

Senate, April 7, 1998. The Committee on Judiciary reported through SEN. WILLIAMS, 29th DIST., Chairman of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING PENALTIES FOR VEHICLES WHICH DO NOT MEET WIDTH, LENGTH OR HEIGHT REQUIREMENTS.

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

1 Subsection (g) of section 14-270 of the
2 general statutes is repealed and the following is
3 substituted in lieu thereof:

4 (g) Any person who violates the provisions of
5 any permit issued under this section shall be
6 subject to the FOLLOWING penalties: [under
7 subsection (f) of section 14-267a.]

8 (1) A PERSON OPERATING A VEHICLE THAT EXCEEDS
9 THE WEIGHT SPECIFIED IN SUCH VEHICLE'S PERMIT
10 SHALL BE SUBJECT TO A PENALTY CALCULATED BY
11 SUBTRACTING THE PERMITTED WEIGHT FROM THE ACTUAL
12 VEHICLE WEIGHT AND THE RATE OF THE FINE SHALL BE
13 CALCULATED IN ACCORDANCE WITH SUBPARAGRAPH (G) OF
14 SUBDIVISION (2) OF SUBSECTION (f) OF SECTION
15 14-267a;

16 (2) A PERSON OPERATING A VEHICLE THAT EXCEEDS
17 THE LENGTH OR WIDTH SPECIFIED IN SUCH VEHICLE'S
18 PERMIT SHALL BE SUBJECT TO THE MINIMUM FINE IN
19 SUBPARAGRAPH (G) OF SUBDIVISION (2) OF SUBSECTION
20 (f) OF SECTION 14-267a; OR

21 (3) A PERSON OPERATING A VEHICLE WHICH HAS A
22 LENGTH, WIDTH AND HEIGHT REQUIRING A ROUTE
23 RESTRICTION BUT IS OPERATING UNDER A PERMIT

24 WITHOUT SUCH RESTRICTION SHALL BE FINED (A) ONE
25 THOUSAND FIVE HUNDRED DOLLARS FOR EACH SUCH
26 VIOLATION AND (B) A FINE CALCULATED IN ACCORDANCE
27 WITH SUBPARAGRAPH (G) OF SUBDIVISION (2) OF
28 SUBSECTION (f) OF SECTION 14-267a.

29 TRA COMMITTEE VOTE: YEA 21 NAY 2 JF C/R JUD
30 JUD COMMITTEE VOTE: YEA 39 NAY 0 JF

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"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF 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 HOUSE THEREOF FOR ANY PURPOSE."

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FISCAL IMPACT STATEMENT - BILL NUMBER SB 305

STATE IMPACT	Minimal Revenue Gain,	see
	explanation below	
MUNICIPAL IMPACT	None	
STATE AGENCY(S)	Judicial Department	

EXPLANATION OF ESTIMATES:

The bill would result in a revenue gain to the Special Transportation Fund by increasing the penalties for the illegal operation of a heavy truck without a permit. Since the amount of revenue that is currently collected under C.G.S. 14-270 is minimal (\$9,087 in 1997), any increase is not anticipated to be significant.

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OLR BILL ANALYSIS

SB 305

AN ACT CONCERNING PENALTIES FOR VEHICLES WHICH DO NOT MEET WIDTH, LENGTH OR HEIGHT REQUIREMENTS

SUMMARY: By law, the commissioner of the Department of Transportation (DOT) may issue permits allowing vehicles to exceed the state's statutory maximum weight, height, width, and length requirements under certain conditions. This bill establishes specific penalties for different types of permit violations, in effect, superceding a current DOT permit regulation under which any action that violates a permit specification renders the permit void and could subject the vehicle to penalties based on its maximum legal

weight and dimensions and not its permitted weight and dimensions. The bill's penalties depend on whether the vehicle exceeds its permit-specified weight; exceeds its permit-specified length or width; or is operating without a route restriction when its length, height, or width requires such a restriction.

EFFECTIVE DATE: October 1, 1998

FURTHER EXPLANATION

Fines for Permit Violations

Overweight Permit Violations. Under the bill, if someone exceeds the weight specified in the vehicle's overweight permit, the fine must be calculated by subtracting the permitted weight from its actual weight and applying the highest amount currently specified in the overweight fine sliding scale to the difference between the two. This means that the operator is subject to a fine of \$15 for each 100 pounds or fraction of 100 pounds by which the vehicle exceeds the weight specified in its permit, but in any case, to a minimum fine of \$1,000.

Length or Width Permit Violations. If someone operates a vehicle that exceeds the length or width specified in its DOT permit, the bill subjects him to a fine of \$1,000. While it is not absolutely clear what penalty currently applies for exceeding a permitted length or width, it appears that these violations are penalized as infractions under the law specifying the maximum allowable length and width of vehicles (CGS Sec. 14-262). Since the fine for this infraction is a total of \$78 in fines, fees, and special surcharges, the bill would increase the fines for these types of violations.

Overdimension-Route Restriction Violations. If a person operates a vehicle with a length, width, or height requiring a permit with a route restriction, but operates under a permit without such a restriction (i.e., in applying for the permit the person understated a vehicle dimension to avoid the route restriction), the bill subjects him to a fine of \$1,500 for each violation and an additional weight-based fine. This additional fine is a minimum \$1,000 and could be more based on applying a fine of \$15 for each 100 pounds of overweight.

BACKGROUND**Overweight Fines**

Overweight vehicles are subject to the following fines depending on the amount of the excess weight: (1) for up to 5% above allowed weights, \$3 per 100 pounds or fraction thereof; (2) for over 5% to 10%, \$5 per 100 pounds or fraction thereof, with a \$50 minimum; (3) for over 10% to 15%, \$6 per 100 pounds or fraction thereof, with a \$100 minimum; (4) for over 15% to 20%, \$7 per 100 pounds or fraction, with a \$200 minimum; (5) for over 20% to 25%, \$10 per 100 pounds or fraction thereof, with a \$300 minimum; (6) for over 25% to 30%, \$12 per 100 pounds or fraction thereof, with a \$500 minimum; and (7) for more than 30%, \$15 per 100 pounds or fraction thereof, with a \$1,000 minimum. Additional fines and penalties may apply to repeat violators.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Change of Reference
Yea 21 Nay 2

Judiciary Committee

Joint Favorable Report
Yea 39 Nay 0