

Public Hearing – February 27, 2025
Housing Committee

Testimony Submitted by Commissioner Garrett T. Eucalitto
Connecticut Department of Transportation

The Connecticut Department of Transportation (CTDOT) respectfully offers the following comments in opposition to ***House Bill 7033, AN ACT PROHIBITING A MUNICIPALITY FROM IMPOSING ANY PENALTY ON HOMELESS PERSONS FOR PERFORMING LIFE-SUSTAINING ACTIVITIES ON PUBLIC LAND.***

This bill would prohibit a municipality, and any individual, from taking any action against homeless persons from engaging in certain activities on public land, which includes public transportation facilities, commuter lots, underpasses, and lands adjacent to roadways. This legislation would have a significant detrimental impact on CTDOT.

CTDOT is a multimodal transportation department tasked with maintaining facilities and infrastructure across Connecticut. As a result, CTDOT is a significant real estate holder in every municipality. Much of the land that CTDOT owns is adjacent to active transportation corridors, including highways, bridges, and railroads. While we understand the importance of addressing homelessness with compassion and effective solutions, we have significant concerns about the unintended consequences this bill may have on public safety. Specifically, we are concerned about the risks posed by the presence of homeless encampments near transportation infrastructure. Homeless encampments near active roads, highways, and transportation corridors present unique and dangerous risks. Allowing homeless individuals to perform life-sustaining activities near or on these areas—such as resting, sleeping, or storing personal belongings—creates conditions that can lead to crashes, injuries, or fatalities.

Recent incidents highlight the dangers of allowing unregulated use of public spaces. In 2023, a devastating fire broke out at a homeless encampment under Interstate 10 in downtown Los Angeles. The fire was fueled by unsafe heating and cooking methods

commonly used in such encampments. The fire quickly escalated, damaging nearby infrastructure and endangering both the homeless individuals and emergency responders. The fire caused a major highway to be closed for several weeks. Since then, the Federal Highway Administration has reiterated for state DOTs that materials or belongings should not be permitted under bridges or structures.

Also in 2023, an unhoused individual living in an encampment in New Haven was struck and killed by a train as he attempted to cross the tracks to access the encampment. The presence of homeless encampments near train tracks is particularly dangerous and concerning. Train tracks are often located in areas that are remote or not regularly monitored, which increases the risk of individuals inadvertently being struck by trains or engaging in dangerous behaviors near active tracks; it should also be noted that trains are not able to brake in time to avoid striking a trespasser on the tracks. Encampments near rail lines can also impede the ability of rail operators to spot hazards or respond to emergencies, especially if the area is overrun with belongings or structures that limit visibility.

CTDOT is responsible for maintaining and overseeing the safety of the State's transportation system, and our concern is that this bill could encourage the unregulated establishment of encampments in these areas, which could lead to tragic accidents or incidents that harm both the homeless population and the public. In addition, the wording of this bill would prohibit any effort to remove trespassers from our property, likely resulting in growing encampments that would supersede the intended use of the property (transportation purposes).

While our primary responsibility is to maintain a safe and reliable transportation system, CTDOT does play an active role in supporting the unhoused on our property and at our facilities. CTDOT has an officially adopted policy on how to address the unhoused. When we are made aware of an encampment, we engage local service providers to get the individuals connected with appropriate services and then have them relocated. Our goal is always to help the unhoused find placement in a shelter or permanent housing should they accept the assistance to move to an appropriate facility. We have adopted codes of conduct that apply to all people who are utilizing our public facing services, such as bus and rail, and their related facilities. These facilities are monitored by security guards, staff, and law enforcement, when needed. All personnel have been made aware of the Homeless Persons Bill of Rights that exists in state statutes. They apply the code of conduct to everyone in our system, not just those who they presume are unhoused. At CTDOT, we have staff who regularly engage in this work and have built relationships with homeless service providers, the Department of Mental Health and Addiction Services, the Department of Housing, and others to work to help the unhoused in the CTDOT system.

CTDOT will continue to work in coordination with local governments and other state agencies to manage public spaces and ensure the safety of transportation infrastructure, but if enacted, this bill would place an undue burden on CTDOT to manage issues outside of our mandate, particularly in preventing safety hazards like fires and obstructed access near transportation corridors.

For further information or questions, please contact Phil Mainiero (philip.mainiero@ct.gov) at (860) 594-3013.