



# WORKING DRAFT

General Assembly

***Amendment***

*January Session, 2019*

LCO No. 7930

Offered by:

To: Subst. House Bill No. 7202

File No. 484

Cal. No. 0

**"AN ACT CONCERNING THE SUSTAINABILITY OF  
CONNECTICUT'S TRANSPORTATION INFRASTRUCTURE."**

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1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective from passage*) (a) There is established an  
4 account to be known as the "Transportation Priority Projects account"  
5 which shall be a separate, nonlapsing account within the Special  
6 Transportation Fund, established pursuant to section 13b-68 of the  
7 general statutes and maintained pursuant to article thirty-second of the  
8 amendments to the Constitution of the state. The account shall contain  
9 any moneys required by law to be deposited into the account. Moneys  
10 in the account shall be expended by the Commissioner of  
11 Transportation, with the approval of the Secretary of the Office of  
12 Policy and Management, for the payment of any and all capital costs  
13 incurred in furtherance of the purposes set forth in subsection (b) of  
14 section 13b-74 of the general statutes with regard to the projects  
15 described in subsection (b) of this section, provided such expenditures  
16 are an eligible use of toll revenue pursuant to the provisions of 23 USC

17 129(a)(3), as amended from time to time.

18 (b) The funds in the Transportation Priority Projects account shall be  
19 expended for the following projects:

20 (1) Operational improvements to Interstate Route 95;

21 (2) Replacement of the viaduct on Interstate Route 84 in the city of  
22 Hartford;

23 (3) Improvements to exits 3 to 8, inclusive, on Interstate Route 84 in  
24 the city of Danbury;

25 (4) Improvements to the mixmaster on Interstate Route 84 in the city  
26 of Waterbury;

27 (5) Operational improvements to the interchange between Interstate  
28 Route 84 and Interstate Route 91;

29 (6) Operational improvements to the interchange between  
30 Connecticut Route 7 and Connecticut Route 15;

31 (7) Improvements to Heroes Tunnel in the city of New Haven;

32 (8) Operational improvements to the interchange between Interstate  
33 Route 91, Interstate Route 691 and Connecticut Route 15; and

34 (9) Replacement of the Gold Star Memorial Bridge in the city of New  
35 London.

36 (c) At the end of each fiscal year commencing with the fiscal year  
37 ending June 30, 2023, and each fiscal year thereafter, the Comptroller  
38 shall transfer any remaining pledged revenues, as defined in section  
39 13b-75 of the general statutes, in the Special Transportation Fund in  
40 excess of five per cent of the total expenditures for the most recently  
41 completed fiscal year to the Transportation Priority Projects account  
42 within said fund.

43 Sec. 2. (NEW) (*Effective from passage*) (a) For the purposes of this

44 section, "Hartford Line" means the rail passenger service operated  
45 between the city of New Haven and Springfield, Massachusetts, and  
46 "New Haven Line" and "Shore Line East" have the same meaning as  
47 provided in section 13b-79o of the general statutes.

48 (b) The Commissioner of Transportation shall initiate the following  
49 projects:

50 (1) Rehabilitation or replacement of the movable bridges on the  
51 New Haven Line;

52 (2) Removal of the traffic signals from Connecticut Route 9;

53 (3) Rail car procurements;

54 (4) Improvements to the Hartford Line;

55 (5) Improvements to the New Haven Line, including, but not  
56 limited to: (A) Expanding the Danbury branch to include the town of  
57 New Milford, (B) increasing the frequency of service on the Waterbury  
58 branch at the Derby-Shelton commuter rail station in the city of Derby  
59 and the Ansonia commuter rail station in the town of Ansonia, and  
60 improving such commuter rail stations, (C) adding a roof or canopy  
61 covering at the Talmadge Hill commuter rail station in the town of  
62 New Canaan to protect commuters from rain and snow, (D) adding a  
63 passing siding along the New Canaan branch near the New Canaan  
64 commuter rail station in the town of New Canaan, (E) expanding the  
65 northbound side of the parking lot and the train platforms at the  
66 Stratford commuter rail station in the town of Stratford, and (F)  
67 improving parking and rail structures;

68 (6) Improvements to Shore Line East;

69 (7) Improvements to the rail yards in the cities of New Haven and  
70 Stamford; and

71 (8) A new commuter rail station in the town of Newington, in the  
72 city of Bridgeport and on New Park Avenue in the town of West

73 Hartford.

74 Sec. 3. (NEW) (*Effective from passage*) As used in this section and  
75 sections 4 to 7, inclusive, of this act:

76 (1) "Electronic toll collection system" means a system where a  
77 transponder, camera-based vehicle identification system, video toll  
78 transaction system or other electronic transaction and payment  
79 technology is used to deduct payment of a toll from a toll customer  
80 account or to establish an obligation to pay a toll.

81 (2) "Personally identifiable toll customer information" means  
82 information created or maintained by the Department of  
83 Transportation or a toll operator that identifies or describes a toll  
84 customer, including, but not limited to, address, telephone number,  
85 number plate, photograph, bank account information, credit card  
86 number, debit card number or the date, time, location or direction of  
87 travel on a tolled highway.

88 (3) "Toll customer account" means an account that is linked to a  
89 transponder or number plate in order to pay a toll.

90 (4) "Toll operator" means a private entity that operates an electronic  
91 toll collection system pursuant to an agreement with the  
92 Commissioner of Transportation.

93 (5) "Transponder" means a device attached to a motor vehicle or  
94 other electronic transaction and payment technology that  
95 automatically identifies the motor vehicle as it travels on a tolled  
96 highway.

97 Sec. 4. (NEW) (*Effective from passage*) (a) The Department of  
98 Transportation is authorized to: (1) Fix, revise, charge and collect tolls  
99 to travel on Interstate Route 84, Interstate Route 91, Interstate Route 95  
100 and portions of Connecticut Route 15, and (2) construct, maintain and  
101 operate electronic toll collection systems to collect such tolls. Such  
102 electronic toll collection systems shall be comprised of not more than

103 fifty toll collection locations in the aggregate. The department shall  
104 commence the collection of tolls by collecting tolls concurrently on at  
105 least two interstate highways. Not later than six months after  
106 commencing the collection of tolls on such interstate highways, the  
107 department shall collect tolls on the other highways authorized to be  
108 tolled under this subsection.

109 (b) The Commissioner of Transportation may: (1) Enter into tolling  
110 agreements with the Federal Highway Administration and other  
111 agreements, as deemed necessary, with any other federal, state or  
112 municipal agency to effectuate tolling, (2) enter into agreements with  
113 toll operators for the design, engineering, construction, financing,  
114 operation or maintenance, or any combination thereof, of electronic toll  
115 collection systems, and (3) retain and employ consultants and  
116 assistants on a contract or other basis for rendering legal, financial,  
117 professional, technical or other assistance and advice necessary for the  
118 construction, operation and maintenance of electronic toll collection  
119 systems and for the collection and enforcement of tolls.

120 (c) The Commissioners of Transportation and Motor Vehicles may  
121 jointly enter into, or authorize a toll operator on behalf of the  
122 commissioners to enter into, reciprocal agreements with the operators  
123 of tolled highways, bridges or other facilities in other states to: (1)  
124 Facilitate the collection of unpaid tolls and civil penalties associated  
125 with tolling by a person operating a motor vehicle that is registered in  
126 another state, and (2) share information regarding such person,  
127 including, but not limited to, the make of such person's motor vehicle,  
128 the motor vehicle's number plate and the name and address of the  
129 registered owner of the motor vehicle.

130 (d) Prior to commencing the construction of an electronic toll  
131 collection system on any highway, or portion thereof, of this state, the  
132 Department of Transportation shall hold at least one public  
133 informational meeting in the general vicinity of each proposed tolled  
134 highway to receive comments on the proposed toll, methodology for  
135 fixing and changing the toll rates and user classifications.

136 (e) The Department of Transportation shall place and maintain signs  
137 in advance of any tolled highway to notify motor vehicle operators: (1)  
138 That a toll will be charged on such highway, and (2) how to pay such  
139 toll.

140 (f) All revenues received by the Department of Transportation from  
141 tolls and the imposition of civil penalties associated with tolling shall  
142 be deposited into the Special Transportation Fund, established  
143 pursuant to section 13b-68 of the general statutes and maintained  
144 pursuant to article thirty-second of the amendments to the  
145 Constitution of the state. Such revenues shall be expended only for the  
146 purposes specified in, and subject to, the provisions of 23 USC  
147 129(a)(3), as amended from time to time.

148 (g) Any electronic toll collection system operated by the Department  
149 of Transportation or a toll operator shall be interoperable with all other  
150 electronic toll collection systems in the state and shall comply with all  
151 state and federal interoperability requirements and standards. Such  
152 electronic toll collection system interoperability shall extend to system  
153 technology and the transfer of funds. The Commissioners of  
154 Transportation and Motor Vehicles, in consultation with the  
155 Commissioner of Administrative Services, shall ensure the  
156 coordination and compatibility of information system technology and  
157 data of any electronic toll collection system. The provisions of chapters  
158 58 and 61 of the general statutes shall not apply to this subsection.

159 (h) The Commissioner of Transportation shall adopt regulations, in  
160 accordance with the provisions of chapter 54 of the general statutes, to  
161 implement the provisions of this section. Such regulations shall  
162 include, but need not be limited to: (1) Alternative methods to allow an  
163 individual without a bank account or credit card to pay tolls and  
164 deposit money into such individual's toll customer account, and (2) the  
165 manner in which a transponder shall be attached to a motor vehicle  
166 when traveling on a tolled highway. Such regulations may include  
167 exceptions for certain types of motor vehicles from paying tolls when  
168 using a tolled highway, provided any state-wide elected officer or any

169 member of the General Assembly shall pay tolls when traveling on a  
170 tolled highway.

171 Sec. 5. (NEW) (*Effective from passage*) (a) The Commissioner of  
172 Transportation shall propose, as he or she deems necessary or at the  
173 request of the Connecticut Transportation Commission, established  
174 pursuant to section 8 of this act, a schedule of toll rates for tolled  
175 highways, and submit the proposed schedule to the commission for  
176 approval. Not later than thirty days after the receipt of a proposed  
177 schedule, the commission shall approve or reject such proposed  
178 schedule. If a proposed schedule is rejected, such proposed schedule  
179 shall be returned to the commissioner for revisions and may be  
180 resubmitted to the commission.

181 (b) A proposed schedule of toll rates shall include, but need not be  
182 limited to:

183 (1) The establishment of variable toll rates during peak and off-peak  
184 travel periods that take into consideration the day of the week and  
185 level of congestion or anticipated congestion;

186 (2) Different toll rates based on the type, size, weight, axles or  
187 occupancy of a motor vehicle;

188 (3) Discounts or credits to a toll customer account for toll customers  
189 with a transponder issued by the Department of Transportation or a  
190 toll operator;

191 (4) Discounts or credits to a toll customer account for toll customers  
192 who frequently travel on tolled highways; and

193 (5) Discounts or credits to a toll customer account for toll customers  
194 who are low-income, including, but not limited to, toll customers with  
195 household incomes that do not exceed one hundred twenty-five per  
196 cent of the federal poverty level.

197 (c) Toll rates shall not be increased for three years from the date a  
198 toll is first collected by an electronic toll collection system. The initial

199 maximum toll rate for cars, motorcycles, pick-up trucks and other light  
200 duty motor vehicles, after the discounts or credits established pursuant  
201 to subdivisions (3) and (4) of subsection (b) of this section are applied,  
202 shall be: (1) Four and four-tenths cents per mile during peak travel  
203 periods, except the commissioner may vary such toll rate by not more  
204 than thirty per cent above or below such toll rate if necessary to assure  
205 congestion reduction pursuant to an agreement with the Federal  
206 Highway Administration, and (2) three and one-half cents during off-  
207 peak travel periods.

208 (d) When the Commissioner of Transportation proposes a schedule  
209 of toll rates, such toll rates shall be fixed at the lowest amount  
210 necessary to: (1) Achieve congestion reduction pursuant to an  
211 agreement with the Federal Highway Administration, and (2) provide,  
212 at a minimum, funding that is sufficient to: (A) Pay costs related to the  
213 tolled highways, including, but not limited to, the cost of owning,  
214 maintaining, repairing, reconstructing, improving, rehabilitating,  
215 using, administering, controlling and operating the tolled highways;  
216 (B) pay the principal of, redemption premium, if any, and interest on  
217 notes or bonds related to owning, maintaining, repairing,  
218 reconstructing, improving, rehabilitating, using, administering,  
219 controlling or operating the tolled highways, as such principal,  
220 premium or interest become due and payable; and (C) create and  
221 maintain reserves established for any of the department's highway  
222 responsibilities under titles 13a and 13b of the general statutes for the  
223 operation and maintenance of the tolled highways. Such sufficiency of  
224 funding may take into account the availability of funds from other  
225 sources.

226 (e) Tolls shall not be subject to and shall be exempt from taxation of  
227 every kind by the state and by the municipalities and all other political  
228 subdivisions or special districts having taxing powers in the state.

229 Sec. 6. (NEW) (*Effective from passage*) (a) No personally identifiable  
230 toll customer information shall be sold or disclosed by the Department  
231 of Transportation or a toll operator to any person or entity except



232 where the disclosure is made: (1) In connection with the charging,  
233 collection and enforcement of tolls and civil penalties associated with  
234 tolling, (2) pursuant to a reciprocal agreement entered into under  
235 section 4 of this act, (3) pursuant to an administrative hearing  
236 conducted pursuant to section 7 of this act, (4) pursuant to judicial  
237 order, including a search warrant or subpoena, in a criminal  
238 proceeding, or (5) to comply with federal or state laws or regulations.

239 (b) No personally identifiable toll customer information shall be  
240 stored or retained by the Department of Transportation or a toll  
241 operator unless such information is necessary for the collection and  
242 enforcement of tolls.

243 (c) The Department of Transportation or a toll operator may disclose  
244 aggregate toll customer information and other data that does not  
245 directly or indirectly identify a toll customer or motor vehicle for  
246 research purposes authorized by the Commissioner of Transportation.

247 (d) Except as otherwise provided by law or in connection with an  
248 administrative summons or judicial order, including a search warrant  
249 or subpoena, in a criminal proceeding, the Department of  
250 Transportation or a toll operator shall destroy personally identifiable  
251 toll customer information and other data that specifically identifies a  
252 motor vehicle and relates to a specific tolling transaction not later than  
253 sixty days after the collection of the toll or any civil penalty associated  
254 with tolling or the resolution of an administrative hearing conducted  
255 pursuant to section 7 of this act.

256 (e) Commencing six months from the date a toll is first collected by  
257 an electronic toll collection system, and every six months thereafter,  
258 the Department of Transportation shall submit a report, in accordance  
259 with the provisions of section 11-4a of the general statutes, to the joint  
260 standing committee of the General Assembly having cognizance of  
261 matters relating to transportation. Such report shall list any request for  
262 personally identifiable toll customer information received by the  
263 department, identify who made such request and include a copy of

264 such request.

265 (f) Personally identifiable toll customer information shall not be  
266 deemed a public record, for purposes of the Freedom of Information  
267 Act, as defined in section 1-200 of the general statutes.

268 (g) Prior to the collection of tolls on tolled highways, the  
269 Commissioner of Transportation shall adopt regulations, in accordance  
270 with the provisions of chapter 54 of the general statutes, regarding the  
271 privacy, security, confidentiality, collection and use of personally  
272 identifiable toll customer information and other data collected,  
273 received, maintained, archived, accessed and disclosed by the  
274 department regarding the collection and enforcement of tolls. Such  
275 regulations shall include, but need not be limited to: (1) A description  
276 of the types of information collected by the department or a toll  
277 operator, (2) procedures to ensure the privacy and security of  
278 personally identifiable toll customer information, and (3) provisions to  
279 appropriately limit access to personally identifiable toll customer  
280 information and such other data.

281 Sec. 7. (NEW) (*Effective from passage*) (a) Except as may be otherwise  
282 provided by regulation adopted pursuant to section 5 of this act, no  
283 toll customer shall travel on a tolled highway without paying the toll.

284 (b) The Department of Transportation, after notice and an  
285 opportunity for a hearing, may impose a civil penalty of not more than  
286 twenty-five dollars for a first violation of the provisions of subsection  
287 (a) of this section or any regulation adopted pursuant to section 5 of  
288 this act, not more than fifty dollars for a second violation and not more  
289 than one hundred dollars for a third or subsequent violation on any of  
290 the following persons: (1) The operator of a motor vehicle on a tolled  
291 highway; (2) the registered owner of a motor vehicle operated on a  
292 tolled highway, if other than the operator, if such vehicle was used or  
293 operated with the express or implied permission of the registered  
294 owner at the time of the tolling transaction; (3) the lessee of a motor  
295 vehicle operated on a tolled highway, if other than the operator, if such

296 vehicle was used or operated with the express or implied permission  
297 of the lessee at the time of the tolling transaction; or (4) the lessor of a  
298 motor vehicle operated on a tolled highway.

299 (c) A copy of the motor vehicle rental agreement, lease, other  
300 contract document or affidavit identifying the lessee of the motor  
301 vehicle at the time of the tolling transaction shall be prima facie  
302 evidence that the person named in the rental agreement, lease, other  
303 contract document or affidavit was operating the motor vehicle at all  
304 relevant times relating to the tolling transaction. A lessor shall  
305 cooperate with the department or the toll operator, as the case may be,  
306 in providing the department or toll operator any requested  
307 information concerning the lessee contained in the lessor's record.

308 (d) Any person who contests the amount of a toll or a civil penalty  
309 shall be afforded an opportunity for a hearing with the department in  
310 accordance with the provisions of chapter 54 of the general statutes.

311 (e) The Department of Motor Vehicles shall provide the Department  
312 of Transportation and any toll operator with the information necessary  
313 to collect tolls and civil penalties associated with tolling, including, but  
314 not limited to, information regarding the registered owner of a motor  
315 vehicle that was operated on a tolled highway and the make of the  
316 motor vehicle, the motor vehicle's number plate and the name and  
317 address of the registered owner of the motor vehicle.

318 Sec. 8. (NEW) (*Effective from passage*) (a) There is established a  
319 Connecticut Transportation Commission, which shall be part of the  
320 Legislative Department.

321 (b) The commission shall consist of the following members,  
322 appointed as follows: Three members of the Senate, one appointed by  
323 the president pro tempore of the Senate, one appointed by the majority  
324 leader of the Senate and one appointed by the minority leader of the  
325 Senate; three members of the House of Representatives, one appointed  
326 by the speaker of the House of Representatives, one appointed by the  
327 majority leader of the House of Representatives, and one appointed by

328 the minority leader of the House of Representatives; the  
329 Commissioners of Transportation, Economic and Community  
330 Development, Energy and Environmental Protection and Housing, or  
331 their designees; the State Treasurer, or the Treasurer's designee; the  
332 Secretary of the Office of Policy and Management, or the secretary's  
333 designee; and one member appointed by the Governor.

334 (c) All initial appointments to the commission shall be made not  
335 later than September 1, 2019. The member of the commission  
336 appointed by the Governor shall serve for a term of four years, which  
337 shall commence on the date of appointment. All other members shall  
338 serve for terms that are coterminous with their terms of office.  
339 Members shall continue to serve until their successors are appointed.

340 (d) The speaker of the House of Representatives and the president  
341 pro tempore of the Senate shall select the chairperson of the  
342 commission from among the members of the commission. Such  
343 chairperson shall schedule the first meeting of the commission, which  
344 shall be held not later than November 1, 2019.

345 (e) Any vacancy shall be filled by the appointing authority. Any  
346 vacancy occurring other than by expiration of term shall be filled for  
347 the balance of the unexpired term.

348 (f) The administrative staff of the joint standing committee of the  
349 General Assembly having cognizance of matters relating to  
350 transportation shall serve as administrative staff of the commissioner.

351 (g) Seven members of the commission shall constitute a quorum for  
352 the transaction of any business, provided three such members are  
353 members of the General Assembly.

354 (h) The commission shall have the following powers and duties:

355 (1) Approve or reject, in whole or in part, the five-year  
356 transportation capital plan for the state developed annually by the  
357 Department of Transportation;

358 (2) Approve or reject, in whole or in part, the state transportation  
359 improvement program developed by the Department of  
360 Transportation prior to submission to the United States Department of  
361 Transportation if such program includes a transportation project that is  
362 not contained in the five-year transportation capital plan and is  
363 estimated to cost fifty million dollars or more;

364 (3) Approve or reject the proposed schedule of toll rates for tolled  
365 highways submitted by the Commissioner of Transportation pursuant  
366 to section 5 of this act;

367 (4) Obtain from any executive department, board, commission or  
368 other agency of the state such assistance and data as necessary and  
369 available to carry out the purposes of this section;

370 (5) Utilize voluntary and uncompensated services of private  
371 individuals, state or federal agencies and organizations as may, from  
372 time to time, be offered and needed;

373 (6) Hold public hearings;

374 (7) Establish task forces or advisory committees, as necessary, to  
375 perform its duties;

376 (8) Establish bylaws to govern its procedures; and

377 (9) Perform such other acts as may be necessary and appropriate to  
378 carry out the duties described in this section and section 13b-14 of the  
379 general statutes, as amended by this act.

380 (i) The commission shall meet as often as deemed necessary by the  
381 chairperson or a majority of the commission. Any appointed member  
382 who fails to attend three consecutive meetings or who fails to attend  
383 fifty per cent of all meetings held during any calendar year shall be  
384 deemed to have resigned from the commission.

385 (j) Not later than January 1, 2020, and annually thereafter, the  
386 commission shall submit a status report concerning the commission's

387 efforts and activities to the joint standing committee of the General  
388 Assembly having cognizance of matters relating to transportation in  
389 accordance with the provisions of section 11-4a of the general statutes.

390 Sec. 9. Section 13b-14 of the general statutes is repealed and the  
391 following is substituted in lieu thereof (*Effective from passage*):

392 [Comprehensive] (a) The Department of Transportation, under the  
393 direction and supervision of the commissioner and pursuant to the  
394 provisions of 23 USC 135, as amended from time to time, shall develop  
395 a comprehensive long-range [planning concerning] plan that addresses  
396 the future transportation needs of the state, [shall be coordinated and  
397 performed by the department under the direction and supervision of  
398 the commissioner, shall be directed to] contains all available and future  
399 modes of transportation, including, but not limited to, transportation  
400 by highway [, air, water] and rail, and [shall be designed to assure]  
401 assures a modern, safe and efficient system of transportation facilities  
402 and services.

403 (b) In developing the long-range plan, but prior to the public  
404 involvement process developed pursuant to the provisions of 23 USC  
405 135(f)(3)(A)(ii), as amended from time to time, the department shall  
406 present to the Connecticut Transportation Commission, established  
407 pursuant to section 8 of this act: (1) A description of the current  
408 transportation system in the state, and (2) any draft materials prepared  
409 for the public involvement process, including, but not limited to, the  
410 plan's guiding principles, issues and strategies. The commission shall  
411 participate in the public involvement process in a manner mutually  
412 determined and agreed to by the department and commission.

413 (c) Upon completion of the public involvement process, the  
414 department shall submit the proposed long-range plan to the  
415 commission. Not later than thirty days after the receipt of the proposed  
416 long-range plan, the commission shall approve or reject the proposed  
417 long-range plan. The proposed long-range plan shall become effective  
418 when approved by an affirmative vote of the commission. In the event

419 the commission rejects the proposed long-range plan, the proposed  
420 long-range plan shall be returned to the department for revisions and  
421 resubmitted to the commission.

422 Sec. 10. (NEW) (*Effective from passage*) On or before December 31,  
423 2019, and annually thereafter, the Department of Transportation,  
424 under the direction and supervision of the commissioner, shall  
425 develop a five-year transportation capital plan for the next five federal  
426 fiscal years. The capital plan shall not be effective unless approved by  
427 the Connecticut Transportation Commission, established pursuant to  
428 section 8 of this act. The capital plan shall: (1) Include projects in all  
429 modes of transportation, including, but not limited to, highways,  
430 bridges, public transportation, facilities and pedestrian enhancements  
431 that the department plans to initiate in the next five federal fiscal years,  
432 and (2) detail the financing and planned investments for such projects.  
433 The department shall submit and present the proposed capital plan to  
434 the commission. Not later than thirty days after such presentation, the  
435 commission shall, in whole or in part, approve or reject the proposed  
436 capital plan. Failure of the commission to act on the proposed capital  
437 plan within such thirty-day period shall be deemed an approval. If the  
438 commission rejects the proposed capital plan, in whole or in part, the  
439 commission shall issue a detailed written explanation of the reasons  
440 for its actions. If a proposed capital plan is rejected in whole, the  
441 proposed capital plan shall be returned to the department for revisions  
442 and resubmitted to the commission within thirty days of such  
443 rejection. If and when a five-year transportation capital plan is  
444 approved, in whole or in part, by the commission for the first time  
445 pursuant to the provisions of this section, the department's  
446 presentation and the commission's review of any subsequent proposed  
447 capital plan shall be limited to new projects and any changes made to  
448 the prior five-year transportation capital plan and any projects  
449 contained therein.

450 Sec. 11. (NEW) (*Effective from passage*) (a) On or before October 1,  
451 2019, and quarterly thereafter, the Commissioner of Transportation  
452 shall submit a report, in accordance with the provisions of section 11-

453 4a of the general statutes, to the joint standing committee of the  
454 General Assembly having cognizance of matters relating to  
455 transportation. Such report shall include the status and actions  
456 undertaken by the Department of Transportation regarding the  
457 implementation of sections 3 to 7, inclusive, of this act.

458 (b) On August first of the next full fiscal year following the  
459 collection of tolls on any tolled highway, and annually thereafter, the  
460 Commissioner of Transportation shall submit a report, in accordance  
461 with the provisions of section 11-4a of the general statutes, to the joint  
462 standing committee of the General Assembly having cognizance of  
463 matters relating to transportation. Such report shall include all  
464 expenditures from the Transportation Priority Projects account,  
465 established pursuant to subsection (a) of section 1 of this act, and the  
466 status of the projects listed in subsection (b) of section 1 of this act and  
467 section 2 of this act.

468 Sec. 12. Subsection (a) of section 4e-70 of the general statutes is  
469 repealed and the following is substituted in lieu thereof (*Effective from*  
470 *passage*):

471 (a) As used in this section and section 4e-71:

472 (1) "Contractor" means an individual, business or other entity that is  
473 receiving confidential information from a state contracting agency or  
474 agent of the state pursuant to a written agreement to provide goods or  
475 services to the state, including, but not limited to, a toll operator, as  
476 defined in section 3 of this act.

477 (2) "State agency" means any agency with a department head, as  
478 defined in section 4-5.

479 (3) "State contracting agency" means any state agency disclosing  
480 confidential information to a contractor pursuant to a written  
481 agreement with such contractor for the provision of goods or services  
482 for the state.



483 (4) "Confidential information" means an individual's name, date of  
484 birth, mother's maiden name, motor vehicle operator's license number,  
485 Social Security number, employee identification number, employer or  
486 taxpayer identification number, alien registration number, government  
487 passport number, health insurance identification number, demand  
488 deposit account number, savings account number, credit card number,  
489 debit card number, date, time, location or direction of travel over a  
490 tolled highway or unique biometric data such as fingerprint, voice  
491 print, retina or iris image, or other unique physical representation,  
492 personally identifiable information subject to 34 CFR 99, as amended  
493 from time to time and protected health information, as defined in 45  
494 CFR 160.103, as amended from time to time. In addition, "confidential  
495 information" includes any information that a state contracting agency  
496 identifies as confidential to the contractor. "Confidential information"  
497 does not include information that may be lawfully obtained from  
498 publicly available sources or from federal, state, or local government  
499 records that are lawfully made available to the general public.

500 (5) "Confidential information breach" means an instance where an  
501 unauthorized person or entity accesses confidential information that is  
502 subject to or otherwise used in conjunction with any part of a written  
503 agreement with a state contracting agency in any manner, including,  
504 but not limited to, the following occurrences: (A) Any confidential  
505 information that is not encrypted or secured by any other method or  
506 technology that renders the personal information unreadable or  
507 unusable is misplaced, lost, stolen or subject to unauthorized access;  
508 (B) one or more third parties have accessed, or taken control or  
509 possession of, without prior written authorization from the state, (i)  
510 any confidential information that is not encrypted or protected, or (ii)  
511 any encrypted or protected confidential information together with the  
512 confidential process or key that is capable of compromising the  
513 integrity of the confidential information; or (C) there is a substantial  
514 risk of identity theft or fraud of the client of the state contracting  
515 agency, the contractor, the state contracting agency or the state.

516 Sec. 13. Section 14-33 of the general statutes is repealed and the

517 following is substituted in lieu thereof (*Effective October 1, 2019*):

518 (a) If any property tax, or any installment thereof, laid by any city,  
519 town, borough or other taxing district upon a registered motor vehicle  
520 or snowmobile remains unpaid, the tax collector of such city, town,  
521 borough or other taxing district shall notify the Commissioner of  
522 Motor Vehicles of such delinquency in accordance with subsection (e)  
523 of this section and guidelines and procedures established by the  
524 commissioner. The commissioner shall not issue registration for such  
525 motor vehicle or snowmobile for the next registration period if,  
526 according to the commissioner's records, it is then owned by the  
527 person against whom such tax has been assessed or by any person to  
528 whom such vehicle has not been transferred by bona fide sale. Unless  
529 notice has been received by the commissioner under the provisions of  
530 section 14-33a, no such registration shall be issued until the  
531 commissioner receives notification that the tax obligation has been  
532 legally discharged; nor shall the commissioner register any other  
533 motor vehicle, snowmobile, all-terrain vehicle or vessel in the name of  
534 such person, except that the commissioner may continue to register  
535 other vehicles owned by a leasing or rental firm licensed pursuant to  
536 section 14-15, and may issue such registration to any private owner of  
537 three or more paratransit vehicles in direct proportion to the  
538 percentage of total tax due on such vehicles which has been paid and  
539 notice of payment on which has been received. The Commissioner of  
540 Motor Vehicles may immediately suspend or cancel all motor vehicle,  
541 snowmobile, all-terrain vehicle or vessel registrations issued in the  
542 name of any person (1) who has been reported as delinquent and  
543 whose registration was renewed through an error or through the  
544 production of false evidence that the delinquent tax on any motor  
545 vehicle or snowmobile had been paid, or (2) who has been reported by  
546 a tax collector as having paid a property tax on a motor vehicle or  
547 snowmobile with a check which was dishonored by a bank and such  
548 tax remains unpaid. Any person aggrieved by any action of the  
549 commissioner under this section may appeal therefrom in the manner  
550 provided in section 14-134. For the purposes of this subsection,

551 "paratransit vehicle" means a motor bus, taxicab or motor vehicle in  
552 livery service operated under a certificate of convenience and necessity  
553 issued by the Department of Transportation or by a transit district and  
554 which is on call or demand or used for the transportation of  
555 passengers for hire.

556 (b) Notwithstanding the provisions of subsection (a) of this section,  
557 the Commissioner of Motor Vehicles, in consultation with the  
558 Treasurer and the Secretary of the Office of Policy and Management,  
559 may enter into an agreement with the tax collector of any city, town,  
560 borough or other taxing district whereby the commissioner shall  
561 collect any property tax or any installment thereof on a registered  
562 motor vehicle which remains unpaid from any person against whom  
563 such tax has been assessed who makes application for registration for  
564 such motor vehicle. Each such agreement shall include a procedure for  
565 the remission of taxes collected to the city, town, borough or other  
566 taxing district, on a regular basis, and may provide that a fee be paid  
567 by the city, town, borough or other taxing district to the commissioner  
568 to cover any costs associated with the administration of the agreement.  
569 In the event an agreement is in effect, the commissioner shall  
570 immediately issue a registration for a motor vehicle owned by a person  
571 against whom such tax has been assessed upon receipt of payment of  
572 such tax and a service fee of two dollars, in addition to the fee  
573 prescribed for the renewal of the registration.

574 (c) On and after March 1, 1989, any municipality may participate in  
575 a program administered by the Commissioner of Motor Vehicles to  
576 facilitate the payment of fines for parking violations. If any such  
577 municipality elects to participate in such program, it shall provide for a  
578 notice of violation to be served personally upon the operator of a  
579 motor vehicle who is present at the time of service. If the operator is  
580 not present, the notice shall be served upon the owner of the motor  
581 vehicle by affixing notice to said vehicle in a conspicuous place, or, in  
582 the case of the city of Hartford Parking Authority, by regular or  
583 certified mail to the registered owner of the vehicle, which shall have  
584 the same effect as if the notice of violation was personally served on

585 the owner or operator of the vehicle. In the case of any motor vehicle  
586 that is leased or rented by the owner, not more than thirty days after  
587 the initial notice of a parking violation for which a fine remains unpaid  
588 at such time, a second notice of violation shall be mailed to the address  
589 of record of the owner leasing or renting the motor vehicle to such  
590 operator. No fines or penalties shall accrue to the owner of such rented  
591 or leased vehicle for the violation for a period of sixty days after the  
592 second notice is mailed. Upon receipt of such notification, the owner of  
593 such rented or leased vehicle may notify the municipality as to whom  
594 the lessee was at the time of such issuance of the notice of violation, the  
595 lessee's address, motor vehicle operator's license number and state of  
596 issuance, and the municipality shall issue such notice of violation to  
597 such lessee. A participating municipality shall notify the commissioner  
598 of every owner of a registered motor vehicle who has unpaid fines for  
599 more than five parking violations committed within such municipality  
600 on and after March 1, 1989. Upon receipt of such notification, the  
601 commissioner shall not issue or renew the motor vehicle registration of  
602 such person until he receives notification from such municipality that  
603 the delinquent fines have been paid.

604 (d) The provisions of [subsection] subsections (c) and (g) of this  
605 section shall not apply to any person, firm or corporation engaged in  
606 the business of leasing or renting motor vehicles without drivers in this  
607 state with respect to any motor vehicle which is leased or rented. The  
608 commissioner shall adopt regulations, in accordance with chapter 54,  
609 to implement the provisions of [subsection] subsections (c) and (g) of  
610 this section.

611 (e) The tax collector of a city, town, borough or other district shall, at  
612 least once during each calendar month, notify the Commissioner of  
613 Motor Vehicles of any outstanding delinquent property tax payment or  
614 installment thereof for a registered motor vehicle or snowmobile. If a  
615 tax collector fails to provide such notice to the commissioner, the  
616 commissioner shall not be required to deny the issuance of a  
617 registration, pursuant to subsection (a) of this section, to the person  
618 against whom such tax has been assessed by said city or town, or by a

619 borough or other taxing district located therein.

620 (f) Any city, town, borough or other taxing district that notifies the  
621 commissioner of (1) a delinquency in accordance with subsection (a) of  
622 this section, or (2) an owner of a registered motor vehicle who has  
623 unpaid fines for more than five parking violations in accordance with  
624 subsection (c) of this section, may participate in a program to issue  
625 temporary registrations for passenger motor vehicles on behalf of the  
626 commissioner to persons whose registrations have been denied, and  
627 who subsequently make full payment to the city, town, borough or  
628 other taxing district for the amounts owed under said subsections. A  
629 participating city, town, borough or other taxing district shall issue  
630 such temporary registrations in accordance with subsection (i) of  
631 section 14-12 and shall retain the fees authorized in subsection (n) of  
632 section 14-49 for such registrations. The commissioner may adopt  
633 regulations in accordance with chapter 54 to carry out the provisions of  
634 this subsection.

635 (g) The Commissioner of Transportation or a toll operator shall, at  
636 least once during each calendar month, notify the Commissioner of  
637 Motor Vehicles of every owner of a registered motor vehicle who has  
638 unpaid tolls or civil penalties associated with tolling in this state and if  
639 the commissioners have entered into a reciprocal agreement under  
640 section 4 of this act, the owner of a registered motor vehicle who has  
641 unpaid tolls or civil penalties associated with tolling in another state.  
642 Upon receipt of such notification, the Commissioner of Motor Vehicles  
643 shall not issue or renew the motor vehicle registration of such person  
644 until the Commissioner of Motor Vehicles receives notification from  
645 the Commissioner of Transportation or a toll operator that such tolls or  
646 penalties have been paid. The Commissioner of Motor Vehicles may  
647 immediately suspend or cancel any motor vehicle registration issued  
648 in the name of any person (1) who has been reported as owing tolls or  
649 penalties associated with tolling and whose registration was renewed  
650 through an error or through the production of false evidence that such  
651 tolls or penalties had been paid, or (2) who has been reported by the  
652 Commissioner of Transportation or a toll operator as having paid such

653 tolls or penalties with a check which was dishonored by a bank and  
654 such tolls or penalties remain unpaid. For the purposes of this  
655 subsection, "toll operator" has the same meaning as provided in section  
656 3 of this act.

657       Sec. 14. (NEW) (*Effective from passage*) (a) (1) The Treasurer shall  
658 provide written notice to the Commissioner of Revenue Services by  
659 October thirty-first of any fiscal year that the Treasurer determines  
660 that: (A) The pledged revenues, as defined in section 13b-75 of the  
661 general statutes, credited to the Special Transportation Fund in the  
662 prior fiscal year exceeded three and one-half times the debt service  
663 requirements, as defined in said section, of such prior fiscal year, and  
664 (B) the projected pledged revenues for the Special Transportation Fund  
665 for the current fiscal year exceed three and one-half times the projected  
666 debt service requirements for such current fiscal year as described in  
667 the final official statement with respect to the most recent issuance of  
668 special tax obligation bonds or notes pursuant to sections 13b-74 to  
669 13b-77, inclusive, of the general statutes.

670       (2) Not later than June thirtieth of any fiscal year in which tolls were  
671 collected through the use of any electronic tolling system, as defined in  
672 section 3 of this act, the Commissioner of Transportation shall provide  
673 written notice to the Commissioner of Revenue Services that such tolls  
674 were collected.

675       (b) On July first of the fiscal year immediately following the first  
676 fiscal year in which the Commissioner of Revenue Services received  
677 both notices required under subdivisions (1) and (2) of subsection (a)  
678 of this section, the amount of the tax imposed under subparagraphs  
679 (A)(i) and (A)(ii) of subdivision (2) of subsection (a) of section 12-458 of  
680 the general statutes, as amended by this act, shall be decreased by one  
681 cent. Thereafter, on July first of each fiscal year immediately following  
682 a fiscal year in which the commissioner received both such notices, the  
683 amount of such tax shall be decreased by an additional one cent until  
684 such tax has been decreased by a total of five cents. The commissioner  
685 shall not increase the amount of such tax in any fiscal year in which the

686 commissioner did not receive both such notices in the prior fiscal year.  
687 The commissioner shall calculate the applicable tax rate per gallon of  
688 fuel, as defined in section 12-455a of the general statutes, that is sold or  
689 used in this state for each such fiscal year and notify each distributor,  
690 the chairpersons and ranking members of the joint standing committee  
691 of the General Assembly having cognizance of matters relating to  
692 finance, revenue and bonding and the Secretary of the Office of Policy  
693 and Management of the applicable tax rate for each such fiscal year.

694 Sec. 15. Subdivision (2) of subsection (a) of section 12-458 of the  
695 general statutes is repealed and the following is substituted in lieu  
696 thereof (*Effective from passage*):

697 (2) [On] (A) Except as provided in subparagraph (B) of this  
698 subdivision, on said date and coincident with the filing of such return  
699 each distributor shall pay to the commissioner for the account of the  
700 purchaser or consumer a tax [(A)] (i) on each gallon of such fuels sold  
701 or used in this state during the preceding calendar month, of twenty-  
702 five cents on and after July 1, 2000; and [(B)] (ii) in lieu of said taxes,  
703 each distributor shall pay a tax on each gallon of gasohol, as defined in  
704 section 14-1, sold or used in this state during such preceding calendar  
705 month, of twenty-five cents on and after July 1, 2004; [(C)] (iii) in lieu  
706 of said taxes, each distributor shall pay a tax on each gallon of propane  
707 or natural gas sold or used in this state during such preceding calendar  
708 month, of twenty-six cents on and after August 1, 2002; [(D)] (iv) in  
709 lieu of said taxes, each distributor shall pay a tax on each gallon of  
710 propane or natural gas sold or used in this state during such preceding  
711 calendar month, of twenty-six cents on and after July 1, 2007; and [(E)]  
712 (v) in lieu of said taxes, each distributor shall pay a tax on each gallon  
713 of diesel fuel sold or used in this state during such preceding calendar  
714 month, at the applicable tax rate, as determined by the commissioner  
715 pursuant to section 12-458h on and after July 1, 2008.

716 (B) If the commissioner receives the notices described in subsection  
717 (a) of section 14 of this act, the tax imposed under subparagraphs (A)(i)  
718 and (A)(ii) of this subdivision shall be reduced in accordance with the

719 provisions of section 14 of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	13b-14
Sec. 10	<i>from passage</i>	New section
Sec. 11	<i>from passage</i>	New section
Sec. 12	<i>from passage</i>	4e-70(a)
Sec. 13	<i>October 1, 2019</i>	14-33
Sec. 14	<i>from passage</i>	New section
Sec. 15	<i>from passage</i>	12-458(a)(2)