and maintain such a zone;
2. generally increases and revises minimum sight line requirements at rail-highway at-grade crossings by adopting national standards by reference to replace a single minimum statutory requirement, eliminates consideration of structures as obstructions under the law, and makes property owners instead of railroads responsible for costs of removing sight line obstructions;
3. revises and extends statutory responsibility for furnishing and maintaining advance warning signs and markings for at-grade crossings, including codifying certain municipal responsibilities contained in Department of Transportation (DOT) agreements with towns in 1989 and making several related changes;
4. clarifies and limits an exemption from warning sign and related requirements at certain at-grade crossings for railroads operating low speed trains;
5. allows the State Street railroad station pedestrian bridge over the New Haven Rail Line to be constructed at a minimum overhead clearance of 19 feet, 10 inches instead of the statutorily required minimum clearance of 22 feet, six inches for bridges over electrified rail lines, and restores a provision of the minimum clearance law that was inadvertently removed in 1999, the deletion of which would have required all nonexempt bridges built before enactment

- of the minimum clearance requirements to be raised to meet the requirements;
6. specifies procedures for municipalities to apply for state grants under the elderly transportation services grant program established by a 1999 law;
  7. within available appropriations and in collaboration with certain other entities, requires DOT to conduct a study of means to increase waterborne transportation between ports along Long Island Sound and submit it to the Transportation Committee by March 15, 2001;
  8. restores a prior statutory requirement allowing the Centralized Infractions Bureau to process fines for violations of statutes governing maximum vehicle length, width, and height limits, thus allowing, among other things, fines to be mailed and a court appearance avoided;
  9. repeals obsolete and unused statutory authority for railroad companies to acquire property for railroad purposes through a type of condemnation process;
  10. designates commemorative and memorial names for nine state highway bridges and three road segments;
  11. updates numerous statutory references to the Intermodal Surface Transportation Efficiency Act of 1991, the former federal law that authorized federal transportation programs and funding, with the name of its successor, the Transportation Equity Act for the 21<sup>st</sup> Century; and
  12. makes several technical changes.

EFFECTIVE DATE: October 1, 2000, except for the provisions relating to at-grade crossings (sight lines, advance warning signs, and low speed railroad exemption), Long Island Sound transportation study, and road and bridge naming, which are effective upon passage

## **FURTHER EXPLANATION**

### ***Port Authorities and Foreign Trade Zones***

The bill allows a municipality, through an ordinance, to permit an authority to apply for a grant of privilege to establish and operate a foreign trade zone as permitted under federal law. It also gives port authorities established pursuant to Connecticut law the specific power

to make such an application and to operate and maintain the foreign trade zone. (Connecticut law allows two port authorities—the Bridgeport Port Authority and the New London Port Authority.)

### ***Minimum Sight Line Distances at Rail-Highway Grade Crossings***

Current law requires an unobstructed view at any rail-highway grade crossing for at least 150 feet in each direction. If the transportation commissioner finds that trees, shrubbery, earth embankments, or structures of any kind, obstruct these sight lines he may, after reasonable notice to the railroad and municipality and a hearing, issue orders to remove the obstruction and restore the minimum sight lines. The bill (1) eliminates structures from the types of obstructions that can lead to such orders, (2) replaces the 150-foot minimum sight line distance with adoption by reference of a more detailed set of requirements promulgated by the American Association of State Highway and Transportation Officials (AASHTO); and (3) makes the property owner on whose land the obstruction is located instead of the railroad company owning the track responsible for the obstruction removal costs.

The AASHTO sight line guidelines determine the minimum sight lines necessary at a grade crossing through consideration of several variables. These include the number of tracks, the width and angle of the crossing, the maximum speed of trains using it, and whether trucks must use it.

### ***Grade Crossing Advance Warning Signs and Markings***

Currently, the law requires a municipality to place and maintain warning signs on roads approaching an at-grade crossing located in the town. It also requires the railroad company crossing the town highway to provide the signs. Signs conforming to AASHTO standards must be placed, when practical, between 300 and 500 feet from the nearest rail. The transportation commissioner may release the municipality from the obligation if it successfully petitions that placement of the signs is impractical or unnecessary.

The bill makes several modifications to these requirements based on DOT agreements with the municipalities in 1989 and changing federal

requirements. It requires (1) provision and maintenance of pavement markings consisting of stop lines and advance warning markings in addition to the warning signs, (2) the town rather than the railroad to provide signs and markings, and (3) that the signs and markings conform to the requirements of the Federal Highway Administration's *Manual on Uniform Traffic Control Devices* (MUTCD) instead of AASHTO standards. It eliminates the requirement for a town to petition DOT for release from its obligation.

The 1989 agreements between DOT and the municipalities where there are rail-highway at-grade crossings make the municipalities responsible for furnishing and maintaining pavement markings as well as warning signs and require them to follow MUTCD requirements.

Annually, the bill requires to the railroad company or the private entity owning the rail right-of-way to inform the town or, when appropriate, the transportation commissioner of the location of all railroad crossings within its boundaries or jurisdiction and the town's obligation under the law. It requires the transportation commissioner annually to provide the railroad or right-of-way owner with a list of the towns requiring notification and the name and address of the appropriate local official to notify.

The bill also requires police or fire personnel dispatched by a town for purposes of traffic control or redirection as required by law upon receipt by the town of a report of a malfunctioning grade crossing gate or signal to consult with the railroad company that owns the crossing before doing so.

### ***Low Speed Railroad Exemption***

By law, the transportation commissioner can require railroad companies to provide certain types of warning and control signs at their at-grade crossings when he believes the public's safety requires it. He must also require them to (1) provide signs at crossings with gates or signals informing the public to call the 911 emergency number when gates or signals malfunction; (2) maintain logs of gate and signal malfunctions, subject to inspection; and (3) immediately investigate reports of malfunctioning gates and signals. Railroads operating trains that do not exceed 25 miles per hour are exempt from these

requirements. The bill limits this exemption only to the requirement for providing 911 emergency notification signs.

### ***Elderly Transportation Services Grant Program***

In 1999, the legislature created a DOT-administered grant program providing funds to municipalities that apply for financial assistance for transportation services for the elderly and disabled. The bill requires municipalities to apply for the grants through the designated regional planning organizations or transit districts rather than directly to the DOT. It requires the regional planning organization or transit district and municipalities wanting to apply for funds allocated to municipalities within the transportation service region to collaborate on service design to most effectively use funding in the applying municipality and region. The bill gives the transportation commissioner authority to approve or disapprove the final mechanism for service delivery.

### ***Long Island Sound Water Transportation Study***

DOT must conduct the study within available appropriations and in collaboration with the Connecticut Coastline Port Authority and current Long Island sound ferry operators. The study must examine ways to increase waterborne transportation between Long Island sound ports. It must cover, at least, establishing additional intrastate passenger ferry services, providing incentives for commercial highway carriers to use ferry services, and expanding barge transportation of commercial products.

DOT must evaluate the costs and benefits of creating these services and incentives and whether they are likely to reduce highway traffic. It must use the information, data, and resources developed by the U.S. Department of Transportation's ongoing waterborne transportation study to the greatest extent possible. It must submit its findings and recommendations to the Transportation Committee by March 15, 2001.

### ***Repeal of Laws Authorizing Property Acquisition by Railroad Companies***

Several statutes originally enacted when railroads were considered

public service companies give them the right to acquire property for railroad purposes, if necessary, through a type of eminent domain condemnation process. The bill eliminates the condemnation authority for acquiring necessary property. But railroads may still acquire property with an owner's consent.

### ***Memorial and Commemorative Names for Bridges and Highways***

The bill directs the memorial or commemorative naming of these nine state highway bridges and three highway segments:

1. State Bridge #6222 carrying Route 218 southbound over I-91 in Windsor as the "Anthony J. Shelto Bridge";
2. State Bridge #1745 carrying I-84 westbound over Berkshire Road in West Hartford as the "William E. Lehmann Memorial Bridge";
3. State Bridge #2857 located on route 32 and running in a southerly direction over Williams Street #1 as the "Donna Millette-Fridge Memorial Bridge";
4. State Bridge #5864 running north on I-91 in Hartford and passing over Leibert Road as the "Paul Laffin Memorial Bridge";
5. State Bridge #6130 on I-95 in Waterford as the "African-American War Veterans Bridge";
6. State Bridge #806 carrying the Berlin Turnpike over Route 175 in Wethersfield as the "Fred H. Callahan, Jr. Memorial Bridge";
7. State Bridge #1453 on I-91 northbound in Wethersfield as the "Neil Esposito Memorial Bridge";
8. State Bridge #860 on Route 17 in Middletown as the "Max Corvo Memorial Bridge";
9. State Bridge #3502 on Route 175 in Newington as the "John F. Klett Memorial Bridge";
10. Route 167 in Avon running north from Harris Road to the Simsbury-Avon town line as the "First Company Governor's Horse Guards Memorial Highway";
11. Route 10 in Simsbury running north from Route 167 to the Simsbury-Granby town line as the "Defenders of Bataan and Corregidor Memorial Highway"; and
12. Route 94 running easterly from Route 2 to the Glastonbury-Hebron town line as the "94<sup>th</sup> Infantry Division Memorial

Highway.”

**COMMITTEE ACTION**

Transportation Committee

Joint Favorable Substitute

Yea 24    Nay 0