OLR Bill Analysis
HB 5308 (as amended by House "A")*

AN ACT CONCERNING VEGETATION MANAGEMENT ALONG STATE HIGHWAYS BY THE DEPARTMENT OF TRANSPORTATION.

SUMMARY

This bill requires the Department of Transportation (DOT) to develop guidelines for managing vegetation and removing trees along state highways. It specifies what the guidelines must include and requires that they be reviewed and approved by a licensed arborist, updated as needed, and posted on DOT’s website. The department must give a copy of the guidelines to the Environment and Transportation committees.

The bill exempts from the guidelines trees or vegetation or a DOT construction project that poses an immediate public hazard.

The bill also requires DOT to report annually, by August 1, the (1) amount of money it expended for vegetation management for the last quarter of the previous fiscal year ending June 30 and (2) amount it allocated for the first half of the upcoming fiscal year. The report must be submitted to the Environment; Finance, Revenue and Bonding; and Transportation committees.

*House Amendment “A” (1) revises the information DOT must include in its annual report on vegetation management funds; (2) requires DOT to submit its report by August 1, rather than May 1, and also provide it to the Transportation Committee; and (3) specifies that DOT’s guidelines should include among its general roadside management activities, replanting with native species whenever practicable.

EFFECTIVE DATE: Upon passage
VEGETATION AND TREE MANAGEMENT GUIDELINES

Under the bill, DOT’s vegetation and tree removal guidelines must address:

1. the traveling public’s safety;

2. general roadside vegetation management activities, including mowing, herbicide application, planting grass, replanting with native species whenever practicable, limb management, and tree and debris removal;

3. beautification and enhancements;

4. visibility enhancement; and

5. work zone traffic control and worker safety.

The bill also requires DOT to consider the environmental impact of vegetation management and tree removal, including:

1. preventing the growth and subsequent impact of invasive tree, brush, or plant species;

2. storm water run-off;

3. erosion;

4. replanting vegetation species to expand and improve pollinator corridor habitat;

5. reduced mowing; and

6. the effect on scenic highways and other similarly designated roads.

GUIDELINES REVIEW

The bill requires the guidelines to be reviewed and approved by a licensed arborist, if such services are available from one employed by either DOT or the Department of Energy and Environmental Protection.
DOT must post the guidelines on its website and update them as needed to comply with applicable federal and state law. All maintenance staff and contractors must review the guidelines before managing any vegetation.

COMMITTEE ACTION

Environment Committee

Joint Favorable
Yea  29  Nay  0  (02/25/2019)