



House of Representatives

General Assembly

File No. 92

January Session, 2013

House Bill No. 6454

House of Representatives, March 20, 2013

The Committee on Public Safety and Security reported through REP. DARGAN of the 115th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING FIRE STATION WORK ZONES.

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

1 Section 1. Section 14-212a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) The Superior Court shall impose an additional fee equivalent to
4 one hundred per cent of the fine established or imposed for the
5 violation of the provisions of section 14-213, 14-213b, 14-214, 14-215,
6 14-216, 14-218a, 14-219, 14-220, 14-221, 14-222, 14-222a, 14-223, 14-224,
7 14-225, 14-227a, 14-230, 14-230a, 14-231, 14-232, 14-233, 14-235, 14-236,
8 14-237, 14-238, 14-238a, 14-239, 14-240, 14-240a, 14-241, 14-242, 14-243,
9 14-244, 14-245, 14-246a, 14-247, 14-247a, 14-248a, 14-249, 14-250, 14-
10 250a, 14-257, 14-261, 14-266, 14-271, 14-273, 14-279, 14-281a, subsection
11 (e) or (g) of section 14-283, section 14-289a or 14-289b for any such
12 violation committed (1) while construction work is ongoing within a
13 highway construction zone designated in a conspicuous manner by the
14 Department of Transportation, (2) while construction work is ongoing
15 within a municipal road construction zone designated in a

16 conspicuous manner by such municipality, (3) while utility work is
17 ongoing within a utility work zone designated in a conspicuous
18 manner by a public service company, as defined in section 16-1, or by a
19 water company, as defined in section 25-32a, [or] (4) while activities
20 are ongoing in a traffic incident management zone, or (5) while a
21 uniformed firefighter is directing traffic within a fire station work zone
22 designated in a conspicuous manner by the Department of
23 Transportation.

24 (b) (1) The Department of Transportation shall post a sign at the
25 beginning of a highway construction zone which shall read as follows:
26 "ROAD WORK AHEAD FINES DOUBLED", and at the end of such
27 zone which shall read as follows: "END ROAD WORK".

28 (2) A municipality shall post a sign at the beginning of a municipal
29 road construction zone which shall read as follows: "ROAD WORK
30 AHEAD FINES DOUBLED", and at the end of such zone which shall
31 read as follows: "END ROAD WORK".

32 (3) A public service company or water company shall post a sign at
33 the beginning of a utility work zone which shall read as follows:
34 "UTILITY WORK AHEAD FINES DOUBLED", and at the end of such
35 zone which shall read as follows: "END UTILITY WORK".

36 (4) As used in this section, "traffic incident management zone" refers
37 to an area of a highway where temporary traffic controls or measures
38 are installed under the authority of the Commissioner of
39 Transportation, Commissioner of Emergency Services and Public
40 Protection, or local traffic authority, as defined in section 14-297, in
41 response to a motor vehicle incident, natural disaster, hazardous
42 material spill or other unplanned incident. The traffic incident
43 management zone shall be delineated by the use of one or more
44 temporary traffic control devices or measures such as signs, cones,
45 flares or visible flashing or revolving lights which meet the
46 requirements of sections 14-96p and 14-96q.

47 (5) The Department of Transportation shall post a sign at the

48 beginning of a fire station work zone which shall read as follows:
49 "FIRE STATION WORK AHEAD FINES DOUBLED", and at the end of
50 such zone which shall read as follows: "END FIRE STATION WORK".

51 (c) The state or a municipality, or any agency or employee of the
52 state or a municipality, shall not be civilly liable for any injuries or
53 damages to any person or property which may result, either directly or
54 indirectly, from failure on the part of the Department of
55 Transportation or a municipality to post any sign required under
56 subsection (b) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	14-212a

PS *Joint Favorable*

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:

Agency Affected	Fund-Effect	FY 14 \$	FY 15 \$
Department of Transportation	TF - Cost	189,000	none
Judicial Dept.	GF - Revenue Gain	less than 20,000	less than 20,000

Municipal Impact: None

Explanation

The bill requires the Department of Transportation (DOT) to post signs at the beginning and end of Fire Station Work Zones which will result in a one-time cost of \$189,000 to DOT. This cost is associated with \$300 per sign for labor and material at each of the states 315 fire stations.

The bill also results in a potential minimal revenue gain of less than \$20,000 associated with doubling basic fines for committing certain traffic violations at fire station work zones when a firefighter is directing traffic. It is anticipated that relatively few offenses will occur or be charged.

The Out Years

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

OLR Bill Analysis**HB 6454*****AN ACT CONCERNING FIRE STATION WORK ZONES.*****SUMMARY:**

This bill doubles the basic fines for speeding or committing certain other traffic violations in a conspicuously designated fire station work zone in which a uniformed firefighter is directing traffic. It requires the Department of Transportation (DOT) to designate fire station work zones by posting a sign at the (1) beginning of the zone that reads: "FIRE STATION WORK AHEAD FINES DOUBLED" and (2) end of the zone that reads: "END FIRE STATION WORK."

As is currently the case for other designated zones, neither the state nor a municipality or their agents or employees are civilly liable for any personal injury or property damage that results from DOT's failure to post the required sign.

EFFECTIVE DATE: October 1, 2013

ENHANCED IN FIRE STATION WORK ZONES

By law, when certain traffic violations occur in a traffic incident management zone or in a specifically marked DOT or municipal construction zone or utility work zone, the court must impose an additional fee equal to 100% of the fine established for the violation. By law, there are charges for these offenses in addition to the basic fines. For the enhanced penalty to apply, the DOT, municipality, or public utility or water company, as applicable, must conspicuously post a sign at the beginning of the construction or work zone that says "ROAD WORK AHEAD FINES DOUBLED" and a sign at the end of the zone saying "END ROAD WORK."

This bill extends these enhanced penalties to the same violations

when they occur in a zone designated as a fire station work zone.

BACKGROUND

Violations Subject to the Additional Fines

Table 1 shows examples of violations subject to additional fines.

Table 1: Examples of Motor Vehicle Violations Subject to Enhanced Fines

<i>Law Violation</i>	<i>Statute (CGS §)</i>
Travelling too fast for conditions	14-218a
Speeding	14-219(b)
Improper passing, safe distance, cutting in	14-232(a)(1)
Increasing speed while being passed	14-232(a)(2)
Disobeying officer’s signal	14-223a
Driving to endanger	14-218a
Tailgating with intent to intimidate by commercial vehicle	14-240
Failure to drive in proper lane	14-236

Related bill

HB 5250, reported favorably by the Transportation Committee on March 15, 2013:

1. doubles the fine for someone who violates the cell phone ban in a highway work zone and requires that half of the additional fee be deposited in a new Special Transportation Fund account for highway safety, including protecting the safety of highway workers;

2. adds violations of the highway work zone to those violations that require drivers to attend the driver retraining program;
3. requires that driver's tests and instruction include questions and instruction on highway work zone safety; and
4. requires the motor vehicle commissioner to add no more than two points to the driver's record of anyone who violates the highway work zone law.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable

Yea 23 Nay 0 (03/07/2013)