



House of Representatives

File No. 710

General Assembly

January Session, 2021

(Reprint of File No. 83)

Substitute House Bill No. 5429
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 21, 2021

**AN ACT CONCERNING PEDESTRIAN SAFETY, THE VISION ZERO
COUNCIL, SPEED LIMITS IN MUNICIPALITIES, FINES AND CHARGES
FOR CERTAIN VIOLATIONS AND THE GREENWAYS
COMMEMORATIVE ACCOUNT.**

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

1 Section 1. Subsection (c) of section 14-300 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2021*):

4 (c) Except as provided in subsection (c) of section 14-300c, at any
5 crosswalk marked as provided in subsection (a) of this section or any
6 unmarked crosswalk, provided such crosswalks are not controlled by
7 police officers or traffic control signals, each operator of a vehicle shall
8 grant the right-of-way, and slow or stop such vehicle if necessary to so
9 grant the right-of-way, to any pedestrian crossing the roadway within
10 such crosswalk, provided such pedestrian steps off the curb or into the
11 crosswalk at the entrance to a crosswalk or is within that half of the

12 roadway upon which such operator of a vehicle is traveling, or such
13 pedestrian steps off the curb or into the crosswalk at the entrance to a
14 crosswalk or is crossing the roadway within such crosswalk from that
15 half of the roadway upon which such operator is not traveling.] For the
16 purposes of this subsection, a pedestrian is "crossing the roadway
17 within such crosswalk" when the pedestrian (1) is within any portion of
18 the crosswalk, (2) steps to the curb at the entrance to the crosswalk and
19 indicates his or her intent to cross the roadway by raising his or her hand
20 and arm toward oncoming traffic, or (3) indicates his or her intent to
21 cross the roadway by moving any part of his or her body or an extension
22 thereof, including, but not limited to, a wheelchair, cane, walking stick,
23 crutch, bicycle, electric bicycle, stroller, carriage, cart or leashed or
24 harnessed dog, into the crosswalk at the entrance to the crosswalk. No
25 operator of a vehicle approaching from the rear shall overtake and pass
26 any vehicle, the operator of which has stopped at any crosswalk marked
27 as provided in subsection (a) of this section or any unmarked crosswalk
28 to permit a pedestrian to cross the roadway. The operator of any vehicle
29 crossing a sidewalk shall yield the right-of-way to each pedestrian and
30 all other traffic upon such sidewalk.

31 Sec. 2. (*Effective from passage*) (a) There is established a Vision Zero
32 Council to develop a state-wide policy and interagency approach to
33 eliminate all transportation-related fatalities and severe injuries to
34 pedestrians, bicyclists, transit users, motorists and passengers. The
35 council shall consider ways to improve safety across all modes of
36 transportation by using data, new partnerships, safe planning and
37 community-based solutions to achieve the goal of zero transportation-
38 related fatalities.

39 (b) The council shall consist of the Commissioners of Transportation,
40 Public Health and Emergency Services and Public Protection, or their
41 designees, and any other commissioner of a state agency, or such
42 commissioner's designee, invited to participate by the Commissioners
43 of Transportation, Public Health and Emergency Services and Public
44 Protection. The Commissioner of Transportation or the commissioner's
45 designee shall serve as chairperson of the council and shall schedule the

46 first meeting of the council not later than September 1, 2021. The
47 Department of Transportation shall serve as administrative staff of the
48 council.

49 (c) The council may establish committees at any time to advise the
50 council in carrying out its duties.

51 (d) The council shall assist in the development of any public
52 awareness campaign undertaken by the Department of Transportation
53 to educate the public concerning ways to reduce transportation-related
54 fatalities and severe injuries to pedestrians, bicyclists, transit users,
55 motorists and passengers, and to increase awareness and improve
56 behaviors of all users of the highways of this state.

57 (e) On or before February 1, 2022, and annually thereafter, the council
58 shall submit the state-wide policy and interagency approach and any
59 other recommendations to the joint standing committee of the General
60 Assembly having cognizance of matters relating to transportation, in
61 accordance with the provisions of section 11-4a of the general statutes.

62 Sec. 3. Subsection (d) of section 14-311 of the general statutes is
63 repealed and the following is substituted in lieu thereof (*Effective October*
64 *1, 2021*):

65 (d) In determining the advisability of such certification, the Office of
66 the State Traffic Administration shall include, in its consideration,
67 highway safety, bicycle and pedestrian access and safety, the width and
68 character of the highways affected, the density of traffic thereon, the
69 character of such traffic and the opinion and findings of the traffic
70 authority of the municipality wherein the development is located. The
71 [Office of the State Traffic Administration] office may require
72 improvements to be made by the applicant to the extent that such
73 improvements address impacts to highway safety or bicycle and
74 pedestrian access and safety created by the addition of the applicant's
75 proposed development or activity. If the [Office of the State Traffic
76 Administration] office determines that such improvements, including
77 traffic signals, pavement markings, channelization, pavement widening

78 or other changes or traffic control devices, are required to handle traffic
79 safely and efficiently, one hundred per cent of the cost thereof shall be
80 borne by the person building, establishing or operating such open air
81 theater, shopping center or other development generating large
82 volumes of traffic, except that such cost shall not be borne by any
83 municipal agency. The Commissioner of Transportation may issue a
84 permit to said person to construct or install the changes required by the
85 [Office of the State Traffic Administration] office.

86 Sec. 4. (NEW) (*Effective October 1, 2021*) (a) For the purposes of this
87 section, "moving traffic" includes, but is not limited to, a motor vehicle,
88 bicycle, electric bicycle or electric foot scooter using a highway for the
89 purpose of travel and a pedestrian or a person riding a bicycle, electric
90 bicycle or electric foot scooter on a sidewalk, shoulder or bikeway for
91 the purpose of travel, and "bikeway" has the same meaning as provided
92 in subsection (a) of section 13a-153f of the general statutes.

93 (b) No person shall open the door of a motor vehicle in such a manner
94 as to cause physical contact with moving traffic with such door,
95 provided moving traffic is traveling at a reasonable rate of speed and
96 with due regard for the safety of all persons and property.

97 (c) No person shall leave the door of a motor vehicle open for a period
98 of time longer than necessary to load or unload passengers and in such
99 a manner as to cause physical contact with moving traffic with such
100 door.

101 (d) Any person who violates any provision of this section shall have
102 committed an infraction.

103 Sec. 5. Subsection (d) of section 51-56a of the general statutes is
104 repealed and the following is substituted in lieu thereof (*Effective October*
105 *1, 2021*):

106 (d) Each person who pays in any sum as a fine or forfeiture for any
107 violation of sections 14-218a, as amended by this act, 14-219, as amended
108 by this act, 14-222, as amended by this act, 14-223, 14-227a, 14-227m, 14-

109 227n, sections 14-230 to 14-240, inclusive, sections 14-241 to 14-249,
110 inclusive, section 14-279 for the first offense, sections 14-289b, 14-299,
111 14-300, as amended by this act, 14-300d, sections 14-301 to 14-303,
112 inclusive, section 4 of this act, or any regulation adopted under said
113 sections or ordinance enacted in accordance with said sections shall pay
114 an additional fee of [twenty] twenty-five dollars. The state shall remit to
115 the municipalities in which the violations occurred the amounts paid
116 under this subsection. Each clerk of the Superior Court or the Chief
117 Court Administrator, or any other official of the Superior Court
118 designated by the Chief Court Administrator, on or before the thirtieth
119 day of January, April, July and October in each year, shall certify to the
120 Comptroller the amount due for the previous quarter under this
121 subsection to each municipality served by the office of the clerk or
122 official.

123 Sec. 6. Section 14-218a of the general statutes is repealed and the
124 following is substituted in lieu thereof (*Effective October 1, 2021*):

125 (a) (1) No person shall operate a motor vehicle upon any public
126 highway of the state, or road of any specially chartered municipal
127 association or any district organized under the provisions of chapter
128 105, a purpose of which is the construction and maintenance of roads
129 and sidewalks, or on any parking area as defined in section 14-212, or
130 upon a private road on which a speed limit has been established in
131 accordance with this subsection, or upon any school property, at a rate
132 of speed greater than is reasonable, having regard to the width, traffic
133 and use of highway, road or parking area, the intersection of streets and
134 weather conditions.

135 (2) The Office of the State Traffic Administration may determine
136 speed limits which are reasonable and safe on any state highway, bridge
137 or parkway built or maintained by the state, and differing limits may be
138 established for different types of vehicles, and may erect or cause to be
139 erected signs indicating such speed limits. [The]

140 (3) Except as provided in subsection (c) of this section and section 7

141 of this act, the traffic authority of any town, city or borough may
142 establish speed limits on streets, highways and bridges or in any
143 parking area for ten cars or more or on any private road wholly within
144 the municipality under its jurisdiction; provided such limit on streets,
145 highways, bridges and parking areas for ten cars or more shall become
146 effective only after application for approval thereof has been submitted
147 in writing to the Office of the State Traffic Administration and a
148 certificate of such approval has been forwarded by the office to the
149 traffic authority; and provided such signs giving notice of such speed
150 limits shall have been erected as the [Office of the State Traffic
151 Administration] office directs, provided the erection of such signs on
152 any private road shall be at the expense of the owner of such road. The
153 presence of such signs adjacent to or on the highway or parking area for
154 ten cars or more shall be prima facie evidence that they have been so
155 placed under the direction of and with the approval of the [Office of the
156 State Traffic Administration] office. Approval of such speed limits may
157 be revoked by the [Office of the State Traffic Administration] office at
158 any time if said office deems such revocation to be in the interest of
159 public safety and welfare, and thereupon such speed limits shall cease
160 to be effective and any signs that have been erected shall be removed.

161 (4) Any speed in excess of [such limits] a speed limit established in
162 accordance with this section or section 7 of this act, other than speeding
163 as provided for in section 14-219, as amended by this act, shall be prima
164 facie evidence that such speed is not reasonable, but the fact that the
165 speed of a vehicle is lower than such [limits] speed limit shall not relieve
166 the operator from the duty to decrease speed when a special hazard
167 exists with respect to pedestrians or other traffic or by reason of weather
168 or highway conditions.

169 (b) The Office of the State Traffic Administration shall establish a
170 speed limit of sixty-five miles per hour on any multiple lane, limited
171 access highways that are suitable for a speed limit of sixty-five miles per
172 hour, taking into consideration relevant factors including design,
173 population of area and traffic flow.

174 (c) (1) The traffic authority of any town, city or borough may
175 establish, modify and maintain speed limits on streets, highways and
176 bridges or in any parking area for ten cars or more or on any private
177 road wholly within the municipality under its jurisdiction without
178 approval from the Office of the State Traffic Administration, provided:

179 (A) The municipality, by vote of its legislative body, or in the case of
180 a municipality in which the legislative body is a town meeting, its board
181 of selectmen, permits the traffic authority to assume responsibility and
182 authority for the establishment, modification and maintenance of the
183 speed limits on all streets, highways and bridges and in parking areas
184 for ten cars or more or on any private road wholly within the
185 municipality under its jurisdiction. Such permission is not required if
186 such legislative body or board of selectmen is also the traffic authority;

187 (B) The traffic authority notifies the office in writing that the traffic
188 authority is permitted under subparagraph (A) of this subdivision and
189 intends to assume such responsibility and authority;

190 (C) The traffic authority establishes, modifies and maintains the
191 speed limits on all streets, highways and bridges and in parking areas
192 for ten cars or more or on any private road wholly within the
193 municipality under its jurisdiction;

194 (D) The traffic authority conducts an engineering study described in
195 subdivision (3) of this subsection; and

196 (E) The traffic authority notifies the office of each change to a speed
197 limit on such street, highway, bridge and parking area wholly within
198 the municipality under its jurisdiction so the office may maintain a state-
199 wide inventory of speed limits. Any speed limit approved by the office
200 pursuant to the provisions of subsection (a) of this section shall remain
201 in effect until modified by a traffic authority.

202 (2) (A) The traffic authority shall not establish or reduce a speed limit
203 lower than twenty-five miles per hour unless (i) the speed limit is in a
204 pedestrian safety zone pursuant to section 7 of this act, or (ii) the

205 engineering study described in subdivision (3) of this subsection finds
206 that a speed limit lower than twenty-five miles per hour is reasonable.

207 (B) The traffic authority shall not reduce a speed limit by more than
208 ten miles per hour without approval from the municipality, by vote of
209 its legislative body, or in the case of a municipality in which the
210 legislative body is a town meeting, its board of selectmen, if such
211 legislative body or board of selectmen is not also the traffic authority.

212 (C) If the traffic authority reduces a speed limit by more than ten
213 miles per hour, the traffic authority shall erect reduced speed limit
214 ahead signs in accordance with the standards contained in the Federal
215 Highway Administrations Manual on Uniform Traffic Control Devices
216 for Streets and Highways, as amended from time to time.

217 (D) On any street or highway that runs into an adjoining
218 municipality, a traffic authority shall not reduce the speed limit within
219 one thousand feet of the boundary of the adjoining municipality by
220 more than ten miles per hour from the speed limit on such road in the
221 adjoining municipality without (i) approval of the adjoining
222 municipality, by vote of its legislative body, or in the case of a
223 municipality in which the legislative body is a town meeting, its board
224 of selectmen, and (ii) the approval required under subparagraph (B) of
225 this subdivision.

226 (E) If a traffic authority reduces the speed limit on any street or
227 highway that runs into an adjoining municipality between one
228 thousand feet and one mile of the boundary of the adjoining
229 municipality by more than ten miles per hour from the speed limit on
230 such road in the adjoining municipality, the traffic authority shall
231 provide written notice of the reduced speed limit to the adjoining
232 municipality.

233 (3) Prior to establishing or modifying a speed limit pursuant to the
234 provisions of subdivision (1) of this subsection, the traffic authority shall
235 conduct an engineering study in accordance with the Federal Highway
236 Administration's Manual on Uniform Traffic Control Devices for Streets

237 and Highways, as amended from time to time, and other generally
238 accepted engineering principles and guidance. The study shall be
239 completed by a professional engineer licensed to practice in this state
240 and shall consider factors, including, but not limited to, pedestrian
241 activity, type of land use and development, parking and the record of
242 traffic accidents in the jurisdiction of the traffic authority.

243 (4) The Office of the State Traffic Administration may adopt
244 regulations, in accordance with the provisions of chapter 54, to
245 implement the provisions of this subsection.

246 [(c)] (d) Any person who operates a motor vehicle at a greater rate of
247 speed than is reasonable, other than speeding, as provided for in section
248 14-219, as amended by this act, shall commit the infraction of traveling
249 unreasonably fast.

250 Sec. 7. (NEW) (*Effective October 1, 2021*) (a) The traffic authority of any
251 town, city or borough may establish a pedestrian safety zone on any
252 street, highway and bridge or in any parking area for ten cars or more
253 or on any private road wholly within the municipality under its
254 jurisdiction without approval from the Office of the State Traffic
255 Administration, provided: (1) The municipality, by vote of its legislative
256 body, or in the case of a municipality in which the legislative body is a
257 town meeting, its board of selectmen, grants general authority to the
258 traffic authority to establish pedestrian safety zones within the
259 municipality. Such general authority is not required if such legislative
260 body or board of selectmen is also the traffic authority; (2) the traffic
261 authority conducts an engineering study described in subsection (b) of
262 this section; (3) the posted speed limit for such zone is not less than
263 twenty miles per hour; (4) such zone encompasses a clearly defined
264 downtown district or community center frequented by pedestrians or is
265 adjacent to hospital property or, in the opinion of the traffic authority,
266 is sufficiently close to hospital property as to constitute a risk to the
267 public safety; and (5) the traffic authority satisfies the requirements of
268 subparagraphs (C) to (E), inclusive, of subdivision (2) of section 14-218a
269 of the general statutes, as amended by this act, if applicable.

270 (b) Prior to establishing a pedestrian safety zone, the traffic authority
271 shall conduct an engineering study in accordance with the Federal
272 Highway Administration's Manual on Uniform Traffic Control Devices
273 for Streets and Highways, as amended from time to time, and other
274 generally accepted engineering principles and guidance. The study shall
275 be completed by a professional engineer licensed to practice in this state
276 and shall consider factors, including, but not limited to, pedestrian
277 activity, type of land use and development, parking and the record of
278 traffic crashes in the area under consideration to be a pedestrian safety
279 zone. If the study recommends the establishment of a pedestrian safety
280 zone, the study shall also include a speed management plan and
281 recommend actions to achieve lower motor vehicle speeds.

282 (c) In a municipality where the Office of the State Traffic
283 Administration approves speed limits on the streets, highways and
284 bridges or in any parking area for ten cars or more or on any private
285 road wholly within the municipality in accordance with section 14-218a
286 of the general statutes, as amended by this act, the traffic authority shall
287 notify the office in writing of the establishment of any pedestrian safety
288 zone and confirm that the requirements of this section have been
289 satisfied.

290 (d) If the Commissioner of Transportation or a traffic authority of any
291 town, city or borough seeks to establish a pedestrian safety zone on a
292 state highway that passes through a downtown or community center,
293 the commissioner or traffic authority shall submit a written request to
294 the Office of State Traffic Administration and include with such request
295 the engineering study and speed management plan conducted pursuant
296 to subsection (b) of this section. The office shall be the sole authority for
297 establishing a pedestrian safety zone on a state highway and shall
298 provide a written explanation of the reasons for denying any such
299 request.

300 (e) The Office of the State Traffic Administration may adopt
301 regulations, in accordance with the provisions of chapter 54 of the
302 general statutes, to implement the provisions of this section.

303 Sec. 8. Subsection (a) of section 14-36 of the general statutes is
304 repealed and the following is substituted in lieu thereof (*Effective October*
305 *1, 2021*):

306 (a) Except as otherwise provided by this section and section 14-40a,
307 no person shall operate a motor vehicle on any public highway of this
308 state or private road on which a speed limit has been established in
309 accordance with [subsection (a) of] section 14-218a, as amended by this
310 act, or section 7 of this act, until such person has obtained a motor
311 vehicle operator's license.

312 Sec. 9. Subsections (a) and (b) of section 14-219 of the general statutes
313 are repealed and the following is substituted in lieu thereof (*Effective*
314 *October 1, 2021*):

315 (a) No person shall operate any motor vehicle (1) upon any highway,
316 road or any parking area for ten cars or more, at such a rate of speed as
317 to endanger the life of any occupant of such motor vehicle, but not the
318 life of any other person than such an occupant; (2) at a rate of speed
319 greater than fifty-five miles per hour upon any highway other than a
320 highway specified in subsection (b) of section 14-218a, as amended by
321 this act, for which a speed limit has been established in accordance with
322 the provisions of said subsection; (3) at a rate of speed greater than sixty-
323 five miles per hour upon any highway specified in subsection (b) of
324 section 14-218a, as amended by this act, for which a speed limit has been
325 established in accordance with the provisions of said subsection; or (4)
326 if such person is under eighteen years of age, upon any highway or road
327 for which a speed limit of less than sixty-five miles per hour has been
328 established in accordance with [subsection (a) of] section 14-218a, as
329 amended by this act, or section 7 of this act, at a rate of speed more than
330 twenty miles per hour above such speed limit.

331 (b) Any person who operates a motor vehicle (1) on a multiple lane,
332 limited access highway other than a highway specified in subsection (b)
333 of section 14-218a, as amended by this act, for which a speed limit has
334 been established in accordance with the provisions of said subsection at

335 a rate of speed greater than fifty-five miles per hour but not greater than
336 seventy miles per hour, (2) on a multiple lane, limited access highway
337 specified in subsection (b) of section 14-218a, as amended by this act, for
338 which a speed limit has been established in accordance with the
339 provisions of said subsection at a rate of speed greater than sixty-five
340 miles per hour but not greater than seventy miles per hour, (3) on any
341 other highway at a rate of speed greater than fifty-five miles per hour
342 but not greater than sixty miles per hour, or (4) if such person is under
343 eighteen years of age, upon any highway or road for which a speed limit
344 of less than sixty-five miles per hour has been established in accordance
345 with [subsection (a) of] section 14-218a, as amended by this act, or
346 section 7 of this act, at a rate of speed more than twenty miles per hour
347 above such speed limit, shall commit an infraction, provided any such
348 person operating a truck, as defined in section 14-260n, shall have
349 committed a violation and shall be fined not less than one hundred
350 dollars nor more than one hundred fifty dollars.

351 Sec. 10. Subsection (a) of section 14-222 of the general statutes is
352 repealed and the following is substituted in lieu thereof (*Effective October*
353 *1, 2021*):

354 (a) No person shall operate any motor vehicle upon any public
355 highway of the state, or any road of any specially chartered municipal
356 association or of any district organized under the provisions of chapter
357 105, a purpose of which is the construction and maintenance of roads
358 and sidewalks, or in any parking area for ten cars or more or upon any
359 private road on which a speed limit has been established in accordance
360 with the provisions of section 14-218a, as amended by this act, or section
361 7 of this act or upon any school property recklessly, having regard to the
362 width, traffic and use of such highway, road, school property or parking
363 area, the intersection of streets and the weather conditions. The
364 operation of a motor vehicle upon any such highway, road or parking
365 area for ten cars or more at such a rate of speed as to endanger the life
366 of any person other than the operator of such motor vehicle, or the
367 operation, downgrade, upon any highway, of any motor vehicle with a
368 commercial registration with the clutch or gears disengaged, or the

369 operation knowingly of a motor vehicle with defective mechanism, shall
370 constitute a violation of the provisions of this section. The operation of
371 a motor vehicle upon any such highway, road or parking area for ten
372 cars or more at a rate of speed greater than eighty-five miles per hour
373 shall constitute a violation of the provisions of this section.

374 Sec. 11. Subdivision (1) of subsection (b) of section 14-283 of the
375 general statutes is repealed and the following is substituted in lieu
376 thereof (*Effective October 1, 2021*):

377 (b) (1) The operator of any emergency vehicle may (A) park or stand
378 such vehicle, irrespective of the provisions of this chapter, (B) except as
379 provided in subdivision (2) of this subsection, proceed past any red light
380 or stop signal or stop sign, but only after slowing down or stopping to
381 the extent necessary for the safe operation of such vehicle, (C) exceed
382 the posted speed limits or other speed limits imposed by or pursuant to
383 section 14-218a, as amended by this act, [or] 14-219, as amended by this
384 act, or section 7 of this act as long as such operator does not endanger
385 life or property by so doing, and (D) disregard statutes, ordinances or
386 regulations governing direction of movement or turning in specific
387 directions.

388 Sec. 12. Section 53a-213 of the general statutes is repealed and the
389 following is substituted in lieu thereof (*Effective October 1, 2021*):

390 (a) A person is guilty of drinking while operating a motor vehicle
391 when [he] such person drinks any alcoholic liquor while operating a
392 motor vehicle upon a public highway of this state or upon any road of
393 any specially chartered municipal association or of any district
394 organized under the provisions of chapter 105, a purpose of which is the
395 construction and maintenance of roads and sidewalks, or in any parking
396 area for ten cars or more, or upon any private road on which a speed
397 limit has been established in accordance with the provisions of section
398 14-218a, as amended by this act, or section 7 of this act or upon any
399 school property. As used in this section, "alcoholic liquor" has the same
400 meaning as provided in section 30-1.

401 (b) Drinking while operating a motor vehicle is a class C
402 misdemeanor.

403 Sec. 13. Subsection (h) of section 14-296aa of the general statutes is
404 repealed and the following is substituted in lieu thereof (*Effective October*
405 *1, 2021*):

406 (h) Any person who violates this section shall be fined [one] two
407 hundred [fifty] dollars for a first violation, three hundred seventy-five
408 dollars for a second violation and [five] six hundred twenty-five dollars
409 for a third or subsequent violation.

410 Sec. 14. Section 14-21i of the general statutes is repealed and the
411 following is substituted in lieu thereof (*Effective October 1, 2021*):

412 (a) [On and after January 1, 1998, the] The Commissioner of Motor
413 Vehicles shall issue greenways commemorative number plates of a
414 design to enhance public awareness of, [the] and provide funding for,
415 state and local efforts to preserve, restore and protect greenways. The
416 design shall be determined by agreement between the Commissioner of
417 Energy and Environmental Protection and the Commissioner of Motor
418 Vehicles. No use shall be made of such plates except as official
419 registration marker plates.

420 (b) (1) The Commissioner of Motor Vehicles shall [establish, by
421 regulations adopted in accordance with chapter 54, a fee to be charged]
422 charge a fee of fifty dollars for a greenways commemorative number
423 [plates] plate, with letters and numbers selected by the commissioner,
424 in addition to the regular fee or fees prescribed for the registration of a
425 motor vehicle. [The fee shall be for such number plates with letters and
426 numbers selected by the Commissioner of Motor Vehicles. The
427 Commissioner of Motor Vehicles may establish a higher fee for: (1) Such
428 number plates which contain letters in place of numbers as authorized
429 by section 14-49, in addition to the fee or fees prescribed for plates issued
430 under said section; and (2) such number plates which are low number
431 plates, in accordance with section 14-160, in addition to the fee or fees
432 prescribed for plates issued under said section.] The commissioner shall

433 deposit fifteen dollars of such fee into an account controlled by the
434 Department of Motor Vehicles to be used for the cost of producing,
435 issuing, renewing and replacing such commemorative number plates,
436 and thirty-five dollars of such fee into the greenways commemorative
437 account established pursuant to subsection (d) of this section.

438 (2) The commissioner shall charge a fee of seventy dollars for a
439 greenways commemorative number plate that (A) contains letters in
440 place of numbers as authorized by section 14-49, or (B) is a low number
441 plate in accordance with section 14-160, in addition to the fee or fees
442 prescribed for plates issued under said sections. The commissioner shall
443 deposit fifteen dollars of such fee into an account controlled by the
444 Department of Motor Vehicles to be used for the cost of producing,
445 issuing, renewing and replacing such commemorative number plates,
446 and fifty-five dollars of such fee into the greenways commemorative
447 account.

448 (c) No additional renewal fee shall be charged for renewal of
449 registration for any motor vehicle bearing greenways commemorative
450 number plates which contain letters in place of numbers, or low number
451 plates, in excess of the renewal fee for greenways commemorative
452 number plates with letters and numbers selected by the Commissioner
453 of Motor Vehicles. No transfer fee shall be charged for transfer of an
454 existing registration to or from a registration with greenways
455 commemorative number plates.

456 (d) There is established an account to be known as the "greenways
457 commemorative account" which shall be a separate, nonlapsing account
458 within the General Fund. The account shall contain any moneys
459 required by law to be deposited in the account. The funds in the account
460 shall be expended by the Commissioner of Energy and Environmental
461 Protection to fund the greenways capital grant program established
462 pursuant to section 23-101 and the bikeway, pedestrian walkway,
463 recreational trail and greenway grant program described in section 23-
464 103.

465 [(d)] (e) The Commissioner of Motor Vehicles [, in consultation with
 466 the Commissioner of Energy and Environmental Protection, shall] may
 467 adopt regulations, in accordance with the provisions of chapter 54, to
 468 establish standards and procedures for the issuance, renewal and
 469 replacement of greenways commemorative number plates.

| | | |
|---|------------------------|-------------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>October 1, 2021</i> | 14-300(c) |
| Sec. 2 | <i>from passage</i> | New section |
| Sec. 3 | <i>October 1, 2021</i> | 14-311(d) |
| Sec. 4 | <i>October 1, 2021</i> | New section |
| Sec. 5 | <i>October 1, 2021</i> | 51-56a(d) |
| Sec. 6 | <i>October 1, 2021</i> | 14-218a |
| Sec. 7 | <i>October 1, 2021</i> | New section |
| Sec. 8 | <i>October 1, 2021</i> | 14-36(a) |
| Sec. 9 | <i>October 1, 2021</i> | 14-219(a) and (b) |
| Sec. 10 | <i>October 1, 2021</i> | 14-222(a) |
| Sec. 11 | <i>October 1, 2021</i> | 14-283(b)(1) |
| Sec. 12 | <i>October 1, 2021</i> | 53a-213 |
| Sec. 13 | <i>October 1, 2021</i> | 14-296aa(h) |
| Sec. 14 | <i>October 1, 2021</i> | 14-21i |

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

| Agency Affected | Fund-Effect | FY 22 \$ | FY 23 \$ |
|---|---|------------------|------------------|
| State Revenues | Various - Potential Revenue Gain | Minimal | Minimal |
| Resources of the General Fund | GF - Potential Revenue Gain | Minimal | Minimal |
| State Revenues | Various - Revenue Gain | 433,144 | 577,525 |
| Department of Energy and Environmental Protection | Greenways Commemorative Account - Revenue Gain/Cost | Less than 20,000 | Less than 20,000 |
| Resources of the General Fund | GF - Revenue Loss | Less than 20,000 | Less than 20,000 |
| Treasurer, Debt Serv. | GF - See Below | See Below | See Below |

Note: Various=Various; GF=General Fund

Municipal Impact:

| Municipalities | Effect | FY 22 \$ | FY 23 \$ |
|------------------------|----------------|----------|----------|
| Various Municipalities | Revenue Gain | 274,433 | 365,910 |
| Various Municipalities | Potential Cost | Minimal | Minimal |

Explanation

Section 1 expands circumstances where pedestrians have the right-of-way and results in potential revenues to the state from additional fines. As under current law, the bill makes violations subject to up to a \$500 fine. In FY 20, 213 crosswalk violations resulted in fine revenue of

\$45,152.

Section 2 establishes a Vision Zero Council to develop a state-wide policy and approach to eliminating all transportation-related fatalities and severe injuries and has no fiscal impact as PA 17-236 prohibits transportation allowances for task force members.

Section 4 creates a new infraction for making physical contact with moving traffic, including pedestrians and cyclists, with a motor vehicle door. This section, to the extent that offenders are fined, results in a potential minimal revenue gain to the General Fund.

Section 5 increases, from \$20 to \$25, the municipal surcharge for certain motor vehicle violations. In FY 20 there were 73,182 of these violations. Assuming this level of violations continues in the future, this section is estimated to generate an additional \$274,433 in FY 22 (three quarters of a year impact due to the October 1 effective date) and \$365,910 in FY 23 (full-year effect) for municipalities.

Sections 6 and 7 provide municipalities authority to establish speed limits on local roads without Office of the State Traffic Administration (OSTA) approval and to establish pedestrian safety zones within their jurisdiction under certain conditions, including a requirement to conduct an engineering study. There is a potential cost to 1) conduct an engineering study for municipalities that choose to set speed limits as described in the bill and 2) erect requisite signage for those municipalities that reduce a speed limit by more than 10 miles per hour.

Section 13 increases the fines for distracted driving from (1) \$150 to \$200 for a first violation, (2) \$300 to \$375 for a second violation, and (3) \$500 to \$625 for a third or subsequent violation. In FY 20 there were 11,438 of these violations. Assuming this level of violations continues in the future, this section is estimated to generate an additional \$433,144 in FY 22 (three quarters of a year impact due to the October 1 effective date) and \$577,525 in FY 23 (full-year effect) in revenues to the state.

Section 14 codifies regulations regarding greenway commemorative

license plate fees and establishes the "greenways commemorative account" as a separate, nonlapsing account within the General Fund. It directs a portion of plate fees to this account and requires the Department of Energy and Environmental Protection (DEEP) to use this account to provide supplementary funding to the (1) greenways and, (2) bikeways, pedestrian walkways, recreational trail and greenway capital grant programs.

It is estimated that less than \$20,000 annually would continue to be generated from the issuance of these plates and the bill redirects DEEP's portion to the new greenways account where a commensurate amount would be expended, resulting in a net cost to the General Fund because this revenue would now be subject to spending by DEEP.

To date, \$13 million of General Obligation (GO) bonds have been authorized for the greenways program described above. As of March 1, 2021, the unallocated bond balance available to the program is \$3 million. The bill does not change GO bond authorizations relevant to the program. The Governor's proposed bond bill (GB 887) includes \$3 million of new GO bond authorization for the program in each of FY 22 and FY 23.

Future General Fund debt service costs may be altered under the terms of the bill to the degree that it causes authorized GO bond funds to be expended differently than they otherwise would have been. If the new revenues from the bill supplant the use of existing bond funds, there would be a slight reduction in future debt service costs. If these new funds lead to new or more rapid use of existing bond funds, debt service costs could be accelerated.

The other sections of the bill are technical, make conforming changes, or otherwise do not have a fiscal impact to the state or municipalities.

House "A" eliminates the bill and its associated impact and results in the impact described above.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation, the number of violations, and the terms of any bonds issued.

OLR Bill Analysis**sHB 5429 (as amended by House "A")*****AN ACT CONCERNING PEDESTRIAN SAFETY, VISION ZERO COUNCIL, SPEED LIMITS IN MUNICIPALITIES, FINES AND CHARGES FOR CERTAIN VIOLATIONS, THE GREENWAYS COMMEMORATIVE ACCOUNT AND MAINTENANCE WORK ZONE AND SCHOOL ZONE SAFETY ENFORCEMENT.**SUMMARY§ 1 — YIELDING TO PEDESTRIANS AT CROSSWALKS

Expands the circumstances under which drivers must yield to pedestrians at uncontrolled crosswalks

§ 2 — VISION ZERO

Establishes a Vision Zero Council and charges it with developing a statewide policy to eliminate all transportation-related fatalities and severe injuries

§ 3 — CERTIFICATE OF OPERATION FOR MAJOR TRAFFIC GENERATORS

Requires OSTA to consider major traffic generators' impact on bicycle and pedestrian access and safety when awarding certificates of operation

§ 4 — DOORING

Prohibits causing physical contact with moving traffic by (1) opening a vehicle door or (2) leaving it open longer than necessary to load or unload passengers

§ 5 — MUNICIPAL SURCHARGE

Increases, from \$20 to \$25, the surcharge on certain moving violations that is remitted to municipalities and subjects dooring violations to the surcharge

§§ 6-12 — LOCAL ROAD SPEED LIMITS AND PEDESTRIAN SAFETY ZONES

Allows municipalities to establish speed limits on local roads without OSTA approval and allows for the establishment of pedestrian safety zones with speed limits as low as 20 mph in downtown districts, community centers, and areas around hospitals

§ 13 — DISTRACTED DRIVING FINES

Increases the fines for distracted driving

§ 14 — GREENWAYS COMMEMORATIVE PLATES

Requires that greenways commemorative plate fees be deposited into a dedicated account and used to fund grant programs for greenways and other bicycle and pedestrian trails

BACKGROUND

SUMMARY

This bill allows for local control of speed limits on local roads and the establishment of pedestrian safety zones. It makes changes related to bicycle and pedestrian access and safety, such as:

1. expanding the circumstances under which drivers must yield to pedestrians at uncontrolled crosswalks,
2. establishing a Vision Zero Council with the goal of eliminating transportation-related deaths and serious injuries,
3. establishing an infraction for “dooring” moving traffic,
4. increasing distracted driving fines, and
5. dedicating revenue from greenways commemorative license plates to fund greenways-related grant programs.

It also makes a number of technical and conforming changes.

*House Amendment “A” (1) eliminates the underlying bill’s provisions on speed cameras, hospital zones, and the work zone safety account; (2) changes the Vision Zero Council’s membership, allows the council to establish advisory committees, and requires it to assist with DOT’s public awareness campaigns; (3) limits the dooring infraction to only situations in which the moving traffic is traveling at a reasonable speed and with due regard for the safety of all persons and property; (4) requires local traffic authorities to receive permission from local legislative bodies before assuming control for speed limits and under certain other conditions; (5) increases the lowest speed limit an LTA may set; (6) applies restrictions to speed limit reductions of more than 10 mph, including requiring approval from or notice to adjoining municipalities on certain reductions near their borders; (7) allows a

pedestrian safety zone to be established on roads adjacent or sufficiently close to hospital property; (8) delays the effective date of the local speed limits and pedestrian safety zones provisions (§§ 6 & 7); and (9) makes other minor and technical changes.

EFFECTIVE DATE: October 1, 2021, except the Vision Zero Council provisions are effective upon passage.

§ 1 — YIELDING TO PEDESTRIANS AT CROSSWALKS

Expands the circumstances under which drivers must yield to pedestrians at uncontrolled crosswalks

The bill expands the circumstances under which drivers must yield the right-of-way to pedestrians at marked and unmarked crosswalks that are not controlled by traffic signals or police officers (i.e., uncontrolled crosswalks).

Under current law, a driver must yield to a pedestrian, slowing or stopping as necessary, if the pedestrian has stepped off the curb or into the crosswalk at the entrance. Under the bill, a driver must do so if the pedestrian:

1. is within any portion of the crosswalk;
2. steps to the curb at a crosswalk's entrance and indicates intent to cross the road by raising his or her hand and arm toward oncoming traffic; or
3. indicates intent to cross the road by moving into the crosswalk's entrance any body part or any extension of a body part, including a wheelchair, cane, walking stick, crutch, bicycle, electric bicycle, stroller, carriage, cart, or leashed or harnessed dog.

As under existing law, drivers who fail to yield at a crosswalk when required are subject to a \$500 fine.

By law, pedestrians crossing at crosswalks controlled by traffic signals or police officers may cross only as indicated by the signal or officer. Pedestrians must also yield the right of way to emergency

vehicles.

§ 2 — VISION ZERO

Establishes a Vision Zero Council and charges it with developing a statewide policy to eliminate all transportation-related fatalities and severe injuries

The bill establishes a Vision Zero Council and charges it with developing a statewide policy and interagency approach to eliminate all transportation-related fatalities and severe injuries to pedestrians, bicyclists, transit users, drivers, and passengers. It must consider ways to improve safety in all transportation modes using data, new partnerships, safe planning, and community-based solutions to achieve the goal of zero transportation-related fatalities.

The council is composed of the Department of Transportation (DOT), Department of Public Health, and Department of Emergency Services and Public Protection commissioners and any other agency commissioners they invite. Any commissioner may instead send a designee. The DOT commissioner, or his designee, serves as the council's chairperson and must schedule its first meeting by September 1, 2021. DOT serves as the council's administrative staff, and the council may establish committees at any time to advise it in carrying out its duties.

Under the bill, the council must assist in developing any DOT public awareness campaign to educate the public on ways to (1) reduce transportation-related fatalities and severe injuries to pedestrians, bicyclists, transit users, drivers, and passengers and (2) increase awareness and improve road users' behavior.

Starting by February 1, 2022, the council must annually submit the statewide policy and interagency approach, along with any other recommendations, to the Transportation Committee.

§ 3 — CERTIFICATE OF OPERATION FOR MAJOR TRAFFIC GENERATORS

Requires OSTA to consider major traffic generators' impact on bicycle and pedestrian access and safety when awarding certificates of operation

The law generally requires an entity that is building, expanding, establishing, or operating an open air theatre, shopping center, or any other development generating large volumes of traffic that substantially affect highway traffic (i.e., “major traffic generators”) to obtain the Office of the State Traffic Administration’s (OSTA) certification that the operation will not endanger public safety. State regulations specify that a development qualifies as a major traffic generator if it has (1) 200 or more parking spaces or (2) a gross floor area of at least 100,000 square feet (Conn. Agencies Regs. § 14-312-1).

Existing law (1) establishes a number of factors that OSTA must include in its consideration of highway safety (e.g., traffic density and highway width and character) and (2) allows OSTA to require applicants to make certain improvements to address the development’s highway safety impact. The bill adds bicycle and pedestrian access and safety to the factors OSTA must consider and allows it to require improvements that address impacts to bicycle and pedestrian access and safety, conforming to current OSTA practice.

§ 4 — DOORING

Prohibits causing physical contact with moving traffic by (1) opening a vehicle door or (2) leaving it open longer than necessary to load or unload passengers

The bill prohibits a person from causing physical contact between a vehicle door and moving traffic by (1) opening the door, if the moving traffic is traveling at a reasonable speed with due regard for the safety of people and property, or (2) leaving it open longer than needed to load or unload passengers. Violations of this provision are infractions (see BACKGROUND).

Under the bill, “moving traffic” includes (1) motor vehicles, bicycles, electric bicycles, and electric foot scooters traveling on the highway and (2) pedestrians and people riding bicycles, electric bicycles, or electric foot scooters on sidewalks, shoulders, or bikeways.

§ 5 — MUNICIPAL SURCHARGE

Increases, from \$20 to \$25, the surcharge on certain moving violations that is remitted to municipalities and subjects dooring violations to the surcharge

The act increases, from \$20 to \$25, the surcharge paid, in addition to a fine, by people who violate specified motor vehicle laws, regulations, and ordinances, such as speeding and reckless driving. It also adds dooring to the list of violations to which the surcharge applies.

By law, the state must remit this fee to the municipality in which a violation occurs.

§§ 6-12 — LOCAL ROAD SPEED LIMITS AND PEDESTRIAN SAFETY ZONES

Allows municipalities to establish speed limits on local roads without OSTA approval and allows for the establishment of pedestrian safety zones with speed limits as low as 20 mph in downtown districts, community centers, and areas around hospitals

By law, a municipality's local traffic authority (LTA) is responsible for setting speed limits on streets, highways, or bridges or parking areas for 10 or more cars within the town's jurisdiction (i.e., local roads). But under current law, the LTA must obtain approval from OSTA before the limits can take effect.

Under certain conditions, the bill allows LTAs to establish, modify, and maintain speed limits on local roads without OSTA approval and establish pedestrian safety zones on those roads. It also allows OSTA to establish pedestrian safety zones on state roads at an LTA's or DOT's request.

By law, the entity designated as the LTA varies by town, but may be the police commission, board of selectman, mayor, town manager, police chief, or traffic authority (CGS § 14-297(6)).

The bill also makes numerous technical and conforming changes.

Speed Limits on Local Roads

The bill allows LTAs to establish, modify, and maintain speed limits on local roads without OSTA approval, as long as the LTA:

1. receives permission to assume responsibility for local speed limits from the municipality by vote of its legislative body, or the board of selectman if the legislative body is a town meeting (this

permission is not required if the municipality's legislative body is also the LTA);

2. establishes, modifies, and maintains speed limits on all roads, bridges, and parking areas under its jurisdiction;
3. notifies OSTA in writing that it has received permission, if required, from the municipality's legislative body and intends to assume responsibility and authority for establishing speed limits within its jurisdiction;
4. conducts an engineering study (see below); and
5. notifies OSTA of each speed limit change so the department can maintain a statewide inventory of speed limits.

Under the bill, LTAs may not set a speed limit lower than 25 mph unless (1) the speed limit is part of a pedestrian safety zone (see below) or (2) the engineering study indicates a speed limit lower than 25 mph is reasonable. Under existing law and the bill, LTAs may establish speed limits on private roads wholly within the municipality under its jurisdiction without OSTA approval.

The bill also (1) specifies that any speed limit established with OSTA approval remains in effect until the LTA modifies it and (2) makes conforming changes to specify that exceeding a speed limit established by an LTA without OSTA approval is prima facie evidence that a driver is traveling unreasonably fast.

Reductions of More Than 10 MPH

The bill applies certain restrictions to speed limit reductions of more than 10 mph. Before an LTA may reduce a speed limit by more than 10 mph, it must receive permission from the municipality by vote of its legislative body or the board of selectman (as applicable). (This permission is not required if the legislative body is also the LTA.) It must also post reduced speed limit ahead signs in accordance with the Federal Highway Administration's (FHWA) Manual on Uniform Traffic

Control Devices (MUTCD).

Reductions Near Town Boundaries. The bill imposes additional requirements on speed limit reductions of more than 10 mph on roads that run into adjoining towns.

Within 1,000 feet of the municipality's boundary, an LTA may not reduce the speed limit by more than 10 mph from the road's speed limit in the adjoining municipality without also getting approval from the adjoining municipality's legislative body or board of selectman (as applicable). Additionally, an LTA must notify the adjoining municipality if it lowers the speed limit for a road located between 1,000 feet and one mile of the boundary by more than 10 mph from the road's speed limit in the adjoining town.

Pedestrian Safety Zones

The bill authorizes LTAs, in the case of local roads, or OSTA, in the case of state roads, to establish pedestrian safety zones with speed limits as low as 20 mph on roads (1) in clearly defined downtown districts and community centers frequented by pedestrians or (2) adjacent to hospital property or sufficiently close as to constitute a public safety risk. LTAs do not need permission from OSTA to establish pedestrian safety zones.

Under the bill, LTAs may establish a zone on local roads if they (1) receive general authority to establish zones from the municipality by vote of its legislative body or board of selectman, as applicable, (this permission is not required if the municipality's legislative body is also the LTA) and (2) conduct an engineering study as the bill requires. If the LTA reduces the speed limit by more than 10 mph, it must erect reduced speed limit ahead signs and, if applicable, receive permission or notify the adjoining municipality, as outlined above.

In municipalities where OSTA approves speed limits, LTAs must notify OSTA in writing that it is establishing a pedestrian safety zone and confirm that the bill's applicable requirements have been satisfied.

If an LTA or DOT seeks to establish a pedestrian safety zone on a state

highway that passes through a downtown district or community center, it must submit a written request for approval to OSTA that includes the required engineering study and speed management plan. If OSTA denies the request, it must provide a written explanation of the reasons for doing so.

Engineering Studies and Speed Management Plans

Under the bill, before an LTA establishes or modifies a speed limit or establishes a pedestrian safety zone, the LTA must conduct an engineering study in accordance with the MUTCD and other generally accepted engineering principles and guidance. (A study must also be conducted in order for OSTA to approve an LTA's or DOT's request for a pedestrian safety zone on a state highway.)

The study must be completed by a professional engineer licensed in the state and consider factors including pedestrian activity, land use and development, parking, and traffic accident records in the LTA's jurisdiction or area under consideration for a pedestrian safety zone.

If an engineering study on establishing a pedestrian safety zone recommends doing so, the study must also include a speed management plan and recommended actions to achieve lower motor vehicle speeds.

Regulations

The bill authorizes OSTA to adopt regulations on (1) setting local speed limits without OSTA approval and (2) establishing pedestrian safety zones.

§ 13 — DISTRACTED DRIVING FINES

Increases the fines for distracted driving

The bill increases the fines for violating the state's distracted driving law from (1) \$150 to \$200 for a first violation, (2) \$300 to \$375 for a second violation, and (3) \$500 to \$625 for a third or subsequent violation.

The distracted driving law generally prohibits a person, while driving, from using a handheld mobile telephone to engage in a call, using a mobile electronic device (e.g., texting), and engaging in any

activity unrelated to driving in a manner that interferes with safely operating the vehicle, among other things.

§ 14 — GREENWAYS COMMEMORATIVE PLATES

Requires that greenways commemorative plate fees be deposited into a dedicated account and used to fund grant programs for greenways and other bicycle and pedestrian trails

Under current law, the purpose of greenways commemorative plates is to enhance public awareness of state and local efforts to preserve, restore, and protect greenways. The money collected from the special fee for greenways plates, less a \$15 administrative fee, goes to the General Fund.

The bill expands the purpose of the plate to include providing funding for greenways and requires that the money collected be deposited in the “greenways commemorative account,” which the bill establishes as a separate, nonlapsing account within the General Fund. Account funds must be spent by the Department of Energy and Environmental Protection (DEEP) for the greenways capital grant program and the bikeway, pedestrian walkway, recreation trail, and greenways grant program.

The bill also (1) codifies regulations regarding greenways plate fees, (2) allows, rather than requires, the Department of Motor Vehicles commissioner to establish regulations on the plates, and (3) eliminates the requirement that any regulations be developed in consultation with DEEP.

BACKGROUND

Infractions

Infractions are punishable by fines, usually set by Superior Court judges, of between \$35 and \$90, plus a \$20 or \$35 surcharge and an additional fee based on the fine’s amount. There may also be other applicable charges depending on the type of infraction. For example, certain motor vehicle infractions trigger a Special Transportation Fund surcharge of 50% of the fine. With the various additional charges, the total amount due can be over \$300 but often is less than \$100. An

infraction is not a crime, and violators can pay the fine by mail without making a court appearance.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 30 Nay 4 (03/03/2021)

Judiciary Committee

Joint Favorable

Yea 26 Nay 11 (04/20/2021)

Finance, Revenue and Bonding Committee

Joint Favorable

Yea 41 Nay 8 (05/03/2021)