



House of Representatives

General Assembly

File No. 329

January Session, 2009

Substitute House Bill No. 5557

House of Representatives, March 30, 2009

The Committee on Planning and Development reported through REP. SHARKEY of the 88th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING TRAFFIC ON RESIDENTIAL AND COLLECTOR ROADS.

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

1 Section 1. Subparagraph (C) of subdivision (6) of subsection (c) of
2 section 7-148 of the general statutes is repealed and the following is
3 substituted in lieu thereof (*Effective October 1, 2009*):

4 (C) (i) Lay out, construct, reconstruct, alter, maintain, repair, control,
5 operate, and assign numbers to streets, alleys, highways, boulevards,
6 bridges, underpasses, sidewalks, curbs, gutters, public walks and
7 parkways;

8 (ii) Keep open and safe for public use and travel and free from
9 encroachment or obstruction the streets, sidewalks and public places in
10 the municipality;

11 (iii) Control the excavation of highways and streets;

12 (iv) Regulate and prohibit the excavation, altering or opening of
13 sidewalks, public places and grounds for public and private purposes
14 and the location of any work or things thereon, whether temporary or
15 permanent, upon or under the surface thereof;

16 (v) Require owners or occupants of land adjacent to any sidewalk or
17 public work to remove snow, ice, sleet, debris or any other obstruction
18 therefrom, provide penalties upon their failure to do so, and cause
19 such snow, ice, sleet, debris or other obstruction to be removed and
20 make the cost of such removal a lien on such property;

21 (vi) Grant to abutting property owners a limited property or
22 leasehold interest in abutting streets and sidewalks for the purpose of
23 encouraging and supporting private commercial development;

24 (vii) Limit traffic on residential streets or collector roads to local
25 noncommercial traffic and to commercial truck traffic doing business
26 in the municipality or an adjoining municipality.

27 Sec. 2. (NEW) (*Effective October 1, 2009*) Any municipality that
28 adopts an ordinance limiting traffic on residential streets or collector
29 roads pursuant to the provisions of subparagraph (C) of subdivision
30 (6) of subsection (c) of section 7-148 of the general statutes, as amended
31 by this act, shall send a copy of such ordinance, and any amendment to
32 such ordinance, to the State Traffic Commission.

33 Sec. 3. Section 14-298 of the general statutes is repealed and the
34 following is substituted in lieu thereof (*Effective October 1, 2009*):

35 There shall be within the Department of Transportation a State
36 Traffic Commission. Said Traffic Commission shall consist of the
37 Commissioner of Transportation, the Commissioner of Public Safety
38 and the Commissioner of Motor Vehicles. For the purpose of
39 standardization and uniformity, said commission shall adopt and
40 cause to be printed for publication regulations establishing a uniform
41 system of traffic control signals, devices, signs and markings consistent
42 with the provisions of this chapter for use upon the public highways.

43 The [commissioner] Commissioner of Transportation shall make
44 known to the General Assembly the availability of such regulations
45 and any requesting member shall be sent a written copy or electronic
46 storage media of such regulations by the commissioner. Taking into
47 consideration the public safety and convenience with respect to the
48 width and character of the highways and roads affected, the density of
49 traffic thereon and the character of such traffic, said commission shall
50 also adopt regulations, in cooperation and agreement with local traffic
51 authorities, governing the use of state highways and roads on state-
52 owned properties, and the operation of vehicles including but not
53 limited to motor vehicles, as defined by section 14-1, and bicycles, as
54 defined by section 14-286, thereon. A list of limited-access highways
55 shall be published with such regulations and said list shall be revised
56 and published once each year. The commissioner shall make known to
57 the General Assembly the availability of such regulations and list and
58 any requesting member shall be sent a written copy or electronic
59 storage media of such regulations and list by the commissioner. A list
60 of limited-access highways opened to traffic by the Commissioner of
61 Transportation in the interim period between publications shall be
62 maintained in the office of the State Traffic Commission and such
63 regulations shall apply to the use of such listed highways. Said
64 commission shall also make regulations, in cooperation and agreement
65 with local traffic authorities, respecting the use by through truck traffic
66 of streets and highways within the limits of, and under the jurisdiction
67 of, any city, town or borough of this state for the protection and safety
68 of the public. Such regulations shall be consistent with any ordinance
69 adopted by a municipality limiting traffic on residential streets or
70 collector roads pursuant to subparagraph (C) of subdivision (6) of
71 subsection (c) of section 7-148, as amended by this act. If said
72 commission determines that the prohibition of through truck traffic on
73 any street or highway is necessary because of an immediate and
74 imminent threat to the public health and safety and the local traffic
75 authority is precluded for any reason from acting on such prohibition,
76 the commission, if it is not otherwise precluded from so acting, may
77 impose such prohibition. Said commission may place and maintain

78 traffic control signals, signs, markings and other safety devices, which
 79 it deems to be in the interests of public safety, upon such highways as
 80 come within the jurisdiction of said commission as set forth in section
 81 14-297. The traffic authority of any city, town or borough may place
 82 and maintain traffic control signals, signs, markings and other safety
 83 devices upon the highways under its jurisdiction, and all such signals,
 84 devices, signs and markings shall conform to the regulations
 85 established by said commission in accordance with this chapter, and
 86 such traffic authority shall, with respect to traffic control signals,
 87 conform to the provisions of section 14-299.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	7-148(c)(6)(C)
Sec. 2	<i>October 1, 2009</i>	New section
Sec. 3	<i>October 1, 2009</i>	14-298

Statement of Legislative Commissioners:

In sections 2 and 3, the effective date of "October 1, 2007", was changed to "October 1, 2009", for consistency with the intent of the bill.

PD *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 10 \$	FY 11 \$
Various Municipalities	See Below	See Below	See Below

Explanation

The bill allows municipalities to adopt ordinances to limit truck traffic on residential streets or collector roads. It is anticipated that municipalities choosing to adopt the provisions of this bill will be able to accommodate any additional administrative functions within their normal anticipated budgetary resources.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis

sHB 5557

AN ACT CONCERNING TRAFFIC ON RESIDENTIAL AND COLLECTOR ROADS.

SUMMARY:

This bill allows municipalities to adopt ordinances to limit traffic on residential streets or collector roads to local noncommercial traffic and to commercial truck traffic doing business in the municipality or an adjoining municipality. It requires any municipality that adopts such an ordinance to send a copy of the ordinance, and any amendment to it, to the State Traffic Commission. It requires that the commission's regulations be consistent with such local ordinances.

EFFECTIVE DATE: October 1, 2009

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 18 Nay 1 (03/11/2009)