

Office of Legislative Research
Connecticut General Assembly



2009-R-0394

TRANSPORTATION

This report summarizes acts affecting transportation the legislature passed during the 2009 regular and special sessions. The report does not include acts that were vetoed unless the veto was overridden.

We did not summarize all provisions of each act. Consequently, we encourage readers to obtain full texts of the acts that interest them online at www.cga.ct.gov or from the Connecticut State Library or the House Clerk's Office. A detailed analysis of all 2009 laws will be available when OLR publishes its public act summary book. Completed analyses are currently at our webpage (www.cga.state.ct.us/olr).

AUTOMOBILE INSURANCE

Underinsured Motorist Conversion Coverage and Recovering of Collision Deductibles

PA 09-72 requires new automobile liability insurance policies to disclose the availability of, premium for, and description of underinsured motorist conversion coverage. It also requires insurers subrogating claims to (1) seek to recover any collision deductible the insured paid, unless the insured requests that it not be included in the subrogation demand, and (2) share subrogation recoveries with the insured on a proportionate basis.

EFFECTIVE DATE: January 1, 2010

Mid-Term Automobile Insurance Policy Cancellation Fees

PA 09-98 prohibits an insurer that renews, amends, or endorses a private passenger automobile insurance policy in Connecticut from charging the insured more than \$100 for canceling the policy before the policy term ends.

EFFECTIVE DATE: October 1, 2009

Disclosure of Automobile Liability Insurance Policy Limits

PA 09-240 requires an automobile liability insurer to disclose the limits that apply under a policy it issued within 30 days after receiving a written request for disclosure. The request must be made by, or on behalf of, a person alleging bodily injury or death resulting from a collision involving a person the insurer's private passenger automobile policy covers. The act requires that a letter from an attorney licensed to practice in Connecticut or an affidavit from the person alleging to have suffered injury as a result of the accident accompany a written request for the policy limits and include specified information.

The insurer's disclosure must be in writing and indicate all coverage the insurer provides to the insured, including any applicable umbrella or excess liability insurance.

EFFECTIVE DATE: October 1, 2009

AVIATION

Bradley Enterprise Fund

PA 09-7, September Special Session, requires the Transportation and Public Safety departments to enter into a memorandum of understanding by December 1, 2009 to use the Bradley Enterprise Fund to pay all associated costs incurred by state police officers to provide security at Bradley Airport.

EFFECTIVE DATE: Upon passage

Tweed-New Haven Airport Authority

PA 09-7, September Special Session, increases the membership of the Tweed-New Haven Airport Authority from 14 to 15 and revises the number of members appointed by each of the three appointing authorities.

Currently, the authority consists of 14 members with nine appointed by the mayor of New Haven, two appointed by the mayor of East Haven, and three appointed by the South Central Regional Council of Governments. The act decreases the New Haven mayor's appointments from nine to eight, increases the East Haven mayor's appointments from two to five, and decreases the regional council's appointments from three to two. The act also designates the 13 members appointed by the two mayors as special directors vested with the additional powers set forth in the authority's bylaws.

The act also prohibits the Tweed-New Haven Airport Authority from extending the paved runway length of Runway 2-20 past its existing 5,600 feet.

EFFECTIVE DATE: Upon passage

DEPARTMENT OF TRANSPORTATION

Programs and Activities of the Department of Transportation

PA 09-186 makes numerous changes to laws governing the operations of the Department of Transportation (DOT). Among other things, it:

1. modifies how DOT must advertise for consultant services;
2. prohibits DOT from starting any phase of the Stamford Transportation Center parking garage demolition project unless it makes alternative parking spaces available nearby;
3. requires DOT to study the feasibility of providing commuter bus service to the Bridgeport train station;
4. prohibits a town from terminating, reorganizing, or modifying a port authority or port district without the DOT commissioner's written consent;

5. requires DOT to (a) develop a plan to implement zero-emission buses throughout the state and identify locations for hydrogen refueling stations and (b) analyze the potential impact of establishing electronic tolls in Connecticut;
6. establishes a mediation process for a type of property sold by DOT because it is no longer necessary for highway purposes;
7. exempts certain types of wheelchair accessible taxi vehicles from DOT regulations on accessibility;
8. exempts wreckers towing vehicles in certain situations from maximum length and gross weight limits;
9. designates commemorative or memorial names for 17 road segments and 12 bridges, designates informational signs for eight destinations, and modifies or changes several other memorial names; and
10. requires DOT to adopt regulations for designating “control cities” on interstate highways.

EFFECTIVE DATE: Various

State/Municipal Relations

PA 09-190 requires the transportation, environmental protection, and public health commissioners and the State Traffic Commission, within 60 days after receiving a formal petition, application, or request for a permit from a municipality that must be submitted to these officials, to conduct a preliminary review solely to determine whether the submission is acceptable for filing. The official must notify the municipality of the results of the review. The act does not preclude the officials from requesting additional information after sending this notice. The officials must do their review within available appropriations. The act takes priority over laws requiring other procedures.

EFFECTIVE DATE: October 1, 2009

DRIVER LICENSING

PA 09-187 makes a number of changes to driver licensing laws. It postpones for two years, until July 1, 2011, the requirement that the Department of Motor Vehicles (DMV) commissioner conduct a vision screening for drivers' license renewal applicants on every other license renewal.

Prior law required payment of a \$40 fee for a driver's license examination. It also permitted the commissioner to charge \$15 in advance for scheduling a license examination appointment which he had to apply toward the \$40 fee if the appointment was kept. The act (1) eliminates the authority for the \$15 advance appointment fee and (2) makes it clear that the \$40 examination fee covers all phases of the examination process (vision screening, knowledge test, and road test). It also specifies that the examination fee must be paid in the manner the commissioner directs and that any applicant who fails the examination, or any part of the examination, must pay an additional \$40 to retake it.

By law, before the commissioner can issue a learner's permit to anyone under age 18, the applicant must pass a vision screening and a knowledge test on the motor vehicle laws and rules of the road. Previously, it also permitted the commissioner to administer a second knowledge test before issuing a driver's license to anyone under age 18. The act makes this second knowledge test prior to licensure mandatory. It permits the commissioner to authorize licensed driving instruction schools in good standing and secondary school driver education programs to administer the second test as part of the eight-hour safe driving practices course required for everyone under age 18 and certify to the commissioner, under oath, that the test was administered.

The act specifies that the fee for the eight-hour course must be \$125 (as previously authorized by DMV regulation), but if the knowledge test is administered as part of the course it permits a fee of up to \$150. It permits the commissioner to adopt regulations for the administration and certification of the knowledge test.

The act also makes anyone under age 18 convicted of driving without having obtained a license ineligible to receive a license for at least one year, presumably from the date of the conviction.

EFFECTIVE DATE: Various

EMISSIONS INSPECTION PROGRAM

PA 09-187 increases, from 30 to 60 days, the period someone whose vehicle has failed an emissions inspection has to get the vehicle repaired and re-inspected.

The act also requires the Department of Environmental Protection (DEP), in consultation with DMV, to evaluate whether the present emission inspection system could be replaced when the current contract expires by a system that exclusively uses on-board diagnostic information systems and remain in compliance with federal Clean Air Act requirements. DEP must complete the evaluation and provide it to the DMV commissioner at least six months before he enters into a negotiated agreement for a successor system.

EFFECTIVE DATE: July 1, 2009 for the deadline extension, upon passage for the remaining provisions

HANDICAPPED PARKING CREDENTIALS

By law, anyone who is blind or who has disabilities that limit or impair the ability to walk may apply for special license plates, a removable windshield placard, or both that grant special parking privileges for the recipient. Display of these plates or a placard permits the holder to use specially designated parking spaces. Windshield placards are issued for both permanent and temporary disabilities.

PA 09-187 establishes several new requirements for issuing and using the windshield placards and special plates. Among other things, it:

1. requires anyone issued a placard on or after January 1, 2010 to have either a driver's license or a DMV-issued non-driver photo identification card;
2. permits issuance of a placard to the parent or guardian of any blind or disabled person if that person cannot request or complete an application;
3. authorizes the Board of Education and Services for the Blind to certify blindness (previously only ophthalmologists and optometrists could do this);

4. requires the DMV commissioner to develop a procedure for renewing existing placards that may be implemented over a multi-year period;
5. requires placards to be returned to the commissioner when the recipient moves to another state or dies (special license plates must already be returned under these circumstances);
6. establishes a \$500 fine for using a placard or special license plate issued to a dead person;
7. requires the commissioner to check periodically the Department of Public Health's state death registration and cancel any placard issued to someone identified as deceased;
8. prohibits anyone from being issued special license plates for more than two motor vehicles; and
9. requires the commissioner to evaluate alternative enforcement methods and certain other issues related to the handicapped parking laws and submit recommendations to the Transportation Committee.

The act permits the DOT commissioner to adopt regulations for issuing placards to people who, due to hardship, do not hold or cannot get a driver's license or non-driver identification card. It also requires him to maintain a record of each placard he issues to any such person.

EFFECTIVE DATE: Upon passage

MISCELLANEOUS

Vehicle Repossession

By law, when a buyer defaults on a retail installment contract or installment loan contract, the contract holder can repossess the goods if the contract expressly allows him or her to do so. **PA 09-189** prohibits a retail buyer's Chapter 7 or 11 bankruptcy petition filing or bankruptcy debtor status from being considered a default under the contract or grounds for repossession of the vehicle.

EFFECTIVE DATE: October 1, 2009

Assessment of Antique Vehicles

The law caps the assessed value of an antique, rare, or special interest motor vehicle for municipal property tax purposes at \$500. Under **PA 09-187**, the local tax assessor may require owners of these vehicles to provide reasonable documentation that the vehicle is an antique, rare, or special interest motor vehicle as defined in the law. However, if the vehicle has been issued the special license plate for such vehicles, the owner cannot be required to provide the additional documentation.

EFFECTIVE DATE: October 1, 2009

Video Devices in Motor Vehicles

PA 09-187 broadens the exceptions to the prohibition on a television screen or other similar device that may be installed in a motor vehicle where it may be visible to the driver or otherwise interfere with the safe operation or control of the vehicle. Under prior law, devices meeting certain criteria that were installed by the motor vehicle manufacturer were exempt from this general prohibition.

The act (1) revises some of these exceptions and adds others and (2) eliminates the restriction that they must be installed by a vehicle manufacturer, thus permitting aftermarket installation and use of devices that qualify.

EFFECTIVE DATE: October 1, 2009

Staffing of Danbury Truck Weigh Station

Prior law established minimum staffing levels for the truck weighing facilities located in Greenwich, Danbury, and Union as well as for use of portable scales at other than the permanent locations. The Department of Public Safety is primarily responsible for operations in Greenwich and Danbury and the Department of Motor Vehicles (DMV) is primarily responsible for operations in Union. **PA 09-7, September Special Session**, increases the minimum number of work shifts at the Danbury facility from three to six per week and makes DMV responsible for providing the three additional shifts.

EFFECTIVE DATE: September 1, 2010

Elimination of Office of Ombudsman for Property Rights

PA 09-7, September Special Session, eliminates the Office of Ombudsman for Property Rights, which under current law must, among other things:

1. assist DOT and other public agencies in applying eminent domain law and analyzing actions with potential eminent domain implications, on request;
2. assist property owners, on request, concerning eminent domain procedures; and
3. mediate disputes between private property owners and public agencies concerning eminent domain or relocation assistance and hire an independent real estate appraiser to assist in mediation, within available appropriations.

The act also repeals the law that requires a public agency seeking to acquire property by eminent domain to: (1) make a reasonable effort to negotiate with the property owner for the purchase of the property before beginning an eminent domain action, and (2) within a specified period: (a) advise the property owner of his services and the availability of mediation; (b) provide the ombudsman's name, address, and telephone number; and (c) give the owner a written statement explaining that oral representations or promises made during the negotiation process are not binding on the agency.

EFFECTIVE DATE: Upon passage

Work Zone Safety Training

PA 09-187 specifies that the State Police, the Police Officer Standards and Training Council, and each municipal police department “be encouraged” to provide in each basic or review police training program they conduct or administer training on highway work zone safety. The act requires the Highway Work Zone Safety Advisory Council to develop a program curriculum and make it available to and recommend it to the various training entities.

EFFECTIVE DATE: October 1, 2009

Route 11 Greenway Authority Commission

PA 09-97 explicitly authorizes the Route 11 Greenway Authority Commission to enter into covenants or agreements with landowners to purchase options to acquire, by purchase or other means, land or interests in land.

EFFECTIVE DATE: July 1, 2009

REGULATION OF TRANSPORTATION RELATED FIRMS

Automobile Manufacturers, Distributors, Franchises and Dealerships

PA 09-50 revises the laws governing motor vehicle manufacturers, distributors, and dealers, and the franchise agreements between them that affect, among other things, compensation for parts and labor in connection with pre-delivery preparation and warranty service. They also affect franchise and other agreements between a manufacturer or distributor and a dealer.

Finally, the act (1) prohibits any agreement between a manufacturer or distributor and a dealer, rather than only the franchise agreement or a waiver, from superseding the statutory provisions for notice and setting standards for determining when good cause exists for terminating, canceling, or not renewing a franchise agreement; (2) requires the franchise agreement to remain in full force if a franchisee has challenged the termination, cancellation, or non-renewal in court, and (3) allows the franchisee to retain all rights and remedies under the agreement, including the right to sell or transfer ownership interest, until a final court determination and any appeal of that decision. Prior law limited this latter requirement to not more than six months following the final court determination.

PA 09-187 keeps motor home manufacturers, distributors, and dealers under the laws as they existed before this act's passage.

EFFECTIVE DATE (both acts): Upon passage

Motor Vehicle Repairs

PA 09-237 prohibits an auto insurer, and its agents and adjusters, from (1) requiring an insured to use a specific repair shop to perform auto repairs or (2) stating that repair work will be delayed or not guaranteed if the insured has repairs performed at a motor vehicle repair shop that is not participating in the insurer's vehicle repair program.

EFFECTIVE DATE: October 1, 2009

Motor Carrier Operating with Suspended or Revoked Registration

PA 09-187 prohibits a motor carrier from operating or knowingly permitting operation of any motor vehicle whose registration has been suspended or revoked by the commissioner or any federal agency acting pursuant to federal law. For a first offense, the act prescribes a fine of \$500 to \$1,000, imprisonment for up to 90 days, or both. The penalty for any subsequent violation is a fine of \$1,000 to \$2,000, imprisonment for up to one year, or both.

EFFECTIVE DATE: October 1, 2009

Auxiliary Power or Idle Reduction Technology Units

PA 09-187 permits the owner of a commercial motor vehicle with an auxiliary power or idle reduction technology unit to apply to the DMV commissioner for a weight tolerance exemption from state gross, axle, tandem, and bridge formula weight limits. The exemption allows operation of the vehicle with a tolerance for the actual weight of the auxiliary power unit, up to 400 pounds. The act defines an "auxiliary power unit or idle reduction technology unit" as an integrated system, other than the vehicle's engine, that provides heat, air conditioning, engine warming, electric components, or power to do the work for the which the vehicle is designed.

To qualify for the weight exemption, the vehicle owner may be required to (1) produce a written certification of the unit's weight and (2) show by written certification or actual demonstration that it is fully functional at all times. The exemption may be granted by any official or law enforcement officer authorized to enforce the state's maximum motor vehicle weight laws.

EFFECTIVE DATE: October 1, 2009

Wreckers' Disposal of Motorized Personal Property

PA 09-187 establishes a procedure for wreckers who tow or remove motorized personal property at the direction of a police officer to dispose of the property after certain requirements are met. It defines "motorized personal property" to include mini-motorcycles ("pocket bikes"), dirt bikes, snowmobiles, or other types of motorized personal property.

It requires the licensed wrecker who removes the property for the police officer to store it in a suitable place. The wrecker operator or licensee that owns the wrecker must give written notice by certified mail to the property owner within 48 hours of the removal, if the owner is known. The notice must specify that the property has been taken and where it is being stored. The entity that removed the property has a lien upon it for removal and storage charges. If the property owner does not claim it, or the owner is not known, the tower may sell or dispose of it after 30 days, subject to any statutory or regulatory requirements that apply to the sale or disposal of such property.

A first violation of these requirements is designated as an infraction with a fine of \$35 to \$50. The penalty for subsequent violations is a \$50 to \$100 fine, imprisonment for up to 30 days, or both.

EFFECTIVE DATE: October 1, 2009

Lien on Stored Motor Vehicles

By law, the owner of a self-service storage facility has a lien upon any personal property left in the facility by a renter who defaults on a rental agreement. The lien is for any rent, labor, or other valid charges in relation to the property; valid expenses incurred in its preservation; and reasonable costs for its sale or other disposition. The facility owner must follow certain specific procedures for, among other things, notifying the defaulting property owner, advertising the sale of the property, disposing of sale proceeds, and redeeming the property.

PA 09-187 expands the meaning of personal property to explicitly include motor vehicles left in the facility by a defaulting renter and establishes specific notice requirements relative to such vehicles.

EFFECTIVE DATE: January 1, 2010

Motor Vehicle Manufacturer's Licenses

PA 09-187 (1) establishes a \$250 late fee for a motor vehicle manufacturer who fails to renew its license on time and (2) prohibits the commissioner from renewing a license if more than 45 days have passed since it expired.

EFFECTIVE DATE: July 1, 2009

PUBLIC TRANSPORTATION

Funding

PA 09-2, September Special Session, authorizes special tax obligation (STO) bonds to DOT for transportation-related capital projects. Among other things, it authorizes \$250 million in FY 10 for rail maintenance facilities and \$40 million in FY 10 and FY 11 for bus and rail facilities and equipment, including rights-of-way, other property acquisition, and related projects.

EFFECTIVE DATE: Upon passage for the FY 10 authorizations and July 1, 2010 for the FY 11 authorizations,

Legislative Review of State Rail Plan

PA 09-2, September Special Session, requires the state rail plan to be reviewed by the Transportation and Finance, Revenue and Bonding committees before DOT submits it to the federal government as required under federal law. DOT must submit the plan to these committees at least 60 days before submitting it to the federal government. The committees must hold a joint hearing on the plan within 30 days after receiving it. And, within 14 days after the hearing, they must advise DOT about any suggested modifications to the plan.

EFFECTIVE DATE: October 1, 2009

Rail Freight

PA 09-2, September Special Session, requires the DOT commissioner to offer rail or track material to freight railroad companies for upgrading state-owned rights-of-way. It requires him to do so before directly or indirectly selling, transferring, or otherwise disposing of this

property. He must also offer any remaining rail or track material to these companies for upgrading other rails located in Connecticut. If a company accepts the offer, the commissioner must transfer the rail or track material to the company's designated material site and charge the company for doing so.

A 2007 act authorized up to \$10 million in bonds to the DOT to provide competitive matching grants for commercial freight rail lines operating in Connecticut. Recipients must use the grants to improve, repair, and modernize existing rails, rail beds, and related facilities.

This act eliminates the requirement that the grants be matching grant and requires the program to include grants for 100% of amounts needed for improving, repairing or modernizing state-owned rights of way and grants for 70% of amounts needed to modernize, repair, or improve privately owned rail lines. The act authorizes the DOT commissioner to waive the 30% grant match for privately owned rail lines if the work is shown to increase rail freight traffic.

The act also requires the commissioner to give preference to grants for freight rail projects (1) on DOT's list of projects eligible for funding under the 2009 federal stimulus act, (2) that improve at-grade crossings to eliminate hazards or increase safety, and (3) that connect to major freight generators.

EFFECTIVE DATE: October 1, 2009

Railroad Crossing Study

PA 09-2, September Special Session, requires the DOT commissioner to report to the legislature every three years on any railroad crossing at grade, beginning October 1, 2009. He must submit the reports to the Transportation and Finance, Revenue and Bonding Committees.

EFFECTIVE DATE: October 1, 2009

ROADS AND HIGHWAYS

Finance

PA 09-2, September Special Session, authorizes special tax obligation (STO) bonds to the DOT for transportation-related capital projects. Among other things, the act authorizes:

1. \$13 million in FY 10 and FY 11 for the interstate highway program;
2. \$42.5 million in FY 10 and \$44 million in FY for the intrastate highway program;
3. \$32.3 million in FY 10 and \$33 million in FY 11 for state bridge improvement, rehabilitation, and replacement;
4. \$30 million in FY 10 for the fix-it-first road repair programs:
and
5. \$30 million in FY 11 for projects of local and regional significance.

The act also authorizes up to \$68.9 million in STO bonds for use by the DOT's Bureau of Engineering and Highway Operations for capital resurfacing and related road reconstruction projects for FY 11. It authorizes up to \$22 million in STO bonds each year for FY 10 and FY 11 for town road aid grants to municipalities.

EFFECTIVE DATE: Various

PA 09-3, June Special Session, allows the state to issue special tax obligation bonds to make payments to towns under the Town Aid Road Program. Under current law, the state appropriates funding for the program.

EFFECTIVE DATE: Upon passage

PA 09-2, transfers to the General Fund for FY 09 (1) \$28 million from the Local Bridge Revolving Fund - loan program and (2) \$4 million from the Transportation Strategy Board Fund projects account.

EFFECTIVE DATE: April 1, 2009

Planning Approval for Local Projects

PA 09-92 specifies the type of infrastructure project a municipality may implement without first requesting the planning commission's (or combined planning and zoning commission's) recommendations. By law, a municipal agency or legislative body cannot start a proposed

infrastructure or public works project without seeking the commission's recommendations. But the law also exempts them from having to do so when maintaining or repairing existing property or public ways. The act extends this exemption to road resurfacing projects.

EFFECTIVE DATE: July 1, 2009

RULES OF THE ROAD

Drunk Driving

PA 09-187 broadens the scope of the law that prohibits someone under age 21 from operating a motor vehicle on a highway with a blood-alcohol level of .02% or more to apply anywhere, including on private property, rather than just on a highway, and makes several other related changes to the drunk driving laws. The act also decreases, from .08% to .04%, the presumptive level for determining if a commercial motor vehicle driver is operating with an elevated blood alcohol level for both the criminal offense and the administrative suspension law.

By law, someone whose driver's license has been suspended, with some exceptions, may apply to DMV for a special driving permit that allows him or her to drive to and from a work place or in connection with performing employment functions. The act expands the permit program to provide for driving to and from an accredited higher education institution where the person is enrolled. It requires the applicant for an education driving permit to provide DMV with a schedule of the times and location of all classes or other required educational activities attended and requires the institution's registrar to attest to the schedule.

Finally, the act permits those who have had their licenses permanently revoked for a third conviction for drunk driving before October 1, 1999 to use the same process for restoring their ability to drive after six years that is already afforded to those whose revocations occurred on or after October 1, 1999. Under this process, once at least six years has passed since the revocation, the person may request a DMV hearing to reverse or reduce the revocation. The person must provide satisfactory evidence that a reversal or reduction will not endanger public safety and must meet other requirements, such as successful completion of an alcohol education and treatment program. If granted relief, the person must, as a condition of driving, operate only vehicles equipped with an approved ignition interlock device from the date the relief is granted until 10 years have passed from the revocation date.

EFFECTIVE DATE: Various

Eluding Police Officers

PA 09-191 increases the penalties for someone who, in order to elude a police officer, increases his or her driving speed after an officer in a police vehicle signals to stop by using an audible signal or flashing lights from a class D felony to a class C felony for (1) a first offense that causes death or serious physical injury and (2) a second offense, regardless of whether it causes physical injury. By law, unchanged by the act, a first offense that does not cause death or serious injury is a class A misdemeanor.

The act makes assault of public transit personnel a class C felony, the same penalty as for assault of public safety and emergency medical personnel. A person commits this crime by assaulting a public transit employee who is performing his or her duties, with intent to prevent the employee from performing them, by causing injury, or engaging in certain other behavior to the employee. Under prior law, assaults were punishable, depending on the conduct, by penalties ranging from a class A misdemeanor to a class A felony.

EFFECTIVE DATE: October 1, 2009

Establishing a “Move Over” Law

PA 09-121 requires a motorist approaching one or more stationary emergency vehicles located on the travel lane, breakdown lane, or shoulder of a highway with three or more travel lanes to (1) immediately slow to a reasonable speed below the posted speed limit and (2) if traveling in the lane adjacent to the location of the emergency vehicle, move over one lane, unless this would be unreasonable or unsafe.

For these requirements to apply, the emergency vehicle must have flashing lights activated. Under the act, an “emergency vehicle” includes a vehicle:

1. operated by a member of an emergency medical service organization responding to an emergency call;
2. operated by a fire department or by an officer of the department responding to a fire or other emergency;
3. operated by a sworn member of the State Police or an organized local police department;

4. that is a maintenance vehicle; or
5. that is a licensed wrecker.

A violation of these requirements is an infraction, unless the violation results in the injury or death of the emergency vehicle operator, in which case the fines are a maximum of \$2,500 and \$10,000 respectively.

EFFECTIVE DATE: October 1, 2009

PA 09-187 expands this provision to include vehicles driven by additional types of police officers including (1) any member of a law enforcement unit who performs police duties, for example, DMV inspectors designated to enforce motor vehicle laws; (2) appointed constables who perform criminal law enforcement duties; and (3) certain special policemen appointed to enforce laws on state property, investigate public assistance fraud, and policemen for utility and transportation companies.

EFFECTIVE DATE: October 1, 2009

Impounding Vehicles Used For Illegal Street Racing

By law, no one may operate a motor vehicle on a public highway for a wager, a race, or to make a speed record. Violators are subject to a fine of \$75 to \$600, up to one year imprisonment, or both for a first offense and a \$100 to \$1,000 fine, up to one year imprisonment, or both for any subsequent offense. In addition to these penalties, **PA 09-120** permits the court to (1) order the motor vehicle the person used to be impounded for up to 30 days if it is registered to the offender or (2) if the vehicle is registered to someone else, fine the offender up to \$2,000 for a first offense and up to \$3,000 for any subsequent offense. The act makes an impounded vehicle's owner responsible for all fees or costs resulting from the impoundment.

EFFECTIVE DATE: July 1, 2009

Use of Cell Phones while Driving by Members of the Military

PA 09-54 permits U.S. Armed Forces members, while performing their official duties, to talk on a hand-held cellular telephone or using a mobile electronic device while driving a military vehicle on a highway. State law

defines the “armed forces” as the U.S. Army, Navy, Marine Corps, Coast Guard, and Air Force and their reserve components, including the Connecticut National Guard performing duty under Title 32 of federal law.

EFFECTIVE DATE: Upon passage

“Blocking the Box”

PA 09-171 allows a municipality to adopt an ordinance designating intersections where a motor vehicle may not enter if the space on the opposite side of the intersection is too small to allow the vehicle to cross without obstructing the passage of other vehicles or pedestrians. This applies even if the traffic light permits the motor vehicle to proceed. But it does not apply to entering an intersection to make a turn or to tractor-trailers.

The act requires the municipality to (1) post signs that blocking the intersection is prohibited and violators can be fined and (2) use white paint to mark the intersection's boundaries and the area within it with parallel diagonal lines, using lines at least one foot wide.

The act makes a violation an infraction.

EFFECTIVE DATE: October 1, 2009

Golf Carts on Highways

PA 09-187 authorizes any local traffic authority to permit the operation of golf carts, during daylight hours, on any road under its jurisdiction. A golf cart must be equipped with an operable horn meeting the requirements of state law and a flag positioned to help other drivers see the golf cart. The traffic authority must limit their operation to roads with a posted speed limit of 25 miles per hour or less. The golf cart operator must carry a valid Connecticut driver’s license. The act authorizes the DMV commissioner to establish insurance requirements for golf carts by regulation. Violations of these requirements are designated as infractions.

EFFECTIVE DATE: Upon passage

SPECIAL TRANSPORTATION FUND

Transfers to the Special Transportation Fund

PA 09-1 transfers \$1,166,440 from the local emergency relief account and \$287,000 from the insurance recoveries account to Special Transportation Fund revenue for FY 09.

EFFECTIVE DATE: Upon passage

PA 09-3, June Special Session, requires the comptroller to transfer the following amounts from the General Fund to the Special Transportation Fund: (1) \$72 million for FY 10 and (2) \$117.5 million for FY 11 and each fiscal year thereafter.

EFFECTIVE DATE: Upon passage

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