

TESTIMONY JUDICIARY COMMITTEE
H.B. 6557

AN ACT CONCERNING LIABILITY FOR RECREATIONAL USE OF LANDS

The City of Middletown Water Department **strongly supports H.B. 6557**, which will extend to municipalities equal standing with regards to protection from liability for use of recreational lands.

The City of Middletown Water Department, as it has for over a 100-years, has hosted the Mattabassett Trail over Higby Mountain. This trail has been maintained and has been open to recreational use on the perimeter of the reservoir area for generations. Most recently the City of Middletown worked cooperatively with the Connecticut Department of Transportation on the recent Route 66 Improvements through the reservoir area. As part of the Route 66 Improvements, the DOT created a traffic crossing on Route 66 to allow continuity of the trail and redirected trail on Water Department property, to encourage its future use. At the time of CT-DOT's construction on Route 66, the Middletown Water Department was, and remains, concerned over increased liability exposure, and expressed our concerns to CT-DOT relative to their newly redirected trail and crossing, which encouraged additional use of the City of Middletown owned property.

These trails have provided the public the opportunity to enjoy some of Connecticut's most outstanding vistas, particularly during the fall leaf season. However, under Section 52-557F Lands owned by private water companies are provided with

limited immunity from lawsuits, however, lands owned and made available by municipal water departments and other regional water authorities do not enjoy the same necessary protections.

The City of Middletown Water Department, therefore, strongly supports the proposed legislation which would allow for the continued historic use of the Mattabassett Trail through Mount Higby Reservoir.

The Middletown Water Department is a municipally owned and operated water department of the City of Middletown, CT and currently services approximately 45,000 customers in the corporate boundaries of Middletown.