
OLR Bill Analysis

sSB 904 (File 437, as amended by Senate “A”)*

AN ACT CONCERNING THE RECOMMENDATIONS OF THE OFFICE OF THE STATE TRAFFIC ADMINISTRATION AND THE DEPARTMENT OF TRANSPORTATION, THE DISSOLUTION OF THE NORWALK TRANSIT DISTRICT AND ROUTE SHIELD PAVEMENT MARKINGS.

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BACKGROUND

SUMMARY

This bill makes various changes in laws affecting the Department of Transportation (DOT), Department of Motor Vehicles (DMV), the Connecticut Airport Authority (CAA), highways, public transit, aviation, carbon emissions, noise pollution, and public safety. It also makes various minor, technical, and conforming changes.

*Senate Amendment "A" (1) eliminates the underlying bill's provisions on municipal compliance with Office of the State Traffic Administration (OSTA) regulations, dissolving the Norwalk Transit District, and installing route shield pavement markings; (2) makes minor changes to the Connecticut Public Transportation Council provisions; and (3) adds provisions on CAA and aviation, use of parkways, a carbon reduction target, DOT vegetation management, noise barriers, decibel level testing, zero-emission medium- and heavy-duty voucher program, street takeovers, and emergency lights.

EFFECTIVE DATE: Various, see below

§§ 1 & 2 — TRAFFIC CONTROL SIGNALS AND PEDESTRIAN CONTROL SIGNALS

Requires OSTA approval before a municipality may revise a traffic control signal and conforms pedestrian control signal laws to federal standards

The law requires OSTA's approval before a town, city, or borough may install a traffic control signal light. The bill expands this authority to also require OSTA approval before a signal light is revised.

It also explicitly permits the use of symbols (i.e., of a walking person to represent "Walk" and an upraised hand to represent "Don't Walk"), rather than only words as under current law, on pedestrian control

signals. This conforms to the Federal Manual on Uniform Traffic Control Devices (MUTCD).

EFFECTIVE DATE: July 1, 2023

§§ 3 & 4 — MAJOR TRAFFIC GENERATOR CERTIFICATES

Prohibits local building officials from issuing a certificate of occupancy for major traffic generating developments until conditions of the OSTA certificate have been met

By law, entities building, expanding, or establishing a major traffic-generating development (i.e., with at least 100,000 square feet of floor area or at least 200 parking spaces) must get an OSTA certificate, and local building officials may not issue a building permit to them until they show their certificate. The bill additionally prohibits local building officials from issuing a certificate of occupancy for these developments until conditions of the OSTA certificate have been met. By law, OSTA may (1) order entities who have not met conditions listed in the certificate to stop development and (2) bring action in court if the conditions are not met.

The bill also makes a conforming change to require that all entities who must apply for a certificate attend a meeting with OSTA and DOT before applying (§ 4).

EFFECTIVE DATE: July 1, 2023

§ 5 — LOCAL TRAFFIC AUTHORITY TRAINING

Requires (1) local traffic authorities to annually complete one training and (2) UConn to offer the training at least three times per year

The bill requires UConn's Connecticut Training and Technical Assistance Center to do mandatory training for traffic authorities at least three times per year. The training must cover the authorities' powers and responsibilities, traffic control device installation, and applicable statutes and OSTA regulations. Starting by January 1, 2024, each traffic authority or its appointed representative must annually complete one training. The bill requires the center to maintain records of training completion for each traffic authority.

EFFECTIVE DATE: Upon passage

§ 6 — LIMITED ACCESS HIGHWAY SPEED LIMITS

Gives OSTA discretion in setting speed limits on limited-access highways by eliminating the requirement that the speed limit be 65 mph on suitable multi-lane, limited access highways; instead allows the office to set speed limits up to 65 mph

The bill gives OSTA more discretion in setting speed limits on limited access highways. Current law requires OSTA to establish a 65 mph speed limit on any multi-lane, limited access highways that are suitable for this speed limit, considering factors including design, population area, and traffic flow. The bill instead requires the office to set speed limits that are suitable for each of these highways, up to 65 mph, taking into account the same relevant factors.

EFFECTIVE DATE: October 1, 2023

§§ 7-9 — CONNECTICUT PUBLIC TRANSPORTATION

Renames the Commuter Rail Council as the Connecticut Public Transportation Council and modifies its composition and charge to include bus user representation

Organization

Under current law, the Commuter Rail Council consists mostly of commuters, appointed with the advice and consent of the General Assembly, who regularly use the New Haven commuter rail line, Shoreline East rail line, or a proposed new rail line commencing operation after July 1, 2013 (i.e., the Hartford line).

The bill renames the council as the Connecticut Public Transportation Council, with the same number of members, all of whom must be residents who regularly use the New Haven, Shoreline East, or Hartford rail lines or state-funded public transit. The table below outlines additional specific qualifications. The bill also reduces the number of appointees for the Senate president pro tempore and House speaker from three to two each and adds one appointment each for the Senate majority leader and the House majority leader.

Table: Council Membership Under Current Law vs. The Bill

Appointing Authority	Specific Qualifications Under Current Law	Specific Qualifications Under the Bill
	General qualification	Resident who regularly uses state-funded public transit services

Appointing Authority	Specific Qualifications Under Current Law	Specific Qualifications Under the Bill
Senate president pro tempore	General qualification	Resident who regularly uses the New Haven rail line
	General qualification	N/A
Senate majority leader	N/A	General Qualification
House speaker	General qualification	Resident who regularly uses state-funded public transit services
	General qualification	Resident who regularly uses the Hartford rail line
	General qualification	N/A
House majority leader	N/A	General Qualification
Senate minority leader	General qualification	General qualification
House minority leader	General qualification	General qualification
Governor	General qualification	General qualification
	General qualification	General qualification
	Chief elected official of a municipality located on an operating or proposed new rail line	General qualification
	General qualification	General qualification
Transportation Committee co-chair	Resident of a municipality in which the DOT commissioner has proposed a new rail line or a rail line that has commenced operation after July 1, 2013	Resident who regularly uses state-funded public transit services
Transportation Committee co-chair	Resident of a municipality in which a station for the Shoreline East railroad line is located	Resident who regularly uses the Shore Line East rail line
Transportation Committee ranking members	Resident of a municipality served by the Danbury or Waterbury branches of the New Haven commuter railroad line	Resident who regularly uses state-funded public transit services

The bill requires all initial appointments to the new council to be made by August 1, 2023, for four-year terms. But all existing rail council members appointed before July 1, 2023, and serving on June 30, 2023, are deemed appointed and may continue serving until their term expires and a successor has qualified. It eliminates current law's requirement that council appointments be approved by the General

Assembly. The council chairperson must notify the relevant appointing authority within 10 days after a vacancy occurs on the new council or a member resigns.

Current law charges the rail council with studying and investigating all aspects of state commuter rail lines' daily operation, monitoring their performance, and recommending changes to improve their efficiency and quality of service. To enable it to carry out these duties, the council may request and receive assistance and data from any state department, division, board, bureau, commission, agency, or public authority or any political subdivision. The council must work with DOT to advocate for commuter line customers and make recommendations for the lines' improvement.

Under the bill, the Public Transportation Council is more broadly charged with studying and investigating all aspects of the daily operation of the commuter railroad systems and public bus services funded by the state, monitoring their performance, and recommending changes to improve their services' efficiency, equity, and quality. To enable it to carry out these duties, the new council may request and receive assistance and data, if available, from any state department, division, board, bureau, commission, agency, public authority, or any political subdivision. The council must serve as an advocate for customers of all commuter railroad systems and public bus transportation services funded by the state.

The bill adds specific information and assistance that DOT must give the new council. It requires DOT to (1) submit monthly reports with information and data about the commuter rail systems' and state-funded public transit services' on-time performance and passenger ridership and (2) make quarterly presentations on these reports at council meetings and respond to reasonable council inquiries made in advance of any council meeting. DOT must also maintain records, and denote the status, of each request for information and data it receives from the council.

Reporting Deadline

By February 1, 2024, the Public Transportation Council must submit a report on the council's organizational structure and any recommendations to improve or modify its structure and mission to the Transportation Committee. In addition to current law's requirements to annually report on its findings and recommendations to various authorities (e.g., the governor, DOT, and the legislature), the bill also requires the new council to annually present its findings and recommendations to the Transportation Committee.

EFFECTIVE DATE: July 1, 2023, except the reporting provisions is effective upon passage.

§ 10 — SHORE LINE EAST RAIL LINE STUDY

Extends the deadline for Shore Line East study to December 1, 2023

The bill extends the deadline, from January 1, 2023, to December 1, 2023, for the DOT commissioner to submit the results of a study on the feasibility of various Shore Line East rail line initiatives to the Transportation Committee. By law, unchanged by the bill, he must study the feasibility of:

1. extending the rail line to Rhode Island,
2. establishing a new passenger rail service from New London to Norwich,
3. establishing a new train station in Groton and Stonington borough, and
4. extending ground transportation systems in the eastern region and providing interconnection between them and rail lines.

EFFECTIVE DATE: Upon passage

§§ 11 & 12 — OVERSIGHT OF LIVERY VEHICLES

Allows livery permittees to apply for two additional vehicles annually through an expedited process under certain conditions and makes other changes to livery permit statutes

Under current law, DOT must, within 30 calendar days after receiving an application, issue an in-state livery service permit holder of

at least one year up to two additional vehicle permits each year, without a hearing or written notice to other parties affected by the application. DOT must do so as long as all of the applicant's existing permits are registered and in use and there are no outstanding violations or matters pending adjudication against him or her. The bill allows a permittee to submit a second expedited permit application for up to two additional vehicles under the same terms. It specifies that DOT must issue the amended permit within 30 days after receiving an application and fee payment.

The bill eliminates the requirement that owners or operators display their livery permits in their vehicles. Under existing law, livery vehicles generally must display their assigned livery registration while operating in livery service (CGS § 13b-106).

By law, DOT may make reasonable regulations and impose civil penalties for violations of them or the laws on livery vehicles with respect to fares, service, operation, and equipment. The bill expands this authority to include a livery's management and staffing. In addition to civil penalties, the bill authorizes DOT to order corrective actions as it deems necessary, including attendance at a driver retraining program.

EFFECTIVE DATE: October 1, 2023

§ 13 — PARKWAY RESTRICTION EXCEPTIONS

Allows automobile club vehicles providing roadside assistance and vehicles weighing 7,500 pounds or less with branding, logos, or advertising on them to use the Merritt and Wilbur Cross parkways

The bill allows exceptions to the general prohibition on commercial traffic on the Merritt and Wilbur Cross parkways for the following vehicles:

1. vehicles with a gross vehicle weight rating (GVWR) of 7,500 pounds or less, even if the vehicles have branding, logos, or advertising on them and
2. commercial motor vehicles use by licensed automobile clubs solely to provide roadside assistance to vehicles on the parkway,

as long as they adhere to the parkways' established length, height, or width requirements.

EFFECTIVE DATE: Upon passage

§§ 14 & 15 — FINE FOR COMMERCIAL VEHICLES ON PARKWAYS

Increases the fine for driving commercial motor vehicles on state parkways to \$500 for a first violation and \$1,000 for a subsequent one and prohibits commercial vehicle owners or lessees from allowing these vehicles to be driven on these parkways

The bill (1) increases the fine for driving commercial motor vehicles on state parkways and (2) codifies this prohibition in statute. Additionally, it prohibits commercial vehicle owners or lessees from allowing these vehicles to be driven on these parkways. Under the bill, a "commercial motor vehicle" is any vehicle designed or used to transport merchandise or freight and bearing commercial registration.

Existing OSTA regulations prohibit commercial motor vehicles from entering and using limited access highways that are designated as parkways (i.e., the Merritt, Wilbur Cross, and Milford Parkways), and a violation of this prohibition is an infraction (CGS § 14-314; Conn. Agencies Regs., § 14-298-249). (The current fine is set at \$50 plus \$42 in surcharges.)

The bill makes violations of its prohibitions punishable by a fine of \$500 for a first violation and \$1,000 for any subsequent violation. The fines must be assessed against the (1) commercial vehicle owner, when the owner, owner's agent, or owner's employee was the driver, or (2) commercial vehicle lessee, when the lessee, lessee's agent, or the lessee's employee was the driver. Similar provisions about responsibility for the fine apply to some other commercial vehicle penalties, such as the penalty for driving overweight vehicles (CGS § 14-267a(f)).

The bill retains existing statutory and regulatory exemptions to the commercial vehicle ban. Violations are processed through the Centralized Infractions Bureau (CIB) (see BACKGROUND).

EFFECTIVE DATE: October 1, 2023

§§ 16-31 & 53 — CONNECTICUT AIRPORT AUTHORITY

Makes various changes in laws on airports, aircraft, and the Connecticut Airport Authority, including requiring aircraft owners and operators to maintain insurance and generally eliminating CAA's role in aircraft registration

The bill makes various changes in laws concerning airports, aircraft, and the Connecticut Airport Authority (CAA). Among other things, the bill:

1. requires owners and operators of aircraft based or hangered in the state to maintain liability insurance meeting specified coverage criteria (§ 30);
2. generally eliminates the CAA's role in aircraft registration, which is currently primarily handled by municipalities (§§ 16-19 & 22);
3. specifies documentation that must be given to CAA when seeking a certificate of approval or license for an air navigation facility (§ 21, also see BACKGROUND);
4. eliminates requirements that a taxi certificate holder be active for at least two years before it may provide taxi service at Bradley Airport (§ 29); and
5. requires publicly owned airport owners or operators, rather than CAA, to develop and revise the approach plans for their airports after considering specified criteria (§ 26).

The bill also makes the following minor changes:

1. eliminates obsolete references to (a) federal airport grants being deposited in the state treasury before distribution, which is federally preempted, and (b) general fund appropriations for grants to municipal airports (§ 20);
2. allows, rather than requires, the state to fund capital improvements at private airports up to 90% of eligible costs (§ 23);
3. adds CAA special police to the list of officials who may enforce laws related to aeronautics (§ 24);

4. repeals obsolete language on budgeting and revenue at Bradley Airport originally adopted as part of a since completed project (§ 27);
5. eliminates the specific deadline for CAA to approve Bradley Airport's annual operating budget, which under current law is 30 days before the beginning of the fiscal year (§ 28); and
6. repeals provisions that are obsolete or federally preempted (§§ 16 & 53).

It also makes numerous technical and conforming changes, including in § 25.

EFFECTIVE DATE: July 1, 2023, except that the aircraft liability insurance and approach plan provisions are effective October 1, 2023.

Aircraft Registration (§§ 16-19 & 22)

Under existing law and the bill, owners must annually register their aircraft with the municipality in which it is based or primarily used. But under current law, CAA is responsible for establishing the aircraft registration program and certain related tasks.

The bill generally eliminates CAA's role in administering the registration program, specifically repealing requirements that CAA (1) establish the aircraft registration program and (2) adopt any necessary rules and procedures for implementing it. It retains requirements that CAA prepare and distribute registration decals and forms to municipalities, but it eliminates the specific information the forms must contain.

Fees. Existing law sets registration fees and allows municipalities to keep the fees for their own use and purposes as a grant in lieu of property taxes. The bill eliminates a provision allowing CAA to set a uniform schedule for aircraft registration expiration and renewal and prorate the statutory fees accordingly.

Current law requires municipalities to annually report to CAA the

amount of aircraft registration fees they collected, the number of registrations issued, registrants' names, and descriptions of registered aircraft. The bill eliminates the requirement that they report the amount of fees collected and sets a specific deadline (February 1) for annually reporting the remaining information from the last calendar year.

Information Reporting. The bill also (1) expands the type of information that owners and operators of air navigation facilities must report to CAA on aircraft based at their facilities and (2) requires that they additionally report this information directly to the municipality where the aircraft is based, rather than requiring the CAA executive director to forward the information to municipalities, as under current law.

Under existing law, these facilities must report the owner's name and address, the type of aircraft, and the Federal Aviation Aircraft Registration number. The bill also requires that they report information currently required on registration forms, namely (1) the form of ownership, including whether the owner is an individual, partnership, corporation, or other entity, and (2) the aircraft's year of manufacture, the manufacturer, the model, and the certified gross weight. The bill eliminates current law's requirement that this information be in aircraft registration forms, but specifically requires municipalities to use the information reported to them to register aircraft.

CAA Certificates of Approval and Licenses (§ 21)

Under existing law, the CAA executive director is responsible for approving and licensing airports, heliports, restricted landing areas, and other air navigation facilities (CGS § 13b-46). The law establishes various factors that the executive director must consider when deciding whether to issue a certificate of approval or license (e.g., its proposed size, location, and layout; the nature of the terrain; and planned uses of the proposed facility).

The bill specifically requires that public and private air navigation facilities, when seeking a certificate of approval, license, or license renewal, give CAA documentation, in a form the executive director

prescribes, showing that these factors demonstrate that the facility will provide or currently provides for safe aircraft operations.

The bill also changes a reference to “commercial use” air navigation facility to a “public use” one, which conforms to the scope of CAA oversight authority under existing law.

Taxi Service at Bradley Airport (§ 29)

Current law requires that taxi certificate holders, before they may provide service at Bradley Airport, prove that they have been active, adequate within their specified territory, and in compliance with all relevant laws and regulations for at least two years. The bill eliminates the requirement that they be adequate within their specified territory and the two-year minimum time period.

The bill also (1) eliminates a requirement that the agreement under which taxis provide service at Bradley may not take precedence over the taxi’s obligation to provide service within their specified territory and (2) makes a conforming change to remove reference to the transportation commissioner.

Aircraft Liability Insurance (§ 30)

Beginning October 1, 2023, the bill prohibits people from operating, or owners from allowing someone to operate, aircraft based or hangered in the state without liability insurance coverage. Specifically, the policy must cover the owner and pilot for claims by passengers or other people for bodily injuries, death, or property damage that may arise from the aircraft’s operation in the amount of at least (1) \$500,000 per accident and (2) \$100,000 per passenger seat.

Under the bill, these aircraft owners and operators must provide proof of insurance satisfying the bill’s requirements when requested by CAA’s executive director, authority officials, or a law enforcement officer.

The bill requires in-state air navigation facility owners and operators to keep a list of aircraft based or hangered at the facility. The list must include the following information for each aircraft:

1. its registration number, type, and model;
2. its owner or operator's name and address;
3. how long it has been based or hangered at the facility;
4. the liability insurance policy or binder number;
5. the insurance company's name, as shown on the policy; and
6. the name of the liability insurance agent or broker.

The bill's requirements do not apply to aircraft subject to federal liability insurance requirements.

Repealers (§§ 31 & 53)

The bill repeals the following provisions:

1. a requirement that a copy of plans of development and other documents be filed with the State Properties Review Board (under CGS § 4b-3(f), CAA airports or airport sites are not subject to the board's review) (CGS § 13b-44a);
2. a program setting aside a portion of contracts for federally funded noise mitigation projects at airports for veterans (federal law requires that airports follow federal contracting rules when using federal funding) (CGS § 13b-50b); and
3. requirements related to a Bradley Airport terminal project that is already complete (CGS § 15-101t).

It also repeals statutes establishing two Bradley Airport advisory groups, which are not active. It repeals the Bradley International Community Advisory Board, which consists of the chief elected officials of Windsor, Windsor Locks, East Granby, and Suffield and whose purpose is to communicate between the airport and the surrounding towns and advise on various airport issues (CGS § 15-101pp). It also repeals the six-member Bradley Advisory Committee, which consists of residents and businesses located in the Bradley Airport Development

Zone and is charged with consulting on business related to the airport (§ 16, CGS § 15-120bb(n)). In practice, CAA regularly meets with the non-statutory Bradley Development League, which consists of the chief executive officers of the municipalities surrounding the airport, the MetroHartford Alliance, and local business representatives.

§ 32 — TRANSPORTATION SECTOR CARBON DIOXIDE REDUCTION TARGET

Starting by October 1, 2030, requires DOT, in consultation with DEEP, to biennially establish a transportation carbon dioxide reduction target for the state that sets the maximum amount of carbon dioxide emissions allowed from the transportation sector

Starting by October 1, 2030, the bill requires the DOT commissioner, in consultation with the Department of Energy and Environmental Protection (DEEP) commissioner, to biennially establish a transportation carbon dioxide reduction target for the state that sets the maximum amount of carbon dioxide emissions allowed from the transportation sector. When setting the target, the commissioners must consider the state’s long-term greenhouse gas (GHG) emissions reductions requirements (see BACKGROUND).

Under the bill, the DOT commissioner must develop and implement a strategic plan to ensure that transportation projects included in the state transportation improvement program (STIP, see BACKGROUND) do not exceed the emissions reduction target. The plan must at least include the following:

1. a definition of “transportation project” that excludes projects exempt from federal air quality standards (e.g., safety-related projects, pavement resurfacing, transit building renovations, new bus and rail car purchases, and bicycle and pedestrian facilities);
2. the methodology for calculating the carbon dioxide emissions expected from future transportation projects; and
3. a description of the carbon dioxide mitigation transportation projects, like public transportation improvements; bikeway, walkway, or other multiuse trail or path construction; and electric vehicle charging infrastructure installation.

Under the bill, the DOT commissioner, in consultation with the DEEP commissioner, must implement a public outreach plan to sufficiently engage the public and stakeholders in developing the carbon dioxide reduction target and strategic plan. The DOT commissioner must submit the plan to the Transportation and Environment committees by July 1, 2028.

By January 1, 2025, and until 2030, the DOT commissioner must annually submit a report to the Transportation and Environment committees with (1) a status update on development of the carbon dioxide reduction target and strategic plan and (2) a description of the public outreach and its results. The bill also requires the DOT commissioner to biennially submit to these committees, starting by October 1, 2030, a copy of the carbon dioxide reduction target and any legislative recommendations to implement it.

EFFECTIVE DATE: July 1, 2023

§ 33 — DOT VEGETATION MANAGEMENT PLAN

Requires DOT to develop, and revise as necessary, guidelines on tree and vegetation management, removal, and replacement along state highways for its employees and contractors to use for maintenance and construction projects

The bill requires DOT to develop, and revise as necessary, guidelines on tree and vegetation management, removal, and replacement along state highways for its employees and contractors to use for maintenance and construction projects. The guidelines' goal must be to ensure that maintenance and construction projects' impacts on the environment, landscape, and noise pollution are balanced or outweighed by measures taken to avoid and minimize them.

Under the bill, the guidelines must at least address the following:

1. the safety of the traveling public;
2. DOT's general roadside vegetation management activities, including mowing, herbicide use, grassing, replanting with native species whenever practicable, limb management, and tree and debris removal;

3. beautification, enhancements, and the effect on scenic roads;
4. visibility enhancement; and
5. the work's environmental impact, including preventing invasive tree, brush, or plant species' growth and impact; storm water run-off; erosion; vegetation species replanting to expand and improve pollinator habitats; and reduced mowing.

The guidelines apply to construction projects financed, wholly or partially, with federal funds to the extent that they do not conflict with federal laws and regulations. They do not apply to removing trees or vegetation that is (1) necessary to maintain public safety or (2) due to a weather-related civil preparedness emergency.

By January 1, 2024, the DOT commissioner must submit the guidelines to the Transportation and Environment committees, and the committees must hold a joint public hearing during which the commissioner must present the guidelines.

EFFECTIVE DATE: Upon passage

§ 34 — NOISE BARRIER STUDY

Requires DOT to study noise barriers for Type II projects (i.e., retrofit) and establish a project priority list

The bill requires DOT to do a statewide evaluation to determine the feasibility and reasonableness of constructing noise barriers for Type II projects (i.e., retrofit; see BACKGROUND). The department must also establish a priority rating system to rank the projects and use the system to create a project priority list.

By February 1, 2024, DOT must report the evaluation's results, a description of the priority ranking system, and the priority list to the Transportation Committee.

EFFECTIVE DATE: Upon passage

§§ 35-37 — DECIBEL LEVEL TESTING

Extends deadlines for DMV's decibel testing implementation plan and submission of maximum decibel regulations; requires DMV to implement a pilot program to test methods for inspecting a vehicle's maximum decibel level at emissions inspection stations

The bill requires the Department of Motor Vehicles (DMV) to establish a one-year pilot program to test a vehicle's maximum decibel level during an emissions inspection. And it extends two related deadlines for the DMV commissioner to:

1. submit to the General Assembly an implementation plan, as well as legislation and funding recommendations, for a statewide decibel level testing program at official emissions inspection stations, from January 1, 2023, to October 1, 2023 (§ 35); and
2. with the advice of DEEP, amend current regulations setting maximum vehicle decibel levels and related testing procedures and submit them to the Regulation Review Committee, from January 1, 2024, to October 1, 2024 (§ 36).

Pilot Program

From October 1, 2023, until October 1, 2024, the bill requires the DMV to establish a pilot program at five selected official emission inspection stations. The program must test different methodologies for inspecting the maximum decibel level produced by a motor vehicle during an emission inspection, which may not exceed the levels established in statute and any adopted regulations (ranging from 72 to 92 decibels depending on the vehicle's speed, weight, and the road surface) (Conn. Agencies Regs., § 14-80a-4a). Under the bill, the different methodologies used must reflect industry standards and advancements in technology.

By January 1, 2025, the DMV must submit a report to the Appropriations, Finance, Revenue and Bonding, and Transportation committees on the pilot's implementation, the results of the different methodologies used, and recommendations for a state-wide decibel level testing program (see also § 35).

EFFECTIVE DATE: Upon passage for the implementation plan deadline, July 1, 2024, for the regulations submission, and October 1, 2023, for the pilot program.

§ 38 — MEDIUM- AND HEAVY-DUTY TRUCK VOUCHER PROGRAM

Delays, from January 1, 2023, to January 1, 2024, the date on and after which DEEP may establish a voucher program to support the use of zero-emission medium- and heavy-duty trucks and modifies program eligibility criteria

The bill delays, from January 1, 2023, to January 1, 2024, the date on and after which DEEP may establish a voucher program to support (1) the use of zero-emission technology in medium- and heavy-duty vehicles and (2) installing electric vehicle charging infrastructure. By law, the DEEP commissioner may establish this program within available funds, and funds in the Connecticut Hydrogen and Electric Automobile Purchase Rebate (CHEAPR) account may be used for the program.

The bill also changes eligibility criteria for vehicles seeking vouchers through the program. First, it changes the classification system used to determine whether vehicles are eligible for the program, generally expanding it to more vehicles. Under current law, vehicle eligibility is determined based on the Federal Highway Administration's (FHWA) vehicle classification system (see BACKGROUND), which is generally based on the vehicle's characteristics (e.g., number of axles and trailers). Specifically, vehicles in class 5 to 13 (i.e., six axle, single unit trucks up to multi-trailer, seven or more axle trucks) and passenger buses are currently eligible for vouchers.

Under the bill, eligibility is instead based on the vehicle classification system used by the federal Environmental Protection Agency for emissions standards, which is based entirely on vehicle weight. The bill makes vehicles in class 2b to 8 (i.e., those with a GVWR above 8,500 pounds) eligible for vouchers.

The bill also (1) limits the program for medium-duty passenger vehicles to those sold for use by a commercial or institutional fleet and (2) specifies that vehicles are ineligible for vouchers if they are eligible for incentives through the CHEAPR program.

EFFECTIVE DATE: Upon passage

§ 39 — STREET RACING, MOTOR VEHICLE STUNTS, AND STREET TAKEOVERS

Extends an illegal street racing prohibition to parking lots; expressly prohibits motor vehicle stunts and “street takeovers” on public roads and parking lots; prohibits certain conduct assisting with them; and changes the penalties for related prohibited conduct, among other things

The bill makes several changes to laws prohibiting and penalizing certain actions around motor vehicle races, contests, and demonstrations of speed or skill (hereinafter “street racing”). Existing law expressly prohibits driving a motor vehicle on a public highway (i.e., road) for street racing. The bill expressly adds street takeovers and motor vehicle stunts to this prohibition and extends it to parking areas (i.e., off-street lots open to the public), as well. Under the bill, a “street takeover” means taking over part of these roads or lots by blocking or impeding the regular traffic flow to cause disorder or create a nuisance to other road or lot users. The bill retains existing law’s two-stage penalty system for violating this prohibition. (Existing law, unchanged by the bill, already prohibits similar conduct (see BACKGROUND).)

Current law also prohibits (1) possessing a motor vehicle under circumstances showing an intent to use it on a public road for street racing; (2) acting as a starter, timekeeper, judge, or spectator at one; or (3) betting on the street racing’s outcome. The bill extends this prohibited conduct to street racing on off-street parking lots and to motor vehicle stunts and street takeovers on these lots or public roads. It eliminates spectating these illegal street racings, motor vehicle stunts, and street takeovers as a type of prohibited conduct and instead prohibits knowingly encouraging, promoting, instigating, assisting, facilitating, aiding, or abetting any person with them.

The bill also changes the penalties associated with this prohibited related conduct by replacing the current two-stage penalty system (one for initial violations and a second for subsequent violations) with a single set of penalties. Under current law, a first offense for prohibited conduct related to street racing is punishable by a fine of \$75 to \$600, up to one year in prison, or both; and any subsequent offense is punishable by a fine of \$100 to \$1,000, up to one year in prison, or both. Under the bill, all offenses are punishable by a fine up to \$1,000, up to six months

in prison, or both.

Lastly, the bill also makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2023

Penalties for Prohibited Actions When Driving a Motor Vehicle

By law, a first offense for street racing (including motor vehicle stunts or street takeovers under the bill) is punishable by a fine of \$150 to \$600, up to one year in prison, or both; and any subsequent offense is punishable by a fine of \$300 to \$1,000, up to one year in prison, or both. Anyone convicted of this must also attend an operator's retraining program (CGS § 14-111g(a)). Additionally, a court may (1) order the motor vehicle driven by the offender 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. By law, the impounded vehicle's owner is responsible for all fees or costs resulting from the impoundment.

Related Law

Existing law prohibits driving a motor vehicle in any race, contest, or demonstration of speed or skill as a public exhibition except in specific circumstances (CGS § 14-164a). Among other things, it also generally prohibits (1) using a motor vehicle on a public road to impede or block the normal and reasonable flow of traffic and (2) reckless driving on public roads and certain parking lots and private roads (CGS §§ 14-220 & 14-222)).

§ 40 — EMERGENCY LIGHTS

Allows vehicles operated by volunteer ambulance associations' or companies' active members to use flashing blue lights or flashing green lights, rather than just green lights, while on the way to or at the scene of an emergency; authorizes DMV to issue permits for appointed or elected constables to use flashing red lights on a stationary vehicle as a warning signal during traffic directing operations

The bill allows vehicles operated by volunteer ambulance associations' or companies' active members to use flashing green or flashing blue lights while on the way to or at the scene of an emergency. Under current law, they may only use green or flashing green lights.

Existing law, unchanged by the bill, allows (1) vehicles operated by members of volunteer fire departments or civil preparedness auxiliary fire companies to use flashing blue lights and (2) DOT-owned and -operated maintenance vehicles to use green or flashing green lights.

As under current law, the (1) member must have a permit to use the lights issued by the ambulance association or company's chief executive officer and (2) chief executive officer must keep on file the names and addresses of members and registration numbers of vehicles authorized to use the lights.

The bill also authorizes the DMV commissioner to issue permits allowing appointed or elected constables to use flashing red lights on a stationary vehicle as a warning signal during traffic directing operations. The law already authorizes the commissioner to issue permits for emergency vehicles, including state or local police cars driven by a police officer responding to an emergency call or pursuing suspects, to use flashing blue, red, yellow, or white lights, or any combination of them.

EFFECTIVE DATE: October 1, 2023

§§ 41-51 — BRIDGE AND ROAD NAMING

Names 11 roads and bridges

The bill names 11 roads and bridges.

EFFECTIVE DATE: Upon passage

§ 52 — MUNICIPAL APPROVAL OF CAA AIRPORT PURCHASE

Subjects any CAA purchase of a municipally owned airport to approval by the municipality in which the airport is located

The bill subjects any CAA purchase of a municipally owned airport to approval by the municipality in which the airport is located.

EFFECTIVE DATE: July 1, 2023

BACKGROUND

Centralized Infractions Bureau (CIB)

By law, individuals charged with a motor vehicle violation may, generally, pay the fine through the CIB without appearing in court. Payment is considered a plea of nolo contendere (no contest) and is not admissible in any civil or criminal proceeding. If an individual pleads not guilty, the CIB must send the plea and request for trial to the clerk of the geographical area court where the trial is to take place. The practice, procedure, rules of evidence, and burden of proof applicable in criminal proceedings apply in such a trial (CGS § 51-164n).

Air Navigation Facility

By law, an air navigation facility is any facility, other than one owned or controlled by the federal government, used in, available for, or designed for use in, aid of air navigation. They include airports, heliports, restricted landing areas, and any structures, mechanisms, lights, beacons, marks, communicating systems, or other instrumentalities or devices used or useful as an aid to the (1) safe taking-off, navigation, and landing of aircraft or (2) safe and efficient operation or maintenance of an airport, heliport, or restricted landing.

GHG Emissions Reductions Requirements

By law, the state must reduce its GHG emissions to a level that is at least (1) 10% below 1990's emission level by January 1, 2020; (2) 45% below 2001's emissions level by January 1, 2030; and (3) 80% below 2001's emissions level by January 1, 2050 (CGS § 22a-200a).

STIP

The STIP is a DOT-prepared four-year planning document that lists all the projects expected to be funded in the four-year period with FHWA and Federal Transit Administration funding. It is developed in compliance with federal law and in coordination with the Metropolitan Planning Organizations (MPOs) and Rural Planning Agencies. The STIP must be fiscally constrained and assessed for air quality impacts.

Use of Noise Barriers

State and federal regulation and policy separate noise barriers into two types, based on whether they are associated with an existing or new source of noise. Noise barriers are required under federal regulations to

mitigate increased traffic noise exceeding allowable levels resulting from new highway or bridge construction or reconstruction (i.e., Type I projects). The federal government generally pays most of the noise barrier costs as part of the approved project. Federal regulations allow federal funds to be used for retrofitting an area with noise barriers (i.e., Type II projects) if a state adopts a Type II program that includes a federally approved priority ranking system. In practice, however, federal funds are rarely made available for these projects (23 C.F.R. § 772.7).

FHWA Vehicle Category Classification System

The FHWA vehicle category classification system sorts vehicles into different classes based on their characteristics, as shown in the table below.

Table: FHWA Vehicle Classes

Class	Vehicles	Class	Vehicles
1	Motorcycles	8	Single trailer, 3- or 4-axle trucks
2	Passenger cars	9	Single trailer, 5-axle trucks
3	Pickups, panels, and vans	10	Single trailer, 6+ axle trucks
4	Buses	11	Multi-trailer, 5 or fewer axle trucks
5	Single unit, 2-axle, six tire trucks	12	Multi-trailer, 6-axle trucks
6	Single unit, 3-axle trucks	13	Multi-trailer, 7+ axle trucks
7	Single unit, 4+ axle trucks		

Related Bills

sSB 15 (File 420), reported favorably by the Transportation Committee, contains similar provisions increasing the fines for commercial vehicles on parkway.

sSB 993 (File 439), reported favorably by the Transportation Committee, contains identical provisions on the Connecticut Airport Authority.

sSB 1083 (File 251), reported favorably by the Transportation Committee, contains similar provisions about carbon emissions reductions from the transportation sector.

sHB 6583 (File 355), reported favorably by the Public Safety and Transportation committees, contains similar provisions on emergency lights.

sHB 6744 (File 456), reported favorably by the Transportation Committee, contains similar provisions on noise barriers and decibel level testing.

sHB 6748 (File 457), reported favorably by the Transportation Committee, contains an identical provision on municipal approval of CAA airport purchases.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 23 Nay 13 (03/17/2023)