OLR Bill Analysis
sHB 7140

AN ACT IMPLEMENTING THE DEPARTMENT OF TRANSPORTATION’S RECOMMENDATIONS REGARDING SEAT BELTS, THE OPERATION LIFESAVER PROGRAM, MAINTENANCE VEHICLES AND TRANSPORTATION STATUTES.

SUMMARY

This bill makes various changes to the transportation statutes, including:

1. requiring all motor vehicle occupants, instead of only drivers and specified passengers, to wear a seat belt while the vehicle is moving (§§ 1 & 2);

2. transferring administration of the Operation Lifesaver Program from the Operation Lifesaver Committee to the Department of Transportation (DOT) and expanding the commissioner’s related duties (§3);

3. modifying the membership and duties of the Operation Lifesaver Committee (§3);

4. allowing DOT-owned and -operated maintenance vehicles to use green lights, in addition to amber and yellow lights allowed under existing law (§ 4);

5. requiring transportation network company (TNC) drivers to hold a Connecticut driver’s license, instead of a driver’s license from any jurisdiction as under current law (§ 6);

6. establishing a 12-member task force to study the use of red light cameras at intersections (§ 7);

7. requiring the transportation and energy and environmental
protection commissioners to study connecting certain trails and facilitating multimodal access at the Meriden train station (§ 8); and

8. requiring the DOT commissioner to study alternative funding sources to open and maintain rest areas for 24 hours per day and report the results to the Transportation Committee by January 1, 2020 (§9).

The bill also makes technical and conforming changes, including eliminating an obsolete provision that waived certain oversize truck permit fee increases during FY 17 (§5).

EFFECTIVE DATE: Upon passage, except that the provisions on seat belts and transportation network drivers are effective October 1, 2019.

§§ 1 & 2 — BACK SEAT PASSENGER SEAT BELT USE

The bill requires all occupants in a motor vehicle or fire-fighting apparatus to wear a seat belt while the vehicle is moving. Current law only requires the driver, front seat passenger, and certain back seat passengers (i.e., passengers under age 16 and passengers of operators under age 18) to do so.

As under existing law, a driver or front seat passenger who fails to wear a seat belt commits a primary offense, which allows a law enforcement officer to stop the vehicle solely for that offense. The bill makes any back seat passenger’s failure to wear a seat belt a secondary offense, prohibiting officers from stopping a vehicle unless another offense has occurred. Under current law, back seat passengers who are required to wear a seat belt commit a primary offense when they fail to do so.

As under existing law, failure to wear a seat belt is not probable cause for law enforcement to search the vehicle and its contents. Violators commit an infraction and are subject to existing fines of (1) $50 if the vehicle operator is age 18 or older or (2) $75 if the vehicle operator is under age 18.
§ 3 — OPERATION LIFESAVER PROGRAM

Transfer of Program Operation

The bill requires DOT, rather than the Operation Lifesaver Committee, to establish and operate the Operation Lifesaver program. By law, the program is designed to (1) reduce the number of accidents at railroad crossings and (2) increase public awareness of railroad crossing hazards.

In doing so, the bill transfers to DOT the committee’s current program responsibilities, including educating the public on how to reduce accidents, deaths, and injuries at railroad crossings and encouraging the development of engineering and safety improvements, among other things. The bill additionally requires the commissioner to (1) ensure that the Operation Lifesaver Committee guides and promotes the program locally and (2) adhere to the program’s goals and objectives.

Nonprofit Operator

To operate the program, the bill allows the DOT commissioner to contract with a national nonprofit organization that is dedicated to increasing public safety and providing education related to railroad crossings. If he does so, the commissioner must require the organization to submit an annual report to the Operation Lifesaver Committee on the program’s status and any recommendations regarding the program’s goals or objectives.

Committee

The bill reduces, from eight to three, the membership of the Operation Lifesaver Committee. It does so by removing from the committee’s membership the six legislative appointees and adding the Department of Motor Vehicles commissioner or her designee. It retains as committee members the DOT and Department of Emergency Services and Public Protection (DESPP) commissioners, or their designees. The DOT commissioner or his designee continues to serve as the committee’s chairperson.

The bill eliminates the requirement that the committee (1) make
recommendations to the legislature to implement the committee’s purpose and (2) annually review its progress and submit findings and recommendations to the Transportation Committee.

**Grants**

The bill allows the DOT commissioner, within available federal resources, to administer grants and other funds to public and private schools to help them establish and operate an Operation Lifesaver training program.

To do this, the bill allows the commissioner to apply for and receive grants, gifts, and other funds from any person, political subdivision, or other governmental or private entity, including the federal government or any of its agencies.

§ 4 — DOT MAINTENANCE VEHICLE LIGHTS

Existing law allows maintenance vehicles to use yellow and amber lights, including flashing lights. The bill allows DOT-owned and operated maintenance vehicles to also use green lights, including flashing lights, and any combination of green, yellow, or amber lights.

§ 7 — AUTOMATED TRAFFIC ENFORCEMENT TASK FORCE

The bill establishes a 12-member task force to study the use of red light cameras (i.e., automated traffic enforcement safety devices) and report its findings and recommendations to the Transportation Committee by January 1, 2020. Task force members include:

1. the DOT and DESPP commissioners, or their designees;

2. two members each appointed by the House speaker and the Senate president pro tempore;

3. one member each appointed by the House and Senate majority and minority leaders; and

4. two members appointed by the governor.

Appointing authorities must make their appointments within 30 days after the bill’s effective date and fill any vacancies. Under the bill,
appointed members may be legislators.

The bill requires the House speaker and Senate president pro tempore to select the task force’s chairpersons from among its members. The chairpersons must schedule the task force’s first meeting and hold it within 60 days after the bill takes effect. The Transportation Committee’s administrative staff serves as the task force’s administrative staff.

§ 8 — STUDY ON CONNECTING TRAILS AND TRAIN STATION ACCESS

The bill requires the transportation and energy and environmental commissioners to study the feasibility of:

1. connecting the Air Line State Park Trail with the Farmington Canal Heritage Trail by constructing a trail from East Hampton through the towns of Portland, Middletown, Meriden, and Cheshire and

2. facilitating multimodal access through the railroad station in Meriden.

The commissioners must report the study results to the Transportation Committee by January 1, 2020.

BACKGROUND

Related Bill

HB 7196 (File 150), favorably reported by the Public Health Committee, also requires all motor vehicle occupants to wear seat belts.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 28  Nay 8  (03/20/2019)