AN ACT IMPLEMENTING THE DEPARTMENT OF TRANSPORTATION'S RECOMMENDATIONS REGARDING SEAT BELTS, 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. Subsection (c) of section 14-100a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):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 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; and

(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.]

(2) The provisions of subdivision (1) of this subsection shall not
apply to: (A) Any person whose physical disability or
impairment would prevent restraint in such safety belt, provided such
person obtains a written statement from a licensed physician or a
licensed advanced practice registered nurse containing reasons for
such person's inability to wear such safety belt and including
information concerning the nature and extent of such condition. Such
person shall carry the statement on his or her person or in the motor
vehicle at all times when it is being operated, or (B) an authorized
emergency vehicle, other than fire fighting apparatus, responding to
an emergency call or a motor vehicle operated by a rural letter carrier
of the United States postal service while performing his or her official
duties or by a person engaged in the delivery of newspapers.

(3) Failure to wear a seat safety belt shall not be considered as
contributory negligence nor shall such failure be admissible evidence
in any civil action.

(4) No officer may stop a motor vehicle for the apparent or actual
failure of a back seat passenger to wear a seat safety belt.

[(4)] (5) Any operator of a motor vehicle, who is eighteen years of
age or older, and any passenger in such motor vehicle, who violates
any provision of this subsection shall have committed an infraction
and shall be fined fifty dollars. Any operator of a motor vehicle who is
under eighteen years of age and any passenger in such motor vehicle
who violates any provision of this subsection shall have committed an
infraction and shall be fined seventy-five dollars. Points may not be
assessed against the operator's license of any person convicted of such
violation.

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 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 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 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 commissioner shall: (1) Administer and operate the operation lifesaver program; (2)
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) if a national nonprofit organization operates and maintains the program, require such organization to submit an annual report regarding the status of the program and make any recommendations 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. 4. 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. 5. 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.]

Sec. 6. Subsections (a) to (c), inclusive, of section 13b-119 of the
general statutes are repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

(a) Prior to permitting an individual to act as a transportation network company driver on its digital network, the transportation network company shall: (1) Require the individual to submit an application to the company that includes information regarding the individual's name, address, date of birth, Connecticut motor vehicle operator's license number and motor vehicle registration; (2) (A) conduct, or have a consumer reporting agency regulated under the federal Fair Credit Reporting Act conduct, a driving record check and a local, state and national criminal history records check, including a search of state and national sexual offender registry databases provided such databases are accessible to the public, or (B) arrange for the fingerprinting of the individual to be submitted to the Federal Bureau of Investigation for a national criminal history records check and to the State Police Bureau of Identification for a state criminal history records check conducted in accordance with section 29-17a; and (3) disclose to such individual, electronically or in writing, (A) the insurance coverage, including the types of coverage and any coverage limits, that the company provides while a transportation network company driver is connected to the company's digital network or is engaged in the provision of a prearranged ride, and (B) that a transportation network company driver's personal automobile insurance policy might not provide coverage while such driver is connected to the company's digital network, available to receive a request for a prearranged ride or engaged in the provision of a prearranged ride.

(b) A transportation network company shall conduct, or have a consumer reporting agency regulated under the federal Fair Credit Reporting Act conduct, a local, state and national criminal history records check, including a search of state and national sexual offender registry databases, or arrange for the fingerprinting of the individual to be submitted to the Federal Bureau of Investigation for a national
criminal history records check and to the State Police Bureau of
Identification for a state criminal history records check conducted in
accordance with section 29-17a, at least once every three years after
permitting an individual to act as a transportation network company
driver.

(c) (1) No transportation network company shall permit an
individual to act as a transportation network company driver on its
digital network if such individual: (A) Has, during the three years
prior to the date of such individual's application to be a transportation
network company driver, (i) committed more than three moving
violations, as defined in section 14-111g, (ii) committed one serious
traffic violation, as defined in section 14-1, or (iii) had his or her motor
vehicle operator's license suspended pursuant to section 14-227b; (B)
has been convicted, within seven years prior to the date of such
individual's application, of driving under the influence of drugs or
alcohol, fraud, sexual offenses, use of a motor vehicle to commit a
felony, acts of violence or acts of terror; (C) is included in the state
sexual offenders registry or the United States Department of Justice
National Sex Offender Public Website; (D) does not possess a
Connecticut motor vehicle operator's license; (E) does not possess
proof of registration for each motor vehicle such individual proposes
to use as a transportation network company vehicle; or (F) is not at
least nineteen years of age.

(2) An individual who is permitted to act as a transportation
network company driver shall report to the transportation network
company not later than twenty-four hours after the occurrence of any
of the following incidents: (A) The commission of a fourth moving
violation, as defined in section 14-111g, during the past three years; (B)
the commission of one serious traffic violation, as defined in section
14-1; (C) the suspension of his or her motor vehicle operator's license
pursuant to section 14-227b; (D) the conviction of driving under the
influence of drugs or alcohol, fraud, sexual offenses, use of a motor
vehicle to commit a felony, acts of violence or acts of terror; (E)
inclusion in the state sexual offenders registry or the United States Department of Justice National Sex Offender Public Website; (F) failure to possess an operator's license; or (G) failure to possess proof of registration for a transportation network company vehicle. Each transportation network company that receives a report pursuant to this subdivision or becomes aware of such incident shall prohibit the individual from acting as a transportation network company driver on the company's digital network until the individual meets the qualifications of this section to be a transportation network company driver.

Sec. 7. (Effective from passage) (a) There is established a task force to study the utilization of automated traffic enforcement safety devices to enforce the provisions of section 14-299 of the general statutes, concerning traffic control signals at intersections.

(b) The task force shall consist of the following members:

(1) Two appointed by the speaker of the House of Representatives;

(2) Two appointed by the president pro tempore of the Senate;

(3) One appointed by the majority leader of the House of Representatives;

(4) One appointed by the majority leader of the Senate;

(5) One appointed by the minority leader of the House of Representatives;

(6) One appointed by the minority leader of the Senate;

(7) The Commissioner of Transportation, or the commissioner's designee;

(8) The Commissioner of Emergency Services and Public Protection, or the commissioner's designee; and
(9) Two persons appointed by the Governor.

(c) Any member of the task force appointed under subdivision (1), (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member of the General Assembly.

(d) All appointments to the task force shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(e) The speaker of the House of Representatives and the president pro tempore of the Senate shall select the chairpersons of the task force from among the members of the task force. Such chairpersons shall schedule the first meeting of the task force, which shall be held not later than sixty days after the effective date of this section.

(f) The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to transportation shall serve as administrative staff of the task force.

(g) Not later than January 1, 2020, the task force shall submit a report on its findings and recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to transportation, in accordance with the provisions of section 11-4a of the general statutes. The task force shall terminate on the date that it submits such report or January 1, 2020, whichever is later.

Sec. 8. (Effective from passage) The Commissioners of Transportation and Energy and Environmental Protection shall jointly study the feasibility of (1) connecting the Air Line State Park Trail with the Farmington Canal Heritage Trail by constructing a trail from the town of East Hampton through the towns of Portland, Middletown, Meriden and Cheshire, and (2) facilitating multimodal access through the railroad station in the town of Meriden. Not later than January 1, 2020, the commissioners shall submit a report of the results of such study to the joint standing committee of the General Assembly having cognizance of matters relating to transportation, in accordance with
the provisions of section 11-4a of the general statutes.

Sec. 9. (Effective from passage) The Commissioner of Transportation shall study alternative funding sources to open and maintain rest areas twenty-four hours a day. Not later than January 1, 2020, the commissioner shall submit a report of the results of such study to the joint standing committee of the General Assembly having cognizance of matters relating to transportation, in accordance with the provisions of section 11-4a of the general statutes.

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

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Statement of Legislative Commissioners:
In Section 3(b)(6), "if a national nonprofit organization operates and maintains the program, require such organization to" was inserted before "submit" and "the commissioner may have" was deleted to clarify the requirement regarding the annual report, in Section 6, amended Subsec. (a) by adding "Connecticut" to conform with changes being made in Subsec. (c); and in Section 8(1), "State Park" was inserted after "Air Line" for accuracy.

TRA     Joint Favorable Subst.