AN ACT CONCERNING REVISIONS TO THE TRANSPORTATION STATUTES.

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

Section 1. Section 13b-2 of the general statutes is amended by adding subdivision (10) as follows (Effective October 1, 2014):

(NEW) (10) "Fare inspector" means an employee of (A) the department designated by the commissioner, or (B) a third-party contractor employed by the department, whose duties are to inspect tickets, passes or other documentation required to show compliance by the passenger with the fare payment requirements of state-owned or controlled bus public transportation service when the fare payment is off board or a combination of off board and on board such bus.

Sec. 2. Subsection (a) of section 13b-34 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2014):

(a) The commissioner shall have power, in order to aid or promote the operation, whether temporary or permanent, of any transportation service operating to, from or in the state, to contract in the name of the state with any person, including but not limited to any common carrier, any transit district formed under chapter 103a or any special act, or any political subdivision or entity, or with the United States or
any other state, or any agency, instrumentality, subdivision, department or officer thereof, for purposes of initiating, continuing, developing, providing or improving any such transportation service. Such contracts may include provision for arbitration of disputed issues. The commissioner, in order to aid or promote the operation of any transportation service operating outside the state, may contract in the name of the state with any person, including, but not limited to, any common carrier, or with the United States or any other state, or any agency, instrumentality, subdivision, department or officer thereof, for purposes of providing any transportation service in the event such assistance is required in the case of an emergency or a special event. The state, acting by and through the commissioner, may, by itself or in concert with others, provide all or a portion of any such service, share in the costs of or provide funds for such service, or furnish equipment or facilities for use in such service upon such terms and conditions as the commissioner may deem necessary or advisable, and any such contracts may include, without limitation thereto, arrangements under which the state shall so provide service, share costs, provide funds or furnish equipment or facilities. To these ends, the commissioner may in the name of the state acquire or obtain the use of facilities and equipment employed in providing any such service by gift, purchase, lease or other arrangements and may own and operate any such facilities and equipment and establish, charge and collect such fares and other charges or arrange for such collection for the use or services thereof as he may deem necessary, convenient or desirable. The commissioner or any fare inspector, as defined in section 13b-2, as amended by this act, shall have the authority to issue citations for violations of section 3 of this act. The commissioner may also acquire title in fee simple to, or any lesser estate, interest or right in, any rights-of-way, properties or facilities, including properties used on or before October 1, 1969, for rail or other forms of transportation services. The commissioner may hold such properties for future use by the state and may enter into agreements for interim use of such properties for other purposes. Any person contracting with the state pursuant to this section for the provision of any transportation service
shall not be considered an arm or agent of the state. Any damages caused by the operation of such transportation service by such person may be recovered in a civil action brought against such person in the superior court and such person may not assert the defense of sovereign immunity in such action.

Sec. 3. (NEW) (Effective October 1, 2014) Any person who, with intent to obtain state-owned or controlled bus public transportation service without payment of the lawful charge therefor or to avoid payment of the lawful charge for such service that has been rendered to such person, obtains such service or avoids payment therefor by force, intimidation, stealth, deception or mechanical tampering, or by unjustifiable failure or refusal to pay, shall have committed an infraction.

Sec. 4. Subdivision (7) of section 53a-119 of the 2014 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2014):

(7) Theft of services. A person is guilty of theft of services when: (A) With intent to avoid payment for restaurant services rendered, or for services rendered to him as a transient guest at a hotel, motel, inn, tourist cabin, rooming house or comparable establishment, he avoids such payment by unjustifiable failure or refusal to pay, by stealth, or by any misrepresentation of fact which he knows to be false; or (B) (i) except as provided in section 3 of this act, with intent to obtain railroad, subway, bus, air, taxi or any other public transportation service without payment of the lawful charge therefor or to avoid payment of the lawful charge for such transportation service which has been rendered to him, he obtains such service or avoids payment therefor by force, intimidation, stealth, deception or mechanical tampering, or by unjustifiable failure or refusal to pay, or (ii) with intent to obtain the use of equipment, including a motor vehicle, without payment of the lawful charge therefor, or to avoid payment of the lawful charge for such use which has been permitted him, he obtains such use or avoids such payment therefor by means of any
false or fraudulent representation, fraudulent concealment, false
pretense or personation, trick, artifice or device, including, but not
limited to, a false representation as to his name, residence,
employment, or driver's license; or (C) obtaining or having control
over labor in the employ of another person, or of business, commercial
or industrial equipment or facilities of another person, knowing that he
is not entitled to the use thereof, and with intent to derive a
commercial or other substantial benefit for himself or a third person,
he uses or diverts to the use of himself or a third person such labor,
equipment or facilities.

Sec. 5. Subsection (a) of section 16a-38k of the general statutes is
repealed and the following is substituted in lieu thereof (Effective from
passage):

(a) Notwithstanding any provision of the general statutes, any (1)
new construction of a state facility that is projected to cost five million
dollars, or more, and for which all budgeted project bond funds are
allocated by the State Bond Commission on or after January 1, 2008, (2)
renovation of a state facility that is projected to cost two million dollars
or more, of which two million dollars or more is state funding,
approved and funded on or after January 1, 2008, (3) new construction
of a facility that is projected to cost five million dollars, or more, of
which two million dollars or more is state funding, and is authorized
by the General Assembly pursuant to chapter 173 on or after January 1,
2009, and (4) renovation of a public school facility as defined in
subdivision (18) of section 10-282 that is projected to cost two million
dollars or more, of which two million dollars or more is state funding,
and is authorized by the General Assembly pursuant to chapter 173 on
or after January 1, 2009, shall comply with or exceed compliance with
the silver building rating of the Leadership in Energy and
Environmental Design's rating system for new commercial
construction and major renovation projects, as established by the
United States Green Building Council, or an equivalent standard,
including, but not limited to, a two-globe rating in the Green Globes
USA design program until the regulations described in subsection (b) of this section are adopted. The Commissioner of Energy and Environmental Protection, in consultation with the Commissioner of Administrative Services and the Institute for Sustainable Energy, shall exempt any facility from complying with said regulations if the Commissioner of Energy and Environmental Protection finds, in a written analysis, that the cost of such compliance significantly outweighs the benefits. Nothing in this section shall be construed to require the redesign of any new construction of a state facility that is designed in accordance with the silver building rating of the Leadership in Energy and Environmental Design's rating system for new commercial construction and major renovation projects, as established by the United States Green Building Council, or an equivalent standard, including, but not limited to, a two-globe rating in the Green Globes USA design program, provided the design for such facility was initiated or completed prior to the adoption of the regulations described in subsection (b) of this section. For purposes of subdivisions (1) and (2) of this subsection, a state facility shall not include a salt shed, parking garage or any type of maintenance facility, provided such shed, garage or facility has incorporated best energy efficiency standards to the extent economically feasible.

Sec. 6. (Effective from passage) The Commissioner of Transportation shall conduct an analysis of the corrosive effects of chemical road treatments on (1) state, municipal and private vehicles, (2) state, municipal and private roads, bridges, highways and other infrastructure, and (3) the environment. Such analysis shall determine the cost of corrosion created by chemical road treatments and shall include an evaluation of alternative road treatment techniques and products, including, but not limited to, the addition of rust inhibitors to current chemical road treatments, and a comparison of costs and effectiveness. Not later than October 1, 2014, the commissioner shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to transportation.
Such report shall include the findings, conclusions and recommendations of such analysis.

This act shall take effect as follows and shall amend the following sections:

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**TRA**  Joint Favorable Subst.

**JUD**  Joint Favorable