
OLR Bill Analysis

sSB 975 (File 343, as amended by Senate "A")*

AN ACT CONCERNING REVISIONS TO THE TRANSPORTATION STATUTES AND THE DESIGNATION OF ROADS AND BRIDGES IN HONOR OR IN MEMORY OF PERSONS AND ORGANIZATIONS.

SUMMARY:

This bill changes the way the Department of Transportation (DOT) disposes of excess property (§ 1) and makes a number of other changes to transportation laws, including:

1. expanding the ban on using hand-held cell phones while driving to include when a vehicle is temporarily stopped because of traffic, road conditions, or traffic control signs or signals (§ 10);
2. tightening laws affecting the taxicab industry (§§ 77-79);
3. expanding the DOT commissioner's ability to designate certain projects for alternative bidding procedures (§ 14);
4. limiting the vehicles that can travel on the Hartford-New Britain Busway (§ 8) and potentially allowing heavier trucks carrying agricultural products to use state roads (§ 62);
5. limiting the use of the Special Transportation Fund (STF) to transportation purposes (§ 76);
6. requiring DOT to study railroad improvements, including electrifying all New Haven line branch lines and increasing parking at commuter train stations (§ 23);
7. requiring the Connecticut Airport Authority (CAA) instead of the Bradley International Airport Enterprise Fund, to pay specified amounts annually, instead of a percentage of the property tax that would have been paid, to the four towns in

which Bradley International Airport is located; and applying to the CAA the same rules that govern state agencies when constructing or altering buildings (§§ 15, 58-61));

8. authorizing DOT to issue a permit allowing filming on its property (§ 4);
9. requiring vessels carrying marine pilots to obtain a certificate of insurance from their insurers, rather than a certificate of compliance from DOT, and increasing fines for noncompliance (§ 7);
10. barring, with certain exceptions, billboards on state owned- or controlled land, and increasing billboard permit fees, (§ 11);
11. eliminating the requirement that DOT prepare, publish, and regularly update a Master Transportation Plan (§§ 16-20, 25-28, & 54);
12. changing the way the highway work zone safety account is funded (§§ 65-67);
13. reinstating the Connecticut Public Transportation Commissioner (§§ 68-74); and
14. prohibiting transit districts and parking authorities from banning political advertising (§ 12).

It also renames bridges and roads, and requires certain signs to be erected notifying motorists of ferry services, the Stewart B. McKinney Wildlife Refuge, and vehicle height restrictions on the Merritt Parkway.

*Senate Amendment "A" eliminates provisions on the display of advertising sign permit numbers, and exempting the CAA from certain occupational licensing laws. It modifies provisions on a DOT rail study certain road names, DOT land disposal, film permits, marine pilots and utility companies. It adds provisions:

1. restricting the use of STF to transportation purposes;
2. tightening certain taxicab laws;
3. allowing the DOT commissioner more latitude in designating DOT projects for alternative contracting procedures;
4. changing how the state pays the four towns in which Bradley International Airport is located for lost property taxes;
5. prohibiting, with certain exceptions, billboards from being built on state-owned or controlled property;
6. allowing heavier truck hauling agricultural commodities and bulk milk on state roads;
7. changing the way the highway work zone safety account is funded;
8. reinstating the Connecticut Public Transportation Commissioner;
9. prohibiting transit districts and parking authorities from banning political advertising; and
10. making various changes to road naming, and laws on maintaining certain labor records and a railroad crossing.

EFFECTIVE DATES: Various, see below.

§ 1 — DISPOSITION OF EXCESS LAND

The bill modifies the way DOT disposes of land it no longer needs for highway purposes.

By law, the DOT commissioner, with the advice and consent of the Office of Policy and Management (OPM) secretary and the State Properties Review Board, may sell, lease, convey, or otherwise dispose of excess land. Current law generally requires DOT to transfer excess property to state agencies or through public bid or auction.

Current law requires DOT, for 25 years after it acquires residential land on which there is a single-family house, to first offer the owner of the property at the time it was acquired the opportunity to buy the home at its appraised value. If the former homeowner does not accept the offer, DOT must offer (1) parcels that meet local zoning requirements for residential or commercial use to other state agencies and (2) other parcels to abutting landowners.

The bill retains the requirement to offer property with a single family home to its prior owner but otherwise changes the property disposal rules. The bill requires DOT to offer (1) properly recorded properties to other state agencies and the towns in which they are located, before they are put up for public bid or auction, regardless of how they are zoned and (2) other parcels to abutting landowners, according to regulations. It requires DOT to hold a public bid or auction for properly recorded lots, but allows the department, if it does not receive any bids at the initial bid or auction, to (1) keep marketing the property and accept offers for it, or (2) hold another bid or auction.

Appraisals

By law, unless excess property is going to be transferred to another state agency or a municipality, DOT must get it appraised before selling it. Current law requires DOT to get a second appraisal if such property is (1) valued at more than \$100,000, and (2) not going to be sold through public bid or auction. The bill instead requires the department to get a second appraisal if the property is (1) valued at more than \$250,000 and (2) to be sold to an abutting landowner or the former owner of a single-family home on the property. As under current law, property DOT transfers to other state agencies is exempt from the appraisal requirement.

EFFECTIVE DATE: October 1, 2013

§ 2 — NEW HAVEN-HARTFORD-SPRINGFIELD RAIL LINE

The bill authorizes the DOT commissioner, in consultation with the OPM secretary and with the governor's approval, to enter into agreements with Vermont, or an entity acting on that state's behalf,

necessary for Connecticut's participation in the New Haven-Hartford-Springfield passenger rail line. The commissioner already has this authority with respect to Massachusetts.

EFFECTIVE DATE: Upon passage

§ 3 — DELEGATION OF DOT COMMISSIONER'S AUTHORITY

The bill allows the commissioner to delegate to DOT bureau heads or other appropriate agency staff the authority to sign any document the commissioner may sign, and deems any such signature binding and valid. It authorizes bureau heads of operating bureaus to attest that certified copies of any documents relating to DOT operation or the commissioner's records are true copies, and deems these records competent evidence, in any court, of the facts they contain. The commissioner may already delegate this authority to DOT deputy commissioners and its chief engineer.

EFFECTIVE DATE: Upon passage

§ 4 — FILMING PERMIT

The bill authorizes the commissioner to issue a filming permit, on a form he requires, to anyone seeking to film on (1) a state highway right-of-way or (2) property in DOT's custody or control. Under the bill, filming includes creating photographs, moving images, footage and sound recordings for commercial, entertainment, or advertising purposes. The commissioner must develop the permit in consultation with the economic and development commissioner.

The permit must specify the insurance coverage required of the permittee, as determined by the commissioner in consultation with the state's insurance and risk management director, with the state named as an additional insured. Under the bill, the state, its agencies, and employees are not liable for injuries or damages to any person or property resulting from filming on state property or a highway right-of-way.

EFFECTIVE DATE: October 1, 2013

§ 5 — EASEMENTS OF STATE LAND FOR UTILITY PURPOSES

The bill allows the commissioner to grant easements on state land to a public service company (e.g., electric, gas, telephone, or cable TV company) in connection with bringing utility service to a DOT facility or office. The State Properties Review Board must approve such easements.

EFFECTIVE DATE: October 1, 2013

§ 6 — EXEMPTION FOR MINIMUM HEIGHT REQUIREMENTS FOR FAIRFIELD BRIDGE

The bill exempts a bridge for the structure carrying the Metro Center Access Road over the Metro-North Railroad in Fairfield from a law requiring the minimum overhead clearance for structures crossing railroads with overhead electrical wires to be 22 feet, six inches. The Fairfield bridge has a minimum overhead clearance of 22 feet, two inches.

EFFECTIVE DATE: Upon passage

§ 7 — INSURANCE CERTIFICATES FOR CERTAIN MARINE VESSELS

The bill requires the owner or operator of a vessel that carries a licensed marine pilot to or from another vessel in open and unprotected waters to obtain a certificate of insurance from an insurance carrier. The insurance certificate must be based on a survey conducted and documented by a qualified marine surveyor, guided by applicable U.S. Coast Guard regulations, if any, and vessel insurability standards set by insurance companies. It eliminates (1) a requirement that these owners or operators obtain a certificate from the commissioner certifying that the owner or operator complies with applicable DOT regulations and (2) what these regulations must cover. The bill instead requires the commissioner to adopt regulations specifying the procedures for embarking and disembarking of pilots and operating and equipping each vessel. As under current law, these regulations may establish standard rates for the use of each vessel carrying pilots.

The bill increases the fine for failing to comply. Under the bill, the fine is between \$500 and \$1,000 for violating the insurance requirement. Fines under current law range from \$60 to \$250 for each violation of the DOT certificate requirement and regulations.

EFFECTIVE DATE: October 1, 2013

§§ 8-9 — HARTFORD-NEW BRITAIN BUSWAY

The bill includes roadways dedicated for bus rapid transit service (e.g., the Hartford-New Britain busway) as a “highway” under state law, thereby applying all laws affecting highways to the busway.

It prohibits anyone from entering or traveling on roadways dedicated for bus rapid transit service unless he or she is an operator or passenger in:

1. a state-authorized motor vehicle providing public transit service,
2. an authorized emergency vehicle responding to an emergency,
3. a vehicle operated by DOT or a DOT contractor authorized to maintain the roadway, or
4. a motor vehicle the commissioner specifically allows in writing to enter or travel on the busway. A violation is an infraction (see BACKGROUND).

EFFECTIVE DATE: Upon passage

§ 10 — CHANGES TO CELL PHONE LAW

The law prohibits a motor vehicle operator from using a hand-held cell phone or mobile electronic device while the vehicle is in motion. The bill prohibits using these devices when the vehicle is temporarily stopped because of traffic, road conditions, or a traffic control sign or signal. But it allows use of a cell phone or electronic device if the operator is parked safely on the side or shoulder of a highway. It applies this prohibition to the use of any cell phone or mobile electronic device, including those that are hands-free, by a (1) school

bus driver operating a school bus carrying passengers (2) driver age 17 or younger operating any motor vehicle. As under current law, these restrictions do not apply in an emergency.

Current law allows anyone with a Federal Communications Commission amateur radio station license to use a hand-held radio while driving. The bill prohibits these drivers from doing so except in an emergency.

It also makes conforming changes.

EFFECTIVE DATE: October 1, 2013

§ 11 — BILLBOARD FEES

The bill doubles fees related to billboards. It increases, from \$50 to \$100, the application fee for a permit to erect signs containing less than 300 square feet of advertising space, and from \$100 to \$200 the application fee for signs with at least 300 square feet of advertising space.

It doubles the annual permit fee for signs as follows:

Size	Current Annual Permit Fee	Annual Permit Fee Under the Bill
Up to 300 square feet	\$20	\$40
Between 301 and 600 square feet	\$40	\$80
Between 601 and 900 square feet	\$60	\$120

It also imposes a \$100 permit transfer fee, to be paid by the transferee.

EFFECTIVE DATE: October 1, 2013

§ 12 — POLITICAL ADVERTISING

The bill prohibits transit districts and parking authorities that allow advertising on their premises, including on or in any vehicle or bus shelter, from refusing to allow political advertising at those facilities. The prohibition applies regardless of whether the advertising is placed directly by the district or authority or a third-party or independent contractor or whether the facility is operated by the district, authority,

third-party or independent contractor.

Under the bill, political advertising is advertising that seeks to influence public opinion on any legislative, administrative, or electoral decision, or about any controversial issue of public importance. Under motor vehicle law (CGS § 14-1 (100)), vehicles include any device suitable for conveying people or property, whether on wheels, runners or any other means. But it does not include devices used exclusively on tracks, (e.g., trains).

EFFECTIVE DATE: January 1, 2014

§ 13 — ELECTRONIC BILLBOARD DISPLAY

The bill requires that the static display on electronic billboards last at least eight, rather than six, seconds.

EFFECTIVE DATE: October 1, 2013

§ 14 — DESIGN BUILD CONTRACTS

By law, the DOT commissioner, instead of putting highway construction and maintenance contracts out to bid in the traditional design-bid-build manner, may designate specific projects to be completed using either a (1) construction-manager-at-risk contract (CMAR) with a guaranteed maximum price or (2) design-build contract. The bill allows him to use such alternative contracts for any project, not just those involving highway construction or maintenance.

Design-bid-build, CMAR, and design-build methods chiefly differ in how they assign responsibility for design and construction services.

In design-bid-build, the most traditional method, the owner (e.g., DOT) has separate contracts with the designer and the builder, and the project design is completed before bids are solicited for a construction contract.

In CMAR, the owner generally contracts with a construction manager who works with the designer and provides labor, material, and project management during construction. Under this approach,

the CMAR typically guarantees the maximum cost of the work.

In the design-build approach, the owner contracts with a single entity that both designs and builds the project.

EFFECTIVE DATE: July 1, 2013

§ 15 — CONNECTICUT AIRPORT AUTHORITY AND STATE BUILDING CODE

The bill applies to the Connecticut Airport Authority the law concerning construction of state buildings and the State Building Code. The law requires, among other things, that the state building inspector issue a building permit and certificate of occupancy for new construction and additions to most state buildings over statutorily set “threshold” limits (see BACKGROUND). Neither a building permit nor certificate of occupancy is needed for a newly built or altered state building below these thresholds.

State agencies are responsible for complying with the State Building Code and State Fire Code. The state building inspector (1) must review agency plans and specifications for the building, structure, or addition to verify compliance with the State Building Code and (2) may inspect the buildings and order a state agency to comply with the code. He may ask the state fire marshal to review agency plans to verify compliance with the State Fire Code.

EFFECTIVE DATE: Upon passage

§§ 16-20, 25-28, & 76 — ELIMINATION OF THE MASTER TRANSPORTATION PLAN

The bill eliminates the requirement that DOT develop, and revise every two years, a master transportation plan, and makes conforming changes. By law, the master transportation plan includes, among other things, DOT’s recommendations for planning, engineering, rights-of-way acquisition, construction, reconstruction, rehabilitation and modernization of transportation facilities, including mass transit, and the department’s priorities for a five-year period. The bill eliminates, among other things, a requirement that any alterations in the state

highway system or plans to establish or expand an airport be consistent with the master transportation plan (§§ 26, 27). Several other laws require consideration of the master plan.

EFFECTIVE DATE: July 1, 2013

§§ 21 & 76 — DISPOSAL OF EXCESS PROPERTY ACQUIRED FOR ROUTE 6

The bill repeals a law requiring the commissioner, with the advice and consent of OPM and the State Properties Review Board, to dispose of land the state no longer needs for the Route 6 Expressway. Among other things, this law requires two appraisals for a parcel valued at more than \$100,000, and, if the property is not sold through public bid, that it be sold at the average of the two appraisals. Existing law, modified in § 1 of this bill, allows DOT to sell land no longer needed for highway purposes.

EFFECTIVE DATE: July 1, 2013

§ 22 — DISTRACTED DRIVING QUESTIONS ON KNOWLEDGE TEST

The bill requires the driver's license knowledge test to include at least one question on distracted driving, the use of cell phones and electronic devices while driving, or the responsibilities of drivers under the law banning the use of these phones and devices while driving.

EFFECTIVE DATE: October 1, 2013

§ 23 — DOT RAIL STUDY

The bill requires DOT to develop a railroad modernization initiative to improve the state's commuter rail service and infrastructure. The initiative must include a plan to:

1. electrify all New Haven Line branch lines (i.e., the Danbury, Waterbury, and New Canaan branches) by January 1, 2023 and
2. expand commuter parking at train stations.

The commissioner must submit details of the initiative to the Transportation Committee by February 1, 2015.

EFFECTIVE DATE: July 1, 2013

§ 24 — ELIMINATING CERTAIN TRANSIT DISTRICT EXECUTIVE SESSIONS

The bill eliminates a requirement that transit district boards of directors enter executive sessions twice annually to consider budgetary matters.

By law, the board of directors of each transit district must hold a public hearing at which itemized estimates of the district's expenditures are presented for the coming fiscal year. Current law requires the board, after the public hearing, to enter executive session to prepare and publish a report including itemized statements of receipts and expenditures in the previous fiscal year and anticipated revenues and expenditures in the coming year, among other things. The board must meet again in executive session, two to four weeks after publishing this statement, to make specific appropriations.

EFFECTIVE DATE: Upon passage

§§ 29-49, 53, 65, & 66 — BRIDGE AND ROAD NAMING

The bill designates:

§ 29. Bridge number 04324 on Route 175 in Newington, the "Sergeant Burton E. Callahan Memorial Bridge."

§ 30. Bridge number 06246 on Route 73 in Watertown, over Steele Brook the "Pearl Harbor Memorial Bridge."

§ 31. Bridge number 01500 on Route 185 in Simsbury over the Farmington River, the "Bataan Corregidor Memorial Bridge."

§ 32. Bridge number 03603 on Greenwoods Road in Torrington over Route 8, the "Jerry Dale Cox III Memorial Bridge."

§ 34. The portion of Route 3 in Cromwell from the Cromwell-Rocky

Hill town line south to Evergreen Road, the “Paul Roger Harrington Memorial Highway.”

§ 35. The portion of Route 118 in Harwinton from the Route 8 underpass east to the intersection of Route 4, the “Robert and George Oneglia Memorial Highway.”

§ 36. The portion of State Road 639 in New London from the intersection of Jefferson Avenue south to the intersection of Bank Street, “Dr. Martin Luther King, Jr. Memorial Boulevard.”

§ 37. The rest area east of exit 28 on I-84 east in Southington, the “Auxiliary Trooper Edward W. Truelove Memorial Rest Area.”

§ 38. Bridge number 00323 on Route 10 in Cheshire over I-691, the “Lieutenant Myron Verner Memorial Bridge.”

§ 39. The portion of Route 137 in Stamford from Route 1 to Broad Street, the “U.S. Navy SEAL Brian R. Bill Memorial Highway.”

§ 40. Bridge number 03612 on State Road 745 in West Haven carrying Kimberly Avenue over the West River, the “Officer Robert Vincent Fumiatti Memorial Bridge.”

§ 41. Bridge number 05768 on Beckley Road in Berlin over Route 9, the “Berlin Lions Club Memorial Bridge.”

§42. The portion of Route 68 in Wallingford east of bridge number 01867, over Route 5, east to Bridge number 03132, over I-91, the “Christopher Columbus Memorial Highway.”

§ 43. The portion of Route 151 in East Haddam from the East Haddam-Haddam town line east to Route 149, the “Private First Class Peter P. Golec Memorial Highway.”

§ 44. Bridge number 00648 on I-84 east in Southington over Route 10, the “John A. Dolan Memorial Bridge.”

§ 45. The portion of Route 5 in Enfield from Connecticut Avenue south to Manning Road, the “Tanguay-Magill American Legion Post

80 Memorial Highway.”

§ 46. Bridge number 00036 on Blachley Road in Stamford over I-95, the “Leslie A. Padilla Memorial Bridge.”

§ 47. Bridge number 00153 on Quarry Road in Milford over I-95, the “John D'Amato Memorial Bridge.”

§ 48. The portion of Route 160 in Rocky Hill from the Rocky Hill-Berlin town line east to the intersection of Route 3, the “Rocky Hill Fire Department Memorial Highway.”

§ 49. The portion of Route 175 in Wethersfield from the Wethersfield-Newington town line east to the intersection of Route 99, the “Wethersfield Fire Department Memorial Highway.”

§ 53. The portion of Rt. 3 in Wethersfield from the Wethersfield-Rocky Hill town line north to the Rt. 99 intersection, the “Daniel R. DiNardi Memorial Highway.”

§ 75. The portion of Rt. 137 in Stamford from West Broad St. north to High Ridge Road, the “Master Sergeant Homer Lee Wise WW II Medal of Honor Recipient Memorial Highway.”

EFFECTIVE DATE: Upon passage

§ 33 — MYSTIC SIGNAGE

The bill requires DOT to (1) replace existing signs on I-95, Rt. 27 and Rt. 1 indicating “downtown Mystic” with signs indicating Mystic’s “historic downtown and drawbridge,” and (2) indicate the location of Mystic’s “historic downtown and drawbridge” on existing signs on I-95, Rt. 27, and Rt. 1 indicating the location of other tourist destinations in Mystic.

EFFECTIVE DATE: Upon passage

§ 50 — MCKINNEY WILDLIFE REFUGE SIGNS

The bill requires DOT to place signs near the Stewart B. McKinney National Wildlife Refuge according to the department’s Destination

Guide Sign Program.

EFFECTIVE DATE: Upon passage

§ 51 — FERRY SERVICE SIGNS

The bill requires DOT to increase signage on I-95, I-395, and Rt. 32 indicating the location of ferry services to Long Island.

EFFECTIVE DATE: Upon passage

§ 52 — MERRITT PARKWAY SIGNS

The bill requires DOT to investigate and identify methods to improve notification of height restrictions on the Merritt parkway.

EFFECTIVE DATE: July 1, 2013

§ 54 — NOAH WEBSTER HOUSE MUSEUM SIGNS

The bill requires DOT to place signs on the exit 41 off-ramp of I-84 East and Westbound in West Hartford indicating the location of the Noah Webster House Museum.

EFFECTIVE DATE: Upon passage

§ 55 — PUBLIC CONSTRUCTION CONTRACT RECORDS

The law requires employers on large public construction contracts to keep records of wages and hours worked by mechanics, laborers and workers to ensure proper payments to them. Current law requires employers, each month, to submit a complete copy of its certified payroll to the contracting agency (e.g., DOT) by first class mail, accompanied by a statement signed by the employer providing certain information. The bill (1) allows the contracting agency to submit its payroll by any method the agency accepts, including any class of mail and (2) requires that the accompanying signed statement be an original.

EFFECTIVE DATE: July 1, 2013

§§ 56 & 57 — OUTDOOR ADVERTISING ON STATE PROPERTY

The law generally prohibits the erection of billboards and

advertising signs within 660 feet of the edge of the interstate and other limited access highways (e.g., I-95, Rt. 2). The commissioner however, may permit certain types of signs, such as directional and other official signs, temporary signs (60 days or less), and signs advertising activities on the property where the activity takes place. The bill adds to these exceptions advertising signs, displays, or devices (1) located or built on or abutting property in areas owned, managed, or leased by a public authority for (a) railway or rail infrastructure facilities, including associated structures in areas zoned solely or mostly for development of rail facilities; (b) bus rapid transit corridors, including the Hartford-New Britain busway and associated shelters, structures, or facilities; (c) airport development zones designated by law; or (d) any other transit or freight purpose; and (2) on or in buildings, structures, or other venues in the state's custody or control and designed, operated, or intended to be operated for athletic, artistic, musical, or other entertainment events. As under current law, these billboards and signs cannot be built where state law, local ordinance, or zoning regulations prohibit them.

The bill prohibits, except for the exceptions the bill creates above, the construction or advertising signs, displays, or devices on land the state owns or controls. But it allows the commissioner to issue permits to maintain existing signs, displays, or devices; to renew existing permits; or to issue new permits to replace existing signs, displays or devices on state owned or controlled property. The bill specifically allows erecting or maintaining advertisements, displays, or devices on or in personal property, including motor vehicles, the state owns or controls.

EFFECTIVE DATE: October 1, 2013

§§ 58-61 — PAYMENTS TO VARIOUS TOWNS BY THE CONNECTICUT AIRPORT AUTHORITY (CAA)

The bill designates CAA's activities as "essential governmental functions," thus exempting it from paying taxes of any kind, including state, municipal, and property taxes. But it requires CAA to pay specific "amounts representing property tax" to four towns in which

CAA property (i.e., Bradley International Airport) is located.

Under the bill, except as noted below, starting July 1, 2013, and for each assessment year starting on October 1, 2012, the CAA must pay to:

Windsor Locks: \$3,319,685.85

Suffield: \$693,909.43

East Granby: \$657,991.08, and

Windsor: \$6,925.43.

Any improvements made to real property on or after October 1, 2012 are considered included in the above annual payments, regardless of any law or special act.

But the bill, notwithstanding the above provision, requires that each of the four towns receive a payment for FY 14 equal to the amount it receives in FY 13.

The bill eliminates current law which requires the DOT commissioner to pay, from the Bradley International Airport Enterprise Fund to the state comptroller, a percentage of the property taxes which would have been paid to the above four towns as reimbursement for loss of taxes on state property.

Current law exempts from taxation land, buildings, and easements belonging to, or held in trust, for the state at Bradley and other state-owned airports (i.e., Danielson, Groton/New London, Brainard, Waterbury-Oxford, and Windham Airports). The bill exempts such properties at the same airports belonging to or held in trust for CAA, and at any other airport CAA shall own, operate, or manage.

EFFECTIVE DATE: July 1, 2013, and applicable to assessment years beginning on and after October 1, 2012.

§ 62 — VEHICLES HAULING AGRICULTURAL COMMODITIES

The bill potentially increases the maximum allowable weight of certain commercial vehicles traveling in Connecticut, provided Congress allows Connecticut to do so.

Although current state law allows bulk milk tankers with a gross vehicle weight of up to 99,000 pounds to travel in the state, federal law sets the maximum gross vehicle weight limit at 80,000 pounds.

The bill allows both (1) bulk milk tankers and (2) trucks hauling agricultural commodities, to have a gross vehicle weight of up to 100,000 pounds. As under current law, Connecticut needs Congressional approval to exceed the 80,000 pounds restriction (see BACKGROUND.)

Under the bill, agricultural commodities include feed, seed and fertilizer, and products of agriculture as defined by law. By law, agriculture includes, among other things, dairying, forestry and lumber; the raising and management of livestock, including horses, poultry, and bees; and the raising and harvesting of shellfish.

EFFECTIVE DATE: October 1, 2013

§ 63 — PRIVATE AT-GRADE RAIL CROSSINGS

Regardless of any law or previous decision of an administrative proceeding, the bill allows, under certain conditions, any private at-grade rail crossing that, for at least 20 years, has provided highway access to at least two single-family homes without direct highway access, to provide access to up to three additional single-family homes without access. The owners of the property provided such access must (1) maintain and repair any rail crossing surface, and (2) remove any obstruction preventing a view of the portion of tracks that cross at-grade. These responsibilities include removing and trimming trees and shrubs, and maintaining and repairing existing passive rail traffic control measures, such as warning signs.

EFFECTIVE DATE: Upon passage

§ 64 — WALNUT HILL COMMUNITY CHURCH SIGNS

The bill requires DOT to place brown signs on Rt. 6 east and west in Bethel near Old Hawleyville Road indicating the location of the Walnut Hill Community Church.

EFFECTIVE DATE: Upon passage

§ 65-67 — HIGHWAY WORK ZONE SAFETY ACCOUNT

By law, Superior Court judges must double the fine imposed on people convicted of violating certain motor vehicles in highway work zones.

PA 13-92, passed by both the House and Senate, requires half of this additional fee be deposited in a work zone safety account the bill creates as a separate, nonlapsing account in the STF. It requires DOT to use this fund, which must contain any money the law requires, for highway traffic enforcement, including expanding the “Operation Big Orange” program, to protect the safety of workers in highway work zones.

This bill eliminates the requirement that half the additional fee be placed in the work zone safety account. It instead requires the state treasurer to deposit \$9,000 monthly in the work zone safety account from all money collected from certain DOT licenses, permits, and fees, as well from the existing 50% surcharge assessed against people paying motor vehicle fines and penalties (CGS § 13b-70). It also makes conforming changes.

EFFECTIVE DATE: October 1, 2013

§§ 68-74 — REINSTATEMENT OF CONNECTICUT PUBLIC TRANSPORTATION COMMISSION

The bill restores Connecticut Public Transportation Commission, which was eliminated in § 10 of sHB 6363, passed by the House.

EFFECTIVE DATE: October 1, 2013

§ 76 — STF

The bill requires that money in the STF be used only for

transportation purposes.

Existing law restricts the fund to financing transportation projects and repaying the bonds issued to finance these projects. The remaining funds must be spent for the payment of general obligation bonds issued for transportation purposes, and budget appropriations for the departments of (1) transportation, (2) motor vehicles, and (3) emergency services and public protection (for state police motor vehicle patrols). The STF is supported by a number of revenue streams, most notably the motor fuels tax.

EFFECTIVE DATE: July 1, 2015

§§ 77-79 — TAXICAB INDUSTRY

The bill makes several changes to the laws governing the taxicab industry.

By law, people, associations, limited liability companies, and corporations seeking to operate a new taxi company must obtain a DOT certificate that public convenience and necessity require the operation of taxis in a specific territory. The bill requires that the hearing on an application for the certificate be held no sooner than three months after DOT receives the application. As under current law, DOT must give written notice of pending application and the time and place of the hearing.

Current law allows any taxi company to solicit, receive, and discharge passengers at Bradley International Airport, subject to a formal agreement with the transportation commissioner, as long as the agreement does not take precedence over the company's obligation to serve its territory. The bill additionally requires that, before serving Bradley, a company prove to DOT that its service in its territory has been (1) active and adequate and (2) in compliance with all laws and regulations for at least two years.

It requires that each registered taxi (1) have a permanently attached electric rooftop light, and (2) indicate, in three-inch type permanently fastened on the cab's exterior, the phone number of the company

operating the taxi.

Finally, it makes it a class A misdemeanor to advertise taxi services without holding a certificate or getting authority to operate a taxi from a certificate holder. Under current law, anyone who operates a taxi without a certificate or proper authority, or allows an unauthorized person to operate one under his control, is guilty of such a crime. Class A misdemeanors are punishable by up to one year in prison, a fine of up to \$2,000, or both.

EFFECTIVE DATE: July 1, 2013

§ 80 — BRIDGE NAME REPEAL

The bill repeals a 2009 law naming Bridge number 00043 on I-95 north and south passing over Route 1 in Darien as the “Speaker R.E. Van Norstrand Memorial Bridge.”

EFFECTIVE DATE: July 1, 2013

BACKGROUND

Threshold Limits for New Construction of and Additions to State Buildings

By law, the threshold limits are (1) four stories, (2) 60 feet high, (3) a clear span of 150 feet wide, (4) 150,000 square feet of floor space, or (5) occupancy by 1,000 or more people (CGS § 29-276b).

Federal Truck Weight Limits

Federal law sets a maximum gross vehicle weight limit of 80,000 pounds, but allows higher maximum weights in states that permitted higher gross vehicle weights prior to passage of the federal law (“grandfather rights”). Connecticut does not have such grandfather rights for gross vehicle weight, and, according to the DOT, needs Congressional approval to exceed the 80,000 pound limit.

In 2010, Congress created a pilot program allowing Maine and Vermont to allow trucks with a gross vehicle weight above 80,000 pounds to operate on those states’ Interstate highways (Public Law 111-117, § 194).

Infractions

An infraction is not a crime. Violators do not have criminal records and can pay the fine by mail without making a court appearance.

Related Bills

PA 13-92, reported favorably by the Transportation Committee, requires driver license knowledge tests to include a question on highway work zone safety.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 34 Nay 0 (03/15/2013)

Judiciary Committee

Joint Favorable

Yea 44 Nay 0 (05/01/2013)

Insurance and Real Estate Committee

Joint Favorable

Yea 16 Nay 0 (05/14/2013)

Appropriations Committee

Joint Favorable

Yea 27 Nay 0 (05/23/2013)