



General Assembly

**Substitute Bill No. 6959**

January Session, 2005

\*          HB06959TRA          050905          \*

**AN ACT CONCERNING ACCIDENTS INVOLVING STATE VEHICLES.**

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

1       Section 1. Subsection (a) of section 13b-34 of the general statutes is  
2       repealed and the following is substituted in lieu thereof (*Effective July*  
3       *1, 2005, and applicable to any civil action pending on or filed on or after said*  
4       *date*):

5       (a) The commissioner shall have power, in order to aid or promote  
6       the operation, whether temporary or permanent, of any transportation  
7       service operating to, from or in the state, to contract in the name of the  
8       state with any person, including but not limited to any common  
9       carrier, any transit district formed under chapter 103a or any special  
10      act, or any political subdivision or entity, or with the United States or  
11      any other state, or any agency, instrumentality, subdivision,  
12      department or officer thereof, for purposes of initiating, continuing,  
13      developing, providing or improving any such transportation service.  
14      Such contracts may include provision for arbitration of disputed  
15      issues. The commissioner, in order to aid or promote the operation of  
16      any transportation service operating outside the state, may contract in  
17      the name of the state with any person, including, but not limited to,  
18      any common carrier, or with the United States or any other state, or  
19      any agency, instrumentality, subdivision, department or officer  
20      thereof, for purposes of providing any transportation service in the

21 event such assistance is required in the case of an emergency or a  
 22 special event. The state, acting by and through the commissioner, may,  
 23 by itself or in concert with others, provide all or a portion of any such  
 24 service, share in the costs of or provide funds for such service, or  
 25 furnish equipment or facilities for use in such service upon such terms  
 26 and conditions as the commissioner may deem necessary or advisable,  
 27 and any such contracts may include, without limitation thereto,  
 28 arrangements under which the state shall so provide service, share  
 29 costs, provide funds or furnish equipment or facilities. To these ends,  
 30 the commissioner may in the name of the state acquire or obtain the  
 31 use of facilities and equipment employed in providing any such  
 32 service by gift, purchase, lease or other arrangements and may own  
 33 and operate any such facilities and equipment and establish, charge  
 34 and collect such fares and other charges or arrange for such collection  
 35 for the use or services thereof as he may deem necessary, convenient or  
 36 desirable. The commissioner may also acquire title in fee simple to, or  
 37 any lesser estate, interest or right in, any rights-of-way, properties or  
 38 facilities, including properties used on or before October 1, 1969, for  
 39 rail or other forms of transportation services. The commissioner may  
 40 hold such properties for future use by the state and may enter into  
 41 agreements for interim use of such properties for other purposes. Any  
 42 person contracting with the state pursuant to this section for the  
 43 provision of any transportation service shall not be considered an arm  
 44 or agent of the state. Any damages caused by the operation of such  
 45 transportation service by such person may be recovered in a civil  
 46 action brought against such person in the superior court and such  
 47 person may not assert the defense of sovereign immunity in such  
 48 action.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2005, and applicable to any civil action pending on or filed on or after said date</i>	13b-34(a)

**JUD**      *Joint Favorable Subst.*

**TRA**      *Joint Favorable*