



Substitute House Bill No. 6720

Public Act No. 05-210

**AN ACT CONCERNING THE DEPARTMENT OF
TRANSPORTATION.**

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

Section 1. (*Effective from passage*) The segment of Route 174 from Route 71 Easterly to East Street in New Britain shall be designated the "Destroyer USS Braine Memorial Highway".

Sec. 2. (*Effective from passage*) The segment of the I-95 southbound bridge over the Thames River in Groton shall be designated the "U.S. Submarine Veterans World War II Memorial Bridge".

Sec. 3. (*Effective from passage*) The segment of Route 71 from the Routes 71A and 71 intersection northerly to Main Street in Berlin shall be designated the "Officer Jeffery G. Casner Memorial Highway".

Sec. 4. (*Effective from passage*) Bridge number 1491 in Canton, in the Collinsville section, shall be designated the "Sergeant Michael Dubiel Memorial Bridge".

Sec. 5. (*Effective from passage*) The road to the Firemen Memorial at Bradley International Airport shall be designated "Firefighter Memorial Drive".

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Sec. 6. (*Effective from passage*) The segment of Route 10 from the intersection of Route 10 and the Farmington Canal Greenway overpass eastward to its junction with Whitney Avenue in Hamden shall be designated the "Hamden Veterans' Memorial Highway".

Sec. 7. (*Effective from passage*) The segment of Route 110 from the town of Stratford to the town of Monroe shall be designated the "Veterans Memorial Highway".

Sec. 8. (*Effective from passage*) Bridge number 00157 located on I-95 in West Haven shall be designated the "Nacca Memorial Bridge".

Sec. 9. (*Effective from passage*) The segment of Route 174 from New Britain - Newington town line to Maple Hill Avenue in Newington shall be designated the "Officer Peter Lavery Memorial Highway".

Sec. 10. (*Effective from passage*) Bridge number 03391 in Colchester on Route 16 over Route 2 shall be designated the "William "Jimmy" Johnston Memorial Bridge".

Sec. 11. (*Effective from passage*) The segment of Route 618 from Route 85 easterly to the Colchester - Lebanon town line shall be designated the "Major Peter M. Cleary Memorial Highway".

Sec. 12. (*Effective from passage*) Route 5 in North Haven between Washington Avenue and State Street shall be designated the "Officer Timothy W. Laffin Memorial Highway".

Sec. 13. (*Effective from passage*) The segment of Route 195 in Mansfield running in a northerly direction to I-84 in Tolland shall be designated "UCONN Husky Way".

Sec. 14. (*Effective from passage*) The segment of Route 78 in Stonington from Route 2, running in an easterly direction, to the Connecticut-Rhode Island state line shall be designated "Veterans

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Way".

Sec. 15. Section 2 of public act 03-115 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Route 796 in Milford, currently known as the "Milford Parkway Connector" shall be redesignated the ["Daniel S. Wasson Connector"] "Officer Daniel S. Wasson, Milford Police Department, Connector".

Sec. 16. (*Effective from passage*) The segment of Route 2A in Montville running in a easterly direction from I-395 to the beginning of bridge number 3426 shall be designated the "Officer Joseph N. Sachatello, III Memorial Highway".

Sec. 17. (*Effective from passage*) The segment of Route 287 in Wethersfield running easterly from the Newington - Wethersfield town line to Route 3 shall be designated the "Bohdan "Bo" Kolinsky Memorial Highway".

Sec. 18. (*Effective from passage*) The segment of Route 71 in West Hartford running easterly from Ridgewood Road to Route 173 shall be designated the "Eric N. Jefferson Memorial Highway".

Sec. 19. (*Effective from passage*) Bridge number 1744 on I-84 eastbound over Berkshire Road in West Hartford shall be designated the "Lt. Colonel Charles E. Spencer Memorial Bridge".

Sec. 20. (*Effective from passage*) The segment of the I-91 northbound rest area in Middletown shall be designated the "Jennifer Hodges Memorial Rest Area".

Sec. 21. (*Effective from passage*) Bridge number 1477 on Route 173 in Newington shall be designated the "Stanley Sobieski Memorial Bridge".

Sec. 22. (*Effective from passage*) Bridge number 5801 on Route 9

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southbound over Route 372 in Berlin shall be designated the "Steven Douglas Smart Memorial Bridge".

Sec. 23. (*Effective from passage*) The Route 25 bridge crossing the Still River in Brookfield shall be designated the "Nancy DuBois Hagmayer Memorial Bridge".

Sec. 24. Section 14-212 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

Terms used in this chapter shall be construed as follows, unless another construction is clearly apparent from the language or context in which the term is used or unless the construction is inconsistent with the manifest intention of the General Assembly:

(1) The following terms shall be construed as they are defined in section 14-1: "Authorized emergency vehicle", "commissioner", "driver", "fuels", "gross weight", "head lamp", "high-mileage vehicle", "highway", "light weight", "limited access highway", "maintenance vehicle", "motor bus", "motorcycle", "motor vehicle registration", "nonresident", "nonskid device", "number plate", "officer", "operator", "owner", "passenger motor vehicle", "passenger and commercial motor vehicle", "person", "pneumatic tires", "pole trailer", "registration", "registration number", "second offense", "semitrailer", "shoulder", "solid tires", "stop", "subsequent offense", "tail lamp", "tractor", "tractor-trailer unit", "trailer", "truck" and "vanpool vehicle";

(2) "Carrier" means (A) any local or regional school district, any educational institution providing elementary or secondary education or any person, firm or corporation under contract to such district or institution engaged in the business of transporting school children; (B) any person, firm or corporation providing transportation for compensation exclusively to persons under the age of twenty-one years; or (C) any corporation, institution or nonprofit organization

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providing transportation as an ancillary service primarily to persons under the age of eighteen years;

(3) "Curb" includes the boundary of the traveled portion of any highway, whether or not the boundary is marked by a curbstone;

(4) "Intersection" means the area embraced within the prolongation of the lateral curb lines of two or more highways which join one another at an angle, whether or not one of the highways crosses the other;

(5) "Motor vehicle" includes all vehicles used on the public highways;

(6) "Parking area" means lots, areas or other accommodations for the parking of motor vehicles off the street or highway and open to public use with or without charge;

(7) ["Rotary traffic island"] "Rotary" or "roundabout" means a physical barrier legally placed or constructed at an intersection to cause traffic to move in a circuitous course;

(8) "Student transportation vehicle" means any motor vehicle other than a registered school bus used by a carrier for the transportation of students, including children requiring special education; and

(9) "Vehicle" is synonymous with "motor vehicle".

Sec. 25. Section 14-239 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

(a) The State Traffic Commission may designate any state highway and local traffic authorities may designate streets and highways under their jurisdiction for one-way traffic and shall erect signs, devices or markings conforming to State Traffic Commission standards giving notice thereof. Upon any highway so designated a vehicle shall be

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driven only in the direction indicated.

(b) A vehicle passing around a rotary [traffic island] or roundabout shall have the right of way over entering vehicles and shall be driven only to the right of such [island] rotary or roundabout, unless otherwise directed by signs. [or unless the length of the vehicle makes such movement impracticable.]

(c) Violation of any of the provisions of this section shall be an infraction.

Sec. 26. Section 14-241 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

(a) Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the highway.

(b) At any intersection where traffic is permitted to move in both directions on each highway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the highway nearest the center line thereof and by passing to the right of such center line where it enters the intersection, and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the highway being entered.

(c) At any intersection where traffic is restricted to one direction on one or more of the highways, the driver of a vehicle intending to turn left shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle, and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left-hand lane lawfully available to traffic moving in such direction upon the highway being entered.

(d) "Deceleration lane" means an added outside lane of a highway

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laned for traffic which immediately precedes an exit road from such highway, and "acceleration lane" means an added outside lane of a highway laned for traffic which immediately follows an entrance road into such highway. Where deceleration and acceleration lanes exist, all turns made to leave or enter the highway shall be made from or into such lanes.

(e) On any state highway the State Traffic Commission, and, on highways under their jurisdiction, local traffic authorities, may cause [rotary traffic islands] rotaries or roundabouts, signs or other devices conforming to the manual on uniform traffic control devices to be placed within or adjacent to intersections and thereby direct that a different course from that specified in this section be traveled by vehicles turning at an intersection, and when [rotary traffic islands] rotaries or roundabouts, signs or other devices are so placed, no driver shall turn a vehicle otherwise than as directed thereby.

(f) Violation of any of the provisions of this section shall be an infraction.

Sec. 27. Section 14-297 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

Terms used in this chapter shall be construed as follows, unless another construction is clearly apparent from the language or context in which the term is used or unless the construction is inconsistent with the manifest intention of the General Assembly:

(1) The following terms shall be construed as they are defined in section 14-1: "Authorized emergency vehicle", "driver", "head lamp", "highway", "intersection", "limited access highway", "motor vehicle", "number plate", "operator", "person", ["rotary traffic island"] "rotary" or "roundabout", "shoulder", "stop", "truck", "vehicle";

(2) "Crosswalk" means that portion of a highway ordinarily

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included within the prolongation or connection of the lateral lines of sidewalks at intersections, or any portion of a highway distinctly indicated, by lines or other markings on the surface, as a crossing for pedestrians, except such prolonged or connecting lines from an alley across a street;

(3) "Official traffic control devices" means all signs, signals, markings and devices consistent with the provisions of this chapter and placed or erected, for the purpose of regulating, warning or guiding traffic, by authority of a public body or official having jurisdiction;

(4) "Parking" means the standing of a vehicle, whether occupied or not, on a highway, except it shall not include the temporary standing of a vehicle for the purpose of and while engaged in receiving or discharging passengers or loading or unloading merchandise or while in obedience to traffic regulations or traffic signs or signals;

(5) "Traffic" means pedestrians, vehicles and other conveyances while using any highway for the purpose of travel;

(6) "Traffic authority" means the board of police commissioners of any city, town or borough, or the city or town manager, the chief of police, the superintendent of police or any legally elected or appointed official or board, or any official having similar powers and duties, of any city, town or borough that has no board of police commissioners but has a regularly appointed force, or the board of selectmen of any town in which there is no city or borough with a regularly appointed police force, except that, with respect to state highways and bridges, "traffic authority" means the State Traffic Commission, provided nothing contained in this section shall be construed to limit or detract from the jurisdiction or authority of the State Traffic Commission to adopt regulations establishing a uniform system of traffic control signals, devices, signs and markings as provided in section 14-298, and

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the requirement that no installation of any traffic control signal light shall be made by any city, town or borough until the installation has been approved by the State Traffic Commission as provided in section 14-299;

(7) "Traffic control sign" means any sign bearing a message with respect to the stopping or to the rate of speed of vehicles; and

(8) "Traffic control signal" means any device, whether operated manually, electrically or mechanically, by which traffic is alternately directed to stop and to proceed.

Sec. 28. Section 13a-126 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

As used in this section, "public service facility" includes all privately, publicly or cooperatively owned lines, facilities and systems for producing, transmitting or distributing communications, cable television, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with highway drainage and any other similar commodities, including fire and police signal systems and street lighting systems which directly or indirectly serve the public. Whenever the commissioner determines that any public service facility located within, on, along, over or under any land comprising the right-of-way of a state highway or any other public highway when necessitated by the construction or reconstruction of a state highway shall be readjusted or relocated in or removed from such right-of-way, the commissioner shall issue an appropriate order to the company, corporation or municipality owning or operating such facility, and such company, corporation or municipality shall readjust, relocate or remove the same promptly in accordance with such order; provided an equitable share of the cost of such readjustment, relocation or removal, including the cost of installing and constructing a facility of equal capacity in a new location, shall be borne by the

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state, except that the state shall not bear any share of the cost of a project to readjust, relocate or remove any facility, as defined in subsection (a) of section 16-50i used for transmitting electricity or as an electric trunkline. The Department of Transportation shall evaluate the total costs of such a project, including department costs for construction or reconstruction and electric distribution company costs for readjusting, relocating or removing such facility, so as to minimize the overall costs incurred by the state and the electric distribution company. The electric distribution company may provide the department with proposed alternatives to the relocation, readjustment or removal proposed by the department and shall be responsible for any changes to project costs attributable to adoption of the company's proposed alternative designs for such project, including changes to the area of the relocation, readjustment or removal and any incremental costs incurred by the department to evaluate such alternatives. If such electric distribution company and the department cannot agree on a plan for such project, the Commissioner of Transportation and the chairperson of the Department of Public Utility Control shall, on request of the company, jointly determine the alternative for the project. Such equitable share, in the case of or in connection with the construction or reconstruction of any limited access highway, shall be the entire cost, less the deductions provided in this section, and, in the case of or in connection with the construction or reconstruction of any other state highway, shall be such portion or all of the entire cost, less the deductions provided in this section, as may be fair and just under all the circumstances, but shall not be less than fifty per cent of such cost after the deductions provided in this section. In establishing the equitable share of the cost to be borne by the state, there shall be deducted from the cost of the readjusted, relocated or removed facilities a sum based on a consideration of the value of materials salvaged from existing installations, the cost of the original installation, the life expectancy of the original facility and the unexpired term of such life use. When any facility is removed from the right-of-way of a

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public highway to a private right-of-way, the state shall not pay for such private right-of-way, provided, when a municipally-owned facility is thus removed from a municipally-owned highway, the state shall pay for the private right-of-way needed by the municipality for such relocation. If the commissioner and the company, corporation or municipality owning or operating such facility cannot agree upon the share of the cost to be borne by the state, either may apply to the superior court for the judicial district within which such highway is situated, or, if said court is not in session, to any judge thereof, for a determination of the cost to be borne by the state, and said court or such judge, after causing notice of the pendency of such application to be given to the other party, shall appoint a state referee to make such determination. Such referee, having given at least ten days' notice to the parties interested of the time and place of the hearing, shall hear both parties, shall view such highway, shall take such testimony as such referee deems material and shall thereupon determine the amount of the cost to be borne by the state and immediately report to the court. If the report is accepted by the court, such determination shall, subject to right of appeal as in civil actions, be conclusive upon both parties.

Sec. 29. Section 13a-126c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Notwithstanding any provision of the general statutes, the Commissioner of Transportation may enter into an agreement with the owner or operator of a public service facility, as such facility is defined in section 13a-126, as amended by this act, desiring the longitudinal use of the right-of-way of a state highway to accommodate trunkline or transmission type utility facilities and to fix the terms, conditions and rates and charges for use of such right-of-way; provided, no such agreement shall exempt a public service facility from the provisions of chapter 277a. In the case of public service companies, as defined in

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subdivision (1) of subsection (a) of section 16-1, such charges or rates shall not exceed the actual administrative, construction, operation and maintenance costs of the department incurred as a result of the public service company's use of a nonlimited access state highway. The department may estimate such charges or rates and require prepayment of such charges or rates provided any amount in excess of the actual amount is refunded to the public service company.

Sec. 30. Section 16-19b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No adjustment clause of any kind whatsoever shall be authorized by the Department of Public Utility Control if such a clause operates automatically to permit charges, assessments or amendments to existing rate schedules to be made which have not been first approved by the department.

(b) If the department finds that the changed price of purchased gas required for distribution by a gas company substantially threatens the ability of the company to earn a reasonable rate of return, or will cause the company to have an excessive rate of return, the department shall, after investigation and public hearing, approve a suitable purchased gas adjustment clause to be superimposed upon the existing rate schedule of the company. The department shall design any such purchased gas adjustment clause to allow the gas company to charge or to reimburse the consumer only for the changes in the cost of purchased gas which occur when the actual price of purchased gas differs from the price reflected in the base rates of the company. The department may establish an efficiency factor in the purchased gas adjustment clause of each gas company, which may provide for less than one hundred per cent recovery of the gross earnings tax imposed by section 12-264 on the revenues from such purchased gas. A purchased gas adjustment clause approved pursuant to this section shall apply to all gas companies similarly affected by the costs which

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form the basis for the adjustment clause.

(c) If the department, after notice and hearing, determines that the adoption of an energy adjustment clause would protect the interests of ratepayers of an electric company, ensure economy and efficiency in energy production and purchase by the electric company and achieve the objectives set forth in subsection (a) of section 16-19 and in section 16-19e better than would the continued operation of a fuel adjustment clause and a generation utilization adjustment clause, the department shall approve an energy adjustment clause to be superimposed upon the existing rate schedule of the electric company. The department shall design any such energy adjustment clause to reflect cost-efficient energy resource procurement and to recover the costs of energy that are proper for rate-making purposes and for which the department has not authorized recovery through base rates. These costs, reflecting prudent and efficient management and operations, may include, but are not limited to, the costs of oil, gas, coal, nuclear fuel, wood or other fuels, and energy transactions with other utilities, nonutility generators or power pools, all or part of the cost of conservation and load management, and the gross earnings tax imposed by section 12-264 on the revenues from the energy sources subject to the energy adjustment clause. The department shall design the energy adjustment clause to provide for recovery of energy costs prudently incurred by an electric company in accordance with section 16-19e. Notwithstanding the provisions of section 16-19, the department shall [make any changes to] change an energy adjustment clause in accordance with the provisions of subsections [(d)] (e) and [(g)] (h) of this section. An energy adjustment clause approved pursuant to this section shall apply to all electric companies similarly affected by the costs which form the basis for the adjustment clause.

(d) The Department of Public Utility Control shall adjust the retail rate charged by each electric distribution company for electric

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transmission services periodically to recover all transmission costs prudently incurred by each electric distribution company. The Department of Public Utility Control, after notice and hearing, shall design the retail transmission rate to provide for recovery of all Federal Energy Regulatory Commission approved transmission costs, rates, tariffs and charges and of other transmission costs prudently incurred by an electric distribution company in accordance with section 16-19e. Notwithstanding the provisions of section 16-19, the department shall adjust the retail transmission rate in accordance with the provisions of subsections (e) and (h) of this section. A transmission rate adjustment clause approved pursuant to this section shall apply to all electric distribution companies similarly affected by transmission costs. The department's authority to review the prudence of costs shall not apply to any matter over which any agency, department or instrumentality of the federal government has exclusive jurisdiction, or has jurisdiction concurrent with that of the state and has exercised such jurisdiction to the exclusion of regulation of such matter by the state.

[(d)] (e) No proposed purchased gas adjustment, [or] energy adjustment charge or credit or transmission rate shall become effective until the Department of Public Utility Control has approved such charges or credits pursuant to an administrative proceeding. Such an administrative proceeding shall be open to the public and shall be convened within ten days of the filing of an application by an electric or gas company requesting such a proceeding. Notice of such application and proceeding shall be published at least five days prior to such proceeding in a newspaper of general circulation in the area served by such company. The department shall receive and consider comments of interested persons and members of the public at such a proceeding, which shall not be considered a contested case for purposes of title 4, this title or any regulation adopted thereunder. Any approval or denial of the department pursuant to this subsection shall not be deemed an order, authorization or decision of the department

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for purposes of section 16-35. After notice and hearing, the department shall adopt regulations, in accordance with chapter 54, which shall include the requirements of the filing to support the requested charge or credit. Notwithstanding the provisions of this section, in the event that the department has not rendered an approval or denial concerning any such application within five days of the day the administrative proceeding shall have been convened, the proposed charges or credits (1) shall become effective at the option of the company pending the department's finding with respect to such charges, or (2) in the discretion of the department, may become effective upon the filing by the company with the department of an assurance. Such assurance may include a bond with surety, and shall satisfy the department of the company's ability and willingness to refund to its customers any such amounts as the company may collect from them in excess of the charges approved by the department in its finding.

[(e)] (f) Each company subject to a purchased gas adjustment clause or an energy adjustment clause shall disclose in its customer bills the per unit rate of the charges or credits made under the clause and the actual amount thereof in dollars and cents.

[(f)] (g) The department shall not suspend or discontinue a purchased gas adjustment clause or an energy adjustment clause which it has approved except (1) after general rate hearings for the companies affected by the clause, and (2) upon a finding by the Department of Public Utility Control that the market prices of purchased gas or the costs of energy have stabilized and are likely to remain stable.

[(g)] (h) The Department of Public Utility Control shall continually monitor and oversee the application of the purchased gas adjustment clause, [and] the energy adjustment clause, and the transmission rate adjustment clause. The department shall hold a public hearing thereon whenever the department deems it necessary, but no less frequently

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than once every six months, and undertake such other proceeding thereon to determine whether charges or credits made under such clauses reflect the actual prices paid for purchased gas or energy [L] and the actual transmission costs and are computed in accordance with the applicable clause. If the department finds that such charges or credits do not reflect the actual prices paid for purchased gas or energy, and the actual transmission costs or are not computed in accordance with the applicable clause, it shall recompute such charges or credits and shall direct the company to take such action as may be required to insure that such charges or credits properly reflect the actual prices paid for purchased gas or energy and the actual transmission costs and are computed in accordance with the applicable clause for the applicable period.

[(h)] (i) The department shall establish procedures conforming to the requirements of this section after notice and opportunity for a public hearing.

[(i)] (j) Any purchased gas adjustment clause or energy adjustment clause approved by the department may include a provision designed to allow the electric or gas company to charge or reimburse the customer for any under-recovery or over-recovery of overhead and fixed costs due solely to the deviation of actual retail sales of electricity or gas from projected retail sales of electricity or gas. The department shall include such provision in any energy adjustment clause approved for an electric company if it determines (1) that a significant cause of excess earnings by the electric company is an increase in actual retail sales of electricity over projected retail sales of electricity as determined at the time of the electric company's most recent rate amendment, and (2) that such provision is likely to benefit the customers of the electric company.

[(j)] (k) Notwithstanding the provisions of this section, an approved fossil fuel adjustment clause or generation utilization adjustment

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clause in effect for an electric company on July 1, 1995, shall remain in effect in its form and method of operation as of said date until the department has approved an energy adjustment clause for the company and the approved energy adjustment clause is in effect.

[(k)] (l) Notwithstanding the provisions of this section, upon the application of any gas company, the department may modify, suspend or discontinue a purchased gas adjustment clause for one or more gas companies if the department determines that as part of an overall performance-based rate plan, such modification, suspension or discontinuance will ensure safety and reliability, will provide substantial financial benefits to ratepayers at least equal to those provided to the gas company and will lower the rates below what they would be without such modification, suspension or discontinuance, as determined by the department.

Sec. 31. Section 16-245d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Department of Public Utility Control shall, by regulations adopted pursuant to chapter 54, develop a standard billing format that enables customers to compare pricing policies and charges among electric suppliers. Not later than January 1, 2005, the department shall adopt regulations, in accordance with the provisions of chapter 54, to provide that an electric supplier may provide direct billing and collection services for electric generation services and related federally mandated congestion costs that such supplier provides to its customers that use a demand meter or have a maximum demand of not less than five hundred kilowatts and that choose to receive a bill directly from such supplier. An electric company, electric distribution company or electric supplier that provides direct billing of the electric generation service component and related federally mandated congestion costs, as the case may be, shall, in accordance with the billing format developed by the department, include the following

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information in each customer's bill, as appropriate: (1) The total amount owed by the customer, which shall be itemized to show, (A) the electric generation services component and any additional charges imposed by the electric supplier, if applicable, (B) the [electric transmission and] distribution charge, including all applicable taxes and the systems benefits charge, as provided in section 16-245l, (C) the transmission rate as adjusted pursuant to subsection (d) of section 16-19b, as amended by this act, (D) the competitive transition assessment, as provided in section 16-245g, [(D)] (E) federally mandated congestion costs, and [(E)] (F) the conservation and renewable energy charge, consisting of the conservation and load management program charge, as provided in section 16-245m, and the renewable energy investment charge, as provided in section 16-245n; (2) any unpaid amounts from previous bills which shall be listed separately from current charges; (3) except for customers subject to a demand charge, the rate and usage for the current month and each of the previous twelve months in the form of a bar graph or other visual form; (4) the payment due date; (5) the interest rate applicable to any unpaid amount; (6) the toll-free telephone number of the electric distribution company to report power losses; (7) the toll-free telephone number of the Department of Public Utility Control for questions or complaints; (8) the toll-free telephone number and address of the electric supplier; and (9) a statement about the availability of information concerning electric suppliers pursuant to section 16-245p.

(b) The regulations shall provide guidelines for determining the billing relationship between the electric distribution company and electric suppliers, including but not limited to, the allocation of partial bill payments and late payments between the electric distribution company and the electric supplier. An electric distribution company that provides billing services for an electric supplier shall be entitled to recover from the electric supplier all reasonable transaction costs to provide such billing services as well as a reasonable rate of return, in

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accordance with the principles in subsection (a) of section 16-19e.

Sec. 32. Section 14-270 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

(a) The Commissioner of Transportation or other authority having charge of the repair or maintenance of any highway or bridge is authorized to grant permits for transporting vehicles or combinations of vehicles or vehicles and load, or other objects not conforming to the provisions of sections 14-98, 14-262, 14-264, 14-267a and 14-269 but, in the case of motor vehicles, only the Commissioner of Transportation shall be authorized to issue such permits. Such permits shall be written, and may limit the highways or bridges which may be used, the time of such use and the maximum rate of speed at which such vehicles or objects may be operated, and may contain any other condition considered necessary by the authority granting the same, provided the Department of Transportation shall not suffer any loss of revenue granted or to be granted from any agency or department of the federal government for the federal interstate highway system or any other highway system.

(b) Any permit issued in respect to any vehicle or combination of vehicles or vehicle and trailer on account of its excessive weight shall be limited to the gross weight shown or to be shown on the registration certificate. A permit granted under this section for a vehicle or load, greater than twelve feet, but no greater than thirteen feet six inches in width and traveling on undivided highways, shall require a single escort motor vehicle to precede such vehicle or load. No escort motor vehicle shall be required to follow such vehicle or load on such highways.

(c) Any permit issued under this section or a legible copy or facsimile shall be retained in the possession of the operator of the vehicle or combination of vehicles or vehicle and trailer for which such

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permit was issued, except that a telegraphic confirmation of the existence of such permit or the use of the special number plates described in section 14-24 and any regulations adopted thereunder shall be sufficient to fulfill the requirements of this section.

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

(e) The Commissioner of Transportation shall adopt regulations in accordance with chapter 54 prescribing standards for issuance of permits for vehicles with divisible or indivisible loads not conforming to the provisions of section 14-267a.

(f) The provisions of subsection (d) of this section shall not apply to the federal government, the state, municipalities or fire departments.

(g) Any person who violates the provisions of any permit issued under this section or fails to obtain such a permit, when operating a

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commercial motor vehicle under the provisions of section 14-163c, shall be subject to the following penalties:

(1) A person operating a vehicle with a permit issued under this section that exceeds the weight specified in such permit shall be subject to a penalty calculated by subtracting the permitted weight from the actual vehicle weight and the rate of the fine shall be fifteen dollars per one hundred pounds or fraction thereof of such excess weight;

(2) A person who fails to obtain a permit issued under section 14-262 or 14-264 and who is operating a vehicle at a weight that exceeds the statutory limit for weight shall be subject to a penalty calculated by subtracting the statutory limit for weight from the actual vehicle weight and the rate of the fine shall be fifteen dollars per one hundred pounds or fraction thereof of such excess weight;

(3) A person operating a vehicle with a permit issued under this section that exceeds the length specified in such permit shall be subject to a minimum fine of three hundred dollars;

(4) A person operating a vehicle with a permit issued under this section that exceeds the width specified in such permit shall be subject to a minimum fine of three hundred dollars;

(5) A person operating a vehicle with a permit issued under this section that exceeds the height specified in such permit shall be subject to a minimum fine of one thousand dollars;

(6) A person operating a vehicle with a permit issued under this section on routes not specified in such permit, shall be fined (A) one thousand five hundred dollars for each violation of the statutory limit for length, width, height or weight, and (B) shall be subject to a penalty calculated by subtracting the statutory weight limit of subsection (b) of section 14-267a from the actual vehicle weight and such weight difference shall be fined at the rate provided for in subparagraph (G)

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of subdivision (2) of subsection (f) of section 14-267a; or

(7) A person (A) operating a vehicle with an indivisible load and violating one or more of the provisions of subdivisions (1) to (6), inclusive, of this subsection shall be required to obtain a permit, or (B) operating a vehicle with a divisible load and violating one or more of the provisions of subdivisions (1) to (6), inclusive, of this subsection shall be required to be off loaded to the permit limit.

(h) (1) If the origin, destination, load description, tractor registration, trailer registration, hours of travel, number of escorts, signs or flags of a vehicle with a permit issued under this section differ from those stated on such permit or required by regulations adopted pursuant to this section, a minimum fine of two hundred dollars shall be assessed for each such violation.

(2) If the days of travel of a vehicle with a permit issued under this section differ from those stated on such permit or the vehicle is operated under a false or fraudulent permit, a minimum fine of one thousand five hundred dollars shall be assessed for such violation in addition to any other penalties assessed.

Sec. 33. Section 52-557q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

No claim for damages shall be made against a broadcaster, as defined in subsection (l) of section 12-218, or an outdoor advertising establishment, as described in the United States Department of Labor Standard Industrial Classification System Code 7312, that, pursuant to a voluntary program between broadcasters and law enforcement agencies, or between law enforcement agencies and outdoor advertising establishment, broadcasts or disseminates an emergency alert and information provided by a law enforcement agency concerning the abduction of a child including, but not limited to, a

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description of the abducted child, a description of the suspected abductor and the circumstances of the abduction. Nothing in this section shall be construed to (1) limit or restrict in any way any legal protection a broadcaster or outdoor advertising establishment may have under any other law for broadcasting, outdoor advertising or otherwise disseminating any information, or (2) relieve a law enforcement agency from acting reasonably in providing information to the broadcaster or outdoor advertising establishment.

Sec. 34. (NEW) (*Effective October 1, 2005*) No person shall cross railroad tracks at a designated railroad grade crossing when warned by an automatic signal, crossing gates, flagman or law enforcement officer of the approach of a railroad locomotive, railroad car or train or when otherwise warned of the approach of such a locomotive, car or train. Violation of this section shall be an infraction.

Sec. 35. Section 21-63 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

Any person who erects, maintains, displays or allows to remain in view an advertisement, sign or billboard or any structure designed for the display of advertising matter contrary to any provision of this chapter shall be [fined not more than one hundred dollars for each sign so displayed] in violation of a provision of this chapter. The Commissioner of Transportation shall impose a civil penalty in an amount of one hundred dollars for each day on which the violation occurs. Prior to imposing a penalty under this section, the commissioner shall send such person a written notice of the violation by certified mail, return receipt requested. If such person terminates or corrects the violation by the fifteenth day following such person's receipt of such notice, the commissioner shall not impose such penalty on such person for such violation. Any such violation that continues for more than sixty consecutive days shall be cause for revocation of the permit granted pursuant to this chapter with which the violation is

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associated.

Sec. 36. Subsection (k) of section 13a-123 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

(k) Any person violating any provision of this section [shall be fined not more than one hundred dollars for each such violation] or of any regulation, license, permit or order adopted or issued pursuant to this section shall be subject to a civil penalty in the amount of one hundred dollars for each day on which the violation occurs. Prior to imposing a penalty under this section, the commissioner shall send such person a written notice of the violation by certified mail, return receipt requested. If such person terminates or corrects the violation by the fifteenth day following such person's receipt of such notice, the commissioner shall not impose such penalty on such person for such violation. Any such violation that continues for more than sixty consecutive days shall be cause for revocation of the permit granted pursuant to this chapter with which the violation is associated.

Sec. 37. (*Effective from passage*) State road 529, New Britain Avenue in the town of West Hartford, running in an easterly direction from Route 173 easterly to the West Hartford/Hartford town line, shall be designated the "West Hartford Memorial Highway".

Sec. 38. (*Effective from passage*) Bridge number 01459, located on Interstate Route 91 in the Town of Wethersfield, over passing Great Meadow Road, shall be designated the "Frank Maratta Sr. Memorial Bridge".

Sec. 39. (*Effective from passage*) Bridge number 0916, located on United States Route 202 in the Town of Canton, over passing the Farmington River, shall be designated the "Lieutenant David M. Whirty Memorial Bridge".

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Sec. 40. (*Effective from passage*) Bridge number 03582, located on Route 83 in the Town of Manchester, over passing Interstate Route 384, shall be designated the "William R. Johnson Memorial Bridge".

Sec. 41. (*Effective from passage*) Route 34 in the Town of Orange, running in an easterly direction from the junction of Route 152 easterly to the Orange/New Haven town line, shall be designated the "Staff Sergeant Thomas E. Vitagliano Memorial Highway".

Sec. 42. (*Effective from passage*) The Department of Transportation shall install directional signs on Route 2 in the Town of Colchester indicating the presence of wineries as part of the Connecticut Wine Trail.

Sec. 43. (*Effective from passage*) The Department of Transportation shall install signage on Interstate Route 84 in the Town of Danbury for the Danbury Railway Museum.

Sec. 44. (*Effective from passage*) The Department of Transportation shall install signage on Interstate Route 84 in the City of Waterbury and on Route 8 in the Town of Thomaston for the Railroad Museum of New England.

Sec. 45. (*Effective from passage*) The bridge located on Route 133 in the Town of Brookfield, over passing Route 7, shall be designated the "Lance Corporal John T. Schmidt Memorial Bridge".

Sec. 46. (*Effective from passage*) Route 53 in the Town of Bethel shall be designated the "John L. Tiele Memorial Highway".

Sec. 47. Section 16-343 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon the effective date of legislation enacted by the state of New York having like effect as this section*):

The state of Connecticut hereby agrees with the state of New York,

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upon enactment by New York of legislation having the same effect as this section, to this compact for the purpose of providing for the continuation and improvement of essential interstate railroad passenger service:

ARTICLE I

For the purpose of continuing and improving the railroad passenger service of the New York, New Haven and Hartford Railroad (and its successors) between the city of New Haven in the state of Connecticut and the city of New York in the state of New York, including branch lines which are tributary to the main line of that railroad; [between the said cities] Metropolitan Transportation Authority, a governmental corporation of the state of New York, and Connecticut [Public] Department of Transportation, [Authority (and its successors),] an agency of the state of Connecticut, acting individually, but in cooperation with each other, or as coventurers where they deem it advisable and practical, are hereby authorized to do the following where permissible under the enabling laws of their respective states:

(a) To acquire through eminent domain proceedings, or by gift, purchase, lease or otherwise, the ownership interest in or the right to the use of all those assets of the said railroad (or of any successor in interest to such assets), be they real property, personal property or a combination of the two (including rights arising out of contract, franchise or otherwise), which are or may reasonably be expected to become necessary, convenient or desirable for the continuation or improvement of such service;

(b) To repair and rehabilitate such assets, or to acquire by gift, purchase, lease or otherwise, such new or additional assets and rights as they deem necessary, convenient or desirable for such continuation or improvement;

(c) To dispose of any such assets, new and additional assets and

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rights, or of the right to the use of the same, by conveyance, lease or otherwise (including, without limitation, the grant of trackage rights) when and to the extent that they are not needed for such service by the said agencies; and to abandon or discontinue portions of such service when advisable; and/or

(d) To operate such service, or to contract for the operation of the whole or any part of such service by others.

To accomplish the foregoing objectives, the said agencies are authorized, individually and jointly, to apply for aid, federal, state or local, to supplement those funds appropriated or otherwise made available to them under the laws of the party states.

ARTICLE II

The provisions of this compact shall be construed liberally to effectuate the purposes thereof. Amendments and supplements to this compact to implement the purposes thereof may be adopted by concurrent legislation of the party states.

ARTICLE III

This compact shall be of no force and effect unless and until the Congress of the United States of America, on or before December thirty-first, nineteen hundred sixty-nine, has consented thereto.

Approved July 6, 2005