



House of Representatives

File No. 623

General Assembly

February Session, 2002

(Reprint of File No. 134)

Substitute House Bill No. 5527
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 4, 2002

AN ACT REVISING VARIOUS TRANSPORTATION LAWS.

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

1 Section 1. (NEW) (*Effective from passage*) The Comptroller may offer
2 to qualified state employees the option to exclude from taxable wages
3 and compensation, consistent with Section 132 of the Internal Revenue
4 Code of 1986, or any subsequent corresponding internal revenue code
5 of the United States, as from time to time amended, employee
6 commuting costs incurred through the use of (1) transportation in a
7 commuter highway vehicle if such transportation is in connection with
8 travel between the employee's residence and place of employment, (2)
9 any transit pass, or (3) qualified parking, in an amount not to exceed
10 the maximum level allowed by 26 USC 132(f)(2), as from time to time
11 amended, and regulations adopted pursuant to said section. The
12 Comptroller may contract with an administrator for the management
13 of this program. For purposes of this section, "state employees"
14 includes members of the General Assembly.

15 Sec. 2. (NEW) (*Effective October 1, 2002*) A motor vehicle in livery

16 service having a seating capacity of thirty-five or more adults may
17 have a seat located even with or forward of the driver's seat, provided
18 such seat complies with manufacturing and safety standards for motor
19 buses established under federal statutes and regulations. Such seat
20 shall be used only by an employee of the operator or an employee of a
21 tour company that retains the services of the operator.

22 Sec. 3. Section 13b-4c of the general statutes is repealed and the
23 following is substituted in lieu thereof (*Effective from passage*):

24 Notwithstanding any section of the general statutes to the contrary,
25 no state agency, other than the Department of Transportation, shall
26 expend funds in support of, or make state property available for use
27 in, any transportation program for the elderly or the handicapped
28 unless the Commissioner of Transportation certifies, in writing, that:
29 (1) [He] The commissioner has reviewed and concurs in such
30 expenditure or use; (2) such expenditure or use is consistent with the
31 transportation policies of the state; and (3) such expenditure or use will
32 not result in the unnecessary duplication of service. The provisions of
33 this section shall not apply to any transportation service not available
34 to the general public that is provided by any such program.

35 Sec. 4. Subsection (a) of section 13b-36 of the general statutes is
36 repealed and the following is substituted in lieu thereof (*Effective from*
37 *passage*):

38 (a) The commissioner may purchase or take and, in the name of the
39 state, may acquire title in fee simple to, or any lesser estate, interest or
40 right in, any land, buildings, equipment or facilities which the
41 commissioner finds necessary for the operation or improvement of
42 transportation services. The determination by the commissioner that
43 such purchase or taking is necessary shall be conclusive. Such taking
44 shall be in the manner prescribed in [section 48-12 for the taking of
45 land for state institutions] subsection (b) of section 13a-73 for the
46 taking of land for state highways.

47 Sec. 5. Subsection (c) of section 13b-38bb of the general statutes is

48 repealed and the following is substituted in lieu thereof (*Effective from*
49 *passage*):

50 (c) Municipalities shall apply to the state through a designated
51 regional planning organization or transit district [within the
52 transportation service region, as established in section 13b-38m,] for
53 funding allocations. The regional planning organization or transit
54 district and municipalities interested in applying for the funds
55 [allocated to municipalities within that transportation service region]
56 shall collaborate on service design to determine how to use the
57 funding most effectively in that municipality and its surrounding
58 region. The commissioner shall have the authority to approve or
59 disapprove the method for delivery of service.

60 Sec. 6. Subsection (a) of section 13b-96 of the general statutes is
61 repealed and the following is substituted in lieu thereof (*Effective from*
62 *passage*):

63 (a) Each person, association, limited liability company or
64 corporation owning or operating a taxicab is declared a common
65 carrier and subject to the jurisdiction of the Department of
66 Transportation. The Commissioner of Transportation is authorized to
67 prescribe adequate service and reasonable rates and charges. The
68 commissioner may adopt regulations, in accordance with chapter 54
69 for the purpose of establishing fares, service, operation and equipment
70 as it deems necessary for the convenience, protection and safety of
71 passengers and the public. Notwithstanding the provisions of this
72 subsection and any regulation adopted under this subsection relative
73 to any wheel base requirement, any sedan or station wagon type
74 vehicle powered by a clean alternative fuel and having a wheel base of
75 not less than one hundred two inches may be used to provide taxicab
76 service.

77 Sec. 7. Section 13b-410 of the general statutes is repealed and the
78 following is substituted in lieu thereof (*Effective July 1, 2002*):

79 (a) The Commissioner of Transportation is authorized to prescribe

80 and establish such reasonable regulations for household goods carriers
81 and motor contract carriers operating in intrastate commerce as the
82 commissioner deems necessary with respect to rates and charges,
83 issuance of certificates or permits, classification of carriers,
84 abandonment or suspension of service, routes, speed, adequacy of
85 service, financial responsibility, insurance covering personal injury,
86 property damage and cargo, uniform system of accounts, records,
87 reports, safety of operation and equipment and the public convenience
88 and safety. Not later than July 1, 2003, the commissioner shall adopt
89 regulations, in accordance with chapter 54, establishing a procedure
90 for the resolution of claims disputes between household goods carriers
91 and motor contract carriers operating in intrastate commerce and their
92 customers. To prevent unjust discrimination, undue preference or
93 prejudice between shippers or consignees and household goods
94 carriers transporting household goods in intrastate commerce, the
95 commissioner may prescribe and establish settlement of claims
96 governing the payment of tariff charges, including regulations for
97 weekly or monthly settlement, in the delivery or transfer of possession
98 or title of household goods between shippers, consignees and
99 household goods carriers transporting household goods in intrastate
100 commerce. This authorization shall not be construed to prohibit any
101 household goods carrier from extending credit in connection with rates
102 and charges on household goods transported for any branch of the
103 government of the United States or any department of the state, or for
104 any county, city, borough or town.

105 (b) The commissioner, after notice and hearing, may impose a civil
106 penalty of not more than one hundred dollars for each violation of a
107 provision of the regulations adopted pursuant to subsection (a) of this
108 section. Each day on which the violation occurs shall be deemed a
109 separate offense.

110 Sec. 8. Subsection (a) of section 17a-450a of the general statutes is
111 repealed and the following is substituted in lieu thereof (*Effective from*
112 *passage*):

113 (a) The Department of Mental Health and Addiction Services shall
114 constitute a successor department to the Department of Mental Health.
115 Whenever the words "Commissioner of Mental Health" are used or
116 referred to in the following general statutes, the words "Commissioner
117 of Mental Health and Addiction Services" shall be substituted in lieu
118 thereof and whenever the words "Department of Mental Health" are
119 used or referred to in the following general statutes, the words
120 "Department of Mental Health and Addiction Services" shall be
121 substituted in lieu thereof: 2c-2b, 4-5, 4-38c, 4-60i, 4-77a, 4a-12, 4a-16, 5-
122 142, 8-206d, 10-19, 10-71, 10-76d, [13b-38n,] 17a-14, 17a-26, 17a-31, 17a-
123 33, 17a-218, 17a-246, 17a-450, 17a-451, 17a-452, 17a-453, 17a-454, 17a-
124 455, 17a-456, 17a-457, 17a-458, 17a-459, 17a-460, 17a-463, 17a-464, 17a-
125 465, 17a-466, 17a-467, 17a-468, 17a-470, 17a-471, 17a-472, 17a-473, 17a-
126 474, 17a-476, 17a-478, 17a-479, 17a-480, 17a-481, 17a-482, 17a-483, 17a-
127 484, 17a-498, 17a-499, 17a-502, 17a-506, 17a-510, 17a-511, 17a-512, 17a-
128 513, 17a-519, 17a-528, 17a-560, 17a-561, 17a-562, 17a-565, 17a-576, 17a-
129 581, 17a-582, 17a-675, 17b-28, 17b-222, 17b-223, 17b-225, 17b-359, 17b-
130 420, 17b-694, 19a-82, 19a-495, 19a-498, 19a-507a, 19a-507c, 19a-576, 19a-
131 583, 20-14i, 20-14j, 21a-240, 21a-301, 22a-224, 27-122a, 31-222, 38a-514,
132 46a-28, 51-51o, 52-146h and 54-56d.

133 Sec. 9. Subsection (a) of section 19a-1c of the general statutes, as
134 amended by section 29 of public act 01-163, is repealed and the
135 following is substituted in lieu thereof (*Effective from passage*):

136 (a) Whenever the words "Commissioner of Public Health and
137 Addiction Services" are used or referred to in the following sections of
138 the general statutes, the words "Commissioner of Public Health" shall
139 be substituted in lieu thereof and whenever the words "Department of
140 Public Health and Addiction Services" are used or referred to in the
141 following sections of the general statutes, the words "Department of
142 Public Health" shall be substituted in lieu thereof: 1-21b, 2-20a, 3-129,
143 4-5, 4-38c, 4-60i, 4-67e, 4a-12, 4a-16, 4a-51, 5-169, 7-22a, 7-42, 7-44, 7-45,
144 7-48, 7-49, 7-51, 7-52, 7-53, 7-54, 7-55, 7-59, 7-60, 7-62a, 7-62b, 7-62c, 7-
145 65, 7-70, 7-72, 7-73, 7-74, 7-127e, 7-504, 7-536, 8-159a, 8-206d, 8-210, 10-
146 19, 10-71, 10-76d, 10-203, 10-204a, 10-207, 10-212, 10-212a, 10-214, 10-

147 215d, 10-253, 10-282, 10-284, 10-292, 10a-132, 10a-155, 10a-162a, 12-62f,
148 12-263a, 12-407, 12-634, 13a-175b, 13a-175ee, [13b-38n.] 14-227a, 14-
149 227c, 15-121, 15-140r, 15-140u, 16-19z, 16-32e, 16-43, 16-50c, 16-50d, 16-
150 50j, 16-261a, 16-262l, 16-262m, 16-262n, 16-262o, 16-262q, 16a-36, 16a-
151 36a, 16a-103, 17-585, 17a-20, 17a-52, 17a-154, 17a-219c, 17a-220, 17a-277,
152 17a-509, 17a-688, 17b-6, 17b-99, 17b-225, 17b-234, 17b-265, 17b-288, 17b-
153 340, 17b-341, 17b-347, 17b-350, 17b-351, 17b-354, 17b-357, 17b-358, 17b-
154 406, 17b-408, 17b-420, 17b-552, 17b-611, 17b-733, 17b-737, 17b-748, 17b-
155 803, 17b-808, 17b-851a, 19a-1d, 19a-4i, 19a-6, 19a-6a, 19a-7b, 19a-7c,
156 19a-7d, 19a-7e, 19a-7f, 19a-7g, 19a-7h, 19a-9, 19a-10, 19a-13, 19a-14, 19a-
157 14a, 19a-14b, 19a-15, 19a-17, 19a-17a, 19a-17m, 19a-17n, 19a-19, 19a-20,
158 19a-21, 19a-23, 19a-24, 19a-25, 19a-25a, 19a-26, 19a-27, 19a-29, 19a-29a,
159 19a-30, 19a-30a, 19a-32, 19a-32a, 19a-33, 19a-34, 19a-35, 19a-36, 19a-36a,
160 19a-37, 19a-37a, 19a-37b, 19a-40, 19a-41, 19a-42, 19a-43, 19a-44, 19a-45,
161 19a-47, 19a-48, 19a-49, 19a-50, 19a-51, 19a-52, 19a-53, 19a-54, 19a-55,
162 19a-56a, 19a-56b, 19a-57, 19a-58, 19a-59, 19a-59a, 19a-59b, 19a-59c, 19a-
163 59d, 19a-60, 19a-61, 19a-69, 19a-70, 19a-71, 19a-72, 19a-73, 19a-74, 19a-
164 75, 19a-76, 19a-79, 19a-80, 19a-82 to 19a-91, inclusive, 19a-92a, 19a-93,
165 19a-94, 19a-94a, 19a-102a, 19a-103, 19a-104, 19a-105, 19a-108, 19a-109,
166 19a-110, 19a-110a, 19a-111, 19a-111a, 19a-111e, 19a-112a, 19a-112b, 19a-
167 112c, 19a-113, 19a-113a, 19a-115, 19a-116, 19a-121, 19a-121a, 19a-121b,
168 19a-121c, 19a-121d, 19a-121e, 19a-121f, 19a-122b, 19a-123d, 19a-124,
169 19a-125, 19a-148, 19a-175, 19a-176, 19a-178, 19a-179, 19a-180, 19a-181a,
170 19a-182, 19a-183, 19a-184, 19a-186, 19a-187, 19a-195a, 19a-200, 19a-201,
171 19a-202, 19a-204, 19a-207, 19a-208, 19a-215, 19a-219, 19a-221, 19a-223,
172 19a-229, 19a-241, 19a-242, 19a-243, 19a-244, 19a-245, 19a-250, 19a-252,
173 19a-253, 19a-255, 19a-257, 19a-262, 19a-269, 19a-270, 19a-270a, 19a-279l,
174 19a-310, 19a-311, 19a-312, 19a-313, 19a-320, 19a-323, 19a-329, 19a-330,
175 19a-331, 19a-332, 19a-332a, 19a-333, 19a-341, 19a-401, 19a-402, 19a-406,
176 19a-409, 19a-420, 19a-421, 19a-422, 19a-423, 19a-424, 19a-425, 19a-426,
177 19a-427, 19a-428, 19a-490, 19a-490c, 19a-490d, 19a-490e, 19a-490g, 19a-
178 491, 19a-491a, 19a-491b, 19a-492, 19a-493, 19a-493a, 19a-494, 19a-494a,
179 19a-495, 19a-496, 19a-497, 19a-499, 19a-500, 19a-501, 19a-503, 19a-504,
180 19a-504c, 19a-505, 19a-506, 19a-507a, 19a-507b, 19a-507c, 19a-507d, 19a-
181 508, 19a-509a, 19a-512, 19a-514, 19a-515, 19a-517, 19a-518, 19a-519, 19a-

182 520, 19a-521, 19a-521a, 19a-523, 19a-524, 19a-526, 19a-527, 19a-528, 19a-
183 530, 19a-531, 19a-533, 19a-534a, 19a-535, 19a-535a, 19a-536, 19a-537,
184 19a-538, 19a-540, 19a-542, 19a-547, 19a-550, 19a-551, 19a-554, 19a-581,
185 19a-582, 19a-584, 19a-586, 19a-630, 19a-631, 19a-634, 19a-637, 19a-638,
186 19a-639, 19a-645, 19a-646, 19a-663, 19a-673, 19a-675, 20-8, 20-8a, 20-9,
187 20-10, 20-11, 20-11a, 20-11b, 20-12, 20-12a, 20-13, 20-13a, 20-13b, 20-13d,
188 20-13e, 20-14, 20-14j, 20-27, 20-28a, 20-28b, 20-29, 20-37, 20-39a, 20-40,
189 20-45, 20-54, 20-55, 20-57, 20-58a, 20-59, 20-66, 20-68, 20-70, 20-71, 20-73,
190 20-73a, 20-74, 20-74a, 20-74i, 20-74aa, 20-74dd, 20-86b, 20-86c, 20-86d,
191 20-86f, 20-86h, 20-90, 20-92, 20-93, 20-94, 20-94a, 20-96, 20-97, 20-99, 20-
192 99a, 20-101a, 20-102aa to 20-102ee, inclusive, 20-103a, 20-106, 20-107,
193 20-108, 20-109, 20-110, 20-114, 20-122a, 20-122b, 20-122c, 20-123a, 20-
194 126b, 20-126h, 20-126j, 20-126k, 20-126l, 20-126o, 20-126p, 20-126q, 20-
195 126r, 20-126u, 20-127, 20-128a, 20-129, 20-130, 20-133, 20-138a, 20-138c,
196 20-139a, 20-140a, 20-141, 20-143, 20-146, 20-146a, 20-149, 20-153, 20-154,
197 20-162n, 20-162p, 20-188, 20-189, 20-190, 20-192, 20-193, 20-195a, 20-
198 195m, 20-195p, 20-196, 20-198, 20-199, 20-200, 20-202, 20-206, 20-206a,
199 20-206m, 20-206p, 20-207, 20-211, 20-212, 20-213, 20-214, 20-217, 20-218,
200 20-220, 20-221, 20-222, 20-222a, 20-223, 20-224, 20-226, 20-227, 20-228,
201 20-229, 20-231, 20-235a, 20-236, 20-238, 20-241, 20-242, 20-243, 20-247,
202 20-250, 20-252, 20-252a, 20-255a, 20-256, 20-258, 20-262, 20-263, 20-267,
203 20-268, 20-269, 20-271, 20-272, 20-341d, 20-341e, 20-341f, 20-341g, 20-
204 341m, 20-358, 20-361, 20-365, 20-396, 20-402, 20-404, 20-406, 20-408, 20-
205 416, 20-474 to 20-476, inclusive, 20-571, 20-578, 21-7, 21a-11, 21a-86a,
206 21a-86c, 21a-116, 21a-138, 21a-150, 21a-150a, 21a-150b, 21a-150c, 21a-
207 150d, 21a-150f, 21a-150j, 21a-240, 21a-249, 21a-260, 21a-274, 21a-283, 22-
208 6f, 22-6g, 22-6i, 22-131, 22-150, 22-152, 22-165, 22-332b, 22-344, 22-358,
209 22a-29, 22a-54, 22a-65, 22a-66a, 22a-66l, 22a-66z, 22a-115, 22a-119, 22a-
210 134g, 22a-134bb, 22a-137, 22a-163a, 22a-163i, 22a-176, 22a-191, 22a-192,
211 22a-208q, 22a-231, 22a-240, 22a-240a, 22a-295, 22a-300, 22a-308, 22a-337,
212 22a-352, 22a-354i, 22a-354k, 22a-354w, 22a-354x, 22a-354aa, 22a-355,
213 22a-356, 22a-358, 22a-361, 22a-363b, 22a-371, 22a-378, 22a-423, 22a-424,
214 22a-426, 22a-430, 22a-434a, 22a-449i, 22a-471, 22a-474, 22a-601, 25-32,
215 25-32b, 25-32c, 25-32d, 25-32e, 25-32f, 25-32g, 25-32h, 25-32i, 25-32k, 25-
216 32l, 25-33, 25-33a, 25-33c, 25-33d, 25-33e, 25-33f, 25-33g, 25-33h, 25-33i,

217 25-33j, 25-33k, 25-33l, 25-33n, 25-34, 25-35, 25-36, 25-37a, 25-37b, 25-37c,
218 25-37d, 25-37e, 25-37f, 25-37g, 25-39a, 25-39b, 25-39c, 25-40, 25-43b, 25-
219 43c, 25-46, 25-49, 25-102gg, 25-128, 25-129, 25-137, 26-22, 26-119, 26-
220 141b, 26-192a, 26-192b, 26-192c, 26-192e, 26-236, 27-140aa, 31-23, 31-
221 40u, 31-51u, 31-101, 31-106, 31-111a, 31-111b, 31-121a, 31-222, 31-374,
222 31-397, 31-398, 31-400, 31-401, 31-402, 31-403, 32-23x, 38a-180, 38a-199,
223 38a-214, 38a-514, 38a-583, 45a-743, 45a-745, 45a-749, 45a-750, 45a-757,
224 46a-28, 46a-126, 46b-26, 46b-172a, 47a-52, 52-146f, 52-146k, 52-473a, 52-
225 557b, 53-332, 54-102a, 54-102b, 54-142k, 54-203.

226 Sec. 10. Subsection (c) of section 14-262 of the general statutes is
227 repealed and the following is substituted in lieu thereof (*Effective*
228 *October 1, 2002*):

229 (c) The maximum length of a single unit vehicle shall be forty-five
230 feet and the maximum length of the semitrailer portion of a
231 tractor-trailer unit shall be forty-eight feet. A trailer greater than
232 forty-eight feet and less than or equal to fifty-three feet in length, that
233 has a distance of no more than forty-three feet between the kingpin
234 and the center of the rearmost axle, may be operated on (1) unless
235 posted otherwise, United States and Connecticut routes numbered
236 from 1 to 399, inclusive, 450, 476, 508, 693 and 695 and the national
237 system of interstate and defense highways, and [on] (2) state and local
238 roads for up to one mile from the [system,] routes and system specified
239 in subdivision (1) of this subsection for access to terminals, facilities for
240 food, fuel, repair and rest, and points of loading and unloading. [,
241 provided the distance from the kingpin to the center of the rearmost
242 axle may not exceed forty-three feet.] The Commissioner of
243 Transportation shall permit additional routes upon application of
244 carriers or shippers provided the proposed additional routes meet the
245 permit criteria of the Department of Transportation. Such length
246 limitation shall be exclusive of safety and energy conservation devices,
247 such as refrigeration units, air compressors or air shields and other
248 devices, which the Secretary of the federal Department of
249 Transportation may interpret as necessary for the safe and efficient
250 operation of such vehicles, provided no such device has by its design

251 or use the capability to carry cargo.

252 Sec. 11. (*Effective from passage*) The initial transportation strategy
253 submitted by the Connecticut Transportation Strategy Board pursuant
254 to subsection (k) of section 4 of public act 01-5 of the June special
255 session is deemed approved by the General Assembly.

256 Sec. 12. (*Effective from passage*) A segment of Interstate Route 395,
257 from State Route 695 in Killingly, northerly to the Connecticut-
258 Massachusetts line, shall be designated "The American Ex-Prisoner of
259 War Memorial Highway".

260 Sec. 13. (*Effective from passage*) A segment of State Route 502 in East
261 Hartford, running in a generally easterly direction from Route 5 to
262 Forbes Street, shall be designated the "Anthony Fornabi Memorial
263 Highway".

264 Sec. 14. (*Effective from passage*) A segment of Route 176 in
265 Newington, running in a generally northerly direction from the
266 intersection of Route 5-15 north to Route 175, shall be designated the
267 "Newington Volunteer Fire Department Memorial Highway".

268 Sec. 15. (*Effective from passage*) Route 11 north bound and south
269 bound from the junction of Route 82 in Salem to the junction of Route 2
270 in Colchester, shall be designated the "Connecticut Department of
271 Transportation Employees Memorial Highway".

272 Sec. 16. (*Effective from passage*) A segment of Route 12 in Groton,
273 running in a generally northerly direction from United States Route 1
274 to the south junction of State Route 2A in Preston, shall be designated
275 the "United States Submarine Veterans Memorial Highway".

276 Sec. 17. (*Effective from passage*) Bridge Number 03126, located on
277 Interstate Route 91 north bound in Wallingford, passing over Town
278 Route 807, shall be designated the "United States Marine Corps 3rd
279 Recon Battalion Bridge".

280 Sec. 18. (*Effective from passage*) Bridge Number 0642, located on

281 Route 15 in Wethersfield, passing over Route 99, shall be designated
282 the "Clinton Hughes Memorial Bridge".

283 Sec. 19. (*Effective from passage*) Bridge Number 0590, located on
284 Route 8 in Naugatuck, shall be designated the "Officer Nancy Nichols
285 Memorial Bridge".

286 Sec. 20. (*Effective from passage*) Bridge Number 00154, located in
287 Orange on Marsh Hill Road, passing over Interstate Route 95, shall be
288 designated the "Salemme Memorial Bridge".

289 Sec. 21. (*Effective from passage*) Bridge Number 0867, located on
290 Route 17 in Glastonbury, passing over Roaring Brook, shall be
291 designated the "Alexander L. Bocciarelli Memorial Bridge".

292 Sec. 22. (*Effective from passage*) Route 103, located in North Haven,
293 running in a generally northerly direction from Sackett Point Road to
294 the junction of Route 22 in North Haven, shall be designated the
295 "American Legion, Murray-Reynolds Post #76 Memorial Highway".

296 Sec. 23. (*Effective from passage*) Bridge Number 3400A, located on
297 Interstate Route 84 east bound in Hartford, passing over Park Street,
298 shall be designated the "CMSgt Anthony E. Mazotas Memorial Bridge".

299 Sec. 24. (*Effective from passage*) Bridge Number 03191A, located on
300 Interstate Route 84 east bound in Waterbury, passing over Route 8 and
301 the Naugatuck River, shall be designated the "William W. Deady
302 Memorial Bridge".

303 Sec. 25. (*Effective from passage*) A segment of State Route 505 located
304 in Newington, running in a generally northerly direction from Route
305 175 to the intersection of Holly Drive and Ella Grasso Road, shall be
306 designated the "John Abbate Memorial Highway".

307 Sec. 26. (*Effective from passage*) A sign shall be placed east bound and
308 west bound on Route 2 before exit 8 designating the location of the
309 "Irish American Home Society, est. 1945".

310 Sec. 27. (*Effective from passage*) Route 372, located in Plainville,
 311 running in a generally easterly direction from Route 10 to the
 312 Plainville/New Britain town line, shall be designated the "Joseph E.
 313 Tinty Memorial Highway".

314 Sec. 28. (*Effective from passage*) A segment of Route 44 east bound
 315 and west bound from the junction of Route 272 in Norfolk to the
 316 junction of Route 7 in North Canaan, shall be designated the "Trooper
 317 Charles F. Hill Memorial Highway".

318 Sec. 29. (*Effective from passage*) A sign shall be placed north bound
 319 and south bound on Interstate Route 95 and south bound on Interstate
 320 Route 91 in the vicinity of the New Haven town line that shall state:
 321 "Welcome to New Haven, Connecticut, Birthplace of George W. Bush
 322 the 43rd President of the United States".

323 Sec. 30. (*Effective from passage*) Sections 13b-38m, 13b-38n, 13b-38z
 324 and 13b-38aa of the general statutes and sections 28 and 33 of public
 325 act 01-105 are repealed.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>October 1, 2002</i>
Sec. 3	<i>from passage</i>
Sec. 4	<i>from passage</i>
Sec. 5	<i>from passage</i>
Sec. 6	<i>from passage</i>
Sec. 7	<i>July 1, 2002</i>
Sec. 8	<i>from passage</i>
Sec. 9	<i>from passage</i>
Sec. 10	<i>October 1, 2002</i>
Sec. 11	<i>from passage</i>
Sec. 12	<i>from passage</i>
Sec. 13	<i>from passage</i>
Sec. 14	<i>from passage</i>
Sec. 15	<i>from passage</i>
Sec. 16	<i>from passage</i>
Sec. 17	<i>from passage</i>

Sec. 18	<i>from passage</i>
Sec. 19	<i>from passage</i>
Sec. 20	<i>from passage</i>
Sec. 21	<i>from passage</i>
Sec. 22	<i>from passage</i>
Sec. 23	<i>from passage</i>
Sec. 24	<i>from passage</i>
Sec. 25	<i>from passage</i>
Sec. 26	<i>from passage</i>
Sec. 27	<i>from passage</i>
Sec. 28	<i>from passage</i>
Sec. 29	<i>from passage</i>
Sec. 30	<i>from passage</i>

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:

OFA Fiscal Note

State Impact:

Fund-Type	Agency Affected	FY 03 \$	FY 04 \$
GF - Cost	Comptroller; Transportation Strategy Board	Potential: 84,000 to 144,000	Potential: 84,000 to 144,000
GF - Savings	Employers Social Security Tax	Potential: 111,000 to 167,000	Potential: 111,000 to 167,000
GF - Revenue Loss	Revenue Serv., Dept.	Potential: 53,000 to 80,000	Potential: 53,000 to 80,000
TF - Savings	Employers Social Security Tax	Potential: 8,000 to 12,000	Potential: 8,000 to 12,000
TF - Savings	Transportation, Dept.	Significant	Significant
TF - Cost	Transportation, Dept.	Potential Significant	Potential Significant

Note: GF=General Fund; TF=Transportation Fund

Municipal Impact: None

Explanation

This bill results in these potential fiscal state impacts: 1) increased cost to the Office of the State Comptroller (OSC), 2) savings from reductions to the state's FICA contributions, 3) a revenue loss to the General Fund in income taxes. It also results in significant savings¹ and potential significant costs to the state Department of Transportation (DOT) Transportation Fund. These impacts are described in detail in the sections below.

SECTION 1

¹ OFA defines significant as in excess of \$100,000 per year.

This section permits the Comptroller to establish a deduct-a-ride program for state employees, including members of the General Assembly. This Tax-Free Commuting Incentive Program allows state employees to exclude specified commuter costs from their taxable wages. This potentially results in 1) increased cost to the Office of the State Comptroller (OSC), 2) savings from reductions to the state's FICA contributions, and 3) a revenue loss in income taxes. It is not clear as to which party shall incur the cost to administer the program, the state or the participating employee, but this fiscal note assumes that it will be a state cost.

Although the number of state employees that may participate is difficult to estimate, the following estimates assume that 2,000 to 3,000 state employees may participate in the commuting incentive program. Currently, there are 430 state employees who use the vanpools and another 1,500 to 2,000 who utilize bus passes. In addition, state employees using other mass transportation and qualified commuter lots are expected to participate in the commuting incentive.

Cost: \$84,000 to \$144,000: The potential cost is a result of contracting with an administrator for the management of this program. The administrator would be responsible for registering state employees for this program, maintaining compliance with federal requirements and submitting participant lists for payroll purposes. The cost to administer the program is estimated at \$42 to \$48 per employee per year, resulting in total annual administrative costs of \$84,000 to \$144,000 (not including the monthly employee benefit). Funding for this in FY 03 exists in the Transportation Strategy Board in the Department of Transportation, per subsection 3 of section 16(a) of PA 01-5, JSS.

FICA Savings: (General Fund: \$111,000 to \$167,000; Transportation Fund: \$8,000 to \$12,000): The deduction amount permitted by the amendment is treated by the Internal Revenue Service as a benefit resulting in a reduction in the state's employers social security tax (FICA). Based upon an average monthly benefit of \$65, the state's

FICA contribution could be annually reduced by \$119,000 to \$179,000. Based on the fact that about 6.7% of the state's employees are paid from the Transportation Fund, the potential annual savings are \$111,000 to \$167,000 for the General Fund and \$8,000 to \$12,000 for the Transportation Fund.

Revenue Loss: (\$53,000 to \$80,000): The amendment could result in a revenue loss to the General Fund Personal Income Tax between \$53,000 and \$80,000 beginning in FY 03. The loss results from the ability of participants to pay for qualified transit costs with pre-tax deductions from their wages. Therefore, state income taxes will be calculated based on a participant's wages less amounts deducted for transit costs.

SECTION 2

This section authorizes certain large motor vehicles in livery service to have a seat located even with or forward of the driver's seat provided certain conditions are met. This has no fiscal impact.

SECTION 3

Section 13b-4c of the Connecticut General Statutes requires that the Commissioner of DOT review and concur with the transportation expenditures of state agencies for any transportation program for the elderly or the handicapped. This section limits DOT's review and oversight responsibilities to special transportation services which are available to the general public. This results in minimal savings to DOT.

SECTION 4

This section permits DOT to use the expedited, or "quick take" process it follows for highway projects to acquire property for the operation or improvement of transportation services. The acquisition of property via eminent domain for highway purposes is an expedited process as defined by Section 13a-73(b) of the General Statutes. At the

present time, property takings for public transportation purposes under Section 13b-36(a) are conducted in accordance with Section 48-12 of the General Statutes, which involves the condemnation process, utilized by redevelopment agencies.

On average, the public transportation taking process takes 30 to 60 days longer to complete than the highway taking process. In addition, the administrative costs associated with the process increase by \$500 to \$1,000 per transaction. This includes personal services and other costs such as the service of process. For current and upcoming public transportation projects such as the Hartford-New Britain Busway, which could involve 25 parcels of land, the cost savings could be \$25,000.

This change in process is not expected to substantially alter the caseload of either the Judicial Department or the Attorney General. Consequently, there is no fiscal impact to these agencies.

SECTIONS 5, 8, 9 and 30

These sections eliminate certain responsibilities of DOT relating to special transportation services for the elderly, handicapped and others and makes a related change to requirements for municipal funding applicants. They remove sections 13b-38m, 13b-38n, 13b-38z and 13b-38aa. The department is required to report on progress implementing these statutes, however most of the requirements are not achievable due to changes made to these statutes in 1996. Therefore, eliminating these requirements results in no fiscal impact to the department.

SECTION 6

This section allows vehicles powered by a clean alternative fuel with a wheel base of at least 102 inches to be used as taxicabs. This has no fiscal impact.

SECTION 7

This section requires the commissioner of DOT to adopt regulations

establishing a procedure for the resolution of claims disputes between household goods carriers and motor contract carriers operating in interstate commerce and their customers. These regulations must be adopted by July 1, 2003. The department is currently creating similar regulations will incur minimal one-time costs in F 03 to develop them. The costs of establishing and administering a claims resolution process cannot be determined at this time and would depend on the procedures developed.

SECTION 10

This section expands the number of state roads on which 53-foot semitrailers may travel without having to get a special DOT permit. The State of Connecticut has been regulating terminal access for 53-foot semitrailers for more than seven years.

The State also regulates the distance between the kingpin and the rearmost axle on a 53-foot semitrailer. Although the turning radius of a 53-foot semitrailer is similar to a 48-foot semitrailer, there may be locations where 53-foot semitrailers are not capable of making the turns. In these cases, the State would be required to post the deficient area or make the necessary improvements to accommodate a 53-foot semitrailer. The state costs would range from minimal for postings, to significant for making roadway improvements.

SECTION 11

This section gives legislative approval to the initial transportation strategy submitted by the Connecticut Transportation Strategy Board per subsection (k) of Section 4 of PA 01-5, JSS. This has no fiscal impact.

SECTIONS 12 through 29

All but two of these sections designate memorial and commemorative names for highway segments and bridges. Section 26 requires DOT to erect signs at Exit 8 on Route 2 designating the

location of the “Irish American Home Society, est. 1945”. Section 29 requires DOT to erect five signs on specified highways near the New Haven town line that state: “Welcome to New Haven, Connecticut, Birthplace of George W. Bush the 43rd President of the United States”. It will cost a total of about \$12,500 for signs for all of these locations.

House Amendment “A” eliminated the original bill and its associated fiscal impact and replaced it with the current language.

OLR Amended Bill Analysis

sHB 5527 (as amended by House "A")*

AN ACT EXPANDING THE DEDUCT-A-RIDE PROGRAM**SUMMARY:**

This bill:

1. allows the Department of Transportation (DOT) to use the same process it follows for taking land for highway purposes through eminent domain to take property for other transportation purposes;
2. authorizes the state comptroller to offer qualified state employees, including members of the General Assembly, the option to exclude from their taxable wages and compensation the transportation fringe benefits allowed under the Internal Revenue Code (known by the popular name of Commuter Choice or, in Connecticut, as "Deduct-a-Ride");
3. provides the General Assembly's approval of the Connecticut Transportation Strategy Board's initial transportation strategy as required under PA 01-05 of the June Special Session;
4. expands the number of state roads on which 53-foot semitrailers may travel without having to get a special DOT permit;
5. by July 1, 2003, requires the transportation commissioner to establish by regulation a procedure for resolving claims disputes between customers and household goods carriers and motor contract carriers operating in intrastate commerce;
6. eliminates certain responsibilities of the transportation commissioner with regard to special transportation services for the elderly, handicapped, and others and makes a related change to requirements for funding applicants;
7. authorizes certain large motor vehicles in livery service to have a "jump seat" located even with or forward of the driver's seat provided certain requirements are met;
8. overrides contrary DOT taxi regulations to the extent necessary to permit a sedan or station wagon type vehicle powered by a clean alternative fuel to provide taxi service if it has a wheelbase of at least 102 inches;

9. limits the transportation commissioner's authority and responsibility to review and concur with expenditure of funds and use of state property in transportation programs for the elderly and handicapped only to services available to the general public;
10. designates commemorative and memorial names for eight state highway segments and seven highway bridges;
11. changes the state highway segment previously designated for one recipient and renames another previously designated segment for a different recipient;
12. requires DOT to place signs on I-95 northbound and southbound and I-91 southbound in the vicinity of the New Haven town line stating "Welcome to New Haven, Connecticut, Birthplace of George W. Bush the 43rd President of the United States."
13. requires DOT to place a sign in both directions on Route 2 at Exit 8 designating the location of the "Irish American Home Society, est. 1945."

*House amendment "A" (1) changes the original bill's requirement for mandatory provision of Deduct-A-Ride benefits by the state, its political subdivisions, and all employers of 25 or more employees in one location to a permissive program limited to state employees and (2) adds all of the other provisions to the bill.

EFFECTIVE DATE: Upon passage, except for the livery vehicle jump seat, and 53-foot trailer provisions, which are effective October 1, 2002 and the household goods mover claims dispute resolution procedure requirement which is effective July 1, 2002.

DOT PROPERTY ACQUISITION THROUGH CONDEMNATION

By law, DOT can acquire property it requires for any transportation purpose through a condemnation process (eminent domain). If the property is acquired for highway purposes, DOT is authorized to use a more streamlined "quick take" process. If the property is acquired for the operation or improvement of transportation services, DOT currently must follow the condemnation procedure specified by law for taking land for state institutions. The bill allows DOT to use the process it follows for highway projects for these other purposes as well.

Under the condemnation process for highway projects, DOT files a certificate with the Superior Court that identifies the property it is acquiring and specifies the damages it will pay to the owner for the

taking. Once the certificate is filed, title to the property immediately passes to the state. The property owner can appeal to the court with respect to the amount of the damages awarded, but not with respect to the taking itself. A judge trial referee is assigned to view the property, take relevant testimony, and reassess the damage award and can award the property owner additional damages if warranted.

“DEDUCT-A-RIDE” BENEFITS

The bill allows the comptroller to offer the “deduct-a-ride” program provided for under the Internal Revenue Code (Sec. 132(f)) to qualified state employees, including members of the legislature. Under this program, employees may deduct from their taxable wages and compensation their commuting costs for certain activities including (1) transportation in a commuter highway vehicle between a residence and place of employment, (2) transit passes, and (3) qualified parking up to the maximum amounts allowed under the Internal Revenue Code.

The bill permits the comptroller to contract with an administrator to manage the program.

AUTHORIZATION FOR USE OF 53-FOOT SEMITRAILERS

Currently, semitrailers longer than 48-feet are prohibited on Connecticut roads with one exception. Semitrailers up to 53 feet long are permitted on a designated network that includes all highways on the Interstate Highway System (I-84, I-91, I-95, I-291, I-384, I-395, and I-691) and certain non-Interstate limited-access highways. The non-Interstate expressways on the designated highway network include Route 2 (Hartford to I-395 Norwich), Route 8 (Bridgeport to Route 44 in Winsted), Route 9 (Old Saybrook to Cromwell), Route 20 (I-91 to Route 401 at Bradley International Airport), and Route 401 (Route 20 in Windsor Locks to the Bradley Airport access road in Windsor Locks). The 53-foot trailers can also operate on state and local roads for up to one mile from the system for access to terminals and to facilities for food, fuel, repair, and rest services.

To operate on this network, the 53-foot trailer cannot be long than 43 feet from its kingpin (the articulation point between the tractor and the trailer) to the center of its rearmost axle. No 53-foot trailer may be operated outside of this system unless the transportation

commissioner has issued a permit for this purpose.

The bill expands the size of the designated network for 53-foot trailer operation. Unless the commissioner posts a highway otherwise, it allows 53-foot trailers meeting the kingpin-to-rear axle restriction to operate on all of the roads on the state highway system numbered from 1 through 399, 450, 476, 508, 693, and 695 and for up to one mile off these roads for access to terminals and the specified services.

ELIMINATION OF CERTAIN RESPONSIBILITIES CONCERNING SPECIALIZED TRANSPORTATION SERVICES

The bill eliminates several requirements and responsibilities of the transportation commissioner with respect to special transportation services. These services are defined for these purposes as services for the elderly or persons with disabilities, transit services for people receiving assistance under Title XIX, and transportation services provided under the Americans with Disabilities Act of 1990.

Specifically, the bill eliminates the following requirements for the commissioner: (1) to conduct a survey of each state agency that provides special transportation services to determine the operating and capital expenditures, service levels, ridership, utilization, and capacity of the services and report the results to the Transportation Committee by January 15, 1993 (the report was submitted as required); (2) to establish a pilot program by dividing the state into three or more transportation service areas to act as a regional framework for planning and coordinating special transportation services; (3) to establish statewide objectives for providing special transportation services; and (4) to issue progress reports to the Transportation Committee every two years with respect to the pilot programs.

In a change related to the elimination of designated service regions for special transportation services, the bill requires municipalities or transit districts applying for funding allocations to carry out their statutory responsibilities with regard to the surrounding region instead of the designated transportation service region.

JUMP SEAT ON CERTAIN LARGE LIVERY VEHICLES

The bill allows a motor vehicle in livery service that has a seating capacity of 35 or more adults to be equipped with a seat located even

with or forward of the driver's seat. This seat must comply with applicable federal motor bus manufacturing and safety standards and may only be used by an employee of the vehicle operator or of a tour company that retains the livery operator's services. Current DOT regulations prohibit any passenger in a motor bus from sitting forward of the driver.

DOT CERTIFICATION OF ELDERLY AND HANDICAPPED TRANSPORTATION PROGRAMS

Currently, no state agency except DOT can spend money in support of, or make state property available for use in, any transportation program for the elderly or handicapped unless the transportation commissioner certifies in writing that (1) he has reviewed and concurs with the expenditure or property use, (2) it is consistent with the state's transportation policies, and (3) it will not result in unnecessary service duplication. The bill excludes any transportation service that is not available to the general public from these requirements.

COMMEMORATIVE AND MEMORIAL NAMES

The bill changes the highway segment designated as "The American Ex-Prisoner of War Memorial Highway" from the segment of Route 624 in Waterford and New London running east from I-95 eastbound to Route 1 eastbound to the segment of I-395 from Route 695 in Killingly to the Massachusetts state border.

The bill names eight state highway segments and seven bridges as follows:

1. Route 502 in East Hartford from Route 5 to Forbes Street as the "Anthony Fornabi Memorial Highway";
2. Route 176 in Newington from the intersection of Routes 5 and 15 to Route 175 as the "Newington Volunteer Fire Department Memorial Highway";
3. Route 11 from the junctions of Route 82 in Salem and Route 2 in Colchester as the "Connecticut Department of Transportation Employees Memorial Highway";
4. Route 12 in Groton from U.S. Route 1 to the south junction of Route 2A in Preston and the "United States Submarine Veterans Memorial Highway";
5. Route 103 in North Haven from Sackett Point Road to the junction

- of Route 22 in North Haven as the "American Legion, Murray-Reynolds Post #76 Memorial Highway";
6. Route 505 in Newington from Route 175 to the intersection of Holly Drive and Ella Grasso Road as the "John Abbate Memorial Highway";
 7. Route 372 in Plainville from Route 10 to the Plainville-New Britain town line as the "Joseph E. Tinty Memorial Highway";
 8. Route 44 in both directions from Route 272 in Norfolk to Route 7 in North Canaan as the "Trooper Charles F. Hill Memorial Highway;"
 9. Bridge No. 3126 on I-91 northbound in Wallingford passing over Town Route 807 as the "United States Marine Corps 3rd Recon Battalion Bridge";
 10. Bridge No. 642 on Route 15 in Wethersfield passing over Route 99 as the "Clinton Hughes Memorial Bridge";
 11. Bridge No. 590 on Route 8 in Naugatuck as the "Officer Nancy Nichols Memorial Bridge";
 12. Bridge No. 154 on Marsh Hill Road in Orange passing over I-95 as the "Salemme Memorial Bridge";
 13. Bridge No. 867 on Route 17 in Glastonbury passing over Roaring Brook as the "Alexander L. Bocciarelli Memorial Bridge";
 14. Bridge No. 3400A on I-84 eastbound in Hartford passing over Park Street as the "CMSgt. Anthony E. Mazotas Memorial Bridge"; and
 15. Bridge No. 3191A on I-84 eastbound in Waterbury passing over Route 8 and the Naugatuck River as the "William W. Deady Memorial Bridge".

The designation of Route 176 in Newington as the "Newington Volunteer Fire Department Memorial Highway" replaces its previous designation as the "Patricia M. Genova Memorial Highway" by PA 01-105.

BACKGROUND

Nontaxable Transportation Fringe Benefits

The Internal Revenue Code allows certain transportation fringe benefits an employer provides that would otherwise be taxable to the employee as income to be excluded from the taxpayer's gross income for income tax purposes. The types of commuting costs covered include (1) transportation in a "commuter highway vehicle" between home and work, (2) a transit pass, or (3) "qualified parking."

A qualifying commuter highway vehicle must seat at least six adults besides the driver and have at least 80% of its annual mileage reasonably expected to be used to transport employees to and from work on trips with at least half the passenger seats filled, not counting the driver. A transit pass includes any pass, token, farecard, voucher, or similar thing allowing a ride on mass transit or a commuter highway vehicle. Qualified parking is employer-provided parking at or near work or at a location from which employees commute by transit pass, commuter highway vehicle, or vanpool. The employer provides parking if it pays for it, reimburses the employee, or the parking is on property it owns or leases.

The current maximum amount that can be excluded under these provisions is \$100 per month for commuter highway vehicle or transit pass costs and \$180 per month for qualified parking costs.

Employers have several options for providing these benefits. They can (1) provide it as a tax-free benefit in addition to the employee's current salary; (2) permit the employee to deduct some of their gross income on a pre-tax basis to pay for transit, vanpools, or qualified parking; or (3) provide a portion of an employee's commuting expense in addition to his compensation and allow the employee to deduct part of his gross income to pay the remaining amount. There is also a "parking cash out" option under which employers can allow employees to "cash out" their parking spaces and receive taxable cash or tax-free transit or vanpool benefits.

Legislative History

The House referred the bill (File 134) to the Planning and Development Committee on March 28, the Labor and Public Employees Committee on April 10, the Appropriations Committee on April 25, and the Finance, Revenue and Bonding Committee on April 29. The committees reported the bill favorably on April 3, April 15, April 26, and May 1, respectively.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Report
Yea 28 Nay 0

Planning and Development Committee

Joint Favorable Report

Yea 14 Nay 0

Labor and Public Employees Committee

Joint Favorable Report

Yea 12 Nay 0

Appropriations Committee

Joint Favorable Report

Yea 45 Nay 0

Finance, Revenue and Bonding Committee

Joint Favorable Report

Yea 40 Nay 0