

DEPARTMENT OF TRANSPORTATION
2014 Legislative Proposals

1. An Act Concerning Transit Fare Collection.
(112513_DOT_Transit Fare Collection)

2. An Act Concerning High Performance Building Construction Standards for State Funded Buildings.
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(112513_DOT_Crane Registrations)

5. An Act Concerning Safety Belts.
(112513_DOT_Safety Belts)

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Agency Legislative Proposal - 2014 Session

Document Name: 112513_DOT_Transit Fare Collection

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Department of Transportation

Liaison: Pam Sucato
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Lead agency division requesting this proposal: Bureau of Public Transportation

Agency Analyst/Drafter of Proposal: Mike Sanders

Title of Proposal: An Act Concerning Transit Fare Collection - *Placeholder*

Statutory Reference: TBD

Proposal Summary:

In preparation of CTfastrak operation in 2015, the Department is preparing a fare payment policy and will *possibly* need to address the following items in statute:

- Reclassify fare evasion as a “violation”;
- Define “failure to possess a valid fare instrument with in a designated fare paid zone” as a violation; and
- Enter into an agreement with the State Centralized Infraction Bureau for the processing and adjudication of citations.

Please attach a copy of fully drafted bill (required for review)

PROPOSAL BACKGROUND

- **Reason for Proposal**

To facilitate operation of CTfastrak.

- **Origin of Proposal** **New Proposal** **Resubmission**

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: Agency Contact (name, title, phone): Date Contacted: Approve of Proposal ___ YES ___ NO ___ Talks Ongoing
Summary of Affected Agency's Comments
Will there need to be further negotiation? ___ YES ___ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation):
State:
Federal: None
Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

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AN ACT CONCERNING TRANSIT FARE COLLECTION.

Agency Legislative Proposal - 2014 Session

Document Name: 112513_DOT_LEED Exemption

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Department of Transportation

Liaison: Pam Sucato

Phone: (860) 594-3013

E-mail: pamela.sucato@ct.gov

Lead agency division requesting this proposal: Bridges and Facilities, Bureau of Engineering and Construction

Agency Analyst/Drafter of Proposal: Scott A. Hill

Title of Proposal: An Act Concerning High Performance Building Construction Standards for State Funded Buildings

Statutory Reference: CGS 16a-38k

Proposal Summary:

The Department requests salt sheds, parking garages and maintenance facilities be exempt from the requirements of High Performance Building Construction Standards for State Funded Buildings (CGS Sections 16a-38k-1 to 16a-38k-9).

Please attach a copy of fully drafted bill (required for review)

PROPOSAL BACKGROUND

- **Reason for Proposal**

Exemption is sought for the following reasons:

General: Several types of CTDOT facilities, such as Salt Sheds, Maintenance Facilities for state trucks & buses and Parking Garages cannot meet the guidelines for High Performance Buildings without costing more than the energy saved or cannot possibly meet the guidelines because the building uses little to no energy such as a shelter to store buses out of the weather. The portions of the facilities that do use energy are currently designed to the highest standards for energy efficiency. The Department requires that their building designs qualify for the energy incentives under CL&P's Energy Conscious Blueprint Program. This program provides the Department with financial incentives available for qualified energy-saving measures being installed. Electronic ballasts and lamps installed in all building projects currently meet CL&P's designated harmonic distortion criteria and are eligible for design incentives by meeting/surpassing ASHRAE standards. Energy-efficient motors installed in all building projects will meet or exceed the nominal efficiencies defined for each horsepower to be eligible for incentives.

The 2009 amendment to the State Building code requires designs, including all new energy systems and equipment, to meet or exceed the International Energy Conservation Code (2009 edition) and ASHRAE Standard 90.1 (2009 edition) energy efficient standards which was put in place after the guidelines were written. These codes are much more stringent with regard to energy performance requirements than the previously adopted codes. The Department's current building designs,

energy systems and equipment currently meets or exceeds these codes.

Mandatory Credit No. 3 pursuant to 16a-38k-3(c) entitled Energy Performance requires that the base minimum energy performance shall be 21% better than the most current CT Building Code or ASHRAE 90.1. When this standard was originally written, the current codes in effect were ASHRAE 90.1-2004 and the 2003 CT building Code/2003 International Energy Conservation Code. It is very difficult to nearly impossible to achieve 21% better than these current codes with the type of facilities the Department usually constructs. 85% of a typical maintenance facility's capacity is used for low temperature or cold storage for Department vehicles.

Salt Sheds: This facility is a non-conditioned barn type structure used for the storage of salt for the treatment of State roads and highways during winter storm operations. In addition, this facility is not equipped with potable water. Therefore, It is impossible to achieve 6 out of the 12 mandatory credits required in order to achieve full compliance with High Performance Building Construction Standards for State Funded Buildings. These non-achievable credits are associated with facilities that are conditioned and have on-site potable water.

Parking Garages: These facilities are usually concrete, multi-level, open air, non-conditioned structures for the sole purpose of parking cars. Therefore, It is impossible to achieve 5 out of the 12 mandatory credits required in order to achieve full compliance with High Performance Building Construction Standards for State Funded Buildings. These non-achievable credits are relevant for conditioned facilities.

Maintenance Facilities: These Facilities consist of 16-20 vehicle storage bays including wash bays and a central office core which includes employee restrooms, offices and conference room. The buildings are steel frame construction with exterior steel siding and Masonry. Mandatory Credit 6 pursuant to 16a-38k-3(f) entitled "WATER USAGE – Use low-flow fixtures to consume 20% less water in aggregate as compared to base levels mandated by the Federal Energy Policy Act of 1992" cannot be attained. The water usage requirements for this facility are dictated by the operational needs of these facilities rather than the need to maximize water efficiency to reduce the burden on the municipal water supply and wastewater systems. When constructed, these buildings will include 2-4 vehicle wash bays. In addition to hot and cold water hose bibs, a 1-1/2-inch diameter fire hose coupling will be installed in each wash bay. Based on years of operational experience it has been determined that while the hose bibs are acceptable with a power washer for regular cleaning they are not acceptable for cleaning the trucks after winter storm events so the 1-1/2-inch couplings are being required. For example; Four wash bays are required to wash the fleet of 24 vehicles, not including any vehicles in for repair, inside in a timely fashion. The Department considered installing an automatic truck wash system that included water reclamation based on a system installed by Pennsylvania DOT. After Department staff consulted with Pennsylvania DOT staff, the idea that the automatic truck wash as a solution was ruled out based on our most important operational concerns:

1. How effective was the wash process?

The 90 second wash cycle per truck was not capable of effectively cleaning the underside of the dump bodies on the plow trucks to remove the caked-on salt from winter storm operations. They expressed a desire to Department staff to switch to our hand wash type facility, as this arrangement permits the dump bodies to be raised full height to effectively remove the salt. However, hand washing vehicles will use a significant amount of water.

2. What were the impacts on the vehicle life expectancy?

The principle behind a water reclamation system is to reduce the amount of fresh water used per wash cycle. When Department vehicles with caked-on salt from winter storm operations are washed, the water being reclaimed will have a higher salt content than fresh water. The second and all subsequent vehicles would be washed with water with a higher salt content. This operation pushes saltwater into areas on the vehicle that may not have seen salt during the normal vehicle operations. This is an unacceptable result because it leads to premature corrosion of the vehicle. So while using a water reclamation system reduces the amount of water used; its impacts are detrimental to the life expectancy of the Department's vehicles.

Therefore, the Department has concluded that Mandatory Credit 6 is not achievable.

- **Origin of Proposal** **New Proposal** **Resubmission**

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)
- Department of Transportation

Agency Name: Agency Contact (name, title, phone): Date Contacted: Approve of Proposal <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Talks Ongoing
Summary of Affected Agency's Comments
Will there need to be further negotiation? <input type="checkbox"/> YES <input type="checkbox"/> NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal: None
State: \$100,000 additional design costs based on a \$5.0 Million dollar building construction cost. \$1.7 Million (34%) based on a \$5.0 Million dollar building construction cost.
Federal: None
Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

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AN ACT CONCERNING HIGH PERFORMANCE BUILDING STANDARDS

(Effective upon passage) Sec. 16a-38k of the general statutes is amended to read as follows:

Sec. 16a-38k. Building construction standards for new construction or renovation of certain state facilities. Regulations. (a) Notwithstanding any provision of the general statutes, any (1) new construction of a state facility, except salt sheds, parking garages and all types of maintenance facilities, that is projected to cost five million dollars, or more, and for which all budgeted project bond funds are allocated by the State Bond Commission on or after January 1, 2008, (2) renovation of a state facility, except salt sheds, parking garages and all types of maintenance facilities, that is projected to cost two million dollars or more, of which two million dollars or more is state funding, approved and funded on or after January 1, 2008, (3) new construction of a facility that is projected to cost five million dollars, or more, of which two million dollars or more is state funding, and is authorized by the General Assembly pursuant to chapter 173 on or after January 1, 2009, and (4) renovation of a public school facility as defined in subdivision (18) of section 10-282 that is projected to cost two million dollars or more, of which two million dollars or more is state funding, and is authorized by the General Assembly pursuant to chapter 173 on or after January 1, 2009, shall comply with or exceed compliance with the silver building rating of the Leadership in Energy and Environmental Design's rating system for new commercial construction and major renovation projects, as established by the United States Green Building Council, or an equivalent standard, including, but not limited to, a two-globe rating in the Green Globes USA design program until the regulations described in subsection (b) of this section are adopted. The Commissioner of Energy and Environmental Protection, in consultation with the Commissioner of Construction Services and the Institute for Sustainable Energy, shall exempt any facility from complying with said regulations if the Commissioner of Energy and Environmental Protection finds, in a written analysis, that the cost of such compliance significantly outweighs the benefits. Nothing in this section shall be construed to require the redesign of any new construction of a state facility that is designed in accordance with the silver building rating of the Leadership in Energy and Environmental Design's rating system for new commercial construction and major renovation projects, as established by the United States Green Building Council, or an equivalent standard, including, but not limited to, a two-globe rating in the Green Globes USA design program, provided the design for such facility was initiated or completed prior to the adoption of the regulations described in subsection (b) of this section.

(b) Not later than January 1, 2007, the Commissioner of Energy and Environmental Protection, in consultation with the Commissioner of Construction Services, shall adopt regulations, in accordance with the provisions of chapter 54, to adopt state building construction standards that are consistent with or exceed the silver building rating of the Leadership in Energy and Environmental Design's rating system for new commercial construction and major renovation projects, as established by the United States Green Building Council, including energy standards that exceed those set forth in the 2004 edition of the American Society of Heating, Ventilating and Air Conditioning Engineers (ASHRAE) Standard 90.1 by no less than twenty per cent, or an equivalent standard, including, but not limited to, a two-globe rating in the Green Globes USA design program, and thereafter update such regulations as the Commissioner of Energy and Environmental Protection deems necessary.

Agency Legislative Proposal - 2014 Session

Document Name: 112513_DOT_ROW

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Department of Transportation

Liaison: Pam Sucato

Phone: 860-594-3013

E-mail: pamela.sucato@ct.gov

Lead agency division requesting this proposal: Engineering & Construction - Rights of Way

Agency Analyst/Drafter of Proposal: Terrence J. Obey, Director of Rights of Way

Title of Proposal: An Act Concerning Department of Transportation Rights of Way.

Statutory Reference: CGS 13a-73

Proposal Summary: Currently, Sec. 13a-73(b) allows the last owner of record to remain in residency of their home, rent free, for a period of 120 days, when the property is acquired by the commissioner through condemnation only.

This proposal seeks to reduce the rent free grace period from 120 days to 90 days; but extend the benefit to owner-occupants whose residential property is acquired under the Commissioner's purchase authority (13a-73(c)), as well as owner-occupied businesses, regardless of the acquiring authority of the Commissioner.

Sec. 13a-73(c) Purchase, also allows the commissioner to purchase, lease, or otherwise arrange for the acquisition or exchange of land or buildings or both, for use as a new or expanded highway maintenance storage area or garage. This settlement authority is restrictive, in that it only allows for the exchange of land or buildings which are under the commissioner's custody and control, for the construction or expansion of highway maintenance storage areas and garages. It does not apply to the commissioner's authority to settle and compromise those claims further described under (c).

The removal of this restrictive language would allow the commissioner the authority to settle all claims described under (c) through the payment of money, or the transfer or exchange of other land and buildings, under his direct custody and control, with the advice and consent of the Attorney General.

Please attach a copy of fully drafted bill (required for review)

PROPOSAL BACKGROUND

- **Reason for Proposal**

When initially enacted, the free rental period outlined under C.G.S. Sec. 13a-73(b) applied only to owner-occupied residential property's acquired by the commissioner through condemnation, and did not provide for the same rent free period being afforded to improved owner-occupied residential property's acquired by agreement, under C.G. S. Sec. 13a-73(c), or to owner-occupied and operated business or commercial property's.

The period reduction of 120 days to 90 days corresponds with today's standard to secure payment for real property acquired by condemnation, and in instances where financing may be required, to secure a replacement property. This proposal will correct these inadvertent omissions, while providing for the consistent application of the temporary use of real property, as defined, acquired by the commissioner. The removal of...for use as a highway maintenance storage area or garage, from (c), would allow the commissioner additional flexibility in the settlement of claims, with the advice and consent of the Attorney General.

- **Origin of Proposal** **New Proposal** **Resubmission**

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: Agency Contact (name, title, phone): Date Contacted:
Approve of Proposal <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Talks Ongoing
Summary of Affected Agency's Comments
Will there need to be further negotiation? <input type="checkbox"/> YES <input type="checkbox"/> NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal:
State:
Federal: None
Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

Connecticut Department of Transportation POLICY NO.E&C-13/SUBJECT: Use and Occupancy of Department Property by former Owners and Tenants, will be modified to comply with the proposal.

AN ACT CONCERNING DEPARTMENT OF TRANSPORTATION RIGHTS OF WAY.

Section 1. Section 13a-73 of the general statutes is amended as follows (*Effective from passage*):

Sec. 13a-73. Acquisition of real property. (a) Real property defined. "Real property", as used in this section, includes land and buildings and any estate, interest or right in land.

(b) Condemnation of land for state highway or highway maintenance storage area or garage. The commissioner may take any land he finds necessary for the layout, alteration, extension, widening, change of grade or other improvement of any state highway or for a highway maintenance storage area or garage and the owner of such land shall be paid by the state for all damages, and the state shall receive from such owner the amount or value of all benefits, resulting from such taking, layout, alteration, extension, widening, change of grade or other improvement. The use of any site acquired for highway maintenance storage area or garage purposes by condemnation shall conform to any zoning ordinance or development plan in effect for the area in which such site is located, provided the commissioner may be granted any variance or special exception as may be made pursuant to the zoning ordinances and regulations of the town in which any such site is to be acquired. The assessment of such damages and of such benefits shall be made by the commissioner and filed by him with the clerk of the superior court for the judicial district in which the land affected is located. The commissioner shall give notice of such assessment to each person having an interest of record therein by mailing to each a copy of the same, postage prepaid, and, at any time after such assessment has been made by the commissioner, the physical construction of such layout, alteration, extension, widening, maintenance storage area or garage, change of grade or other improvement may be made. If notice cannot be given to any person entitled thereto because his whereabouts or existence is unknown, notice may be given by publishing a notice at least twice in a newspaper published in the judicial district and having a daily or weekly circulation in the town in which the property affected is located. Any such published notice shall state that it is a notice to the last owner of record or his surviving spouse, heirs, administrators, assigns, representatives or creditors if he is deceased, and shall contain a brief description of the property taken. Notice shall also be given by mailing to each such person at his last-known address, by registered or certified mail, a copy of such notice. If, after a search of the land and probate records, the address of any interested party cannot be found, an affidavit stating such facts and reciting the steps taken to establish the address of any such person shall be filed with the clerk of the court and accepted in lieu of service of such notice by mailing the same to the last known address of such person. Upon filing an assessment with the clerk of the court, the commissioner shall forthwith sign and file for record with the town clerk of the town in which such real property is located a certificate setting forth the fact of such taking, a description of the real property so taken and the names and residences of the owners from whom it was taken. Upon the filing of such certificate, title to such real property in fee simple shall vest in the state of Connecticut, except that, if it is so specified in such certificate, a lesser estate, interest or right shall vest in the state. The commissioner shall permit the last owner of record of such real property upon which [a] an owner-occupied residence or owner-operated business is situated to remain in such residence or operate such business, rent free, for a period of [one hundred twenty] ninety days after the filing of such certificate.

(c) Purchase. The commissioner may purchase any land and take a deed thereof in the name of the state when such land is needed in connection with the layout, construction, repair, reconstruction or maintenance of any state highway or bridge, and any land or buildings or both, necessary, in the commissioner's opinion, for the efficient accomplishment of the foregoing purpose, and may further, when the commissioner determines that it is in the best interests of the state, purchase, lease or otherwise arrange for the acquisition or exchange of land or buildings or both [for use as a highway

maintenance storage area or garage], provided any purchase of such land or land and buildings in an amount in excess of the sum of one hundred thousand dollars shall be approved by a state referee. The commissioner, with the advice and consent of the Attorney General, may settle and compromise any claim by any person, firm or corporation claiming to be aggrieved by such layout, construction, reconstruction, repair or maintenance by the payment of money, the transfer of other land acquired for or in connection with highway purposes, or otherwise. The commissioner shall permit the last owner of record of such real property upon which an owner-occupied residence or owner-operated business is situated to remain in such residence or operate such business, rent free, for a period of ninety days from the filing of such deed.

(d) Purchase and condemnation for military purposes. The commissioner may purchase or take in the name of the state any land, buildings, interest in land, easements or other rights he finds necessary for the layout, construction, maintenance or use of roads or bridges authorized by section 13a-5, under the provisions of this title relating to the purchase and taking of land for state highways. Any person aggrieved by any such action of the commissioner shall have the same rights of appeal as provided in this title in relation to the taking of land by the commissioner for highway purposes.

(e) Condemnation for highway drainage or preservation of historical monument. The commissioner may take any land (1) which is necessary for the construction of any ditch, drain, gutter or other structure which is required for the purpose of draining any state highway; or (2) which is required for the purpose of preserving any historical monument or memorial, the removal of which is made necessary by the construction or reconstruction of a state highway. The commissioner may assess benefits and damages caused by any such construction and for the taking of any such land under the provisions of subsection (b) of this section and sections 13a-74, 13a-76, 13a-77 and 13a-78 and any person aggrieved by the assessment of any such benefits or damages shall be entitled to the relief provided for in said sections.

(f) Purchase or condemnation of rights of access and egress. The commissioner may take or purchase rights of access to and egress from land abutting any highway or land taken or purchased as right-of-way therefor, or any other highway for the purpose of protecting the functional characteristics of any state highway or state highway appurtenances or safety of the traveling public to and from any state highway or state highway appurtenances when in his judgment such limitation of access is necessary to permit the convenient, safe and expeditious flow of traffic. Such taking or purchase shall be in the same manner and with like powers as authorized and exercised by said commissioner in taking or purchasing real property for state highway purposes.

(g) State-owned property. When the Commissioner of Transportation finds it necessary that real property, the title to which is in the state of Connecticut and which is under the custody and control of any state department, commission or institution, be taken for the purpose of drainage, construction, alteration, reconstruction, improvement, relocation, widening and change of grade of any highway to be constructed under his supervision, he shall petition the Secretary of the Office of Policy and Management that custody of such real property be transferred to him as Commissioner of Transportation. Such petition shall set forth the necessity for such transfer and control. The Secretary of the Office of Policy and Management shall present such petition to the department, commission or institution having custody and control of such real property, and, upon the recommendation of, and subject to such consideration as may be required by, such department, commission or institution and with the approval of the Secretary of the Office of Policy and Management, such department,

commission or institution shall transfer the custody and control of such real property to the Commissioner of Transportation for the purposes required.

(h) Review and approval of State Properties Review Board. Exception. All sales or exchanges of surplus property by the Department of Transportation and matters dealing with the initial acquisition of any existing mass transit system or the purchase or sale of properties acquired in connection with any state highway system or mass transit system shall be subject to review and approval of the State Properties Review Board except that those acquisitions and administrative settlements relating to such properties which involve sums not in excess of five thousand dollars shall be reported to the board by the Commissioner of Transportation but shall not be subject to such review and approval. The Secretary of the Office of Policy and Management shall be informed for inventory purposes of any transfer effectuated in connection with this section. The State Properties Review Board shall not grant such approval if the Department of Transportation has failed to comply with any applicable statutes in connection with the proposed action.

Agency Legislative Proposal - 2014 Session

Document Name: 112513_DOT_Crane Registrations

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Department of Transportation

Liaison: Pam Sucato

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E-mail: pamela.sucato@ct.gov

Lead agency division requesting this proposal: Bureau of Highway Operations

Agency Analyst/Drafter of Proposal: Linda Hope

Title of Proposal: An Act Concerning Self-Propelled Crane Registrations.

Statutory Reference: CGS 14-270

Proposal Summary: To amend 14-270(b) to close a loophole in statute that allows out of state crane operators to operate in Connecticut without proper registration.

Please attach a copy of fully drafted bill (required for review)

PROPOSAL BACKGROUND

- **Reason for Proposal**

All vehicles operating in Connecticut must comply with size and weight limitations cited in the Connecticut General Statutes. All vehicles that exceed the limitations are required to obtain an oversize/overweight permit in order to operate legally in Connecticut. CGS 14-270(b) states “Any permit issued in respect to any vehicle or combination of vehicles or vehicle and trailer on account of its excessive weight shall be limited to the gross weight shown or to be shown on the registration certificate”.

Connecticut is a member of the International Registration Plan (IRP). Connecticut registered motor vehicles that travel to another IRP jurisdiction (i.e. another state) and exceed the weight limitations must be registered in the International Registration Plan whenever the vehicle leaves the borders of Connecticut. Motor vehicles from another IRP jurisdiction must have Connecticut on the cab card, the weight for Connecticut listed on the IRP cab card must be at least the weight of the overweight permit issued.

Connecticut vehicles not leaving the State are registered with a commercial heavy duty registration. Out of State cranes (with the exception of MA) can register cranes as farm equipment and use that registration to do business within Connecticut therefore, local Connecticut crane operators are at a competitive disadvantage. By not properly registering these cranes the State of Connecticut is not collecting their portion of the registration fee also cranes housed in Connecticut are not paying property taxes.

Amending CGS 14-270 by adding “self-propelled” and “a commercial or apportioned” registration would clear up any issues concerning self-propelled truck cranes being properly registered for the permit

weight and level the playing field for Connecticut crane operators.

- **Origin of Proposal** ___ New Proposal X Resubmission

Part of Governor's package two years ago related to increase in fees for overweight/over height vehicles that did not pass.

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name:

Agency Contact (name, title, phone):

Date Contacted:

Approve of Proposal ___ YES ___ NO ___ Talks Ongoing

Summary of Affected Agency's Comments

Will there need to be further negotiation? ___ YES ___ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation): Possible revenue increase through property tax after registration.

State: Minimal revenue increase related to registration fees.

Federal: None

Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

AN ACT CONCERNING SELF-PROPELLED CRANE REGISTRATIONS.

Section 1. Section 14-270(b) of the general statutes is amended as follows (*Effective from passage*):

Sec. 14-270. Permits for nonconforming vehicles. Regulations. Penalties. (a) The Commissioner of Transportation or other authority having charge of the repair or maintenance of any highway or bridge is authorized to grant permits for transporting vehicles or combinations of vehicles or vehicles and load, or other objects not conforming to the provisions of sections 14-98, 14-262, 14-262a, 14-264, 14-267a and 14-269 but, in the case of motor vehicles, only the Commissioner of Transportation shall be authorized to issue such permits. Such permits shall be written, and may limit the highways or bridges which may be used, the time of such use and the maximum rate of speed at which such vehicles or objects may be operated, and may contain any other condition considered necessary by the authority granting the same, provided the Department of Transportation shall not suffer any loss of revenue granted or to be granted from any agency or department of the federal government for the federal interstate highway system or any other highway system.

(b) Any permit issued in respect to any vehicle, **self propelled** or combination of vehicles or vehicle and trailer on account of its excessive weight shall be limited to the gross weight shown or to be shown on **[the] a commercial or apportioned** registration certificate. A permit granted under this section for a vehicle or load, greater than twelve feet, but no greater than thirteen feet six inches in width and traveling on undivided highways, shall require a single escort motor vehicle to precede such vehicle or load. No escort motor vehicle shall be required to follow such vehicle or load on such highways.

(c) Any permit issued under this section or a legible copy or facsimile shall be retained in the possession of the operator of the vehicle or combination of vehicles or vehicle and trailer for which such permit was issued, except that an electronic confirmation of the existence of such permit or the use of the special number plates described in section 14-24 and any regulations adopted thereunder shall be sufficient to fulfill the requirements of this section.

(d) (1) The owner or lessee of any vehicle may pay either a fee of twenty-three dollars for each permit issued for such vehicle under this section or a fee as described in subdivision (3) of this subsection for such vehicle, payable to the Department of Transportation. (2) An additional transmittal fee of three dollars shall be charged for each permit issued under this section and transmitted via transceiver or facsimile equipment. (3) The commissioner may issue an annual permit for any vehicle transporting (A) a divisible load, (B) an overweight or oversized-overweight indivisible load, or (C) an oversize indivisible load. The owner or lessee shall pay an annual fee of seven dollars per thousand pounds or fraction thereof for each such vehicle. A permit may be issued in any increment up to one year, provided the owner or lessee shall pay a fee of one-tenth of the annual fee for such vehicle for each month or fraction thereof. (4) The annual permit fee for any vehicle transporting an oversize indivisible load shall not be less than five hundred dollars. (5) The commissioner may issue permits for divisible loads in the aggregate not exceeding fifty-three feet in length.

(e) (1) The Commissioner of Transportation shall adopt regulations in accordance with chapter 54 prescribing standards for issuance of permits for vehicles with divisible or indivisible loads not conforming to the provisions of section 14-267a.

(2) In adopting regulations pursuant to this section, the commissioner shall allow for the issuing of a wrecker towing or transporting emergency permit, provided such movement of a wrecked or disabled vehicle by a wrecker with a permit issued pursuant to this subdivision shall be in accordance with any limitations as to highway or bridge use and maximum rate of speed as specified by the commissioner.

(f) The provisions of subsection (d) of this section shall not apply to the federal government, the state, municipalities or fire departments.

(g) Any person who violates the provisions of any permit issued under this section or fails to obtain such a permit, when operating any motor vehicle or combination of vehicles described in section 14-163c, shall be subject to the following penalties:

(1) A person operating a vehicle with a permit issued under this section that exceeds the weight specified in such permit shall be subject to a penalty calculated by subtracting the permitted weight from the actual vehicle weight and the rate of the fine shall be fifteen dollars per one hundred pounds or fraction thereof of such excess weight;

(2) A person who fails to obtain a permit issued under section 14-262 or 14-264 and who is operating a vehicle at a weight that exceeds the statutory limit for weight shall be subject to a penalty calculated by subtracting the statutory limit for weight from the actual vehicle weight and the rate of the fine shall be fifteen dollars per one hundred pounds or fraction thereof of such excess weight;

(3) A person operating a vehicle with a permit issued under this section that exceeds the length specified in such permit shall be subject to a minimum fine of three hundred dollars;

(4) A person operating a vehicle with a permit issued under this section that exceeds the width specified in such permit shall be subject to a minimum fine of three hundred dollars;

(5) A person operating a vehicle with a permit issued under this section that exceeds the height specified in such permit shall be subject to a minimum fine of one thousand dollars;

(6) A person operating a vehicle with a permit issued under this section on routes not specified in such permit, shall be fined (A) one thousand five hundred dollars for each violation of the statutory limit for length, width, height or weight, and (B) shall be subject to a penalty calculated by subtracting the statutory weight limit of subsection (b) of section 14-267a from the actual vehicle weight and such weight difference shall be fined at the rate provided for in subparagraph (G) of subdivision (2) of subsection (f) of section 14-267a; or

(7) A person (A) operating a vehicle with an indivisible load and violating one or more of the provisions of subdivisions (1) to (6), inclusive, of this subsection shall be required to obtain a permit, or (B) operating a vehicle with a divisible load and violating one or more of the provisions of subdivisions (1) to (6), inclusive, of this subsection shall be required to be off loaded to the permit limit.

(h) (1) If the origin, destination, load description, tractor registration, trailer registration, hours of travel, number of escorts, signs or flags of a vehicle with a permit issued under this section differ from those stated on such permit or required by regulations adopted pursuant to this section, a minimum fine of two hundred dollars shall be assessed for each such violation.

(2) If the days of travel of a vehicle with a permit issued under this section differ from those stated on such permit or the vehicle is operated under a false or fraudulent permit, a minimum fine of one thousand five hundred dollars shall be assessed for such violation in addition to any other penalties assessed.

(i) A person operating a vehicle under a forged permit shall be subject to a minimum fine of ten thousand dollars, in addition to any other penalties which may be assessed, and such vehicle shall be impounded until payment of such fine or fines, or until order of the Superior Court. As used in this subsection, "forged permit" means a permit for a nonconforming vehicle that is subject to the provisions of this section, that has been falsely made, completed or altered, and "falsely made", "falsely completed" and "falsely altered" have the same meaning as set forth in section 53a-137.

Agency Legislative Proposal - 2014 Session

Document Name : 112513_DOT_Safety Belts

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Department of Transportation

Liaison: Pam Sucato

Phone: (860) 594-3013

E-mail: Pamela.sucato@ct.gov

Lead agency division requesting this proposal: Highway Safety Office

Agency Analyst/Drafter of Proposal: Joseph Cristalli

Title of Proposal: An Act Concerning Safety Belts.

Statutory Reference: CGS 14-100a

Proposal Summary: To require all occupants in a motor vehicle to wear a safety belt.

Please attach a copy of fully drafted bill (required for review)

PROPOSAL BACKGROUND

- **Reason for Proposal**

Safety. Current statute only requires the driver and front seat passengers to be restrained.

As reported by NHTSA in their report – NHTSA Report Number DOT HS 808 945:

- In all crashes, back seat lap/shoulder belts are 44 percent effective in reducing fatalities when compared to unrestrained back seat occupants.
- In all crashes, back seat lap/shoulder belts are 15 percent effective in reducing fatalities when compared to back seat lap belts.
- Lap/shoulder belts are 29 percent effective in reducing fatalities when compared to unrestrained occupants in frontal crashes.

Back seat outboard belts are highly effective in reducing fatalities when compared to unrestrained occupants in passenger vans and SUVs. Lap belts are 63 percent effective and lap/shoulder belts are 73 percent effective. Belts are so effective in these vehicles because they eliminate the risk of ejection, a

Motorists riding unrestrained in the back seat of a vehicle become a projectile inside the passenger compartment of a motor vehicle when the vehicle becomes involved in a crash. A full grown adult being projected at the front seat passenger area and its' occupants at the speed of the vehicle traveling creates unnecessary risk for severe injury not only to the unbelted passenger but to any and all occupants within the vehicle. Additionally the unbelted occupant stands an increased chance of being ejected from the vehicle where they can come in contact with fixed objects' outside the vehicle or even have the vehicle roll over and crush them. Safety belts save lives not only for front seat passengers but for back seat passengers too.

- **Origin of Proposal**

New Proposal

Resubmission

The Transportation Committee did not vote the proposal out of committee.

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name:

Agency Contact (name, title, phone):

Date Contacted:

Approve of Proposal ___ YES NO ___ Talks Ongoing

Summary of Affected Agency's Comments

Will there need to be further negotiation? ___ YES ___ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal: None

State: None

Federal: None

Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

AN ACT CONCERNING SAFETY BELTS.

Section 1. Section 14-100a (c)(1) of the general statutes is amended as follows (*Effective October 1, 2014*):

Sec. 14-100a. Seat safety belts. Child restraint systems. Wheelchair transportation devices. (a) No new passenger motor vehicle may be sold or registered in this state unless equipped with at least two sets of seat safety belts for the front and rear seats of the motor vehicle, which belts comply with the requirements of subsection (b) of this section. The anchorage unit at the attachment point shall be of such construction, design and strength as to support a loop load strength of not less than four thousand pounds for each belt.

(b) No seat safety belt may be sold for use in connection with the operation of a motor vehicle on any highway of this state unless it is so constructed and installed as to have a loop strength through the complete attachment of not less than four thousand pounds, and the buckle or closing device shall be of such construction and design that after it has received the aforesaid loop belt load it can be released with one hand with a pull of less than forty-five pounds.

(c) (1) The operator of and any **[front seat]** passenger in a motor vehicle with a gross vehicle weight rating not exceeding ten thousand pounds or firefighting apparatus originally equipped with seat safety belts complying with the provisions of the Code of Federal Regulations, Title 49, Section 571.209, as amended from time to time, shall wear such seat safety belt while the vehicle is being operated on any highway except as follows:

(A) A child six years of age and under shall be restrained as provided in subsection (d) of this section;

(B) The operator of such vehicle shall secure or cause to be secured in a seat safety belt any passenger seven years of age or older and under sixteen years of age; and

(C) If the operator of such vehicle is under eighteen years of age, such operator and each passenger in such vehicle shall wear such seat safety belt while the vehicle is being operated on any highway.