



# Senate

General Assembly

**File No. 343**

January Session, 2013

Substitute Senate Bill No. 975

*Senate, April 4, 2013*

The Committee on Transportation reported through SEN. MAYNARD of the 18th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

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

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

1 Section 1. Section 13a-80 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) The [commissioner] Commissioner of Transportation, with the  
4 advice and consent of the Secretary of the Office of Policy and  
5 Management and the State Properties Review Board may sell, lease  
6 and convey, in the name of the state, or otherwise dispose of, or enter  
7 into agreements concerning, any land and buildings owned by the  
8 state and obtained for or in connection with highway purposes or for  
9 the efficient accomplishment of the foregoing purposes or formerly  
10 used for highway purposes, which real property is not necessary for  
11 such purposes. The commissioner shall notify the state representative  
12 and the state senator representing the municipality in which said  
13 property is located within one year of the date a determination is made

14 that the property is not necessary for highway purposes and that the  
15 department intends to dispose of the property.

16 (b) The Department of Transportation shall obtain a full appraisal  
17 on excess property prior to its sale [. Except as provided in subsection  
18 (c) of this section, transfers] and shall hold a public bid or auction for  
19 all properties determined to be legal lots of record. If the department  
20 does not receive any bids at the initial public bid or auction, the  
21 department may continue to market the property and accept offers for  
22 sale or hold another bid or auction. Transfers to other state agencies  
23 and municipalities for purposes specified by the department shall be  
24 exempt from the appraisal requirement. The department shall offer  
25 parcels that are legal lots of record to other state agencies before  
26 holding a public bid or auction and shall offer parcels that are not legal  
27 lots of record to all abutting landowners in accordance with  
28 department regulations. If the sale or transfer of property pursuant to  
29 this section results in the existing property of an abutting landowner  
30 becoming a nonconforming use, pursuant to local zoning  
31 requirements, the commissioner may sell or transfer the property to  
32 such abutting landowner without public bid or auction. The  
33 department shall obtain a second appraisal if the value of such  
34 property is [valued over one hundred] more than two hundred fifty  
35 thousand dollars and is [not] to be sold [through public bid or auction]  
36 to an abutting landowner or in accordance with the provisions of  
37 subsection (c) of this section. Any appraisals [or value reports] shall be  
38 obtained prior to the determination of a sale price of the excess  
39 property.

40 (c) Notwithstanding the provisions of sections 3-14b and 4b-21, no  
41 residential property upon which a single-family dwelling is situated at  
42 the time it is obtained by the department for highway purposes may be  
43 sold or transferred pursuant to this section within twenty-five years of  
44 the date of its acquisition without the department's first offering the  
45 owner or owners of the property at the time of its acquisition a right of  
46 first refusal to purchase the property at the amount of its appraised  
47 value as determined in accordance with the provisions of subsection

48 (b) of this section. [ except for property offered for sale to  
49 municipalities prior to July 1, 1988.] Notice of such offer shall be sent  
50 to each such owner by registered or certified mail, return receipt  
51 requested, within one year of the date a determination is made that  
52 such property is not necessary for highway purposes. Any such offer  
53 shall be terminated by the department if it has not received written  
54 notice of the owner's acceptance of the offer within sixty days of the  
55 date it was mailed. [Whenever the offer is not so accepted, the  
56 department shall offer parcels which meet local zoning requirements  
57 for residential or commercial use to other state agencies and shall offer  
58 parcels which do not meet local zoning requirements for residential or  
59 commercial use to all abutting landowners in accordance with  
60 department regulations. If the sale or transfer of the property pursuant  
61 to this section results in the existing property of an abutting landowner  
62 becoming a nonconforming use as to local zoning requirements, the  
63 Commissioner of Transportation may sell or transfer the property to  
64 that abutter without public bid or auction.] The commissioner shall  
65 adopt regulations, in accordance with the provisions of chapter 54,  
66 establishing procedures for the disposition of excess property pursuant  
67 to the provisions of this subsection in the event such property is  
68 owned by more than one person.

69 (d) Where the department has in good faith and with reasonable  
70 diligence attempted to ascertain the identity of persons entitled to  
71 notice under subsection (c) of this section and mailed notice to the last  
72 known address of record of those ascertained, the failure to in fact  
73 notify those persons entitled thereto shall not invalidate any  
74 subsequent disposition of property pursuant to this section.

75 Sec. 2. Section 13b-79u of the general statutes is repealed and the  
76 following is substituted in lieu thereof (*Effective from passage*):

77 (a) The Commissioner of Transportation is authorized and directed,  
78 in consultation with the Secretary of the Office of Policy and  
79 Management and with the approval of the Governor, to enter into any  
80 agreements with the National Rail Passenger Corporation or its

81 successor in interest that are necessary for the operation of rail  
82 passenger service on the New Haven-Hartford-Springfield rail line.

83 (b) The commissioner is authorized and directed, in consultation  
84 with the secretary and with approval of the Governor, to enter into any  
85 agreements with the commonwealth of Massachusetts, or any entity  
86 authorized to act on its behalf, or the state of Vermont, or any entity  
87 authorized to act on its behalf, that are necessary for the state's  
88 participation in the provision of rail passenger service on the New  
89 Haven-Hartford-Springfield rail line.

90 (c) The commissioner is authorized and directed, in consultation  
91 with the secretary and with the approval of the Governor, to select  
92 through a competitive process and contract with an operator or  
93 operators for rail service on the New Haven-Hartford-Springfield rail  
94 line.

95 Sec. 3. Section 13b-20 of the general statutes is repealed and the  
96 following is substituted in lieu thereof (*Effective from passage*):

97 (a) The Commissioner of Transportation shall keep a record of all  
98 proceedings and orders pertaining to the matters under said  
99 commissioner's direction and copies of all plans, specifications and  
100 estimates submitted to said commissioner. Said commissioner shall  
101 furnish to any court in this state without charge certified copies of any  
102 document or record pertaining to the operation of the department, and  
103 any certified document or record of the commissioner, attested as a  
104 true copy by the commissioner, the deputy commissioner, the chief  
105 engineer of the department, or any deputy commissioner or bureau  
106 head for an operating bureau, shall be competent evidence in any court  
107 of this state of the facts contained in such document or record. The  
108 commissioner may delegate to the deputy commissioner, the chief  
109 engineer, [and] the deputy commissioners or bureau heads for  
110 operating bureaus, and other agency staff as appropriate, the authority  
111 to sign any agreement, contract, document or instrument which the  
112 commissioner is authorized to sign and any such signature shall be  
113 binding and valid.

114 (b) The executive director of the Office of the State Traffic  
115 Administration may certify copies of any document or record  
116 pertaining to the operation of the Office of the State Traffic  
117 Administration, and any certified document or record of said office,  
118 attested as a true copy by said executive director, shall be competent  
119 evidence in any court of this state of the facts contained in such  
120 document or record.

121 Sec. 4. (NEW) (*Effective October 1, 2013*) The Commissioner of  
122 Transportation may issue a filming permit, on a form required by the  
123 commissioner, to any person seeking to film upon any state highway  
124 right-of-way or state real property under the custody and control of  
125 the Department of Transportation. Such permit shall specify the  
126 insurance coverage that the permittee shall be required to obtain, as  
127 determined by the commissioner in consultation with the state's  
128 Director of Insurance and Risk Management, with the state named as  
129 an additional insured. No liability shall accrue to the state or any  
130 agency or employee of the state for any injuries or damages to any  
131 person or property that may result, either directly or indirectly, from  
132 the filming activities of the permittee on state real property or state  
133 highway right-of-way.

134 Sec. 5. (NEW) (*Effective October 1, 2013*) The Commissioner of  
135 Transportation may grant easements with respect to land owned by  
136 the state to a public service company, as defined in section 16-1 of the  
137 general statutes, the owner of a district heating and cooling system, or  
138 a municipal water or sewer authority, in connection with bringing  
139 utility service to a Department of Transportation facility or office,  
140 subject to the approval of the State Properties Review Board.

141 Sec. 6. Subsection (a) of section 13b-251 of the general statutes is  
142 repealed and the following is substituted in lieu thereof (*Effective from*  
143 *passage*):

144 (a) The minimum overhead clearance for any structure crossing  
145 over railroad tracks for which construction is begun on or after  
146 October 1, 1986, shall be twenty feet, six inches, except that, (1) if the

147 construction includes only deck replacement or minor widening of the  
148 structure, and the existing piers or abutments remain in place, the  
149 minimum overhead clearance shall be the structure's existing overhead  
150 clearance; (2) the minimum overhead clearance for any structure  
151 crossing any railroad tracks on which trains are operated that are  
152 attached to or powered by means of overhead electrical wires shall be  
153 twenty-two feet, six inches; (3) the minimum overhead clearance for  
154 the structure that carries (A) Route 372 over railroad tracks in New  
155 Britain, designated state project number 131-156, (B) U.S. Route 1 over  
156 railroad tracks in Fairfield, designated state project number 50-6H05,  
157 (C) Route 729 over railroad tracks in North Haven, designated state  
158 project number 100-149, (D) Grove Street over railroad tracks in  
159 Hartford, designated state project number 63-376, (E) Route 1 over  
160 railroad tracks in Milford, designated state project number 173-117, (F)  
161 Ingham Hill Road over railroad tracks in Old Saybrook, designated  
162 state project number 105-164, (G) Ellis Street over railroad tracks in  
163 New Britain, designated state project number 88-114, (H) Route 100  
164 over the railroad tracks in East Haven, bridge number 01294, and (I)  
165 Church Street Extension over certain railroad storage tracks located in  
166 the New Haven Rail Yard, designated state project number 92-526,  
167 shall be eighteen feet; (4) the minimum overhead clearance for those  
168 structures carrying (A) Fair Street, bridge number 03870, (B) Crown  
169 Street, bridge number 03871, and (C) Chapel Street, bridge number  
170 03872, over railroad tracks in New Haven shall be seventeen feet, six  
171 inches; (5) the minimum overhead clearance for the structure carrying  
172 State Street railroad station pedestrian bridge over railroad tracks in  
173 New Haven shall be nineteen feet, ten inches; (6) the overhead  
174 clearance for the structure carrying Woodland Street over the Griffins  
175 Industrial Line in Hartford, designated state project number 63-501,  
176 shall be fifteen feet, nine inches, with new foundations placed at  
177 depths which may accommodate an overhead clearance to a maximum  
178 of seventeen feet, eight inches; (7) the Department of Transportation  
179 may replace the Hales Road Highway Bridge over railroad tracks in  
180 Westport, Bridge Number 03852, with a new bridge that provides a  
181 minimum overhead clearance over the railroad tracks that shall be

182 eighteen feet, five inches; [and] (8) the Department of Transportation  
183 may replace the Pearl Street Highway Bridge over railroad tracks in  
184 Middletown, Bridge Number 04032, with a new bridge that provides a  
185 minimum overhead clearance over the railroad tracks that shall be  
186 seventeen feet, eleven inches; and (9) the Department of  
187 Transportation may construct a new bridge that provides a minimum  
188 overhead clearance of twenty-two feet, two inches for the structure  
189 carrying Metro Center Access Road over the Metro-North Railroad in  
190 Fairfield.

191 Sec. 7. Section 15-15e of the general statutes is repealed and the  
192 following is substituted in lieu thereof (*Effective October 1, 2013*):

193 (a) [On and after October 1, 1997, no] An owner or operator of a  
194 vessel [may transport or offer to transport] used to transport a pilot  
195 licensed under the provisions of section 15-13 for the purpose of  
196 embarking or disembarking another vessel in open and unprotected  
197 waters [unless such owner or operator has obtained] shall obtain a  
198 certificate of [compliance from the Commissioner of Transportation.  
199 On and after October 1, 1997, the Commissioner of Transportation  
200 shall issue a certificate of compliance to each owner or operator of a  
201 vessel used to transport a licensed pilot for the purpose of embarking  
202 or disembarking another vessel in open and unprotected waters who  
203 complies with the requirements specified in regulations which shall be  
204 adopted by the commissioner in accordance with the provisions of  
205 chapter 54. The regulations shall specify (1) standards and procedures  
206 for the issuance and renewal of such certificate; (2) grounds for the  
207 suspension of such certificate; (3) requirements relative to the  
208 inspection of such vessels, including the designation and qualifications  
209 of inspectors of such vessels and the maintenance and inspection of  
210 logs in each such vessel; (4) the procedures for embarkation and  
211 disembarkation of pilots; and (5) the operation of and equipment  
212 required on each such vessel. Such regulations may establish standard  
213 rates for the use of each such vessel for such purpose. For the purposes  
214 of this subsection, "open and unprotected waters" means waters  
215 located east of the area depicted on the National Oceanic and

216 Atmospheric Administration charts of the eastern portion of Long  
217 Island Sound as "The Race"] insurance from an insurance carrier based  
218 on a survey conducted and documented by a qualified marine  
219 surveyor. Marine surveyors shall be guided by applicable United  
220 States Coast Guard regulations, if any, and standards set by insurance  
221 companies for the insurability of such vessel.

222 (b) Any person who [violates any provision of] fails to comply with  
223 subsection (a) of this section or any regulation adopted thereunder  
224 shall be fined not less than [sixty] five hundred dollars nor more than  
225 [two hundred fifty dollars for each such violation] one thousand  
226 dollars.

227 Sec. 8. Subdivision (40) of section 14-1 of the general statutes is  
228 repealed and the following is substituted in lieu thereof (*Effective from*  
229 *passage*):

230 (40) "Highway" includes any state or other public highway, road,  
231 street, avenue, alley, driveway, parkway, [or] place or dedicated  
232 roadway for bus rapid transit service, under the control of the state or  
233 any political subdivision of the state, dedicated, appropriated or  
234 opened to public travel or other use;

235 Sec. 9. (NEW) (*Effective from passage*) (a) No person shall access or  
236 travel upon any highway that is a dedicated roadway for bus rapid  
237 transit service except as an operator or passenger in (1) a motor vehicle  
238 authorized by the state to provide public transit service on such  
239 highway, (2) an authorized emergency vehicle responding to an  
240 emergency call, (3) a vehicle operated by the Department of  
241 Transportation or any contractor of the department authorized by the  
242 state to perform maintenance on such highway, or (4) any motor  
243 vehicle specifically authorized in writing by the Commissioner of  
244 Transportation to access or travel upon such highway.

245 (b) Any violation of this section shall be an infraction.

246 Sec. 10. Section 14-296aa of the general statutes is repealed and the

247 following is substituted in lieu thereof (*Effective October 1, 2013*):

248 (a) For purposes of this section, the following terms have the  
249 following meanings:

250 (1) "Mobile telephone" means a cellular, analog, wireless or digital  
251 telephone capable of sending or receiving telephone communications  
252 without an access line for service.

253 (2) "Using" or "use" means holding a hand-held mobile telephone to,  
254 or in the immediate proximity of, the user's ear.

255 (3) "Hand-held mobile telephone" means a mobile telephone with  
256 which a user engages in a call using at least one hand.

257 (4) "Hands-free accessory" means an attachment, add-on, built-in  
258 feature, or addition to a mobile telephone, whether or not permanently  
259 installed in a motor vehicle, that, when used, allows the vehicle  
260 operator to maintain both hands on the steering wheel.

261 (5) "Hands-free mobile telephone" means a hand-held mobile  
262 telephone that has an internal feature or function, or that is equipped  
263 with an attachment or addition, whether or not permanently part of  
264 such hand-held mobile telephone, by which a user engages in a call  
265 without the use of either hand, whether or not the use of either hand is  
266 necessary to activate, deactivate or initiate a function of such  
267 telephone.

268 (6) "Engage in a call" means talking into or listening on a hand-held  
269 mobile telephone, but does not include holding a hand-held mobile  
270 telephone to activate, deactivate or initiate a function of such  
271 telephone.

272 (7) "Immediate proximity" means the distance that permits the  
273 operator of a hand-held mobile telephone to hear telecommunications  
274 transmitted over such hand-held mobile telephone, but does not  
275 require physical contact with such operator's ear.

276 (8) "Mobile electronic device" means any hand-held or other  
277 portable electronic equipment capable of providing data  
278 communication between two or more persons, including a text  
279 messaging device, a paging device, a personal digital assistant, a  
280 laptop computer, equipment that is capable of playing a video game or  
281 a digital video disk, or equipment on which digital photographs are  
282 taken or transmitted, or any combination thereof, but does not include  
283 any audio equipment or any equipment installed in a motor vehicle for  
284 the purpose of providing navigation, emergency assistance to the  
285 operator of such motor vehicle or video entertainment to the  
286 passengers in the rear seats of such motor vehicle.

287 (9) "Operating a motor vehicle" means operating a motor vehicle on  
288 any highway, as defined in section 14-1, as amended by this act,  
289 including being temporarily stationary due to traffic, road conditions  
290 or a traffic control sign or signal, but not including being parked on the  
291 side or shoulder of any highway where such vehicle is safely able to  
292 remain stationary.

293 (b) (1) Except as otherwise provided in this subsection and  
294 subsections (c) and (d) of this section, no person shall operate a motor  
295 vehicle upon a highway, as defined in section 14-1, as amended by this  
296 act, while using a hand-held mobile telephone to engage in a call or  
297 while using a mobile electronic device. [while such vehicle is in  
298 motion.] An operator of a motor vehicle who types, sends or reads a  
299 text message with a hand-held mobile telephone or mobile electronic  
300 device while [such vehicle is in motion] operating a motor vehicle shall  
301 be in violation of this section, except that if such operator is driving a  
302 commercial motor vehicle, as defined in section 14-1, as amended by  
303 this act, such operator shall be charged with a violation of subsection  
304 (e) of this section.

305 (2) An operator of a motor vehicle who holds a hand-held mobile  
306 telephone to, or in the immediate proximity of, his or her ear while  
307 [such vehicle is in motion] operating a motor vehicle is presumed to be  
308 engaging in a call within the meaning of this section. The presumption

309 established by this subdivision is rebuttable by evidence tending to  
310 show that the operator was not engaged in a call.

311 (3) The provisions of this subsection shall not be construed as  
312 authorizing the seizure or forfeiture of a hand-held mobile telephone  
313 or a mobile electronic device, unless otherwise provided by law.

314 (4) Subdivision (1) of this subsection shall not apply to: (A) The use  
315 of a hand-held mobile telephone for the sole purpose of  
316 communicating with any of the following regarding an emergency  
317 situation: An emergency response operator; a hospital, physician's  
318 office or health clinic; an ambulance company; a fire department; or a  
319 police department, or (B) any of the following persons while in the  
320 performance of their official duties and within the scope of their  
321 employment: A peace officer, as defined in subdivision (9) of section  
322 53a-3, a firefighter or an operator of an ambulance or authorized  
323 emergency vehicle, as defined in section 14-1, as amended by this act,  
324 or a member of the armed forces of the United States, as defined in  
325 section 27-103, while operating a military vehicle, or (C) the use of a  
326 hand-held radio by a person with an amateur radio station license  
327 issued by the Federal Communications Commission in emergency  
328 situations for emergency purposes only, or (D) the use of a hands-free  
329 mobile telephone.

330 (c) No person shall use a hand-held mobile telephone or other  
331 electronic device, including those with hands-free accessories, or a  
332 mobile electronic device while operating a [moving] school bus that is  
333 carrying passengers, except that this subsection shall not apply to (1) a  
334 school bus driver who places an emergency call to school officials, or  
335 (2) the use of a hand-held mobile telephone as provided in  
336 subparagraph (A) of subdivision (4) of subsection (b) of this section.

337 (d) No person under eighteen years of age shall use any hand-held  
338 mobile telephone, including one with a hands-free accessory, or a  
339 mobile electronic device while operating a [moving] motor vehicle on a  
340 public highway, except as provided in subparagraph (A) of  
341 subdivision (4) of subsection (b) of this section.

342 (e) No person shall type, read or send text or a text message with or  
343 from a mobile telephone or mobile electronic device while operating a  
344 commercial motor vehicle, as defined in section 14-1, as amended by  
345 this act, except for the purpose of communicating with any of the  
346 following regarding an emergency situation: An emergency response  
347 operator; a hospital; physician's office or health clinic; an ambulance  
348 company; a fire department or a police department.

349 (f) Except as provided in subsections (b) to (e), inclusive, of this  
350 section, no person shall engage in any activity not related to the actual  
351 operation of a motor vehicle in a manner that interferes with the safe  
352 operation of such vehicle on any highway, as defined in section 14-1,  
353 as amended by this act.

354 (g) Any law enforcement officer who issues a summons for a  
355 violation of this section shall record on such summons the specific  
356 nature of any distracted driving behavior observed by such officer.

357 (h) Any person who violates this section shall be fined one hundred  
358 twenty-five dollars for a first violation, two hundred fifty dollars for a  
359 second violation and four hundred dollars for a third or subsequent  
360 violation.

361 (i) An operator of a motor vehicle who commits a moving violation,  
362 as defined in subsection (a) of section 14-111g, while engaged in any  
363 activity prohibited by this section shall be fined in accordance with  
364 subsection (h) of this section, in addition to any penalty or fine  
365 imposed for the moving violation.

366 (j) The state shall remit to a municipality twenty-five per cent of the  
367 fine amount received for a violation of this section with respect to each  
368 summons issued by such municipality. Each clerk of the Superior  
369 Court or the Chief Court Administrator, or any other official of the  
370 Superior Court designated by the Chief Court Administrator, shall, on  
371 or before the thirtieth day of January, April, July and October in each  
372 year, certify to the Comptroller the amount due for the previous  
373 quarter under this subsection to each municipality served by the office

374 of the clerk or official.

375 Sec. 11. Section 21-52 of the general statutes is repealed and the  
376 following is substituted in lieu thereof (*Effective October 1, 2013*):

377 (a) The fee for an application for a permit to erect or maintain any  
378 outdoor advertising structure, device or display shall be as follows: For  
379 each panel, bulletin, or sign containing less than three hundred square  
380 feet of advertising space, [~~fifty~~] one hundred dollars; and for each  
381 panel, bulletin or sign containing three hundred square feet or more of  
382 advertising space, [~~one~~] two hundred dollars.

383 (b) The annual fee for such permit shall be as follows: For each  
384 panel, bulletin or sign containing three hundred square feet or less of  
385 advertising space, [~~twenty~~] forty dollars; for each panel, bulletin or  
386 sign containing more than three hundred and not more than six  
387 hundred square feet of advertising space, [~~forty~~] eighty dollars; and for  
388 each panel, bulletin or sign containing more than six hundred square  
389 feet and not more than nine hundred square feet of advertising space,  
390 [~~sixty~~] one hundred twenty dollars. No sign shall be erected which  
391 contains more than nine hundred square feet of advertising space. A  
392 fee shall be paid for each side of each panel, bulletin or sign used for  
393 advertising, provided, if two panels, bulletins or signs advertising the  
394 same products or services are attached to the same support or  
395 supports, only one annual permit fee shall be paid for each side thereof  
396 and the total advertising space on each side thereof shall be used for  
397 computing the annual permit fee of each panel, bulletin or sign. The  
398 annual permit fee for any part of a year shall bear the same proportion  
399 to the annual permit fee for an entire year that the number of months  
400 in such part bears to the entire year. If any such permit is transferred,  
401 the transferee shall be assessed a fee of one hundred dollars.

402 Sec. 12. Section 21-56 of the general statutes is repealed and the  
403 following is substituted in lieu thereof (*Effective October 1, 2013*):

404 The Commissioner of Transportation shall provide with each permit  
405 issued for the display of advertising, under the provisions of this

406 chapter, a permit number which shall be [painted] clearly posted on  
407 each structure in legible figures not less than [two] twelve inches in  
408 height and at the following locations on such advertising billboards  
409 and signs: [Poster boards, on the top moulding at a point nearest the  
410 highway or street; signs] (1) For a sign erected on a single post, [on the  
411 face of the post under the sign] on the side of the post in a manner  
412 visible from the roadway, (2) for a sign erected on multiple posts, on  
413 the side of the post closest to the roadway in a manner visible from the  
414 roadway, and (3) for a sign without support posts, on the bottom left  
415 corner of the display. The provisions of this section shall not apply to  
416 advertising signs or displays on or in railroad stations intended for  
417 display to the patrons of railroads.

418 Sec. 13. Subsection (f) of section 13a-123 of the general statutes is  
419 repealed and the following is substituted in lieu thereof (*Effective*  
420 *October 1, 2013*):

421 (f) Notwithstanding the provisions of subsections (a) and (e) of this  
422 section, signage that may be changed at intervals by electronic or  
423 mechanical process or by remote control shall be permitted within six  
424 hundred sixty feet of the edge of the right-of-way of any interstate,  
425 federal-aid primary or other limited access state highway, except as  
426 prohibited by state statute, local ordinance or zoning regulation,  
427 provided such signage (1) has a static display lasting no less than [six]  
428 eight seconds, (2) achieves a message change with all moving parts or  
429 illumination moving or changing simultaneously over a period of  
430 three seconds or less, and (3) does not display any illumination that  
431 moves, appears to move or changes in intensity during the static  
432 display period.

433 Sec. 14. Section 20-340 of the general statutes is repealed and the  
434 following is substituted in lieu thereof (*Effective from passage*):

435 The provisions of this chapter shall not apply to: (1) Persons  
436 employed by any federal, state or municipal agency; (2) employees of  
437 any public service company regulated by the Public Utilities  
438 Regulatory Authority or of any corporate affiliate of any such

439 company when the work performed by such affiliate is on behalf of a  
440 public service company, but in either case only if the work performed  
441 is in connection with the rendition of public utility service, including  
442 the installation or maintenance of wire for community antenna  
443 television service, or is in connection with the installation or  
444 maintenance of wire or telephone sets for single-line telephone service  
445 located inside the premises of a consumer; (3) employees of any  
446 municipal corporation specially chartered by this state; (4) employees  
447 of any contractor while such contractor is performing electrical-line or  
448 emergency work for any public service company; (5) persons engaged  
449 in the installation, maintenance, repair and service of electrical or other  
450 appliances of a size customarily used for domestic use where such  
451 installation commences at an outlet receptacle or connection  
452 previously installed by persons licensed to do the same and  
453 maintenance, repair and service is confined to the appliance itself and  
454 its internal operation; (6) employees of industrial firms whose main  
455 duties concern the maintenance of the electrical work, plumbing and  
456 piping work, solar thermal work, heating, piping, cooling work, sheet  
457 metal work, elevator installation, repair and maintenance work,  
458 automotive glass work or flat glass work of such firm on its own  
459 premises or on premises leased by it for its own use; (7) employees of  
460 industrial firms when such employees' main duties concern the  
461 fabrication of glass products or electrical, plumbing and piping, fire  
462 protection sprinkler systems, solar, heating, piping, cooling, chemical  
463 piping, sheet metal or elevator installation, repair and maintenance  
464 equipment used in the production of goods sold by industrial firms,  
465 except for products, electrical, plumbing and piping systems and  
466 repair and maintenance equipment used directly in the production of a  
467 product for human consumption; (8) persons performing work  
468 necessary to the manufacture or repair of any apparatus, appliances,  
469 fixtures, equipment or devices produced by it for sale or lease; (9)  
470 employees of stage and theatrical companies performing the operation,  
471 installation and maintenance of electrical equipment if such  
472 installation commences at an outlet receptacle or connection  
473 previously installed by persons licensed to make such installation; (10)

474 employees of carnivals, circuses or similar transient amusement shows  
475 who install electrical work, provided such installation shall be subject  
476 to the approval of the State Fire Marshal prior to use as otherwise  
477 provided by law and shall comply with applicable municipal  
478 ordinances and regulations; (11) persons engaged in the installation,  
479 maintenance, repair and service of glass or electrical, plumbing, fire  
480 protection sprinkler systems, solar, heating, piping, cooling and sheet  
481 metal equipment in and about single-family residences owned and  
482 occupied or to be occupied by such persons; provided any such  
483 installation, maintenance and repair shall be subject to inspection and  
484 approval by the building official of the municipality in which such  
485 residence is located and shall conform to the requirements of the State  
486 Building Code; (12) persons who install, maintain or repair glass in a  
487 motor vehicle owned or leased by such persons; (13) persons or entities  
488 holding themselves out to be retail sellers of glass products, but not  
489 such persons or entities that also engage in automotive glass work or  
490 flat glass work; (14) persons who install preglazed or preassembled  
491 windows or doors in residential or commercial buildings; (15) persons  
492 registered under chapter 400 who install safety-backed mirror  
493 products or repair or replace flat glass in sizes not greater than thirty  
494 square feet in residential buildings; (16) sheet metal work performed in  
495 residential buildings consisting of six units or less by new home  
496 construction contractors registered pursuant to chapter 399a, by home  
497 improvement contractors registered pursuant to chapter 400 or by  
498 persons licensed pursuant to this chapter, when such work is limited  
499 to exhaust systems installed for hoods and fans in kitchens and baths,  
500 clothes dryer exhaust systems, radon vent systems, fireplaces, fireplace  
501 flues, masonry chimneys or prefabricated metal chimneys rated by  
502 Underwriters Laboratories or installation of stand-alone appliances  
503 including wood, pellet or other stand-alone stoves that are installed in  
504 residential buildings by such contractors or persons; (17) employees of  
505 or any contractor employed by and under the direction of a properly  
506 licensed solar contractor, performing work limited to the hoisting,  
507 placement and anchoring of solar collectors, photovoltaic panels,  
508 towers or turbines; [and] (18) persons performing swimming pool

509 maintenance and repair work authorized pursuant to section 20-417aa;  
510 and (19) employees of the Connecticut Airport Authority.

511 Sec. 15. Section 29-252a of the general statutes is repealed and the  
512 following is substituted in lieu thereof (*Effective from passage*):

513 (a) The State Building Code, including any amendment to said code  
514 adopted by the State Building Inspector and Codes and Standards  
515 Committee, shall be the building code for all state agencies and the  
516 Connecticut Airport Authority.

517 (b) (1) No state or Connecticut Airport Authority building or  
518 structure or addition to a state or Connecticut Airport Authority  
519 building or structure: (A) That exceeds the threshold limits contained  
520 in section 29-276b and requires an independent structural review  
521 under said section, or (B) that includes residential occupancies for  
522 twenty-five or more persons, shall be constructed until an application  
523 has been filed by (i) the commissioner of an agency authorized to  
524 contract for the construction of buildings under the provisions of  
525 section 4b-1 or 4b-51, or (ii) the executive director of the Connecticut  
526 Airport Authority, with the State Building Inspector and a building  
527 permit is issued by the State Building Inspector. Two copies of the  
528 plans and specifications for the building, structure or addition to be  
529 constructed shall accompany the application. The commissioner of any  
530 such agency or the executive director of the Connecticut Airport  
531 Authority shall certify that such plans and specifications are in  
532 substantial compliance with the provisions of the State Building Code  
533 and, where applicable, with the provisions of the Fire Safety Code. The  
534 State Building Inspector shall review the plans and specifications for  
535 the building, structure or addition to be constructed to verify their  
536 compliance with the requirements of the State Building Code and, not  
537 later than thirty days after the date of application, shall issue or refuse  
538 to issue the building permit, in whole or in part. The State Building  
539 Inspector may request that the State Fire Marshal review such plans to  
540 verify their compliance with the Fire Safety Code.

541 (2) On and after July 1, 1999, the State Building Inspector shall

542 assess an education fee on each building permit application. During  
543 the fiscal year commencing July 1, 1999, the amount of such fee shall be  
544 sixteen cents per one thousand dollars of construction value as  
545 declared on the building permit application, and the State Building  
546 Inspector shall remit such fees, quarterly, to the Department of  
547 Construction Services, for deposit in the General Fund. Upon deposit  
548 in the General Fund, the amount of such fees shall be credited to the  
549 appropriation to the Department of Construction Services and shall be  
550 used for the code training and educational programs established  
551 pursuant to section 29-251c. On and after July 1, 2000, the assessment  
552 shall be made in accordance with regulations adopted pursuant to  
553 subsection (d) of section 29-251c.

554 (c) All state agencies authorized to contract for the construction of  
555 any buildings or the alteration of any existing buildings under the  
556 provisions of section 4b-1 or 4b-51 or, for any such Connecticut Airport  
557 Authority building, the Connecticut Airport Authority, shall be  
558 responsible for substantial compliance with the provisions of the State  
559 Building Code, the Fire Safety Code and the regulations lawfully  
560 adopted under said codes for such building or alteration to such  
561 building, as the case may be. Such agencies and the Connecticut  
562 Airport Authority shall apply to the State Building Inspector for a  
563 certificate of occupancy for all buildings or alterations of existing  
564 buildings for which a building permit is required under subsection (b)  
565 of this section and shall certify compliance with the State Building  
566 Code, the Fire Safety Code and the regulations lawfully adopted under  
567 said codes for such building or alteration to such building, as the case  
568 may be, to the State Building Inspector prior to occupancy or use of the  
569 facility.

570 (d) (1) No state or Connecticut Airport Authority building or  
571 structure erected or altered on and after July 1, 1989, for which a  
572 building permit has been issued pursuant to subsection (b) of this  
573 section, shall be occupied or used in whole or in part, until a certificate  
574 of occupancy has been issued by the State Building Inspector,  
575 certifying that such building or structure substantially conforms to the

576 provisions of the State Building Code and the regulations lawfully  
577 adopted under said code and the State Fire Marshal has verified  
578 substantial compliance with the Fire Safety Code and the regulations  
579 lawfully adopted under said code for such building or alteration to  
580 such building, as the case may be.

581 (2) No state or Connecticut Airport Authority building or structure  
582 erected or altered on and after July 1, 1989, for which a building permit  
583 has not been issued pursuant to subsection (b) of this section shall be  
584 occupied or used in whole or in part, until the commissioner of the  
585 agency erecting or altering the building or structure or, for any  
586 Connecticut Airport Authority building or structure, the executive  
587 director of the Connecticut Airport Authority, certifies to the State  
588 Building Inspector that the building or structure substantially complies  
589 with the provisions of the State Building Code, the Fire Safety Code  
590 and the regulations lawfully adopted under said codes for such  
591 building or alteration to such building, as the case may be.

592 (e) The State Building Inspector or said inspector's designee may  
593 inspect or cause to be inspected any construction of buildings or  
594 alteration of existing buildings by state agencies or the Connecticut  
595 Airport Authority, except that said inspector or designee shall inspect  
596 or cause an inspection if the building being constructed includes  
597 residential occupancies for twenty-five or more persons. The State  
598 Building Inspector may order any state agency or the Connecticut  
599 Airport Authority to comply with the State Building Code. The  
600 commissioner may delegate such powers as the commissioner deems  
601 expedient for the proper administration of this part and any other  
602 statute related to the State Building Code to The University of  
603 Connecticut, provided the commissioner and the president of The  
604 University of Connecticut enter into a memorandum of understanding  
605 concerning such delegation of powers in accordance with section 10a-  
606 109ff.

607 (f) The joint standing committee of the General Assembly having  
608 cognizance of matters relating to the Department of Construction

609 Services may annually review the implementation date in subsection  
610 (b) of this section to determine the need, if any, for revision.

611 (g) Any person aggrieved by any refusal to issue a building permit  
612 or certificate of occupancy under the provisions of this section or by an  
613 order to comply with the State Building Code or the Fire Safety Code  
614 may appeal, de novo, to the Codes and Standards Committee not later  
615 than seven days after the issuance of any such refusal or order.

616 (h) State agencies and the Connecticut Airport Authority shall be  
617 exempt from the permit requirements of section 29-263 and the  
618 certificate of occupancy requirement under section 29-265.

619 Sec. 16. Subsection (a) of section 16a-27 of the general statutes is  
620 repealed and the following is substituted in lieu thereof (*Effective July*  
621 *1, 2013*):

622 (a) The secretary, after consultation with all appropriate state,  
623 regional and local agencies and other appropriate persons, shall, prior  
624 to March 1, 2012, complete a revision of the existing plan and enlarge it  
625 to include, but not be limited to, policies relating to transportation,  
626 energy and air. [Any revision made after May 15, 1991, shall identify  
627 the major transportation proposals, including proposals for mass  
628 transit, contained in the master transportation plan prepared pursuant  
629 to section 13b-15.] Any revision made after July 1, 1995, shall take into  
630 consideration the conservation and development of greenways that  
631 have been designated by municipalities and shall recommend that  
632 state agencies coordinate their efforts to support the development of a  
633 state-wide greenways system. The Commissioner of Energy and  
634 Environmental Protection shall identify state-owned land for inclusion  
635 in the plan as potential components of a state greenways system.

636 Sec. 17. Subdivision (10) of section 25-201 of the general statutes is  
637 repealed and the following is substituted in lieu thereof (*Effective July*  
638 *1, 2013*):

639 (10) "Major state plan" means [the master transportation plan

640 adopted pursuant to section 13b-15,] the plan for development of  
641 outdoor recreation adopted pursuant to section 22a-21, the solid waste  
642 management plan adopted pursuant to section 22a-211, the state-wide  
643 plan for the management of water resources adopted pursuant to  
644 section 22a-352, the state-wide environmental plan adopted pursuant  
645 to section 22a-8, the plan for the disposal of dredged material for Long  
646 Island Sound, the historic preservation plan adopted under the  
647 National Historic Preservation Act, as amended, the state-wide facility  
648 and capital plan adopted pursuant to section 4b-23, the water quality  
649 management plan adopted under the federal Clean Water Act, the  
650 marine resources management plan, the plan for managing forest  
651 resources, the wildlife management plans and the salmon restoration  
652 plan;

653 Sec. 18. Subsection (e) of section 25-204 of the general statutes is  
654 repealed and the following is substituted in lieu thereof (*Effective July*  
655 *1, 2013*):

656 (e) After adoption pursuant to subsection (d) of this section of an  
657 inventory, statement of objectives and map, the river committee shall  
658 prepare a report on all federal, state and municipal laws, plans,  
659 programs and proposed activities which may affect the river corridor  
660 defined in such map. Such laws shall include regulations adopted  
661 pursuant to chapter 440 and zoning, subdivision and site plan  
662 regulations adopted pursuant to section 8-3. Such plans shall include  
663 plans of conservation and development adopted pursuant to section 8-  
664 23, the state plan for conservation and development, water utility  
665 supply plans adopted pursuant to section 25-32d, coordinated water  
666 system plans adopted pursuant to section 25-33h, municipal open  
667 space plans, the commissioner's fish and wildlife plans, [the master  
668 transportation plan adopted pursuant to section 13b-15,] plans  
669 prepared by regional planning agencies pursuant to section 8-31a, and  
670 publicly-owned wastewater treatment facility plans. State and regional  
671 agencies shall, within available resources, assist the river committee in  
672 identifying such laws, plans, programs and proposed activities. The  
673 report to be prepared pursuant to this section shall identify any

674 conflicts between such federal, state, regional and municipal laws,  
675 plans, programs and proposed activities and the river committee's  
676 objectives for river corridor protection and preservation as reflected in  
677 the statement of objectives. If conflicts are identified, the river  
678 committee shall notify the applicable state, regional or municipal  
679 agencies and such agencies shall, within available resources, attempt  
680 with the river commission to resolve such conflicts.

681 Sec. 19. Subdivision (4) of section 25-231 of the general statutes is  
682 repealed and the following is substituted in lieu thereof (*Effective July*  
683 *1, 2013*):

684 (4) "Major state plan" means any of the following: The [master  
685 transportation plan adopted pursuant to section 13b-15, the] plan for  
686 development of outdoor recreation adopted pursuant to section 22a-21,  
687 the solid waste management plan adopted pursuant to section 22a-211,  
688 the state-wide plan for the management of water resources adopted  
689 pursuant to section 22a-352, the state-wide environmental plan  
690 adopted pursuant to section 22a-8, the historic preservation plan  
691 adopted under the National Historic Preservation Act, 16 USC 470 et  
692 seq., the state-wide facility and capital plan adopted pursuant to  
693 section 4b-23, the state's consolidated plan for housing and community  
694 development prepared pursuant to section 8-37t, the water quality  
695 management plan adopted under the federal Clean Water Act, 33 USC  
696 1251 et seq., any plans for managing forest resources adopted pursuant  
697 to section 23-20 and the Connecticut River Atlantic Salmon Compact  
698 adopted pursuant to section 26-302;

699 Sec. 20. Subsection (e) of section 25-234 of the general statutes is  
700 repealed and the following is substituted in lieu thereof (*Effective July*  
701 *1, 2013*):

702 (e) After adoption of an inventory, statement of objectives and map,  
703 pursuant to subsection (d) of this section, the river commission shall  
704 prepare a report on all federal, state, regional and municipal laws,  
705 plans, programs and proposed activities that may affect the river  
706 corridor defined in such map. Such federal, state, regional and

707 municipal laws shall include regulations adopted pursuant to chapter  
708 440, and zoning, subdivision and site plan regulations adopted  
709 pursuant to section 8-3. Such federal, state, regional and municipal  
710 plans shall include plans of development adopted pursuant to section  
711 8-23, the state plan for conservation and development, water utility  
712 supply plans submitted pursuant to section 25-32d, coordinated water  
713 system plans submitted pursuant to section 25-33h, [the master  
714 transportation plan adopted pursuant to section 13b-15,] plans  
715 prepared by regional planning organizations, as defined in section 4-  
716 124i, and plans of publicly owned wastewater treatment facilities  
717 whose discharges may affect the subject river corridor. State and  
718 regional agencies shall, within available resources, assist the river  
719 commission in identifying such laws, plans, programs and proposed  
720 activities. The report to be prepared pursuant to this section shall  
721 identify any conflicts between such federal, state, regional and  
722 municipal laws, plans, programs and proposed activities and the river  
723 commission's objectives for river corridor management as reflected in  
724 the statement of objectives. If conflicts are identified, the river  
725 commission shall notify the applicable state, regional or municipal  
726 agencies and such agencies shall, within available resources and in  
727 consultation with the river commission, attempt to resolve such  
728 conflicts.

729 Sec. 21. Subsection (a) of section 1-2b of the general statutes is  
730 repealed and the following is substituted in lieu thereof (*Effective July*  
731 *1, 2013*):

732 (a) For purposes of sections 1-100oo, 1-206, 2-71r, 4-176, 4-180, 4-183,  
733 4a-52a, 4a-60q, 4a-63, 4a-100, 4e-34, 4e-35, 7-65, 7-148w, 7-247a, 7-473c,  
734 7-478e, 8-3b, 8-3i, 8-7d, 8-26b, 8-169r, 8-293, 9-388, 9-608, 9-623, 10a-22c,  
735 10a-22i, 10a-34a, 10a-109n, 12-35, 12-157, 12-242ii, 12-242jj, 13a-80, [13a-  
736 85c,] 13a-123, 15-11a, 16-41, 16-50c, 16-50d, 17a-103b, 19a-87, 19a-87c,  
737 19a-209c, 19a-332e, 19a-343a, 19a-486a, 19a-486c, 19a-486d, 19a-497,  
738 19a-507b, 20-205a, 20-325a, 21-63, 21-80, 22-7, 22a-6b, 22a-6u, 22a-30,  
739 22a-42d, 22a-42f, 22a-66d, 22a-137, 22a-178, 22a-225, 22a-228, 22a-250,  
740 22a-285b, 22a-354p, 22a-354s, 22a-354t, 22a-361, 22a-371, 22a-401, 22a-

741 403, 22a-433, 22a-436, 22a-449f, 22a-449l, 22a-449n, 22a-504, 22a-626, 23-  
742 46, 23-65j, 23-651, 23-65p, 25-32, 25-32e, 25-331, 25-34, 25-204, as  
743 amended by this act, 25-234, 29-108d, 31-57c, 31-57d, 31-355, 32-613, 33-  
744 663, 33-929, 33-1053, 33-1219, 34-521, 35-42, 36a-50, 36a-51, 36a-52, 36a-  
745 53, 36a-82, 36a-184, 36a-493, 36b-62, 36b-72, 38-323a, 38a-344, 38a-676,  
746 38a-724, 38a-788, 42-158j, 42-161, 42-181, 42-182, 42-186, 42-271, 45a-716,  
747 46b-115w, 46b-128, 47-42d, 47-74f, 47-88b, 47-236, 47-284, 47a-11b, 47a-  
748 11d, 47a-13a, 47a-14h, 47a-56b, 49-2, 49-4a, 49-8, 49-8a, 49-10b, 49-31b,  
749 49-51, 49-70, 51-90e, 52-57, 52-59b, 52-63, 52-64, 52-195c, 52-350e, 52-  
750 351b, 52-361a, 52-362, 52-565a, 52-605, 52-606, 53-401, 53a-128, 53a-  
751 128d, 53a-207 and 54-82c and chapter 965, any reference to certified  
752 mail, return receipt requested, shall include mail, electronic, and  
753 digital methods of receiving the return receipt, including all methods  
754 of receiving the return receipt identified by the Mailing Standards of  
755 the United States Postal Service in Chapter 500 of the Domestic Mail  
756 Manual or any subsequent corresponding document of the United  
757 States Postal Service.

758 Sec. 22. Subsection (e) of section 14-36 of the general statutes is  
759 repealed and the following is substituted in lieu thereof (*Effective*  
760 *October 1, 2013*):

761 (e) (1) No motor vehicle operator's license shall be issued until (A)  
762 the applicant signs and files with the commissioner an application  
763 under oath, or made subject to penalties for false statement in  
764 accordance with section 53a-157b, and (B) the commissioner is satisfied  
765 that the applicant is sixteen years of age or older and is a suitable  
766 person to receive the license. (2) An applicant for a new motor vehicle  
767 operator's license shall, in the discretion of the commissioner, file, with  
768 the application, a copy of such applicant's birth certificate or other  
769 prima facie evidence of date of birth and evidence of identity. (3)  
770 Before granting a license to any applicant who has not previously held  
771 a Connecticut motor vehicle operator's license, or who has not  
772 operated a motor vehicle during the preceding two years, the  
773 commissioner shall require the applicant to demonstrate personally to  
774 the commissioner, a deputy or a motor vehicle inspector or an agent of

775 the commissioner, in such manner as the commissioner directs, that  
776 the applicant is a proper person to operate motor vehicles of the class  
777 for which such applicant has applied, has sufficient knowledge of the  
778 mechanism of the motor vehicles to ensure their safe operation by him  
779 or her and has satisfactory knowledge of the laws concerning motor  
780 vehicles and the rules of the road. The knowledge test of an applicant  
781 for a class D motor vehicle operator's license may be administered in  
782 such form as the commissioner deems appropriate, including audio,  
783 electronic or written testing. Such knowledge test shall be  
784 administered in English, Spanish or any language spoken at home by  
785 at least one per cent of the state's population, according to statistics  
786 prepared by the United States Census Bureau, based on the most  
787 recent decennial census. Each such knowledge test shall include not  
788 less than one question concerning distracted driving, the use of mobile  
789 telephones and electronic devices by motor vehicle operators or the  
790 responsibilities of motor vehicle operators under section 14-296aa, as  
791 amended by this act. If any such applicant has held a license from a  
792 state, territory or possession of the United States where a similar  
793 examination is required, or if any such applicant is a person honorably  
794 separated from the United States armed forces who applies within two  
795 years following the separation and who, prior to the separation, held a  
796 military operator's license for motor vehicles of the same class as that  
797 for which such applicant has applied, the commissioner may waive  
798 part or all of the examination. When the commissioner is satisfied as to  
799 the ability and competency of any applicant, the commissioner may  
800 issue to such applicant a license, either unlimited or containing such  
801 limitations as the commissioner deems advisable, and specifying the  
802 class of motor vehicles which the licensee is eligible to operate. (4) If  
803 any applicant or operator license holder has any health problem which  
804 might affect such person's ability to operate a motor vehicle safely, the  
805 commissioner may require the applicant or license holder to  
806 demonstrate personally or otherwise establish that, notwithstanding  
807 such problem, such applicant or license holder is a proper person to  
808 operate a motor vehicle, and the commissioner may further require a  
809 certificate of such applicant's condition, signed by a medical authority

810 designated by the commissioner, which certificate shall in all cases be  
811 treated as confidential by the commissioner. A license, containing such  
812 limitation as the commissioner deems advisable, may be issued or  
813 renewed in any case, but nothing in this section shall be construed to  
814 prevent the commissioner from refusing a license, either limited or  
815 unlimited, to any person or suspending a license of a person whom the  
816 commissioner determines to be incapable of safely operating a motor  
817 vehicle. Consistent with budgetary allotments, each motor vehicle  
818 operator's license issued to or renewed by a deaf or hearing impaired  
819 person shall, upon the request of such person, indicate such  
820 impairment. Such person shall submit a certificate stating such  
821 impairment, in such form as the commissioner may require and signed  
822 by a licensed health care practitioner. (5) The issuance of a motor  
823 vehicle operator's license to any applicant who is the holder of a  
824 license issued by another state shall be subject to the provisions of  
825 sections 14-111c and 14-111k.

826       Sec. 23. (*Effective July 1, 2013*) The Commissioner of Transportation  
827 shall develop a railroad modernization initiative to improve the state's  
828 commuter railroad service and infrastructure. Such initiative shall  
829 include, but not be limited to, a plan to (1) electrify all branch lines of  
830 the New Haven Line, as defined in section 13b-79o of the general  
831 statutes, on or before January 1, 2023, (2) increase funding for the  
832 expansion of commuter parking at rail stations, (3) establish voting  
833 representation for the state of Connecticut on the board of the  
834 Metropolitan Transportation Authority, and (4) analyze the feasibility  
835 of selling the land acquired by the Department of Transportation for  
836 the purpose of improvements to Route 7 and using the proceeds from  
837 such sale for upgrading railroad infrastructure and service. On or  
838 before February 1, 2014, the commissioner shall submit the details of  
839 such initiative, in accordance with the provisions of section 11-4a of the  
840 general statutes, to the joint standing committee of the General  
841 Assembly having cognizance of matters relating to transportation.

842       Sec. 24. Section 7-273f of the general statutes is repealed and the  
843 following is substituted in lieu thereof (*Effective from passage*):

844       Annually the board of directors shall hold a public meeting at which  
845 itemized estimates of the expenditures of the district for the ensuing  
846 fiscal year shall be presented and at which all persons within the  
847 district shall be heard in regard to any appropriation which they are  
848 desirous that the board should recommend or reject. The board shall,  
849 after such public hearing, [hold an executive session at which it shall]  
850 prepare and cause to be published in a newspaper or newspapers  
851 having a substantial circulation in such district a report in a form  
852 prescribed by the Commissioner of Revenue Services containing: (1)  
853 An itemized statement of all actual receipts from all sources of such  
854 district during its last fiscal year; (2) an itemized statement of  
855 classification of all actual expenditures during the same year; (3) an  
856 itemized estimate of anticipated revenues during the ensuing fiscal  
857 year from each source; (4) an itemized estimate of expenditures for  
858 such ensuing fiscal year; and (5) the amount of revenue surplus or  
859 deficit of the district at the beginning of the fiscal year for which  
860 estimates are being prepared. Not less than two nor more than four  
861 weeks after such publication the board shall [, at an executive session,]  
862 make such specific appropriations as appear advisable, but no  
863 appropriation for any purpose shall be made exceeding the amount  
864 published for that purpose and no appropriation shall be made for any  
865 purpose not published. If it becomes necessary during any fiscal year  
866 for the board to appropriate additional sums, the provisions of this  
867 section governing annual appropriations shall govern so far as they are  
868 applicable. The accounts of the district shall be audited in the manner  
869 provided by section 7-392.

870       Sec. 25. Subsection (a) of section 13b-16 of the general statutes is  
871 repealed and the following is substituted in lieu thereof (*Effective July*  
872 *1, 2013*):

873       (a) On or before September first in the even-numbered year of each  
874 biennium, the commissioner shall conduct and complete an assessment  
875 of the several modes of transportation in the state, in which the  
876 commissioner shall evaluate the adequacy of the facilities and services  
877 connected with each such mode and shall determine the needs of the

878 state transportation system. The commissioner shall consider the plans  
879 and recommendations prepared by the various boards, councils and  
880 commissions that have statutory responsibilities pertaining to the  
881 various modes of transportation in Connecticut. The commissioner  
882 shall also consider reports, studies, findings and recommendations  
883 presented in reports, plans, surveys, and studies relating to  
884 transportation prepared for or by any state agency or for or by the  
885 state's regional planning organizations. [The assessment shall be used  
886 in the biennial revision of the department's comprehensive master  
887 transportation plan.]

888 Sec. 26. Subsection (a) of section 13b-26 of the general statutes is  
889 repealed and the following is substituted in lieu thereof (*Effective July*  
890 *1, 2013*):

891 (a) The commissioner shall make such alterations in the state  
892 highway system as he may from time to time deem necessary and  
893 desirable to fulfill the purposes of this chapter and title 13a. In making  
894 any such alteration he shall consider the best interest of the state,  
895 taking into consideration relevant factors including the following:  
896 Traffic flow, origin and destination of traffic, integration and  
897 circulation of traffic, continuity of routes, alternate available routes and  
898 changes in traffic patterns. The relative weight to be given to any factor  
899 shall be determined by the commissioner. [All alterations in said  
900 highway system shall be consistent with the comprehensive long-  
901 range master transportation plan.] Each biennium the commissioner  
902 shall notify all members of the General Assembly of the availability of  
903 the plan. A member requesting a plan shall be sent a written copy or  
904 electronic storage media of the plan by the commissioner.

905 Sec. 27. Subsection (a) of section 13b-44 of the general statutes is  
906 repealed and the following is substituted in lieu thereof (*Effective July*  
907 *1, 2013*):

908 (a) The state may, directly or indirectly through the Connecticut  
909 Airport Authority, establish, maintain and operate, and may expand,  
910 an airport at any location within the state in the following manner. The

911 commissioner shall conduct and complete a study of the adequacy of  
912 existing airports, which study may be based upon the study  
913 authorized under section 13b-16, as amended by this act, and shall  
914 determine the necessity for the establishment of additional airports or  
915 the expansion of existing airports. The commissioner shall, within one  
916 year of the completion of such study, formulate and adopt a plan of  
917 development which shall incorporate the findings of such study,  
918 showing the necessity for such establishment or expansion. [ in a  
919 manner consistent with the comprehensive long-range master  
920 transportation plan.] The plan of development shall specify the lands  
921 or interests in such lands the acquisition of which the commissioner  
922 deems necessary for such establishment or expansion and a copy of  
923 such plan of development shall be filed in the office of the town clerk  
924 of each municipality in which such establishment or expansion is  
925 proposed.

926 Sec. 28. Subsection (a) of section 13b-47 of the general statutes is  
927 repealed and the following is substituted in lieu thereof (*Effective July*  
928 *1, 2013*):

929 (a) In determining whether he shall issue a certificate of approval or  
930 license for the use or operation of any proposed commercial use air  
931 navigation facility, the commissioner shall take into consideration (1)  
932 its proposed location, size and layout, (2) its relationship to [the  
933 comprehensive long-range master transportation plan and to any  
934 other] any comprehensive plan for state-wide and nation-wide  
935 development, (3) the availability of areas suitable for safe future  
936 expansion, (4) the freedom of adjoining areas from obstructions based  
937 on a proper glide ratio, (5) the nature of the terrain and of the uses to  
938 which the proposed airport will be put, and (6) the possibilities for  
939 future development.

940 Sec. 29. (*Effective from passage*) Bridge number 04324 on Route 175 in  
941 Newington shall be designated the "Sergeant Burton E. Callahan  
942 Memorial Bridge".

943 Sec. 30. (*Effective from passage*) Bridge number 06246 on Route 73 in

944 Watertown overpassing Steele Brook shall be designated the "Pearl  
945 Harbor Memorial Bridge".

946 Sec. 31. (*Effective from passage*) Bridge number 01500 on Route 185 in  
947 Simsbury overpassing the Farmington River shall be designated the  
948 "Bataan Corregidor Memorial Bridge".

949 Sec. 32. (*Effective from passage*) Bridge number 03603 on Greenwoods  
950 Road in Torrington overpassing Route 8 shall be designated the "Jerry  
951 Dale Cox III Memorial Bridge".

952 Sec. 33. (*Effective from passage*) The portion of State Road 800 in  
953 Torrington from the intersection of Route 4 northerly to the  
954 intersection of the exit 45 off ramp of Route 8 southbound shall be  
955 designated the "John 'Tony' Miscikoski Memorial Highway".

956 Sec. 34. (*Effective from passage*) The portion of Route 3 in Cromwell  
957 from the Cromwell-Rocky Hill town line southerly to Evergreen Road  
958 shall be designated the "Paul Roger Harrington Memorial Highway".

959 Sec. 35. (*Effective from passage*) The portion of Route 118 in  
960 Harwinton from the Route 8 underpass easterly to the intersection of  
961 Route 4 shall be designated the "Robert and George Oneglia Memorial  
962 Highway".

963 Sec. 36. (*Effective from passage*) The portion of State Road 639 in New  
964 London from the intersection of Jefferson Avenue southerly to the  
965 intersection of Bank Street shall be designated "Dr. Martin Luther  
966 King, Jr. Memorial Boulevard".

967 Sec. 37. (*Effective from passage*) The rest area east of exit 28 on the  
968 eastbound portion of Interstate 84 in Southington shall be designated  
969 the "Auxiliary Trooper Edward W. Truelove Memorial Rest Area".

970 Sec. 38. (*Effective from passage*) Bridge number 00323 on Route 10 in  
971 Cheshire overpassing Interstate 691 shall be designated the "Lieutenant  
972 Myron Verner Memorial Bridge".

973       Sec. 39. (*Effective from passage*) The portion of Route 137 in Stamford  
974 from Route 1 to Broad Street shall be designated the "U.S. Navy SEAL  
975 Brian R. Bill Memorial Highway".

976       Sec. 40. (*Effective from passage*) Bridge number 03612 on State Road  
977 745 in West Haven carrying Kimberly Avenue over the West River  
978 shall be designated the "Officer Robert Vincent Fumiatti Memorial  
979 Bridge".

980       Sec. 41. (*Effective from passage*) Bridge number 05768 on Beckley  
981 Road in Berlin overpassing Route 9 shall be designated the "Berlin  
982 Lions Club Memorial Bridge".

983       Sec. 42. (*Effective from passage*) The portion of Route 68 in  
984 Wallingford east of bridge number 01867, overpassing Route 5,  
985 easterly to bridge number 03132, overpassing Interstate 91, shall be  
986 designated the "Christopher Columbus Memorial Highway".

987       Sec. 43. (*Effective from passage*) The portion of Route 151 in East  
988 Haddam from the East Haddam-Haddam town line easterly to Route  
989 149 shall be designated the "Private First Class Peter P. Golec Memorial  
990 Highway".

991       Sec. 44. (*Effective from passage*) Bridge number 00648 on Interstate 84  
992 eastbound in Southington overpassing Route 10 shall be designated  
993 the "John A. Dolan Memorial Highway".

994       Sec. 45. (*Effective from passage*) The portion of Route 5 in Enfield from  
995 Alden Avenue northerly to Dartmouth Street shall be designated the  
996 "American Legion Post 80 Memorial Highway".

997       Sec. 46. (*Effective from passage*) Bridge number 00036 on Blachley  
998 Road in Stamford overpassing Interstate 95 shall be designated the  
999 "Leslie A. Padilla Memorial Bridge".

1000       Sec. 47. (*Effective from passage*) Bridge number 00153 on Quarry Road  
1001 in Milford overpassing Interstate 95 shall be designated the "John  
1002 D'Amato Memorial Bridge".

1003       Sec. 48. (*Effective from passage*) The portion of Route 160 in Rocky  
1004 Hill from the Rocky Hill-Berlin town line easterly to the intersection of  
1005 Route 3 shall be designated the "Rocky Hill Fire Department Memorial  
1006 Highway".

1007       Sec. 49. (*Effective from passage*) The portion of Route 175 in  
1008 Wethersfield from the Wethersfield-Newington town line easterly to  
1009 the intersection of Route 99 shall be designated the "Wethersfield Fire  
1010 Department Memorial Highway".

1011       Sec. 50. (*Effective from passage*) The Department of Transportation  
1012 shall place signs indicating the location of the Stewart B. McKinney  
1013 National Wildlife Refuge (1) west of exit 64 on Interstate 95  
1014 northbound, (2) east of exit 64 on Interstate 95 southbound, (3) on the  
1015 exit 64 off ramp of Interstate 95 northbound, and (4) on the exit 64 off  
1016 ramp of Interstate 95 southbound.

1017       Sec. 51. (*Effective from passage*) The Department of Transportation, to  
1018 designate the location or exit for ferry service to Long Island, shall (1)  
1019 utilize electronic signs east of exit 92 and east of exit 84S on Interstate  
1020 95 southbound, (2) place signs on Interstate 95 southbound east of exit  
1021 91, east of exit 89 and east of the Gold Star Memorial Bridge, (3) place a  
1022 sign on Interstate 395 southbound south of exit 79, and (4) place a sign  
1023 on Route 32 southbound north of such ferry service terminal.

1024       Sec. 52. (NEW) (*Effective July 1, 2013*) The Department of  
1025 Transportation shall, upon replacing any of the department's signs,  
1026 acquire and use, if applicable, a gender-neutral replacement sign.

1027       Sec. 53. (NEW) (*Effective July 1, 2013*) The Department of  
1028 Transportation shall install, upon the initial replacement of any sign  
1029 requiring replacement on any ramp for the Merritt Parkway indicating  
1030 height restrictions on the Merritt Parkway, a larger sign indicating  
1031 such height restrictions.

1032       Sec. 54. Sections 13a-85c and 13b-15 of the general statutes are  
1033 repealed. (*Effective July 1, 2013*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	13a-80
Sec. 2	<i>from passage</i>	13b-79u
Sec. 3	<i>from passage</i>	13b-20
Sec. 4	<i>October 1, 2013</i>	New section
Sec. 5	<i>October 1, 2013</i>	New section
Sec. 6	<i>from passage</i>	13b-251(a)
Sec. 7	<i>October 1, 2013</i>	15-15e
Sec. 8	<i>from passage</i>	14-1(40)
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>October 1, 2013</i>	14-296aa
Sec. 11	<i>October 1, 2013</i>	21-52
Sec. 12	<i>October 1, 2013</i>	21-56
Sec. 13	<i>October 1, 2013</i>	13a-123(f)
Sec. 14	<i>from passage</i>	20-340
Sec. 15	<i>from passage</i>	29-252a
Sec. 16	<i>July 1, 2013</i>	16a-27(a)
Sec. 17	<i>July 1, 2013</i>	25-201(10)
Sec. 18	<i>July 1, 2013</i>	25-204(e)
Sec. 19	<i>July 1, 2013</i>	25-231(4)
Sec. 20	<i>July 1, 2013</i>	25-234(e)
Sec. 21	<i>July 1, 2013</i>	1-2b(a)
Sec. 22	<i>October 1, 2013</i>	14-36(e)
Sec. 23	<i>July 1, 2013</i>	New section
Sec. 24	<i>from passage</i>	7-273f
Sec. 25	<i>July 1, 2013</i>	13b-16(a)
Sec. 26	<i>July 1, 2013</i>	13b-26(a)
Sec. 27	<i>July 1, 2013</i>	13b-44(a)
Sec. 28	<i>July 1, 2013</i>	13b-47(a)
Sec. 29	<i>from passage</i>	New section
Sec. 30	<i>from passage</i>	New section
Sec. 31	<i>from passage</i>	New section
Sec. 32	<i>from passage</i>	New section
Sec. 33	<i>from passage</i>	New section
Sec. 34	<i>from passage</i>	New section
Sec. 35	<i>from passage</i>	New section
Sec. 36	<i>from passage</i>	New section
Sec. 37	<i>from passage</i>	New section
Sec. 38	<i>from passage</i>	New section

Sec. 39	<i>from passage</i>	New section
Sec. 40	<i>from passage</i>	New section
Sec. 41	<i>from passage</i>	New section
Sec. 42	<i>from passage</i>	New section
Sec. 43	<i>from passage</i>	New section
Sec. 44	<i>from passage</i>	New section
Sec. 45	<i>from passage</i>	New section
Sec. 46	<i>from passage</i>	New section
Sec. 47	<i>from passage</i>	New section
Sec. 48	<i>from passage</i>	New section
Sec. 49	<i>from passage</i>	New section
Sec. 50	<i>from passage</i>	New section
Sec. 51	<i>from passage</i>	New section
Sec. 52	<i>July 1, 2013</i>	New section
Sec. 53	<i>July 1, 2013</i>	New section
Sec. 54	<i>July 1, 2013</i>	Repealer section

**Statement of Legislative Commissioners:**

In section 4, "the state highway right-of-way" was changed to "any state highway right-of-way" for accuracy.

**TRA**      *Joint Favorable Subst.*

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.

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## **OFA Fiscal Note**

### **State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 14 \$</b>	<b>FY 15 \$</b>
Department of Transportation	TF - Cost	1,569,100 - 1,573,100	None
Department of Transportation	TF - Revenue Gain	259,500	259,500
Judicial Dept.	GF - Revenue Gain	27,000	27,000
Consumer Protection, Dept.	GF - Revenue Loss	less than 5,000	less than 5,000

**Municipal Impact:** None

### **Explanation**

A section by section fiscal impact is presented below. The other sections of the bill have no fiscal impact because they make technical, clarifying, or conforming changes to current practice or federal regulations.

Section 7 requires owners and operators of a vessel that carry licensed marine pilots to another vessel to obtain a certificate of insurance from an insurance carrier and increases the \$60 to \$250 original fine to \$500 to \$1,000. It is anticipated that this will result in a General Fund revenue gain of up to \$1,000. It is anticipated that relatively few offenses will occur.

Section 9 establishes an infraction for any person who drives on a dedicated roadway for bus rapid transit and this may result in a revenue gain to the General Fund of up to \$1,000. It is anticipated that relatively few violations will occur.

Section 10 prohibits a motor vehicle operator from using a cell phone or electronic device while the vehicle is in motion which will result in a General Fund revenue gain of up to \$25,000. In FY 12 there were 23,646 violations for using a cell phone while operating a motor vehicle and it is anticipated 100 more violations would occur in FY 14 and FY 15.

Section 11 increases the fees related to billboards which is anticipated to result in a revenue gain to the Transportation Fund of \$259,500 beginning in FY 14.

Section 14 exempts Connecticut Airport Authority (CAA) employees from occupational licensing requirements which may result in a revenue loss to the General Fund of up to \$5,000. This is dependent on the number of CAA employees eligible for an exemption.

Section 23 requires the Department of Transportation (DOT) to develop a rail modernizations initiative which conforms to current practice and has no fiscal impact.

Sections 29-51 designate names to certain roads and bridges, and require DOT to provide signs designating the locations of ferry service along certain highways. This will result in a cost to DOT between \$1.5 million and \$1.6 million for electronic and highway signs.

Section 52 does not result in a fiscal impact because it conforms to current practice. DOT already displays gender neutral signs.

Section 53 requires DOT when in the process of replacing signs to install larger signs on any Merritt Parkway ramp indicating vehicle height restrictions. This is anticipated to result in a future significant cost to DOT.

### ***The Out Years***

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

**OLR Bill Analysis****sSB 975*****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. limiting the vehicles that can travel on the Hartford-New Britain Busway (§ 8);
3. requiring DOT to study railroad improvements, including electrifying all New Haven Line branch lines and increasing funding to expand commuter parking at train stations (§ 23);
4. exempting certain Connecticut Airport Authority employees from occupational licensing requirements and applying to the authority the same rules that govern state agencies when constructing or altering buildings (§§ 14-15);
5. authorizing DOT to issue a permit allowing filming on its property (§ 4);
6. 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);

7. increasing billboard permit fees and making other changes to laws affecting outdoor advertising (§ 11);
8. eliminating the requirement that DOT prepare, publish, and regularly update a Master Transportation Plan (§§ 16-20, 25-28, & 54); and
9. requiring DOT, when replacing its signs, to use gender-neutral signs where applicable (§ 52).

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.

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, towns, 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 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 it is going to be transferred to another state agency or a municipality, DOT must get excess property 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 that 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 (1) authorizes the 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 (2) 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. 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 (1) a public service company (e.g., electric, gas, telephone, or cable TV company); (2) the owner of a district heating and cooling system; or (3) a municipal water or sewer authority, 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 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 a requirement that these owners or operators obtain a certificate from the commissioner certifying that the owner or operator complies with applicable DOT regulations.

Under current law, “open and unprotected waters” means waters east of the area depicted as “The Race” on National Oceanic and Atmospheric Administration charts of eastern Long Island Sound. The bill instead includes any open and unprotected waters.

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 or (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 fewer 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 double the annual permit fee for signs as shown in Table 1:

**Table 1: Billboard Permit Fees**

<b>Size</b>	<b>Current Annual Permit Fee</b>	<b>Annual Permit Fee Under the Bill</b>
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 — DISPLAY OF BILLBOARD PERMIT NUMBERS**

The bill modifies the requirements for the display of billboard permit numbers. It requires that each number be clearly posted, instead of painted, on each structure in legible figures at least 12 inches, instead of two inches, high.

It requires the permit numbers to be displayed, for a sign on a single post, on the side of the post so that it can be seen from the roadway; for a sign on multiple posts, on the side of the post closest to the roadway so that it can be seen from the roadway; and for a sign without support posts, on the bottom left corner of the display.

Current law requires only that a permit number on a single post be posted on the face of the post under the sign. The bill eliminates a permit number display requirement for poster boards.

EFFECTIVE DATE: October 1, 2013

### **§ 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 — EXEMPTION FROM OCCUPATIONAL LICENSING REQUIREMENTS**

The bill exempts Connecticut Airport Authority employees from

occupational licensing requirements that apply to, among others, electricians; plumbers; solar, heating, piping, and cooling contractors and journeymen; and elevator and fire protection sprinkler craftsmen.

EFFECTIVE DATE: Upon passage

### **§ 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 a 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, & 54 — 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 & 54 — 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 by January 1, 2023;
2. increase funding to expand commuter parking at train stations;

3. place a voting member representing Connecticut on the board of the Metropolitan Transportation Authority; and
4. analyze the feasibility of selling land DOT acquired to improve Route 7, with the proceeds going to upgrade rail infrastructure and service.

The commissioner must submit details of the initiative to the Transportation Committee by February 1, 2014.

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 — BRIDGE AND ROAD NAMING**

The bill designates:

1. Bridge number 04324 on Route 175 in Newington, the "Sergeant Burton E. Callahan Memorial Bridge."
2. Bridge number 06246 on Route 73 in Watertown over Steele Brook, the "Pearl Harbor Memorial Bridge."

3. Bridge number 01500 on Route 185 in Simsbury over the Farmington River, the "Bataan Corregidor Memorial Bridge."
4. Bridge number 03603 on Greenwoods Road in Torrington over Route 8, the "Jerry Dale Cox III Memorial Bridge."
5. The portion of State Road 800 in Torrington from the intersection of Route 4 north to the intersection of the exit 45 off ramp of Route 8 south, the "John Tony Miscikoski Memorial Highway."
6. The portion of Route 3 in Cromwell from the Cromwell-Rocky Hill town line south to Evergreen Road, the "Paul Roger Harrington Memorial Highway."
7. 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."
8. 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."
9. The rest area east of exit 28 on I-84 east in Southington, the "Auxiliary Trooper Edward W. Truelove Memorial Rest Area."
10. Bridge number 00323 on Route 10 in Cheshire over I-691, the "Lieutenant Myron Verner Memorial Bridge."
11. The portion of Route 137 in Stamford from Route 1 to Broad Street, the "U.S. Navy SEAL Brian R. Bill Memorial Highway."
12. Bridge number 03612 on State Road 745 in West Haven carrying Kimberly Avenue over the West River, the "Officer Robert Vincent Fumiatti Memorial Bridge."
13. Bridge number 05768 on Beckley Road in Berlin over Route 9, the "Berlin Lions Club Memorial Bridge."
14. 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."

15. 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."
16. Bridge number 00648 on I-84 east in Southington over Route 10, the "John A. Dolan Memorial Highway."
17. The portion of Route 5 in Enfield from Alden Avenue north to Dartmouth Street, the "American Legion Post 80 Memorial Highway."
18. Bridge number 00036 on Blachley Road in Stamford over I-95, the "Leslie A. Padilla Memorial Bridge."
19. Bridge number 00153 on Quarry Road in Milford over I-95, the "John D'Amato Memorial Bridge."
20. 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."
21. 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."

EFFECTIVE DATE: Upon passage

#### **§ 50 — MCKINNEY WILDLIFE REFUGE SIGNS**

The bill requires DOT to place signs indicating the location of the Stewart B. McKinney National Wildlife Refuge (1) west of exit 64 on I-95 north, (2) east of exit 64 on I-95 south, and (3) on the exit 64 off-ramps of I-95 north and I-95 south.

EFFECTIVE DATE: Upon passage

#### **§ 51 – FERRY SERVICE SIGNS**

The bill requires DOT to designate the location or exit for ferry service to Long Island by (1) using electronic signs on I-95 south, east of exits 92 and 84S; (2) placing signs on (a) I-95 south, east of exits 91, 89, and the Gold Star Memorial Bridge; (b) I-395 south, south of exit 79; and (3) Rt. 32 south, north of the ferry terminal.

EFFECTIVE DATE: Upon passage

### **§ 52 — GENDER NEUTRAL SIGNS**

The bill requires DOT to acquire and use, if applicable, gender-neutral signs when replacing any of its signs.

EFFECTIVE DATE: July 1, 2013

### **§ 53 — MERRITT PARKWAY SIGNS**

The bill requires DOT to install, when first replacing any sign on any Merritt Parkway ramp indicating a vehicle height restriction, a larger sign indicating such restriction.

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).

### ***Infractions***

An infraction is not a crime, and it can be paid by mail without making a court appearance.

### ***Related Bills***

SB 940, reported favorably by the Commerce Committee and referred to the Transportation Committee, authorizes DOT to issue a film permit.

HB 5250, 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)