AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF TRANSPORTATION REGARDING SEAT BELTS, MOTORCYCLE HELMETS, THE OPERATION LIFESAVER PROGRAM, MAINTENANCE VEHICLES AND TRANSPORTATION STATUTES.

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

Section 1. Subdivision (1) of subsection (c) of section 14-100a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

(c) (1) The operator of and any [front seat] passenger in any motor vehicle or fire fighting apparatus originally equipped with seat safety belts complying with the provisions of 49 CFR 571.209, as amended from time to time, shall wear such seat safety belt while the vehicle or fire fighting apparatus is being operated on any highway, except as follows:

(A) A child under eight years of age shall be restrained as provided in subsection (d) of this section;

(B) The operator of such vehicle shall secure or cause to be secured
in a seat safety belt any passenger eight years of age or older and
under sixteen years of age; and

(C) [If the operator of such vehicle is under eighteen years of age,
such operator and each passenger in such vehicle shall wear such seat
safety belt while the vehicle is being operated on any highway] Nothing in this subsection shall be construed to require a passenger in
a bus having a tonnage rating of one ton or more to wear a seat safety
belt while the bus is being operated on any highway.

Sec. 2. Section 54-33m of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2019):

The failure of an operator of, or [front seat] any passenger in, a
private passenger motor vehicle or vanpool vehicle to wear a seat
safety belt as required by section 14-100a, as amended by this act, shall
not constitute probable cause for a law enforcement official to conduct
a search of such vehicle and its contents.

Sec. 3. Section 14-289g of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2020):

(a) No person [under eighteen years of age] may (1) operate a
motorcycle or a motor-driven cycle, as defined in section 14-1, or (2) be
a passenger on a motorcycle or motor-driven cycle, unless such
operator or passenger is wearing protective headgear of a type which
conforms to the minimum specifications established [in] pursuant to
regulations adopted under subsection (b) of this section. As used in
this section, the term "motorcycle" does not include "autocycle".

(b) The Commissioner of Motor Vehicles shall adopt regulations, in
accordance with the provisions of chapter 54, which may incorporate
by reference the standards set forth in 49 CFR 571.218, as amended
from time to time, to establish minimum specifications for protective
headgear designed for use by operators and passengers of
motorcycles.
(c) Any person who violates this section shall have committed an infraction and shall be fined not less than ninety dollars.

[(b) As used in this section, the term "motorcycle" shall not include "autocycle".]

Sec. 4. Section 13b-376 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) [There is established an Operation Lifesaver Committee which shall be within the Department of Transportation for administrative purposes only. The committee] The Commissioner of Transportation shall establish and operate an operation lifesaver program designed to reduce the number of accidents at railway crossings and to increase the public awareness of railroad crossing hazards. [Said committee shall consist of the Commissioner of Transportation or his designee, the Commissioner of Education or his designee, and the Commissioner of Emergency Services and Public Protection or his designee, and six members appointed as follows: Two representatives of civic organizations, one appointed by the president pro tempore of the Senate and one appointed by the minority leader of the House of Representatives, a representative of the railroad industry appointed by the speaker of the House of Representatives, a representative of a parent teacher association appointed by the majority leader of the Senate, a representative of a local law enforcement agency appointed by the majority leader of the House of Representatives and a local government official appointed by the minority leader of the Senate. The Commissioner of Transportation shall serve as chairperson of the committee. The committee shall meet at such times as it deems necessary] The commissioner may enter into agreements with a national nonprofit organization dedicated to increasing public safety and providing education regarding railroad crossing hazards to establish, operate and maintain the program.

(b) The [Operation Lifesaver Committee] commissioner shall: (1) [Administer and operate the operation lifesaver program; (2) establish
committees to promote] Ensure the Operation Lifesaver Committee established pursuant to subsection (c) of this section guides and promotes the program on the local level; [(3)] (2) educate the public with information designed to reduce the number of accidents, deaths and injuries at railroad and at-grade crossings; [(4)] (3) encourage state and local law enforcement agencies to vigorously enforce the law governing motorist and pedestrian rights and responsibilities; [(5)] (4) encourage the development of engineering and safety improvements; [(6)] (5) encourage the maintenance of railroad and at-grade crossings; [(7)] (6) submit an annual report regarding the status of the program and make any recommendations the commissioner may have regarding additional goals or objectives of the program to the [General Assembly implementing the purposes of the committee. The committee shall annually review its progress and submit its findings and recommendation to the joint standing committee of the General Assembly having cognizance of matters relating to transportation] Operation Lifesaver Committee; and (7) adhere to the goals and objectives of the program.

(c) There is established an Operation Lifesaver Committee which shall be within the Department of Transportation. The committee shall consist of the Commissioner of Transportation or the commissioner's designee, the Commissioner of Emergency Services and Public protection or the commissioner's designee and the Commissioner of Motor Vehicles or the commissioner's designee. The Commissioner of Transportation or the commissioner's designee shall serve as chairperson of the committee. The committee shall meet at such times at it deems necessary.

(d) The Commissioner of Transportation may, within available federal resources, make grants and otherwise administer funds to public or private school systems to assist such school systems to establish, operate or maintain an operation lifesaver training program. The commissioner may apply for, receive and accept grants, gifts and bequests of funds made available by any person, political subdivision or entity, or any other agency, governmental or private, including the
United States or any of its agencies and instrumentalities to carry out
the purposes of this section.

[(c)] (e) The Department of Transportation may adopt regulations,
in accordance with the provisions of chapter 54, to carry out the
purposes of this section.

Sec. 5. Section 14-96q of the general statutes is repealed and the
following is substituted in lieu thereof (Effective from passage):

(a) A permit is required for the use of colored or flashing lights on
all motor vehicles or equipment specified in this section except: (1)
Motor vehicles not registered in this state used for transporting or
escorting any vehicle or load, or combinations thereof, which is either
oversize or overweight, or both, when operating under a permit issued
by the Commissioner of Transportation pursuant to section 14-270, as
amended by this act; or (2) motor vehicles or equipment that are (A)
equipped with lights in accordance with this section, (B) owned or
leased by the federal government, the state of Connecticut, or any
other state, commonwealth or local municipality, and (C) registered to
such governmental entity. When used in this section the term
"flashing" shall be considered to include the term "revolving".

(b) The Commissioner of Motor Vehicles, or such other person
specifically identified in this section, is authorized to issue permits for
the use of colored or flashing lights on vehicles in accordance with this
section, at the commissioner's or such person's discretion. Any person,
firm or corporation other than the state or any metropolitan district,
town, city or borough shall pay an annual permit fee of twenty dollars
to the commissioner for each such vehicle. Such fee shall apply only to
permits issued by the commissioner.

(c) A blue light or lights, including flashing blue lights, may be used
on a motor vehicle operated by an active member of a volunteer fire
department or company or an active member of an organized civil
preparedness auxiliary fire company who has been issued a permit by
the chief executive officer of such department or company to use such
a light while on the way to or at the scene of a fire or other emergency requiring such member's services. Such permit shall be on a form provided by the commissioner and may be revoked by such chief executive officer or successor. The chief executive officer of each volunteer fire department or company or organized civil preparedness auxiliary fire company shall keep on file, on forms provided by the commissioner, the names and addresses of members who have been authorized to use flashing blue lights as provided in this subsection. Such listing shall also designate the registration number of the motor vehicle on which authorized flashing blue lights are to be used.

(d) A green light or lights, including flashing green lights, may be used on a motor vehicle operated by an active member of a volunteer ambulance association or company who has been issued a permit by the chief executive officer of such association or company to use such a light, while on the way to or at the scene of an emergency requiring such member's services. Such permit shall be on a form provided by the commissioner and may be revoked by such chief executive officer or successor. The chief executive officer of each volunteer ambulance association or company shall keep on file, on forms provided by the commissioner, the names and addresses of members who have been authorized to use flashing green lights as provided in this subsection. Such listing shall also designate the registration number of the vehicle on which the authorized flashing green lights are to be used.

(e) The commissioner may issue a permit for a red light or lights, including flashing red lights, which may be used on a motor vehicle or equipment (1) used by paid fire chiefs and their deputies and assistants, up to a total of five individuals per department, (2) used by volunteer fire chiefs and their deputies and assistants, up to a total of five individuals per department, (3) used by members of the fire police on a stationary vehicle as a warning signal during traffic directing operations at the scene of a fire or emergency, (4) used by chief executive officers of emergency medical service organizations, as defined in section 19a-175, the first or second deputies, or if there are no deputies, the first or second assistants, of such an organization that
is a municipal or volunteer or licensed organization, (5) used by local
fire marshals, or (6) used by directors of emergency management.

(f) The commissioner may issue a permit for a yellow or amber light
or lights, including flashing yellow or amber lights, which may be
used on motor vehicles or equipment that are (1) specified in
subsection (e) of this section, (2) maintenance vehicles [as defined in
section 14-1,] or (3) vehicles transporting or escorting any vehicle or
load or combinations thereof, which is or are either oversize or
overweight, or both, and being operated or traveling under a permit
issued by the Commissioner of Transportation pursuant to section 14-
270, as amended by this act. A yellow or amber light or lights,
including flashing yellow or amber lights, may be used without
obtaining a permit from the Commissioner of Motor Vehicles on
wreckers registered pursuant to section 14-66, on vehicles of carriers in
rural mail delivery service or on vehicles operated by construction
inspectors employed by the state of Connecticut, authorized by the
Commissioner of Transportation, used during the performance of
inspections on behalf of the state. The Commissioner of Transportation
shall maintain a list of such authorized construction inspectors,
including the name and address of each inspector and the registration
number for each vehicle on which the lights are to be used.

(g) The Commissioner of Motor Vehicles may issue a permit for a
white light or lights, including flashing white lights, which may be
used on a motor vehicle or equipment as specified in subdivision (1),
(2), (4), (5) or (6) of subsection (e) of this section. A vehicle being
operated by a member of a volunteer fire department or company or a
volunteer emergency medical technician may use flashing white head
lamps, provided such member or emergency medical technician is on
the way to the scene of a fire or medical emergency and has received
written authorization from the chief law enforcement officer of the
municipality to use such head lamps. Such head lamps shall only be
used within the municipality granting such authorization or from a
personal residence or place of employment, if located in an adjoining
municipality. Such authorization may be revoked for use of such head
lamps in violation of this subdivision. For the purposes of this subsection, the term "flashing white lights" shall not include the simultaneous flashing of head lamps.

(h) The commissioner may issue a permit for emergency vehicles, as defined in subsection (a) of section 14-283, to use a blue, red, yellow, or white light or lights, including flashing lights or any combination thereof.

(i) The commissioner may issue a permit for ambulances, as defined in section 19a-175, which may, in addition to the flashing lights allowed in subsection (h) of this section, use flashing lights of other colors specified by federal requirements for the manufacture of an ambulance. If the commissioner issues a permit for any ambulance, such permit shall be issued at the time of registration and upon each renewal of such registration.

(j) A green, yellow or amber light or lights, including flashing green, yellow or amber lights or any combination thereof, may be used on a maintenance vehicle owned and operated by the Department of Transportation.

[(j)] (k) Use of colored and flashing lights except as authorized by this section shall be an infraction.

Sec. 6. Section 14-270 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The Commissioner of Transportation or other authority having charge of the repair or maintenance of any highway or bridge is authorized to grant permits for transporting vehicles or combinations of vehicles or vehicles and load, or other objects not conforming to the provisions of sections 14-98, 14-262, 14-262a, 14-264, 14-267a and 14-269 but, in the case of motor vehicles, only the Commissioner of Transportation shall be authorized to issue such permits. Such permits shall be written, and may limit the highways or bridges which may be used, the time of such use and the maximum rate of speed at which
such vehicles or objects may be operated, and may contain any other
condition considered necessary by the authority granting the same,
provided the Department of Transportation shall not suffer any loss of
revenue granted or to be granted from any agency or department of
the federal government for the federal interstate highway system or
any other highway system.

(b) Any permit issued in respect to any vehicle, self-propelled
vehicle, or combination of vehicles or vehicle and trailer on account of
its excessive weight shall be limited to the gross weight shown or to be
shown on the commercial registration certificate or any commercial
registration certificate issued on an apportionment basis. A permit
granted under this section for a vehicle or load, greater than twelve
feet, but no greater than thirteen feet six inches in width and traveling
on undivided highways, shall require a single escort motor vehicle to
precede such vehicle or load. No escort motor vehicle shall be required
to follow such vehicle or load on such highways.

(c) Any permit issued under this section or a legible copy or
facsimile shall be retained in the possession of the operator of the
vehicle, self-propelled vehicle or combination of vehicles or vehicle
and trailer for which such permit was issued, except that an electronic
confirmation of the existence of such permit or the use of the special
number plates described in section 14-24 and any regulations adopted
thereunder shall be sufficient to fulfill the requirements of this section.

(d) (1) The owner or lessee of any vehicle may pay either a fee of
thirty dollars for each permit issued for such vehicle under this section
or a fee as described in subdivision (3) of this subsection for such
vehicle, payable to the Department of Transportation. (2) An
additional transmittal fee of five dollars shall be charged for each
permit issued under this section and transmitted via electronic means.
(3) The commissioner may issue an annual permit for any vehicle
transporting (A) a divisible load, (B) an overweight or oversized-
overweight indivisible load, or (C) an oversize indivisible load. The
owner or lessee shall pay an annual fee of nine dollars per thousand
pounds or fraction thereof for each such vehicle. A permit may be issued in any increment up to one year, provided the owner or lessee shall pay a fee of one hundred dollars for such vehicle or vehicle and trailer for each month or fraction thereof. (4) The annual permit fee for any vehicle transporting an oversize indivisible load shall not be less than six hundred fifty dollars. (5) The commissioner may issue permits for divisible loads in the aggregate not exceeding fifty-three feet in length.

(e) (1) The Commissioner of Transportation shall adopt regulations in accordance with chapter 54 prescribing standards for issuance of permits for vehicles with divisible or indivisible loads not conforming to the provisions of section 14-267a.

(2) In adopting regulations pursuant to this section, the commissioner shall allow for the issuing of a wrecker towing or transporting emergency permit, provided such movement of a wrecked or disabled vehicle by a wrecker with a permit issued pursuant to this subdivision shall be in accordance with any limitations as to highway or bridge use and maximum rate of speed as specified by the commissioner.

(f) The provisions of subsection (d) of this section shall not apply to the federal government, the state, municipalities or fire departments.

(g) Any person who violates the provisions of any permit issued under this section or fails to obtain such a permit, when operating any motor vehicle or combination of vehicles described in section 14-163c, shall be subject to the following penalties:

(1) A person operating a vehicle with a permit issued under this section that exceeds the weight specified in such permit shall be subject to a penalty calculated by subtracting the permitted weight from the actual vehicle weight and the rate of the fine shall be fifteen dollars per one hundred pounds or fraction thereof of such excess weight;

(2) A person who fails to obtain a permit issued under section 14-
262 or 14-264 and who is operating a vehicle at a weight that exceeds
the statutory limit for weight shall be subject to a penalty calculated by
subtracting the statutory limit for weight from the actual vehicle
weight and the rate of the fine shall be fifteen dollars per one hundred
pounds or fraction thereof of such excess weight;

(3) A person operating a vehicle with a permit issued under this
section that exceeds the length specified in such permit shall be subject
to a minimum fine of three hundred dollars;

(4) A person operating a vehicle with a permit issued under this
section that exceeds the width specified in such permit shall be subject
to a minimum fine of three hundred dollars;

(5) A person operating a vehicle with a permit issued under this
section that exceeds the height specified in such permit shall be subject
to a minimum fine of one thousand dollars;

(6) A person operating a vehicle with a permit issued under this
section on routes not specified in such permit, shall be fined (A) one
thousand five hundred dollars for each violation of the statutory limit
for length, width, height or weight, and (B) shall be subject to a penalty
calculated by subtracting the statutory weight limit of subsection (b) of
section 14-267a from the actual vehicle weight and such weight
difference shall be fined at the rate provided for in subparagraph (G)
of subdivision (2) of subsection (f) of section 14-267a; or

(7) A person (A) operating a vehicle with an indivisible load and
violating one or more of the provisions of subdivisions (1) to (6),
inclusive, of this subsection shall be required to obtain a permit, or (B)
operating a vehicle with a divisible load and violating one or more of
the provisions of subdivisions (1) to (6), inclusive, of this subsection
shall be required to be off loaded to the permit limit.

(h) (1) If the origin, destination, load description, tractor
registration, trailer registration, hours of travel, number of escorts,
signs or flags of a vehicle with a permit issued under this section differ
from those stated on such permit or required by regulations adopted pursuant to this section, a minimum fine of two hundred dollars shall be assessed for each such violation.

(2) If the days of travel of a vehicle with a permit issued under this section differ from those stated on such permit or the vehicle is operated under a false or fraudulent permit, a minimum fine of one thousand five hundred dollars shall be assessed for such violation in addition to any other penalties assessed.

(i) A person operating a vehicle under a forged permit shall be subject to a minimum fine of ten thousand dollars, in addition to any other penalties which may be assessed, and such vehicle shall be impounded until payment of such fine or fines, or until order of the Superior Court. As used in this subsection, "forged permit" means a permit for a nonconforming vehicle that is subject to the provisions of this section, that has been falsely made, completed or altered, and "falsely made", "falsely completed" and "falsely altered" have the same meaning as set forth in section 53a-137.

[(j) For the period beginning on July 1, 2016, and ending on June 30, 2017, the commissioner shall waive the amount of any fee increase imposed under this section that took effect on July 1, 2016, for any person who demonstrates to the satisfaction of the commissioner that (1) such increased fee affects a material term in a contract for services that is in effect on July 1, 2016, or is subject to competitive bidding on July 1, 2016, and (2) such person is a party to such contract or a participant in such competitive bidding process.]

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

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LCO No. 4168
Statement of Purpose:
To (1) require passengers in the back seat to wear seat belts, (2) require motorcycle operators and passengers to wear protective headgear, (3) revise the administration of the operation lifesaver program, (4) permit maintenance vehicles owned and operated by the Department of Transportation to use green, yellow or amber flashing lights, and (5) remove an obsolete provision in the transportation statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]