



## Acts Affecting Transportation

By: Paul Frisman, Principal Analyst  
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## Notice to Readers

This report provides highlights of new laws (public acts) and one resolution affecting transportation enacted during the 2017 regular legislative session. In each summary, we indicate the public act (PA) or resolution (RA) number. Not all provisions of the acts are included here.

Complete summaries of all 2017 public acts are available on OLR's webpage:

<https://www.cga.ct.gov/olr/olrsums.asp>. Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, the House Clerk's Office, or the General Assembly's website: <http://www.cga.ct.gov>.

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## **Construction Projects and Equipment**

### ***Display of Lights on State Construction Inspector Vehicles***

A new law allows Department of Transportation (DOT)-authorized vehicles driven by state construction inspectors to display yellow or amber lights without the required Department of Motor Vehicle (DMV) permit when conducting inspections for the state. The DOT commissioner must keep a list of these inspectors and the registration number of each vehicle that displays the lights ([PA 17-230](#), § 8, effective October 1, 2017).

### ***Movement of Heavy Construction Equipment***

A new law changes how DOT regulates the movement of heavy construction equipment by requiring that the vehicles have an annual DOT permit instead of a DOT account code ([PA 17-230](#), § 7, effective October 1, 2017).

### ***Notification of Certain Department of Transportation (DOT) and UConn Construction Projects***

A new law eliminates requirements that UConn and DOT advertise certain construction projects in newspapers. It instead requires them to notify prospective contractors through the Department of Administrative Services' state contracting portal ([PA 17-230](#), §§ 1-3, effective October 1, 2017).

### ***Special Mobile Equipment Liens***

Subject to certain procedures, existing law allows repair shops and other bailees to sell at auction personal property left in their custody if the owner has not reclaimed it and paid any money he or she owed. A new law creates a specific process that bailees must follow if the property is “special mobile equipment” (which includes various types of heavy construction equipment) ([PA 17-104](#), effective October 1, 2017).

## **Department of Transportation**

### ***Disposal of Excess DOT Property***

A new law eliminates a requirement that DOT offer excess property to the town in which the property is located before putting it up for auction. (Another law, still in effect, requires that any state agency, such as DOT, notify municipal officials before selling any land it owns in that municipality and gives the municipality an opportunity to express its interest in the property) ([PA 17-230](#), § 6, effective October 1, 2017).

## ***DOT Studies***

The legislature directed DOT to conduct several studies. These include:

1. evaluating the feasibility of service improvements on the Danbury branch line of the New Haven Line, including providing shuttle service and replacing rail cars;
2. identifying ways to improve notification of height restrictions on the Merritt Parkway, including through electronic means; and
3. studying the feasibility of building a tunnel from Greenwich to Bridgeport, including under I - 95 ([PA 17-230](#), §§ 9, 10 & 15, effective upon passage).

## ***Transportation Planning and Project Evaluation***

A new law establishes an 18-member Transportation Policy Advisory Council to develop and recommend policies for improving transportation planning and selecting transportation projects. It requires the DOT commissioner to (1) develop, and get legislative approval for, a method to evaluate “transportation projects” and (2) use the method to evaluate the projects before requesting funding from the legislature. A “transportation project” is a planning or capital project, undertaken by the state on or after July 1, 2018, that (1) is estimated to cost at least \$150 million or (2) expands capacity on a limited access highway, transit or railroad system, or parking facility ([PA 17-192](#), effective October 1, 2017).

## ***Use of State Funds for a Mileage Tax Study***

A new law requires legislative approval before DOT may use state money to study or otherwise conduct any activity involving a mileage-based user fee on state roads. A mileage-based user fee requires motorists to pay a fee for each mile they drive ([PA 17-174](#), effective upon passage).

## **Driver’s Licenses**

### ***Commercial Driver’s License (CDL) Disqualification for Traffic Violations***

By law, a person convicted of two serious traffic violations is temporarily disqualified from operating a commercial motor vehicle for 60 days. He or she is disqualified for 120 days if convicted of three serious traffic violations. In order to conform to federal law, a new law specifies that suspensions apply if the violations were committed (1) while operating a commercial motor vehicle; (2) while operating a noncommercial vehicle, if the violation resulted in a person's class D license being suspended; or (3) any combination of (1) and (2) ([PA 17-79](#), § 8, effective July 1, 2017).

### ***Diversionsary Program for People under Age 21***

The law allows the courts to require people under age 21 who have been convicted of certain offenses to attend a diversionary program, completion of which results in a dismissal of charges. Under a new law, the program is not available to anyone (1) charged with using a handheld cellphone while driving or (2) who, at the time of the violation, holds a commercial driver's license or instruction permit or is operating a commercial motor vehicle. These changes are required in order to receive federal distracted driving grants and comply with federal law ([PA 17-79](#), § 15, effective October 1, 2017).

### ***Driver's Licenses Held by Active Duty Armed Services Members***

The legislature extended the length of time that a Connecticut driver's license held by an armed services member on active duty out-of-state remains valid. Under prior law, such a license was valid, with certain exceptions, until 30 days after the date the holder (1) was honorably separated from the service or (2) returned to the state. Under this new law, the license is instead valid until 60 days after the holder leaves the service, regardless of when he or she returns to the state ([PA 17-79](#), § 6, effective July 1, 2017).

### ***Minor Changes Affecting Young Drivers***

The legislature eliminated requirements that (1) youth instruction permits expire when the holder turns 18 and (2) DMV prepare a course of study for high school motor vehicle safety courses ([PA 17-79](#), §§ 2 & 4, effective June 27, 2017).

### ***State Identification for Inmates on Reentry***

A new law requires the DMV and Correction commissioners, within available appropriations, to ensure that an inmate has a state identification card or a driver's license when he or she is released from a correctional facility after serving any part of a prison term for a misdemeanor or felony conviction. The inmate must request and qualify for the card or license and pay any associated fee ([PA 17-106](#), effective October 1, 2017).

## **For-Hire Transportation**

### ***Transportation Network Company (TNC), Taxi, and Livery Regulations***

The legislature established a regulatory structure for TNCs, such as Uber and Lyft, addressing, among other things, (1) insurance coverage; (2) public safety (e.g., requiring TNCs to obtain background checks on drivers); and (3) consumer protection (e.g., requiring TNCs to disclose fare information to riders). The new law also modifies the taxi regulatory structure, allowing taxis to establish tiered rates and use mobile electronic devices to calculate fares, among other things ([PA 17-140](#), as amended by [PA 17-203](#), various effective dates).

## **License Plates**

### ***Hartford Whaler's License Plates***

A new law requires the DMV commissioner, beginning January 1, 2018, to issue Hartford Whalers license plates to commemorate the Hartford Whalers and provide funding for the Connecticut Children's Medical Center. It allows DMV to charge an additional \$60 for the plate, \$15 of which goes to DMV to cover its production costs and \$45 of which goes into an account to be used to support the medical center ([PA 17-79](#), § 21, effective June 27, 2017).

### ***Veterans Agricultural Plates***

A new law specifies that the DMV commissioner must issue a special registration certificate and a set of number plates to veterans for motor vehicles they use exclusively for farming ([PA 17-148](#), effective July 1, 2017).

## **Motor Vehicles**

### ***Autonomous Vehicles***

A new law requires the Office of Policy and Management, in consultation with other specified agencies, to establish a program to allow manufacturers and other specified entities to test autonomous (self-driving) vehicles in up to four municipalities. It creates a task force to study these vehicles and develop legislative recommendations for regulating them ([PA 17-69](#), effective June 27, 2017).

## ***Child Restraints (Car Seats)***

A new law strengthens motor vehicle child restraint system requirements. It requires that children younger than two years old or weighing less than 30 pounds be placed in DMV-approved rear-facing car seats. (Prior law required children younger than one year old or weighing less than 20 pounds to be placed in these seats.) It increases, from six to seven, the maximum age at which children must be secured in either a child restraint or a booster seat secured by a seat belt. It requires that all child restraint systems be equipped with a five-point harness and prohibits people from transporting a child in a rear-facing car seat in the front passenger seat of any vehicle with a functional air bag on that side ([PA 17-230](#), § 11, effective October 1, 2017).

## **Motor Vehicle Dealers**

### ***Dealer Bond Renewal***

The legislature increased, from \$50 to \$200, the fine for motor vehicle dealers and repairers who fail to provide proof of insurance policy or bond renewal before the existing bond or policy expires ([PA 17-79](#), §§ 9 & 10, effective July 1, 2017).

## **Motor Vehicle Insurance**

### ***Insurance Policies for Certain Passenger Transportation Vehicles***

A new law (1) prohibits entities from issuing insurance policies or indemnity bonds for motor buses, taxis, livery vehicles, school transportation vehicles, or service buses that do not meet the law's minimum coverage requirements and (2) allows DMV, when registering these vehicles, to presume that a policy or bond meets these coverage requirements ([PA 17-79](#), § 1, effective October 1, 2017).

### ***Insurance Requirements***

The legislature increased the minimum amount of auto insurance a person must maintain to receive or retain a driver's license or motor vehicle registration. The new law sets the minimum insurance requirements at \$25,000 per person and \$50,000 per accident for bodily injury and \$25,000 per accident for property damage, up from \$20,000, \$40,000, and \$10,000, respectively ([PA 17-114](#), effective January 1, 2018).

## **Motor Vehicle Registration**

### ***License and Registration Transactions by Municipalities***

The law allows the DMV commissioner to authorize a contractor or a municipality to process certain DMV transactions, such as license renewals and registration transactions. Current law allows contractors to charge a fee of up to \$5 to process the transactions. A new law specifies that municipalities may also charge this fee ([PA 17-79](#), § 5, effective July 1, 2017).

### ***Vehicles Affected by the Volkswagen Settlement***

A new law prohibits DMV from revoking a vehicle's registration if it is subject to any consent decree approved by the U.S. District Court for the Northern District of California on October 25, 2016, to settle *In Re: Volkswagen "Clean Diesel" Marketing, Sales, and Products Liability Litigation*. States must implement this provision to receive funds from the Environmental Mitigation Trust that is part of the settlement ([PA 17-79](#), § 11, effective July 1, 2017).

## **Parking and Parking Spaces**

### ***New Haven Parking***

The legislature created exceptions to state parking laws for the city of New Haven. A new law allows vehicles to be parked as close as 10 feet, instead of 25 feet, from an intersection in that city, if the intersection has a curb extension as wide or wider than the parking lane. It also allows vehicles to be parked within 25 feet of a stop sign at the intersection of one-way streets in that city where permitted by the New Haven traffic authority ([PA 17-230](#), § 16, effective October 1, 2017).

### ***Parking on Highways and Vehicle Registration***

A new law generally prohibits a person from parking on a highway unless the vehicle is properly registered with DMV. Under the new law, (1) a person who illegally parks an unregistered vehicle commits an infraction and (2) a state resident who parks a vehicle he or she owns with an out-of-state license plate after the end of the 60-day grace period faces a \$1,000 fine. The same penalties apply under existing law to people who operate or allow the operation of unregistered or improperly registered vehicles ([PA 17-79](#), § 22, effective October 1, 2017).

## ***Parking Placards for Veterans with Post-Traumatic Stress Disorder (PTSD)***

Under a new law, veterans with PTSD have an additional option to receive a removable windshield placard for people with disabilities. It allows an applicant to provide certification from a U.S. Department of Veterans Affairs psychiatrist that he or she (1) is a veteran who has service-connected PTSD and (2) meets the federal definition of a person with a disability that limits or impairs the ability to walk ([PA 17-79](#), § 23, effective June 27, 2017).

## ***Parking Spaces for People with Disabilities***

By law, parking spaces reserved for passenger cars and vans used by people with disabilities must be as near as possible to building entrances or walkways. Starting October 1, 2017, a new law requires that such parking spaces also be placed parallel to sidewalks on public highways. As under existing law, these spaces must be designated by signs with specific wording and symbols ([PA 17-230](#), § 4, effective October 1, 2017).

## **Railroads**

### ***Notification of Pesticide Spraying by Railroads***

A new law requires a railroad company that applies pesticides to any railroad right-of-way to (1) provide at least 21 days' notice of the pesticide application to DOT and each impacted municipality's chief elected official or board of selectmen and (2) annually file a vegetation management plan with DOT and the impacted municipalities ([PA 17-230](#), § 12, effective October 1, 2017).

### ***Railroad Crossings***

A new law reduces, from 29 seconds to 15 seconds before a train reaches a railroad crossing, the minimum time a trackside horn must sound to warn motorists of the approaching train. This change conforms state law to federal regulations ([PA 17-230](#), § 5, effective October 1, 2017).

## **Roads and Highways**

### ***Ban on Coal Tar Sealants***

The legislature passed a law banning the use or application of sealants made from coal tar on state or local highways ([PA 17-113](#), effective October 1, 2017).

### ***Move Over Law***

A new law requires a driver traveling in the lane nearest the shoulder, lane, or breakdown lane of a highway to move over one lane when approaching a vehicle that is stationary and located on the shoulder, lane, or breakdown lane, unless to do so would be unreasonable or unsafe. A violation is an infraction ([PA 17-230](#), § 14, effective October 1, 2017).

### ***Road Design Standards***

A new law requires DOT to update state road design standards by July 1, 2018 ([PA 17-230](#), § 17, effective October 1, 2017).

## **School Buses and Student Transportation Vehicles**

### ***State Oversight of School Bus Driver Monitoring***

A new law requires the DMV commissioner to ensure that school bus companies are fulfilling their duty to review periodic reports on school bus drivers who have had their licenses withdrawn, suspended, or revoked. The law authorizes the commissioner to conduct random compliance audits of bus companies to determine whether they are performing the required review and are otherwise complying with the law ([PA 17-68](#), § 15, effective July 1, 2017).

### ***Student Transportation Vehicle (STV) Signs and Community-Based Transition Programs***

Prior law required all STVs to display a sign that reads “Carrying School Children” while transporting students to or from school or school activities. A new law exempts from this requirement any STV that transports students who are (1) between ages 18 and 21 and (2) participating in community-based transition services as part of an individualized education program. An STV is any vehicle, other than a school bus, that is used to transport students (i.e., anyone under age 21 attending school) to or from school, school programs, or school-sponsored events ([PA 17-79](#), § 16, effective July 1, 2017).

## **Transportation Funding**

### ***Constitutional “Lockbox” Amendment***

The legislature passed a resolution (1) requiring it to use money from the Special Transportation Fund (STF) only for transportation purposes, (2) barring it from passing a law authorizing the spending of these funds for non-transportation purposes, and (3) requiring that certain transportation funding sources be placed in the STF as long as the law requires their collection. If approved by voters in the November 2018 general election the amendment will become part of the state constitution ([RA 17-1](#)).

## **Wreckers and Towing**

### ***Abandoned Vehicles***

A new law makes several changes in laws affecting how garage owners may sell unclaimed vehicles towed to and stored by them, including requiring them to more quickly notify vehicle owners and lienholders that they have the vehicles and allowing the DMV commissioner to generally limit the number of days for which they can charge for storage ([PA 17-79](#), §§ 17-20, effective January 1, 2018).

## **Miscellaneous**

### ***Fire Apparatus Safety and Testing***

A new law requires municipal and volunteer fire departments to maintain their pump and aerial fire apparatus components in compliance with the minimum requirements of National Fire Protection Association standard 1911. It also requires such departments to comply with specified federal regulations concerning fire apparatus safety, maintenance, and inspections. Existing state regulations already require compliance with these federal regulations ([PA 17-175](#), effective October 1, 2017).

### ***Unemployment Coverage for Certain Bus Drivers***

A new law exempts certain professional drivers from coverage under the state's unemployment law. The exemption applies to drivers under a contract with another party if the driver (1) operates a vehicle that can transport at least eight passengers (including the driver) and has a gross vehicle weight rating over 6,000 pounds; and (2) meets certain other conditions on vehicle ownership, pay, and employment status ([PA 17-181](#), effective October 1, 2017).

## ***Vehicle Emissions***

A new law expands the types of state-owned vehicles exempt from state fuel efficiency and emissions requirements to include all emergency vehicles ([PA 17-243](#), § 3, effective upon passage).

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