

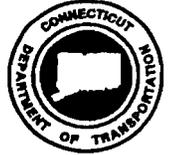


STATE OF CONNECTICUT

DEPARTMENT OF TRANSPORTATION

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Office of the
Commissioner

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**Public Hearing – March 24, 2006
Judiciary Committee**

**Testimony Submitted by Commissioner Stephen E. Korta, II
Department of Transportation**

S.B. 620 - An Act Concerning Dangerous State Roadways.

The Department of Transportation (DOT) is opposed to S.B. 620, AAC Dangerous State Roadways and respectfully offers the following comments:

The proposed legislation is likely to impose a significant financial burden on the Department. Foremost, because of the subjective nature of the word “dangerous,” substantial litigation can be anticipated. Significant costs would be expended defending the Department for the actions of motorists which are outside its control. For example, a curve can be considered safe when driven at a reasonable speed. However, when this same curve is traversed in excess of the speed limit, collisions can occur creating the perception of a dangerous condition caused by the roadway.

Improvement projects intended to address dangerous conditions are not instantaneous. Significant time frames are needed to secure funding and address environmental, historical, private property, etc. issues. Such concerns are sometimes so substantial, that local input precludes the Department from going forward with desired improvements. In such cases, the proposed legislation makes the Department responsible for changes even though it has proceeded prudently. Further compounding this timing issue is the fact that the proposed bill’s effective date backdates to July 1, 2005.

S.B. 620 requires that judgments be paid by the State out of the appropriation for the Commissioner for the repair of highways. Such funds are critical to maintain the State’s highway system. The payment of successful claims from this source would constrain DOT maintenance capabilities and limit the Department’s ability to fund safety improvements intended to address previously identified dangerous conditions.

For further information or questions, please contact Pam Sucato, Legislative Program Manager for the Department of Transportation, at (860) 594-3013.