



# House of Representatives

General Assembly

**File No. 808**

January Session, 2011

Substitute House Bill No. 6540

*House of Representatives, May 18, 2011*

The Committee on Appropriations reported through REP. WALKER of the 93rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING HIGHWAY SAFETY, STATE FACILITY TRAFFIC AUTHORITIES, MUNICIPAL BUILDING DEMOLITION, STATE TRAFFIC COMMISSION CERTIFICATES, AT GRADE CROSSINGS, THE NAMING OF ROADS AND BRIDGES IN HONOR OR IN MEMORY OF PERSONS AND ORGANIZATIONS, AND A TRAIN STATION IN NIANTIC.***

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

1 Section 1. (NEW) (*Effective from passage*) (a) The Governor shall do  
2 all things necessary or convenient, on behalf of the state, to secure all  
3 benefits available to the state under the federal Highway Safety Act of  
4 1966, as amended from time to time. The Governor shall designate the  
5 Department of Transportation to administer the highway safety  
6 program and coordinate highway safety activities within the state. The  
7 Governor shall communicate with the federal government with respect  
8 to the state highway safety program.

9 (b) The Governor, or a person within the Department of  
10 Transportation designated by the Governor, is authorized to establish  
11 standards and procedures for the content, coordination, submission

12 and approval of highway safety programs, including, but not limited  
13 to, highway safety education and the integration and coordination of  
14 safety efforts at the state and local levels, with the goal of reducing  
15 highway deaths and injuries. The Department of Transportation, with  
16 the approval of the Governor, may adopt regulations in accordance  
17 with the provisions of chapter 54 of the general statutes, to implement  
18 such highway safety programs.

19 Sec. 2. Section 10a-79 of the general statutes is repealed and the  
20 following is substituted in lieu thereof (*Effective October 1, 2011*):

21 The Board of Trustees of the Community-Technical Colleges shall  
22 appoint a committee at each regional community-technical college to  
23 establish traffic and parking regulations for passenger vehicles at such  
24 college. Such traffic committee, subject to the approval of said board  
25 and of the State Traffic Commission, may: [~~prohibit~~] (1) Prohibit, limit  
26 or restrict the parking of passenger vehicles; [,] (2) determine speed  
27 limits; [,] (3) install stop signs; (4) restrict roads or portions thereof to  
28 one-way traffic; [and] (5) designate the location of crosswalks on any  
29 portion of any road or highway subject to the care, custody and control  
30 of said board of trustees; [,] (6) order signs to [have] be erected and  
31 maintained [signs] designating such prohibitions or restrictions; [,] and  
32 (7) impose a fine upon any person who fails to comply with any such  
33 prohibition or restriction. All fines so imposed at each regional  
34 community-technical college, less an amount not to exceed the cost of  
35 enforcing traffic and parking regulations, shall be deposited in the  
36 institutional operating account of such college for scholarships and  
37 library services or acquisitions. The Board of Trustees of the  
38 Community-Technical Colleges shall establish at each regional  
39 community-technical college a committee which shall hear appeals of  
40 penalties assessed for parking or traffic violations. The membership of  
41 both the committee to establish traffic and parking regulations and the  
42 committee to hear traffic violation appeals shall include student and  
43 faculty representation.

44 Sec. 3. Subsection (a) of section 10a-139 of the general statutes is

45 repealed and the following is substituted in lieu thereof (*Effective*  
46 *October 1, 2011*):

47 (a) The trustees of The University of Connecticut, subject to the  
48 approval of the State Traffic Commission, may: [prohibit] (1) Prohibit,  
49 limit or restrict the parking of vehicles; [, may] (2) determine speed  
50 limits; [, may] (3) install stop signs; (4) restrict roads or portions thereof  
51 to one-way traffic; [and may] (5) designate the location of crosswalks  
52 on any portion of any road or highway upon the grounds controlled  
53 by The University of Connecticut; [,] and [may] (6) erect and maintain  
54 signs designating such prohibitions or restrictions. Any person who  
55 fails to comply with any such prohibition or restriction shall be fined.  
56 Violation of any provision of this subsection shall be an infraction.

57 Sec. 4. Section 17a-24 of the general statutes is repealed and the  
58 following is substituted in lieu thereof (*Effective October 1, 2011*):

59 The superintendent of any institution in the Department of Children  
60 and Families, subject to the approval of the Commissioner of Children  
61 and Families and the State Traffic Commission, may: [prohibit] (1)  
62 Prohibit, limit, restrict or regulate the parking of vehicles; [, may] (2)  
63 determine speed limits; [, may] (3) install stop signs; (4) restrict roads  
64 or portions thereof to one-way traffic; [and may] (5) designate the  
65 location of crosswalks on any portion of any road or highway upon the  
66 grounds of the respective institutions; [,] and [may] (6) erect and  
67 maintain signs designating such prohibitions or restrictions. Security  
68 officers or institutional patrolmen appointed to act as state policemen  
69 on state institution grounds under the provisions of section 29-18, may  
70 arrest or issue summons for violation of such regulations, restrictions  
71 or prohibitions. Any person who fails to comply with any such  
72 prohibition or restriction shall be fined not more than five dollars, and  
73 the court or traffic or parking authority having jurisdiction of traffic or  
74 parking violations in the town in which the institution is located shall  
75 have jurisdiction of violations of this section.

76 Sec. 5. Section 17a-465 of the general statutes is repealed and the  
77 following is substituted in lieu thereof (*Effective October 1, 2011*):

78 The superintendent or director of any state-operated facility within  
79 the Department of Mental Health and Addiction Services, subject to  
80 the approval of the Commissioner of Mental Health and Addiction  
81 Services and the State Traffic Commission, may: [prohibit] (1) Prohibit,  
82 limit, restrict or regulate the parking of vehicles; [, may] (2) determine  
83 speed limits; [, may] (3) install stop signs; (4) restrict roads or portions  
84 thereof to one-way traffic; [and may] (5) designate the location of  
85 crosswalks on any portion of any road or highway upon the grounds  
86 of the respective facilities; [,] and [may] (6) erect and maintain signs  
87 designating such prohibitions or restrictions. Agency police appointed  
88 to act as state policemen on the grounds of state-operated facilities  
89 under the provisions of section 29-18 may arrest or issue summons for  
90 violation of such restrictions or prohibitions. Any person who fails to  
91 comply with any such prohibition or restriction shall be fined not more  
92 than twenty-five dollars, and the court or traffic or parking authority  
93 having jurisdiction of traffic or parking violations in the town in which  
94 such facility is located shall have jurisdiction over violations of this  
95 section.

96 Sec. 6. Section 19a-33 of the general statutes is repealed and the  
97 following is substituted in lieu thereof (*Effective October 1, 2011*):

98 The superintendent or director of any state-operated facility within  
99 the Department of Public Health, subject to the approval of the  
100 Commissioner of Public Health and the State Traffic Commission,  
101 may: [prohibit] (1) Prohibit, limit, restrict or regulate the parking of  
102 vehicles; [, may] (2) determine speed limits; [, may] (3) install stop  
103 signs; (4) restrict roads or portions thereof to one-way traffic; [and  
104 may] (5) designate the location of crosswalks on any portion of any  
105 road or highway upon the grounds of the respective facilities; [,] and  
106 [may] (6) erect and maintain signs designating such prohibitions or  
107 restrictions. Security officers or institutional patrolmen appointed to  
108 act as state policemen on state institution grounds under the  
109 provisions of section 29-18 may arrest or issue summons for violation  
110 of such restrictions or prohibitions. Any person who fails to comply  
111 with any such prohibition or restriction shall be fined not more than

112 twenty-five dollars, and the court or traffic or parking authority having  
113 jurisdiction of traffic or parking violations in the town in which such  
114 facility is located shall have jurisdiction over violations of this section.

115 Sec. 7. Section 27-107 of the general statutes is repealed and the  
116 following is substituted in lieu thereof (*Effective October 1, 2011*):

117 (a) The Commissioner of Public Safety shall assign one or more state  
118 policemen for duty at the [home] Veterans' Home as may be requested  
119 by the commissioner.

120 (b) The [commissioner] Commissioner of Veterans' Affairs, subject  
121 to the approval of the State Traffic Commission, may: [prohibit] (1)  
122 Prohibit, limit, restrict or regulate the parking of vehicles; [, may] (2)  
123 determine speed limits; [, may] (3) install stop signs; (4) restrict roads  
124 or portions thereof to one-way traffic; [and may] (5) designate the  
125 location of crosswalks on any portion of any road or highway upon the  
126 grounds of the Veterans' Home; [,] and [may] (6) erect and maintain  
127 signs designating such prohibitions or restrictions. Security officers or  
128 institutional patrolmen appointed to act as state policemen under the  
129 provisions of section 29-18 may arrest or issue a summons for violation  
130 of such restrictions or prohibitions. Any person who fails to comply  
131 with any such prohibition or restriction shall be fined not more than  
132 twenty-five dollars, and the court or traffic or parking authority having  
133 jurisdiction of traffic or parking violations in the town of Rocky Hill  
134 shall have jurisdiction over violations of this section.

135 Sec. 8. Section 10a-92 of the general statutes is repealed and the  
136 following is substituted in lieu thereof (*Effective October 1, 2011*):

137 The Board of Trustees of the Connecticut State University System  
138 shall appoint a committee at each campus to establish traffic and  
139 parking regulations for passenger vehicles on such campus. Such  
140 traffic committee, subject to the approval of said board and of the State  
141 Traffic Commission, may: [prohibit] (1) Prohibit, limit or restrict the  
142 parking of passenger vehicles; [,] (2) determine speed limits; [,] (3)  
143 install stop signs; [,] (4) restrict roads or portions thereof to one-way

144 traffic; [and] (5) designate the location of crosswalks on any portion of  
145 any road or highway subject to the care, custody and control of said  
146 board of trustees; [,] (6) order signs to [have] be erected and  
147 maintained [signs] designating such prohibitions or restrictions; [,] and  
148 (7) impose a fine upon any person who fails to comply with any such  
149 prohibition or restriction. Violation of any provision of this section  
150 shall be an infraction. All fines so imposed at each state university, less  
151 an amount not to exceed the cost of enforcing traffic and parking  
152 regulations, shall be deposited in the institutional operating account of  
153 such state university for scholarships and library services or  
154 acquisitions. The Board of Trustees of the Connecticut State University  
155 System shall establish at each campus a committee which shall hear  
156 appeals of penalties assessed for parking or traffic violations. The  
157 membership of both the committee to establish traffic and parking  
158 regulations and the committee to hear traffic violation appeals shall  
159 include student and faculty representation.

160 Sec. 9. Section 29-406 of the general statutes is repealed and the  
161 following is substituted in lieu thereof (*Effective from passage*):

162 (a) No person shall demolish any building, structure or part thereof  
163 without obtaining a permit for the particular demolition undertaking  
164 from the building official of the town, city or borough wherein such  
165 building or part thereof is located. No person shall be eligible to  
166 receive a permit under this section unless [he] such person furnishes  
167 written notice to the building official [written evidence] (1) of financial  
168 responsibility in the form of a certificate of insurance specifying  
169 demolition purposes and providing liability coverage for bodily injury  
170 of at least one hundred thousand dollars per person with an aggregate  
171 of at least three hundred thousand dollars, and for property damage of  
172 at least fifty thousand dollars per accident with an aggregate of at least  
173 one hundred thousand dollars; each such certificate shall provide that  
174 the town or city and its agents shall be saved harmless from any claim  
175 or claims arising out of the negligence of the applicant or his agents or  
176 employees in the course of the demolition operations; (2) in the form of  
177 a certificate of notice executed by all public utilities having service

178 connections within the premises proposed to be demolished, stating  
179 that such utilities have severed such connections and service; and (3)  
180 that he is the holder of a current valid license issued under the  
181 provisions of section 29-402, except in the case of (A) a person who is  
182 engaged in the disassembling, transportation and reconstruction of  
183 historic buildings for historical purposes or who is engaged in the  
184 demolition of farm buildings or in the renovation, alteration or  
185 reconstruction of a single-family residence, or (B) an owner who is  
186 engaged in the demolition of a single-family residence or outbuilding,  
187 as provided in subsection (c) of section 29-402. No permit shall be  
188 issued under this section unless signed by the owner and the  
189 demolition contractor. Each such permit shall contain a printed  
190 intention on the part of the signers to comply with the provisions of  
191 this part.

192 (b) In addition to the powers granted pursuant to this part, any  
193 town, city or borough may impose, by ordinance, [impose] a waiting  
194 period of not more than one hundred eighty days before granting any  
195 permit for the demolition of any building or structure or any part  
196 thereof, except when the demolition permit is required for the removal  
197 of a structure acquired by the Department of Transportation for a  
198 transportation project.

199 Sec. 10. Section 14-262 of the general statutes is repealed and the  
200 following is substituted in lieu thereof (*Effective October 1, 2011*):

201 (a) The following vehicles shall not be operated upon any highway  
202 or bridge without a special written permit from the Commissioner of  
203 Transportation, as provided in section 14-270, as amended by this act,  
204 specifying the conditions under which they may be so operated:

205 (1) A vehicle, combination of vehicle and trailer or commercial  
206 vehicle combination, including each such vehicle's load, which is  
207 wider than one hundred two inches or its approximate metric  
208 equivalent of two and six-tenths meters or one hundred two and  
209 thirty-six-hundredths inches, including its load, but not including the  
210 following safety devices: Reasonably sized rear view mirrors, turn

211 signals, steps and handholds for entry and egress, spray and splash  
212 suppressant devices, load-induced tire bulge and any other state-  
213 approved safety device which the Commissioner of Transportation  
214 determines is necessary for the safe and efficient operation of such a  
215 vehicle or combination, provided no such state-approved safety device  
216 protrudes more than three inches from each side of the vehicle or  
217 provided no such device has by its design or use the capability to carry  
218 cargo. Such permit shall not be required in the case of (A) farm  
219 equipment, (B) a vehicle or combination of vehicle and trailer loaded  
220 with hay or straw, (C) a school bus equipped with a folding stop sign  
221 or exterior mirror, as approved by the Commissioner of Motor  
222 Vehicles, which results in a combined width of bus and sign or bus  
223 and mirror in excess of that established by this subsection, (D) a trailer  
224 designed and used exclusively for transporting boats when the gross  
225 weight of such boats does not exceed four thousand pounds, or (E) a  
226 recreation vehicle with appurtenances, including safety devices and  
227 retracted shade awnings, no greater than six inches on each side for a  
228 maximum allowance of twelve inches; and

229 (2) A combination of truck and trailer which is longer than sixty-five  
230 feet except (A) a combination of truck and trailer or tractor and  
231 semitrailer loaded with utility poles, both trailer and semitrailer  
232 having a maximum length of forty-eight feet, utility poles having a  
233 maximum length of fifty feet and the overall length not to exceed  
234 eighty feet, (B) a trailer designed and used exclusively for transporting  
235 boats when the gross weight of such boats does not exceed four  
236 thousand pounds, (C) a tractor-trailer unit, (D) a commercial vehicle  
237 combination, (E) combinations of vehicles considered as specialized  
238 equipment in 23 CFR 658.13(e), as amended, having a maximum  
239 overall length of sixty-five feet on traditional automobile transporters,  
240 with the fifth wheel located on the tractor frame over the rear axle or  
241 axles, including low boys, or a maximum overall length of seventy-five  
242 feet on stinger-steered automobile transporters, excluding front and  
243 rear cargo overhangs, provided the front cargo overhang shall not  
244 exceed three feet and the rear overhang shall not exceed four feet.  
245 Extendable ramps used to achieve such three-foot front overhang and

246 four-foot rear overhang shall be excluded from the measurement of  
247 overall length and shall be retracted when they are not supporting  
248 vehicles, or (F) a tractor equipped with a dromedary box operated in  
249 combination with a semitrailer which tractor and semitrailer do not  
250 exceed seventy-five feet in overall length.

251 (b) A special written permit may not be issued by the Commissioner  
252 of Transportation for a combination of vehicles consisting of a vehicle  
253 drawing a combination of three or more trailers or semitrailers, except  
254 any such combination engaged in the transportation of an indivisible  
255 load.

256 (c) The maximum length, including load, of a single unit vehicle  
257 shall be forty-five feet and the maximum length, including load, of the  
258 semitrailer portion of a tractor-trailer unit shall be forty-eight feet. A  
259 trailer greater than forty-eight feet and less than or equal to fifty-three  
260 feet in length, that has a distance of no more than forty-three feet  
261 between the kingpin and the center of the rearmost axle with wheels in  
262 contact with the road surface, may be operated on (1) unless posted  
263 otherwise, United States and Connecticut routes numbered from 1 to  
264 399, inclusive, 450, 476, 508, 693 and 695 and the national system of  
265 interstate and defense highways, and (2) state and local roads for up to  
266 one mile from the routes and system specified in subdivision (1) of this  
267 subsection for access to terminals, facilities for food, fuel, repair and  
268 rest, and points of loading and unloading. The Commissioner of  
269 Transportation shall permit additional routes upon application of  
270 carriers or shippers provided the proposed additional routes meet the  
271 permit criteria of the Department of Transportation. Such length  
272 limitation shall be exclusive of safety and energy conservation devices,  
273 such as refrigeration units, air compressors or air shields and other  
274 devices, which the Secretary of the federal Department of  
275 Transportation may interpret as necessary for the safe and efficient  
276 operation of such vehicles, provided no such device has by its design  
277 or use the capability to carry cargo.

278 (d) Violation of any provision of this section shall be subject to a fine

279 of five hundred dollars.

280 Sec. 11. Section 14-262b of the general statutes is repealed and the  
281 following is substituted in lieu thereof (*Effective from passage*):

282 Notwithstanding section 14-270, as amended by this act, the  
283 Commissioner of Transportation shall establish a program for the  
284 purpose of issuing permits allowing the following vehicles to be  
285 operated upon any highway or bridge: (1) A mobile home with a  
286 width greater than fourteen feet but no greater than sixteen feet; (2) a  
287 mobile home attached to a towing vehicle which has a combined  
288 length of one hundred feet or less if such [towing vehicle] mobile home  
289 has a length over eighty feet; or (3) a mobile home attached to a towing  
290 vehicle which has a combined length of one hundred four feet if such  
291 [towing vehicle] mobile home has a length of eighty feet or less. Such  
292 permit shall specify conditions under which such mobile home shall be  
293 permitted to operate, including, but not limited to, the period of time  
294 such operation shall be authorized. For the purposes of this section,  
295 "mobile home" shall have the same meaning as in section 21-64a. The  
296 Commissioner of Transportation shall adopt regulations, in accordance  
297 with the provisions of chapter 54, to implement the provisions of this  
298 section.

299 Sec. 12. Subsection (k) of section 14-267a of the general statutes is  
300 repealed and the following is substituted in lieu thereof (*Effective from*  
301 *passage*):

302 (k) (1) Any driver of a vehicle who fails or refuses when directed by  
303 such official, upon a weighing of the vehicle, to comply with such  
304 official's directions shall be fined not less than one hundred dollars or  
305 more than two hundred dollars for the first offense and not less than  
306 two hundred dollars or more than five hundred dollars for each  
307 subsequent offense.

308 (2) Any driver of a vehicle who (A) exits a limited access highway  
309 on which a scale or safety inspection site is in operation with intent to  
310 circumvent the provisions of subsection (h) of this section, without a

311 bona fide business purpose, (B) parks on a limited access highway on  
312 which a scale or safety inspection site is in operation with intent to  
313 circumvent the provisions of subsection (h) of this section, without a  
314 bona fide reason requiring such vehicle to be parked, or [(B)] (C) fails  
315 to comply with the provisions of subsection (h) of this section shall be  
316 fined not less than two hundred fifty dollars or more than five  
317 hundred dollars for the first offense and not less than five hundred  
318 dollars or more than one thousand dollars for each subsequent offense.

319 Sec. 13. Section 14-270 of the general statutes is amended by adding  
320 subsection (i) as follows (*Effective from passage*):

321 (NEW) (i) A person operating a vehicle under a forged permit shall  
322 be subject to a minimum fine of twenty-five thousand dollars, in  
323 addition to any other penalties which may be assessed, and such  
324 vehicle shall be impounded until payment of such fine or fines, or until  
325 order of the superior court. As used in this subsection, "forged permit"  
326 means a permit for a nonconforming vehicle that is subject to the  
327 provisions of this section, that has been falsely made, completed or  
328 altered, and "falsely made", "falsely completed" and "falsely altered"  
329 have the same meaning as set forth in section 53a-137.

330 Sec. 14. Subsection (a) of section 14-311 of the general statutes is  
331 repealed and the following is substituted in lieu thereof (*Effective*  
332 *October 1, 2011*):

333 (a) No person, firm, corporation, state agency, or municipal agency  
334 or combination thereof shall build, expand, establish or operate any  
335 open air theater, shopping center or other development generating  
336 large volumes of traffic, having an exit or entrance on, or abutting or  
337 adjoining, any state highway or substantially affecting state highway  
338 traffic within this state until such person or agency has procured from  
339 the State Traffic Commission a certificate that the operation thereof  
340 will not imperil the safety of the public, except that: (1) Any  
341 development that contains one hundred or fewer residential units shall  
342 not be required to obtain such a certificate if such development is a  
343 residential-only development and not part of a mixed-use

344 development containing office, retail or other such nonresidential uses,  
345 and (2) any development that contains seventy-five or fewer  
346 residential units and has an associated club house or similar amenity  
347 that is open to the public shall not be required to obtain such a  
348 certificate.

349 Sec. 15. Subsection (c) of section 14-311c of the general statutes is  
350 repealed and the following is substituted in lieu thereof (*Effective*  
351 *October 1, 2011*):

352 (c) The State Traffic Commission shall issue its decision on an  
353 application for a certificate under subsection (a) of this section not later  
354 than one hundred twenty days after it is filed, except that, if the  
355 commission needs additional information from the applicant, it shall  
356 notify the applicant in writing as to what information is required and  
357 (1) the commission may toll the running of such one-hundred-twenty-  
358 day period by the number of days between and including the date  
359 such notice is received by the applicant and the date the additional  
360 information is received by the commission and (2) if the commission  
361 receives the additional information during the last ten days of the one-  
362 hundred-twenty-day period and needs additional time to review and  
363 analyze such information, it may extend such period by not more than  
364 fifteen days. [The State Traffic Commission may also, at its discretion,  
365 postpone action on any application submitted pursuant to this section  
366 or section 14-311a until such time as it is shown that an application has  
367 been filed with and approved by the municipal planning and zoning  
368 agency or other responsible municipal agency.]

369 Sec. 16. (NEW) (*Effective from passage*) The Commissioner of  
370 Transportation, or the commissioner's designee, shall attend a public  
371 hearing concerning the safety and condition of a railroad crossing at  
372 grade, upon receipt by the commissioner of a petition that requests the  
373 commissioner to attend such hearing and is signed by twenty-five or  
374 more electors of the municipality in which such crossing is located.

375 Sec. 17. (*Effective from passage*) The portion of Route 79 located in  
376 Durham shall be named the "David Lavine Memorial Highway".

377 Sec. 18. (*Effective from passage*) The portion of Route 83 located in  
378 Vernon shall be named the "Thomas Wolff Memorial Highway".

379 Sec. 19. (*Effective from passage*) The portion of highway located  
380 between Exit 13 of I-91 and Route 5 in Wallingford shall be named the  
381 "Major Rauol Lufbery Highway".

382 Sec. 20. (*Effective from passage*) Two signs shall be placed on Route 9  
383 to designate the exit for the Ivoryton Playhouse in the Ivoryton section  
384 of Essex. One sign shall be placed on Route 9 northbound, before Exit  
385 3, and the other shall be placed on Route 9 southbound, before Exit 5.

386 Sec. 21. (*Effective from passage*) The Department of Transportation  
387 shall place a sign on one of the concrete supports of the railroad bridge  
388 that crosses through the downtown shopping district in Milford. Such  
389 sign shall direct shoppers to additional downtown retail locations and  
390 shall contain the words "More Shops Ahead" or similar language.

391 Sec. 22. (*Effective from passage*) Route 434 in East Haddam easterly to  
392 Smith Road shall be named the "Constable Thomas D. Jahelka  
393 Memorial Highway".

394 Sec. 23. (*Effective from passage*) The western section of Route 214 in  
395 Ledyard, between Route 117 and Route 12, shall be named the  
396 "Wesley J. Johnson, Sr. Memorial Highway".

397 Sec. 24. (*Effective from passage*) The portion of Route 75 in Newington  
398 that runs eastward from Fenn Road to Main Street shall be named the  
399 "Newington Police Department Memorial Highway".

400 Sec. 25. (*Effective from passage*) The Route 8 bridge and overpass  
401 #0581 over Hull Street, Ansonia, in the northbound and southbound  
402 lanes, shall be named the "Brigadier General Brian F. Phipps Memorial  
403 Bridge".

404 Sec. 26. (*Effective from passage*) Route 151 (Town Street) between  
405 Route 149 and Route 82 in East Haddam shall be named the "Jacinta  
406 Marie Bunnell Memorial Way".

407 Sec. 27. (*Effective from passage*) The bridge on Route 44 in Avon shall  
408 be named the "Corporal Gildo T. Consolini Memorial Bridge".

409 Sec. 28. (*Effective from passage*) The scale house located in  
410 Middletown shall be named the "Trooper Kenneth Hall Memorial  
411 Scale House".

412 Sec. 29. (*Effective from passage*) The Route 7 bridge crossing over  
413 Little Brook, north of Sunny Valley Road in New Milford, shall be  
414 named the "Officer Donald Hassiak Memorial Bridge".

415 Sec. 30. (*Effective from passage*) Indian Well Road in Shelton shall be  
416 named the "Police Sergeant Orville Smith Memorial Road".

417 Sec. 31. (*Effective from passage*) The Department of Transportation  
418 shall immediately commence a feasibility study of the establishment of  
419 a passenger train station in Niantic. The study shall examine all steps  
420 necessary for the establishment of such station and shall include an  
421 estimate of the time and funding required for the completion of each  
422 such step and a projected date for completion of such station. The  
423 department shall use existing budgetary resources for the performance  
424 of such study and shall submit a progress report to the joint standing  
425 committee of the General Assembly having cognizance of matters  
426 relating to transportation, not later than February 15, 2012.

427 Sec. 32. Section 13a-27 of the general statutes is repealed. (*Effective*  
428 *from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>October 1, 2011</i>	10a-79
Sec. 3	<i>October 1, 2011</i>	10a-139(a)
Sec. 4	<i>October 1, 2011</i>	17a-24
Sec. 5	<i>October 1, 2011</i>	17a-465
Sec. 6	<i>October 1, 2011</i>	19a-33
Sec. 7	<i>October 1, 2011</i>	27-107
Sec. 8	<i>October 1, 2011</i>	10a-92

Sec. 9	<i>from passage</i>	29-406
Sec. 10	<i>October 1, 2011</i>	14-262
Sec. 11	<i>from passage</i>	14-262b
Sec. 12	<i>from passage</i>	14-267a(k)
Sec. 13	<i>from passage</i>	14-270
Sec. 14	<i>October 1, 2011</i>	14-311(a)
Sec. 15	<i>October 1, 2011</i>	14-311c(c)
Sec. 16	<i>from passage</i>	New section
Sec. 17	<i>from passage</i>	New section
Sec. 18	<i>from passage</i>	New section
Sec. 19	<i>from passage</i>	New section
Sec. 20	<i>from passage</i>	New section
Sec. 21	<i>from passage</i>	New section
Sec. 22	<i>from passage</i>	New section
Sec. 23	<i>from passage</i>	New section
Sec. 24	<i>from passage</i>	New section
Sec. 25	<i>from passage</i>	New section
Sec. 26	<i>from passage</i>	New section
Sec. 27	<i>from passage</i>	New section
Sec. 28	<i>from passage</i>	New section
Sec. 29	<i>from passage</i>	New section
Sec. 30	<i>from passage</i>	New section
Sec. 31	<i>from passage</i>	New section
Sec. 32	<i>from passage</i>	Repealer section

**APP**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

## **OFA Fiscal Note**

### **State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 12 \$</b>	<b>FY 13 \$</b>
Department of Transportation	TF - One-time	28,000	None
Judicial Dept.	GF - Potential Revenue Gain	Less than \$100,000	Less than \$100,000

Note: TF=Transportation Fund; GF=General Fund

### **Municipal Impact:** None

### **Explanation**

A section by section fiscal impact is presented below.

Section 1 has no fiscal impact because it codifies the statute to current practice.

Sections 2 through 8 allow various state agencies to install stop signs or other traffic related signs upon approval from the State Traffic Commission (STC) and will not result in additional cost to the commission.

Section 9 allows the Department of Transportation (DOT) to demolish buildings without required municipal permits and will result in project cost savings from efficiencies realized by speeding up the process. Currently DOT under local ordinances has to wait 180 days before a municipality grants the demolition permit.

Section 10 has no fiscal impact because it codifies the statute to current practice and federal regulations.

Section 11 has no fiscal impact as it clarifies length of an oversize vehicle being towed rather than the towing vehicle.

Section 12 of the bill subjects drivers who park on a limited access highway where a safety inspection site is operated in order to avoid the inspection to a fine of \$250 to \$500 for a first offense and \$500 to \$1,000 for each subsequent offense, and will result in a potential revenue gain to the General Fund of less than \$25,000. The estimate assumes that the establishment of a fine for this offense will increase the likelihood that an estimated 50 offenders annually would be prosecuted and receive harsher penalties than under current law.<sup>1</sup>

Section 13 of the bill subjects a person driving a vehicle under a forged oversize or overweight permit to a minimum fine of \$25,000, and will result in potential revenue to the General Fund of less than \$75,000. The estimate assumes that the establishment of a fine for this offense will increase the likelihood that an estimated 10 offenders annually would be prosecuted and receive harsher penalties than under current law.<sup>2</sup>

Section 14 exempts developments of certain size and type from the review by the State Traffic Commission (STC) and is not anticipated to have a fiscal impact.

Section 15 eliminates the requirement that developments have received municipal approval before STC issues a certification could result in an increased number of applications and backlog. Costs associated with processing an application on the average are \$12,600. The magnitude of the cost is indeterminate as it is unknowable how many applications for developments will be filed without prior municipal approval. There are approximately 100 applications annually that require local planning and zoning approval.

Section 16 has no fiscal impact as it requires the DOT to attend a public hearing concerning the safety and condition of an at-grade railroad crossing when petitioned.

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<sup>1</sup> In 2010, zero convictions were made for this offense, as it was not specified in statute.

<sup>2</sup> In 2010, 11 fines were issued for forgery, totaling \$10,200 in revenue collected.

Sections 17 - 19 and 22 - 30 will result in a cost to DOT of approximately \$18,000 in FY 12 to install signs that name various bridges and roads.

Sections 20 and 21 will result in a cost of \$10,000 in FY 12 to DOT to install tourist informational signs for specific items of interest.

Section 31 requires the DOT to conduct a study of the feasibility of establishing a train station in Niantic and would not result in additional cost to the agency.

Section 32 has no fiscal impact because it conforms statute to current practice and regulations.

### ***The Out Years***

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

**OLR Bill Analysis****sHB 6540**

***AN ACT CONCERNING HIGHWAY SAFETY, STATE FACILITY TRAFFIC AUTHORITIES, MUNICIPAL BUILDING DEMOLITION, STATE TRAFFIC COMMISSION CERTIFICATES, AT GRADE CROSSINGS, THE NAMING OF ROADS AND BRIDGES IN HONOR OR IN MEMORY OF PERSONS AND ORGANIZATIONS, AND A TRAIN STATION IN NIANTIC.***

**SUMMARY:**

This bill subjects drivers who park on a limited access highway where a scale or safety inspection site is being operated in order to circumvent or avoid the scale or inspection to a fine of \$250 to \$500 for a first offense and \$500 to \$1,000 for each subsequent offense (§ 12).

Under current law, the statutory length limit of a single unit vehicle and the semitrailer portion of tractor-trailer unit are 45 and 48 feet, respectively (trailers up to 53 feet long are permitted under certain circumstances). The bill specifies that the 45 and 48 feet limits include the vehicle's loads (§ 10). It also codifies in statute a specific length limit for automobile transporters that is currently applied by reference to federal regulations.

By law, a Department of Transportation (DOT) permit is required for a vehicle to operate on highways and bridges if it exceeds statutory size or weight limits. The bill subjects a person driving a vehicle under a forged oversize or overweight permit to a minimum fine of \$25,000, in addition to any other penalties that may be assessed. In addition, the vehicle must be impounded until the penalty is paid or the Superior Court orders its release. A permit is considered forged if has been falsely made, completed, or altered, as these terms are used in the penal code (CGS § 53a-137) (§ 13).

The law requires DOT to issue permits for mobile homes that meet

certain size limits. Under current law, for towed motor homes, the limits are (1) a combined length of 100 feet if the towing vehicle is more than 80 feet and (2) a combined length of 104 feet if the towing vehicle is 80 feet or shorter. The bill instead imposes these limits based on the length of the towed mobile home, rather than the towing vehicle (§ 11).

The bill also:

1. exempts certain developments from the requirement to obtain a State Traffic Commission (STC) certificate (§ 14),
2. allows various state agencies and institutions to install stop signs with STC approval (§§ 2-8),
3. requires the governor and DOT to take various steps regarding highway safety programs (§ 1),
4. allows motorcycles and other non-commercial vehicles other than automobiles to use the Wilbur Cross Parkway (§ 32),
5. requires DOT to study the feasibility of establishing a passenger train station in Niantic (§ 31), and
6. requires the DOT commissioner or his designee to attend a public hearing concerning the safety and condition of an at-grade railroad crossing upon receiving a petition that requests his attendance that is signed by 25 or more voters in the municipality where the crossing is located (§ 16).

Under current law, any town, city or borough may adopt an ordinance imposing a waiting period of up to 180 days before granting a demolition permit. The bill eliminates this authority in cases where DOT needs the permit to remove a structure it has acquired for a transportation project (§ 9).

The bill names various roads and highways. It also requires that:

1. two signs be placed on Route 9 to designate the exit for the

Ivoryton Playhouse in Essex, one on Route 9 northbound before Exit 3 and the other on Route 9 southbound before Exit 5 (§ 20) and

2. DOT place a sign on one of the railroad bridge's concrete supports in downtown Milford that directs shoppers to downtown retail locations and contains the words "More Shops Ahead" or similar language (§ 21).

EFFECTIVE DATE: Upon passage, except the provisions on for the authority to install stop signs, the changes to vehicle length limits (other than for mobile homes), and the STC provisions, which are effective October 1, 2011.

#### **§ 14-15 — STC CERTIFICATES**

The bill exempts certain developments from the requirement to obtain the STC certificate required under current law for large traffic generators located on or near state highways. The bill exempts any development that contains (1) up to 100 residential units so long as it is residential-only and not part of a development containing office, retail, or other nonresidential uses and (2) up to 75 residential units that has an associated club house or similar amenity that is open to the public. By law, the STC issues certificates for large traffic generators such as shopping malls and subdivisions, stating that the development's operation will not imperil the public safety.

The bill also eliminates a provision that allows STC to postpone its action on a certificate for additional parking spaces or to build a large traffic generating development by combining individual parcels of land until an application has been approved by the municipal planning and zoning or other responsible municipal agency. Thus the STC must issue the certificate within 120 days after the request is filed unless the decision is tolled when additional information is required before a decision can be made.

#### **§§ 2-8 — STOP SIGNS**

The bill allows the following authorities to install stop signs: (1) the

UConn board of trustees; (2) the traffic and parking committees appointed by the board of trustees of the community-technical colleges for each college; (3) the commissioner of Veterans' Affairs; (4) the superintendent of any Department of Children and Families (DCF) institution; and (5) the superintendent or director of any state-operated facility within the Department of Mental Health and Addiction Services (DMHAS) or Department of Public Health (DPH). In each case, the State Traffic Commission must approve the installation. In addition, the installation of signs (1) at the community-technical colleges requires the approval of the system's board of trustees and (2) at the DCF, DMHAS, and DPH facilities requires the approval of the respective commissioner.

### **§ 1 — HIGHWAY SAFETY PROGRAMS**

The bill requires the governor to:

1. do all things necessary or convenient on the state's behalf to secure all benefits available to the state under the federal Highway Safety Act,
2. designate DOT to administer the highway safety program and coordinate highway safety activities in the state, and
3. communicate with the federal government regarding the state highway safety program.

The bill allows the governor, or a person he designates within DOT, to establish standards and procedures for the content, coordination, submission, and approval of a highway safety program, including highway safety education and the integration and coordination of safety efforts at the state and local levels, with the goal of reducing highway deaths and injuries. (DOT already administers such programs.) It allows DOT, with the governor's approval, to adopt regulations to implement the program.

### **§ 31 — NIAN TIC RAIL STATION STUDY**

The bill requires DOT to immediately begin a feasibility study on

establishing a passenger train station in Niantic. The study must examine all steps needed to establish the station. It must include an estimate of the time and funding required for the completion of each step and a projected date to complete the station. DOT must use existing budgetary resources for the study and submit a progress report to the Transportation Committee by February 15, 2012.

**§§ 17-19, 22-30 — ROAD NAMING**

The bill names:

1. the portion of Route 79 located in Durham the “David Lavine Memorial Highway;”
2. the portion of Route 83 located in Vernon the “Thomas Wolff Memorial Highway;”
3. the portion of highway located between Exit 13 of I-91 and Route 5 in Wallingford the “Major Rauol Lufbery Highway;”
4. Route 434 in East Haddam east to Smith Road the “Constable Thomas D. Jahelka Memorial Highway;”
5. the western section of Route 214 in Ledyard between routes 117 and 12 the Wesley J. Johnson, Sr. Memorial Highway;”
6. the portion of Route 75 in Newington that runs east from Fenn Road to Main Street the “Newington Police Department Memorial Highway;”
7. the Route 8 bridge and overpass over Hull Street in Ansonia, in the north- and south-bound lanes, the “Brigadier General Brian F. Phillips Memorial Bridge;”
8. Route 151 (Town Street) between routes 149 and 82 in East Haddam the “Jacinta Marie Bunnell Memorial Way;”
9. the bridge on Route 44 in Avon the “Corporal Gildo T. Consolini Memorial Bridge;”

10. the scale house in Middletown the “Trooper Kenneth Hall Memorial Scale House;”
11. the Route 7 bridge over Little Brook, north of Sunny Valley Road in New Milford, the “Officer Donald Hassiak Memorial Bridge;” and
12. Indian Well Road in Shelton the “Police Sergeant Orville Smith Memorial Road.”

**BACKGROUND**

***Legislative History***

The House referred the bill (File 393) to the Judiciary Committee, which reported it unchanged. The House then referred the bill to the Appropriations Committee, which deleted a provision requiring DOT to establish fixed route bus service between the New Haven train station and the Southern Connecticut State University campus in the city.

**COMMITTEE ACTION**

Transportation Committee

Joint Favorable Substitute  
Yea 36 Nay 0 (03/18/2011)

Judiciary Committee

Joint Favorable  
Yea 36 Nay 0 (04/26/2011)

Appropriations Committee

Joint Favorable Substitute  
Yea 51 Nay 0 (05/10/2011)