



Substitute House Bill No. 6484

Public Act No. 21-175

AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF TRANSPORTATION.

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

Section 1. Subsection (h) of section 13a-73 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(h) All sales or exchanges of surplus property by the Department of Transportation and matters dealing with the initial acquisition of any existing mass transit system or the purchase or sale of real properties acquired in connection with any state highway system or mass transit system shall be subject to review and approval of the State Properties Review Board except that those acquisitions and administrative settlements relating to such properties which involve sums not in excess of [five] ten thousand dollars shall be reported to the board by the Commissioner of Transportation but shall not be subject to such review and approval. The Secretary of the Office of Policy and Management shall be informed for inventory purposes of any transfer effectuated in connection with this section. The State Properties Review Board shall not grant such approval if the Department of Transportation has failed to comply with any applicable statutes in connection with the proposed action.

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Sec. 2. Section 13a-151 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The [crossing or attempted crossing of] owner of a motor vehicle that crosses or attempts to cross any bridge posted with a maximum weight limit notice, as required by section 13a-121, [by a vehicle having] when such vehicle has a gross weight in excess of the [stated maximum safe load shall constitute reckless driving by the operator of such vehicle and the owner of such vehicle] posted weight limit shall be liable to the authority bound to maintain such bridge for any damage to the structure resulting from the passage or attempted passage of such vehicle.

(b) The authority having control of any bridge shall be responsible for any damage sustained by reason of the passage of any vehicle having a gross weight not in excess of the maximum weight prescribed in the notice provided for in section 13a-121, provided such vehicle shall not be operated at a speed in excess of the posted speed limit for such bridge while crossing such bridge.

Sec. 3. Section 14-298a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) No person shall operate or move a motor vehicle over, on, through, or under any bridge or structure on any highway (1) if the height of such vehicle or the load exceeds the height of the posted clearance or load, as shown by an official traffic control device, as defined in section 14-297, or (2) if the weight of such vehicle or such vehicle and the load exceeds the weight of the posted weight limit.

(b) Any person violating any provision of this section shall, [have committed an infraction] (1) for a first offense, be fined not more than one thousand dollars, and (2) for a subsequent offense, be fined not more than two thousand five hundred dollars.

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Sec. 4. Subsection (a) of section 13b-20e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Any consultant who desires to provide consulting services to the department in any calendar year shall be required to submit, not later than the fifteenth day of [November] October immediately preceding such calendar year, information concerning their qualifications as may be required by the department. Such consultants shall provide the department with additional or updated information upon request by the department. The commissioner shall by January first, annually, analyze the information submitted and determine those consultants qualified to perform services in areas of expertise established by the department. The commissioner shall publish annually, in accordance with the provisions of section 13b-20g, at any time between September first to October first, a notice that any person, firm or corporation which desires to be listed with the department as a consultant shall submit such information as required pursuant to this subsection to the department. Such notice shall also list the areas of expertise likely to be needed by the department during the next calendar year.

Sec. 5. Section 13b-20f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The performance of all consultants who have active agreements with the department shall be evaluated by the supervising unit within the bureau utilizing the consultant services, at [six-month intervals] least once a year and upon completion of the consultant services. Each such evaluation shall be kept on file in the supervising unit and a copy filed with the permanent selection panel.

Sec. 6. Subdivision (2) of subsection (b) of section 13a-95c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(2) Notwithstanding the provisions of subdivision (1) of this subsection, [there shall be a transition period during which] the Commissioner of Transportation may authorize the continued use of consultants if necessary to complete contracts authorized pursuant to section 13a-95b. [During this period, the] The commissioner shall make all reasonable efforts to perform development and inspection work as described in subsection (a) of this section using, where such employees are available, department employees and reducing, and where possible eliminating, the dependency on outside consultants. The commissioner shall establish a program to train department employees to support alternative project delivery methods. Such training program may be provided in projects utilizing consultants, as provided for in this section. The commissioner shall report, on or before October first annually, to the Governor of the progress made in training employees in alternative project delivery methods, improving the diversity of technical expertise of employees and building internal project delivery capacity. [The authority granted by this subdivision to use consultants on contracts entered into pursuant to section 13a-95b shall be subject to a termination date which shall be January 1, 2022, unless the Governor certifies that the use of consultants is necessary to complete projects authorized pursuant to section 13a-95b, which shall extend such termination date to a date not later than January 1, 2025.]

Sec. 7. Subsection (a) of section 13b-97 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No person, association, limited liability company or corporation shall operate a taxicab until such person, association, limited liability company or corporation has obtained a certificate from the Department of Transportation certifying that public convenience and necessity require the operation of a taxicab or taxicabs for transportation of passengers, the acceptance or solicitation of which originates within the

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territory specified in such certificate except as provided under subsection (d) of this section. No such certificate shall be issued unless the department finds that the person, association, limited liability company or corporation is suitable to operate a taxicab service, after giving due consideration to, at a minimum, the following factors: (1) Any convictions of the applicant under federal, state or local laws relative to safety, motor vehicle or criminal violations; (2) the number of taxicabs to be operated under the certificate, provided no applicant for a new certificate shall operate fewer than three taxicabs; (3) the adequacy of the applicant's financial resources to operate the taxicab service; (4) the adequacy of insurance coverage and safety equipment; and (5) the availability of qualified taxicab operators. The commissioner shall request the state criminal history records check for any person or any officer of any association, limited liability company or corporation applying for such certificate from the State Police Bureau of Identification. The commissioner shall arrange for the fingerprinting of any person or any officer of any association, limited liability company or corporation applying for such certificate and forward the fingerprints to said bureau which shall submit the fingerprints to the Federal Bureau of Investigation for a national criminal history records check for any federal conviction specified in subdivision (1) of this subsection. The commissioner shall charge a fee for each such national criminal history records check which shall be equal to the fee charged by the Federal Bureau of Investigation for performing such check. Such certificate shall be issued only after written application, fingerprinting and said criminal history records check for the same has been made and public hearing held thereon. The application shall be accompanied by a fee of two thousand dollars and the fee for said criminal history records check. Upon receipt of such application, the department shall fix a time and place of hearing thereon [, provided such hearing shall be held not earlier than three months after such receipt,] and shall promptly give written notice of the pendency of such application and of the time and place of such hearing [thereon] to [such] the applicant, the mayor of each

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city, the warden of each borough or the first selectman of each town in which the applicant desires to originate the transportation of such passengers, and to any common carrier operating within the territory specified. Notwithstanding any provision of this subsection to the contrary, the department may, upon receipt of a written application, amend an existing certificate to increase the number of taxicabs which may be operated pursuant to the certificate without holding a hearing on the application, provided the department issues a legal notice of such application in a daily newspaper in accordance with the provisions of section 1-2, gives written notice of the pendency of such application to any common carrier operating within the territory specified and no objection is filed with the department within thirty days of each such notice.

Sec. 8. Section 13b-103 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) (1) No person, association, limited liability company or corporation shall operate a motor vehicle in livery service until such person, association, limited liability company or corporation has obtained a permit from the Department of Transportation, specifying the nature and extent of the service to be rendered and certifying that public convenience and necessity will be improved by the operation and conduct of such livery service. Such permits shall be issued only after a written application for the same has been made and a public hearing has been held thereon. Upon receipt of such application, together with the payment of a fee of two hundred dollars, the department shall fix a time and place of hearing thereon, within a reasonable time, and shall promptly give written notice of the pendency of such application and of the time and place of such hearing to each applicant, the mayor of each city, the warden of each borough and the first selectman of each town, within which any such applicant desires to maintain an office or headquarters, to any carrier legally operating motor vehicles in livery

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service within the same territory and to other interested parties as determined by the department. (2) Notwithstanding the provisions of subdivision (1) of this subsection, the department may issue a permit for the operation of vehicles (A) having a capacity of less than eleven adults or to be used exclusively at funerals, weddings, christenings, processions or celebrations, without holding a hearing and certifying that public convenience and necessity would be improved by the operation of such vehicles, or (B) having a capacity of not less than eleven or more than fourteen adults and used for sightseeing and related purposes, without holding a hearing, provided the department issues a legal notice, as provided under section 1-2, of such application and no objection is filed with the department within thirty days of publication of such notice. (3) Notwithstanding the provisions of subdivision (1) of this subsection, the department may issue a temporary or permanent permit to any person, association, limited liability company or corporation operating a motor vehicle engaged in the transportation of passengers for hire by virtue of a contract with, or a lower tier contract for, any federal, state or municipal agency that (A) is in effect on July 1, 1997, with or without hearing, after a written application for the same has been made and the department has determined that the applicant meets the requirements of subsection (b) of this section except with respect to public convenience and necessity, or (B) becomes effective after July 1, 1997, with or without hearing, after a written application for the same has been made and the department has determined that the applicant meets the requirements of subsection (b) of this section. Any such permit issued under the provisions of this subdivision (i) shall be limited to service provided under any such contract, and (ii) with respect to any contract under the provisions of subparagraph (A) of this subdivision, shall not authorize a total number of motor vehicles exceeding the number required to provide service existing under such contract on July 1, 1997. (4) Notwithstanding the provisions of subdivision (1) of this subsection, the department shall issue to any person who has an intrastate livery permit for at least one

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year, upon the application of such person, up to two additional vehicle authorizations each year without a hearing and without written notice of the pendency of the application, if all the existing permits held by such person are registered and in use and if there are no outstanding violations or matters pending adjudication against such person. The department shall have thirty calendar days to issue such amended permit.

(b) In determining whether or not such a permit will be granted, the Department of Transportation shall take into consideration the present or future public convenience and necessity for the service the applicant proposes to render, the suitability of the applicant or the suitability of the management if the applicant is a limited liability company or corporation, the financial responsibility of the applicant, the ability of the applicant efficiently and properly to perform the service for which authority is requested and the fitness, willingness and ability of the applicant to conform to the provisions of this chapter and the requirements and regulations of the department under this chapter.

(c) Any interested party may bring a written petition to the Department of Transportation in respect to fares, service, operation or equipment, or the convenience, protection and safety of the public with regard to any carrier operating a motor vehicle in livery service. Thereupon, the department may fix a time and place for a hearing upon such petition and give notice thereof. No permit shall be sold or transferred until the department, upon written application to it setting forth the purpose, terms and conditions thereof and accompanied by a fee of two hundred dollars, after investigation, approves the same. The department may amend or, for sufficient cause shown, may suspend or revoke any such permit. The department may impose a civil penalty on any person or any officer of any association, limited liability company or corporation who violates any provision of this chapter or any regulation adopted under section 13b-102 with respect to fares, service,

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operation or equipment, in an amount not to exceed one thousand dollars per day for each violation. Prior to the imposition of a civil penalty under this subsection, the department shall provide notice to said person or officer no later than fifteen business days after receipt of information concerning an alleged violation and shall provide an opportunity for a hearing.

(d) The owner or operator of each motor vehicle in livery service shall display in such vehicle such permit or a memorandum thereof.

(e) (1) Any person who holds himself or herself out to be the operator of a motor vehicle in livery service who has not received a permit under this section shall be guilty of a class B misdemeanor.

(2) The state shall remit to a municipality fifty per cent of the fine amount received for a violation of subdivision (1) of this subsection with respect to each summons issued by such municipality. Each clerk of the Superior Court or the Chief Court Administrator, or any other official of the Superior Court designated by the Chief Court Administrator, shall, on or before the thirtieth day of January, April, July and October in each year, certify to the Comptroller the amount due for the previous quarter under this subsection to each municipality served by the office of the clerk or official.

(f) The Department of Transportation may revoke a permit issued under this section or section 13b-105 without a hearing, provided (1) the department sends a notice of revocation to the permit holder at the address of the permit holder on file with the department and (A) the notice is returned as undeliverable or could not be delivered, or (B) the permit holder fails to respond to the notice within the time period specified by the department in such notice, (2) the department conducts a physical inspection of the address of the permit holder on file with the department and determines that no livery service is operated at such address, and (3) no motor vehicle is registered by the permit holder with

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the Department of Motor Vehicles to be used as specified in the permit pursuant to section 13b-106.

Sec. 9. Subsection (a) of section 13b-389 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) No person shall operate any motor vehicle in the transportation of household goods for hire as a household goods carrier without first having obtained from the Commissioner of Transportation [, after hearing,] a certificate of public convenience and necessity to so operate.

Sec. 10. Section 13b-391 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

[After the hearing provided for in section 13b-390, the] The Commissioner of Transportation may issue to the applicant a certificate of public convenience and necessity in a form to be prescribed by [him] the commissioner or may refuse to issue the same, or may issue it for the partial exercise only of the privilege sought, and may prescribe therein such limitations as₂ in [his] the commissioner's judgment, public interest may require.

Sec. 11. Section 13b-392 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

In determining whether or not such a certificate shall be granted, the Commissioner of Transportation shall take into consideration the existing motor transportation facilities and the effect upon them of granting such certificate, the suitability of the applicant, or the suitability of the management if the applicant is a corporation, the financial responsibility and financial stability of the applicant, the ability of the applicant efficiently to perform the service for which authority is requested [,] and the criminal history of the applicant. [, the condition of and effect upon the highways involved and the safety of the public

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using such highways. The commissioner shall take into consideration such recommendations as to motor transportation facilities, or highways, or the effect of granting such certificate upon either of them, or the safety of the public using such highways.] No such certificate shall be denied solely on the ground that there is an existing rail or household goods carrier service. When it appears that no household goods carrier service is being supplied over the route or routes applied for, public convenience and necessity shall be presumed to require operation of such service.

Sec. 12. Subdivision (1) of subsection (b) of section 19a-342 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(b) (1) Notwithstanding the provisions of section 31-40q, no person shall smoke: (A) In any building or portion of a building, [partially enclosed shelter on a rail platform or bus shelter] owned and operated or leased and operated by the state or any political subdivision [thereof of the state]; (B) in any area of a health care institution; (C) in any area of a retail food store; (D) in any restaurant; (E) in any area of an establishment with a permit issued for the sale of alcoholic liquor pursuant to section 30-20a, 30-21, 30-21b, 30-22, 30-22c, 30-28, 30-28a, 30-33a, 30-33b, 30-35a, 30-37a, 30-37e or 30-37f, in any area of an establishment with a permit for the sale of alcoholic liquor pursuant to section 30-23 issued after May 1, 2003, and, on and after April 1, 2004, in any area of an establishment with a permit issued for the sale of alcoholic liquor pursuant to section 30-22a or 30-26 or the bar area of a bowling establishment holding a permit pursuant to subsection (a) of section 30-37c; (F) within a school building or on the grounds of such school; (G) within a child care facility or on the grounds of such child care facility, except, if the child care facility is a family child care home, as defined in section 19a-77, such smoking is prohibited only when a child enrolled in such home is present; (H) in any passenger elevator,

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provided no person shall be arrested for violating this subsection unless there is posted in such elevator a sign which indicates that smoking is prohibited by state law; (I) in any dormitory in any public or private institution of higher education; [or] (J) on and after April 1, 2004, in any area of a dog race track or a facility equipped with screens for the simulcasting of off-track betting race programs or jai alai games; or (K) in any area of a platform or a shelter at a rail, busway or bus station, owned and operated or leased and operated by the state or any political subdivision of the state. For purposes of this subsection, "restaurant" means space, in a suitable and permanent building, kept, used, maintained, advertised and held out to the public to be a place where meals are regularly served to the public, "school" has the same meaning as provided in section 10-154a and "child care facility" has the same meaning as provided in section 19a-342a, as amended by this act.

Sec. 13. Special act 91-32 is amended to read as follows (*Effective from passage*):

Notwithstanding the provisions of section 13b-268 of the general statutes or any other provision of the general statutes, special act or regulation which prohibits the construction of any new highway railroad crossing at-grade, the [commissioner of transportation] Commissioner of Transportation shall construct an at-grade crossing for [emergency vehicles] vehicle and pedestrian traffic at the east end of Portland Street and Bridge Street in the town of Middletown. The crossing shall be constructed subject to the provisions of sections 13b-342 to [13b-347] 13b-345, inclusive, of the general statutes.

Sec. 14. Section 4e-30 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) A state contracting agency may audit the books and records of a contractor or any subcontractor under any negotiated contract or subcontract to the extent that such books and records relate to the

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performance of such contract or subcontract. Such books and records shall be maintained by the contractor for a period of three years from the date of final payment under the prime contract and by the subcontractor for a period of three years from the expiration of the subcontract.

(b) If a state contracting agency enters into an amendment to any negotiated contract or subcontract that extends the terms of such contract or subcontract, the amendment shall be deemed a new and separate negotiated contract for the purposes of this section. The books and records of a contractor or any subcontractor related to the performance of such amendment shall be maintained by the contractor or subcontractor from the commencement of such amendment until a period of three years from the date of final payment under such amendment or the date of expiration of such amendment, whichever is later.

Sec. 15. Subsection (c) of section 14-100a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(c) (1) The operator of and any [front seat] passenger in any motor vehicle or fire fighting apparatus originally equipped with seat safety belts complying with the provisions of 49 CFR 571.209, as amended from time to time, shall wear such seat safety belt while the vehicle or fire fighting apparatus is being operated on any highway, except as follows:

(A) A child under eight years of age shall be restrained as provided in subsection (d) of this section; and

(B) The operator of such vehicle shall secure or cause to be secured in a seat safety belt any passenger eight years of age or older and under sixteen years of age. [; and]

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[(C) If the operator of such vehicle is under eighteen years of age, such operator and each passenger in such vehicle shall wear such seat safety belt while the vehicle is being operated on any highway.]

(2) The provisions of subdivision (1) of this subsection shall not apply to: (A) [any] Any person whose physical disability or impairment would prevent restraint in such safety belt, provided such person obtains a written statement from a licensed physician or a licensed advanced practice registered nurse containing reasons for such person's inability to wear such safety belt and including information concerning the nature and extent of such condition. Such person shall carry the statement on his or her person or in the motor vehicle at all times when it is being operated, [or] (B) an authorized emergency vehicle, other than fire fighting apparatus, responding to an emergency call or a motor vehicle operated by a rural letter carrier of the United States postal service while performing his or her official duties or by a person engaged in the delivery of newspapers, or (C) any passenger on a bus, as defined in 49 USC 30127, as amended from time to time.

(3) Failure to wear a seat safety belt shall not be considered as contributory negligence nor shall such failure be admissible evidence in any civil action.

(4) No law enforcement official may stop a motor vehicle solely for the apparent or actual failure of a back seat passenger who is sixteen years of age or older to wear a seat safety belt.

[(4)] (5) Any operator of a motor vehicle, who is eighteen years of age or older, and any passenger in such motor vehicle, who violates any provision of this subsection shall have committed an infraction and shall be fined fifty dollars. Any operator of a motor vehicle who is under eighteen years of age and any passenger in such motor vehicle who violates any provision of this subsection shall have committed an infraction and shall be fined seventy-five dollars. Points may not be

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assessed against the operator's license of any person convicted of such violation.

Sec. 16. Section 54-33m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

The failure of an operator of, or [front seat] passenger in, a private passenger motor vehicle or vanpool vehicle to wear a seat safety belt as required by section 14-100a, as amended by this act, shall not constitute probable cause for a law enforcement official to conduct a search of such vehicle and its contents.

Sec. 17. Section 13a-124a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) As used in this section, ["specific information sign"] "a specific service sign" means a rectangular sign with the word GAS, FOOD, LODGING, [or] CAMPING or ATTRACTION and exit directional information pertaining to the designated motorist service placed [at the top of] on the sign and upon which is mounted separately attached business [signs] sign panels showing the brand, symbol, trademark or name, or any combination of these, for the designated service available on a crossroad at or near an interchange or intersection.

[(b) The Commissioner of Transportation may issue permits for the erection and maintenance of specific information signs and business signs within the rights-of-way of any portion of a state-maintained limited access highway, except a parkway. The commissioner shall not issue any such permit to any person or company until such person or company files with the commissioner a bond or recognizance to the state, satisfactory to the commissioner and in such amount as the commissioner determines, subject to forfeiture upon failure to comply with (1) the requirements of this section, (2) regulations adopted pursuant to this section, or (3) any orders of the commissioner relating

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to the erection and maintenance of specific information signs and business signs. Any such bond or recognizance shall remain in full force and effect as long as such person or company is subject to any such requirements, regulations or orders as provided in this section.

(c) Any person or company issued a permit in accordance with subsection (b) of this section shall be reimbursed, by subsequent permittees on the same sign, the costs associated with said sign divided by the number of other permittees on said sign.

(d) The commissioner shall adopt regulations in accordance with chapter 54 to carry out the purposes of this section. Such regulations shall include, but not be limited to, establishment of (1) fees for the permits issued under subsection (b) of this section, (2) reimbursements issued pursuant to subsection (c) of this section, and (3) standards for the location, size and maintenance of specific information signs and business signs.]

(b) The Commissioner of Transportation may enter into an agreement with a qualifying person or company regarding the erection, maintenance and removal of a specific service sign within the rights-of-way of any portion of a state-maintained limited access highway, except a parkway. The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, regarding (1) the design and installation requirements for a specific service sign, (2) the minimum qualifications for a person or company to obtain a specific service sign, (3) the application process to obtain a specific service sign, (4) the financial responsibility of such person or company, and (5) the terms regarding the removal of a specific service sign or revocation of an agreement with such person or company.

Sec. 18. Section 13b-237 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

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(a) (1) The Commissioner of Transportation shall not, directly or indirectly, sell, transfer, salvage or otherwise dispose of any surplus rail [or other track] material, [unless the commissioner has offered such rail or other track material] including, but not limited to, rail sections having a maximum length of two hundred feet, ties, tie plates and other track material, without first offering such surplus rail material to freight railroad companies for upgrading state-owned rights-of-way. [Said commissioner shall offer any remaining rail or other track material, if any, to freight railroad companies for upgrading other rail lines located within the state. If any freight railroad company accepts such offer, the Department of Transportation shall transfer such rail or other track material to the recipient's designated material site within the state at a charge to such recipient that, in the case of state-owned rights-of-way does not exceed the value, as scrap, of the materials replaced by the material transferred by said department, and, in the case of non-state-owned rights-of-way, does not exceed the value, as scrap, of the materials transferred by said department.] Such offer shall be in writing and shall be sent by first class mail or electronic mail. No later than thirty days after the date of such offer, a freight railroad company interested in acquiring such surplus material shall submit, in a manner prescribed by the commissioner, a notification of interest and a statement regarding the need and intended use of such surplus material. If more than one freight railroad company submits a notification of interest, the commissioner may select a freight railroad company based on the prior distribution of surplus rail material and the best intended use of such surplus rail material on state property as determined by the commissioner. The commissioner shall send a notification of selection to the selected freight railroad company by first class mail or electronic mail.

(2) The commissioner shall offer remaining surplus rail material, if any, to freight railroad companies for upgrading other rail lines located within the state in the same manner as provided for in subdivision (1)

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of this subsection.

(3) The commissioner shall make any surplus rail material available for inspection at a designated location within a rail yard or along a siding track in the state.

(b) A freight railroad company that received a notice of selection shall accept delivery of the surplus rail material not later than thirty days after receipt of such notice. If the selected freight railroad company does not accept delivery within such thirty-day period, the commissioner may select another freight railroad company that submitted a notification of interest and statement pursuant to subsection (a) of this section or salvage or otherwise dispose of the surplus rail material. The selected freight railroad company shall (1) arrange for and pay the costs associated with the handling and delivery of the surplus rail material from a specific location within a rail yard or along a siding track in the state, (2) accept the surplus rail material in "as is" condition, (3) acknowledge that the commissioner assumes no responsibility for the quality or fitness of the surplus rail material, and (4) install the surplus rail material pursuant to the statement submitted to the commissioner in accordance with subsection (a) of this section unless otherwise approved in writing by the commissioner. The selected freight railroad company shall not salvage the surplus rail material and obtain reimbursement for the cost of the handling and delivery of the surplus rail material, but may salvage any material replaced by the surplus rail material to offset such costs.

(c) The commissioner may enter into agreements with salvage companies for the salvage or disposal of surplus rail material that is not distributed to a freight railroad company pursuant to this section.

Sec. 19. (*Effective from passage*) On or before January 1, 2022, the Commissioner of Transportation shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the joint

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standing committee of the General Assembly having cognizance of matters relating to transportation concerning the status of (1) installing a side rail on the New Canaan branch of the New Haven Line, as defined in section 13b-79a of the general statutes, and (2) increasing direct service to the state of New York on the Danbury branch of the New Haven Line.

Sec. 20. (*Effective from passage*) The Commissioner of Transportation shall study the feasibility of (1) extending the Shore Line East rail line to the state of Rhode Island, (2) establishing a new passenger rail service from the town of New London to the town of Norwich, (3) establishing a new passenger train station in the town of Groton and the borough of Stonington, and (4) extending ground transportation systems in the eastern region of the state and providing interconnection between such systems and rail lines. The commissioner may seek and use any available federal funds to conduct such study. On or before January 1, 2023, the commissioner shall submit the results of such study to the joint standing committee of the General Assembly having cognizance of matters relating to transportation, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 21. Subdivision (1) of subsection (b) of section 19a-342a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(b) (1) No person shall use an electronic nicotine delivery system or vapor product: (A) In any building or portion of a building owned and operated or leased and operated by the state or any political subdivision [thereof] of the state; (B) in any area of a health care institution; (C) in any area of a retail food store; (D) in any restaurant; (E) in any area of an establishment with a permit issued for the sale of alcoholic liquor pursuant to section 30-20a, 30-21, 30-21b, 30-22, 30-22a, 30-22c, 30-26, 30-28, 30-28a, 30-33a, 30-33b, 30-35a, 30-37a, 30-37e or 30-37f, in any area of establishment with a permit issued for the sale of alcoholic liquor

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pursuant to section 30-23 issued after May 1, 2003, or the bar area of a bowling establishment holding a permit pursuant to subsection (a) of section 30-37c; (F) within a school building or on the grounds of such school; (G) within a child care facility or on the grounds of such child care facility, except, if the child care facility is a family child care home as defined in section 19a-77, such use is prohibited only when a child enrolled in such home is present; (H) in any passenger elevator, provided no person shall be arrested for violating this subsection unless there is posted in such elevator a sign which indicates that such use is prohibited by state law; (I) in any dormitory in any public or private institution of higher education; [or] (J) in any area of a dog race track or a facility equipped with screens for the simulcasting of off-track betting race programs or jai alai games; or (K) in any area of a platform or a shelter at a rail, busway or bus station, owned and operated or leased and operated by the state or any political subdivision of the state. For purposes of this subsection, "restaurant" means space, in a suitable and permanent building, kept, used, maintained, advertised and held out to the public to be a place where meals are regularly served to the public, and "school" has the same meaning as provided in section 10-154a.

Sec. 22. (NEW) (*Effective from passage*) There shall be within the Department of Transportation the Office of Innovative Finance and Project Delivery. The Commissioner of Transportation shall assign personnel to the office as required for the office to fulfill the duties of this section. The office shall: (1) Evaluate opportunities to use innovative financing and risk management to deliver transportation projects, (2) focus on the effective and accelerated delivery of transportation projects to assure the development and maintenance of a safe and efficient transportation system, and (3) recommend opportunities for public-private partnerships to the commissioner.

Sec. 23. Subsection (c) of section 14-224 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October*

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1, 2021):

(c) (1) No person shall operate a motor vehicle upon any public highway [for a wager or] for any race, [or for the purpose of making a speed record] contest or demonstration of speed or skill.

(2) No person shall (A) possess a motor vehicle under circumstances manifesting an intent that it be used in a race, [or event] contest or demonstration of speed or skill prohibited under subdivision (1) of this subsection, (B) act as a starter, timekeeper, judge or spectator at a race, [or event] contest or demonstration of speed or skill prohibited under subdivision (1) of this subsection, or (C) wager on the outcome of a race, [or event] contest or demonstration of speed or skill prohibited under subdivision (1) of this subsection.

Sec. 24. (*Effective from passage*) A portion of Connecticut Route 113, travelling in a southeasterly direction from the intersection of Access Road to the intersection of Oak Bluff Road, in the town of Stratford shall be designated as the "State Representative Terrance E. Backer Memorial Highway".

Sec. 25. (*Effective from passage*) Bridge No. 01708 carrying Connecticut Route 2 eastbound over West Road in the town of Marlborough shall be designated as the "Theodore J. May, Jr. Memorial Bridge".

Sec. 26. (*Effective from passage*) Bridge No. 05751 carrying Connecticut Route 162 over the Oyster River in the town of Milford shall be designated as the "State Representative Richard "Dick" Roy Memorial Bridge".

Sec. 27. (*Effective from passage*) Bridge No. 00908 carrying U.S. Route 202 over the Bantam River in the town of Litchfield shall be designated as the "Corporal Rodger "Dodge" Doyle Memorial Bridge".

Sec. 28. (*Effective from passage*) A portion of Connecticut Route 14A

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traveling in an easterly direction from Newport Road to Sterling Memorial School at 1183 Plainfield Pike in the town of Sterling shall be designated as the "Russel M. Gray Memorial Highway".

Sec. 29. (*Effective from passage*) Bridge No. 03207 carrying Highland Avenue over Interstate 84 eastbound and westbound in the city of Waterbury shall be designated as the "Avenue of Heroes Bridge".

Sec. 30. (*Effective from passage*) Bridge No. 04318 carrying Baldwin Street No. 1 over Interstate 84 eastbound and westbound, as well as other city roads and the Mad River, in the city of Waterbury shall be designated as the "Roberto Clemente Memorial Bridge".

Sec. 31. (*Effective from passage*) A portion of Connecticut Route 2A from Connecticut Route 12 to Connecticut Route 2 in the town of Preston shall be designated as the "Parke Spicer Memorial Highway".

Sec. 32. (*Effective from passage*) A portion of Connecticut Route 171, travelling in an easterly direction from the junction with Connecticut Route 198 to the junction with Connecticut Route 169, in the town of Woodstock shall be designated as the "Francis J. Kraynick Memorial Highway".

Sec. 33. (*Effective from passage*) Bridge No. 02197 carrying Connecticut Route 17A over the Carr Brook in the town of Portland shall be designated as the "Sgt. First Class John Bednarz Memorial Bridge".

Sec. 34. (*Effective from passage*) A portion of State Road 505, travelling in a westerly direction from the intersection of Fenn Road and Holly Drive to the terminus of State Road 505 at the intersection of the ramp servicing Connecticut Route 9 southbound, in the town of Newington shall be designated as the "Frank Zuraski Memorial Highway".

Sec. 35. (*Effective from passage*) A portion of Connecticut Route 150, travelling in a northerly direction from the River Road to Connecticut

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Route 68, in the town of Wallingford shall be designated as the "American Legion John M. Siedlicki Post 187 Memorial Highway".

Sec. 36. (*Effective from passage*) A portion of Connecticut Route 63 from the intersection of Bunker Hill Avenue in the town of Watertown to the intersection of Connecticut Route 64 in the town of Middlebury shall be designated as the "Robert J. Kane Memorial Highway".

Sec. 37. (*Effective from passage*) Bridge No. 01062 on Connecticut Route 67 overpassing the Naugatuck River in the town of Seymour shall be designated as the "State Police Captain Jerome Drugonis Memorial Bridge".

Sec. 38. (*Effective from passage*) Bridge No. 00022 carrying Harvard Avenue over Interstate 95 northbound and southbound in the city of Stamford shall be designated as the "Board of Representative Elaine Mitchell Memorial Bridge".

Sec. 39. (*Effective from passage*) A portion of Connecticut Route 104 from the intersection of Riverbank Road to the New York state line in the city of Stamford shall be designated as the "Dudley Williams Memorial Highway".

Sec. 40. (*Effective from passage*) Bridge No. 00067 carrying Hills Point Road over Interstate 95 in the town of Westport shall be designated as the "Khaliq Sanda Memorial Bridge".

Sec. 41. (*Effective from passage*) Bridge No. 01076 carrying Interstate 84 eastbound over Connecticut Route 70 (Waterbury Road) in the city of Waterbury shall be designated as the "Brigadier General John P. Lawlor, Jr. Bridge".

Sec. 42. (*Effective from passage*) Bridge No. 00840 carrying Connecticut Route 74 over Interstate 84 in the town of Tolland shall be designated as the "Trooper First Class Kevin Miller Memorial Bridge".

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Sec. 43. (*Effective from passage*) A portion of Connecticut Route 30 from the Governor's Highway to Connecticut Route 194 in the town of South Windsor shall be designated as the "Major General James Throwe Memorial Highway".

Sec. 44. (*Effective from passage*) A portion of Connecticut Route 21 from the intersection of Connecticut Route 44 to the Putnam-Thompson town line in the town of Putnam shall be designated the "Calvin William Heath Silver Star Recipient Memorial Highway".

Sec. 45. (*Effective from passage*) A portion of Connecticut Route 193 from the intersection of Connecticut Route 200 (Quaddick Road) to Chase Road in the town of Thompson shall be designated as the "John J. Lindley Memorial Highway".

Sec. 46. (*Effective from passage*) Bridge No. 01664 on Connecticut Route 123 overpassing the Norwalk River in the town of Norwalk shall be designated as the "Sgt. Horton A. Duff and Tech 5 Alan S. Duff Memorial Bridge".

Sec. 47. (*Effective from passage*) Connecticut Route 123 from the intersection of Ponus Avenue to the intersection of Barlett Avenue in the city of Norwalk shall be designated as the "Private Richard H. Ireland Memorial Highway".

Sec. 48. (*Effective from passage*) A portion of Connecticut Route 61 from Connecticut Route 6 to the Woodbury-Bethlehem town line in the town of Woodbury shall be designated as the "Danny Logue Memorial Highway".

Sec. 49. (*Effective from passage*) A portion of Connecticut Route 316 from the intersection of United States Route 6 to Monument Lane near the location of Andover Veterans Memorial Park in the town of Andover shall be designated as the "Agent Orange Memorial Highway".

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Sec. 50. (*Effective from passage*) Notwithstanding section 29 of public act 97-304, a portion of Connecticut Route 3 from the intersection of West Street southerly to the intersection of Brook Street in the town of Rocky Hill shall be designated as the "Lou Romeo Memorial Highway".

Sec. 51. (*Effective from passage*) Bridge No. 05686 carrying Interstate 384 westbound over Interstate 84 westbound in the town of Manchester shall be designated as the "John A. Brunalli Bridge".

Sec. 52. (*Effective from passage*) Bridge No. 03922 carrying Connecticut Route 7 northbound over Grays Bridge Road and the Still River in the town of Brookfield shall be designated as the "Governor M. Jodi Rell Bridge".

Sec. 53. Section 14-99h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) Each new car dealer or used car dealer, as defined in section 14-51, or lessor licensed under the provisions of section 14-15 shall offer the purchaser or lessee of a new or used motor vehicle, at the time of sale or lease, the optional service of etching the complete vehicle identification number [of the vehicle] on a lower corner of the windshield and on each side or rear window in such vehicle. Each such dealer or lessor may etch the complete vehicle identification number [of a motor vehicle] on any such vehicle in its inventory prior to its sale or lease provided it specifies the charge for such service separately on the order for the sale of the motor vehicle as prescribed by the provisions of section 14-62, as amended by this act.

(b) If a new car dealer or used car dealer, as defined in section 14-51, offers the purchaser of a new or used motor vehicle, at the time of sale, the optional service of marking vehicle [components] component parts with the complete vehicle identification number, the dealer shall specify the charge for such service separately on the order for the sale of the

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motor vehicle as prescribed by the provisions of section 14-62, as amended by this act. [The commissioner may adopt regulations, in accordance with chapter 54, to implement the provisions of this subsection. Such regulations may provide standards for the marking of component parts in a secure manner, and for telephone or on-line access to a secure database of vehicles including motorcycles and parts that have been marked and registered in such database. Such regulations may also provide for the marking of parts used to replace parts that have been marked in accordance with the provisions of this subsection, by repairers licensed in accordance with section 14-52.] Each new or used dealer that sells a motorcycle shall offer to the purchaser to mark the complete vehicle identification number on the component parts of said motorcycle. Such service shall be subject to the regulations and standards adopted by the commissioner in accordance with this [subsection] section.

(c) Each new car dealer, used car dealer or lessor shall charge reasonable rates for etching services and component parts marking services rendered within the state pursuant to subsections (a) and (b) of this section and shall file a schedule of such rates with the Commissioner of Motor Vehicles. Each such dealer or lessor may from time to time file an amended schedule of such rates with the commissioner. No such dealer or lessor may charge any rate for such etching services or parts marking services which is greater than the rates contained in the most recent schedule filed with the commissioner.

(d) A motor vehicle dealer, licensed in accordance with section 14-52, as amended by this act, and meeting qualifications established by the commissioner, may verify a manufacturer's vehicle identification number to satisfy any provision requiring such verification in this chapter, or chapter 246a or 247. Such verification shall be provided in a written affidavit signed by such a motor vehicle dealer, or [his] such dealer's designee, and submitted to the commissioner. Such affidavit

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shall contain a statement that the manufacturer's vehicle identification number corresponds to such number (1) on the manufacturer's or importer's certificate of origin, if the motor vehicle is new, (2) on a current certificate of title, or (3) on a current motor vehicle registration document. Such affidavit shall also contain a statement that the vehicle identification number has not been mutilated, altered or removed.

(e) Any person violating the provisions of subsection (c) of this section [.] shall be subject to the penalties of false statement, provided for in sections 14-110 and 53a-157b.

(f) The commissioner may adopt regulations, in accordance with chapter 54, to implement the provisions of this section. Such regulations may provide standards for (1) the marking of component parts in a secure manner, including the use of a covert application, (2) telephone or online access to a secure database of vehicles including motorcycles and parts that have been marked and registered in such database, (3) the marking of parts used to replace parts that have been marked by repairers licensed in accordance with section 14-52, as amended by this act. For the purposes of this section, "component part" includes, but is not limited to, the hood, trunk, wheels and doors of a motor vehicle or the frame or steering column of a motorcycle, and "covert application" means a latent brushed chemical that embeds the marking over a vinyl stencil so that when such stencil is removed, the marking is only visible with the assistance of an ultraviolet light.

Sec. 54. (*Effective October 1, 2021*) (a) Notwithstanding the restriction on the use and accommodation of commercial motor vehicles on a parkway as provided in section 13a-26 of the general statutes and regulations adopted pursuant to said section or section 14-298 of the general statutes, the Commissioner of Transportation shall establish a pilot program for the safe use and accommodation of service vehicles and motor vehicles with a combination registration that are owned by or under contract to a nonprofit organization on the Merritt and Wilbur

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Cross Parkways, provided (1) such service vehicles are not more than eighty-four inches high, seventy-two inches wide and two hundred twenty-eight inches long, (2) such nonprofit organization is located not more than one mile from the Merritt or Wilbur Cross Parkways and provides transportation services to persons who are elderly or persons with disabilities in this state, and (3) such service vehicles and motor vehicles with a combination registration have obtained a permit from the Office of State Traffic Administration to use the Merritt and Wilbur Cross Parkways in accordance with any regulation adopted pursuant to section 13a-26 of the general statutes or section 14-298 of the general statutes. The office shall not issue more than two such permits for each location of a nonprofit organization. The pilot program shall commence on or before January 1, 2022, and terminate on January 1, 2024.

(b) Not later than February 1, 2024, the commissioner shall submit a report to the joint standing committee of the General Assembly having cognizance of matters relating to transportation regarding the implementation of the pilot program, the number of permits issued under the pilot program and any recommendations for legislation concerning the use of the Merritt and Wilbur Cross Parkways.

Sec. 55. Section 21 of public act 09-7 of the September special session is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Not later than December 1, [2009] 2021, the [Department of Transportation] Connecticut Airport Authority and the Department of [Public Safety] Emergency Services and Public Protection shall enter into a [memorandum of understanding to provide that all associated] contract providing for security services at Bradley International Airport. Such contract shall provide that all costs incurred by the [Department of Public Safety] department in providing sworn members of the Division of State Police within the [Department of Public Safety to the] department to Bradley International Airport for the purposes of security

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services shall be paid from the Bradley Enterprise Fund. Any payment made pursuant to the contract shall be in compliance with all applicable federal laws, regulations and guidelines.

Sec. 56. (NEW) (*Effective October 1, 2021*) (a) For the purposes of this section, "meteorological evaluation tower" means a structure that (1) is self-standing or supported by guy wires or anchors, (2) is not more than six feet in diameter at the base, and (3) has accessory facilities on which an antenna, sensor, camera, meteorological instrument or other equipment is mounted for the purpose of documenting whether a site has sufficient wind resources for the operation of a wind turbine generator. "Meteorological evaluation tower" does not include (A) a structure that is located adjacent to a building, including a barn or an electric utility substation, or in the curtilage of a residence, (B) a tower regulated by the Federal Communications Commission, or (C) a tower used primarily to support telecommunications equipment or provide commercial mobile radio service or commercial mobile data service, as such terms are defined in 47 CFR 20.3, as amended from time to time.

(b) A meteorological evaluation tower that is at least fifty feet but not more than two hundred feet in height above ground level: (1) Shall be painted in equal alternating bands of aviation orange and white, beginning with aviation orange at the top of the tower; (2) shall have aviation orange marker balls installed and displayed in accordance with the standards contained in current federal regulations and Federal Aviation Administration advisory circulars; and (3) may not be supported by guy wires unless the guy wires have a seven-foot-long safety sleeve at each anchor point that extends from the anchor point along each guy wire attached to the anchor point.

(c) Any person who owns, operates or erects a meteorological evaluation tower in violation of any provision of subsection (b) of this section shall be subject to a civil penalty of (1) not more than five hundred dollars if such violation results in no physical injury, as defined

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in section 53a-3 of the general statutes, to another person, (2) not more than one thousand dollars if such violation results in physical injury to another person, (3) not more than five thousand dollars if such violation results in serious physical injury, as defined in section 53a-2 of the general statutes, to another person, and (4) not more than ten thousand dollars if such violation results in the death of another person.

Sec. 57. Subsection (a) of section 14-390 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) Any municipality may, by ordinance, regulate the operation and use, including hours and zones of use, of snowmobiles and all-terrain vehicles in a manner not inconsistent with the provisions of this section and sections 14-379 to 14-389, inclusive, or any regulations adopted pursuant thereto, and may prescribe a penalty for violation of such ordinance (1) in an amount not to exceed one thousand dollars for a first violation, in an amount not to exceed one thousand five hundred dollars for a second violation and in an amount not to exceed two thousand dollars for a third or subsequent violation, and (2) [in the case of a municipality with a population of twenty thousand or more,] to provide for the seizure and forfeiture to the municipality of such all-terrain vehicle for a violation of such ordinance, subject to any bona fide lien, lease or security interest in the all-terrain vehicle, including, but not limited to, a lien under section 14-66c.

Sec. 58. Section 13b-390 of the general statutes is repealed. (*Effective October 1, 2021*)

Approved July 12, 2021