



Senate

General Assembly

File No. 420

January Session, 2023

Substitute Senate Bill No. 15

Senate, April 4, 2023

The Committee on Transportation reported through SEN. COHEN of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE PENALTY FOR COMMERCIAL VEHICLES ON STATE PARKWAYS.

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

1 Section 1. Section 13a-26 of the general statutes is amended by adding
2 subsection (g) as follows (*Effective October 1, 2023*):

3 (NEW) (g) For the purposes of this subsection, "commercial motor
4 vehicle" means any motor vehicle designed or used to transport
5 merchandise or freight and bearing commercial registration. No person
6 shall operate any commercial motor vehicle, nor shall the owner or
7 lessee of any commercial motor vehicle allow such motor vehicle to be
8 operated, upon a parkway in this state on which such vehicle is not
9 permitted to be operated upon, as provided in this section or any
10 regulations adopted under this section or under section 14-298. Any
11 person who violates the provisions of this subsection shall, for a first
12 violation, be fined five hundred dollars and, for any subsequent
13 violation, be fined one thousand dollars. Such fines shall be assessed
14 against the owner of a commercial motor vehicle when the owner, the

15 owner's agent or employee is the operator of such vehicle, or against the
16 lessee of such vehicle when the lessee, the lessee's agent or employee is
17 the operator of a leased or rented commercial motor vehicle.

18 Sec. 2. Subsection (b) of section 51-164n of the general statutes is
19 repealed and the following is substituted in lieu thereof (*Effective October*
20 *1, 2023*):

21 (b) Notwithstanding any provision of the general statutes, any person
22 who is alleged to have committed (1) a violation under the provisions of
23 section 1-9, 1-10, 1-11, 2-71h, 4b-13, 7-13, 7-14, 7-35 or 7-41, subsection (c)
24 of section 7-66, section 7-83, 7-147h, 7-148, 7-148f, 7-148o, 7-283, 7-325, 7-
25 393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-185, 10-193, 10-197, 10-198, 10-
26 230, 10-251, 10-254, 10a-35, 12-52, 12-54, 12-129b or 12-170aa, subdivision
27 (3) of subsection (e) of section 12-286, section 12-286a, 12-292, 12-314b or
28 12-326g, subdivision (4) of section 12-408, subdivision (3), (5) or (6) of
29 section 12-411, section 12-435c, 12-476a, 12-476b, 12-476c [,] or 12-487,
30 subsection (g) of section 13a-26, as amended by this act, section 13a-71,
31 13a-107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139,
32 13a-140, 13a-143b, 13a-253, 13a-263 or 13b-39f, subsection (f) of section
33 13b-42, section 13b-90 or 13b-100, subsection (a) of section 13b-108,
34 section 13b-221 or 13b-292, subsection (a) or (b) of section 13b-324,
35 section 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c,
36 subsection (a), (b) or (c) of section 13b-412, section 13b-414 or 14-4,
37 subdivision (2) of subsection (a) of section 14-12, subsection (d) of
38 section 14-12, subsection (f) of section 14-12a, subsection (a) of section
39 14-15a, section 14-16c, 14-20a or 14-27a, subsection (f) of section 14-34a,
40 subsection (d) of section 14-35, section 14-43, 14-44j, 14-49, 14-50a, 14-58
41 or 14-62a, subsection (b) of section 14-66, section 14-66a or 14-67a,
42 subsection (g) of section 14-80, subsection (f) or (i) of section 14-80h,
43 section 14-97a or 14-98, subsection (a), (b) or (d) of section 14-100a,
44 section 14-100b, 14-103a, 14-106a, 14-106c, 14-145a or 14-146, subsection
45 (b) of section 14-147, section 14-152, 14-153, 14-161 or 14-163b, subsection
46 (f) of section 14-164i, section 14-213b or 14-219, subdivision (1) of section
47 14-223a, subsection (d) of section 14-224, section 14-240, 14-250, 14-253a,
48 14-261a, 14-262, 14-264, 14-266, 14-267a, 14-269, 14-270, 14-272b, 14-274,

49 14-275 or 14-275a, subsection (c) of section 14-275c, section 14-276,
50 subsection (a) or (b) of section 14-277, section 14-278, 14-279 or 14-280,
51 subsection (b), (e) or (h) of section 14-283, section 14-283d, 14-283e, 14-
52 283f, 14-283g, 14-291, 14-293b, 14-296aa, 14-298a, 14-300, 14-300d, 14-
53 300f, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or 14-332a,
54 subdivision (1), (2) or (3) of section 14-386a, section 15-15e, 15-25 or 15-
55 33, subdivision (1) of section 15-97, subsection (a) of section 15-115,
56 section 16-15, 16-16, 16-44, 16-256e, 16-278 or 16a-15, subsection (a) of
57 section 16a-21, section 16a-22, subsection (a) or (b) of section 16a-22h,
58 section 16a-106, 17a-24, 17a-145, 17a-149 or 17a-152, subsection (b) of
59 section 17a-227, section 17a-465, subsection (c) of section 17a-488, section
60 17b-124, 17b-131, 17b-137, 19a-33, 19a-39 or 19a-87, subsection (b) of
61 section 19a-87a, section 19a-91, 19a-102a, 19a-102b, 19a-105, 19a-107,
62 19a-113, 19a-215, 19a-216a, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287,
63 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340,
64 19a-425, 19a-442, 19a-502, 19a-565, 20-7a, 20-14, 20-153a, 20-158, 20-231,
65 20-233, 20-249, 20-257, 20-265, 20-324e, 20-329c or 20-329g, subsection (b)
66 of section 20-334, section 20-341l, 20-366, 20-482, 20-597, 20-608, 20-610,
67 20-623, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48 or 21-63, subsection (d) of
68 section 21-71, section 21-76a or 21-100, subsection (c) of section 21a-2,
69 subdivision (1) of section 21a-19, section 21a-20 or 21a-21, subdivision
70 (1) of subsection (b) of section 21a-25, section 21a-26 or 21a-30,
71 subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63, 21a-70b
72 or 21a-77, subsection (b) or (c) of section 21a-79, section 21a-85 or 21a-
73 154, subdivision (1) of subsection (a) of section 21a-159, section 21a-278b,
74 subsection (c), (d) or (e) of section 21a-279a, section 21a-421eee, 21a-
75 421fff, 21a-421hhh, subsection (a) of section 21a-430, section 22-12b, 22-
76 13, 22-14, 22-15, 22-16, 22-26g, 22-30, 22-34, 22-35, 22-36, 22-38, 22-39, 22-
77 39f, 22-49, 22-54, 22-61j or 22-61l, subdivision (1) of subsection (n) of
78 section 22-61l, subsection (f) of section 22-61m, subdivision (1) of
79 subsection (f) of section 22-61m, section 22-84, 22-89, 22-90, 22-96, 22-98,
80 22-99, 22-100 or 22-111o, subsection (d) of section 22-118l, section 22-167,
81 subsection (c) of section 22-277, section 22-278, 22-279, 22-280a, 22-318a,
82 22-320h, 22-324a or 22-326, subsection (b), subdivision (1) or (2) of
83 subsection (e) or subsection (g) of section 22-344, subsection (a) or (b) of

84 section 22-344b, section 22-344c, subsection (d) of section 22-344d,
85 section 22-344f, 22-350a, 22-354, 22-359, 22-366, 22-391, 22-413, 22-414,
86 22-415, 22-415c, 22a-66a or 22a-246, subsection (a) of section 22a-250,
87 section 22a-256g, subsection (e) of section 22a-256h, section 22a-363 or
88 22a-381d, subsections (c) and (d) of section 22a-381e, section 22a-449,
89 22a-450, 22a-461, 23-4b, 23-38, 23-45, 23-46 or 23-61b, subsection (a) or
90 subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40,
91 subsection (a) of section 25-43, section 25-43d, 25-135, 26-18, 26-19, 26-
92 21, 26-31, 26-40, 26-40a, 26-42, 26-43, 26-49, 26-54, 26-55, 26-56, 26-58 or
93 26-59, subdivision (1) of subsection (d) of section 26-61, section 26-64,
94 subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94,
95 26-97, 26-98, 26-104, 26-105, 26-107, 26-114a, 26-117, subsection (b) of
96 section 26-127, 26-128, 26-128a, 26-131, 26-132, 26-138, 26-139 or 26-141,
97 subdivision (1) of section 26-186, section 26-207, 26-215, 26-217 or 26-
98 224a, subdivision (1) of section 26-226, section 26-227, 26-230, 26-231, 26-
99 232, 26-244, 26-257a, 26-260, 26-276, 26-280, 26-284, 26-285, 26-286, 26-
100 287, 26-288, 26-290, 26-291a, 26-292, 26-294, 27-107, 28-13, 29-6a, 29-16,
101 29-17, 29-25, 29-143o, 29-143z or 29-156a, subsection (b), (d), (e), (g) or
102 (h) of section 29-161q, section 29-161y or 29-161z, subdivision (1) of
103 section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of section
104 29-291c, section 29-316 or 29-318, subsection (b) of section 29-335a,
105 section 29-381, 30-19f, 30-48a or 30-86a, subsection (b) of section 30-89,
106 subsection (c) or (d) of section 30-117, section 31-3, 31-10, 31-11, 31-12,
107 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-36, 31-38,
108 31-40, 31-44, 31-47 or 31-48, subsection (b) of section 31-48b, section 31-
109 51, 31-51g, 31-52, 31-52a, 31-53 or 31-54, subsection (a) or (c) of section
110 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134,
111 subsection (i) of section 31-273, section 31-288, 31-348, 33-624, 33-1017,
112 34-13d or 34-412, subdivision (1) of section 35-20, subsection (a) of
113 section 36a-57, subsection (b) of section 36a-665, section 36a-699, 36a-
114 739, 36a-787, 38a-2 or 38a-140, subsection (a) or (b) of section 38a-278,
115 section 38a-479qq, 38a-479rr, 38a-506, 38a-548, 38a-626, 38a-680, 38a-713,
116 38a-733, 38a-764, 38a-786, 38a-828, 38a-829, 38a-885, 42-133hh, 42-230,
117 42-470 or 42-480, subsection (a) or (c) of section 43-16q, section 45a-283,
118 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54,

119 section 46a-59, 46a-81b, 46b-22, 46b-24, 46b-34, 46b-38d, 47-34a, 47-47 or
 120 47-53, subsection (i) of section 47a-21, subdivision (1) of subsection (k)
 121 of section 47a-21, section 49-2a, 49-8a, 49-16, 52-143 or 52-289, subsection
 122 (j) of section 52-362, section 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-
 123 264, 53-280, 53-290a, 53-302a, 53-303e, 53-311a, 53-314, 53-321, 53-322, 53-
 124 323 or 53-331, subsection (b) of section 53-343a, section 53-344,
 125 subsection (b) or (c) of section 53-344b, subsection (b) of section 53-345a,
 126 section 53-377, 53-422 or 53-450 or subsection (i) of section 54-36a, or (2)
 127 a violation under the provisions of chapter 268, or (3) a violation of any
 128 regulation adopted in accordance with the provisions of section 12-484,
 129 12-487 or 13b-410, or (4) a violation of any ordinance, regulation or
 130 bylaw of any town, city or borough, except violations of building codes
 131 and the health code, for which the penalty exceeds ninety dollars but
 132 does not exceed two hundred fifty dollars, unless such town, city or
 133 borough has established a payment and hearing procedure for such
 134 violation pursuant to section 7-152c, shall follow the procedures set
 135 forth in this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	13a-26(g)
Sec. 2	October 1, 2023	51-164n(b)

Statement of Legislative Commissioners:

In Section 1, the third sentence was rephrased for consistency with standard drafting conventions and in the last sentence, "of such vehicle" was added for clarity.

TRA *Joint Favorable Subst.*

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 24 \$	FY 25 \$
State Resources	State Resources - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill changes driving commercial vehicles on state parkways from a regulatory violation to a statutory violation and raises the fine for these violations. The fine for this violation is currently \$50 with \$42 in surcharges. The increase is to \$500 for first violations and to \$1,000 for subsequent violations which results in a potential gain in revenue.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of violations.

OLR Bill Analysis**sSB 15****AN ACT CONCERNING THE PENALTY FOR COMMERCIAL VEHICLES ON STATE PARKWAYS.****SUMMARY**

This bill increases the fine for driving commercial motor vehicles on state parkways where they are prohibited by Office of the State Traffic Administration (OSTA) regulations and codifies this prohibition in statute. Additionally, it prohibits commercial vehicle owners or lessees from allowing these vehicles to be driven on any such parkway. Under the bill, similar to existing regulation, a “commercial motor vehicle” is any vehicle designed or used to transport merchandise or freight and bearing commercial registration.

Existing OSTA regulations prohibit commercial motor vehicles from entering and using limited access highways that are designated as parkways (i.e., the Merritt and Wilbur Cross Parkways and the Milford Parkway), and a violation of this prohibition is an infraction (CGS § 14-314; Conn. Agencies Regs. § 14-298-249). (The current fine is set at \$50 plus \$42 in surcharges.)

The bill makes violations of its prohibitions punishable by a fine of \$500 for a first violation and \$1,000 for any subsequent violation. The fines must be assessed against the (1) commercial vehicle owner, when the owner, owner’s agent, or owner’s employee was the driver or (2) commercial vehicle lessee, when the lessee, lessee’s agent, or the lessee’s employee was the driver. Similar provisions about responsibility for the fine apply to some other commercial vehicle penalties, such as the penalty for driving overweight vehicles (CGS § 14-267a(f)).

Under the bill, violations are processed through the Centralized

Infractions Bureau (CIB) (see BACKGROUND).

EFFECTIVE DATE: October 1, 2023

BACKGROUND

Centralized Infractions Bureau (CIB)

By law, individuals charged with a motor vehicle violation may, generally, pay the fine through the CIB without appearing in court. Payment is considered a plea of nolo contendere (no contest) and is not admissible in any civil or criminal proceeding. If an individual pleads not guilty, the CIB must send the plea and request for trial to the clerk of the geographical area court where the trial is to take place. The practice, procedure, rules of evidence, and burden of proof applicable in criminal proceedings apply in such a trial (CGS § 51-164n).

Related Bill

HB 6676, favorably reported by the Judiciary Committee, increases the fine for operating a commercial vehicle on state parkways in violation of OSTA regulations to \$500 for each violation.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 32 Nay 4 (03/17/2023)