



General Assembly

Substitute Bill No. 5664

February Session, 2006

* _____HB05664GAE____041106_____*

AN ACT CONCERNING THE DEPARTMENT OF TRANSPORTATION.

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

1 Section 1. Section 14-262 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The following vehicles shall not be operated upon any highway
4 or bridge without a special written permit from the Commissioner of
5 Transportation, as provided in section 14-270, as amended, specifying
6 the conditions under which they may be so operated:

7 (1) A vehicle, combination of vehicle and trailer or commercial
8 vehicle combination, including each such vehicle's load, which is
9 wider than one hundred two inches or its approximate metric
10 equivalent of two and six-tenths meters or one hundred two and
11 thirty-six-hundredths inches, including its load, but not including the
12 following safety devices: Reasonably sized rear view mirrors, turn
13 signals, steps and handholds for entry and egress, spray and splash
14 suppressant devices, load-induced tire bulge and any other state-
15 approved safety device which the Commissioner of Transportation
16 determines is necessary for the safe and efficient operation of such a
17 vehicle or combination, provided no such state-approved safety device
18 protrudes more than three inches from each side of the vehicle or
19 provided no such device has by its design or use the capability to carry
20 cargo. Such permit shall not be required in the case of (A) farm

21 equipment, (B) a vehicle or combination of vehicle and trailer loaded
22 with hay or straw, (C) a school bus equipped with a folding stop sign
23 or exterior mirror, as approved by the Commissioner of Motor
24 Vehicles, which results in a combined width of bus and sign or bus
25 and mirror in excess of that established by this subsection, [or] (D) a
26 trailer designed and used exclusively for transporting boats when the
27 gross weight of such boats does not exceed four thousand pounds, or
28 (E) a recreation vehicle with appurtenances, including safety devices
29 and retracted shade awnings, no greater than six inches on each side
30 for a maximum allowance of twelve inches; and

31 (2) A combination of truck and trailer which is longer than sixty-five
32 feet except (A) a combination of truck and trailer or tractor and
33 semitrailer loaded with utility poles, both trailer and semitrailer
34 having a maximum length of forty-eight feet, utility poles having a
35 maximum length of fifty feet and the overall length not to exceed
36 eighty feet, (B) a trailer designed and used exclusively for transporting
37 boats when the gross weight of such boats does not exceed four
38 thousand pounds, (C) a tractor-trailer unit, (D) a commercial vehicle
39 combination, (E) combinations of vehicles considered as specialized
40 equipment in 23 CFR 658.13(e), as amended, or (F) a tractor equipped
41 with a dromedary box operated in combination with a semitrailer
42 which tractor and semitrailer do not exceed seventy-five feet in overall
43 length.

44 (b) A special written permit may not be issued by the Commissioner
45 of Transportation for a combination of vehicles consisting of a vehicle
46 drawing a combination of three or more trailers or semitrailers, except
47 any such combination engaged in the transportation of an indivisible
48 load.

49 (c) The maximum length of a single unit vehicle shall be forty-five
50 feet and the maximum length of the semitrailer portion of a tractor-
51 trailer unit shall be forty-eight feet. A trailer greater than forty-eight
52 feet and less than or equal to fifty-three feet in length, that has a
53 distance of no more than forty-three feet between the kingpin and the

54 center of the rearmost axle with wheels in contact with the road
55 surface, may be operated on (1) unless posted otherwise, United States
56 and Connecticut routes numbered from 1 to 399, inclusive, 450, 476,
57 508, 693 and 695 and the national system of interstate and defense
58 highways, and (2) state and local roads for up to one mile from the
59 routes and system specified in subdivision (1) of this subsection for
60 access to terminals, facilities for food, fuel, repair and rest, and points
61 of loading and unloading. The Commissioner of Transportation shall
62 permit additional routes upon application of carriers or shippers
63 provided the proposed additional routes meet the permit criteria of the
64 Department of Transportation. Such length limitation shall be
65 exclusive of safety and energy conservation devices, such as
66 refrigeration units, air compressors or air shields and other devices,
67 which the Secretary of the federal Department of Transportation may
68 interpret as necessary for the safe and efficient operation of such
69 vehicles, provided no such device has by its design or use the
70 capability to carry cargo.

71 (d) Violation of any provision of this section shall be subject to a fine
72 of five hundred dollars.

73 Sec. 2. Section 14-264 of the general statutes is repealed and the
74 following is substituted in lieu thereof (*Effective from passage*):

75 No vehicle, except a vehicle loaded with loose hay or straw whose
76 height, with its load, exceeds [thirteen feet six inches] fourteen feet,
77 shall be operated upon any highway or bridge without a special
78 written permit from the Commissioner of Transportation as provided
79 in section 14-270, as amended, specifying the period for which and the
80 other conditions under which such vehicle shall be permitted to be so
81 operated. Violation of the provision of this section shall be subject to a
82 fine of one thousand five hundred dollars.

83 Sec. 3. Section 15-13c of the general statutes is repealed and the
84 following is substituted in lieu thereof (*Effective from passage*):

85 (a) There is created within the Department of Transportation, for
86 administrative purposes only, the Connecticut Pilot Commission to
87 assist and advise the Commissioner of Transportation on matters
88 relating to the licensure of pilots, the safe conduct of vessels and the
89 protection of the ports and waters of the state, including the waters of
90 Long Island Sound.

91 (b) The commission shall consist of nine members, one of whom
92 shall be the Commissioner of Transportation or the commissioner's
93 designee and one of whom shall be an active licensed pilot in this state
94 operating on the Connecticut side of the rotation system for the
95 assignment of pilots. The pilot member shall be designated by a simple
96 majority vote of pilots operating on the Connecticut side of the rotation
97 system for the assignment of pilots. The remaining seven members
98 shall be appointed as follows: The Governor shall appoint one member
99 representing a maritime-related industry, which industry shall not
100 include a recreational industry; the president pro tempore of the
101 Senate shall appoint one member representing the public with an
102 interest in the environment; the majority leader of the Senate shall
103 appoint one member representing the public with an interest in the
104 environment; the minority leader of the Senate shall appoint one
105 member who shall be a retired ship's master or captain; the speaker of
106 the House of Representatives shall appoint one member representing a
107 maritime-related industry, which industry shall not include a
108 recreational industry; the majority leader of the House of
109 Representatives shall appoint one member representing a maritime-
110 related industry, which industry shall not include a recreational
111 industry; the minority leader of the House of Representatives shall
112 appoint one member with an expertise in the area of admiralty law.
113 Each member shall be a resident of the state, provided no member
114 shall be an active licensed pilot, except the one active Connecticut
115 licensed pilot operating in and designated by a simple majority of
116 pilots operating on the Connecticut side of the rotation system for the
117 assignment of pilots. Members shall be reimbursed for necessary
118 expenses incurred in the performance of their duties.

119 (c) On or before July 1, 1992, in accordance with the provisions of
120 subsection (b) of this section (1) the Governor, the speaker of the
121 House of Representatives and the majority leader of the Senate shall
122 each appoint one member who shall serve until July 1, 1996; (2) the
123 president pro tempore of the Senate, the majority leader of the House
124 of Representatives and the minority leader of the House of
125 Representatives shall each appoint one member who shall serve until
126 July 1, 1995; and (3) the minority leader of the Senate shall appoint one
127 member who shall serve until July 1, 1994. Thereafter, members shall
128 serve for a term of four years and any vacancies on the commission
129 shall be filled for the remainder of the term in the same manner as the
130 original appointment.

131 (d) The Governor shall appoint the chairperson of the commission
132 who shall not be an employee of the Department of Transportation.
133 The commission shall elect a vice-chairperson and any other officers
134 that it deems necessary from among its membership. The powers of
135 the commission shall be vested in and exercised by not less than [three]
136 five members serving on the commission. This number shall constitute
137 a quorum and the affirmative vote of [three] five members present at a
138 meeting of the commission shall be necessary for any action taken by
139 the commission.

140 (e) The commission shall [advise the commissioner on the following
141 matters] set: (1) The required qualifications of pilots for eligibility for
142 licensure, including background, training, length of service and
143 apprenticeship; (2) examination requirements for obtaining a pilot's or
144 other type of operating license; and (3) the appropriate number of
145 state-licensed pilots necessary for the safe, efficient and proper
146 operations in the ports and waters of the state, including the waters of
147 Long Island Sound. [; (4)]

148 (f) The commission shall advise the commissioner on (1) the
149 establishment of fair and reasonable rates of pilotage, pursuant to
150 section 15-14, including establishment of a hearing process for the
151 setting of fair and reasonable rates of pilotage and licensure fees; [(5)]

152 (2) the policy of the state on the establishment of a rotation system for
153 the assignment of pilots; ~~[(6)]~~ (3) the policy of the state on the issuance
154 of reciprocal licenses to pilots licensed in other states; ~~[(7)]~~ (4) the
155 enhancement of safety and protection of the marine environment
156 during the operation of vessels and the prevention of oil spills and
157 other marine incidents; ~~[(8)]~~ (5) the proper equipment required on a
158 vessel and the operation of vessels used by pilots for embarkation and
159 disembarkation; ~~[(9)]~~ (6) the designation of pilot boarding stations;
160 ~~[(10)]~~ (7) the proper safety equipment provided by vessels to enable
161 pilots to safely board vessels; ~~[(11)]~~ (8) the state's policy relative to
162 matters of interstate pilotage; and ~~[(12)]~~ (9) any other matter requested
163 by the commissioner.

164 ~~[(f)]~~ (g) The commission shall: [, at the request of the commissioner:]
165 (1) Assist in the preparation of examinations for pilot licensure and
166 other operating certificates; (2) evaluate the examination results of
167 applicants for a pilot license and make appropriate recommendations
168 concerning such applicants' qualifications; (3) assist in the review and
169 monitoring of the performance of pilots, including compliance with
170 state policies, procedures and regulations; (4) review applications for
171 reciprocal licensure and make appropriate recommendations
172 concerning such pilot's qualifications; (5) recommend the duties of
173 pilots for the reporting of faulty pilot boarding and disembarkation
174 systems and of violations of any state laws; (6) review and investigate
175 any marine incident or casualty and conduct hearings to determine the
176 causes of any such incident; (7) investigate and make
177 recommendations on disciplinary measures, including such measures
178 as letters of caution, admonition or reprimand and licensure
179 suspension or forfeiture, including disciplinary matters relative to
180 alcohol or drug abuse; (8) retain an independent investigator to
181 compile a comprehensive factual record of any marine incident or
182 casualty; (9) assist in the review of complaints filed with the
183 commissioner; and (10) assist in the preparation of any report or
184 matter relative to pilotage.

185 Sec. 4. Subsection (c) of section 13a-80 of the general statutes is
186 repealed and the following is substituted in lieu thereof (*Effective from*
187 *passage*):

188 (c) Notwithstanding the provisions of sections 3-14b, as amended,
189 and 4b-21, [to the contrary,] no residential property upon which a
190 single-family dwelling is situated at the time it is obtained by the
191 department for highway purposes may be sold or transferred pursuant
192 to this section within twenty-five years of the date of its acquisition
193 without the department first offering the owner or owners of the
194 property at the time of its acquisition a right of first refusal to purchase
195 the property at the amount of its appraised value as determined in
196 accordance with the provisions of subsection (b) of this section, except
197 for property offered for sale to municipalities prior to July 1, 1988.
198 Notice of such offer shall be sent to each such owner by registered or
199 certified mail, return receipt requested, within one year of the date a
200 determination is made that such property is not necessary for highway
201 purposes. Any such offer shall be terminated by the department if it
202 has not received written notice of the owner's acceptance of the offer
203 within sixty days of the date it was mailed. Whenever the offer is not
204 so accepted, the department shall offer parcels which meet local
205 zoning requirements for residential or commercial use to other state
206 agencies and shall offer parcels which do not meet local zoning
207 requirements for residential or commercial use to all abutting
208 landowners in accordance with department regulations. [The
209 Commissioner of Transportation] If the sale or transfer of the property
210 pursuant to this section results in the existing property of an abutting
211 landowner becoming a nonconforming use as to local zoning
212 requirements, the Commissioner of Transportation may sell or transfer
213 the property to that abutter without public bid or auction. The
214 commissioner shall adopt regulations, in accordance with the
215 provisions of chapter 54, establishing procedures for the disposition of
216 excess property pursuant to the provisions of this subsection in the
217 event such property is owned by more than one person.

218 Sec. 5. Section 10a-92 of the general statutes is repealed and the
219 following is substituted in lieu thereof (*Effective from passage*):

220 The Board of Trustees of the Connecticut State University System
221 shall appoint a committee at each campus to establish traffic and
222 parking regulations for passenger vehicles on such campus. Such
223 traffic committee, subject to the approval of said board and of the State
224 Traffic Commission, may prohibit, limit or restrict the parking of
225 passenger vehicles, determine speed limits, install stop signs, restrict
226 roads or portions thereof to one-way traffic and designate the location
227 of crosswalks on any portion of any road or highway subject to the
228 care, custody and control of said board of trustees, order to have
229 erected and maintained signs designating such prohibitions or
230 restrictions, and impose a fine upon any person who fails to comply
231 with any such prohibition or restriction. Violation of any provision of
232 this section shall be an infraction. All fines so imposed at each state
233 university, less an amount not to exceed the cost of enforcing traffic
234 and parking regulations, shall be deposited in the institutional
235 operating account of such state university for scholarships and library
236 services or acquisitions. The Board of Trustees of the Connecticut State
237 University System shall establish at each campus a committee which
238 shall hear appeals of penalties assessed for parking or traffic violations.
239 The membership of both the committee to establish traffic and parking
240 regulations and the committee to hear traffic violation appeals shall
241 include student and faculty representation.

242 Sec. 6. Subsection (f) of section 13a-26 of the general statutes is
243 repealed and the following is substituted in lieu thereof (*Effective July*
244 *1, 2006*):

245 (f) The provisions of this part restricting the use and
246 accommodation of motor vehicle traffic on parkways to
247 noncommercial vehicles shall not apply to use of the Merritt and
248 Wilbur Cross Parkways by (1) taxicabs, as defined in section 13b-95, (2)
249 vanpool vehicles, as defined in section 14-1, as amended, [or] (3)
250 service buses or two-axle, four-wheeled type II, registered school buses

251 with a gross vehicle weight rating of nine thousand six hundred
252 pounds or less, which are owned by or under contract to a public,
253 private or religious school or public school district and which are
254 engaged in the transportation of school children to and from school or
255 school activities, provided such service buses conform to the
256 regulations establishing the maximum weight, length, height or width
257 of vehicles permitted to use such parkways and such school buses are
258 no more than ninety-eight inches high, eighty-four inches wide and
259 two hundred three inches long, or (4) motor vehicles in livery service,
260 as defined in section 13b-101, provided such motor vehicles cannot
261 accommodate more than ten passengers. The State Traffic Commission
262 shall adopt regulations in accordance with chapter 54 establishing the
263 maximum allowable length and height for any vanpool vehicle using
264 said Merritt and Wilbur Cross Parkways and, not later than July 1,
265 1984, publish in the Connecticut Law Journal a notice of intent to adopt
266 proposed regulations, as defined in section 4-166, reducing the
267 maximum weight, length, height or width of, or limiting the
268 registration classes of, motor vehicles permitted to use such parkways,
269 in order to fully carry out the prohibition on the operation of
270 commercial motor vehicles on such parkways.

271 Sec. 7. (*Effective from passage*) (a) Notwithstanding the provisions of
272 section 13b-97 of the general statutes and any regulations issued
273 thereto, no new taxicab certificates shall be issued during the period
274 ending one year after the effective date of this section while a task
275 force studies the regulation of the taxicab industry.

276 (b) There is established a task force to study the state's taxi industry.
277 Such study shall include, but not be limited to, an examination of (1)
278 the current taxicab regulatory scheme, (2) the standard for the issuance
279 of taxicab certificates, (3) the procedure for licensing taxicab operators,
280 (4) the possible repetition of functions currently existing in taxicab
281 oversight, (5) procedures surrounding public hearings and the need
282 and necessity of such hearings, (6) governance and resources, and (7)
283 any and all other matters that may come to the task force's attention.

284 (c) The task force shall consist of the following members:

285 (1) The Commissioner of Transportation, or the commissioner's
286 designee;

287 (2) The Commissioner of Motor Vehicles, or the commissioner's
288 designee;

289 (3) The Secretary of the Office of Policy and Management, or the
290 secretary's designee;

291 (4) The Commissioner of Consumer Protection, or the
292 commissioner's designee;

293 (5) Two representatives of the Connecticut Taxicab Association; and

294 (6) The cochairpersons and ranking members of the joint standing
295 committee of the General Assembly having cognizance of matters
296 relating to transportation, or their designees.

297 (d) Any member of the task force appointed under subdivision (1),
298 (2), (3), (4), (5) or (6) of subsection (c) of this section may be a member
299 of the General Assembly.

300 (e) All appointments to the task force shall be made no later than
301 thirty days after the effective date of this section. Any vacancy shall be
302 filled by the appointing authority.

303 (f) The speaker of the House of Representatives and the president
304 pro tempore of the Senate shall select the chairpersons of the task
305 force, from among the members of the task force. Such chairpersons
306 shall schedule the first meeting of the task force, which shall be held no
307 later than sixty days after the effective date of this section.

308 (g) The administrative staff of the joint standing committee of the
309 General Assembly having cognizance of matters relating to
310 transportation shall serve as administrative staff of the task force.

311 (h) Not later than January 1, 2007, the task force shall submit a
 312 report on its findings and recommendations to the joint standing
 313 committee of the General Assembly having cognizance of matters
 314 relating to transportation, in accordance with the provisions of section
 315 11-4a of the general statutes. The task force shall terminate on the date
 316 that it submits such report or January 1, 2007, whichever is later.

317 Sec. 8. (*Effective from passage*) The segment of Route 160 from the
 318 intersection of Route 160 and Route 99 easterly to its junction with
 319 Meadow Road in Rocky Hill shall be designated the "Donna
 320 Askintowicz Witherell Memorial Highway".

321 Sec. 9. (*Effective from passage*) Bridge number 06288 on Route 3
 322 northbound over the Route 3 ramp number 802 shall be designated the
 323 "Employer Support of the Guard and Reserve Memorial Bridge".

324 Sec. 10. (*Effective from passage*) State Road 504 in Hartford between
 325 Flatbush Avenue and the junction of I-84 shall be designated the
 326 "William J. Hilliard Memorial Highway".

327 Sec. 11. (*Effective from passage*) State Road 530 in Hartford shall be
 328 designated the "Julian A. Nesta Memorial Highway".

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	14-262
Sec. 2	<i>from passage</i>	14-264
Sec. 3	<i>from passage</i>	15-13c
Sec. 4	<i>from passage</i>	13a-80(c)
Sec. 5	<i>from passage</i>	10a-92
Sec. 6	<i>July 1, 2006</i>	13a-26(f)
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>from passage</i>	New section
Sec. 11	<i>from passage</i>	New section

Statement of Legislative Commissioners:

In subsection (c) of section 4, the new language was rewritten for clarity and consistency with statutory form.

TRA *Joint Favorable Subst.*

GAE *Joint Favorable*