



**Substitute House Bill No. 7367**

**Public Act No. 07-232**

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

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

Section 1. Subsection (c) of section 13a-80 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Notwithstanding the provisions of sections 3-14b and 4b-21, no residential property upon which a single-family dwelling is situated at the time it is obtained by the department for highway purposes may be sold or transferred pursuant to this section within twenty-five years of the date of its acquisition without the [department] department's first offering the owner or owners of the property at the time of its acquisition a right of first refusal to purchase the property at the amount of its appraised value as determined in accordance with the provisions of subsection (b) of this section, except for property offered for sale to municipalities prior to July 1, 1988. Notice of such offer shall be sent to each such owner by registered or certified mail, return receipt requested, within one year of the date a determination is made that such property is not necessary for highway purposes. Any such offer shall be terminated by the department if it has not received written notice of the owner's acceptance of the offer within sixty days

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of the date it was mailed. Whenever the offer is not so accepted, the department shall offer parcels which meet local zoning requirements for residential or commercial use to other state agencies and shall offer parcels which do not meet local zoning requirements for residential or commercial use to all abutting landowners in accordance with department regulations. If the sale or transfer of the property pursuant to this section results in the existing property of an abutting landowner becoming a nonconforming use as to local zoning requirements, the Commissioner of Transportation may sell or transfer the property to that abutter without public bid or auction. The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, establishing procedures for the disposition of excess property pursuant to the provisions of this subsection in the event such property is owned by more than one person.

Sec. 2. Subsection (b) of section 15-11a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Prior to removing and taking such derelict vessel into custody, the Commissioner of Transportation, a duly authorized harbor master or a duly authorized representative of a municipality shall make a reasonable attempt to notify the owner, agent or operator of the vessel and shall allow such owner, agent or operator to make arrangements for removal of the vessel. Such notification shall inform the owner, agent or operator that, pursuant to this section, if the vessel is not removed within twenty-four hours of notification, it shall be removed, taken into custody and stored at the [owner, agent] owner's, agent's or operator's expense.

Sec. 3. Subsection (f) of section 15-11a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(f) Ninety days or more after written notice has been given pursuant to subsection (e) of this section, the Commissioner of Transportation, a duly authorized harbor master or a duly authorized representative of a municipality may sell a derelict vessel at public auction in accordance with the provisions of this section. The commissioner, harbor master or authorized agent of a municipality shall apply the proceeds of such sale toward the payment of its charges, any storage charges and the payment of any debt or obligation incurred by the commissioner, harbor master or agent who placed the vessel in storage. Such sale shall be advertised twice in a newspaper published or having a circulation in the town where such vessel is stored or is located, commencing at least five days before such sale; and, if the last place of abode of the owner, agent or operator of such vessel is known to or ascertained by the commissioner, harbor master or agent by the exercise of reasonable diligence, notice of the time and place of sale shall be given to such owner, agent or operator by sending such notice to the owner, agent or operator, by certified mail, return receipt requested, at such last place of abode at least five days before the day of the sale. The proceeds of such sale, after deducting any amount due for removal and storage charges and all expenses connected with such sale, shall be paid to the owner, agent or operator of such vessel or the [owner, agent] owner's, agent's or operator's legal representatives, if claimed by the owner, agent or operator or the [owner, agent] owner's, agent's or operator's legal representative at any time within one year from the date of such sale. If such balance is not claimed within said period, it shall escheat to the municipality from which the vessel was removed. If the expenses incurred by the commissioner, harbor master or agent for such removal and storage and sale of such vessel and any fines exceed the proceeds of such sale, the owner, agent or operator of the vessel shall be liable for such excess expenses.

Sec. 4. Subsection (e) of section 15-13c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from*

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*passage*):

(e) The commission shall, subject to the approval of the commissioner in his sole discretion, set: (1) The required qualifications of pilots for eligibility for licensure, including background, training, length of service and apprenticeship; (2) examination requirements for obtaining a pilot's or other type of operating license; and (3) the appropriate number of state-licensed pilots necessary for the safe, efficient and proper operations in the ports and waters of the state, including the waters of Long Island Sound. [; (4) in] In setting these requirements, the commission may not consider the licenses of pilots by other jurisdictions as a disqualifying factor.

Sec. 5. Subsection (g) of section 15-13c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(g) The commission shall: (1) Assist in the preparation of examinations for pilot licensure and other operating certificates; (2) evaluate the examination results of applicants for a pilot license and make appropriate recommendations concerning such applicants' qualifications; (3) assist in the review and monitoring of the performance of pilots, including compliance with state policies, procedures and regulations; (4) review applications for reciprocal licensure and make appropriate recommendations concerning such [pilot's] pilots' qualifications; (5) recommend the duties of pilots for the reporting of faulty pilot boarding and disembarkation systems and of violations of any state laws; (6) review and investigate any marine incident or casualty and conduct hearings to determine the causes of any such incident; (7) investigate and make recommendations on disciplinary measures, including such measures as letters of caution, admonition or reprimand and licensure suspension or forfeiture, including disciplinary matters relative to alcohol or drug abuse; (8) retain an independent investigator to compile a comprehensive factual

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record of any marine incident or casualty; (9) assist in the review of complaints filed with the commissioner; and (10) assist in the preparation of any report or matter relative to pilotage.

Sec. 6. Section 14-260n of the general statutes is amended by adding subdivision (18) as follows (*Effective July 1, 2007*):

(NEW) (18) "Articulated bus" means a motor vehicle designed and used for the purposes of carrying public transit passengers, with two separate passenger compartments connected by a kingpin or similar joint, and may be composed of a tractor section and a trailer section, or a forward portion with no motive power and a trailer section with a power unit.

Sec. 7. (NEW) (*Effective October 1, 2007*) The recipient of a permit pursuant to section 13b-89 of the general statutes, who owns or operates a motor bus, as defined in subdivision (47) of section 14-1 of the general statutes, which has an upper and lower deck, may register such motor bus in this state, provided such motor bus complies with manufacturing and safety standards for motor buses established under federal statutes and regulations. The Commissioner of Transportation shall adopt regulations in accordance with this section.

Sec. 8. Subsection (a) of section 13b-4d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Notwithstanding any other provision of the general statutes, the Commissioner of Transportation may declare a state of emergency and may employ, in any manner, such assistance as he may require to restore any railroad owned by the state or any of its subdivisions or the facilities, equipment or service of such railroad, or any transit system or its facilities, equipment or service, or any airport when: (1) A railroad system owned by the state or any of its subdivisions or any of

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the facilities or equipment of such railroad system is deemed by the commissioner to be in an unsafe condition or when there is an interruption of essential railroad services, whether or not such system or any of its facilities or equipment is physically damaged; [or] (2) a transit facility owned by the state or any of its subdivisions or the equipment of such facility is damaged as a result of a natural disaster or incurs substantial casualty loss which results in what is deemed by the commissioner to be an unsafe condition or when there is an interruption of essential transit services; or (3) an airport owned or operated by the state or any of its subdivisions or the equipment of such airport is damaged as a result of a natural disaster or incurs substantial casualty loss which results in what is deemed by the commissioner to be an unsafe condition or when there is an interruption of essential transit services.

Sec. 9. (NEW) (*Effective July 1, 2007*) The Commissioner of Transportation shall develop procedures, in accordance with the general statutes, for the leasing of naming rights of transit stations and other transit-owned property to private corporations and organizations. The commissioner shall establish criteria for the leasing of such naming rights. Such criteria shall be submitted to the joint standing committee of the General Assembly having cognizance of matters relating to transportation, not later than January 30, 2008, and, if approved by said committee, such approval shall not be later than the close of the 2008 session of the General Assembly.

Sec. 10. (*Effective from passage*) Bridge number 03405 overpassing Route 372 in New Britain shall be designated the "Lieutenant Sherrod E. Skinner Memorial Bridge".

Sec. 11. (*Effective from passage*) The segment of Route 71 in New Britain, from the intersection of South Main Street and Rockwell Avenue to the Berlin town line, shall be designated the "Marine Corps League Memorial Highway".

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Sec. 12. (*Effective from passage*) Bridge number 813 on Interstate 91 overpassing Route 15 in Hartford shall be designated the "Sergeant Matthew D. Arace Memorial Bridge".

Sec. 13. (*Effective from passage*) The segment of Route 66 from State Road 545 to Route 17 in Middletown shall be designated the "Charles E. Rau Memorial Highway".

Sec. 14. (*Effective from passage*) Bridge number 06057 in the city of New Britain on Route 71 overpassing Route 9 shall be designated the "Anthony Tercyak Memorial Bridge".

Sec. 15. (*Effective from passage*) The segment of Route 372 from the Plainville-New Britain line easterly to the intersection of Route 555 shall be designated the "Lieutenant Colonel Vincent J. Bracha Memorial Highway".

Sec. 16. (*Effective from passage*) Route 16 in Colchester from Route 85 easterly to the Lebanon town line shall be designated the "PFC William 'Jimmy' Johnston Congressional Medal of Honor Recipient Memorial Highway".

Sec. 17. (*Effective from passage*) Bridge number 05994 on southbound Interstate 91 in Hartford shall be designated the "Officers' Club of Connecticut Memorial Bridge".

Sec. 18. (*Effective from passage*) Bridge number 05307 on eastbound Interstate 84 in Danbury shall be designated the "Association of the United States Army Memorial Bridge".

Sec. 19. (*Effective from passage*) The segment of Route 174 from the New Britain border to Maple Hill Avenue in Newington shall be designated the "Master Police Officer Peter Lavery Memorial Highway".

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Sec. 20. (*Effective from passage*) Route 10 in Avon from Route 44 northerly to the Avon-Simsbury town line shall be designated the "Avon Veterans Memorial Highway".

Sec. 21. (*Effective from passage*) Bridge number 4320A on I-84 eastbound over Washington Street and bridge number 4320B on I-84 westbound over Washington Street shall both be re-designated the "United States Army's First Infantry Division Bridge".

Sec. 22. (*Effective from passage*) Bridge number 06154 on Route 140 in Warehouse Point shall be designated the "World War I Bridge".

Sec. 23. (*Effective from passage*) Bridge number 03149 on Route 136 over the Saugatuck River in Westport shall be designated the "William F. Cribari Memorial Bridge".

Sec. 24. (*Effective from passage*) The segment of road from Memorial Field to the intersection of Route 37 to Overbrook Road in New Fairfield shall be designated "Veterans Way".

Sec. 25. (*Effective from passage*) The segment from Route 37 center from Sawmill Road to the intersection of Route 39 north and Spring Lake Road in Sherman shall be designated "Veterans Way".

Sec. 26. (*Effective from passage*) The segment from the intersection of Elizabeth Street and Route 341 to Route 7 to Cobble Lane in Kent shall be designated "Veterans Way".

Sec. 27. (*Effective from passage*) Route 1 in West Haven running easterly from the Orange, West Haven line to the overpass of the Cove River shall be designated "AMVETS Post 1 Memorial Highway".

Sec. 28. (*Effective from passage*) State Route 116 in Ridgefield from the intersection of Barlow Mountain Road to the New York state line shall be designated the "Elizabeth M. Leonard Memorial Highway".

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Sec. 29. (*Effective from passage*) State Route 35 in Ridgefield from the intersection of Route 33 to Peter Parley Lane shall be designated the "Richard E. Venus Memorial Highway".

Sec. 30. (*Effective from passage*) The segment of Route 4 eastbound from Brickyard Road to Route 10 in Farmington shall be designated the "Lieutenant Colonel Warren Lane Memorial Highway".

Sec. 31. (*Effective from passage*) The segment of Route 5 from Route 150 to the Meriden border in Wallingford shall be designated the "VFW CT Ladies Auxiliary Highway".

Sec. 32. (*Effective from passage*) Bridge number 00882 on Route 20 over the Salmon Brook shall be designated the "Vincent R. T. Arduini Memorial Bridge".

Sec. 33. (*Effective from passage*) The Department of Transportation shall erect a sign in Oakdale designating the location of The Dinosaur Place at Nature's Art.

Sec. 34. (*Effective from passage*) The Department of Transportation shall erect a sign on the Metro North overpass in Milford designating the location of the Milford Fine Arts Council.

Sec. 35. (*Effective from passage*) The Department of Transportation shall erect a sign on Route 8 northbound in Watertown designating the location of the Watertown Business Park.

Sec. 36. (*Effective from passage*) The Department of Transportation shall erect a sign on both the northbound and southbound sides of Interstate 95 at Exit 74 designating the location of the Niantic Bay Boardwalk.

Sec. 37. (*Effective from passage*) The segment of Route 190 East in Suffield from Route 75 to Route 159 shall be designated the "Corporal

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Stephen R. Bixler Memorial Highway".

Sec. 38. (*Effective from passage*) The segment of Route 4 East from State Road 508 to The University of Connecticut Health Center in Farmington shall be designated the "Lawrence Robert Philippon Memorial Highway".

Sec. 39. (*Effective from passage*) Route 77 in Durham shall be designated the "Charles W. Wimler Highway".

Sec. 40. (*Effective from passage*) Bridge number 00480 on Interstate 91 overpassing State Road 530 shall be designated the "Francis M. DeLucco Memorial Bridge".

Sec. 41. Section 17 of public act 06-133 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Bridge number 6104A on Route 9 southbound over Route 175 shall be designated the "Donald H. Platt Memorial [Highway] Bridge".

Sec. 42. (*Effective from passage*) State Road 529 in West Hartford, running in an easterly direction from Route 173 to the West Hartford-Hartford town line, shall be redesignated the "West Hartford Veteran's Memorial Highway".

Sec. 43. (*Effective from passage*) Bridge number 0057 on 1-95 overpassing West Avenue in Norwalk shall be designated the "Wilfredo Perez Memorial Highway".

Sec. 44. (NEW) (*Effective July 1, 2007*) The Commissioner of Transportation is authorized to loan funds for the purpose of financing the acquisition of vanpool vehicles, as defined in subdivision (94) of section 14-1 of the general statutes to any person, firm or organization.

Sec. 45. Section 13b-343 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2007*):

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The Commissioner of Transportation, when requested in writing by the selectmen of any town, the mayor and common council of any city or the warden and burgesses of any borough to order gates, a flagman or electric signals or other signal device to be installed and maintained at any railroad crossing where a railroad crosses a public highway at grade within such town, city or borough, shall hold a hearing thereon or may, of his own motion, hold such hearing, first giving the town, city or borough wherein the crossing is located, and the company operating the railroad, reasonable notice thereof. If the commissioner upon such hearing finds that public safety requires it, the commissioner shall order such company to install and maintain, at such crossing, gates, a flagman or such electric signals or other signal device as may be approved by the commissioner, or to do any other act deemed necessary for the protection of the public. The commissioner may rescind, alter or amend any such order, whenever the commissioner deems it necessary, upon first giving the municipality wherein the crossing is located and the railroad company an opportunity to be heard thereon. If any such company fails to comply with any order of the commissioner made pursuant to this section, it shall forfeit to the state fifty dollars for each day of such failure. The commissioner shall notify state and municipal elected officials of affected towns of the reactivation of any railroad line not later than forty-five days from notification to the Department of Transportation, by the railroad, of such reactivation. The commissioner, or the commissioner's designee, shall determine if a public hearing on the safety of rail crossings is required on the reactivated railroad line, provided, if a state or municipal official requests a public hearing, the commissioner shall hold a public hearing. Any such hearing shall be scheduled not later than ninety days prior to the reactivation of such railroad line. Any comments or recommendations on railroad safety that are provided to the public hearing officer during the public hearing shall be reviewed and incorporated, as deemed appropriate by the commissioner, to address concerns raised at the hearing.

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Sec. 46. (*Effective October 1, 2007*) The Commissioner of Transportation shall install crossing gates and electric signals at the Route 203 crossing in Windham.

Sec. 47. Section 46 of public act 05-210 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Route 53 in the Town of Bethel shall be designated the ["John. L. Tiele Memorial Highway"] "John L. Thiele Memorial Highway".

Sec. 48. (*Effective from passage*) A segment of road in South Windsor shall be designated the "Officer Harvey R. Young Memorial Highway".

Sec. 49. (*Effective from passage*) Route 6 in Bethel, from the Vail Road intersection to the Danbury line, shall be designated the "Trooper James W. Lambert Memorial Highway".

Sec. 50. (NEW) (*Effective July 1, 2007*) The following initiatives shall be established to preserve Connecticut's licensed private owned, public used airports which have a paved runway and a minimum of five thousand operations per year: (1) The state shall have the right of first refusal to purchase, via fair market value and state property acquisition procedures, an airport, if that airport is threatened with sale or closure, for the express purpose in preserving the airport; (2) the Commissioner of Transportation may acquire the development rights, based on fair market value for such rights of such airports, provided the airport remains a public airport; (3) the state shall fund capital improvements to private airports, in which case the state shall participate in ninety per cent of the eligible costs and the balance by the sponsor, with budget and priorities to be determined by the Department of Transportation, and engineering in accordance with Federal Aviation Administration Advisory Circulars; and (4) the establishment of a new airport zoning category for the airport's imaginary surfaces as defined by Federal Aviation Regulations.

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Development within these surfaces shall require notices for proposed construction and a federal determination of obstructions. Construction of obstructions deemed hazardous to navigation shall not be allowed.

Sec. 51. (*Effective from passage*) The Commissioner of Transportation shall revise the official map of the state highway system provided for in section 13a-16 of the general statutes to establish the boundary between the towns of Danbury and Ridgefield as follows: Commencing at a stone monument set in the ground on the east side of Pine Mountain Road and being seven hundred forty feet as measured southerly on the centerline of Pine Mountain Road from its intersection with Miry Brook Road, thence continuing four thousand seven hundred seventy feet in a southeasterly direction on a bearing of south 58 degrees 15 minutes east to an existing iron rod set in bed rock on Pine Mountain. Such boundary is described in the land records of the city of Danbury on pages 89 to 92, inclusive, of volume 72.

Sec. 52. (*Effective from passage*) The Department of Transportation shall erect signs on Interstate 91 at exit 23 designating the location of the Employer Support of the Guard and Reserve Headquarters.

Sec. 53. (*Effective from passage*) The segment of Route 73 at the intersection with Aurora Street in Waterbury shall be designated the "Captain John Keane Memorial Highway".

Sec. 54. (NEW) (*Effective from passage*) The Department of Transportation shall suspend the realignment of Route 113 between Access Road and Dorne Drive in Stratford, known as Main Street, until April 15, 2008. If, on that date, no agreement has been reached between Stratford and Bridgeport regarding the disposition of Sikorsky Memorial Airport, the Department of Transportation shall conduct at least one public hearing in both Stratford and Bridgeport concerning the proposed realignment of Route 113.

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Sec. 55. Section 6 of special act 99-17 is repealed. (*Effective from passage*)

Sec. 56. Section 10 of public act 05-210 is repealed. (*Effective from passage*)

Sec. 57. Sections 4 and 31 of public act 05-279 are repealed. (*Effective from passage*)

Approved July 11, 2007