
OLR Bill Analysis

sHB 6540

AN ACT CONCERNING HIGHWAY SAFETY, STATE FACILITY TRAFFIC AUTHORITIES, MUNICIPAL BUILDING DEMOLITION, STATE TRAFFIC COMMISSION CERTIFICATES, BUS SERVICE, 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 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 feet 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 a 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 (section 53a-137). (§ 13) The bill also makes a technical change regarding the maximum length an automobile transport can have without requiring a permit (§ 10).

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 80 feet or longer and (2) a combined length of 104 feet if the towing vehicle is 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 (§ 33),
5. requires DOT to establish fixed route bus service between the New Haven train station and the Southern Connecticut State University campus in the city (§ 16),
6. requires DOT to study the feasibility of establishing a passenger train station in Niantic (§ 32), and
7. 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 (§ 17).

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 (§ 21); 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 (§ 22).

EFFECTIVE DATE: October 1, 2011 for the authority to install stop signs, the changes to vehicle length limits (other than for mobile homes), and the STC provisions; upon passage for the remaining provisions.

§ 14 — 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: (1) any development that contains 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) any development that contains 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 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

It allows the following authorities to install stop signs: (1) the UConn 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.

§ 32 — NIAN TIC RAIL STATION STUDY (32)

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.

§§ 18-20, 23-31 — 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 Route 149 and Route 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.”

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 36 Nay 0 (03/18/2011)