



General Assembly

January Session, 2003

Raised Bill No. 6404

LCO No. 2848

Referred to Committee on Transportation

Introduced by:
(TRA)

**AN ACT IMPLEMENTING THE LEGISLATIVE COMMISSIONERS'
RECOMMENDATIONS FOR TECHNICAL REVISIONS TO TITLE 13B
OF THE GENERAL STATUTES.**

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

1 Section 1. Section 13b-2 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 The following terms, when used in this chapter shall have the
4 following meanings, unless the context otherwise requires:

5 [(a)] (1) "Aeronautics", "air navigation facility", "airport" and
6 "restricted landing area" shall have the meanings prescribed in section
7 15-34;

8 [(b)] (2) "Bureau" means any of the operating bureaus established in
9 the department pursuant to the provisions of section 4-8;

10 [(c)] (3) "Commissioner" means the Commissioner of Transportation
11 appointed pursuant to this chapter;

12 [(d)] (4) "Department" means the Department of Transportation

13 established pursuant to this chapter;

14 [(e)] (5) "Highway", "state highway" and "limited access state
15 highway" shall have the meanings prescribed in section 13a-1;

16 [(f)] (6) "Motor carrier" means any person who operates motor
17 vehicles over the highways of this state, whether over regular or
18 irregular routes, in the transportation of passengers or property, or any
19 class or classes thereof, for hire by the general public or for hire under
20 special and individual contracts;

21 [(g)] (7) "Person" may include the United States, any state, or any
22 agency, instrumentality, department or officer thereof;

23 [(h)] (8) "State highway system" shall have the meaning prescribed
24 in sections 13a-14 and 13a-15;

25 [(i)] (9) "Transportation" means any form of transportation for
26 people or goods within, to or from the state, whether by highway, air,
27 water, rail or any other means.

28 Sec. 2. Section 13b-4 of the general statutes is repealed and the
29 following is substituted in lieu thereof (*Effective October 1, 2003*):

30 The commissioner shall have the following general powers, duties
31 and responsibilities:

32 (1) To coordinate and develop comprehensive, integrated
33 transportation policy and planning to include a long-range master plan
34 of transportation for the state;

35 (2) To coordinate and assist in the development and operation of a
36 modern, safe, efficient and energy-conserving system of highway,
37 mass transit, marine and aviation facilities and services;

38 (3) To promote the coordinated and efficient use of all available and
39 future modes of transportation;

40 (4) To study commuter and urban travel and in cooperation with
41 federal, regional and local agencies and persons to formulate and
42 implement plans and programs to improve such travel;

43 (5) To study means of providing facilities for parking motor vehicles
44 so as to encourage travel by the combination of motor vehicle and
45 other modes of transportation and in cooperation with federal,
46 regional and local agencies and persons to formulate and implement
47 plans and programs for this purpose;

48 (6) To study means of improving transportation safety and to
49 formulate and implement plans and programs and [promulgate] adopt
50 regulations, in accordance with chapter 54, for this purpose;

51 (7) To study the operations of existing airports, to determine the
52 need for changes in such airports and the need for future airports, and
53 to formulate and implement plans and programs to improve aviation
54 facilities and services;

55 (8) To cooperate with federal, state, interstate and local agencies,
56 organizations and persons performing activities relating to
57 transportation;

58 (9) To exercise and perform such other duties and responsibilities as
59 may be conferred under this chapter and title 13a or as may otherwise
60 be conferred by law;

61 (10) To prepare a plan setting forth [his] a recommendation for a
62 restructured system of regional transit districts within the state. Said
63 plan shall be based on: (A) Established patterns of commuter traffic
64 within the state; (B) federal requirements for receiving aid under the
65 Urban Mass Transportation Act of 1964, and (C) present planning
66 regions. On or before February 1, 1978, the commissioner shall present
67 such plan to the General Assembly;

68 (11) To prepare pertinent reports, including, but not limited to,
69 detailed reports of energy use analysis by mode of transportation; and

70 (12) To provide for the planning and construction of any capital
71 improvements and the remodeling, alteration, repair or enlargement of
72 any real asset that may be required for the development and operation
73 of a safe, efficient system of highway, mass transit, marine and
74 aviation transportation, provided the acquisition, other than by
75 condemnation, or the sale or lease, of any property that is used for
76 such purposes shall be subject to the review and approval of the State
77 Properties Review Board in accordance with the provisions of
78 subsection (f) of section 4b-3.

79 Sec. 3. Section 13b-16a of the general statutes is repealed and the
80 following is substituted in lieu thereof (*Effective October 1, 2003*):

81 (a) As used in this section:

82 (1) "Public transportation" includes, but is not limited to, rail service
83 and fixed route bus service;

84 (2) "Paratransit" includes, but is not limited to, carpooling and
85 vanpooling; and

86 (3) "Traffic management program" includes, but is not limited to,
87 employer incentives to promote carpooling, vanpooling and public
88 transportation.

89 (b) The Department of Transportation shall include, as part of its
90 alternative analysis for all new multilaned expressways on new
91 locations, an analysis of public transportation, paratransit [,] or traffic
92 management program options as part of each alternative. [As used in
93 this section, public transportation shall include, but not be limited to,
94 rail service and fixed route bus service; paratransit shall include, but
95 not be limited to, carpooling and vanpooling; and traffic management
96 programs shall include, but not be limited to, employer incentives to
97 promote carpooling, vanpooling, and public transportation.]

98 Sec. 4. Section 13b-26 of the general statutes is repealed and the
99 following is substituted in lieu thereof (*Effective October 1, 2003*):

100 (a) The commissioner shall make such alterations in the state
101 highway system as [he] the commissioner may from time to time deem
102 necessary and desirable to fulfill the purposes of this chapter and title
103 13a. In making any such alteration, [he] the commissioner shall
104 consider the best interest of the state, taking into consideration
105 relevant factors including the following: Traffic flow, origin and
106 destination of traffic, integration and circulation of traffic, continuity of
107 routes, alternate available routes and changes in traffic patterns. The
108 relative weight to be given to any factor shall be determined by the
109 commissioner. All alterations in said highway system shall be
110 consistent with the comprehensive long-range master transportation
111 plan. Each biennium the commissioner shall notify all members of the
112 General Assembly of the availability of the plan. A member requesting
113 a plan shall be sent a written copy or electronic storage media of the
114 plan by the commissioner.

115 (b) The commissioner may plan, design, lay out, construct, alter,
116 reconstruct, improve, relocate, maintain, repair, widen and grade any
117 state highway whenever [, in his judgment,] the interest of the state so
118 requires. Except when otherwise provided by any general statute, [he]
119 the commissioner shall exercise exclusive jurisdiction over all such
120 highways, and shall have the same powers relating to the state
121 highway system as are given to the selectmen of towns, the mayor and
122 common council of any city and the warden and burgesses of any
123 borough in relation to highways within their respective municipalities.
124 In laying out or building a state highway the commissioner shall
125 follow the procedures of sections 13a-57 and 13a-58.

126 (c) The commissioner, where necessary in connection with the
127 construction, reconstruction, repair or relocation of a state highway,
128 may relocate, reconstruct or adjust the grade or alignment of any
129 locally maintained highway using standards of construction resulting
130 in safety and convenience. Any highway so changed shall continue to
131 be maintained by the town, city or borough after the completion of
132 such construction, reconstruction, repair or relocation.

133 (d) The commissioner [is authorized and directed] shall, to the full
134 extent but only to the extent permitted by moneys and appropriations
135 becoming available under sections 13a-184 to 13a-197, inclusive, or any
136 other law but subject to approval by the Governor of allotment thereof,
137 [forthwith to] immediately undertake and proceed with the projects
138 prescribed in section 13a-185 and, [to that end] for such purpose, said
139 commissioner with respect to any such project [is authorized to] may
140 do and perform any act or thing regarding the projects which [is
141 mentioned or] are referred to in [said] section 13a-185.

142 (e) Subject to the limitations referred to in subsection (d) of this
143 section and in order to effectuate the purposes of said subsection, said
144 commissioner [is authorized] may (1) [to] plan, design, lay out,
145 construct, reconstruct, relocate, improve, maintain and operate the
146 projects, and reconstruct and relocate existing highways, sections of
147 highways, bridges or structures and incorporate or use the same,
148 whether or not so reconstructed or relocated or otherwise changed or
149 improved, as parts of such projects; (2) [to] retain and employ
150 consultants and assistants on a contract or other basis for rendering
151 professional, legal, fiscal, engineering, technical or other assistance and
152 advice; and (3) [to] do all things necessary or convenient to carry out
153 the purposes and duties and exercise the powers expressly given in
154 said sections 13a-184 to 13a-197, inclusive. Except as otherwise stated
155 in subsection (d) of this section, nothing contained in said sections 13a-
156 184 to 13a-197, inclusive, shall be construed to limit or restrict, with
157 respect to the projects, any power, right or authority of the
158 commissioner existing under or pursuant to any other law.

159 (f) (1) Whenever a state of emergency, as a result of a disaster, exists
160 in the state or any part of the state, and is so declared to be under the
161 provisions of any federal law or state statute, and the state highway
162 system becomes damaged as a result of such disaster, or (2) whenever
163 the commissioner declares that an emergency condition exists on any
164 highway in the state which demands immediate attention to insure the
165 safety of the traveling public, whether or not such highway is

166 damaged, the commissioner may, notwithstanding any other provision
167 of the general statutes, employ, in any manner, such assistance as [he
168 may require] may be required to restore said highway system to a
169 condition which will provide safe travel or to correct the emergency
170 condition so declared by the commissioner.

171 Sec. 5. Section 13b-37 of the general statutes is repealed and the
172 following is substituted in lieu thereof (*Effective October 1, 2003*):

173 The commissioner [shall have the right to] may participate in any
174 hearing before the Department of Public Utility Control pertaining to
175 an application or petition made pursuant to the provisions of chapter
176 285. The commissioner may, within thirty days of the conclusion of
177 any such hearing, submit to the department in writing such
178 recommendations with respect to any such application or petition [as
179 he deems] deemed necessary or appropriate to carry out the purpose
180 of this chapter.

181 Sec. 6. Section 13b-39c of the general statutes is repealed and the
182 following is substituted in lieu thereof (*Effective October 1, 2003*):

183 Upon receipt of the signed and certified registration form required
184 and the requisite fee, as provided for in section 13b-39d, as amended
185 by this act, the municipal registration official shall assign a registration
186 number and provide the owner with a registration decal and certificate
187 of registration. Such registration decal shall be displayed on the right
188 side of the aircraft tail below the horizontal stabilizer. The number
189 shall be maintained in a legible condition and shall be clearly visible
190 and entirely unobscured. The certificate shall state the name of the
191 owner, [his] such owner's address, a description of the aircraft, the
192 expiration date of the certificate and such other information as the
193 commissioner may prescribe by regulation adopted in accordance with
194 chapter 54. Such certificate shall be carried aboard the aircraft and shall
195 be available for inspection upon the aircraft for which it is issued
196 whenever the owner or any person authorized by [him] such owner is
197 aboard such aircraft.

198 Sec. 7. Section 13b-39d of the general statutes is repealed and the
199 following is substituted in lieu thereof (*Effective October 1, 2003*):

200 The owner shall pay a fee to the municipal registration official for
201 each aircraft so numbered or registered in accordance with the
202 following schedule:

T1	Gross Weight (lbs.)	Fee
T2	Less than 3,000	\$ 90.00
T3	3,001 - 4,500	250.00
T4	4,501 - 8,000	700.00
T5	8,001 - 12,500	1,500.00
T6	12,501 and over	2,500.00

203 Aircraft manufactured before 1946 shall pay the lesser of one hundred
204 dollars or the fee as required on the basis of gross weight as set forth in
205 this section. The commissioner may establish, by regulations adopted
206 in accordance with the provisions of chapter 54, a uniform schedule for
207 the expiration and renewal of registrations and may prorate the fees in
208 this section accordingly. Any person or firm that acquires ownership
209 of an aircraft shall [be required to] obtain a new registration in the
210 name of such owner within thirty days of the date of such acquisition,
211 provided no additional registration fee shall be payable in cases where
212 one or more new ownership interests are being added to the
213 registration or in cases of legal change of name of the registrant. All
214 registrations [must] shall be renewed within thirty days of the date of
215 expiration as stated in the certificate. If a valid certificate or number
216 decal is lost, mutilated or destroyed, the aircraft owner shall notify the
217 municipal registration official within fifteen days, and such owner
218 shall be issued a duplicate certificate or number decal upon payment
219 of a fee of five dollars.

220 Sec. 8. Section 13b-44 of the general statutes is repealed and the

221 following is substituted in lieu thereof (*Effective October 1, 2003*):

222 (a) The state may establish, maintain and operate, and may expand,
223 an airport at any location within the state in the following manner. The
224 commissioner shall conduct and complete a study of the adequacy of
225 existing airports, which study may be based upon the study
226 authorized under section 13b-16, and shall determine the necessity for
227 the establishment of additional airports or the expansion of existing
228 airports. The commissioner shall, within one year of the completion of
229 such study, formulate and adopt a plan of development which shall
230 incorporate the findings of such study, showing the necessity for such
231 establishment or expansion, in a manner consistent with the
232 comprehensive long-range master transportation plan. The plan of
233 development shall specify the lands or interests [therein] in such lands
234 the acquisition of which the commissioner deems necessary for such
235 establishment or expansion and a copy of such plan of development
236 shall be filed in the office of the town clerk of each municipality in
237 which such establishment or expansion is proposed.

238 (b) The commissioner shall cause a public hearing to be held at the
239 expense of the department in each municipality in which such lands or
240 interests [therein] in such lands are located. At such hearing the
241 commissioner shall present and explain the plan of development, and
242 any persons who are opposed to such plan may be heard and may
243 state their reasons [therefor] for such opposition. Such hearing shall be
244 held not earlier than thirty days after such plan has been filed in the
245 office of the town clerk of the municipality. Notice of the time and
246 place of such hearing shall be published in a newspaper having a
247 substantial circulation in such municipality at least twice, at intervals
248 of not less than two days, the first not more than fifteen days nor less
249 than ten days and the second not less than two days before such
250 hearing.

251 (c) Upon the completion of such hearing, the commissioner shall
252 consider all the evidence relevant to the proposed plan of

253 development, and if [he] the commissioner determines that the airport
254 establishment or expansion provided in the plan is necessary, shall
255 make such changes or modifications in the plan as are in the public
256 interest. The commissioner shall file a copy of the revised plan,
257 showing the changes or modifications made, in the office of the town
258 clerk of the municipality and shall notify and send a copy of such
259 revised plan to the chief executive officer or first selectman of such
260 municipality. Such notice shall contain the request that the
261 municipality approve the proposed establishment or expansion, which
262 approval shall be by vote of a town or borough, and by vote of the city
263 council of a city.

264 (d) If the municipality fails or neglects to act upon a request for
265 approval within sixty days after the receipt [thereof] of such request by
266 its chief executive officer or first selectman, the municipality shall be
267 deemed to have approved of such establishment or expansion. If the
268 municipality by vote disapproves of the establishment or expansion,
269 the commissioner may, within thirty days following such vote, appeal
270 to the superior court for the judicial district in which the municipality
271 is located and the appeal shall be accorded a privileged status. The
272 court shall, after hearing, determine whether the commissioner has
273 proven the necessity for the establishment or expansion of an airport
274 within the municipality and the burden of proving such necessity shall
275 be upon the commissioner. If the court, after hearing, determines that
276 the commissioner has not sustained such burden of proof, the court
277 shall enter judgment for, and may award reasonable costs to, the
278 municipality. If the court, after hearing, determines that the
279 commissioner has sustained such burden of proof, the court may set
280 aside the action of the municipality disapproving the establishment or
281 expansion and may enter such order upon such terms and conditions
282 as it deems appropriate to safeguard the rights of the parties and the
283 public.

284 (e) After a plan has been legally approved, or its disapproval has
285 been set aside by the Superior Court, the state may take any lands or

286 interests [therein] in such lands contained in the plan upon paying just
287 compensation to the owner. In case the state cannot agree with such
288 owner [upon] on the amount of such compensation, the amount shall
289 be determined in the manner prescribed in section 48-12. An appeal
290 from the amount so determined shall not act as a stay of the taking of
291 such land, provided no facility or land or interest [therein] in such land
292 held by a public service company for service to the public shall be so
293 taken or removed unless, at the expense of the state, an adequate and
294 equal substitute approved by the Department of Public Utility Control
295 shall first be provided.

296 Sec. 9. Section 13b-45 of the general statutes is repealed and the
297 following is substituted in lieu thereof (*Effective October 1, 2003*):

298 Before exercising any of the powers conferred in sections 13b-43 and
299 13b-44, as amended by this act, the commissioner shall establish and
300 publish in detailed form, available to the public, the standards [he] the
301 commissioner has adopted and will apply in making a determination
302 that public convenience and necessity require the taking of any parcel
303 of land or interest [therein] in such land.

304 Sec. 10. Section 13b-48 of the general statutes is repealed and the
305 following is substituted in lieu thereof (*Effective October 1, 2003*):

306 Upon receipt of any application for a certificate of approval of an
307 airport, heliport or restricted landing area, or an original license to use
308 or operate an airport, heliport, restricted landing area or other air
309 navigation facility, the commissioner shall send notice thereof by
310 registered or certified mail to the chief executive officer or first
311 selectman of the municipality or municipalities in which the proposed
312 airport, heliport, restricted landing area or other air navigation facility
313 is proposed to be located. If the applicant, or such municipality within
314 fifteen days after receipt of such notice, requests a public hearing, the
315 commissioner shall set a time and place [therefor] for such hearing in
316 the municipality in which the proposed airport, heliport, restricted
317 landing area or other air navigation facility is proposed to be situated,

318 at which hearing interested parties shall have an opportunity to be
319 heard. The commissioner may [in his discretion] hold a public hearing
320 in any case where no such request is made. Notice of any such hearing
321 shall be published by the commissioner in a newspaper of general
322 circulation in such municipality at least twice, the first publication to
323 be at least fifteen days prior to the date of the hearing. Upon the
324 conclusion of such hearing, the commissioner shall consider all the
325 relevant evidence and shall issue an order granting or denying such
326 application, written notice of which shall be sent by registered or
327 certified mail to the applicant and to the chief executive officer or the
328 first selectman of the municipality or municipalities in which the
329 proposed airport, heliport, restricted landing area or other air
330 navigation facility is to be located. Orders issued pursuant to this
331 section shall comply with the requirements of section 15-66 and shall
332 be subject to appeal as provided in section 15-67.

333 Sec. 11. Section 13b-49 of the general statutes is repealed and the
334 following is substituted in lieu thereof (*Effective October 1, 2003*):

335 The commissioner may revoke temporarily or permanently any
336 certificate of approval or license upon a determination that an airport,
337 heliport, restricted landing area or other navigation facility is not being
338 maintained or used in accordance with the provisions of this chapter,
339 or chapter 266, or any regulations [promulgated] adopted pursuant
340 [thereto] to said chapters.

341 Sec. 12. Section 13b-50 of the general statutes is repealed and the
342 following is substituted in lieu thereof (*Effective October 1, 2003*):

343 (a) The commissioner [is authorized to] may cooperate with the
344 government of the United States or any agency or department thereof
345 in the acquisition, construction, improvement, maintenance and
346 operation of airports, heliports, landing fields and other aeronautical
347 facilities in this state where federal financial aid is received and to
348 comply with the provisions of the laws of the United States and any
349 regulations made [thereunder] under such laws for the expenditure of

350 federal moneys upon such airports, heliports and facilities. The
351 commissioner [is authorized to] may accept, receive and receipt for
352 federal or other moneys for and in behalf of this state or any political
353 subdivision thereof for the acquisition, construction, improvement,
354 maintenance and operation of facilities within this state. All moneys
355 accepted for disbursement by the commissioner pursuant to this
356 subsection shall be deposited in the state treasury and disbursed in
357 accordance with the provisions of the respective grants.

358 (b) Any municipality [is authorized to] may accept, receive and
359 receipt for federal moneys and other moneys, either public or private,
360 for the acquisition, construction, enlargement, improvement,
361 maintenance, equipment or operation of airports and other air
362 navigation facilities and sites therefor and to comply with the
363 provisions of the laws of the United States and any rules and
364 regulations made [thereunder] under such laws for the expenditure of
365 federal moneys upon such airports and facilities. No municipality shall
366 submit to the administrator of civil aeronautics of the United States
367 any project application under the provisions of Section 9(a) of Public
368 Law 377, 79th Congress, or any amendment thereof, unless the project
369 and the project application have been approved by the commissioner.

370 (c) Any municipality [is authorized to] may designate by ordinance
371 the commissioner as its agent to accept, receive and receipt for federal
372 moneys in its behalf for airport purposes and to contract for the
373 acquisition, construction, enlargement, improvement, maintenance,
374 equipment or operation of such airports or other air navigation
375 facilities, and may enter into an agreement with the commissioner
376 prescribing the terms and conditions of such agency in accordance
377 with federal laws, rules and regulations and applicable laws of this
378 state. Such moneys as are paid by the United States government shall
379 be paid to such municipality under such terms and conditions as may
380 be imposed by the United States in making such grant.

381 (d) All contracts for the acquisition, construction, enlargement,

382 improvement, maintenance, equipment or operation of airports or
383 other air navigation facilities, made by the municipality itself or
384 through the commissioner, shall be made pursuant to the laws of this
385 state governing the making of like contracts; provided, where such
386 acquisition, construction, improvement, enlargement, maintenance,
387 equipment or operation is financed wholly or partly with federal
388 moneys, the municipality, or the commissioner as its agent, may let
389 contracts in the manner prescribed by the federal authorities, acting
390 under the laws of the United States, and any rules or regulations made
391 [thereunder] under such laws, notwithstanding any other state law to
392 the contrary.

393 (e) The commissioner may render financial assistance by grant of
394 funds to any municipality or municipalities acting jointly in the
395 planning, acquisition, construction or improvement of an airport
396 owned or controlled, or to be owned or controlled, by such
397 municipality or municipalities, out of appropriations made by the
398 General Assembly for such purposes. Such financial assistance may be
399 furnished in connection with federal or other financial aid for the same
400 purposes for not more than seventy-five per cent of the cost exclusive
401 of federal aid. The commissioner may, by [regulation] regulations
402 adopted, in accordance with chapter 54, establish [procedure]
403 procedures to be followed in granting funds under this subsection and
404 may prescribe forms to be used in connection [therewith] with such
405 procedures.

406 (f) The commissioner may [, whenever he considers such assistance
407 desirable or feasible, make available] make engineering and other
408 technical services of the department available, whenever the
409 commissioner considers such assistance desirable or feasible, with or
410 without charge, to any municipality or owner of a commercial airport
411 requesting such services in connection with the planning, acquisition,
412 construction, improvement, maintenance or operation of airports or
413 aeronautical facilities.

414 (g) Any town, city or borough may lease any airport or contract for
415 any airport facilities or privileges from any person, firm or
416 corporation, municipal or private, operating a municipal or private
417 airport in any location which has been approved by the commissioner.

418 Sec. 13. Section 13b-55 of the general statutes is repealed and the
419 following is substituted in lieu thereof (*Effective October 1, 2003*):

420 The commissioner [is authorized to] may sell and convey any land,
421 right in land, riparian right or other property or right in property, of
422 whatever kind, that [he] the commissioner may acquire pursuant to
423 section 13b-53, which is in excess of the quantity [thereof] required for
424 the purpose for which it was acquired, and to execute and deliver
425 appropriate conveyances of such property in behalf of the state. No
426 such sale or conveyance shall be made without the prior consent of the
427 Secretary of the Office of Policy and Management and the
428 Commissioner of Public Works and the State Properties Review Board.

429 Sec. 14. Section 13b-57e of the general statutes is repealed and the
430 following is substituted in lieu thereof (*Effective October 1, 2003*):

431 (a) There is [created] established the Connecticut Transportation
432 Strategy Board, the members of which shall be appointed as follows:

433 (1) Five members from the private sector who have expertise in
434 transportation, business, finance or law as follows: (A) The Governor
435 shall appoint one member, who shall be the chairperson, and whose
436 first term shall expire on June 30, 2005, (B) the president pro tempore
437 of the Senate shall appoint one member whose first term shall expire
438 on June 30, 2004, (C) the speaker of the House of Representatives shall
439 appoint one member whose first term shall expire on June 30, 2003, (D)
440 the minority leader of the Senate shall appoint one member whose first
441 term shall expire on June 30, 2003, and (E) the minority leader of the
442 House of Representatives shall appoint one member whose first term
443 shall expire on June 30, 2002;

444 (2) One member from each TIA, for which position the chairpersons
445 of the board of the local planning agencies in such TIA, after
446 consulting with the participants in such TIA, shall nominate, for
447 consideration by the appointing authority, three individuals who live
448 in such TIA and who have significant experience in and knowledge of
449 local, regional and state governmental processes, including at least one
450 chief elected official in a town in such TIA, and who shall be appointed
451 as follows: (A) The chairpersons of the joint standing committee of the
452 General Assembly having cognizance of matters relating to
453 transportation shall appoint one member from the southeast corridor
454 TIA, whose first term shall expire on June 30, 2002, (B) the president
455 pro tempore of the Senate shall appoint one member from the I-91
456 corridor TIA, whose first term shall expire on June 30, 2003, (C) the
457 speaker of the House of Representatives shall appoint one member
458 from the coastal corridor TIA, whose first term shall expire on June 30,
459 2004, (D) the majority leader of the Senate shall appoint one member
460 from the I-395 corridor TIA, whose first term shall expire on June 30,
461 2005, and (E) the majority leader of the House of Representatives shall
462 appoint one member from the I-84 corridor TIA, whose first term shall
463 expire on June 30, 2005; and

464 (3) The Commissioners of Transportation, Environmental
465 Protection, Economic and Community Development and Public Safety,
466 and the Secretary of the Office of Policy and Management. [; and]

467 (b) Upon the expiration of the term of a member of the board who is
468 appointed as provided in subdivision (1) or (2) of subsection (a) of this
469 section, each subsequent appointee to the board shall serve for a term
470 of four years. No person shall serve as a member of the board for more
471 than two consecutive terms. A vacancy in the position of an appointed
472 board member shall be filled by the appointing authority for the
473 remainder of the term.

474 (c) The board may [create] establish such subcommittees as it deems
475 appropriate and appoint the members of such subcommittees from

476 among its members. Ten members of the board shall be present to
477 constitute a quorum.

478 (d) The members of the board shall not be compensated for their
479 service as members of the board.

480 (e) The board may issue guidelines for coordination and
481 organization to the TIAs. These guidelines shall not constitute
482 regulations, as defined in subdivision (13) of section 4-166.

483 (f) The [staff of the] Department of Transportation, the Office of
484 Policy and Management and the Department of Economic and
485 Community Development shall provide staff assistance to the board.
486 Within available appropriations, the board may hire consultants with
487 approval by the Secretary of the Office of Policy and Management and
488 such consultants shall be procured through the Department of
489 Transportation.

490 (g) The Transportation Strategy Board is a public agency, as defined
491 in section 1-200, for purposes of the Freedom of Information Act, and
492 is a quasi-public agency, as defined in section 1-79, for purposes of
493 chapter 10.

494 Sec. 15. Subsection (i) of section 13b-59 of the general statutes is
495 repealed and the following is substituted in lieu thereof (*Effective*
496 *October 1, 2003*):

497 (i) "Treasurer" means the State Treasurer and includes each [and all
498 of his successors] successor in office or authority.

499 Sec. 16. Section 13b-61a of the general statutes is repealed and the
500 following is substituted in lieu thereof (*Effective October 1, 2003*):

501 [Notwithstanding the provisions of section 13b-61, for calendar
502 quarters ending on or after September 30, 1998, and prior to September
503 30, 1999, the Commissioner of Revenue Services shall deposit into the
504 Special Transportation Fund established under section 13b-68 five

505 million dollars of the amount of funds received by the state from the
506 tax imposed under section 12-587 on the gross earnings from the sales
507 of petroleum products attributable to sales of motor vehicle fuel, for
508 calendar quarters ending September 30, 1999, and prior to September
509 30, 2000, the commissioner shall deposit into the Special
510 Transportation Fund nine million dollars of the amount of such funds
511 received by the state from the tax imposed under said section 12-587
512 on the gross earnings from the sales of petroleum products attributable
513 to sales of motor vehicle fuel;] Notwithstanding the provisions of
514 section 13b-61, for calendar quarters ending September 30, 2000, and
515 prior to September 30, 2002, the commissioner shall deposit into the
516 Special Transportation Fund eleven million five hundred thousand
517 dollars of the amount of such funds received by the state from the tax
518 imposed under [said] section 12-587, on the gross earnings from the
519 sales of petroleum products attributable to sales of motor vehicle fuel,
520 for the calendar quarters ending September 30, 2002, and prior to
521 September 30, 2003, the commissioner shall deposit into the Special
522 Transportation Fund, five million dollars of the amount of such funds
523 received by the state from the tax imposed under [said] section 12-587
524 on the gross earnings from the sales of petroleum products attributable
525 to sales of motor vehicle fuel, and for the calendar quarter ending
526 September 30, 2003, and each calendar quarter thereafter, the
527 commissioner shall deposit into the Special Transportation Fund, five
528 million two hundred fifty thousand dollars of the amount of such
529 funds received by the state from the tax imposed under [said] section
530 12-587 on the gross earnings from the sales of petroleum products
531 attributable to sales of motor vehicle fuel.

532 Sec. 17. Section 13b-68 of the general statutes is repealed and the
533 following is substituted in lieu thereof (*Effective October 1, 2003*):

534 There is established [and created] a fund to be known as the "Special
535 Transportation Fund". The fund may contain any moneys required or
536 permitted by law to be deposited in the fund and any moneys
537 recovered by the state for overpayments, improper payments or

538 duplicate payments made by the state relating to any transportation
539 infrastructure improvements which have been financed by special tax
540 obligation bonds issued pursuant to sections 13b-74 to 13b-77,
541 inclusive, and shall be held by the State Treasurer separate and apart
542 from all other moneys, funds and accounts. Investment earnings
543 credited to the assets of said fund shall become part of the assets of
544 said fund. Any balance remaining in said fund at the end of any fiscal
545 year shall be carried forward in said fund for the fiscal year next
546 succeeding.

547 Sec. 18. Subsections (l) and (m) of section 13b-76 of the general
548 statutes are repealed and the following is substituted in lieu thereof
549 (*Effective October 1, 2003*):

550 (l) Any bonds issued under the provisions of sections 13b-74 to 13b-
551 77, inclusive, and any general obligation bonds of the state issued for
552 transportation purposes, as defined in subsection (c) of section 13b-69,
553 and at any time outstanding may, at any time and from time to time,
554 be refunded by the state by the issuance of its refunding bonds in such
555 amounts as the State Bond Commission may deem necessary, but not
556 to exceed an amount sufficient to refund the principal of the bonds to
557 be so refunded, to pay any unpaid interest [thereon] on such bonds
558 and any premiums and commissions necessary to be paid in
559 connection [therewith] with such bonds and to pay costs and expenses
560 which the Treasurer may deem necessary or advantageous in
561 connection with the authorization, sale and issuance of refunding
562 bonds. Any such refunding may be effected whether the bonds to be
563 refunded shall have matured or shall thereafter mature. All refunding
564 bonds issued [hereunder] under this subsection shall be payable solely
565 from the revenues or other receipts, funds or moneys out of which the
566 bonds to be refunded thereby are payable and shall be subject to and
567 may be secured in accordance with the provisions of this section.

568 (m) Whenever the issuance of bonds has been authorized pursuant
569 to sections 13b-74 to 13b-77, inclusive, the Treasurer may, pending the

570 issuance [thereof] of such bonds, and, subject to any applicable terms
571 or provisions of the proceedings authorizing such issuances, issue, in
572 the name of the state, bond anticipation notes and any renewals
573 [thereof] of such notes. Notes evidencing such borrowings shall be
574 designated "Bond Anticipation Notes" and shall be signed by the
575 Treasurer or [his deputy] the Deputy Treasurer. The principal of and
576 interest on any bond anticipation notes issued pursuant to this
577 subsection may be repaid from pledged revenues or other pledged
578 receipts, funds or moneys, to the extent not paid from the proceeds of
579 renewals [thereof] of such notes or of the bonds. Upon the sale of the
580 bonds, the proceeds [thereof] of such bonds, to the extent required,
581 shall be applied [forthwith] immediately to the payment of the
582 principal of and interest on any bond anticipation notes or shall be
583 deposited in trust for such purpose. The date or dates of such bond
584 anticipation notes, the maturities, denominations, form, details and
585 other particulars of such bond anticipation notes, including the
586 method, terms and conditions for the issue and sale [thereof] of such
587 notes, shall be determined by the Treasurer in the best interest of the
588 state, and the Treasurer shall file with the secretary of the State Bond
589 Commission on or before the date of delivery of such bond
590 anticipation notes a certificate of determination setting forth the
591 specific details and particulars of each issue of bond anticipation notes,
592 including renewals [thereof] of such notes.

593 Sec. 19. Subsection (a) of section 13b-83 of the general statutes is
594 repealed and the following is substituted in lieu thereof (*Effective*
595 *October 1, 2003*):

596 (a) Upon the granting of a certificate of public convenience and
597 necessity, the holder [thereof] of such certificate may apply for the
598 registration of any motor bus of which [he] such holder is the owner or
599 lessee and which is to be used as specified in such certificate. [, and
600 the] The Commissioner of Motor Vehicles shall have jurisdiction over
601 the registration of any motor bus, [and] its exterior lighting equipment
602 and [over] the licensing of its operator.

603 Sec. 20. Subsection (d) of section 13b-89 of the general statutes is
604 repealed and the following is substituted in lieu thereof (*Effective*
605 *October 1, 2003*):

606 (d) Upon the granting of a permit, the holder [thereof] of such
607 permit may apply for the registration of any motor bus of which [he]
608 such holder is the owner or lessee and which is to be used as specified
609 in such permit. [, and the] The Commissioner of Motor Vehicles shall
610 have jurisdiction over the registration of any such motor bus, [and] its
611 exterior lighting equipment and [over] the licensing of its operator.

612 Sec. 21. Section 13b-95 of the general statutes is repealed and the
613 following is substituted in lieu thereof (*Effective October 1, 2003*):

614 The term "taxicab" [means and] includes any motor vehicle operated
615 upon any street or highway or on call or demand accepting or
616 soliciting passengers indiscriminately for transportation for hire
617 between such points along streets or highways as may be directed by
618 the passenger or passengers [so] being transported, provided nothing
619 in this chapter shall be construed to include, as a taxicab, a motor bus,
620 as defined in section 14-1, or a motor vehicle in livery service when
621 such motor vehicle is hired for a specific trip or trips and is subject to
622 the direction of the person hiring the same.

623 Sec. 22. Section 13b-96 of the general statutes is repealed and the
624 following is substituted in lieu thereof (*Effective October 1, 2003*):

625 (a) Each person, association, limited liability company or
626 corporation owning or operating a taxicab is declared a common
627 carrier and subject to the jurisdiction of the Department of
628 Transportation. The Commissioner of Transportation [is authorized to]
629 may prescribe adequate service and reasonable rates and charges. The
630 commissioner may adopt regulations, in accordance with chapter 54,
631 for the purpose of establishing fares, service, operation and equipment
632 as [it deems] necessary for the convenience, protection and safety of
633 passengers and the public. Notwithstanding the provisions of this

634 subsection and any regulation adopted under this subsection relative
635 to any wheel base requirement, any sedan or station wagon type
636 vehicle powered by a clean alternative fuel and having a wheel base of
637 not less than one hundred two inches may be used to provide taxicab
638 service.

639 (b) The rates and charges established pursuant to subsection (a) of
640 this section shall not apply to any person, association [,] or corporation
641 (1) operating a taxicab engaged in the transportation of passengers for
642 hire pursuant to a contract with, or a lower tier contract for, any
643 federal, state or municipal agency, (2) certified pursuant to section 13b-
644 97 prior to May 22, 1998, and (3) registered pursuant to section 13b-99
645 prior to May 22, 1998.

646 Sec. 23. Section 13b-101 of the general statutes is repealed and the
647 following is substituted in lieu thereof (*Effective October 1, 2003*):

648 The term "motor vehicle in livery service" [means and] includes
649 every motor vehicle used by any person, association, limited liability
650 company or corporation which represents itself to be in the business of
651 transporting passengers for hire, except (1) any motor bus and any
652 taxicab operated under a certificate of public convenience and
653 necessity issued by the Department of Transportation, (2) any school
654 bus, as defined in section 14-275, or student transportation vehicle, as
655 defined in section 14-212, when used for the transportation of children
656 under the age of twenty-one years, and (3) any school bus, as defined
657 in section 14-275, when used for the transportation of passengers (A)
658 by virtue of a contract with any public or private institution of higher
659 education, (B) pursuant to a contract for service to a special event held
660 at a location or facility which is not open for business on a daily basis
661 throughout the year, not to exceed a period of ten days, or (C)
662 pursuant to a contract with a municipality for which the carrier
663 provides school transportation service.

664 Sec. 24. Subsection (d) of section 13b-103 of the general statutes is
665 repealed and the following is substituted in lieu thereof (*Effective*

666 *October 1, 2003*):

667 (d) The owner or operator of each motor vehicle in livery service
668 shall display [therein] in such vehicle such permit or a memorandum
669 thereof.

670 Sec. 25. Section 13b-106 of the general statutes is repealed and the
671 following is substituted in lieu thereof (*Effective October 1, 2003*):

672 Upon the issuance of a permit as [hereinbefore] provided in section
673 13b-103, as amended by this act, or 13b-105, the holder [thereof] of
674 such permit may apply to the Commissioner of Motor Vehicles for the
675 registration of any motor vehicle of which [he] such holder is the
676 owner or lessee, to be used as specified in such permit, any provision
677 of section 14-12 to the contrary notwithstanding. [, and the] The
678 Commissioner of Motor Vehicles shall have jurisdiction over such
679 registration, [and] the exterior lighting equipment of such motor
680 vehicle and [over] the licensing of its operator. An operator of a motor
681 vehicle which has a capacity of less than ten adults shall conspicuously
682 display the assigned livery registration while the motor vehicle is
683 operating in livery service. Said commissioner may suspend such
684 registration and the license of such operator for the violation of any
685 provision of this chapter or any order or regulation prescribed or
686 established under such provision, for such term as [he] the
687 commissioner deems advisable.

688 Sec. 26. Subsection (a) of section 13b-108a of the general statutes is
689 repealed and the following is substituted in lieu thereof (*Effective*
690 *October 1, 2003*):

691 (a) The Commissioner of Transportation [is authorized to] may
692 enter into reciprocal agreements or plans on behalf of the state of
693 Connecticut with the appropriate authorities of any state of the United
694 States, or any political subdivision thereof, or the District of Columbia,
695 granting reciprocity to motor vehicles in livery services, as defined in
696 section 13b-101, as amended by this act. Any such reciprocal

697 agreement or plan may include, but not be limited to, the following: (1)
698 Full reciprocity in accordance with such agreement or plan for livery
699 services not based in Connecticut in exchange for equivalent
700 reciprocity for Connecticut-based livery services; (2) reciprocal
701 exchange of audits of records of the owners of livery services by the
702 states participating in any such agreement or plan; (3) any other
703 matters which would facilitate the administration of such agreement or
704 plan, including exchange of information for audits, enforcement
705 activities and collection and disbursement of proportional registration
706 fees for other jurisdictions in the case of Connecticut-based livery
707 services.

708 Sec. 27. Section 13b-234 of the general statutes is repealed and the
709 following is substituted in lieu thereof (*Effective October 1, 2003*):

710 When the facilities of a railroad are acquired, and operation
711 [thereof] of such railroad is continued, by any person, trustee, receiver,
712 railroad company, public authority or other authority constituting a
713 body corporate and politic, the on-train employees of such railroad
714 shall retain all of their employees' rights and benefits to which they
715 were entitled prior to such acquisition. [On-train] For the purposes of
716 this section, on-train employees [should be defined as] mean trainmen,
717 firemen [and] or engineers. [This] The provisions of this section
718 [should] do not apply to the sale or lease of individual parcels of land
719 such as stations or parking lots.

720 Sec. 28. Subsection (c) of section 13b-251 of the general statutes is
721 repealed and the following is substituted in lieu thereof (*Effective*
722 *October 1, 2003*):

723 (c) Any proposed legislation which grants an exemption from the
724 minimum overhead clearance requirements in subsection (a) of this
725 section shall be accompanied by a written statement from the
726 Department of Transportation which shall include the following
727 information: (1) The impacts associated with raising the bridge to meet
728 the clearance requirements; (2) the estimated cost of raising the bridge

729 to meet the clearance requirements; and (3) an assessment, including
730 the estimated cost, of the feasibility of increasing the clearance by
731 undercutting at least one track of the railroad or by a combination of
732 undercutting and raising the bridge to meet the clearance
733 requirements.

734 Sec. 29. Section 13b-252 of the general statutes is repealed and the
735 following is substituted in lieu thereof (*Effective October 1, 2002*):

736 [Section 13b-251] The provisions of section 13b-251, as amended by
737 this act, shall not apply to any structure for which construction is
738 authorized by or begun pursuant to any special act.

739 Sec. 30. Section 13b-271 of the general statutes is repealed and the
740 following is substituted in lieu thereof (*Effective October 1, 2003*):

741 The Commissioner of Transportation, on the application in writing
742 of the [the] selectmen of any town, the mayor and common council of
743 any city or the warden and burgesses of any borough or on [his] the
744 commissioner's own motion, may make all necessary orders
745 concerning the establishment of a temporary grade crossing over the
746 tracks of any railway during the period of construction of a permanent
747 grade separation structure which will carry a highway over or under
748 such tracks, provided the state, town, city or borough making such
749 application shall bear the cost of any necessary signs, signals, gates,
750 flagmen or other protective devices.

751 Sec. 31. Subsections (b) and (c) of section 13b-283 of the general
752 statutes are repealed and the following is substituted in lieu thereof
753 (*Effective October 1, 2003*):

754 (b) The Commissioner of Transportation may expend up to the
755 amount available annually from funds provided by specific
756 appropriation from the Special Transportation Fund or other state
757 funds in addition to any available federal funds to reconstruct, repair
758 or replace with a new structure, together with the minimum approach

759 work required for replacement, any existing structure carrying a town-
760 maintained road or highway over a railroad when such structure is
761 deemed critical from a traffic safety or load-carrying standpoint. The
762 expense of any roadway construction on the approaches beyond what
763 is required to build the new structure shall be paid by the town, if the
764 work is done by or approved by the town.

765 (c) The Commissioner of Transportation may expend up to the
766 amount made available from funds provided by specific
767 appropriations from the Special Transportation Fund or other state
768 funds in addition to any available federal funds to eliminate highway-
769 railroad grade crossings by construction of grade separation structures
770 and necessary approaches or by relocation of town-maintained roads
771 or highways to provide access to existing grade separation structures.

772 Sec. 32. Section 13b-285 of the general statutes is repealed and the
773 following is substituted in lieu thereof (*Effective October 1, 2003*):

774 When a railroad has been laid out, located or constructed so near a
775 highway as, in the opinion of the selectmen of any town, the mayor of
776 any city or the warden of any borough within which such highway is
777 situated, to endanger public travel, such selectmen, mayor or warden
778 may bring [his] a petition to the Commissioner of Transportation,
779 setting forth the facts; and the commissioner, after reasonable notice to
780 the railroad company to appear and be heard in relation thereto, shall,
781 if [in his opinion] public safety so requires and a change of the location
782 of such highway is practicable, [forthwith] immediately order such
783 company to make such change, in such manner as the commissioner
784 may determine. The expense of such change, including the cost of
785 fencing such relocated highway, shall, if such railroad has not been
786 constructed at the time of bringing such petition, be paid by the
787 company, but, if the railroad has been constructed at such time, one-
788 half of such expense shall be paid by the company and one-half by
789 such town, city or borough.

790 Sec. 33. Section 13b-292 of the general statutes is repealed and the

791 following is substituted in lieu thereof (*Effective October 1, 2003*):

792 (a) [A] For the purposes of this section, private crossing [is defined
793 as] means any private way, private drive or any facility other than a
794 public highway for the use of pedestrians, motor vehicles or other
795 types of conveyances, which crosses at grade any railroad track. [On
796 and after June 20, 1961, no] No private crossing shall be established,
797 except that the Commissioner of Transportation may authorize the
798 establishment of a private crossing if it is deemed necessary for the
799 economic welfare of the community but only after imposing specific
800 requirements for the protection of persons using the crossing. The cost
801 of meeting such protection requirements shall be borne by the party
802 requesting such private crossing or the town, city or borough in which
803 such crossing is located may, in its discretion, assume all or part of
804 such cost. [This] The provisions of this section shall not apply to a
805 private crossing [to be] used by a railroad company in connection with
806 its operation or for access to its facilities.

807 (b) Each town, city or borough shall erect and maintain traffic
808 control devices within the limits of the railroad right-of-way at each
809 private crossing, or each town, city or borough shall require the
810 person, association or corporation that owns or has the right to use
811 such crossing to erect and maintain such traffic control devices at each
812 private crossing. Such order shall specify the time within which such
813 protective measures shall be installed. Upon failure of a person,
814 association or corporation to comply with an order issued pursuant to
815 this subsection, the required installation shall be made by the authority
816 issuing such order and the expense [thereof] of such installation shall
817 be a lien on premises owned by such person, association or
818 corporation. If under the provisions of subsection (d) of this section the
819 Commissioner of Transportation and the State Traffic Commission
820 order the erection of traffic control devices at a private crossing and
821 the town, city or borough within which such crossing is located fails to
822 erect or have erected such devices within one hundred [and] eighty
823 days of such order, the Commissioner of Transportation and the State

824 Traffic Commission shall order the railroad to erect such devices and
825 the expense [thereof] of such erection shall be a lien on premises
826 owned by the person, association or corporation that owns or has the
827 right to use such crossing. If the Commissioner of Transportation and
828 the State Traffic Commission prescribe traffic control measures in
829 addition to traffic control devices, the town, city or borough shall
830 invoke the provisions of this subsection for the purpose of complying
831 with such order, and the cost [thereof] of such compliance, if one
832 thousand dollars or less, shall be borne one-half by the town, city or
833 borough and one-half by the property owner and, if over one thousand
834 dollars, shall be borne one-sixth by the town, city or borough, one-
835 sixth by the state, one-third by the property owner, and one-third by
836 the railroad.

837 (c) The town, city or borough within which any private way leads to
838 a private crossing from a town, city or borough highway, and the
839 Commissioner of Transportation, in the case of any private way which
840 leads to a private crossing from a state highway, shall erect and
841 maintain at the entrance to such private way a suitable sign warning of
842 the railroad grade crossing.

843 (d) The State Traffic Commission and the Commissioner of
844 Transportation shall prescribe the nature of traffic control devices and
845 traffic control measures to be erected at each private crossing and at
846 approaches [thereto] to such private crossings.

847 (e) The Commissioner of Transportation shall make all necessary
848 orders for the closing of any private crossing if [he] the commissioner
849 finds that the necessity for such crossing has ceased or that such
850 private crossing constitutes a hazard to public safety. The
851 commissioner may order the consolidation into one crossing of two or
852 more private crossings located in close proximity to each other.

853 (f) The provisions of section 13b-281 shall apply to private crossings.

854 (g) Representatives of towns, cities, boroughs, railroads and state

855 agencies [are authorized to] may enter private ways, drives or other
856 facilities to the extent required to perform their duties pursuant to this
857 section.

858 (h) Any person who fails to comply with traffic control measures
859 installed pursuant to this section shall be fined not more than one
860 hundred dollars.

861 Sec. 34. Section 13b-300 of the general statutes is repealed and the
862 following is substituted in lieu thereof (*Effective October 1, 2003*):

863 The Commissioner of Transportation shall make a special
864 investigation as to the condition of the fences on the line of any
865 railroad, when so requested in writing, and, if [he] the commissioner
866 deems it necessary, shall issue [his] an order directing the company
867 operating such railroad to erect or repair such fences. Such order shall
868 specify the place or places at which, the manner in which and the time
869 within which the fences are to be erected or repaired and shall be
870 served upon the company. Such service may be made by mailing a
871 registered or certified letter addressed to the secretary of the company.

872 Sec. 35. Section 13b-302 of the general statutes is repealed and the
873 following is substituted in lieu thereof (*Effective October 1, 2003*):

874 When it is the duty of the owner of land adjoining any railroad to
875 erect or maintain a fence between such land and such railroad and
876 such owner has neglected to erect or maintain [the same] such fence
877 and it has been erected or maintained by the railroad company in
878 conformity to the order of the Commissioner of Transportation, such
879 company may collect the cost of erecting and maintaining such fence
880 from such owner. Such cost shall be a lien in favor of such company on
881 such land, and such lien shall take precedence [of] over any other lien
882 or encumbrance on such land and may be foreclosed in the same
883 manner as a mortgage lien, but shall not continue in force unless such
884 company, within sixty days after the completion of such fence, [lodges]
885 files a certificate with the town clerk of the town in which such land is

886 situated, describing such land and specifying the amount claimed as a
887 lien [thereon] on such land and the dates of the commencement and
888 completion of such fence, which certificate shall be recorded by such
889 clerk on the land records of such town.

890 Sec. 36. Section 13b-312 of the general statutes is repealed and the
891 following is substituted in lieu thereof (*Effective October 1, 2003*):

892 Any person, firm or corporation owning a railroad station in use as
893 such in this state shall comply with all structural guidelines and
894 standards for railroad stations, established by the [state] Department of
895 Transportation, concerned with, but not limited to, the health, safety
896 and security of all individuals using such stations.

897 Sec. 37. Subsection (b) of section 13b-329 of the general statutes is
898 repealed and the following is substituted in lieu thereof (*Effective*
899 *October 1, 2003*):

900 (b) The Commissioner of Transportation, with the advice of the
901 Commissioner of Environmental Protection, may establish by
902 regulation, in accordance with chapter 54, the maximum decibel levels
903 which may be emitted by any audible signal attached to a train engine,
904 provided such maximum decibel level shall not be less than eighty-
905 seven decibels.

906 Sec. 38. Section 13b-337 of the general statutes is repealed and the
907 following is substituted in lieu thereof (*Effective October 1, 2003*):

908 (a) Each person, firm or corporation operating or controlling any
909 railroad running through or within this state shall equip each of its
910 track motor cars with [(a)] (1) a windshield and a device for cleaning
911 rain, snow and other moisture from such windshield, which device
912 shall be maintained in good order and so constructed as to be
913 controlled or operated by the operator of such track motor car, and
914 [(b)] (2) a canopy or top of such construction as to adequately protect
915 the occupants thereof from the rays of the sun, rain, snow or other

916 inclement weather.

917 (b) Any person, firm or corporation operating or controlling any
918 railroad running through or within this state using or permitting to be
919 used on its lines in this state a track motor car in violation of the
920 provisions of subsection (a) of this section shall be fined one hundred
921 dollars for each violation.

922 Sec. 39. Subsection (c) of section 13b-354a of the general statutes is
923 repealed and the following is substituted in lieu thereof (Effective
924 October 1, 2003):

925 (c) The Department of Transportation shall adopt regulations, in
926 accordance with chapter 54, to carry out the provisions of this section.

927 Sec. 40. Section 13b-406 of the general statutes is repealed and the
928 following is substituted in lieu thereof (Effective October 1, 2003):

929 Any certificate or permit may be assigned and transferred by the
930 holder, [his] the holder's assignee, receiver or trustee, or by the holder's
931 personal representative or the surviving partner or partners of the
932 deceased partner's personal representative to whom the rights and
933 privileges under such certificate or permit shall pass at the death of the
934 holder. The Commissioner of Transportation may prescribe the
935 conditions precedent to such transfer and may make any necessary
936 regulations, in accordance with chapter 54, pertaining [thereto] to such
937 transfer. Each application for such transfer shall be accompanied by a
938 fee of fifty dollars.

This act shall take effect as follows:	
Section 1	October 1, 2003
Sec. 2	October 1, 2003
Sec. 3	October 1, 2003
Sec. 4	October 1, 2003
Sec. 5	October 1, 2003
Sec. 6	October 1, 2003

Sec. 7	<i>October 1, 2003</i>
Sec. 8	<i>October 1, 2003</i>
Sec. 9	<i>October 1, 2003</i>
Sec. 10	<i>October 1, 2003</i>
Sec. 11	<i>October 1, 2003</i>
Sec. 12	<i>October 1, 2003</i>
Sec. 13	<i>October 1, 2003</i>
Sec. 14	<i>October 1, 2003</i>
Sec.	<i>October 1, 2003</i>
Sec. 16	<i>October 1, 2003</i>
Sec. 17	<i>October 1, 2003</i>
Sec. 18	<i>October 1, 2003</i>
Sec. 19	<i>October 1, 2003</i>
Sec. 20	<i>October 1, 2003</i>
Sec. 21	<i>October 1, 2003</i>
Sec. 22	<i>October 1, 2003</i>
Sec. 23	<i>October 1, 2003</i>
Sec. 24	<i>October 1, 2003</i>
Sec. 25	<i>October 1, 2003</i>
Sec. 26	<i>October 1, 2003</i>
Sec. 27	<i>October 1, 2003</i>
Sec. 28	<i>October 1, 2003</i>
Sec. 29	<i>October 1, 2002</i>
Sec. 30	<i>October 1, 2003</i>
Sec. 31	<i>October 1, 2003</i>
Sec. 32	<i>October 1, 2003</i>
Sec. 33	<i>October 1, 2003</i>
Sec. 34	<i>October 1, 2003</i>
Sec. 35	<i>October 1, 2003</i>
Sec. 36	<i>October 1, 2003</i>
Sec. 37	<i>October 1, 2003</i>
Sec. 38	<i>October 1, 2003</i>
Sec. 39	<i>October 1, 2003</i>
Sec. 40	<i>October 1, 2003</i>

Statement of Purpose:

To make technical changes recommended by the Legislative Commissioners' Office to title 13b of the general statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]