OFFICE OF FISCAL ANALYSIS

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sHB-6484
AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF TRANSPORTATION.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 22 $	FY 23 $
Resources of the General Fund	GF - Potential Revenue Gain	Minimal	Minimal
Judicial Dept.; Correction, Dept.	GF - Potential Cost	See Below	See Below
Department of Transportation	TF - Potential Cost	See Below	See Below
Department of Transportation	TF - Potential Savings	See Below	See Below

Note: GF=General Fund; TF=Transportation Fund

Municipal Impact:

Municipalities	Effect	FY 22 $	FY 23 $
Various Municipalities	Potential Revenue Gain	See Below	See Below

Explanation

Section 2 clarifies when vehicle owners are liable for damages to bridges caused by overweight vehicles and, to the extent that the state or municipalities recover additional damages, results in a potential revenue gain.

Section 3 increases penalties for operating overweight vehicles on or under bridges from an infraction, which usually ranges from a $100 to a $300 fine, to up to a $1,500 fine for a first offense and a class A misdemeanor for a subsequent offense, which is punishable by up to

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4/13/21

one year in prison, a $2,000 fine, or both. In FY 20 there were 219 violations with total revenue from fines of $30,892. The bill results in a potential revenue gain to the extent that fines are issued for first or subsequent offenses, and a potential cost for probation or incarceration for subsequent offenses only. On average, the marginal cost to the state for incarcerating an offender for the year is $2,200[1] while the average marginal cost for supervision in the community is less than $700[2] each year.

Sections 6 and 7 specify that people providing bus service under a contract with DOT are not required to have a certificate of public convenience or necessity, conforming to current practice. The bill provides an exception, specifying that until July 1, 2026, any bus route operated by a person both 1) under contract with DOT and 2) with a certificate, must continue to be operated by a person with a certificate issued prior to the bill's effective date. These sections, to the extent that the restriction limits DOT from contracting with lower cost operators, results in a potential cost.

Section 8 makes permanent DOT's authority to use two alternative contract methods. The impact of using either "construction-manager-at-risk" contracts with a guaranteed maximum price or design-build contracts will depend on 1) type of project, 2) who provides architectural/engineering services and 3) bid selection process. However, it is assumed that the department would not move forward on projects based on alternative contracts unless they resulted in cost savings compared to alternative procedures.

Section 14 expands circumstances where smoking is prohibited at bus and rail facilities and results in a potential minimal revenue gain

[1]Inmate marginal cost is based on increased consumables (e.g. food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

[2]Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

from fines. In FY 20, the current statute prohibiting smoking in various locations resulted in 17 fines totaling $1,996.

Section 17 expands seat belt requirements to most back seat passengers and makes it a secondary offense, prohibiting officers from stopping a vehicle unless another offense has occurred. This section results in a potential minimal revenue gain from fines.

Section 19 combines two DOT programs for signs on limited access highways and permits the department to enter into agreements for the erection, maintenance, and removal of specific service signs within certain state rights-of-way. To the extent the combined program generates additional sign requests, this section results in a potential minimal revenue gain.

Section 20 removes the requirement that DOT deliver surplus rail materials to eligible railroad companies requesting such material for purposes of upgrading state-owned rights-of-way. This section results in a potential savings to DOT of up to $500,000 annually in avoided delivery charges.

Section 21 requires DOT to submit a report regarding the New Canaan and Danbury Branch lines to the Transportation Committee on or before January 1, 2022. This section does not result in a fiscal impact because this is within DOT's current expertise.

Other sections of the bill are technical in nature or otherwise do not have a fiscal impact.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation, the number of violations, or as otherwise described.