



General Assembly

Substitute Bill No. 5031

February Session, 2004

* _____ HB05031TRAF IN031004 _____ *

**AN ACT REVISING CERTAIN LAWS OF THE DEPARTMENT OF
TRANSPORTATION.**

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

1 Section 1. Subsection (h) of section 13a-73 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2004*):

4 (h) All sales or exchanges of surplus property by the Department of
5 Transportation and matters dealing with the initial acquisition of any
6 existing mass transit system or the purchase or sale of properties
7 acquired in connection with any state highway system or mass transit
8 system shall be subject to review and approval of the State Properties
9 Review Board except that those acquisitions and administrative
10 settlements relating to such properties which involve sums not in
11 excess of [one] five thousand dollars shall be reported to the board by
12 the Commissioner of Transportation but shall not be subject to such
13 review and approval. The Commissioner of Public Works shall be
14 informed for inventory purposes of any transfer effectuated in
15 connection with this section. The State Properties Review Board shall
16 not grant such approval if the Department of Transportation has failed
17 to comply with any applicable statutes in connection with the
18 proposed action.

19 Sec. 2. Section 4 of public act 03-115 is repealed and the following is
20 substituted in lieu thereof (*Effective from passage*):

21 Bridge number 007773, commonly known as the West Rock Tunnel
22 in New Haven shall be designated the ["Hero's"] "Heroes Tunnel".

23 Sec. 3. Section 7 of public act 03-115 is repealed and the following is
24 substituted in lieu thereof (*Effective from passage*):

25 A segment of Route 349 in Groton shall be [redesignated]
26 designated as the "William J. Snyder, Sr. Memorial Highway".

27 Sec. 4. Section 84 of public act 03-115 is repealed and the following is
28 substituted in lieu thereof (*Effective from passage*):

29 Bridge number [3485] 1743A located in the town of West Hartford
30 on Interstate 84 overpassing [Woodruff Road] SR 535 shall be
31 designated the "Patrick L. Brooks Memorial Bridge".

32 Sec. 5. Section 89 of public act 03-115 is repealed and the following is
33 substituted in lieu thereof (*Effective from passage*):

34 Route 173 in the town of West Hartford from SR 529 northerly to the
35 junction [for Route 4] of Route 71 in the Town of West Hartford shall
36 be designated the "Trooper Carl P. Moller Memorial Highway".

37 Sec. 6. Section 13b-200 of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective from passage*):

39 (a) The Commissioner of Transportation shall, at the commissioner's
40 discretion, examine the several railroads in the state [once in each year,
41 and more often] when he deems that public safety so requires, and
42 shall make a like examination of any railroad within the limits of any
43 town, when so requested in writing by the selectmen of such town or
44 by the authorities having control and supervision of the streets and
45 highways within the town, and shall see that such railroads are kept in
46 suitable repair and that the companies operating them faithfully
47 comply with all provisions of law. The employees of the Department
48 of Transportation shall have the right to pass free of charge, in the
49 performance of their duties, on all railroads in the state.

50 (b) The commissioner or his employees may enter [, at times of
51 emergency,] any building, car or other premises owned or controlled
52 by any railroad company. Any person interfering with an employee of
53 the Department of Transportation in the performance of his duties
54 shall be fined not more than two hundred dollars or imprisoned not
55 more than six months or both.

56 Sec. 7. Subsection (a) of section 13a-252 of the general statutes, as
57 amended by section 40 of public act 03-3 of the June 30 special session,
58 section 210 of public act 03-6 of the June 30 special session and section
59 8 of public act 03-1 of the September 8 special session, is repealed and
60 the following is substituted in lieu thereof (*Effective from passage*):

61 (a) The ferries crossing the Connecticut River, known as the Rocky
62 Hill ferry and the Chester and Hadlyme ferry, shall be maintained and
63 operated by the Commissioner of Transportation at the expense of the
64 state. The rates of toll or the charges to be made for travel upon said
65 ferries shall be fixed by the commissioner with the approval of the
66 Secretary of the Office of Policy and Management. [, except that, after
67 August 20, 2003, the rate of toll or charge shall be (1) for a motor
68 vehicle and operator five dollars, (2) for each additional passenger one
69 dollar and seventy-five cents, and (3) for each walk-on and bicycle one
70 dollar and seventy-five cents.] The commissioner may establish a
71 discounted commuter rate for travel upon said ferries.

72 Sec. 8. Subsection (a) of section 14-262 of the general statutes is
73 repealed and the following is substituted in lieu thereof (*Effective*
74 *October 1, 2004*):

75 (a) The following vehicles shall not be operated upon any highway
76 or bridge without a special written permit from the Commissioner of
77 Transportation, as provided in section 14-270, as amended by this act,
78 specifying the conditions under which they may be so operated:

79 (1) A vehicle, combination of vehicle and trailer or commercial
80 vehicle combination, including each such vehicle's load, which is
81 wider than one hundred two inches or its approximate metric

82 equivalent of two and six-tenths meters or one hundred two and
83 thirty-six-hundredths inches, including its load, but not including the
84 following safety devices: Reasonably sized rear view mirrors, turn
85 signals, steps and handholds for entry and egress, spray and splash
86 suppressant devices, load-induced tire bulge and any other state-
87 approved safety device which the Commissioner of Transportation
88 determines is necessary for the safe and efficient operation of such a
89 vehicle or combination, provided no such state-approved safety device
90 protrudes more than three inches from each side of the vehicle or
91 provided no such device has by its design or use the capability to carry
92 cargo. Such permit shall not be required in the case of (A) farm
93 equipment, (B) a vehicle or combination of vehicle and trailer loaded
94 with hay or straw, (C) a school bus equipped with a folding stop sign
95 or exterior mirror, as approved by the Commissioner of Motor
96 Vehicles, which results in a combined width of bus and sign or bus
97 and mirror in excess of that established by this subsection, or (D) a
98 trailer designed and used exclusively for transporting boats when the
99 gross weight of such boats does not exceed four thousand pounds; and

100 (2) A combination of truck and trailer which is longer than [sixty]
101 sixty-five feet except (A) a combination of truck and trailer or tractor
102 and semitrailer loaded with utility poles, both trailer and semitrailer
103 having a maximum length of forty-eight feet, utility poles having a
104 maximum length of fifty feet and the overall length not to exceed
105 eighty feet, (B) a trailer designed and used exclusively for transporting
106 boats when the gross weight of such boats does not exceed four
107 thousand pounds, (C) a tractor-trailer unit, (D) a commercial vehicle
108 combination, (E) combinations of vehicles considered as specialized
109 equipment in [the Code of Federal Regulations, Title 23, Part 658.13(d)]
110 23 CFR 658.13(e), as amended, or (F) a tractor equipped with a
111 dromedary box operated in combination with a semitrailer which
112 tractor and semitrailer do not exceed seventy-five feet in overall
113 length.

114 Sec. 9. Subsection (d) of section 14-270 of the general statutes is
115 repealed and the following is substituted in lieu thereof (*Effective*

116 October 1, 2004):

117 (d) (1) The owner or lessee of any vehicle may pay either a fee of
118 twenty-three dollars for each permit issued for such vehicle under this
119 section or a fee as described in subdivision (3) for such vehicle, payable
120 to the Department of Transportation. (2) An additional transmittal fee
121 of three dollars shall be charged for each permit issued under this
122 section and transmitted via transceiver or facsimile equipment. (3) The
123 commissioner may issue an annual permit for any vehicle transporting
124 (A) a divisible load, (B) an overweight or oversized-overweight
125 indivisible load, or (C) an oversize indivisible load. The owner or
126 lessee shall pay an annual fee of seven dollars per thousand pounds or
127 fraction thereof for each such vehicle. A permit may be issued in any
128 increment up to one year, provided the owner or lessee shall pay a fee
129 of one-tenth of the annual fee for such vehicle for each month or
130 fraction thereof. (4) The annual permit fee for any vehicle transporting
131 an oversize indivisible load shall not be less than five hundred dollars.
132 (5) The commissioner may issue permits for divisible loads in the
133 aggregate not exceeding fifty-three feet in length.

134 Sec. 10. Section 13a-57 of the general statutes, as amended by section
135 27 of public act 03-115, is repealed and the following is substituted in
136 lieu thereof (*Effective from passage*):

137 The commissioner may lay out any road as a state highway either
138 by using existing highways or by acquiring by purchase or
139 condemnation new rights-of-way. The layout shall be made in the
140 following manner: The commissioner shall develop a map or maps of
141 the layout of a state highway by ground survey or aerial
142 photogrammetric methods. Such map or maps shall show the limits of
143 the right-of-way, all existing roads, buildings [,] and fences and other
144 topographic features which will clearly establish the location of the
145 highway. The commissioner shall file in the town clerk's office in each
146 town in which such layout or portion thereof is established a map
147 showing such portions of such layout within the limits of any such
148 town in which such map is filed. When such maps of any section or

149 sections of such highway have been so filed, the commissioner shall
150 cause a notice to be inserted in a newspaper having a general
151 circulation within each of such towns describing the action of the
152 commissioner concerning the layout of such highway. When such
153 maps have been placed on file and such notice given, such portion or
154 section shall be deemed to have been legally laid out as a state
155 highway and all provisions of the general statutes relating to state
156 highways shall apply to such layout or highway. This section shall not
157 affect the authority of the commissioner to relocate any section of any
158 state highway as provided in section 13a-56.

159 Sec. 11. Section 13b-55 of the general statutes, as amended by section
160 55 of public act 03-115, is repealed and the following is substituted in
161 lieu thereof (*Effective from passage*):

162 The commissioner may sell and convey any land, right in land,
163 riparian right or other property or right in property, of whatever kind,
164 that the commissioner may acquire pursuant to section 13b-53, which
165 is in excess of the quantity required for the purpose for which it was
166 acquired, and [to] may execute and deliver appropriate conveyances of
167 such property in behalf of the state. No such sale or conveyance shall
168 be made without the prior consent of the Secretary of the Office of
169 Policy and Management and the Commissioner of Public Works and
170 the State Properties Review Board.

171 Sec. 12. Subdivision (4) of section 13b-57d of the general statutes, as
172 amended by section 1 of public act 03-4 of the June 30 special session,
173 is repealed and the following is substituted in lieu thereof (*Effective*
174 *from passage*):

175 (4) "Strategy" means the transportation projects and supporting
176 documentation contained in the report dated January, 2003, submitted
177 by the board in accordance with subdivision (3) of subsection (k) of
178 section 13b-57g, as amended, and any updates or revisions to such
179 transportation projects.

180 Sec. 13. Subsection (b) of section 3 of public act 03-4 of the June 30

181 special session is repealed and the following is substituted in lieu
182 thereof (*Effective from passage*):

183 (b) The following TSB projects shall be completed:

184 (1) In the Coastal Corridor TIA, as defined in section 13b-57d, as
185 amended:

186 (A) Acquire rolling rail stock, as deemed appropriate by the board,
187 sufficient to add no fewer than two thousand seats for the Metro
188 North-New Haven Line for use in both interstate and intrastate
189 service. All payments received by the state pursuant to any agreement
190 entered into in accordance with subsection (h) of section 13b-34
191 involving rolling rail stock used on the Metro North-New Haven Line
192 shall be used exclusively for refurbishing rolling rail stock on and
193 other capital improvements to the Metro North-New Haven Line;

194 (B) Construct or expand stations at Bridgeport, New Haven and
195 Stamford that can accommodate rail service and one or more other
196 modes of transportation and have:

197 (i) Facilities for one thousand or more parking spaces;

198 (ii) Connections to bus and other transit systems;

199 (iii) Opportunity for community revitalization;

200 (iv) Opportunity for transit oriented development;

201 (v) Ease of auto, bus, bicycle and pedestrian access to the station
202 facility;

203 (vi) Potential to attract sufficient riders to support additional
204 express trains;

205 (vii) Operation under control of the state; and

206 (viii) Feeder bus services for passenger rail service;

207 (C) Facilitate use of the Long Island Sound Waterway for passenger
208 and freight movement, including, but not limited to, bulkheading and
209 dredging, upon removal of prohibitions imposed by federal law,
210 expanding passenger facilities, including facilities at the Bridgeport
211 Intermodal Facility, to support high speed ferry service; and

212 (2) In the I-84 Corridor TIA, as defined in section 13b-57d, as
213 amended:

214 (A) Establish express bus services from New Haven to Bradley
215 International Airport;

216 (B) Complete the New Britain to Hartford busway and establish
217 other bus rapid transit or light rail service in Hartford and
218 surrounding towns; and

219 (C) Expand rail passenger service on the Norwalk to Danbury-New
220 Milford Branch Line to assist commuter movement on Route 7 and I-
221 95; [.] and

222 (3) In the I-91 Corridor TIA, as defined in section 13b-57d, as
223 amended:

224 (A) Upgrade or construct maintenance facilities and parking
225 facilities and upgrade feeder bus services for passenger rail service,
226 particularly along the Metro North-New Haven Line; and

227 (B) Establish bus service or commuter rail service, as determined in
228 the Hartford-Springfield-New Haven Implementation Study
229 conducted by the department, that runs through New Haven, Hartford
230 and Springfield, with a connection to Bradley International Airport; [.]
231 and

232 (4) In the I-395 Corridor TIA, as defined in section 13b-57d, as
233 amended:

234 (A) Establish rail freight service with connections to the port of New
235 London;

236 (B) Expand the frequency of bus service, number of runs and
237 connections within and outside of the region, particularly in and to
238 Norwich and New London and acquire buses sufficient to add no
239 fewer than two hundred seats; and

240 (C) Design and plan for traffic mitigation in southeastern
241 Connecticut, including planning for the extension of Route 11 from its
242 terminus in Salem to the I-95 and I-395 intersect, with appropriate
243 greenway purchases made in accordance with section 13a-142e; [.] and

244 (5) In the Southeast Corridor TIA, as defined in section 13b-57d, as
245 amended:

246 (A) Acquire rolling rail stock for the Shoreline East Railroad Line
247 sufficient to add no fewer than one thousand seats;

248 (B) Make operational improvements to highways that improve the
249 flow of traffic on I-95 and I-395; and

250 (6) State-wide:

251 (A) Improve and target marketing by the department of the Deduct-
252 a-Ride program to all eligible employers; and

253 (B) Continue funding the Jobs Access Program.

254 Sec. 14. Section 15 of public act 03-4 of the June 30 special session is
255 repealed and the following is substituted in lieu thereof (*Effective from*
256 *passage*):

257 There [is] are hereby authorized bonds and bond anticipation notes
258 to be issued under and in accordance with the provisions of sections
259 13b-74 to 13b-77, inclusive, as amended, for the purposes of funding of
260 the projects and purposes described in section 3 of [this act] public act
261 03-4 of the June 30 special session, as amended by this act, as those
262 projects and purposes may be modified, including, but not limited to,
263 the costs of issuance and required reserves which authorizations shall
264 not exceed the following aggregate amounts:

Authorized Funding Amounts		
T1	Fiscal Year	Amount
T2	2004	\$ 32,423,000
T3	2005	\$ 35,125,000
T4	2006	\$ 32,526,000
T5	2007	\$ 26,528,000
T6	2008	\$ 25,530,000
T7	2009	\$ 25,532,000
T8	2010	\$ 23,533,000
T9	2011	\$ 22,535,000
T10	2012	\$ 21,537,000
T11	2013	\$ 20,538,000
T12	Total	\$264,807,000

265 Such projects and purposes shall be funded by the use of any federal
 266 revenue, grants or other transportation related financial assistance
 267 which may be available, the issuance of special tax obligation bonds, as
 268 more particularly described in sections 13b-74 to 13b-77, inclusive, as
 269 amended, and, where appropriate, cash from incremental revenues.
 270 Not more than one million dollars of such amounts may be made
 271 available to fund the operations of the Transportation Strategy Board
 272 for fiscal years ending June 30, 2004, and June 30, 2005.

273 Sec. 15. Subdivision (6) of subsection (b) of section 13b-74 of the
 274 general statutes, as amended by section 18 of public act 03-4 of the June
 275 30 special session, is repealed and the following is substituted in lieu
 276 thereof (*Effective from passage*):

277 (6) Planning, acquisition, removal, construction, equipping,
 278 reconstruction, repair, rehabilitation and improvement of, and
 279 acquisition of easements and rights-of-way with respect to, projects
 280 and purposes included in section 3 of [this act] public act 03-4 of the
 281 June 30 special session, as amended by this act, which have been

282 approved for financing with special tax obligation bonds or notes as
283 provided in the annual financing plan of [such board] the
284 Transportation Strategy Board, as described in section 17 of [this act]
285 public act 03-4 of the June 30 special session, as well as related
286 financing costs, including, without limitation, costs of issuance and
287 required reserves.

288 Sec. 16. Subsection (e) of section 13b-103 of the general statutes, as
289 amended by section 90 of public act 03-115, is repealed and the
290 following is substituted in lieu thereof (*Effective from passage*):

291 (e) Any person [, other than an operator who has received a permit,]
292 who holds him or herself out to be the operator of a motor vehicle in
293 livery service who has not received a permit under this section or with
294 the intent to [obtain a benefit or to] injure or defraud another shall be
295 guilty of a class B misdemeanor.

296 Sec. 17. Subparagraph (A) of subdivision (2) of subsection (f) of
297 section 14-10 of the general statutes, as amended by section 7 of public
298 act 03-265, is repealed and the following is substituted in lieu thereof
299 (*Effective from passage*):

300 (A) In connection with matters of motor vehicle or driver safety and
301 theft, motor vehicle emissions, motor vehicle product alterations,
302 recalls or advisories, performance monitoring of motor vehicles and
303 dealers by motor vehicle manufacturers and removal of nonowner
304 records from the original owner records of motor vehicle
305 manufacturers to implement the provisions of the federal Automobile
306 Information Disclosure Act, 15 USC 1231 et seq., the Clean Air Act, 42
307 USC 7401 et seq., and 49 USC Chapters 301, 305 and 321 to 331,
308 inclusive, as amended from time to time, and any provision of the
309 general statutes enacted to attain compliance with said federal [acts]
310 provisions.

311 Sec. 18. Subsection (g) of section 14-16c of the general statutes, as
312 amended by section 8 of public act 03-265, is repealed and the
313 following is substituted in lieu thereof (*Effective from passage*):

314 (g) The Commissioner of Motor Vehicles shall adopt regulations, in
315 accordance with the provisions of chapter 54, to implement the
316 provisions of this section.

317 Sec. 19. Section 14-40a of the general statutes, as amended by section
318 4 of public act 03-171, is repealed and the following is substituted in
319 lieu thereof (*Effective from passage*):

320 (a) No person shall operate a motorcycle on any public highway of
321 this state until such person has obtained a motor vehicle operator's
322 license with a motorcycle endorsement from the commissioner.

323 (b) A person who is sixteen years of age or older and who has not
324 had such a license suspended or revoked may apply to the
325 commissioner for a training permit. The commissioner may issue a
326 training permit, containing such limitation as [he] said commissioner
327 deems advisable, to an applicant after the applicant has passed all
328 parts of the examination, other than the driving test, for a motor
329 vehicle operator's license with a motorcycle endorsement as required
330 by subsection [(e)] (c) of this section. The training permit shall entitle
331 the applicant, while [he has the permit in his] said applicant is in
332 immediate possession of said permit, to drive a motorcycle on the
333 public highways, other than multiple lane limited access highways, for
334 a period of sixty days. A training permit may be renewed, or a new
335 permit issued, for an additional period of sixty days. On and after
336 January 1, 1990, each applicant issued a training permit shall, while
337 operating a motorcycle, wear protective headgear of a type which
338 conforms to the minimum specifications established by regulations
339 adopted under subsection (b) of section 14-289g.

340 [(b)] (c) Before granting a motorcycle endorsement to any applicant
341 who has not held such an endorsement at any time within the
342 preceding two years, the commissioner shall require the applicant to
343 demonstrate personally to the commissioner, a deputy or a motor
344 vehicle inspector or an agent of the commissioner, in such manner as
345 the commissioner directs, that the applicant is a proper person to

346 operate a motorcycle, has sufficient knowledge of the mechanism of a
347 motorcycle to ensure its safe operation by such applicant, and has
348 satisfactory knowledge of the law concerning motorcycles and other
349 motor vehicles [] and the rules of the road. On and after January 1,
350 1990, an applicant under the age of eighteen shall also demonstrate
351 that such applicant has successfully completed a novice motorcycle
352 training course offered by the Department of Transportation or
353 approved by the Commissioner of Motor Vehicles. If an applicant has
354 had a license or held such an endorsement from a state where a similar
355 examination or course is required, the commissioner may waive part
356 or all of any such requirement. When the commissioner is satisfied as
357 to the ability and competency of the applicant, the commissioner may
358 issue an endorsement to such applicant, either unlimited or containing
359 such limitations as the commissioner deems advisable. If an applicant
360 or motorcycle endorsement holder has any health problem which
361 might affect such person's ability to operate a motorcycle safely, the
362 commissioner may require the applicant or endorsement holder to
363 demonstrate personally that, notwithstanding the problem, such
364 person is a proper person to operate a motorcycle, and the
365 commissioner may further require a certificate of the applicant's
366 condition, signed by a medical authority designated by the
367 commissioner, which certificate shall, in all cases, be treated as
368 confidential by the commissioner. An endorsement, containing such
369 limitation as the commissioner deems advisable may be issued or
370 renewed in any case, but nothing in this section shall be construed to
371 prevent the commissioner from refusing an endorsement, either
372 limited or unlimited, to any person or suspending an endorsement of a
373 person whom the commissioner deems incapable of safely operating a
374 motorcycle.

375 [(c)] (d) No person shall operate a motorcycle in any manner in
376 violation of the limitations imposed in a limited endorsement issued to
377 such person.

378 [(d)] (e) Any person who violates any provision of subsection (a), (b)
379 or [(c)] (d) of this section shall, for a first offense, be deemed to have

380 committed an infraction and be fined not less than thirty-five dollars
381 nor more than fifty dollars and, for any subsequent offense, shall be
382 fined not more than one hundred dollars or imprisoned not more than
383 thirty days, or both.

384 Sec. 20. Subsection (v) of section 14-49 of the general statutes, as
385 amended by section 21 of public act 03-4 of the June 30 special session,
386 is repealed and the following is substituted in lieu thereof (*Effective*
387 *from passage*):

388 (v) There shall be charged for each motor vehicle learner's permit or
389 renewal thereof a fee of eighteen dollars. There shall be charged for
390 each motorcycle [learner's] training permit or renewal thereof a fee of
391 fifteen dollars.

392 Sec. 21. Section 14-69 of the general statutes, as amended by section
393 10 of public act 03-265, is repealed and the following is substituted in
394 lieu thereof (*Effective from passage*):

395 No person shall engage in the business of conducting a drivers'
396 school without being licensed therefor by the commissioner.
397 Application therefor shall be in writing and shall contain such
398 information as the commissioner requires. Each applicant shall be
399 fingerprinted before such application is approved. If the application is
400 approved, the applicant shall be granted a license upon the payment of
401 a fee of [one hundred] three hundred fifty dollars and a deposit with
402 the commissioner of cash or a bond of a surety company authorized to
403 do business in this state, conditioned on the faithful performance by
404 the applicant of any contract to furnish instruction, in either case in
405 such amount as the commissioner may require, such cash or bond to
406 be held by the commissioner to satisfy any execution issued against
407 such school in a cause arising out of failure of such school to perform
408 such contract. [The license fee shall be three hundred fifty dollars.] For
409 each additional place of business of such school, the commissioner
410 shall charge a fee of eighty-eight dollars. No license shall be required
411 in the case of any board of education, or any public, private or

412 parochial school, which conducts a course in driver education
413 established in accordance with sections 14-36e and 14-36f. A license so
414 issued shall be valid during the calendar year. The annual fee for
415 renewal shall be the same amount and the same deposit of security
416 shall be required. The commissioner shall issue a license certificate or
417 certificates to each licensee, one of which shall be displayed in each
418 place of business of the licensee. In case of the loss, mutilation or
419 destruction of a certificate, the commissioner shall issue a duplicate
420 upon proof of the facts and the payment of a fee of [two dollars. Such
421 fee shall be] seven dollars.

422 Sec. 22. (NEW) (*Effective July 1, 2004*) (a) There shall be in the
423 Department of Transportation a Connecticut Maritime Commission
424 which shall consist of fifteen members, as follows: (1) The
425 Commissioners of Transportation, Economic and Community
426 Development and Environmental Protection, the Secretary of the
427 Office of Policy and Management and the chairman of the
428 Transportation Strategy Board, established pursuant to section 13b-57e
429 of the general statutes, as amended, or their respective designees; (2)
430 four members appointed by the Governor; and (3) one member each
431 appointed by the president pro tempore of the Senate, the speaker of
432 the House of Representatives, the majority leader of the Senate, the
433 minority leader of the Senate, the majority leader of the House of
434 Representatives and the minority leader of the House of
435 Representatives. All appointed members shall serve for terms
436 coterminous with their appointing authority and until their successor
437 is appointed and has qualified. Vacancies on said commission shall be
438 filled for the remainder of the term in the same manner as original
439 appointments.

440 (b) Appointed members of the commission shall be qualified by
441 experience or training and shall include members of the public and (1)
442 a representative of business and industry that is a regular user of
443 Connecticut port freight services; (2) a member or employee of a local
444 port authority, (3) a Connecticut port operator; (4) an operator of a
445 marine passenger service; (5) an elected or appointed official from a

446 coastal community; (6) a user or provider of recreational maritime
447 services; and (7) a working member of a port labor union.

448 (c) The chairman shall be selected by the Governor from among the
449 appointed members of the commission. The members shall annually
450 elect one of their numbers as secretary. The commission may elect such
451 other officers as it deems proper. Members shall receive no
452 compensation for the performance of their duties, but shall be
453 reimbursed for necessary expenses incurred in the performance
454 thereof.

455 (d) The commission shall (1) advise the Commissioner of
456 Transportation, the Governor and the General Assembly concerning
457 the state's maritime policy and operations; (2) develop and
458 recommend to the Governor and the General Assembly a maritime
459 policy for the state; (3) support the development of Connecticut's
460 maritime commerce and industries, including its deep water ports; (4)
461 recommend investments and actions, including dredging, required in
462 order to preserve and enhanced maritime commerce and industries; (5)
463 conduct studies and present recommendations concerning maritime
464 issues; (6) support the development of Connecticut's ports, including;
465 identifying new opportunities for the ports, analyzing the potential for
466 and encouraging private investment in the ports and recommending
467 policies which support port operations.

468 (e) At least once each year, the commission shall hold a public
469 hearing for the purpose of evaluating the adequacy of the state's
470 maritime policy, facilities and support for maritime commerce and
471 industry.

472 (f) On or before January first, annually, the commission shall
473 submit, in writing, to the Commissioner of Transportation, the
474 Governor and the Transportation Strategy Board (1) a list of projects
475 which, if undertaken by the state, would support the state's maritime
476 policy and encourage maritime commerce and industry; (2)
477 recommendations for improvements to existing maritime policies,

478 programs and facilities; and (3) such other recommendations as it
479 considers appropriate. Copies of the report shall be submitted to the
480 General Assembly pursuant to section 11-4a of the general statutes.

481 (g) The commission may, upon its own motion, undertake any
482 studies it deems necessary for the improvement of a balanced public
483 transportation system within the state, including the improvement of
484 such system for elderly and disabled users. The commission shall have
485 other powers and shall perform such other duties as the Commissioner
486 of Transportation, the Governor and the General Assembly may
487 delegate to it.

488 (h) The staff of the Department of Transportation shall be available
489 to assist the commission.

490 (i) No member of the commission who is otherwise a public officer
491 or employee shall suffer a forfeiture of his or her office or employment,
492 or any loss or diminution in the rights and privileges pertaining
493 thereto, by reason of such membership.

494 (j) A quorum of the commission for the purpose of transacting
495 business shall exist only when there is present, in person, a majority of
496 its voting membership. The affirmative vote of a majority of the
497 quorum shall be required for the adoption of a resolution or vote of the
498 commission.

499 (k) The commission shall have access through the Department of
500 Transportation to all records, reports, plans, schedules, operating rules
501 and other documents pertaining to ports and navigable waterways of
502 Connecticut. This subsection shall not apply to any plans, proposals,
503 reports and other documents pertaining to current or pending
504 negotiations with employee bargaining units.

505 (l) The Connecticut Maritime Commission shall be a successor
506 agency to the Connecticut Port Authority in accordance with the
507 provisions of sections 4-38d and 4-39 of the general statutes.

508 (m) The Legislative Commissioners' Office shall, in codifying the
509 provisions of this section, make technical, grammatical and
510 punctuation changes as necessary to carry out the purposes of this
511 section.

512 Sec. 23. Subsection (l) of section 1-79 of the general statutes is
513 repealed and the following is substituted in lieu thereof (*Effective July*
514 *1, 2004*):

515 (l) "Quasi-public agency" means the Connecticut Development
516 Authority, Connecticut Innovations, Incorporated, Connecticut Health
517 and Education Facilities Authority, Connecticut Higher Education
518 Supplemental Loan Authority, Connecticut Housing Finance
519 Authority, Connecticut Housing Authority, Connecticut Resources
520 Recovery Authority, Connecticut Hazardous Waste Management
521 Service, Lower Fairfield County Convention Center Authority [] and
522 Capital City Economic Development Authority. [and Connecticut Port
523 Authority.]

524 Sec. 24. Subdivision (1) of section 1-120 of the general statutes is
525 repealed and the following is substituted in lieu thereof (*Effective July*
526 *1, 2004*):

527 (1) "Quasi-public agency" means the Connecticut Development
528 Authority, Connecticut Innovations, Incorporated, Connecticut Health
529 and Educational Facilities Authority, Connecticut Higher Education
530 Supplemental Loan Authority, Connecticut Housing Finance
531 Authority, Connecticut Housing Authority, Connecticut Resources
532 Recovery Authority, Connecticut Hazardous Waste Management
533 Service, [Connecticut Port Authority,] Capital City Economic
534 Development Authority and Connecticut Lottery Corporation.

535 Sec. 25. Section 1-125 of the general statutes is repealed and the
536 following is substituted in lieu thereof (*Effective July 1, 2004*):

537 The directors, officers and employees of the Connecticut
538 Development Authority, Connecticut Innovations, Incorporated,

539 Connecticut Higher Education Supplemental Loan Authority,
540 Connecticut Housing Finance Authority, Connecticut Housing
541 Authority, Connecticut Resources Recovery Authority, Connecticut
542 Health and Educational Facilities Authority, Capital City Economic
543 Development Authority [] and Connecticut Lottery Corporation [and
544 Connecticut Port Authority] and any person executing the bonds or
545 notes of the agency shall not be liable personally on such bonds or
546 notes or be subject to any personal liability or accountability by reason
547 of the issuance thereof, nor shall any director or employee of the
548 agency be personally liable for damage or injury, not wanton, reckless,
549 wilful or malicious, caused in the performance of his or her duties and
550 within the scope of his or her employment or appointment as such
551 director, officer or employee. The agency shall protect, save harmless
552 and indemnify its directors, officers or employees from financial loss
553 and expense, including legal fees and costs, if any, arising out of any
554 claim, demand, suit or judgment by reason of alleged negligence or
555 alleged deprivation of any person's civil rights or any other act or
556 omission resulting in damage or injury, if the director, officer or
557 employee is found to have been acting in the discharge of his or her
558 duties or within the scope of his or her employment and such act or
559 omission is found not to have been wanton, reckless, wilful or
560 malicious.

561 Sec. 26. (NEW) (*Effective July 1, 2004*) There shall be, within the
562 Department of Transportation, a State Maritime Office which shall: (1)
563 Be responsible for maritime operations, including the State Pier in New
564 London, the Connecticut River ferries and such other operational
565 responsibilities as shall be assigned to it; (2) serve as the Governor's
566 principal maritime policy advisor; (3) serve as the liaison between the
567 state and federal, local and private entities involved in maritime policy
568 activities; (4) coordinate the state's maritime policy activities; (5)
569 encourage year-round use of water-related industries, (6) work with
570 the Department of Economic and Community Development and other
571 state, local and private entities to maximize the economic potential of
572 Connecticut's ports and other maritime resources; (7) conduct

573 necessary research and planning activities; (8) assess potential state
574 investments in ports and other maritime facilities; (9) provide staff
575 support to the Connecticut Maritime Commission, created in section 23
576 of this act; and (10) undertake such other responsibilities as may be
577 assigned to it by the commissioner or the Governor.

578 Sec. 27. (*Effective from passage*) (a) The Commissioner of
579 Transportation shall, in consultation with the Commissioner of Public
580 Safety and the Chief Information Officer of the Department of
581 Information Technology, develop a plan for individuals to receive
582 notification of significant highway or railway incidents.

583 (b) On or before December 1, 2004, the Commissioner of
584 Transportation shall report to the joint standing committees of the
585 General Assembly having cognizance of matters relating to
586 transportation and public safety its findings and recommendations,
587 including proposals for legislative and regulatory changes.

588 Sec. 28. Subsection (a) of section 3 of public act 03-4 of the June 30
589 special session is repealed and the following is substituted in lieu
590 thereof (*Effective from passage*):

591 (a) The General Assembly approves the principles set forth in
592 section I of the report specified in subdivision (4) of subsection (a) of
593 section 13b-57d, as amended, provided no funds from the
594 Transportation Strategy Board projects account, established under
595 section 13b-57r, shall be authorized for any transportation project
596 except those specified in subsection (b) of this section, provided
597 nothing in this subsection shall preclude any TSB project from being
598 funded, in whole or in part, by other state or federal funds. Funds
599 authorized for any TSB project shall be used only for said project. TSB
600 projects shall be funded from funds authorized for the Transportation
601 Strategy Board only to the extent [such projects are not funded from
602 the Infrastructure Improvement Fund] such funding is not provided
603 from other funds in the Special Transportation Fund or the
604 Infrastructure Improvement Fund created by the senior indenture for

605 special tax obligation bonds.

606 Sec. 29. Subsection (a) of section 17 of public act 03-4 of the June 30
607 special session is repealed and the following is substituted in lieu
608 thereof (*Effective from passage*):

609 (a) On or before December 1, 2003, and August first of each year
610 thereafter, the Department of Transportation, in consultation with the
611 Secretary of the Office of Policy and Management, the State Treasurer
612 and the Transportation Strategy Board, shall prepare a financing plan
613 for the annual funding and financing of the projects and purposes
614 described in section 3 of [this act] public act 03-4 of the June 30 special
615 session, as amended by this act. Such annual financing plan shall be
616 based upon the authorized funding amount establishing the maximum
617 aggregate use of cash from the incremental revenues and use of special
618 tax obligation bond proceeds to fund some or all of such projects and
619 purposes, as well as the use of any federal revenue, grants or other
620 transportation-related financial assistance which may be available in
621 such fiscal year, and shall otherwise meet all requirements of state
622 statutes and applicable trust indenture provisions, including any
623 coverage requirements, relating to such financing plan. Upon the
624 approval of such annual financing plan by the Governor, incremental
625 revenues identified in the annual financing plan for cash funding shall
626 be paid within the fiscal year of such annual financing plan into the
627 Transportation Strategy Board projects account, established under
628 section 113 of public act 03-1 of the June 30 special session, of the
629 Special Transportation Fund [, created by the senior indenture for
630 special tax obligation bonds, as an expenditure of the Infrastructure
631 Improvement Fund] and shall be available to fund those projects and
632 purposes identified in such annual financing plan for cash funding.
633 Upon the approval of the portion of the annual financing plan relating
634 to the use of bond proceeds to fund some or all of such projects and
635 purposes by the Treasurer and the Secretary of the Office of Policy and
636 Management, incremental revenues identified in the annual financing
637 plan to pay debt service and other expenditures related to the issuance
638 of special tax obligation bonds to fund such projects and purposes

639 shall be paid into the Transportation Strategy Board project account,
640 established under section 113 of public act 03-1 of the June 30 special
641 session, of the Special Transportation Fund during the fiscal year
642 covered by such financing plan and shall be available to pay debt
643 service requirements, as defined in section 13b-75, in accordance with
644 the provisions of subsection (a) of section 13b-69, as amended by this
645 act, and the Treasurer shall proceed to issue the requisite amount of
646 special tax obligation bonds, subject to any required approval of the
647 State Bond Commission, to fund those projects and purposes identified
648 in such annual financing plan to be funded by bond proceeds, and the
649 Commissioner of Transportation shall direct the expenditure of such
650 bond proceeds. The proceeds of any special tax obligation bonds
651 issued to fund the projects and purposes described in section 3 of
652 public act 03-4 of the June 30 special session, as amended by this act, as
653 those projects and purposes may be modified, less costs of issuance
654 and the funding of required reserves, shall be deposited in a
655 subaccount of the Infrastructure Improvement Fund created by the
656 senior indenture for special tax obligation bonds and shall be available
657 to fund those projects and purposes identified in such annual
658 financing plan to be funded by the issuance of special tax obligation
659 bonds. Any such projects or purposes so financed are hereby found
660 and determined to be in furtherance of one or more of the authorized
661 purposes for the issuance of special tax obligation bonds set forth in
662 subdivision (6) of subsection (b) of section 13b-74, as amended. Said
663 special tax obligation bonds are hereby authorized to be issued in an
664 amount up to the authorized funding amount with respect to each
665 fiscal year for the projects and purposes set forth in section 3 of [this
666 act] public act 03-4 of the June 30 special session, as amended by this
667 act, and shall be special obligations of the state and shall not be
668 payable from nor charged upon any funds other than revenues of the
669 state pledged therefor in subsection (b) of section 13b-61, as amended
670 by this act, and section 13b-69, as amended by this act, or such other
671 receipts, funds or moneys as may be pledged therefor. Said bonds shall
672 not be payable from nor charged upon any funds other than such
673 pledged revenues or such other receipts, funds or moneys as may be

674 pledged therefor, nor shall the state or any political subdivision thereof
675 be subject to any liability thereon, except to the extent of such pledged
676 revenues or such other receipts, funds or moneys as may be pledged
677 therefor. Said bonds shall be issued under and in accordance with the
678 provisions of sections 13b-74 to 13b-77, inclusive, as amended, and
679 sections 13 to 17, inclusive of [this act] public act 03-4 of the June 30
680 special session.

681 Sec. 30. Subdivision (16) of subsection (b) of section 13b-61 of the
682 general statutes, as amended by section 20 of public act 03-4 of the June
683 30 special session, is repealed and the following is substituted in lieu
684 thereof (*Effective from passage*):

685 (16) On and after July 1, 2003, [and up to and including June 30,
686 2036,] all moneys received or collected by the state or any officer
687 thereof on account of, or derived from, the incremental revenues
688 generated pursuant to sections 1-1h, as amended, 14-35, as amended,
689 14-44i, as amended, 14-47, as amended, 14-48b, as amended, 14-49, as
690 amended, 14-50, as amended, 14-66, as amended, 14-67, as amended,
691 and 14-381, as amended, and revenues specified in sections 113 and
692 114 of public act 03-1 of the June 30 special session, as amended by this
693 act, shall be deposited into the Transportation Strategy Board projects
694 account, established under section 113 of public act 03-1 of the June 30
695 special session, of the [Infrastructure Improvement] Special
696 Transportation Fund and shall be used to support the funding of the
697 projects and purposes described in section 3 of [this act] public act 03-4
698 of the June 30 special session, as amended by this act.

699 Sec. 31. Subsection (a) of section 13b-69 of the general statutes is
700 repealed and the following is substituted in lieu thereof (*Effective from*
701 *passage*):

702 (a) The Treasurer shall apply the resources in the Special
703 Transportation Fund, upon their receipt, first, to pay or provide for the
704 payment of debt service requirements, as defined in section 13b-75, at
705 such time or times, in such amount or amounts and in such manner, as

706 provided by the proceedings authorizing the issuance of special tax
707 obligation bonds pursuant to sections 13b-74 to 13b-77, inclusive, as
708 amended, and then to pay from the Transportation Strategy Board
709 projects account of the Special Transportation Fund, established under
710 section 113 of public act 03-1 of the June 30 special session, the
711 incremental revenues identified in approved annual financing plans
712 for cash funding in accordance with the provisions of section 17 of
713 public act 03-4 of the June 30 special session, as amended by this act.

714 Sec. 32. Section 114 of public act 03-1 of the June 30 special session is
715 repealed and the following is substituted in lieu thereof (*Effective from*
716 *passage*):

717 (a) Notwithstanding any provision of the general statutes, for the
718 fiscal year ending June 30, 2004, the sum of \$10,000,000 [shall be
719 transferred from the resources of] on deposit in the Special
720 Transportation Fund [and] shall be credited to [the resources of] the
721 Transportation Strategy Board projects account established under
722 section 113 of [this act] public act 03-1 of the June 30 special session.

723 (b) Notwithstanding any provision of the general statutes, for the
724 fiscal year ending June 30, 2005, the sum of \$5,000,000 [shall be
725 transferred from the resources of] on deposit in the Special
726 Transportation Fund [and] shall be credited to [the resources of] the
727 Transportation Strategy Board projects account established under
728 section 113 of [this act] public act 03-1 of the June 30 special session.

729 (c) Notwithstanding any provision of the general statutes, on July 1,
730 2005, the sum of \$5,000,000 [shall be transferred from the resources of]
731 on deposit in the Special Transportation Fund [and] shall be credited
732 to [the resources of] the Transportation Strategy Board projects account
733 established under section 113 of [this act] public act 03-1 of the June 30
734 special session.

735 Sec. 33. (*Effective from passage*) The planned extension of the Route 72
736 current terminus in Plainville to Route 229 in Bristol shall be
737 designated the "E. Bartlett Barnes Highway".

738 Sec. 34. Section 1 of public act 03-96 is repealed and the following is
739 substituted in lieu thereof (*Effective October 1, 2004*):

740 Notwithstanding section 14-270, the Commissioner of
741 Transportation shall establish a program for the purpose of issuing
742 permits allowing the following vehicles to be operated upon any
743 highway or bridge: (1) A mobile home with [a] an overall width,
744 including roof overhang, sills, doorknobs and siding, greater than
745 fourteen feet but no greater than sixteen feet; [(2) a mobile home
746 attached to a towing vehicle which has a combined length of one
747 hundred feet or less if such towing vehicle has a length over eighty
748 feet; or (3) a mobile home attached to a towing vehicle which has a
749 combined length of one hundred four feet if such towing vehicle has a
750 length of eighty feet or less] (2) the maximum length of the mobile
751 home excluding the hitch shall not exceed eighty feet; or (3) the overall
752 combined length of the mobile home, when attached to the towing
753 vehicle, shall not exceed one hundred four feet. Such permit shall
754 specify conditions under which such mobile home shall be permitted
755 to operate, including, but not limited to, the period of time such
756 operation shall be authorized. No permit shall be issued to a mobile
757 home for a permitted height in excess of thirteen feet six inches or for
758 the gross weight limits specified in section 14-267a, as amended. For
759 the purposes of this section, "mobile home" shall have the same
760 meaning as in section 21-64a. The Commissioner of Transportation
761 shall adopt regulations, in accordance with the provisions of chapter
762 54, to implement the provisions of this section.

763 Sec. 35. Section 13a-126c of the general statutes is repealed and the
764 following is substituted in lieu thereof (*Effective from passage*):

765 Notwithstanding any provision of the general statutes, [to the
766 contrary,] the Commissioner of Transportation may enter into an
767 agreement with the owner or operator of a public service facility, as
768 such facility is defined in section 13a-126, as amended, desiring the
769 longitudinal use of the right-of-way of a [limited access] state highway
770 to accommodate trunkline or transmission type utility facilities and to

771 fix the terms, conditions and rates and charges for use of such right-of-
 772 way; provided, no such agreement shall exempt a public service
 773 facility from the provisions of chapter 277a.

774 Sec. 36. (Effective July 1, 2004) Sections 32-425 to 32-434, inclusive, of
 775 the general statutes are repealed.

This act shall take effect as follows:	
Section 1	<i>July 1, 2004</i>
Sec. 2	<i>from passage</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>from passage</i>
Sec. 8	<i>October 1, 2004</i>
Sec. 9	<i>October 1, 2004</i>
Sec. 10	<i>from passage</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>July 1, 2004</i>
Sec. 23	<i>July 1, 2004</i>
Sec. 24	<i>July 1, 2004</i>
Sec. 25	<i>July 1, 2004</i>
Sec. 26	<i>July 1, 2004</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>
Sec. 31	<i>from passage</i>

Sec. 32	<i>from passage</i>
Sec. 33	<i>from passage</i>
Sec. 34	<i>October 1, 2004</i>
Sec. 35	<i>from passage</i>
Sec. 36	<i>July 1, 2004</i>

TRA

Joint Favorable Subst. C/R

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