



General Assembly

January Session, 2019

Raised Bill No. 7280

LCO No. 5006



Referred to Committee on TRANSPORTATION

Introduced by:
(TRA)

**AN ACT CONCERNING SUPPORT FOR TRANSPORTATION
INFRASTRUCTURE AND THE CREATION OF THE CONNECTICUT
TRANSPORTATION FINANCE AUTHORITY.**

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

1 Section 1. (NEW) (*Effective from passage*) As used in this section and
2 sections 2 to 8, inclusive, of this act:

3 (1) "Electronic tolling system" means an electronic system for
4 recording, monitoring, collecting and paying for tolls on the highways
5 of this state, including, but not limited to, video toll transaction
6 systems, transponders or other electronic transaction or payment
7 technology or devices;

8 (2) "Department" means the Department of Transportation; and

9 (3) "Toll operator" means a private entity that operates an electronic
10 tolling system pursuant to an agreement with the department and
11 whose duties may include, but need not be limited to, collecting tolls,
12 administrative charges and penalties.

13 Sec. 2. (NEW) (*Effective from passage*) (a) (1) The Commissioner of
14 Transportation shall (A) conduct studies and satisfy other
15 requirements pursuant to the National Environmental Policy Act and
16 other provisions of applicable federal law for the purposes of
17 developing electronic tolling systems on the highways of this state, (B)
18 procure a program manager and other consultants or experts as
19 needed to assist in the development of the electronic tolling systems,
20 and (C) prepare a tolling proposal that (i) implements electronic tolling
21 systems on Interstate 84, Interstate 91, Interstate 95 and portions of
22 Connecticut Route 15, (ii) may include implementing electronic tolling
23 systems on any other limited access highway, or portions thereof, if the
24 commissioner determines such implementation is necessary and
25 provides the rationale for such implementation, (iii) identifies the
26 specific locations where the proposed tolls may be located, the toll
27 amounts that may be charged, including the use of value pricing and
28 discounts, if any, and the time periods for peak and off-peak travel,
29 and (iv) estimates the capital and operating costs associated with the
30 electronic tolling systems.

31 (2) In developing a tolling proposal, the commissioner shall
32 consider: (A) A phase-in for the operation of any electronic tolling
33 system; (B) discounts, income tax credits and credits to a toll customer
34 account for (i) persons who are residents of this state, (ii) persons with
35 a transponder or similar device issued by the department or a toll
36 operator, (iii) frequent users of a tolled highway, (iv) persons of low
37 income, and (v) high-occupancy vehicles; and (C) in consultation with
38 the Commissioner of Economic and Community Development, ways
39 to assist small businesses impacted by the implementation of tolls.

40 (b) (1) The commissioner shall file the tolling proposal with the
41 clerks of the House of Representatives and the Senate. If the tolling
42 proposal is filed when the General Assembly is in regular session, the
43 joint standing committee of the General Assembly having cognizance
44 of matters relating to transportation shall hold an informational
45 hearing regarding the tolling proposal not later than ten days after
46 such filing. If the tolling proposal is filed when the General Assembly

47 is not in session, the joint standing committee of the General Assembly
48 having cognizance of matters relating to transportation shall hold an
49 informational hearing regarding the tolling proposal not later than ten
50 days after the first day of the next regular session. The committee shall
51 receive comments from members of the public during the
52 informational hearing.

53 (2) Not later than fifteen days after the joint standing committee of
54 the General Assembly having cognizance of matters relating to
55 transportation holds an informational hearing regarding the tolling
56 proposal, the General Assembly shall vote to approve or reject the
57 tolling proposal. The tolling proposal shall be approved in whole by a
58 majority vote of each house or rejected by a majority vote in either
59 house. If both houses fail to vote during such fifteen-day period, the
60 tolling proposal shall be deemed approved by the General Assembly.
61 Such fifteen-day period shall not expire unless the General Assembly is
62 in regular session. If the regular session adjourns prior to such fifteenth
63 day and the tolling proposal has not been acted upon, the tolling
64 proposal shall be deemed filed on the first day of the next regular
65 session.

66 (c) If the General Assembly rejects the tolling proposal, the
67 commissioner may revise the tolling proposal. Any such revised
68 tolling proposal shall be submitted to the clerks of the House of
69 Representatives and the Senate and subject to an informational hearing
70 and approval or rejection by the General Assembly in the same manner
71 as described in subsection (b) of this section.

72 (d) If the tolling proposal is approved or deemed approved by the
73 General Assembly in accordance with this section, the commissioner
74 shall submit the tolling proposal to the Federal Highway
75 Administration. In no event shall the commissioner submit a tolling
76 proposal to the Federal Highway Administration unless the tolling
77 proposal has been approved or deemed approved by the General
78 Assembly.

79 Sec. 3. (NEW) (*Effective from passage*) (a) After a tolling proposal to
80 implement electronic tolling systems has been approved or deemed
81 approved by the General Assembly pursuant to section 2 of this act,
82 the department may construct, maintain and operate electronic tolling
83 systems on Interstate 84, Interstate 91, Interstate 95 and portions of
84 Connecticut Route 15 in accordance with such proposal. The
85 department may enter into an agreement with a toll operator to
86 operate such systems.

87 (b) To carry out its duties and responsibilities under this section and
88 sections 4 to 7, inclusive, of this act, and any regulations adopted
89 under section 8 of this act, the department may enter into tolling
90 agreements with the Federal Highway Administration and
91 coordination agreements, intergovernmental agreements or other
92 implementation agreements with any other federal, state or municipal
93 entity or agency.

94 (c) The department may procure, retain and expend funds for
95 technical, traffic, revenue and financial consultants, attorneys and
96 other consultants and experts to assist in the development,
97 implementation, maintenance and operation of electronic tolling
98 systems.

99 (d) The department may procure, retain and expend funds for toll
100 operators, vendors, suppliers, designers, engineers, software
101 designers, installers, contractors, maintenance personnel, customer
102 service personnel and other equipment, materials, personnel and
103 services for the development, implementation, maintenance and
104 operation of electronic tolling systems and for the collection and
105 enforcement of tolls.

106 (e) The department may enter into agreements for the provision of
107 any service specified in subsections (c) and (d) of this section, or any
108 combination thereof, pursuant to an open, competitive process.

109 (f) (1) The department and the Department of Motor Vehicles, either
110 jointly or separately, may enter into reciprocal agreements with other

111 states, jurisdictions and operators of toll facilities in other states to
112 obtain and share any toll operator information regarding an out-of-
113 state registered owner of a vehicle that has used a tolled highway,
114 including the make of the motor vehicle, the motor vehicle's number
115 plate and the name and address of the registered owner of the motor
116 vehicle.

117 (2) The department and the Department of Motor Vehicles may
118 enter into, or authorize a toll operator on behalf of the departments to
119 enter into, reciprocal agreements with other states, jurisdictions and
120 operators of toll facilities in other states for the efficient collection of
121 tolls incurred by residents of states other than this state.

122 Sec. 4. (NEW) (*Effective from passage*) (a) After a tolling proposal to
123 implement electronic tolling systems has been approved or deemed
124 approved by the General Assembly pursuant to section 2 of this act,
125 the department may collect the amount of all tolls for transit over or
126 use of the highways specified in such proposal.

127 (b) Prior to commencing construction of an electronic tolling system
128 on any highway, or portion thereof, of this state, the department shall
129 hold at least one public informational meeting in the general vicinity of
130 the proposed toll corridor to receive comments on the proposed toll.

131 (c) The department shall place and maintain signs in advance of any
132 tolled highways to notify motor vehicle operators (1) that a toll will be
133 charged on such highway, and (2) how to pay such toll.

134 (d) All revenues received by the department from tolls and the
135 imposition of civil penalties associated with toll nonpayment, toll
136 evasion or other toll-related violations shall be deposited into the
137 Special Transportation Fund, established pursuant to section 13b-68 of
138 the general statutes and section 19 of article third of the Constitution of
139 the state, and shall not be commingled with other funds and revenues.
140 Such revenues shall be expended only for the purposes and subject to
141 the provisions of 23 USC 129(a)(3), as amended from time to time.

142 (e) Tolls shall not be subject to and shall be exempt from taxation of
143 every kind by the state and by the municipalities and all other political
144 subdivisions or special districts having taxing powers in the state.

145 Sec. 5. (NEW) (*Effective from passage*) Any electronic tolling system
146 operated by the department or a toll operator shall be interoperable
147 with all other electronic tolling systems in this state and shall comply
148 with all state and federal interoperability requirements and standards.
149 Such tolling system interoperability shall extend to system technology
150 and the transfer of funds. The Commissioners of Transportation and
151 Motor Vehicles, in consultation with the Commissioner of
152 Administrative Services, shall ensure the coordination and
153 compatibility of information system technology and data of any
154 electronic tolling system. The provisions of chapters 58 and 61 of the
155 general statutes shall not apply to this section.

156 Sec. 6. (NEW) (*Effective from passage*) (a) Except as provided in
157 subsection (b) of this section, neither the department nor any toll
158 operator shall sell or use any toll customer information or other data
159 for commercial purposes unrelated to the charging, collection and
160 enforcement of tolls, administrative fees and penalties.

161 (b) The department may release toll customer information and other
162 data that does not directly or indirectly identify a toll customer for
163 research purposes authorized by the department.

164 (c) (1) Except as required by applicable law or in connection with an
165 administrative or court proceeding, all information that specifically
166 identifies a toll customer and relates to a specific tolling transaction
167 shall be destroyed not later than one year after the later of the tolling
168 transaction or the collection of the toll, whether through normal
169 processes or enforcement.

170 (2) Except as required by applicable law or in connection with an
171 administrative or court proceeding, all information relating to a toll
172 customer account that specifically identifies a toll customer shall be
173 destroyed not later than one year after the collection of all tolls and

174 fees incurred by such toll customer, whether through normal
175 processes, enforcement or closing of such account.

176 (d) Toll customer information and data shall not be deemed a public
177 record, as defined in section 1-200 of the general statutes.

178 (e) Toll operators shall be subject to the provisions of chapter 62a of
179 the general statutes.

180 Sec. 7. (NEW) (*Effective from passage*) (a) Any person who contests
181 the amount of a toll or an associated charge shall be afforded an
182 opportunity for a hearing with the department in accordance with the
183 provisions of chapter 54 of the general statutes.

184 (b) The department, after notice and hearing, may impose a civil
185 penalty of not more than twenty-five dollars for a first violation, not
186 more than fifty dollars for a second violation and not more than one
187 hundred dollars for a third or subsequent violation of a provision of
188 the regulations adopted pursuant to section 8 of this act on any of the
189 following persons with respect to toll nonpayment, toll evasion or
190 related fees: (1) The operator of a motor vehicle on a tolled highway;
191 (2) the registered owner of a motor vehicle operated on a tolled
192 highway, if other than the operator, if such vehicle was used or
193 operated with the express or implied permission of the registered
194 owner at the time of the tolling transaction; (3) the lessee of a motor
195 vehicle operated on a tolled highway, if other than the operator, if such
196 vehicle was used or operated with the express or implied permission
197 of the lessee at the time of the tolling transaction; and (4) the lessor of a
198 motor vehicle operated on a tolled highway.

199 (c) A copy of the motor vehicle rental agreement, lease, other
200 contract document or affidavit identifying the lessee of the motor
201 vehicle at the time of the tolling transaction shall be prima facie
202 evidence that the person named in the rental agreement, lease, other
203 contract document or affidavit was operating the motor vehicle at all
204 relevant times relating to the tolling transaction. A lessor shall
205 cooperate with the department or the toll operator, as the case may be,

206 in providing the department or toll operator any requested
207 information concerning the lessee contained in the lessor's record.

208 (d) The Department of Motor Vehicles shall provide the Department
209 of Transportation and any toll operator with the information necessary
210 to collect tolls and enforce penalties for toll nonpayment, toll evasion
211 or other toll-related violations, including, but not limited to,
212 information regarding the registered owner of a motor vehicle that was
213 operated on a tolled highway and the make of the motor vehicle, the
214 motor vehicle's number plate and the name and address of the
215 registered owner of the motor vehicle.

216 Sec. 8. (NEW) (*Effective from passage*) (a) The Commissioner of
217 Transportation shall adopt regulations, in accordance with the
218 provisions of chapter 54 of the general statutes, to implement the
219 provisions of sections 3 to 7, inclusive, of this act. Such regulations
220 may include, but need not be limited to: (1) Provisions to protect and
221 appropriately limit access to toll customer information and other data
222 collected, received, maintained, archived, accessed and disclosed by
223 the department, and (2) the manner in which a transponder or similar
224 device shall be located in or on a motor vehicle entering an electronic
225 tolling system if such system uses a transponder or similar device.

226 (b) The Commissioner of Motor Vehicles, in consultation with the
227 Commissioner of Transportation, shall adopt regulations, in
228 accordance with the provisions of chapter 54 of the general statutes, to
229 implement the provisions of sections 3 to 7, inclusive, of this act. Such
230 regulations shall include restrictions on issuing a registration to the
231 owner of a motor vehicle who owes tolls for transit over or use of a
232 tolled highway or owes administrative charges or penalties for the late
233 payment of tolls or toll evasion.

234 Sec. 9. (NEW) (*Effective from passage*) (a) (1) When the Treasurer
235 determines the resources of the Special Transportation Fund
236 established under section 13b-69 of the general statutes exceed three
237 times the estimated payments of debt service on obligations of the state

238 incurred for transportation purposes, the Treasurer shall provide
239 written notice to the Commissioner of Revenue Services of such
240 determination.

241 (2) Not later than fifteen days after the commencement of any
242 electronic tolling systems on the highways of this state, as defined in
243 section 1 of this act, the Commissioner of Transportation shall provide
244 written notice to the Commissioner of Revenue Services of the date of
245 such commencement.

246 (b) Notwithstanding the provisions of subdivision (2) of subsection
247 (a) of section 12-458 of the general statutes and section 12-458h of the
248 general statutes, on July first after the first full fiscal year that follows
249 the later of the notices required under subdivisions (1) and (2) of
250 subsection (a) of this section, and for each of the following four fiscal
251 years, the amount of the tax imposed by section 12-458 of the general
252 statutes shall be decreased by one cent. The Commissioner of Revenue
253 Services shall calculate the applicable tax rate per gallon of fuel, as
254 defined in section 12-455a of the general statutes, that is sold or used in
255 this state and notify each distributor, the chairpersons and ranking
256 members of the joint standing committee of the General Assembly
257 having cognizance of matters relating to finance, revenue and bonding
258 and the Secretary of the Office of Policy and Management of the
259 applicable tax rate for each such fiscal year.

260 Sec. 10. (NEW) (*Effective from passage*) (a) There is hereby established
261 and created a body politic and corporate, constituting a public
262 instrumentality and political subdivision of the state established and
263 created for the performance of an essential public and governmental
264 function, to be known as the Connecticut Transportation Finance
265 Authority. The authority shall not be construed to be a department,
266 institution or agency of the state.

267 (b) The powers of the authority shall be vested in and exercised by a
268 board of directors, which shall consist of thirteen members, appointed
269 as follows: Three members of the Senate, one appointed by the

270 president pro tempore of the Senate, one appointed by the majority
271 leader of the Senate and one appointed by the minority leader of the
272 Senate; three members of the House of Representatives, one appointed
273 by the speaker of the House of Representatives, one appointed by the
274 majority leader of the House of Representatives, and one appointed by
275 the minority leader of the House of Representatives; the
276 Commissioners of Transportation, Economic and Community
277 Development, Energy and Environmental Protection and Housing, or
278 their designees; the State Treasurer, or the Treasurer's designee; and
279 two members appointed by the Governor who shall serve for a term of
280 four years. Members of the board who are members of the General
281 Assembly shall serve for the terms for which they were elected. The
282 board of directors shall select the chairperson from among the
283 members of the board, who shall serve for a term of two years. The
284 board of directors shall select a vice-chairperson from among its
285 members and such other officers as it deems necessary.

286 (c) Members of the board of directors, unless otherwise provided,
287 may not designate a representative to perform in their absence their
288 respective duties under this section and sections 11 and 12 of this act.
289 Any vacancy occurring other than by expiration of term shall be filled
290 in the same manner as the original appointment for the balance of the
291 unexpired term. The appointing authority for any member may
292 remove such member for inefficiency, wilful neglect of duty,
293 misfeasance or malfeasance.

294 (d) The chairperson shall, with the approval of the members of the
295 board of directors, appoint an executive director of the authority who
296 shall be an employee of the authority and paid a salary prescribed by
297 the members. The executive director shall supervise the administrative
298 affairs and technical activities of the authority in accordance with the
299 directives of the board.

300 (e) Members may engage in private employment, or in a profession
301 or business, subject to any applicable laws, rules and regulations of the
302 state regarding official ethics or conflict of interest.

303 (f) Seven members of the board of directors of the authority,
304 provided three such members are members of the General Assembly,
305 shall constitute a quorum for the transaction of any business or the
306 exercise of any power of the authority. For the transaction of any
307 business or the exercise of any power of the authority, and except as
308 otherwise provided in this section and sections 11 and 12 of this act,
309 the authority may act by a majority of the members present at any
310 meeting at which a quorum is in attendance.

311 (g) The authority shall continue as long as it has bonds or other
312 obligations outstanding and until its existence is terminated by law,
313 provided no such termination shall affect any outstanding contractual
314 obligation of the authority and the state shall succeed to the obligations
315 of the authority under any contract. Upon the termination of the
316 existence of the authority, all its rights and properties shall pass to and
317 be vested in the state of Connecticut.

318 (h) It shall not constitute a conflict of interest for a trustee, director,
319 partner or officer of any person, firm or corporation, or any individual
320 having a financial interest in a person, firm or corporation, to serve as a
321 member of the board of directors of the authority, provided such
322 trustee, director, partner, officer or individual shall comply with all
323 applicable provisions of chapter 10 of the general statutes.

324 Sec. 11. (NEW) (*Effective from passage*) (a) The purposes of the
325 Connecticut Transportation Finance Authority shall be to:

326 (1) Approve the state-wide transportation improvement plan, the
327 five-year transportation capital plan for the state and the long-range
328 transportation plan developed by the Department of Transportation
329 after evaluating whether such plans assure the development and
330 maintenance of an adequate, safe and efficient transportation system
331 that meets the present and future transportation needs of the state and
332 assessing the impact of such plans on economic development, transit-
333 oriented development, housing development, access to employment,
334 the environment and the specific needs of the geographic areas of the

335 state;

336 (2) Establish a Connecticut Transportation Infrastructure Bank to
337 assist in financing transportation infrastructure projects by providing
338 loans and other financial assistance to public and private entities in
339 order to improve transportation infrastructure in the state, including,
340 but not limited to, the acquisition, removal, construction, equipping,
341 reconstruction, repair, rehabilitation and improvement of, and
342 acquisition of easements and rights-of-ways with respect to, roadways,
343 highways, bridges, commuter and freight railways, transit and
344 intermodal systems, airports and aeronautic facilities, ports, harbors
345 and navigable waterways; and

346 (3) After a tolling proposal to implement electronic tolling systems
347 is approved or deemed approved by the General Assembly pursuant
348 to section 2 of this act, establish and adjust, as necessary, toll rates for
349 transit over or use of the highways, of portions thereof, so as to
350 provide, at a minimum, funding that is sufficient to: (A) Pay costs
351 related to tolled highways in this state, including, but not limited to,
352 the cost of owning, maintaining, repairing, reconstructing, improving,
353 rehabilitating, using, administering, controlling and operating such
354 highways; (B) pay the principal of, redemption premium, if any, and
355 interest on notes or bonds relating to tolled highways, as such
356 principal, premium or interest become due and payable; and (C) create
357 and maintain reserves established for any of the Department of
358 Transportation's highway and bridge responsibilities under titles 13a
359 and 13b of the general statutes for the operation and maintenance of
360 tolled highways. Such sufficiency of funding may take into account the
361 availability of funds from other sources. Prior to fixing or adjusting the
362 amount of tolls for transit over or use of the highways, or portions
363 thereof, the authority shall hold not less than one public hearing.

364 (b) For such purposes, the authority is authorized and empowered
365 to:

366 (1) Have perpetual succession as a body politic and corporate and to

367 adopt bylaws for the regulation of its affairs and the conduct of its
368 business;

369 (2) Adopt an official seal and alter the same at pleasure;

370 (3) Maintain an office at such place or places as it may designate;

371 (4) Sue and be sued in its own name, and plead and be impleaded;

372 (5) (A) Employ such assistants, agents and other employees as may
373 be necessary or desirable who shall be employees, as defined in
374 subsection (b) of section 5-270 of the general statutes; (B) establish all
375 necessary or appropriate personnel practices and policies, including
376 those relating to hiring, promotion, compensation, retirement and
377 collective bargaining, which shall be in accordance with chapter 68 of
378 the general statutes, and the authority shall be an employer as defined
379 in subsection (a) of section 5-270 of the general statutes; and (C) engage
380 consultants, attorneys and appraisers as may be necessary or desirable
381 to carry out its purposes in accordance with this section and sections
382 10, 12 and 13 of this act;

383 (6) Issue bonds, bond anticipation notes and other obligations of the
384 authority for any of its corporate purposes, and to fund or refund the
385 same and provide for the rights of the holders thereof, and to secure
386 the same by pledge or revenues, notes and mortgages of others;

387 (7) Receive and accept aid or contributions from any source of
388 money, property, labor or other things of value, to be held, used and
389 applied to carry out the purposes of this section and sections 10, 12 and
390 13 of this act subject to such conditions upon which such grants and
391 contributions may be made, including, but not limited to, gifts or
392 grants from any department, agency or instrumentality of the United
393 States or this state for any purpose consistent with this section and
394 sections 10, 12 and 13 of this act;

395 (8) Borrow money for the purpose of obtaining working capital;

396 (9) Make and enter into all contracts and agreements necessary or

397 incidental to the performance of its duties and the execution of its
398 powers under this section and sections 10, 12 and 13 of this act,
399 including contracts and agreements for the establishment of the
400 Connecticut Transportation Infrastructure Bank and for the provision
401 of professional services as the authority deems necessary, including,
402 but not limited to, financial consultants, bond counsel, underwriters
403 and technical specialists;

404 (10) Acquire, lease, purchase, own, manage, hold and dispose of
405 personal property, and lease, convey or deal in or enter into
406 agreements with respect to such property on any terms necessary or
407 incidental to the carrying out of these purposes;

408 (11) Invest in, acquire, lease, purchase, own, manage, hold and
409 dispose of real property and lease, convey or deal in or enter into
410 agreements with respect to such property on any terms necessary or
411 incidental to carrying out the purposes of this section and sections 10,
412 12 and 13 of this act, provided such transactions shall not be subject to
413 approval, review or regulation by any state agency pursuant to title 4b
414 of the general statutes or any other provision of the general statutes;

415 (12) Procure insurance against any liability or loss in connection
416 with its property and other assets, in such amounts and from such
417 insurers as it deems desirable and to procure insurance for employees;

418 (13) Account for and audit funds of the authority and funds of any
419 recipients of funds from the authority;

420 (14) Establish advisory committees to assist in accomplishing its
421 duties under this section and sections 10, 12 and 13 of this act, which
422 may include one or more members of the board of directors and
423 persons other than members;

424 (15) Pursue public-private partnerships for the design,
425 development, operation or maintenance of transportation systems,
426 transit-oriented development and related infrastructure; and

427 (16) Do all acts and things necessary or convenient to carry out the
428 purposes of this section and sections 10, 12 and 13 of this act and the
429 powers expressly granted by said sections.

430 Sec. 12. (NEW) (*Effective from passage*) The members of the board of
431 directors of the Connecticut Transportation Finance Authority shall
432 adopt written procedures, in accordance with the provisions of section
433 1-121 of the general statutes, for: (1) Adopting an annual budget and
434 plan of operations, including a requirement of board approval before
435 the budget or plan may take effect; (2) hiring, dismissing, promoting
436 and compensating employees of the authority, including an
437 affirmative action policy and a requirement of board approval before a
438 position may be created or a vacancy filled; (3) acquiring real and
439 personal property and personal services, including a requirement of
440 board approval for any nonbudgeted expenditure in excess of an
441 amount to be determined by the board; (4) contracting for financial,
442 legal, bond underwriting and other professional services, including a
443 requirement that the authority solicit proposals at least once every
444 three years for each such service that it uses; (5) issuing and retiring
445 bonds, bond anticipation notes and other obligations of the authority;
446 (6) awarding loans, grants and other financial assistance, including
447 eligibility criteria, the application process and the role played by the
448 authority's staff and board of directors; (7) the use of surplus funds to
449 the extent authorized under this section and sections 10 and 11 of this
450 act or other provisions of the general statutes; and (8) with regards to
451 toll rates for transit over or use of the highways, or portions thereof,
452 establishing (A) variable toll rates that take into consideration the day
453 of the week, level of congestion or anticipated congestion, (B) different
454 fees based on the type of vehicle classification, size, weight, number of
455 axles or vehicle occupancy, (C) discounts and credits to a toll customer
456 account for persons with a transponder or similar technology issued
457 by the Department of Transportation or a toll operator, (D) exemptions
458 for certain types of motor vehicles, including, but not limited to, high-
459 occupancy vehicles, motor vehicles leased or owned by the state,
460 motor vehicles used by a law enforcement unit, firefighter or a

461 member of an emergency medical service organization and motor
462 vehicles used to provide public transit services, (E) surcharges,
463 premiums or additional fees for designated users or classes of users of
464 a tolled highway who travel on such highway without a transponder
465 or similar technology issued by the department or a toll operator, and
466 (F) administrative charges and penalties for the late payment of tolls
467 and toll evasion, which shall be not more than twenty-five dollars for a
468 first violation, not more than fifty dollars for a second violation and
469 not more than one hundred dollars for a third or subsequent violation.

470 Sec. 13. (NEW) (*Effective from passage*) There is established a
471 Connecticut Transportation Infrastructure Bank Fund, which shall be
472 within the Connecticut Transportation Finance Authority. The fund
473 may receive any amount required by law to be deposited into the fund,
474 including, but not limited to, payments of principal and interest on any
475 loans, investment earnings, proceeds from the issuance of bonds and
476 any federal funds as may become available to the state for
477 transportation infrastructure investments. Any balance remaining in
478 the fund at the end of any fiscal year shall be carried forward for the
479 next fiscal year. The fund shall be used by the Connecticut
480 Transportation Finance Authority for expenditures that promote
481 investment in transportation infrastructure projects. Such expenditures
482 may include, but need not be limited to: (1) Providing low interest
483 loans or other financial assistance for the purpose of financing all or a
484 portion of the costs incurred for the acquisition, removal, construction,
485 equipping, reconstruction, repair, rehabilitation and improvement of a
486 transportation infrastructure project, (2) reimbursement of the
487 operating expenses, including administrative expenses incurred by the
488 authority, and (3) capital costs incurred by the authority in connection
489 with the operation of the fund, other permitted activities of the
490 Connecticut Transportation Infrastructure Bank, grants, direct or
491 equity investments, contracts or other actions that support
492 transportation infrastructure projects in the state.

493 Sec. 14. Subdivision (12) of section 1-79 of the general statutes is
494 repealed and the following is substituted in lieu thereof (*Effective from*

495 *passage*):

496 (12) "Quasi-public agency" means Connecticut Innovations,
497 Incorporated, the Connecticut Health and Education Facilities
498 Authority, the Connecticut Higher Education Supplemental Loan
499 Authority, the Connecticut Student Loan Foundation, the Connecticut
500 Housing Finance Authority, the State Housing Authority, the Materials
501 Innovation and Recycling Authority, the Capital Region Development
502 Authority, the Connecticut Lottery Corporation, the Connecticut
503 Airport Authority, the Connecticut Health Insurance Exchange, the
504 Connecticut Green Bank, the Connecticut Retirement Security
505 Authority, the Connecticut Port Authority, [and] the State Education
506 Resource Center and the Connecticut Transportation Finance
507 Authority.

508 Sec. 15. Section 1-120 of the general statutes is repealed and the
509 following is substituted in lieu thereof (*Effective from passage*):

510 As used in sections 1-120 to 1-123, inclusive:

511 (1) "Quasi-public agency" means Connecticut Innovations,
512 Incorporated, the Connecticut Health and Educational Facilities
513 Authority, the Connecticut Higher Education Supplemental Loan
514 Authority, the Connecticut Student Loan Foundation, the Connecticut
515 Housing Finance Authority, the Connecticut Housing Authority, the
516 Materials Innovation and Recycling Authority, the Capital Region
517 Development Authority, the Connecticut Lottery Corporation, the
518 Connecticut Airport Authority, the Connecticut Health Insurance
519 Exchange, the Connecticut Green Bank, the Connecticut Retirement
520 Security Authority, the Connecticut Port Authority, [and] the State
521 Education Resource Center and the Connecticut Transportation
522 Finance Authority.

523 (2) "Procedure" means each statement, by a quasi-public agency, of
524 general applicability, without regard to its designation, that
525 implements, interprets or prescribes law or policy, or describes the
526 organization or procedure of any such agency. The term includes the

527 amendment or repeal of a prior regulation, but does not include,
528 unless otherwise provided by any provision of the general statutes, (A)
529 statements concerning only the internal management of any agency
530 and not affecting procedures available to the public, and (B) intra-
531 agency memoranda.

532 (3) "Proposed procedure" means a proposal by a quasi-public
533 agency under the provisions of section 1-121 for a new procedure or
534 for a change in, addition to or repeal of an existing procedure.

535 Sec. 16. Section 1-124 of the general statutes is repealed and the
536 following is substituted in lieu thereof (*Effective from passage*):

537 (a) Connecticut Innovations, Incorporated, the Connecticut Health
538 and Educational Facilities Authority, the Connecticut Higher
539 Education Supplemental Loan Authority, the Connecticut Student
540 Loan Foundation, the Connecticut Housing Finance Authority, the
541 Connecticut Housing Authority, the Materials Innovation and
542 Recycling Authority, the Connecticut Airport Authority, the Capital
543 Region Development Authority, the Connecticut Health Insurance
544 Exchange, the Connecticut Green Bank, the Connecticut Retirement
545 Security Authority, the Connecticut Port Authority, [and] the State
546 Education Resource Center and the Connecticut Transportation
547 Finance Authority shall not borrow any money or issue any bonds or
548 notes which are guaranteed by the state of Connecticut or for which
549 there is a capital reserve fund of any kind which is in any way
550 contributed to or guaranteed by the state of Connecticut until and
551 unless such borrowing or issuance is approved by the State Treasurer
552 or the Deputy State Treasurer appointed pursuant to section 3-12. The
553 approval of the State Treasurer or said deputy shall be based on
554 documentation provided by the authority that it has sufficient
555 revenues to (1) pay the principal of and interest on the bonds and notes
556 issued, (2) establish, increase and maintain any reserves deemed by the
557 authority to be advisable to secure the payment of the principal of and
558 interest on such bonds and notes, (3) pay the cost of maintaining,
559 servicing and properly insuring the purpose for which the proceeds of

560 the bonds and notes have been issued, if applicable, and (4) pay such
561 other costs as may be required.

562 (b) To the extent Connecticut Innovations, Incorporated, the
563 Connecticut Higher Education Supplemental Loan Authority, the
564 Connecticut Student Loan Foundation, the Connecticut Housing
565 Finance Authority, the Connecticut Housing Authority, the Materials
566 Innovation and Recycling Authority, the Connecticut Health and
567 Educational Facilities Authority, the Connecticut Airport Authority,
568 the Capital Region Development Authority, the Connecticut Health
569 Insurance Exchange, the Connecticut Green Bank, the Connecticut
570 Retirement Security Authority, the Connecticut Port Authority, [or] the
571 State Education Resource Center or the Connecticut Transportation
572 Finance Authority is permitted by statute and determines to exercise
573 any power to moderate interest rate fluctuations or enter into any
574 investment or program of investment or contract respecting interest
575 rates, currency, cash flow or other similar agreement, including, but
576 not limited to, interest rate or currency swap agreements, the effect of
577 which is to subject a capital reserve fund which is in any way
578 contributed to or guaranteed by the state of Connecticut, to potential
579 liability, such determination shall not be effective until and unless the
580 State Treasurer or his or her deputy appointed pursuant to section 3-12
581 has approved such agreement or agreements. The approval of the State
582 Treasurer or his or her deputy shall be based on documentation
583 provided by the authority that it has sufficient revenues to meet the
584 financial obligations associated with the agreement or agreements.

585 Sec. 17. Section 1-125 of the general statutes is repealed and the
586 following is substituted in lieu thereof (*Effective from passage*):

587 The directors, officers and employees of Connecticut Innovations,
588 Incorporated, the Connecticut Higher Education Supplemental Loan
589 Authority, the Connecticut Student Loan Foundation, the Connecticut
590 Housing Finance Authority, the Connecticut Housing Authority, the
591 Materials Innovation and Recycling Authority, including ad hoc
592 members of the Materials Innovation and Recycling Authority, the

593 Connecticut Health and Educational Facilities Authority, the Capital
 594 Region Development Authority, the Connecticut Airport Authority,
 595 the Connecticut Lottery Corporation, the Connecticut Health Insurance
 596 Exchange, the Connecticut Green Bank, the Connecticut Retirement
 597 Security Authority, the Connecticut Port Authority, [and] the State
 598 Education Resource Center and the Connecticut Transportation
 599 Finance Authority and any person executing the bonds or notes of the
 600 agency shall not be liable personally on such bonds or notes or be
 601 subject to any personal liability or accountability by reason of the
 602 issuance thereof, nor shall any director or employee of the agency,
 603 including ad hoc members of the Materials Innovation and Recycling
 604 Authority, be personally liable for damage or injury, not wanton,
 605 reckless, wilful or malicious, caused in the performance of his or her
 606 duties and within the scope of his or her employment or appointment
 607 as such director, officer or employee, including ad hoc members of the
 608 Materials Innovation and Recycling Authority. The agency shall
 609 protect, save harmless and indemnify its directors, officers or
 610 employees, including ad hoc members of the Materials Innovation and
 611 Recycling Authority, from financial loss and expense, including legal
 612 fees and costs, if any, arising out of any claim, demand, suit or
 613 judgment by reason of alleged negligence or alleged deprivation of any
 614 person's civil rights or any other act or omission resulting in damage
 615 or injury, if the director, officer or employee, including ad hoc
 616 members of the Materials Innovation and Recycling Authority, is
 617 found to have been acting in the discharge of his or her duties or
 618 within the scope of his or her employment and such act or omission is
 619 found not to have been wanton, reckless, wilful or malicious.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	New section

Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>from passage</i>	New section
Sec. 11	<i>from passage</i>	New section
Sec. 12	<i>from passage</i>	New section
Sec. 13	<i>from passage</i>	New section
Sec. 14	<i>from passage</i>	1-79(12)
Sec. 15	<i>from passage</i>	1-120
Sec. 16	<i>from passage</i>	1-124
Sec. 17	<i>from passage</i>	1-125

Statement of Purpose:

To (1) require the Commissioner of Transportation to submit a tolling proposal to the General Assembly; and (2) create the Connecticut Transportation Finance Authority.

[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.]