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## OLR Bill Analysis

### sSB 904

#### **AN ACT CONCERNING THE RECOMMENDATIONS OF THE OFFICE OF THE STATE TRAFFIC ADMINISTRATION AND THE DEPARTMENT OF TRANSPORTATION, THE DISSOLUTION OF THE NORWALK TRANSIT DISTRICT AND ROUTE SHIELD PAVEMENT MARKINGS.**

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*Makes municipalities that do not comply with OSTA orders or regulations, after a warning, ineligible for certain competitive grants; requires local traffic authorities to attend annual training; makes other minor changes to OSTA laws on traffic signals and major traffic generator certificates*

##### § 7 — LIMITED ACCESS HIGHWAY SPEED LIMITS

*Give OSTA discretion in setting speed limits on limited-access highways by eliminating the requirement that the speed limit be 65 mph on suitable multi-lane, limited access highways; instead allows the office to set speed limits up to 65 mph*

##### §§ 8-10 — CONNECTICUT PUBLIC TRANSPORTATION

*Renames the Commuter Rail Council as the Connecticut Public Transportation Council and modifies its composition and charge to include bus user representation*

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*Extends deadline for Shore Line East study to December 1, 2023*

##### §§ 12 & 13 — OVERSIGHT OF LIVERY VEHICLES

*Allows livery permittees to apply for two additional vehicles annually through an expedited process under certain conditions and makes other changes to livery permit statutes*

##### § 14 — NORWALK TRANSIT DISTRICT DISSOLUTION

*Dissolves, and transfers to DOT, the Norwalk Transit District's property, liabilities, and responsibilities on January 1, 2024*

##### § 15 — INTERSTATE PAVEMENT MARKINGS

*Requires DOT to install and maintain pavement markings at certain major limited access highway intersections*

**SUMMARY**

Among its other changes, this bill (1) strengthens enforcement of Office of the State Traffic Administration (OSTA) laws, including making noncompliant municipalities ineligible for certain competitive grants and requiring training for local traffic authorities; (2) modifies the composition and charge of the Connecticut Commuter Rail Council to include bus user representation (§§ 8-10); (3) modifies livery service laws, including expanding the Department of Transportation's (DOT) enforcement options to include ordering corrective actions (§§ 12 & 13); and (4) dissolves the Norwalk Transit District and transfers its property, liabilities, and responsibilities to DOT (§ 14).

It also makes various minor, technical, and conforming changes.

EFFECTIVE DATE: October 1, 2023, unless otherwise noted below.

**§§ 1-6 — OSTA-RELATED LAWS AND REGULATIONS**

*Makes municipalities that do not comply with OSTA orders or regulations, after a warning, ineligible for certain competitive grants; requires local traffic authorities to attend annual training; makes other minor changes to OSTA laws on traffic signals and major traffic generator certificates*

***Compliance With OSTA Orders and Regulations (§ 1)***

The bill requires OSTA to give written notice to a city, town, or borough that fails to comply with one of its issued orders or regulations. The notice must specify the compliance deadline, taking into consideration the availability of, or the need for installing or purchasing, any equipment. Under the bill, failure to comply by the deadline makes a city, town, or borough ineligible to apply for any competitive grant program administered by DOT or the Office of Policy and Management, including the small-town economic assistance program (STEAP), to fund a transportation-related project.

***Traffic Control Signals and Pedestrian Control Signals (§§ 2 & 3)***

By law, OSTA approval is required before a town, city, or borough may install a traffic control signal light. The bill expands this authority to also require OSTA approval before a signal light is revised.

It also explicitly permits the use of symbols (i.e., of a walking person

to represent “Walk” and an upraised hand to represent “Don’t Walk”), rather than only words as under current law, on pedestrian control signals. This conforms to the Federal Manual on Uniform Traffic Control Devices (MUTCD).

### **Major Traffic Generator Certificates (§§ 4 & 5)**

By law, entities building, expanding, or establishing a major traffic-generating development (i.e., having at least 100,000 square feet of floor area or at least 200 parking spaces) must get an OSTA certificate, and local building officials may not issue a building permit to them until they show their certificate. The bill additionally prohibits local building officials from issuing a certificate of occupancy for these developments until conditions of the OSTA certificate have been met. By law, OSTA has the authority to order entities who have not met conditions listed in the certificate to stop development and may bring action in court if the conditions are not met.

It also makes a conforming change to require that all entities who must apply for a certificate attend a meeting with OSTA and DOT before applying (§ 5).

### **Local Traffic Authority Training (§ 6)**

The bill requires UConn’s Connecticut Training and Technical Assistance Center to do mandatory training for traffic authorities at least three times per year. The training must cover the authorities’ powers and responsibilities, traffic control device installation, and applicable statutes and OSTA regulations. By January 1, 2024, and annually afterwards, each traffic authority or its appointed representative must complete the training. The bill requires the center to maintain records of training completion for each traffic authority.

EFFECTIVE DATE: Upon passage

### **§ 7 — LIMITED ACCESS HIGHWAY SPEED LIMITS**

*Give OSTA discretion in setting speed limits on limited-access highways by eliminating the requirement that the speed limit be 65 mph on suitable multi-lane, limited access highways; instead allows the office to set speed limits up to 65 mph*

The bill gives OSTA more discretion in setting speed limits on limited

access highways. Current law requires OSTA to establish a 65 mph speed limit on any multi-lane, limited access highways that are suitable for this speed limit, taking into consideration factors including design, population area, and traffic flow. The bill instead requires the office to set speed limits that are suitable for each of these highways, up to 65 mph, taking into account the same relevant factors (§ 7).

## §§ 8-10 — CONNECTICUT PUBLIC TRANSPORTATION

*Renames the Commuter Rail Council as the Connecticut Public Transportation Council and modifies its composition and charge to include bus user representation*

### **Organization (§§ 8 & 9)**

Under current law, the Commuter Rail Council consists mostly of commuters, appointed with the advice and consent of the General Assembly, who regularly use the New Haven commuter rail line, Shoreline East rail line, or a proposed new rail line commencing operation after July 1, 2013 (i.e., the Hartford line).

Under the bill, the council is renamed the Connecticut Public Transportation Council, with the same number of members, all of whom must be residents who regularly use the New Haven, Shoreline East, or Hartford rail lines or state-funded public bus transportation. Additional specific qualifications based on appointing authority are outlined in the table below.

**Table: Council Membership Under Current Law vs. The Bill**

<b><i>Appointing Authority</i></b>	<b><i>Specific Qualifications Under Current Law</i></b>	<b><i>Specific Qualifications Under the Bill</i></b>
Senate president pro tempore	General qualification	Resident who regularly uses state-funded public bus services
	General qualification	Resident who regularly uses the New Haven rail line
	General qualification	General qualification
House speaker	General qualification	Resident who regularly uses state-funded public bus services
	General qualification	Resident who regularly uses the Hartford rail line
	General qualification	General qualification
Senate minority leader	General qualification	General qualification

<b>Appointing Authority</b>	<b>Specific Qualifications Under Current Law</b>	<b>Specific Qualifications Under the Bill</b>
House minority leader	General qualification	General qualification
Governor	General qualification	General qualification
	General qualification	General qualification
	Chief elected official of a municipality located on an operating or proposed new rail line	General qualification
	General qualification	General qualification
Transportation Committee co-chair	Resident of a municipality in which the DOT commissioner has proposed a new rail line or a rail line that has commenced operation after July 1, 2013	Resident who regularly uses state-funded public bus services
Transportation Committee co-chair	Resident of a municipality in which a station for the Shoreline East railroad line is located	Resident who regularly uses the Shore Line East rail line
Transportation Committee ranking members	Resident of a municipality served by the Danbury or Waterbury branches of the New Haven commuter railroad line	Resident who regularly uses state-funded public bus services

The bill requires all initial appointments to the new council to be made by August 1, 2023, for four-year terms, except that all existing rail council members who were appointed prior to July 1, 2023, and whose term is unexpired on that date, are deemed appointed to the new council until their term expires or a vacancy occurs, whichever occurs first. It eliminates current law's requirement that council appointments be approved by the General Assembly. The council chairperson must notify the relevant appointing authority within 10 days after a vacancy occurs on the new council or a member resigns.

Under current law, the rail council is charged with studying and investigating all aspects of state commuter rail lines' daily operation, monitoring their performance, and recommending changes to improve the efficiency and quality of service of their operation. To enable it to carry out these duties, the council may request and receive assistance and data from any state department, division, board, bureau,

commission, agency, or public authority or any political subdivision. The council must work with DOT to advocate for commuter line customers and make recommendations for the lines' improvement.

Under the bill, the public transportation council is charged with studying and investigating all aspects of the daily operation of the commuter railroad systems and public bus services funded by the state, monitoring their performance, and recommending changes to improve their services' efficiency, equity, and quality. To enable it to carry out these duties, the new council may request and receive assistance and data, if available, from any state department, division, board, bureau, commission, agency, public authority, or any political subdivision. The council must serve as an advocate for customers of all commuter railroad systems and public bus transportation services funded by the state.

The bill adds specific information and assistance that DOT must give the new council. The bill requires DOT to (1) submit monthly reports with information and data about the commuter rail systems' and state-funded public bus services' on-time performance by station and passenger ridership and (2) make quarterly presentations on these reports at council meetings and respond to reasonable council inquiries made in advance of any council meeting. DOT must also maintain records, and denote the status, of each request for information and data it receives from the council.

EFFECTIVE DATE: July 1, 2023

***Reporting Deadline (§ 10)***

By February 1, 2024, the Public Transportation Council must submit a report on the council's organizational structure and any recommendations to improve or modify its structure and mission to the Transportation Committee. In addition to current law's requirements to annually report on its findings and recommendations to various authorities (e.g., the governor, DOT, and the legislature), the bill also requires the new council to annually present its findings and recommendations to the Transportation Committee.

EFFECTIVE DATE: Upon passage

## **§ 11 — SHORE LINE EAST RAIL LINE STUDY**

*Extends deadline for Shore Line East study to December 1, 2023*

The bill extends the deadline, from January 1, 2023, to December 1, 2023, for the DOT commissioner to submit the results of a study on the feasibility of various Shore Line East rail line initiatives to the Transportation Committee. By law, unchanged by the bill, he must study the feasibility of:

1. extending the rail line to Rhode Island,
2. establishing a new passenger rail service from New London to Norwich,
3. establishing a new train station in Groton and Stonington borough, and
4. extending ground transportation systems in the eastern region and providing interconnection between them and rail lines.

EFFECTIVE DATE: Upon passage

## **§§ 12 & 13 — OVERSIGHT OF LIVERY VEHICLES**

*Allows livery permittees to apply for two additional vehicles annually through an expedited process under certain conditions and makes other changes to livery permit statutes*

Under current law, DOT must, within 30 calendar days of receiving an application, issue an in-state livery service permit holder of at least one year up to two additional vehicle permits each year, without a hearing or written notice to other parties affected by the application. DOT must do so as long as all of the applicant's existing permits are registered and in use and there are no outstanding violations or matters pending adjudication against him or her. The bill allows a permittee to submit a second expedited permit application for up to two additional vehicles under the same terms. It clarifies that DOT must issue the amended permit within 30 days of receiving an application and fee payment.

The bill eliminates the requirement that owners or operators display their livery permits in their vehicles. Under existing law, livery vehicles generally must display their assigned livery registration while operating in livery service (CGS § 13b-106).

By law, DOT may make reasonable regulations and impose civil penalties for violations of them or the laws on livery vehicles with respect to fares, service, operation, and equipment. The bill expands this authority to include a livery's management and staffing. In addition to civil penalties, the bill authorizes DOT to order corrective actions as it deems necessary, including attendance at a driver retraining program.

#### **§ 14 — NORWALK TRANSIT DISTRICT DISSOLUTION**

*Dissolves, and transfers to DOT, the Norwalk Transit District's property, liabilities, and responsibilities on January 1, 2024*

On January 1, 2024, the bill dissolves the Norwalk Transit District and transfers all of its funds and property to DOT, including all liability for, and payment of, its debts and obligations. DOT must provide transit services to the areas previously served by the district.

The bill does this notwithstanding statutory provisions (1) authorizing one or more municipalities to form a transit district, which assumes the same regulatory and supervisory functions over transit systems in its district that DOT would exercise (CGS § 7-273b) and (2) requiring that any special legislation on the powers, organization, or form of local government be requested by the affected municipalities (CGS § 2-14). Under this law, it appears that each impacted municipality must request the special legislation and its town clerk must file a certified copy of the resolution or the petition with the secretary of the state at least 10 days before the start of the legislative session.

EFFECTIVE DATE: Upon passage

#### **§ 15 — INTERSTATE PAVEMENT MARKINGS**

*Requires DOT to install and maintain pavement markings at certain major limited access highway intersections*

Under the bill, DOT must paint and maintain route shield pavement markings to guide drivers through the interchanges, in accordance with



the Manual on Uniform Traffic Control Devices (MUTCD), at the intersections of (1) I-95 and I-91 in New Haven and (2) I-91 and I-84 in Hartford.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Transportation Committee

Joint Favorable Substitute

Yea 23 Nay 13 (03/17/2023)