OFFICE OF FISCAL ANALYSIS

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

HB-5330
AN ACT IMPLEMENTING RECOMMENDATIONS OF THE DEPARTMENT OF TRANSPORTATION.
AMENDMENT
LCO No.: 5385
File Copy No.: 274
House Calendar No.: 191

OFA Fiscal Note

See Fiscal Note Details

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.[1] 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 18 is not anticipated to result in a fiscal impact, as the agency has the necessary expertise to fulfill the requirements.

Section 19 expands the notice requirements that the Department of Transportation must follow prior to holding certain public hearings regarding fare or major service changes. It does not have a fiscal impact because it can be accomplished through existing resources.

Sections 20-40 incorporates "unmanned aircraft" and "vertiports" into statute and creates new aviation-related penalties. The sections include the following fiscal impacts:

Section 38 expands the misdemeanor of operating an aircraft while under the influence of liquor or drugs to operating unmanned aircraft,

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

which results in a potential cost to the Judicial Department for provision of supervision in the community and a potential revenue gain from fines. On average, the marginal cost for supervision in the community is less than $800 each year for adults and $1,000 each year for juveniles. Since FY 14, there has only been one charge for a similar violation. Few, if any, violations are expected to occur in the future.

These sections also create various infractions related to aircrafts and unmanned aircrafts which results in a potential revenue gain from fines. Infractions are not crimes and are punishable by fines that usually range from $100 to $300.

Section 41 results in a potential revenue gain to the state's sales and alcoholic beverage taxes of less than $100,000 annually by amending the hours during which alcohol sales are allowed at Bradley International Airport. Any revenue gain in taxes would be only to the extent that there is an increase in alcohol sales rather than a shift from currently allowed transactions for alcohol.

Sections 42-50 address two traffic enforcement programs: the Department of Transportation's (DOT) work zone speed camera program and the municipal speed and red light camera program.

DOT Work Zone Speed Camera Program

The amendment restarts and makes permanent DOT's work zone speed camera program (formerly a pilot program). These provisions are permissive and DOT is not expected to establish new work zone speed cameras unless it has the funding to do so.

To the extent DOT exercises this authority, the department will incur costs to install, operate, and maintain the camera systems, resulting in a cost to the Special Transportation Fund (STF). To the extent speeding violations occur, the State Police will have to review footage and issue citations resulting in potential costs to the General Fund for State Troopers and a potential revenue gain to the STF from fines. Greater revenue is expected under the bill than under the pilot (on a camera-for-camera basis) because the bill lowers the speeding violation threshold from 15 mph to 10 mph, allows specific circumstances where first time violations are issued a fine rather than a warning, and increases the maximum allowable number of work zones from 3 to 15 statewide.

For context, the total cost of DOT's work zone speed camera pilot program, which included five sites operating at various times over most of 2023, was approximately $3 million. Costs included equipment, software, and operational support for the speed monitoring technology; public informational and marketing campaigns; and costs for State Police to review potential violations. Most capital costs for the pilot were funded through federal funds. The program issued fewer than 750 violations with at least a $75 fine imposed (in addition to more than 24,900 warnings).

Municipal Speed and Red Light Camera Program

The amendment specifies that fines for subsequent violations from municipal speed or red light cameras must occur within one year. Current law permits municipalities to collect fines up to $50 for a first violation, up to $75 for subsequent violations, and processing fees up to $15. This results in a potential revenue loss to municipalities beginning in FY 25 to the extent fewer subsequent violation fines are imposed. Any revenue loss is expected to be minimal. There is no impact to municipalities that do not use speed or red-light cameras or have not set fines.

Section 51 does not have a fiscal impact, as it requires DOT to create a process for eligible entities to request road safety audits. The requirements of the bill conform with current practice and is not expected to result in additional costs to the department.

Section 52 results in a potential revenue gain and potential cost beginning in FY 25 to various municipalities associated with establishing a parking authority. The amendment allows any municipality to authorize a parking authority to enforce parking regulations. This results in a potential revenue gain to the extent fines are collected from parking enforcement and a potential cost for establishing and maintaining a parking authority. Previously only municipalities that met certain requirements could authorize a parking authority to enforce these regulations.

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

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, the number of speed camera systems, the number of violations, the municipal parking authorities established, or as otherwise described.