



House of Representatives

File No. 853

General Assembly

January Session, 2013

(Reprint of File No. 92)

House Bill No. 6454
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 24, 2013

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 Section 14-212a of the general statutes is repealed and the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 a municipality.

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

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

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

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

46 (5) A municipality may post a sign at the beginning of a fire station
47 work zone which shall read as follows: "FIRE STATION WORK

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

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

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

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 \$
Judicial Dept.	GF - Revenue Gain	less than 20,000	less than 20,000

Municipal Impact:

Municipalities	Effect	FY 14 \$	FY 15 \$
Various Municipalities	Potential Cost	See Below	See Below

Explanation

The bill results in a potential 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 bill also provides municipalities an option to post signs at the beginning and end of Fire Station Work Zones. To the extent that municipalities post these signs, there will be a potential one-time cost to municipalities that have fire stations. The cost is associated with \$300 per sign for labor and material. There are currently 315 fire stations in Connecticut.

House "A" eliminated a cost in the underlying bill to the Department of Transportations (DOT) to post signs at the beginning and end of Fire Station Work Zones.

The Out Years

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

OLR Bill Analysis**HB 6454 (as amended by House "A")******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 allows a municipality 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 a municipality's failure to post the sign.

*House Amendment "A" allows municipalities, rather than requires the Department of Transportation (DOT), to designate fire station work zones.

EFFECTIVE DATE: October 1, 2013

ENHANCED PENALTIES 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, which passed the House:

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 vehicles 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)

Transportation Committee

Joint Favorable
Yea 28 Nay 1 (04/19/2013)

Appropriations Committee

Joint Favorable
Yea 42 Nay 8 (04/30/2013)