



# House of Representatives

General Assembly

**File No. 274**

February Session, 2024

Substitute House Bill No. 5330

*House of Representatives, April 4, 2024*

The Committee on Transportation reported through REP. LEMAR of the 96th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT IMPLEMENTING RECOMMENDATIONS OF THE DEPARTMENT OF TRANSPORTATION.**

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

1 Section 1. Section 14-314 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2024*):

3 Any person, firm or corporation failing to comply with any order  
4 made pursuant to any provision of this chapter shall be fined not more  
5 than [five] ten thousand dollars or imprisoned not more than thirty days  
6 or both, and shall be subject to the provisions of section 14-111. Any  
7 person, firm or corporation failing to comply with any traffic control  
8 signal, sign, marking or other device placed and maintained upon the  
9 highway, or with any regulation adopted pursuant to any provision of  
10 this chapter, by the Office of the State Traffic Administration or the  
11 traffic authority of any city, town or borough shall be deemed to have  
12 committed an infraction, if no other penalty is provided by law.  
13 Traveling at a greater rate of speed than is reasonable as provided in  
14 section 14-218a, as amended by this act, shall not be deemed to be a

15 failure to comply with the provisions of this section but shall be deemed  
16 to be the commission of an infraction within the provisions of [said]  
17 section 14-218a, as amended by this act.

18 Sec. 2. Subsection (b) of section 14-311 of the 2024 supplement to the  
19 general statutes is repealed and the following is substituted in lieu  
20 thereof (*Effective July 1, 2024*):

21 (b) Except as otherwise provided in this subsection or permitted by  
22 the Office of the State Traffic Administration, no local building official  
23 shall issue a building or foundation permit to any person, firm,  
24 corporation, state agency or municipal agency to build, expand,  
25 establish or operate such a development until the person, firm,  
26 corporation or agency provides to such official a copy of the certificate  
27 issued under this section by the office. No local building official shall  
28 issue a certificate of occupancy to any such person, firm, corporation or  
29 agency for such development until the conditions of the certificate  
30 issued by the office under this section have been satisfied. If the office  
31 determines that a local building official issued a building or foundation  
32 permit to any such person, firm, corporation or agency without such  
33 person, firm, corporation or agency having a certificate from the office,  
34 the office shall order the building official to revoke such building or  
35 foundation permit. If the office determines that any person, firm,  
36 corporation or agency has (1) started building, expanding, establishing  
37 or operating such a development without first obtaining a certificate  
38 from said office, or (2) has failed to comply with the conditions of such  
39 a certificate, [it] the office shall order the person, firm, corporation or  
40 agency to (A) cease constructing, expanding, establishing or operating  
41 the development, or (B) comply with the conditions of the certificate  
42 within a reasonable period of time. If such person, firm, corporation or  
43 agency fails to (i) cease such work, or (ii) comply with an order of the  
44 office within such time as specified by the office, the office may apply to  
45 the superior court for the judicial district of Hartford or the judicial  
46 district where the development is located enjoining the construction,  
47 expansion, establishment or operation of such development.  
48 Notwithstanding the provisions of this subsection, for single family

49 home building lots within a subdivision of land, for which a certificate  
50 is required and which do not have a direct exit or entrance on, or directly  
51 abut or adjoin any state highway, no local building official shall issue a  
52 certificate of occupancy to any person, firm, corporation, state agency or  
53 municipal agency to occupy homes on such lots until the person, firm,  
54 corporation or agency provides to such official a copy of the certificate  
55 issued under this section by the office and such official confirms that the  
56 certificate conditions have been satisfied.

57 Sec. 3. Subsection (f) of section 14-311 of the 2024 supplement to the  
58 general statutes is repealed and the following is substituted in lieu  
59 thereof (*Effective July 1, 2024*):

60 (f) Before submitting an application for a certificate for any  
61 development generating large volumes of traffic pursuant to subsection  
62 (a) of this section to the Office of the State Traffic Administration, the  
63 person, firm, corporation or agency submitting such application shall  
64 attend a mandatory meeting with the Office of the State Traffic  
65 Administration and other staff from the Department of Transportation.  
66 At such meeting, such person, firm, corporation or agency shall present  
67 the applicant's proposed development and receive feedback, including,  
68 but not limited to, information as to what materials need to be submitted  
69 for an application to be considered complete.

70 Sec. 4. Subsection (b) of section 14-311c of the 2024 supplement to the  
71 general statutes is repealed and the following is substituted in lieu  
72 thereof (*Effective July 1, 2024*):

73 (b) Except as otherwise provided in this subsection or permitted by  
74 the Office of the State Traffic Administration, no local building official  
75 shall issue a building or foundation permit to any such person, firm,  
76 corporation or agency to build, expand, establish or operate such a  
77 development until the person, firm, corporation or agency provides to  
78 such official a copy of the certificate issued under this section by the  
79 Office of the State Traffic Administration. No local building official shall  
80 issue a certificate of occupancy to any such person, firm, corporation or  
81 agency for such development until the conditions of the certificate

82 issued by the office under this section have been satisfied. If the office  
83 determines that a local building official issued a building or foundation  
84 permit to any such person, firm, corporation or agency without such  
85 person, firm, corporation or agency having a certificate from the office,  
86 the office shall order the building official to revoke such building or  
87 foundation permit. If the Office of the State Traffic Administration  
88 determines that any person, firm, corporation or agency has (1) started  
89 building, expanding, establishing or operating such a development  
90 without first obtaining a certificate from said office, or (2) has failed to  
91 comply with the conditions of such a certificate, it shall order the person,  
92 firm, corporation or agency to (A) cease constructing, expanding,  
93 establishing or operating the development, or (B) to comply with the  
94 conditions of the certificate within a reasonable period of time. If such  
95 person, firm, corporation or agency fails to (i) cease such work, or (ii)  
96 comply with such order within such time as specified by the Office of  
97 the State Traffic Administration, said office or the traffic authority of the  
98 municipality wherein the development is located may apply to the  
99 superior court for the judicial district of Hartford or the judicial district  
100 where the development is located enjoining the construction, expansion,  
101 establishment or the operation of such development. Notwithstanding  
102 the provisions of this subsection, for single family home building lots  
103 within a subdivision of land, for which a certificate is required and  
104 which do not have a direct exit or entrance on, or directly abut or adjoin  
105 any state highway, no local building official shall issue a certificate of  
106 occupancy to any such person, firm, corporation or agency to occupy  
107 homes on such lots until such person, firm, corporation or agency  
108 provides to such official a copy of the certificate issued under this  
109 section by said office and such official confirms that the certificate  
110 conditions have been satisfied.

111 Sec. 5. Subsection (f) of section 14-311c of the 2024 supplement to the  
112 general statutes is repealed and the following is substituted in lieu  
113 thereof (*Effective July 1, 2024*):

114 (f) Before submitting an application for a certificate for any  
115 development generating large volumes of traffic pursuant to subsection

116 (a) of this section to the Office of the State Traffic Administration, the  
117 person, firm, corporation or agency submitting such application shall  
118 attend a mandatory meeting with the Office of the State Traffic  
119 Administration and other staff from the Department of Transportation.  
120 At such meeting, such person, firm, corporation or agency shall present  
121 the applicant's proposed development and receive feedback, including,  
122 but not limited to, information as to what materials need to be submitted  
123 for an application to be considered complete.

124 Sec. 6. Section 14-299 of the 2024 supplement to the general statutes  
125 is repealed and the following is substituted in lieu thereof (*Effective*  
126 *October 1, 2024*):

127 (a) For the purpose of standardization and uniformity, no installation  
128 of or revision to any traffic control signal light shall be made by any  
129 town, city or borough until the same has been approved by the Office of  
130 the State Traffic Administration. Such approval shall be based on  
131 necessity for, location of and type of such signal light and shall be  
132 applied for on a form supplied by the Office of the State Traffic  
133 Administration and shall be submitted to said office by the traffic  
134 authority having jurisdiction. Approval of any such signal light may be  
135 revoked by the Office of the State Traffic Administration at any time if  
136 said office deems such revocation to be in the interest of public safety,  
137 and thereupon such signal lights shall be removed by the traffic  
138 authority having jurisdiction.

139 (b) When traffic at an intersection is alternately directed to proceed  
140 and to stop by the use of signals exhibiting colored lights or lighted  
141 arrows, successively one at a time or in combination, only the colors  
142 green, red and yellow shall be used, except for special pedestrian-  
143 control signals carrying word legends or symbols. Such lights or arrows  
144 shall apply to drivers of vehicles, [and] pedestrians [and shall] and  
145 operators of bicycles, except when such operators are directed by  
146 bicycle-control signals pursuant to subsection (d) of this section. Such  
147 lights or arrows shall indicate the following:

148 (1) Circular green alone: Vehicular traffic facing a green signal may

149 proceed straight through or turn right or left unless a sign or marking at  
150 such place prohibits either such turn or straight through movement,  
151 except that such traffic shall yield the right-of-way to pedestrians and  
152 vehicles within a crosswalk or the intersection at the time such signal  
153 was exhibited; pedestrians facing the green signal, except when directed  
154 by separate pedestrian-control signals, may proceed across the highway  
155 within any marked or unmarked crosswalk.

156 (2) Yellow: Vehicular traffic facing a steady yellow signal is thereby  
157 warned that the related green movement is being terminated or that a  
158 red indication will be exhibited immediately thereafter, when vehicular  
159 traffic shall stop before entering the intersection unless so close to the  
160 intersection that a stop cannot be made in safety; pedestrians facing a  
161 steady yellow signal, except when directed by separate pedestrian-  
162 control signals, are thereby advised that there is insufficient time to  
163 cross the roadway before a red indication is shown and no pedestrian  
164 shall then start to cross the roadway.

165 (3) Red alone: Vehicular traffic facing a steady red signal alone shall  
166 stop before entering the crosswalk on the near side of the intersection  
167 or, if none, then before entering the intersection and remain standing  
168 until the next indication is shown; provided, on or after July 1, 1979,  
169 vehicular traffic traveling in the travel lane nearest the right hand curb  
170 or other defined edge of the roadway, unless a sign approved by the  
171 Office of the State Traffic Administration has been erected in the  
172 appropriate place prohibiting this movement, may cautiously enter the  
173 intersection to make a right turn onto a two-way street or onto another  
174 one-way street on which all the traffic is moving to such vehicle's right  
175 after such vehicle has stopped as required in this subdivision and  
176 yielded the right-of-way to pedestrians within an adjacent crosswalk  
177 and to other traffic lawfully using the intersection. Pedestrians facing a  
178 steady red signal alone, except when directed by separate pedestrian-  
179 control signals, shall not enter the roadway.

180 (4) Green arrow: Vehicular traffic facing a green arrow signal, shown  
181 alone or in combination with another indication, may cautiously enter

182 the intersection only to make the movement indicated by such arrow, or  
183 such other movement as is permitted by other indications shown at the  
184 same time, but such vehicular traffic shall yield the right-of-way to  
185 pedestrians within a crosswalk and to other traffic lawfully within the  
186 intersection.

187 (5) Whenever special pedestrian-control signals exhibiting the words  
188 "Walk" or "Don't Walk" or the image of a walking person symbolizing  
189 "Walk" or an upraised hand symbolizing "Don't Walk" are in place, such  
190 signals shall indicate as follows: "Walk" or walking person symbol:  
191 Pedestrians facing such signals may proceed across the roadway in the  
192 direction of the signal and shall be given the right-of-way by the drivers  
193 of all vehicles; "Don't Walk" or upraised hand symbol: No pedestrian  
194 shall start to cross the roadway in the direction of such signal, but any  
195 pedestrian who has partially completed crossing on the walk signal  
196 shall proceed to a sidewalk or safety island while the flashing "Don't  
197 Walk" or flashing upraised hand symbol signal is showing.

198 (c) When an illuminated flashing red or yellow signal is used in a  
199 traffic sign or signal, it shall require obedience by vehicular traffic as  
200 follows:

201 (1) Flashing red: When a red lens is illuminated by rapid intermittent  
202 flashes, [drivers of vehicles] vehicular traffic shall stop before entering  
203 the nearest crosswalk at an intersection, or at a limit line when marked  
204 or, if none, then before entering the intersection, and the right to proceed  
205 shall be subject to the rules applicable after making a stop at a stop sign.

206 (2) Flashing yellow: When a yellow lens is illuminated with rapid  
207 intermittent flashes, [drivers of vehicles] vehicular traffic facing such  
208 signal may proceed through the intersection or past such signal only  
209 with caution.

210 (d) Whenever bicycle-control signals with three lens signal heads  
211 exhibiting green, yellow or red bicycle stenciled lenses are in place, the  
212 operators of bicycles shall comply with such signals. Such signals shall  
213 indicate as follows:

214 (1) Green bicycle: Bicycle traffic facing a green bicycle signal may  
215 proceed in the same manner as if facing a green signal alone as described  
216 in subdivision (1) of subsection (b) of this section.

217 (2) Yellow bicycle: Bicycle traffic facing a yellow bicycle signal is  
218 thereby warned in the same manner as if facing a steady yellow signal  
219 as described in subdivision (2) of subsection (b) of this section.

220 (3) Red bicycle: Bicycle traffic facing a red bicycle signal shall stop in  
221 the same manner as if facing a steady red signal alone as described in  
222 subdivision (3) of subsection (b) of this section, provided bicycle traffic  
223 may cautiously enter the intersection as described in said subdivision.

224 (4) Flashing red bicycle: When a red bicycle signal is illuminated by  
225 rapid intermittent flashes, bicycle traffic shall stop in the same manner  
226 as if facing a red lens illuminated by rapid intermittent flashes as  
227 described in subdivision (1) of subsection (c) of this section.

228 (5) Flashing yellow bicycle: When a yellow bicycle signal is  
229 illuminated by rapid intermittent flashes, bicycle traffic may proceed as  
230 described in subdivision (2) of subsection (c) of this section.

231 [(d)] (e) Lenses of the following colors only shall be used and shall be  
232 arranged vertically in the signal face or, when necessary, horizontally,  
233 and shall conform to the following positions: When arranged vertically,  
234 red shall be located at the top, yellow shall be located directly below red  
235 and the remaining indications below the yellow in the following order:  
236 Flashing yellow, circular green, vertical arrow, left-turn arrow and  
237 right-turn arrow, as needed; when arranged horizontally, red shall be  
238 located at the left, yellow shall be located directly to the right of red and  
239 the remaining indications to the right of yellow in the following order:  
240 Flashing yellow, left-turn arrow, circular green, vertical arrow and  
241 right-turn arrow, as needed.

242 [(e)] (f) When lane-direction-control signals are placed over the  
243 individual lanes of a street or highway, vehicular traffic may travel in  
244 any lane over which a green arrow signal is shown, but shall not enter



245 or travel in any lane over which a red X signal is shown.

246 [(f)] (g) If a traffic control signal, approved by the Office of the State  
247 Traffic Administration, is erected and maintained at a place other than  
248 an intersection, the provisions of this section shall be applicable except  
249 as to those provisions which by their nature can have no application.  
250 Any stop required shall be made at a sign or marking on the pavement  
251 indicating where the stop shall be made, but in the absence of any sign  
252 or marking, the stop shall be made at the signal.

253 Sec. 7. (NEW) (*Effective July 1, 2024*) Notwithstanding the provisions  
254 of any municipal charter, special act or home rule ordinance, any  
255 municipality may, by vote of its legislative body, establish a traffic  
256 authority and appoint one or more persons as members to serve on such  
257 traffic authority. The qualifications, terms of office and compensation, if  
258 any, of any such members shall be prescribed by such legislative body.  
259 A traffic authority established pursuant to this section shall replace any  
260 existing traffic authority in such municipality and have the same powers  
261 and duties as a traffic authority described in subparagraphs (A) to (C),  
262 inclusive, of subdivision (7) of section 14-297 of the general statutes, as  
263 amended by this act.

264 Sec. 8. Subdivision (7) of section 14-297 of the general statutes is  
265 repealed and the following is substituted in lieu thereof (*Effective October*  
266 *1, 2024*):

267 (7) "Traffic authority" means (A) the board of police commissioners  
268 of any city, town or borough, [or] (B) the city or town manager, the chief  
269 of police, the superintendent of police or any legally elected or  
270 appointed official or board [, or any official] having similar powers and  
271 duties [,] of any city, town or borough that has no board of police  
272 commissioners but has a regularly appointed police force, [or] (C) the  
273 board of selectmen of any town in which there is no city or borough with  
274 a regularly appointed police force, or (D) a traffic authority established  
275 pursuant to section 7 of this act, except that, with respect to state  
276 highways and bridges, "traffic authority" means the Office of the State  
277 Traffic Administration, provided nothing contained in this section shall

278 be construed to limit or detract from the jurisdiction or authority of the  
279 Office of the State Traffic Administration to adopt regulations  
280 establishing a uniform system of traffic control signals, devices, signs  
281 and markings as provided in section 14-298, and the requirement that  
282 no installation of any traffic control signal light shall be made by any  
283 city, town or borough until the installation has been approved by the  
284 Office of the State Traffic Administration as provided in section 14-299,  
285 as amended by this act;

286 Sec. 9. Subsection (b) of section 14-218a of the 2024 supplement to the  
287 general statutes is repealed and the following is substituted in lieu  
288 thereof (*Effective October 1, 2024*):

289 (b) (1) Except as provided in subdivision (2) of this subsection, the  
290 Office of the State Traffic Administration shall establish a speed limit  
291 not to exceed sixty-five miles per hour on each multiple lane, limited  
292 access highway. The office shall establish speed limits that are suitable  
293 for each such highway, taking into consideration relevant factors  
294 including design, population of area and traffic flow.

295 (2) The Commissioner of Transportation may establish [the speed  
296 limit on limited access highways during a weather event or an  
297 emergency, provided the commissioner erects electronic signs  
298 indicating such speed limit] a variable speed limit to allow for the  
299 temporary lowering of a posted speed limit on a limited access highway  
300 to address traffic congestion, road construction or any other condition  
301 that affects the safe and orderly movement of traffic on such limited  
302 access highway. Any such variable speed limit (A) shall be based on an  
303 engineering investigation; (B) may be effective for all, or a designated  
304 portion, of such highway; (C) shall not be less than ten miles per hour  
305 below the posted speed limit on such highway, or portion thereof; and  
306 (D) shall be effective when the variable speed limit is posted and when  
307 a sign notifying motorists of the change in the posted speed limit is  
308 erected not less than five hundred feet, but not more than one thousand  
309 feet, before the point at which the variable speed limit begins. The  
310 commissioner shall use stationary or portable changeable message signs

311 to provide notice of a variable speed limit.

312 Sec. 10. Subsection (e) of section 13a-123 of the general statutes is  
313 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
314 *2024*):

315 (e) The following types of signs, displays and devices may, with the  
316 approval of and subject to regulations adopted by the commissioner, be  
317 permitted within the six-hundred-sixty-foot area of interstate, primary  
318 and other limited access state highways, except as prohibited by state  
319 statute, local ordinance or zoning regulation: (1) Directional and other  
320 official signs or notices, which signs and notices shall include, but not  
321 be limited to, signs and notices pertaining to natural wonders and scenic  
322 and historical attractions which are required or authorized by law; (2)  
323 signs, displays and devices advertising the sale or lease of the property  
324 upon which they are located; (3) signs, displays and devices advertising  
325 activities conducted on the property on which they are located; (4) signs,  
326 displays or advertising devices which are in place for sixty days or less;  
327 and (5) advertising signs, displays or devices (A) located or erected on  
328 real property or abutting real property within areas owned, leased or  
329 managed by a public authority for the purpose of (i) railway or rail  
330 infrastructure facilities, including, but not limited to, associated  
331 structures located within areas zoned solely or predominantly for the  
332 development of a railway or rail infrastructure facilities, (ii) bus rapid  
333 transit corridors, including, but not limited to, the Hartford-New Britain  
334 busway project authorized in section 13b-15a, and any shelter, structure  
335 or other facility associated with the operation of such bus rapid transit  
336 corridor, (iii) airport development zones designated in section 32-75d,  
337 [or] (iv) bus facilities, or (v) any other similar transit or freight purpose,  
338 or (B) upon or within buildings, structures or other venues in the  
339 custody or control of the state and designed, operated or intended to be  
340 operated for the purpose of presenting athletic, artistic, musical or other  
341 entertainment events. Subject to regulations adopted by the  
342 commissioner and except as prohibited by state statute, local ordinance  
343 or zoning regulation, signs, displays and devices may be erected and  
344 maintained within six hundred sixty feet of primary and other limited

345 access state highways in areas which are zoned for industrial or  
346 commercial use under authority of law or located in unzoned  
347 commercial or industrial areas which areas shall be determined from  
348 actual land uses and defined by regulations of the commissioner. The  
349 regulations of the commissioner in regard to size, spacing and lighting  
350 shall apply to any segments of the interstate system which traverse  
351 commercial or industrial zones wherein the use of real property adjacent  
352 to the interstate system is subject to municipal regulation or control, or  
353 which traverse other areas where the land use, as of September 21, 1959,  
354 was clearly established under state law as industrial or commercial.

355 Sec. 11. Subsection (b) of section 13b-38ff of the 2024 supplement to  
356 the general statutes is repealed and the following is substituted in lieu  
357 thereof (*Effective July 1, 2024*):

358 (b) [On and after July 1, 2024, each] Each new bus stop or shelter  
359 constructed by the Department of Transportation or a transit district on  
360 and after July 1, 2024, shall (1) be in accordance with the plan developed  
361 pursuant to subsection (a) of this section, and (2) comply with physical  
362 accessibility guidelines, as applicable, under the federal Americans with  
363 Disabilities Act, 42 USC 12101, et seq., as amended from time to time.

364 Sec. 12. Subdivision (10) of section 13b-2 of the general statutes is  
365 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
366 *2024*):

367 (10) ["Fare inspector"] "Fare inspection duties" means the duties of an  
368 employee of (A) the department designated by the commissioner, or (B)  
369 a third-party contractor employed by the department, [whose duties are  
370 to inspect] which include, but are not limited to, the inspection of tickets,  
371 passes or other documentation required to show compliance by the  
372 passenger with the fare payment requirements of state-owned or  
373 controlled bus public transportation service when the fare payment is  
374 off board or a combination of off board and on board such bus.

375 Sec. 13. Subsection (a) of section 13b-34 of the general statutes is  
376 repealed and the following is substituted in lieu thereof (*Effective July 1,*

377 2024):

378 (a) The commissioner [shall have power] may, in order to aid or  
379 promote the operation, whether temporary or permanent, of any  
380 transportation service operating to, from or in the state, to contract in  
381 the name of the state with any person, including, but not limited to, any  
382 common carrier, any transit district formed under chapter 103a or any  
383 special act, or any political subdivision or entity, or with the United  
384 States or any other state, or any agency, instrumentality, subdivision,  
385 department or officer thereof, for purposes of initiating, continuing,  
386 developing, providing or improving any such transportation service.  
387 Such contracts may include provision for arbitration of disputed issues.  
388 The commissioner, in order to aid or promote the operation of any  
389 transportation service operating outside the state, may contract in the  
390 name of the state with any person, including, but not limited to, any  
391 common carrier, or with the United States or any other state, or any  
392 agency, instrumentality, subdivision, department or officer thereof, for  
393 purposes of providing any transportation service in the event such  
394 assistance is required in the case of an emergency or a special event. The  
395 state, acting by and through the commissioner, may, by itself or in  
396 concert with others, provide all or a portion of any such service, share  
397 in the costs of or provide funds for such service, or furnish equipment  
398 or facilities for use in such service upon such terms and conditions as  
399 the commissioner may deem necessary or advisable, and any such  
400 contracts may include, without limitation thereto, arrangements under  
401 which the state shall so provide service, share costs, provide funds or  
402 furnish equipment or facilities. To these ends, the commissioner may in  
403 the name of the state acquire or obtain the use of facilities and  
404 equipment employed in providing any such service by gift, purchase,  
405 lease or other arrangements and may own and operate any such  
406 facilities and equipment and establish, charge and collect such fares and  
407 other charges or arrange for such collection for the use or services  
408 thereof as [he] the commissioner may deem necessary, convenient or  
409 desirable. The commissioner, or any [fare inspector] employee of the  
410 department or of a third-party contractor with fare inspection duties, as  
411 defined in section 13b-2, as amended by this act, shall have the authority

412 to issue citations for any violation of section 13b-38i. The commissioner  
413 may also acquire title in fee simple to, or any lesser estate, interest or  
414 right in, any rights-of-way, properties or facilities, including properties  
415 used on or before October 1, 1969, for rail or other forms of  
416 transportation services. The commissioner may hold such properties for  
417 future use by the state and may enter into agreements for interim use of  
418 such properties for other purposes. Any person contracting with the  
419 state pursuant to this section for the provision of any transportation  
420 service shall not be considered an arm or agent of the state. Any  
421 damages caused by the operation of such transportation service by such  
422 person may be recovered in a civil action brought against such person  
423 in the superior court and such person may not assert the defense of  
424 sovereign immunity in such action.

425 Sec. 14. Subsection (j) of section 13b-34 of the general statutes is  
426 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
427 *2024*):

428 (j) If the commissioner deems it to be in the best interest of the state,  
429 the commissioner may indemnify and hold harmless the Metro-North  
430 Commuter Railroad Company in its capacity as the state's contracted  
431 maintainer of the M-8 rail car fleet for claims brought by the National  
432 Railroad Passenger Corporation or other third parties against the Metro-  
433 North Commuter Railroad Company relative to the operation of M-8  
434 rail cars on National Railroad Passenger Corporation property,  
435 provided such indemnification does not relieve the Metro-North  
436 Commuter Railroad Company from liability for its wilful or negligent  
437 acts or omissions.

438 Sec. 15. Section 14-289g of the general statutes is repealed and the  
439 following is substituted in lieu thereof (*Effective October 1, 2024*):

440 (a) No person under eighteen years of age may (1) operate a  
441 motorcycle or a motor-driven cycle, as defined in section 14-1, or (2) be  
442 a passenger on a motorcycle or motor-driven cycle, unless such operator  
443 or passenger is wearing protective headgear [of a type which] that  
444 conforms to the minimum specifications established in 49 CFR 571.218,

445 as amended from time to time.

446 (b) No person issued a motorcycle endorsement for a period of three  
447 years after the date of issuance shall operate a motorcycle or a motor-  
448 driven cycle, unless such person and any passenger on such motorcycle  
449 or motor-driven cycle is wearing protective headgear as described in  
450 subsection (a) of this section.

451 (c) Any person who violates any provision of this section shall have  
452 committed an infraction and shall be fined not less than ninety dollars.

453 [(b)] (d) As used in this section, the term "motorcycle" [shall] does not  
454 include "autocycle".

455 Sec. 16. Subsection (a) of section 14-36a of the general statutes is  
456 repealed and the following is substituted in lieu thereof (*Effective October*  
457 *1, 2024*):

458 (a) A commercial driver's license issued in accordance with section  
459 14-44c shall be designated as class A, B or C, in accordance with the  
460 provisions of subsection (b) of section 14-44d. All other operators'  
461 licenses shall be designated as class D. A license of any class that also  
462 authorizes the operation of a motorcycle shall contain the date the  
463 motorcycle endorsement was issued by the commissioner and the  
464 designation "M", except that no such designation shall be required for  
465 the operation of an autocycle.

466 Sec. 17. Subsection (b) of section 14-40a of the general statutes is  
467 repealed and the following is substituted in lieu thereof (*Effective October*  
468 *1, 2024*):

469 (b) A person who is sixteen years of age or older and who has not had  
470 such a license suspended or revoked may apply to the commissioner for  
471 a motorcycle instruction permit. The commissioner may issue a  
472 motorcycle instruction permit, containing such limitation as said  
473 commissioner deems advisable, to an applicant after the applicant has  
474 passed all parts of the examination, other than the driving skills test, for  
475 a motor vehicle operator's license with a motorcycle endorsement as

476 required by subsection (c) of this section. The motorcycle instruction  
477 permit shall entitle the applicant, while [said] such applicant is in  
478 immediate possession of [said] such permit, to drive a motorcycle on the  
479 public highways, other than multiple lane limited access highways, for  
480 a period of sixty days. A motorcycle instruction permit may be renewed,  
481 or a new permit issued, for an additional period of sixty days. Each  
482 applicant issued a motorcycle instruction permit shall, while operating  
483 a motorcycle, wear protective headgear [of a type which] that conforms  
484 to the minimum specifications established [by regulations adopted  
485 under subsection (b) of section 14-289g] in 49 CFR 571.218, as amended  
486 from time to time.

487 Sec. 18. Section 14-222 of the general statutes is repealed and the  
488 following is substituted in lieu thereof (*Effective October 1, 2024*):

489 (a) (1) No person shall operate any motor vehicle upon any public  
490 highway of the state, or any road of any specially chartered municipal  
491 association or of any district organized under the provisions of chapter  
492 105, a purpose of which is the construction and maintenance of roads  
493 and sidewalks, or in any parking area for ten cars or more or upon any  
494 private road on which a speed limit has been established in accordance  
495 with the provisions of section 14-218a, as amended by this act, or section  
496 14-307a or upon any school property recklessly, having regard to the  
497 width, traffic and use of such highway, road, school property or parking  
498 area, the intersection of streets and the weather conditions. (2) The  
499 operation of a motor vehicle upon any such highway, road or parking  
500 area for ten cars or more at such a rate of speed as to endanger the life  
501 of any person other than the operator of such motor vehicle, or the  
502 operation, downgrade, upon any highway, of any motor vehicle with a  
503 commercial registration with the clutch or gears disengaged, or the  
504 operation knowingly of a motor vehicle with defective mechanism, shall  
505 constitute a violation of the provisions of this section. (3) The operation  
506 of a motor vehicle upon any such highway, road or parking area for ten  
507 cars or more at a rate of speed greater than eighty-five miles per hour  
508 shall constitute a violation of the provisions of this section. (4) The  
509 operation of a motor vehicle upon a limited access highway while



510 engaged in any activity prohibited by section 14-296aa, as amended by  
511 this act, shall constitute a violation of the provisions of this section.

512 (b) Any person who violates any provision of this section shall be  
513 fined not less than one hundred dollars nor more than three hundred  
514 dollars or imprisoned not more than thirty days or be both fined and  
515 imprisoned for the first offense and for each subsequent offense shall be  
516 fined not more than six hundred dollars or imprisoned not more than  
517 one year or be both fined and imprisoned.

518 Sec. 19. Section 14-296aa of the 2024 supplement to the general  
519 statutes is repealed and the following is substituted in lieu thereof  
520 (*Effective October 1, 2024*):

521 (a) For purposes of this section, the following terms have the  
522 following meanings:

523 (1) "Mobile telephone" means a cellular, analog, wireless or digital  
524 telephone capable of sending or receiving telephone communications  
525 without an access line for service.

526 (2) "Using" or "use" means holding a hand-held mobile telephone to,  
527 or in the immediate proximity of, the user's ear.

528 (3) "Hand-held mobile telephone" means a mobile telephone with  
529 which a user engages in a call using at least one hand.

530 (4) "Hands-free accessory" means an attachment, add-on, built-in  
531 feature, or addition to a mobile telephone, whether or not permanently  
532 installed in a motor vehicle, that, when used, allows the vehicle operator  
533 to maintain both hands on the steering wheel.

534 (5) "Hands-free mobile telephone" means a hand-held mobile  
535 telephone that has an internal feature or function, or that is equipped  
536 with an attachment or addition, whether or not permanently part of  
537 such hand-held mobile telephone, by which a user engages in a call  
538 without the use of either hand, whether or not the use of either hand is  
539 necessary to activate, deactivate or initiate a function of such telephone.

540 (6) "Engage in a call" means talking into or listening on a hand-held  
541 mobile telephone, but does not include holding a hand-held mobile  
542 telephone to activate, deactivate or initiate a function of such telephone.

543 (7) "Immediate proximity" means the distance that permits the  
544 operator of a hand-held mobile telephone to hear telecommunications  
545 transmitted over such hand-held mobile telephone, but does not require  
546 physical contact with such operator's ear.

547 (8) "Mobile electronic device" means any hand-held or other portable  
548 electronic equipment capable of providing data communication  
549 between two or more persons, including a text messaging device, a  
550 paging device, a personal digital assistant, a laptop computer,  
551 equipment that is capable of playing a video game or a digital video  
552 disk, or equipment on which digital photographs are taken or  
553 transmitted, or any combination thereof, but does not include any audio  
554 equipment or any equipment installed in a motor vehicle for the  
555 purpose of providing navigation, emergency assistance to the operator  
556 of such motor vehicle or video entertainment to the passengers in the  
557 rear seats of such motor vehicle.

558 (9) "Operating a motor vehicle" means operating a motor vehicle on  
559 any highway, as defined in section 14-1, including being temporarily  
560 stationary due to traffic, road conditions or a traffic control sign or  
561 signal, but not including being parked on the side or shoulder of any  
562 highway where such vehicle is safely able to remain stationary.

563 (b) (1) Except as otherwise provided in this subsection and  
564 subsections (c) and (d) of this section, no person shall operate a motor  
565 vehicle upon a highway, as defined in section 14-1, while using a hand-  
566 held mobile telephone to engage in a call or while using a mobile  
567 electronic device. An operator of a motor vehicle who types, sends or  
568 reads a text message with a hand-held mobile telephone or mobile  
569 electronic device while operating a motor vehicle shall be in violation of  
570 this section, except that if such operator is driving a commercial motor  
571 vehicle, as defined in section 14-1, such operator shall be charged with  
572 a violation of subsection (e) of this section.

573 (2) An operator of a motor vehicle who holds a hand-held mobile  
574 telephone to, or in the immediate proximity of, his or her ear while  
575 operating a motor vehicle is presumed to be engaging in a call within  
576 the meaning of this section. The presumption established by this  
577 subdivision is rebuttable by evidence tending to show that the operator  
578 was not engaged in a call.

579 (3) The provisions of this subsection shall not be construed as  
580 authorizing the seizure or forfeiture of a hand-held mobile telephone or  
581 a mobile electronic device, unless otherwise provided by law.

582 (4) Subdivision (1) of this subsection shall not apply to: (A) The use  
583 of a hand-held mobile telephone for the sole purpose of communicating  
584 with any of the following regarding an emergency situation: An  
585 emergency response operator; a hospital, physician's office or health  
586 clinic; an ambulance company; a fire department; or a police  
587 department, or (B) any of the following persons while in the  
588 performance of their official duties and within the scope of their  
589 employment: A peace officer, as defined in subdivision (9) of section  
590 53a-3, a firefighter or an operator of an ambulance or authorized  
591 emergency vehicle, as defined in section 14-1, or a member of the armed  
592 forces of the United States, as defined in section 27-103, while operating  
593 a military vehicle, or (C) the use of a hand-held radio by a person with  
594 an amateur radio station license issued by the Federal Communications  
595 Commission in emergency situations for emergency purposes only, or  
596 (D) the use of a hands-free mobile telephone.

597 (c) No person shall use a hand-held mobile telephone or other  
598 electronic device, including those with hands-free accessories, or a  
599 mobile electronic device, while operating a school bus that is carrying  
600 passengers, except that this subsection shall not apply when such  
601 person: (1) Places an emergency call to school officials; (2) uses a hand-  
602 held mobile telephone as provided in subparagraph (A) of subdivision  
603 (4) of subsection (b) of this section; (3) uses a hand-held mobile  
604 telephone or mobile electronic device in a manner similar to a two-way  
605 radio to allow real-time communication with a school official, an

606 emergency response operator, a hospital, physician's office or health  
607 clinic, an ambulance company, a fire department or a police department;  
608 or (4) uses a mobile electronic device with a video display, provided  
609 such device (A) is used as a global positioning system or to provide  
610 navigation, (B) is securely attached inside the school bus near such  
611 person, and (C) has been approved for such use by the Department of  
612 Motor Vehicles.

613 (d) No person under eighteen years of age shall use any hand-held  
614 mobile telephone, including one with a hands-free accessory, or a  
615 mobile electronic device while operating a motor vehicle on a public  
616 highway, except as provided in subparagraph (A) of subdivision (4) of  
617 subsection (b) of this section.

618 (e) No person shall use a hand-held mobile telephone or other  
619 electronic device or type, read or send text or a text message with or  
620 from a mobile telephone or mobile electronic device while operating a  
621 commercial motor vehicle, as defined in section 14-1, except for the  
622 purpose of communicating with any of the following regarding an  
623 emergency situation: An emergency response operator; a hospital;  
624 physician's office or health clinic; an ambulance company; a fire  
625 department or a police department.

626 (f) Except as provided in subsections (b) to (e), inclusive, of this  
627 section, no person shall engage in any activity not related to the actual  
628 operation of a motor vehicle in a manner that interferes with the safe  
629 operation of such vehicle on any highway, as defined in section 14-1.

630 (g) Any law enforcement officer who issues a summons for a  
631 violation of this section shall record on such summons the specific  
632 nature of any distracted driving behavior observed by such officer.

633 (h) Any person who violates this section shall be fined two hundred  
634 dollars for a first violation, three hundred seventy-five dollars for a  
635 second violation and six hundred twenty-five dollars for a third or  
636 subsequent violation.

637 (i) An operator of a motor vehicle who commits a moving violation,  
 638 as defined in subsection (a) of section 14-111g, while engaged in any  
 639 activity prohibited by this section shall be fined in accordance with  
 640 subsection (h) of this section, in addition to any penalty or fine imposed  
 641 for the moving violation.

642 (j) The state shall remit to a municipality twenty-five per cent of the  
 643 fine amount received for a violation of this section with respect to each  
 644 summons issued by such municipality. Each clerk of the Superior Court  
 645 or the Chief Court Administrator, or any other official of the Superior  
 646 Court designated by the Chief Court Administrator, shall, on or before  
 647 the thirtieth day of January, April, July and October in each year, certify  
 648 to the Comptroller the amount due for the previous quarter under this  
 649 subsection to each municipality served by the office of the clerk or  
 650 official.

651 (k) A record of any violation of this section shall appear on the  
 652 driving history record or motor vehicle record, as defined in section 14-  
 653 10, of any person who commits such violation, and the record of such  
 654 violation shall be available to any motor vehicle insurer in accordance  
 655 with the provisions of section 14-10.

656 (l) No person shall be subject to prosecution for a violation of the  
 657 provisions of this section and subsection (a) of section 14-222, as  
 658 amended by this act, because of the same offense.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	14-314
Sec. 2	<i>July 1, 2024</i>	14-311(b)
Sec. 3	<i>July 1, 2024</i>	14-311(f)
Sec. 4	<i>July 1, 2024</i>	14-311c(b)
Sec. 5	<i>July 1, 2024</i>	14-311c(f)
Sec. 6	<i>October 1, 2024</i>	14-299
Sec. 7	<i>July 1, 2024</i>	New section
Sec. 8	<i>October 1, 2024</i>	14-297(7)
Sec. 9	<i>October 1, 2024</i>	14-218a(b)

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Sec. 10	<i>July 1, 2024</i>	13a-123(e)
Sec. 11	<i>July 1, 2024</i>	13b-38ff(b)
Sec. 12	<i>July 1, 2024</i>	13b-2(10)
Sec. 13	<i>July 1, 2024</i>	13b-34(a)
Sec. 14	<i>July 1, 2024</i>	13b-34(j)
Sec. 15	<i>October 1, 2024</i>	14-289g
Sec. 16	<i>October 1, 2024</i>	14-36a(a)
Sec. 17	<i>October 1, 2024</i>	14-40a(b)
Sec. 18	<i>October 1, 2024</i>	14-222
Sec. 19	<i>October 1, 2024</i>	14-296aa

**Statement of Legislative Commissioners:**

Section 6 was rewritten for accuracy.

**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 25 \$	FY 26 \$
Treasurer, Debt Serv.	TF - Potential Cost	See Below	See Below
Transportation, Dept.	TF - Potential Cost	See Below	See Below
Resources of the General Fund	GF - Potential Revenue Gain	Minimal	Minimal
Department of Motor Vehicles	TF - Potential Cost	Less than 50,000	None

Note: TF=Transportation Fund; GF=General Fund

**Municipal Impact:**

Municipalities	Effect	FY 25 \$	FY 26 \$
Various Municipalities	Potential Revenue Gain	See Below	See Below
All Municipalities	Potential Cost	See Below	See Below

**Explanation**

**Section 1** increases, from \$5,000 to \$10,000, the maximum fine for failing to comply with an order from the Office of the State Traffic Administration or a local traffic authority. This section is not expected to result in a fiscal impact because fines are rarely imposed.

**Section 7** results in a potential cost to municipalities beginning in FY 25 that is dependent on if a municipality votes to establish a traffic authority. The bill permits municipalities that establish a traffic authority to also determine qualification, terms of office, and

compensation. Any cost will be dependent on the criteria determined by each municipality.

**Section 9** allows DOT to establish variable speed limits (VSL) that temporarily lower the speed limit on limited access highways. The language is permissive, and it is anticipated that DOT would use this authority only if it had resources to do so.

To the extent DOT exercises this authority and that the capital costs of the systems are paid for using existing Special Tax Obligation (STO) bonds, future Special Transportation Fund (STF) debt service costs may be incurred sooner under the bill. This is dependent on the degree that the bill causes STO bond funds to be expended, or to be expended more rapidly than they otherwise would have been. Costs are also potentially eligible for federal reimbursement at between 80%-90% but would depend on the specifics of the project and, ultimately, on availability of funds and approval by U.S. DOT.

For context, the cost of VSL systems (which can include electronic and static signs, roadway sensors, and related infrastructure) varies widely depending on the number and complexity of the systems. According to the National Highway Traffic Safety Administration, capital costs for VSL systems in other states have ranged from less than \$50,000 per system to more than \$5 million.<sup>1</sup> Additionally, ongoing operating costs would be expected, such as for general maintenance, repairs, and electricity.

**Section 10** results in a potential revenue gain to municipalities beginning in FY 25 to the extent that municipalities choose to allow advertising signs or displays in bus shelters. Most bus shelters are owned by municipalities. Any revenue gain is dependent on the advertising prices for the space available and the number of advertisements.

**Section 15** requires motorcyclists who have had a license for fewer

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<sup>1</sup> National Highway Traffic Safety Administration. *Countermeasures that work: A highway safety countermeasure guide for State Highway Safety Offices, 11th edition, 2023*



than three years to wear a helmet when operating a motorcycle along with any of their passengers. This results in a potential revenue gain to the extent that this requirement leads to an increase in violation fines.<sup>2</sup>

**Section 16** requires the Department of Motor Vehicles (DMV) to include the date DMV issued a person's motorcycle endorsement on their driver's license, resulting in a potential one-time cost of less than \$50,000 for DMV reprogramming.

**Sections 18 and 19** expand the state's reckless driving law to include limited access highways, which results in a potential revenue gain to the extent that this requirement results in an increase in violation fines.<sup>3</sup>

The other sections of the bill are technical or otherwise do not result in a fiscal impact to the state or municipalities.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation, the terms of local traffic authorities established, the number of advertisements on bus shelters, fines collected from violations, or as otherwise described.

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<sup>2</sup> Current law requires some motorcyclists to wear helmets; in FY 23, \$544 was collected from fines due to these types of violations.

<sup>3</sup> In FY 23, \$19,724 was collected from fines due to reckless driving violations.

**OLR Bill Analysis****sHB 5330****AN ACT IMPLEMENTING RECOMMENDATIONS OF THE DEPARTMENT OF TRANSPORTATION.**

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*Increases, from \$5,000 to \$10,000, the maximum fine for a person or entity that does not comply with certain orders related to traffic control and road safety*

§§ 2-5 — MAJOR TRAFFIC GENERATING DEVELOPMENTS

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§ 6 — BICYCLE-CONTROL SIGNALS

*Allows the use of bicycle-control signals at intersections and requires cyclists to comply with them*

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*Allows a municipality, by vote of its legislative body, to establish a new LTA replacing the entity currently designated as such*

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*Generally allows advertising signs, displays, or devices to be erected within 660 feet of the interstate and other limited-access highways in connection with bus facilities, subject to DOT approval and related regulations*

§ 11 — MODERNIZING AND MAINTAINING BUS STOPS AND SHELTERS

*Specifies that existing law's requirement that, beginning on July 1, 2024, bus stops and shelters constructed by DOT or transit districts comply with the ADA and certain plans developed by these entities applies only to those that are newly built on and after this date*

§§ 12 & 13 — FARE ENFORCEMENT ON PUBLIC BUSES

*Allows employees of DOT and certain third-party contractors with fare inspection duties to issue citations to people who deliberately ride public buses without paying the required*

*fare, rather than specifically requiring these citations be issued by employees that are “fare inspectors,” as under current law*

#### § 14 — METRO NORTH INDEMNIFICATION

*Specifies that the DOT commissioner can only indemnify Metro North Railroad against certain claims when it is acting in its capacity as the state’s contracted maintainer of the M-8 rail car fleet*

#### §§ 15-17 — MOTORCYCLE HELMET REQUIREMENT

*Requires (1) motorcycle and motor-driven cycle drivers, and their passengers, to wear a helmet until they have had their motorcycle endorsement for more than three years and (2) these endorsements to display the issuance date*

#### §§ 18 & 19 — RECKLESS DRIVING VIOLATIONS FOR DISTRACTED DRIVING ON LIMITED-ACCESS HIGHWAYS

*Makes driving a motor vehicle on a limited-access highway while engaged in any activity prohibited by the state’s existing distracted driving law a reckless driving violation*

### BACKGROUND

#### **SUMMARY**

Among other things, this bill (1) makes a change to the Office of the State Traffic Administration’s (OSTA) enforcement of laws related to major traffic generating developments; (2) allows the use of bicycle-control signals at intersections and authorizes the Department of Transportation (DOT) to set variable speed limits on limited-access highways; (3) requires motorcycle drivers, and their passengers, to wear a helmet until they have had their motorcycle endorsement for more than three years; and (4) makes driving on a limited-access highway while engaged in any activity prohibited by the state’s distracted driving law a reckless driving violation.

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

EFFECTIVE DATE: Various; see below.

#### **§ 1 — VIOLATIONS OF TRAFFIC CONTROL AND ROAD SAFETY ORDERS**

*Increases, from \$5,000 to \$10,000, the maximum fine for a person or entity that does not comply with certain orders related to traffic control and road safety*

The bill increases, from \$5,000 to \$10,000, the maximum fine for any person, firm, or corporation that does not comply with certain orders

related to traffic control and road safety (e.g., OSTA orders related to major traffic generating developments (see § 2) or local traffic authorities' orders related to traffic control devices). As under existing law, a violator is also subject to imprisonment of up to 30 days and can have his or her driver's license or vehicle registration suspended or revoked.

EFFECTIVE DATE: October 1, 2024

### **§§ 2-5 — MAJOR TRAFFIC GENERATING DEVELOPMENTS**

*Requires OSTA to order local building officials to revoke building or foundation permits for major traffic generating developments that do not have an OSTA certificate*

By law, entities building, expanding, or establishing a major traffic-generating development (i.e., one with at least 100,000 square feet of floor area or at least 200 parking spaces; see Conn. Agencies Regs., § 14-312-1) generally must get an OSTA certificate. Local building officials may not issue a (1) building or foundation permit to these entities until they show their certificate and (2) certificate of occupancy for these developments until the OSTA certificate's conditions have been met. Under the bill, if OSTA determines that a local building official issued a building or foundation permit to an entity that does not have a certificate, it must order the building official to revoke the permit.

The bill also makes a conforming change applying the same requirement to major traffic-generating developments that consist of separately owned parcels.

EFFECTIVE DATE: July 1, 2024

### **§ 6 — BICYCLE-CONTROL SIGNALS**

*Allows the use of bicycle-control signals at intersections and requires cyclists to comply with them*

The bill permits the use of bicycle-control signals at intersections and requires cyclists to comply with them. Under existing law, cyclists riding on the traveled portion of roads are generally subject to the same statutory duties applicable to motor vehicle drivers (CGS § 14-286a). In other words, current law generally requires these cyclists to comply

with traffic control signals in the same way as vehicular traffic. Under the bill, when both traffic control signals and bicycle-control signals are present at an intersection, cyclists must comply with the bicycle signals.

Under the bill, bicycle-control signals are three lens signal heads with green, yellow, or red bicycle-stenciled lenses. A green, red, or yellow bicycle indicates bicycle traffic facing the signal may proceed, must stop, or is warned in the same way as currently for the following traffic control signals: a green alone, red alone, or steady yellow. A flashing red or yellow bicycle indicates bicycle traffic must stop or may proceed in the same way as for a flashing red or yellow traffic control signal.

EFFECTIVE DATE: October 1, 2024

### **§§ 7 & 8 — LOCAL TRAFFIC AUTHORITIES**

*Allows a municipality, by vote of its legislative body, to establish a new LTA replacing the entity currently designated as such*

The bill allows municipalities to create a separate entity to serve as their local traffic authority (LTA) instead of the board of police commissioners or another entity current law prescribes. The bill applies despite any contrary provisions in a municipality's charter, special act, or home rule ordinance.

Under the bill, any municipality, by vote of its legislative body, may establish an LTA and appoint members to serve on it. The municipality's legislative body also sets the qualifications, terms, and compensation, if any, of these members. An LTA created through this process replaces the entity currently filling this role in the municipality and has all the powers and duties the law assigns to LTAs (see BACKGROUND).

As shown in the table below, current law designates different local bodies or officials to serve as a municipality's LTA, depending mainly on whether the municipality has a board of police commissioners. Under existing law, unchanged by the bill, OSTA is the traffic authority for state roads and bridges and has authority over certain elements specified in law (e.g., traffic control signals).

**Table: Entities Current Law Designates as Local Traffic Authorities**

<i>Jurisdiction</i>	<i>Designated Entity</i>
City, town, or borough with police commissioners	Board of police commissioners
City, town, or borough without commissioners, but with a regularly appointed police force	City or town manager, police chief, police superintendent, or any elected or appointed official or board with similar powers and duties
Town without a city or borough that has a regularly appointed police force	Board of selectmen

EFFECTIVE DATE: July 1, 2024, except a conforming change is effective October 1, 2024.

**§ 9 — VARIABLE SPEED LIMITS**

*Allows DOT to set variable speed limits on limited-access highways to address traffic, construction, or other safety conditions*

The bill allows DOT to set variable speed limits (i.e., temporarily lower the posted speed limit) on limited-access highways or portions of these highways. It may do so to address traffic congestion, road construction, or other conditions affecting safe and orderly traffic movement. Under the bill, a variable speed limit must be (1) based on an engineering investigation; (2) no less than 10 mph below the posted speed limit; and (3) effective when it is posted and accompanied by a sign, between 500 and 1,000 feet before the point at which it takes effect, notifying drivers of the speed limit change. The bill requires DOT to use stationary or portable, changeable message signs to give this notice.

The bill’s variable speed limit provisions replace a provision of current law allowing DOT to modify limited-access highway speed limits during weather events or emergencies, so long as there are electronic signs indicating the speed limits.

EFFECTIVE DATE: October 1, 2024

**§ 10 — BUS FACILITY ADVERTISEMENTS**

*Generally allows advertising signs, displays, or devices to be erected within 660 feet of the interstate and other limited-access highways in connection with bus facilities, subject to DOT approval and related regulations*

The law generally prohibits the erection of billboards and advertising signs within 660 feet of the edge of the interstate and other limited-access highways. However, the DOT commissioner may allow certain types of signs subject to its regulations, such as directional and other official signs.

The law also makes an exception for advertising signs, displays, or devices located on, built on, or abutting property in areas owned, managed, or leased by a public authority for (1) railway or rail infrastructure facilities and certain associated structures; (2) bus rapid transit corridors and associated shelters, structures, or facilities; (3) airport development zones; or (4) any other transit or freight purpose. The bill adds bus facilities to these exceptions.

As under existing law, these advertisements cannot be built where state law, local ordinance, or zoning regulations prohibit them.

EFFECTIVE DATE: July 1, 2024

## **§ 11 — MODERNIZING AND MAINTAINING BUS STOPS AND SHELTERS**

*Specifies that existing law's requirement that, beginning on July 1, 2024, bus stops and shelters constructed by DOT or transit districts comply with the ADA and certain plans developed by these entities applies only to those that are newly built on and after this date*

By law, beginning July 1, 2024, each bus stop or shelter constructed by DOT or a transit district must be (1) built according to certain modernization and maintenance plans the department must jointly develop with transit districts and (2) compliant with the federal Americans with Disabilities Act's (ADA) physical accessibility guidelines. The bill specifies that these requirements apply only to new bus stops or shelters built on and after this date.

Existing law already requires that the state building code, which generally regulates the design, construction, use, and alteration of buildings and structures including bus stops and shelters, be in substantial compliance with the ADA (CGS §§ 29-252 & 29-269).

EFFECTIVE DATE: July 1, 2024

**§§ 12 & 13 — FARE ENFORCEMENT ON PUBLIC BUSES**

*Allows employees of DOT and certain third-party contractors with fare inspection duties to issue citations to people who deliberately ride public buses without paying the required fare, rather than specifically requiring these citations be issued by employees that are “fare inspectors,” as under current law*

Under current law, “fare inspectors” are DOT employees the commissioner designates or third-party contractors the department employs. They are responsible for inspecting passengers’ tickets, passes, or other documentation on state-owned or controlled public buses proving the passenger paid the required fare (i.e., “fare inspection duties”), when all or part of the fare must be paid before boarding. Fare inspectors are authorized to issue citations to people who deliberately ride these buses without paying the required fare.

The bill instead allows employees of DOT or third-party contractors with fare inspection duties to issue these citations, eliminating reference to the specific “fare inspector” job title.

Under existing law, unchanged by the bill, it is an infraction (see BACKGROUND) for a person to ride a state-owned or controlled public bus while intentionally not paying the required fare.

EFFECTIVE DATE: July 1, 2024

**§ 14 — METRO NORTH INDEMNIFICATION**

*Specifies that the DOT commissioner can only indemnify Metro North Railroad against certain claims when it is acting in its capacity as the state’s contracted maintainer of the M-8 rail car fleet*

Current law allows the DOT commissioner, if he finds it is in the state’s best interest, to indemnify and hold harmless Metro North Railroad against claims brought by the National Railroad Passenger Corporation (Amtrak) or other third parties against Metro North related to M-8 rail car operation on Amtrak property, as long as the indemnification does not relieve Metro North of liability for its willful or negligent acts or omissions.

The bill specifies that the commissioner can do so only when Metro North is acting in its capacity as the state’s contracted maintainer of the



M-8 rail car fleet.

EFFECTIVE DATE: July 1, 2024

### **§§ 15-17 — MOTORCYCLE HELMET REQUIREMENT**

*Requires (1) motorcycle and motor-driven cycle drivers, and their passengers, to wear a helmet until they have had their motorcycle endorsement for more than three years and (2) these endorsements to display the issuance date*

The bill requires motorcycle and motor-driven cycle drivers, and their passengers, to wear a helmet meeting federal safety standards for three years after the driver is issued a motorcycle endorsement. Existing law requires helmets for (1) drivers and passengers under age 18 and (2) motorcycle instruction permit holders of any age.

Under the bill, violations are infractions (see BACKGROUND) subject to a fine of at least \$90, as is the case under existing law for violations of the helmet requirement for drivers and passengers under age 18. By law, the fine for motorcycle instruction permit holders is subject to the general infraction parameters and is currently set at \$50.

By law, a motor-driven cycle is a motorcycle, motor scooter, or bicycle with an attached motor (except an electric bicycle) that has a (1) seat height of at least 26 inches and (2) motor with a piston displacement under 50 cc. As under current law, the bill's helmet requirement does not apply to autocycles.

The bill requires driver's licenses that also authorize motorcycle operation (i.e., a motorcycle endorsement) to display the date that the Department of Motor Vehicles (DMV) issued the endorsement.

Additionally, the bill specifies that the helmets existing law requires for drivers with a motorcycle instruction permit must meet the federal safety standards referenced above. Current law requires these helmets to meet certain specifications set in DMV regulations that were repealed in 2014.

EFFECTIVE DATE: October 1, 2024

**§§ 18 & 19 — RECKLESS DRIVING VIOLATIONS FOR DISTRACTED DRIVING ON LIMITED-ACCESS HIGHWAYS**

*Makes driving a motor vehicle on a limited-access highway while engaged in any activity prohibited by the state’s existing distracted driving law a reckless driving violation*

The bill makes driving a motor vehicle on a limited-access highway while engaged in any activity prohibited by the state’s existing distracted driving law a reckless driving violation (see Table below).

The distracted driving law generally prohibits a person, while driving, from talking or listening with a hand-held cell phone (unless he or she uses a hands-free device), using any mobile electronic device, or texting on these devices. It provides for certain exceptions, such as using a hand-held cell phone in an emergency to contact an emergency response operator or police department. It also prohibits, with certain exceptions, the use of these devices (even with hands-free accessories) by drivers under age 18 or school bus operators driving with passengers.

**Table: Reckless and Distracted Driving Penalties**

<b><i>Reckless Driving</i></b>	
First offense	\$100-\$300 fine, up to 30 days imprisonment, or both
Subsequent offense	Up to \$600 fine, up to 364 days imprisonment, or both
<b><i>Distracted Driving</i></b>	
First violation	\$200 fine
Second violation	\$375 fine
Third or subsequent violation	\$625 fine

Under the bill, a person cannot be prosecuted for both a reckless driving violation and a distracted driving violation due to the same offense.

EFFECTIVE DATE: October 1, 2024

**BACKGROUND**

***Authority of Local Traffic Authorities***

With respect to streets under their jurisdiction, the law generally gives LTAs authority (in some cases only with OSTA approval) to,

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among other things, (1) place and maintain traffic control signals, signs, markings, and other safety devices following OSTA regulations (CGS § 14-298); (2) set speed limits on roads and bridges, under certain conditions (CGS § 14-218a); (3) designate school zones (in which fines for certain violations may be doubled) and pedestrian safety zones (CGS §§ 14-212b & -307a); (4) designate one-way streets (CGS § 14-303); (5) allow golf carts to be driven on streets during daylight hours (CGS § 14-300g); and (6) adopt regulations necessary to exercise their authority (CGS § 14-312).

**Infractions**

Infractions are punishable by fines, usually set by Superior Court judges, of between \$35 and \$90, plus a \$20 or \$35 surcharge and an additional fee based on the fine’s amount. There may also be other applicable charges depending on the type of infraction. For example, certain motor vehicle infractions trigger a Special Transportation Fund surcharge of 50% of the fine. An infraction is not a crime and violators can generally pay the fine by mail without making a court appearance.

**COMMITTEE ACTION**

Transportation Committee

Joint Favorable Substitute  
Yea 22 Nay 14 (03/18/2024)