

OFFICE OF FISCAL ANALYSIS

Legislative Office Building, Room 5200
Hartford, CT 06106 ◊ (860) 240-0200
<http://www.cga.ct.gov/ofa>

sHB-6484

AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF TRANSPORTATION.

AMENDMENT

LCO No.: 10392

File Copy No.: 432

House Calendar No.: 324

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Resources of the General Fund; Resources of the Special Transportation Fund	GF&TF - Potential Revenue Loss/ Gain	Minimal	Minimal
Judicial Dept.; Correction, Dept.	GF - Potential Savings/ Cost	See Below	See Below
Department of Transportation	TF - Potential Savings	See Below	See Below
Department of Transportation	TF - Cost	Up to 2,368,000	None
Department of Transportation	TF - Potential Cost	Up to 366,777	Up to 377,780
State Comptroller - Fringe Benefits ¹	TF - Potential Cost	Up to 151,479	Up to 156,023

Note: GF&TF=General Fund & Transportation Fund; GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 22 \$	FY 23 \$
Various Municipalities	Revenue Gain	Potential	Potential

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 41.3% of payroll in FY 22 and FY 23.

Primary Analyst: PM
Contributing Analyst(s):

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Explanation

The amendment results in the following changes to the fiscal impact identified in the original bill:

The amendment lowers penalties, as compared to the original bill, for operating overweight vehicles on or under bridges from up to a \$1,500 fine to up to a \$1,000 fine for a first offense, and from a class A misdemeanor to up to a \$2,500 fine for a subsequent offense. This results in 1) a potential minimal revenue loss to the General Fund from fines and 2) a potential cost savings from probation or incarceration by removing the misdemeanor penalty. On average, the marginal cost to the state for incarcerating an offender for the year is \$2,200² while the average marginal cost for supervision in the community is less than \$700³ each year.

The amendment strikes sections 6 and 7 from the original bill, resulting in a potential cost savings for the Department of Transportation (DOT) to the extent that eliminating the temporary restriction described in these sections allows DOT to contract with lower cost operators.

The amendment also adds new sections to the original bill, which result in the following:

Section 501 results in a one-time cost of up to \$2.3 million in FY 22 for DOT to conduct a feasibility study concerning ground transportation services in eastern Connecticut by January 1, 2023. The estimated cost is to hire consultants to perform the analysis and produce the report and is based on similar studies DOT has done.

² 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.

³ 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.

Section 502 prohibits vaping at bus and rail facilities and results in a potential minimal revenue gain to the General Fund from fines. In FY 20, the current statute prohibiting vaping in various locations resulted in 17 fines totaling \$1,996.

Section 503 establishes an Office of Innovative Finance and Project Delivery within DOT and requires the Commissioner of Transportation to assign personnel to the office in order to fulfill the duties described in the amendment. To the extent that DOT assigns existing personnel to the office and subsequently hires new personnel to fulfill their former duties, this section results in a cost of up to \$518,256 in FY 22 and up to \$533,803 in FY 23 for salary and fringe benefit costs associated with as many as four fiscal/ administrative officer positions.⁴

Section 504 modifies the circumstances that constitute illegal street racing and results in a potential cost for incarceration or probation and a potential revenue gain to both the General and Special Transportation Fund from fines.

As under current law, the amendment makes violations subject to a fine of \$75 to \$600, up to one year imprisonment, or both for a first offense and a \$100 to \$1,000 fine, up to one year imprisonment, or both for any subsequent offense. Offenders are also subject to having the vehicle impounded if it is registered to them, or an additional monetary penalty if the vehicle used is registered to someone else.

The potential revenue gain is dependent on any resulting change in violations or fines. In FY 20, 17 tickets were issued for illegal street racing and all were dismissed resulting in no fine revenue. In FY 19, 26 tickets were issued and all but three were dismissed, resulting in fine revenue of \$1,038.

Sections 505-533 designate names on certain roads and bridges which will result in a one-time cost in FY 22 of up to \$68,000 to DOT for

⁴ The cost will depend on the number of personnel hired and the actual job classes used.

highway signs.

Section 536 makes technical changes to the relationship between the Connecticut Airport Authority and the Department of Emergency Services and Public Protection regarding security services at Bradley International Airport, which are not anticipated to result in a fiscal impact.

Section 537 creates new violations concerning meteorological evaluation tower marking requirements and, to the extent that offenders are fined, results in potential minimal revenue gain to the General Fund.

Section 538 allows all municipalities, rather than just those with populations of 20,000 or more, to seize all-terrain vehicles (ATVs) under certain conditions and pursuant to a local ordinance. Any ATVs ordered forfeited pursuant to such an ordinance are required to be sold at public auction and results in a potential revenue gain that will vary based on the auction proceeds. As an illustration, the City of Waterbury sold five ATVs at public auction in FY 20, ranging from \$310 to \$1,326, for a total revenue gain to the city of \$3,791.

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.

The preceding Fiscal Impact statement is prepared for the benefit of the members of the General Assembly, solely for the purposes of information, summarization and explanation and does 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.