



House of Representatives

General Assembly

File No. 404

January Session, 2019

House Bill No. 6590

House of Representatives, April 4, 2019

The Committee on Transportation reported through REP. LEMAR of the 96th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING SPEED LIMITS IN MUNICIPALITIES.

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

1 Section 1. Section 14-218a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2019*):

3 (a) No person shall operate a motor vehicle upon any public
4 highway of the state, or road of any specially chartered municipal
5 association or any district organized under the provisions of chapter
6 105, a purpose of which is the construction and maintenance of roads
7 and sidewalks, or on any parking area as defined in section 14-212, or
8 upon a private road on which a speed limit has been established in
9 accordance with this [subsection] section, or upon any school property,
10 at a rate of speed greater than is reasonable, having regard to the
11 width, traffic and use of highway, road or parking area, the
12 intersection of streets and weather conditions. The Office of the State
13 Traffic Administration may determine speed limits which are
14 reasonable and safe on any state highway, bridge or parkway built or
15 maintained by the state, and differing limits may be established for

16 different types of vehicles, and may erect or cause to be erected signs
17 indicating such speed limits.

18 (b) (1) The traffic authority of any town, city or borough may
19 establish speed limits on streets, highways and bridges or in any
20 parking area for ten cars or more or on any private road wholly within
21 the municipality under its jurisdiction; provided (A) such speed limit
22 on streets, highways, bridges and parking areas for ten cars or more
23 shall become effective, except as provided in subdivision (2) of this
24 subsection, only after application for approval thereof has been
25 submitted in writing to the Office of the State Traffic Administration
26 and a certificate of such approval has been forwarded by the office to
27 the traffic authority; [and provided such] (B) signs giving notice of
28 such speed limits shall have been erected as the Office of the State
29 Traffic Administration directs; [, provided] and (C) the erection of such
30 signs on any private road shall be at the expense of the owner of such
31 road. The presence of such signs adjacent to or on the highway or
32 parking area for ten cars or more shall be prima facie evidence that
33 they have been so placed under the direction of and with the approval
34 of the Office of the State Traffic Administration. Approval of such
35 speed limits may be revoked by the Office of the State Traffic
36 Administration at any time if said office deems such revocation to be
37 in the interest of public safety and welfare, and thereupon such speed
38 limits shall cease to be effective and any signs that have been erected
39 shall be removed.

40 (2) The traffic authority of any town, city or borough may reduce a
41 speed limit of thirty-five miles per hour or lower that has been
42 approved by the Office of the State Traffic Administration on streets,
43 highways and bridges or in any parking area for ten cars or more or on
44 any private road wholly within the municipality under its jurisdiction
45 by not more than fifteen miles per hour, provided such traffic
46 authority (A) holds a public hearing regarding the proposed lower
47 speed limit, and (B) notifies the Office of the State Traffic
48 Administration of the lower speed limit.

49 ~~(c)~~ Any speed in excess of [such limits] a speed limit that has been
50 established in accordance with this section, other than speeding as
51 provided for in section 14-219, as amended by this act, shall be prima
52 facie evidence that such speed is not reasonable, but the fact that the
53 speed of a vehicle is lower than such [limits] speed limit shall not
54 relieve the operator from the duty to decrease speed when a special
55 hazard exists with respect to pedestrians or other traffic or by reason of
56 weather or highway conditions.

57 ~~[(b)]~~ ~~(d)~~ The Office of the State Traffic Administration shall establish
58 a speed limit of sixty-five miles per hour on any multiple lane, limited
59 access highways that are suitable for a speed limit of sixty-five miles
60 per hour, taking into consideration relevant factors including design,
61 population of area and traffic flow.

62 ~~[(c)]~~ ~~(e)~~ Any person who operates a motor vehicle at a greater rate of
63 speed than is reasonable, other than speeding [,] as provided for in
64 section 14-219, as amended by this act, shall commit the infraction of
65 traveling unreasonably fast.

66 Sec. 2. Subsection (a) of section 14-36 of the general statutes is
67 repealed and the following is substituted in lieu thereof (*Effective*
68 *October 1, 2019*):

69 (a) Except as otherwise provided by this section and section 14-40a,
70 no person shall operate a motor vehicle on any public highway of this
71 state or private road on which a speed limit has been established in
72 accordance with [subsection (a) of] section 14-218a, as amended by this
73 act, until such person has obtained a motor vehicle operator's license.

74 Sec. 3. Subsections (a) and (b) of section 14-219 of the general
75 statutes are repealed and the following is substituted in lieu thereof
76 (*Effective October 1, 2019*):

77 (a) No person shall operate any motor vehicle (1) upon any
78 highway, road or any parking area for ten cars or more, at such a rate
79 of speed as to endanger the life of any occupant of such motor vehicle,

80 but not the life of any other person than such an occupant; (2) at a rate
81 of speed greater than fifty-five miles per hour upon any highway other
82 than a highway specified in subsection [(b)] (d) of section 14-218a, as
83 amended by this act, for which a speed limit has been established in
84 accordance with the provisions of said subsection; (3) at a rate of speed
85 greater than sixty-five miles per hour upon any highway specified in
86 subsection [(b)] (d) of section 14-218a, as amended by this act, for
87 which a speed limit has been established in accordance with the
88 provisions of said subsection; or (4) if such person is under eighteen
89 years of age, upon any highway or road for which a speed limit of less
90 than sixty-five miles per hour has been established in accordance with
91 subsection (a) or (b) of section 14-218a, as amended by this act, at a rate
92 of speed more than twenty miles per hour above such speed limit.

93 (b) Any person who operates a motor vehicle (1) on a multiple lane,
94 limited access highway other than a highway specified in subsection
95 [(b)] (d) of section 14-218a, as amended by this act, for which a speed
96 limit has been established in accordance with the provisions of said
97 subsection at a rate of speed greater than fifty-five miles per hour but
98 not greater than seventy miles per hour, (2) on a multiple lane, limited
99 access highway specified in subsection [(b)] (d) of section 14-218a, as
100 amended by this act, for which a speed limit has been established in
101 accordance with the provisions of said subsection at a rate of speed
102 greater than sixty-five miles per hour but not greater than seventy
103 miles per hour, (3) on any other highway at a rate of speed greater than
104 fifty-five miles per hour but not greater than sixty miles per hour, or
105 (4) if such person is under eighteen years of age, upon any highway or
106 road for which a speed limit of less than sixty-five miles per hour has
107 been established in accordance with subsection (a) or (b) of section 14-
108 218a, as amended by this act, at a rate of speed more than twenty miles
109 per hour above such speed limit, shall commit an infraction, provided
110 any such person operating a truck, as defined in section 14-260n, shall
111 have committed a violation and shall be fined not less than one
112 hundred dollars nor more than one hundred fifty dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	14-218a
Sec. 2	<i>October 1, 2019</i>	14-36(a)
Sec. 3	<i>October 1, 2019</i>	14-219(a) and (b)

TRA *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 20 \$	FY 21 \$
Various Municipalities	Potential Cost	Less than \$2,500	Less than \$2,500

Explanation

The bill allows municipalities to reduce certain speed limits without approval of the Office of the State Traffic Administration (OSTA) as long as they 1) hold a public hearing on the proposed speed limit reduction, and 2) notify OSTA.

There is a potential cost of less than \$2,500 to hold a public hearing for municipalities that choose to reduce certain speed limits without OSTA approval. This cost is associated with 1) posting notice of such public hearing in area newspapers, and 2) any police overtime to provide security at the hearing.

The Out Years

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

OLR Bill Analysis**HB 6590*****AN ACT CONCERNING SPEED LIMITS IN MUNICIPALITIES.*****SUMMARY**

This bill allows local traffic authorities (LTAs) (see BACKGROUND) to lower speed limits on certain roads under their jurisdiction without approval from the Office of the State Traffic Administration (OSTA).

Existing law allows LTAs to establish speed limits on roads, bridges, and parking areas for ten or more cars that are entirely within the municipality and under its jurisdiction, as long as (1) OSTA approves the speed limits and (2) speed limit signs are erected, as directed by OSTA.

The bill allows LTAs to reduce an OSTA-approved speed limit of 35 mph or lower on such roads, bridges, and parking areas by up to 15 mph. Before doing so, the LTA must (1) hold a public hearing on the proposed lower speed limit and (2) notify OSTA of the lower limit.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2019

BACKGROUND***Local Traffic Authorities***

As Table 1 shows, the law designates different local bodies or officials to serve as a municipality's traffic authority. The designation depends mainly on whether a municipality has a board of police commissioners (CGS §14-297(6)).

Table 1: Local Traffic Authorities

<i>Jurisdiction</i>	<i>Traffic Authority</i>
City, town, or borough with police commission	Police Commission
City, town, or borough without commission but with a regularly appointed police force	<ul style="list-style-type: none"> • City or town manager • Police chief • Police superintendent or any legally elected or appointed official or board • Any official having similar powers and duties
Town with no city or borough with a regularly appointed police force	<ul style="list-style-type: none"> • Board of selectmen

COMMITTEE ACTION

Transportation Committee

Joint Favorable

Yea 36 Nay 0 (03/20/2019)