

**Proposed Substitute
Bill No. 6484**

January Session, 2021

LCO No. 5906

**AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT
OF TRANSPORTATION.**

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

1 Section 1. Subsection (h) of section 13a-73 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

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

19 Sec. 2. Section 13a-151 of the general statutes is repealed and the
20 following is substituted in lieu thereof (*Effective from passage*):

21 (a) The [crossing or attempted crossing of] owner of a motor vehicle
22 that crosses or attempts to cross any bridge posted with a maximum
23 weight limit notice, as required by section 13a-121, [by a vehicle having]
24 when such vehicle has a gross weight in excess of the [stated maximum
25 safe load shall constitute reckless driving by the operator of such vehicle
26 and the owner of such vehicle] posted weight limit shall be liable to the
27 authority bound to maintain such bridge for any damage to the
28 structure resulting from the passage or attempted passage of such
29 vehicle.

30 (b) The authority having control of any bridge shall be responsible for
31 any damage sustained by reason of the passage of any vehicle having a
32 gross weight not in excess of the maximum weight prescribed in the
33 notice provided for in section 13a-121, provided such vehicle shall not
34 be operated at a speed in excess of the posted speed limit for such bridge
35 while crossing such bridge.

36 Sec. 3. Section 14-298a of the general statutes is repealed and the
37 following is substituted in lieu thereof (*Effective October 1, 2021*):

38 (a) No person shall operate or move a motor vehicle over, on,
39 through, or under any bridge or structure on any highway (1) if the
40 height of such vehicle or the load exceeds the height of the posted
41 clearance or load, as shown by an official traffic control device, as
42 defined in section 14-297, or (2) if the weight of such vehicle or vehicle
43 and load exceeds the weight of the posted weight limit.

44 (b) Any person violating any provision of this section shall, [have
45 committed an infraction] (1) for a first offense, be fined not more than
46 one thousand five hundred dollars, and (2) for a subsequent offense, be
47 guilty of a class A misdemeanor.

48 Sec. 4. Subsection (a) of section 13b-20e of the general statutes is
49 repealed and the following is substituted in lieu thereof (*Effective from*

50 *passage*):

51 (a) Any consultant who desires to provide consulting services to the
52 department in any calendar year shall be required to submit, not later
53 than the fifteenth day of [November] October immediately preceding
54 such calendar year, information concerning their qualifications as may
55 be required by the department. Such consultants shall provide the
56 department with additional or updated information upon request by the
57 department. The commissioner shall by January first, annually, analyze
58 the information submitted and determine those consultants qualified to
59 perform services in areas of expertise established by the department.
60 The commissioner shall publish annually, in accordance with the
61 provisions of section 13b-20g, at any time between September first to
62 October first, a notice that any person, firm or corporation which desires
63 to be listed with the department as a consultant shall submit such
64 information as required pursuant to this subsection to the department.
65 Such notice shall also list the areas of expertise likely to be needed by
66 the department during the next calendar year.

67 Sec. 5. Section 13b-20f of the general statutes is repealed and the
68 following is substituted in lieu thereof (*Effective from passage*):

69 The performance of all consultants who have active agreements with
70 the department shall be evaluated by the supervising unit within the
71 bureau utilizing the consultant services, at [six-month intervals] least
72 once a year and upon completion of the consultant services. Each such
73 evaluation shall be kept on file in the supervising unit and a copy filed
74 with the permanent selection panel.

75 Sec. 6. Subsection (a) of section 13b-34 of the general statutes is
76 repealed and the following is substituted in lieu thereof (*Effective from*
77 *passage*):

78 (a) (1) The commissioner shall have power, in order to aid or promote
79 the operation, whether temporary or permanent, of any transportation
80 service operating to, from or in the state, to contract in the name of the
81 state with any person, including but not limited to any common carrier,

82 any transit district formed under chapter 103a or any special act, or any
83 political subdivision or entity, or with the United States or any other
84 state, or any agency, instrumentality, subdivision, department or officer
85 thereof, for purposes of initiating, continuing, developing, providing or
86 improving any such transportation service. Such contracts may include
87 provision for arbitration of disputed issues.

88 (2) The commissioner, in order to aid or promote the operation of any
89 transportation service operating outside the state, may contract in the
90 name of the state with any person, including, but not limited to, any
91 common carrier, or with the United States or any other state, or any
92 agency, instrumentality, subdivision, department or officer thereof, for
93 purposes of providing any transportation service in the event such
94 assistance is required in the case of an emergency or a special event.

95 (3) The state, acting by and through the commissioner, may, by itself
96 or in concert with others, provide all or a portion of any such
97 transportation service, share in the costs of or provide funds for such
98 service, or furnish equipment or facilities for use in such service upon
99 such terms and conditions as the commissioner may deem necessary or
100 advisable, and any such contracts may include, without limitation
101 thereto, arrangements under which the state shall so provide service,
102 share costs, provide funds or furnish equipment or facilities. To these
103 ends, the commissioner may in the name of the state acquire or obtain
104 the use of facilities and equipment employed in providing any such
105 service by gift, purchase, lease or other arrangements and may own and
106 operate any such facilities and equipment and establish, charge and
107 collect such fares and other charges or arrange for such collection for the
108 use or services thereof as he may deem necessary, convenient or
109 desirable.

110 (4) The commissioner or any fare inspector, as defined in section 13b-
111 2, shall have the authority to issue citations for any violation of section
112 13b-38i. The commissioner may also acquire title in fee simple to, or any
113 lesser estate, interest or right in, any rights-of-way, properties or
114 facilities, including properties used on or before October 1, 1969, for rail

115 or other forms of transportation services. The commissioner may hold
116 such properties for future use by the state and may enter into
117 agreements for interim use of such properties for other purposes.

118 (5) Any person contracting with the state pursuant to this section for
119 the provision of any transportation service shall not be considered an
120 arm or agent of the state. Any person contracting with the state pursuant
121 to this section for the provision of any motor bus service shall not be
122 subject to the provisions of section 13b-80, as amended by this act. Any
123 damages caused by the operation of such transportation service by such
124 person may be recovered in a civil action brought against such person
125 in the superior court and such person may not assert the defense of
126 sovereign immunity in such action.

127 Sec. 7. Section 13b-80 of the general statutes is repealed and the
128 following is substituted in lieu thereof (*Effective from passage*):

129 [No] Except as provided in subdivision (5) of subsection (a) of section
130 13b-34, as amended by this act, no person, association, limited liability
131 company or corporation shall operate a motor bus without having
132 obtained a certificate from the Department of Transportation or from the
133 Federal Highway Administration pursuant to the Bus Regulatory
134 Reform Act of 1982, P.L. 97-261, specifying the route and certifying that
135 public convenience and necessity require the operation of a motor bus
136 or motor buses over such route. Such certificate shall be issued only after
137 written application for the same has been made. Upon receipt of such
138 application, said department shall promptly give written notice of the
139 pendency of such application to the mayor of each city, the warden of
140 each borough or the first selectman of each town in or through which
141 the applicant desires to operate, and to any common carrier operating
142 over any portion of such route or over a route substantially parallel
143 thereto. Any town, city or borough within which, or between which and
144 any other town, city or borough in this state, any such common carrier
145 is furnishing service may bring a written petition to the department in
146 respect to routes, fares, speed, schedules, continuity of service and the
147 convenience and safety of passengers and the public. Thereupon the

148 department may fix a time and place for a hearing upon such petition
149 and mail notice thereof to the parties in interest at least one week prior
150 to such hearing. No such certificate shall be sold or transferred until the
151 department, upon written application to it, setting forth the purpose,
152 terms and conditions thereof and after investigation, approves the same.
153 The application shall be accompanied by a fee of one hundred seventy-
154 six dollars. The department may amend or, for sufficient cause shown,
155 may suspend or revoke any such certificate. The department may
156 impose a civil penalty on any person or any officer of any association,
157 limited liability company or corporation who violates any provision of
158 any regulation adopted under section 13b-86 with respect to routes,
159 fares, speed, schedules, continuity of service or the convenience and
160 safety of passengers and the public, in an amount not to exceed one
161 hundred dollars per day for each violation. The owner or operator of
162 every motor bus shall display in a conspicuous place therein a
163 memorandum of such certificate. Notwithstanding any provision of
164 chapter 285, such certificate shall include authority to transport
165 baggage, express, mail and newspapers for hire in the same vehicle with
166 passengers under such regulations as the department may prescribe.
167 Any certificate issued pursuant to this section by the Division of Public
168 Utility Control within the Department of Business Regulation prior to
169 October 1, 1979, shall remain valid unless suspended or revoked by the
170 Department of Transportation.

171 Sec. 8. Subdivision (2) of subsection (b) of section 13a-95c of the
172 general statutes is repealed and the following is substituted in lieu
173 thereof (*Effective from passage*):

174 (2) Notwithstanding the provisions of subdivision (1) of this
175 subsection, there shall be a transition period during which the
176 Commissioner of Transportation may authorize the continued use of
177 consultants if necessary to complete contracts authorized pursuant to
178 section 13a-95b. During this period, the commissioner shall make all
179 reasonable efforts to perform development and inspection work as
180 described in subsection (a) of this section using, where such employees
181 are available, department employees and reducing, and where possible

182 eliminating, the dependency on outside consultants. The commissioner
183 shall establish a program to train department employees to support
184 alternative project delivery methods. Such training program may be
185 provided in projects utilizing consultants, as provided for in this section.
186 The commissioner shall report, on or before October first annually, to
187 the Governor of the progress made in training employees in alternative
188 project delivery methods, improving the diversity of technical expertise
189 of employees and building internal project delivery capacity. [The
190 authority granted by this subdivision to use consultants on contracts
191 entered into pursuant to section 13a-95b shall be subject to a termination
192 date which shall be January 1, 2022, unless the Governor certifies that
193 the use of consultants is necessary to complete projects authorized
194 pursuant to section 13a-95b, which shall extend such termination date
195 to a date not later than January 1, 2025.]

196 Sec. 9. Subsection (a) of section 13b-97 of the general statutes is
197 repealed and the following is substituted in lieu thereof (*Effective from*
198 *passage*):

199 (a) No person, association, limited liability company or corporation
200 shall operate a taxicab until such person, association, limited liability
201 company or corporation has obtained a certificate from the Department
202 of Transportation certifying that public convenience and necessity
203 require the operation of a taxicab or taxicabs for transportation of
204 passengers, the acceptance or solicitation of which originates within the
205 territory specified in such certificate except as provided under
206 subsection (d) of this section. No such certificate shall be issued unless
207 the department finds that the person, association, limited liability
208 company or corporation is suitable to operate a taxicab service, after
209 giving due consideration to, at a minimum, the following factors: (1)
210 Any convictions of the applicant under federal, state or local laws
211 relative to safety, motor vehicle or criminal violations; (2) the number of
212 taxicabs to be operated under the certificate, provided no applicant for
213 a new certificate shall operate fewer than three taxicabs; (3) the
214 adequacy of the applicant's financial resources to operate the taxicab
215 service; (4) the adequacy of insurance coverage and safety equipment;

216 and (5) the availability of qualified taxicab operators. The commissioner
217 shall request the state criminal history records check for any person or
218 any officer of any association, limited liability company or corporation
219 applying for such certificate from the State Police Bureau of
220 Identification. The commissioner shall arrange for the fingerprinting of
221 any person or any officer of any association, limited liability company
222 or corporation applying for such certificate and forward the fingerprints
223 to said bureau which shall submit the fingerprints to the Federal Bureau
224 of Investigation for a national criminal history records check for any
225 federal conviction specified in subdivision (1) of this subsection. The
226 commissioner shall charge a fee for each such national criminal history
227 records check which shall be equal to the fee charged by the Federal
228 Bureau of Investigation for performing such check. Such certificate shall
229 be issued only after written application, fingerprinting and said criminal
230 history records check for the same has been made and public hearing
231 held thereon. The application shall be accompanied by a fee of two
232 thousand dollars and the fee for said criminal history records check.
233 Upon receipt of such application, the department shall fix a time and
234 place of hearing thereon [, provided such hearing shall be held not
235 earlier than three months after such receipt,] and shall promptly give
236 written notice of the pendency of such application and of the time and
237 place of such hearing [thereon] to [such] the applicant, the mayor of each
238 city, the warden of each borough or the first selectman of each town in
239 which the applicant desires to originate the transportation of such
240 passengers, and to any common carrier operating within the territory
241 specified. Notwithstanding any provision of this subsection to the
242 contrary, the department may, upon receipt of a written application,
243 amend an existing certificate to increase the number of taxicabs which
244 may be operated pursuant to the certificate without holding a hearing
245 on the application, provided the department issues a legal notice of such
246 application in a daily newspaper in accordance with the provisions of
247 section 1-2, gives written notice of the pendency of such application to
248 any common carrier operating within the territory specified and no
249 objection is filed with the department within thirty days of each such
250 notice.

251 Sec. 10. Section 13b-103 of the general statutes is repealed and the
252 following is substituted in lieu thereof (*Effective October 1, 2021*):

253 (a) (1) No person, association, limited liability company or
254 corporation shall operate a motor vehicle in livery service until such
255 person, association, limited liability company or corporation has
256 obtained a permit from the Department of Transportation, specifying
257 the nature and extent of the service to be rendered and certifying that
258 public convenience and necessity will be improved by the operation and
259 conduct of such livery service. Such permits shall be issued only after a
260 written application for the same has been made and a public hearing has
261 been held thereon. Upon receipt of such application, together with the
262 payment of a fee of two hundred dollars, the department shall fix a time
263 and place of hearing thereon, within a reasonable time, and shall
264 promptly give written notice of the pendency of such application and of
265 the time and place of such hearing to each applicant, the mayor of each
266 city, the warden of each borough and the first selectman of each town,
267 within which any such applicant desires to maintain an office or
268 headquarters, to any carrier legally operating motor vehicles in livery
269 service within the same territory and to other interested parties as
270 determined by the department. (2) Notwithstanding the provisions of
271 subdivision (1) of this subsection, the department may issue a permit for
272 the operation of vehicles (A) having a capacity of less than eleven adults
273 or to be used exclusively at funerals, weddings, christenings,
274 processions or celebrations, without holding a hearing and certifying
275 that public convenience and necessity would be improved by the
276 operation of such vehicles, or (B) having a capacity of not less than
277 eleven or more than fourteen adults and used for sightseeing and
278 related purposes, without holding a hearing, provided the department
279 issues a legal notice, as provided under section 1-2, of such application
280 and no objection is filed with the department within thirty days of
281 publication of such notice. (3) Notwithstanding the provisions of
282 subdivision (1) of this subsection, the department may issue a
283 temporary or permanent permit to any person, association, limited
284 liability company or corporation operating a motor vehicle engaged in
285 the transportation of passengers for hire by virtue of a contract with, or

286 a lower tier contract for, any federal, state or municipal agency that (A)
287 is in effect on July 1, 1997, with or without hearing, after a written
288 application for the same has been made and the department has
289 determined that the applicant meets the requirements of subsection (b)
290 of this section except with respect to public convenience and necessity,
291 or (B) becomes effective after July 1, 1997, with or without hearing, after
292 a written application for the same has been made and the department
293 has determined that the applicant meets the requirements of subsection
294 (b) of this section. Any such permit issued under the provisions of this
295 subdivision (i) shall be limited to service provided under any such
296 contract, and (ii) with respect to any contract under the provisions of
297 subparagraph (A) of this subdivision, shall not authorize a total number
298 of motor vehicles exceeding the number required to provide service
299 existing under such contract on July 1, 1997. (4) Notwithstanding the
300 provisions of subdivision (1) of this subsection, the department shall
301 issue to any person who has an intrastate livery permit for at least one
302 year, upon the application of such person, up to two additional vehicle
303 authorizations each year without a hearing and without written notice
304 of the pendency of the application, if all the existing permits held by
305 such person are registered and in use and if there are no outstanding
306 violations or matters pending adjudication against such person. The
307 department shall have thirty calendar days to issue such amended
308 permit.

309 (b) In determining whether or not such a permit will be granted, the
310 Department of Transportation shall take into consideration the present
311 or future public convenience and necessity for the service the applicant
312 proposes to render, the suitability of the applicant or the suitability of
313 the management if the applicant is a limited liability company or
314 corporation, the financial responsibility of the applicant, the ability of
315 the applicant efficiently and properly to perform the service for which
316 authority is requested and the fitness, willingness and ability of the
317 applicant to conform to the provisions of this chapter and the
318 requirements and regulations of the department under this chapter.

319 (c) Any interested party may bring a written petition to the

320 Department of Transportation in respect to fares, service, operation or
321 equipment, or the convenience, protection and safety of the public with
322 regard to any carrier operating a motor vehicle in livery service.
323 Thereupon, the department may fix a time and place for a hearing upon
324 such petition and give notice thereof. No permit shall be sold or
325 transferred until the department, upon written application to it setting
326 forth the purpose, terms and conditions thereof and accompanied by a
327 fee of two hundred dollars, after investigation, approves the same. The
328 department may amend or, for sufficient cause shown, may suspend or
329 revoke any such permit. The department may impose a civil penalty on
330 any person or any officer of any association, limited liability company
331 or corporation who violates any provision of this chapter or any
332 regulation adopted under section 13b-102 with respect to fares, service,
333 operation or equipment, in an amount not to exceed one thousand
334 dollars per day for each violation. Prior to the imposition of a civil
335 penalty under this subsection, the department shall provide notice to
336 said person or officer no later than fifteen business days after receipt of
337 information concerning an alleged violation and shall provide an
338 opportunity for a hearing.

339 (d) The owner or operator of each motor vehicle in livery service shall
340 display in such vehicle such permit or a memorandum thereof.

341 (e) (1) Any person who holds himself or herself out to be the operator
342 of a motor vehicle in livery service who has not received a permit under
343 this section shall be guilty of a class B misdemeanor.

344 (2) The state shall remit to a municipality fifty per cent of the fine
345 amount received for a violation of subdivision (1) of this subsection with
346 respect to each summons issued by such municipality. Each clerk of the
347 Superior Court or the Chief Court Administrator, or any other official of
348 the Superior Court designated by the Chief Court Administrator, shall,
349 on or before the thirtieth day of January, April, July and October in each
350 year, certify to the Comptroller the amount due for the previous quarter
351 under this subsection to each municipality served by the office of the
352 clerk or official.

353 (f) The Department of Transportation may revoke a permit issued
354 under this section or section 13b-105 without a hearing, provided (1) the
355 department sends a notice of revocation to the permit holder at the
356 address of the permit holder on file with the department and (A) the
357 notice is returned as undeliverable or could not be delivered, or (B) the
358 permit holder fails to respond to the notice within the time period
359 specified by the department in such notice, (2) the department conducts
360 a physical inspection of the address of the permit holder on file with the
361 department and determines that no livery service is operated at such
362 address, and (3) no motor vehicle is registered by the permit holder with
363 the Department of Motor Vehicles to be used as specified in the permit
364 pursuant to section 13b-106.

365 Sec. 11. Subsection (a) of section 13b-389 of the general statutes is
366 repealed and the following is substituted in lieu thereof (*Effective October*
367 *1, 2021*):

368 (a) No person shall operate any motor vehicle in the transportation of
369 household goods for hire as a household goods carrier without first
370 having obtained from the Commissioner of Transportation [, after
371 hearing,] a certificate of public convenience and necessity to so operate.

372 Sec. 12. Section 13b-391 of the general statutes is repealed and the
373 following is substituted in lieu thereof (*Effective October 1, 2021*):

374 [After the hearing provided for in section 13b-390, the] The
375 Commissioner of Transportation may issue to the applicant a certificate
376 of public convenience and necessity in a form to be prescribed by [him]
377 the commissioner or may refuse to issue the same, or may issue it for the
378 partial exercise only of the privilege sought, and may prescribe therein
379 such limitations as, in [his] the commissioner's judgment, public interest
380 may require.

381 Sec. 13. Section 13b-392 of the general statutes is repealed and the
382 following is substituted in lieu thereof (*Effective October 1, 2021*):

383 In determining whether or not such a certificate shall be granted, the

384 Commissioner of Transportation shall take into consideration the
385 existing motor transportation facilities and the effect upon them of
386 granting such certificate, the suitability of the applicant, or the
387 suitability of the management if the applicant is a corporation, the
388 financial responsibility and financial stability of the applicant, the ability
389 of the applicant efficiently to perform the service for which authority is
390 requested [.] and the criminal history of the applicant. [, the condition of
391 and effect upon the highways involved and the safety of the public
392 using such highways. The commissioner shall take into consideration
393 such recommendations as to motor transportation facilities, or
394 highways, or the effect of granting such certificate upon either of them,
395 or the safety of the public using such highways.] No such certificate shall
396 be denied solely on the ground that there is an existing rail or household
397 goods carrier service. When it appears that no household goods carrier
398 service is being supplied over the route or routes applied for, public
399 convenience and necessity shall be presumed to require operation of
400 such service.

401 Sec. 14. Subdivision (1) of subsection (b) of section 19a-342 of the
402 general statutes is repealed and the following is substituted in lieu
403 thereof (*Effective October 1, 2021*):

404 (b) (1) Notwithstanding the provisions of section 31-40q, no person
405 shall smoke: (A) In any building or portion of a building, [partially
406 enclosed shelter on a rail platform or bus shelter] owned and operated
407 or leased and operated by the state or any political subdivision [thereof]
408 of the state; (B) in any area of a health care institution; (C) in any area of
409 a retail food store; (D) in any restaurant; (E) in any area of an
410 establishment with a permit issued for the sale of alcoholic liquor
411 pursuant to section 30-20a, 30-21, 30-21b, 30-22, 30-22c, 30-28, 30-28a, 30-
412 33a, 30-33b, 30-35a, 30-37a, 30-37e or 30-37f, in any area of an
413 establishment with a permit for the sale of alcoholic liquor pursuant to
414 section 30-23 issued after May 1, 2003, and, on and after April 1, 2004, in
415 any area of an establishment with a permit issued for the sale of
416 alcoholic liquor pursuant to section 30-22a or 30-26 or the bar area of a
417 bowling establishment holding a permit pursuant to subsection (a) of

418 section 30-37c; (F) within a school building or on the grounds of such
419 school; (G) within a child care facility or on the grounds of such child
420 care facility, except, if the child care facility is a family child care home,
421 as defined in section 19a-77, such smoking is prohibited only when a
422 child enrolled in such home is present; (H) in any passenger elevator,
423 provided no person shall be arrested for violating this subsection unless
424 there is posted in such elevator a sign which indicates that smoking is
425 prohibited by state law; (I) in any dormitory in any public or private
426 institution of higher education; [or] (J) on and after April 1, 2004, in any
427 area of a dog race track or a facility equipped with screens for the
428 simulcasting of off-track betting race programs or jai alai games; or (K)
429 in any area of a platform or a shelter at a rail, busway or bus station,
430 owned and operated or leased and operated by the state or any political
431 subdivision of the state. For purposes of this subsection, "restaurant"
432 means space, in a suitable and permanent building, kept, used,
433 maintained, advertised and held out to the public to be a place where
434 meals are regularly served to the public, "school" has the same meaning
435 as provided in section 10-154a and "child care facility" has the same
436 meaning as provided in section 19a-342a.

437 Sec. 15. Special act 91-32 is amended to read as follows (*Effective from*
438 *passage*):

439 Notwithstanding the provisions of section 13b-268 of the general
440 statutes or any other provision of the general statutes, special act or
441 regulation which prohibits the construction of any new highway
442 railroad crossing at-grade, the [commissioner] Commissioner of
443 [transportation] Transportation shall construct an at-grade crossing for
444 [emergency vehicles] vehicle and pedestrian traffic at the east end of
445 Portland Street and Bridge Street in the town of Middletown. The
446 crossing shall be constructed subject to the provisions of sections 13b-
447 342 to [13b-347] 13b-345, inclusive, of the general statutes.

448 Sec. 16. Section 4e-30 of the general statutes is repealed and the
449 following is substituted in lieu thereof (*Effective from passage*):

450 (a) A state contracting agency may audit the books and records of a

451 contractor or any subcontractor under any negotiated contract or
452 subcontract to the extent that such books and records relate to the
453 performance of such contract or subcontract. Such books and records
454 shall be maintained by the contractor for a period of three years from
455 the date of final payment under the prime contract and by the
456 subcontractor for a period of three years from the expiration of the
457 subcontract.

458 (b) If a state contracting agency enters into an amendment to any
459 negotiated contract or subcontract that extends the terms of such
460 contract or subcontract, the amendment shall be deemed a new and
461 separate negotiated contract for the purposes of this section. The books
462 and records of a contractor or any subcontractor related to the
463 performance of such amendment shall be maintained by the contractor
464 from the commencement of such amendment until a period of three
465 years from the date of final payment under such amendment or the date
466 of expiration of such amendment, whichever is later.

467 Sec. 17. Subsection (c) of section 14-100a of the general statutes is
468 repealed and the following is substituted in lieu thereof (*Effective October*
469 *1, 2021*):

470 (c) (1) The operator of and any [front seat] passenger in any motor
471 vehicle or fire fighting apparatus originally equipped with seat safety
472 belts complying with the provisions of 49 CFR 571.209, as amended
473 from time to time, shall wear such seat safety belt while the vehicle or
474 fire fighting apparatus is being operated on any highway, except as
475 follows:

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

478 (B) The operator of such vehicle shall secure or cause to be secured in
479 a seat safety belt any passenger eight years of age or older and under
480 sixteen years of age. [; and]

481 [(C) If the operator of such vehicle is under eighteen years of age, such

482 operator and each passenger in such vehicle shall wear such seat safety
483 belt while the vehicle is being operated on any highway.]

484 (2) The provisions of subdivision (1) of this subsection shall not apply
485 to: (A) [any] Any person whose physical disability or impairment would
486 prevent restraint in such safety belt, provided such person obtains a
487 written statement from a licensed physician or a licensed advanced
488 practice registered nurse containing reasons for such person's inability
489 to wear such safety belt and including information concerning the
490 nature and extent of such condition. Such person shall carry the
491 statement on his or her person or in the motor vehicle at all times when
492 it is being operated, [or] (B) an authorized emergency vehicle, other than
493 fire fighting apparatus, responding to an emergency call or a motor
494 vehicle operated by a rural letter carrier of the United States postal
495 service while performing his or her official duties or by a person
496 engaged in the delivery of newspapers, or (C) any passenger on a bus,
497 as defined in 49 USC 30127, as amended from time to time.

498 (3) Failure to wear a seat safety belt shall not be considered as
499 contributory negligence nor shall such failure be admissible evidence in
500 any civil action.

501 (4) No law enforcement official may stop a motor vehicle solely for
502 the apparent or actual failure of a back seat passenger who is sixteen
503 years of age or older to wear a seat safety belt.

504 ~~[(4)]~~ (5) Any operator of a motor vehicle, who is eighteen years of age
505 or older, and any passenger in such motor vehicle, who violates any
506 provision of this subsection shall have committed an infraction and shall
507 be fined fifty dollars. Any operator of a motor vehicle who is under
508 eighteen years of age and any passenger in such motor vehicle who
509 violates any provision of this subsection shall have committed an
510 infraction and shall be fined seventy-five dollars. Points may not be
511 assessed against the operator's license of any person convicted of such
512 violation.

513 Sec. 18. Section 54-33m of the general statutes is repealed and the

514 following is substituted in lieu thereof (*Effective October 1, 2021*):

515 The failure of an operator of, or [front seat] passenger in, a private
516 passenger motor vehicle or vanpool vehicle to wear a seat safety belt as
517 required by section 14-100a, as amended by this act, shall not constitute
518 probable cause for a law enforcement official to conduct a search of such
519 vehicle and its contents.

520 Sec. 19. Section 13a-124a of the general statutes is repealed and the
521 following is substituted in lieu thereof (*Effective from passage*):

522 (a) As used in this section, ["specific information sign"] "a specific
523 service sign" means a rectangular sign with the word GAS, FOOD,
524 LODGING, [or] CAMPING or ATTRACTION and exit directional
525 information pertaining to the designated motorist service placed [at the
526 top of] on the sign and upon which is mounted separately attached
527 business [signs] sign panels showing the brand, symbol, trademark or
528 name, or any combination of these, for the designated service available
529 on a crossroad at or near an interchange or intersection.

530 [(b) The Commissioner of Transportation may issue permits for the
531 erection and maintenance of specific information signs and business
532 signs within the rights-of-way of any portion of a state-maintained
533 limited access highway, except a parkway. The commissioner shall not
534 issue any such permit to any person or company until such person or
535 company files with the commissioner a bond or recognizance to the
536 state, satisfactory to the commissioner and in such amount as the
537 commissioner determines, subject to forfeiture upon failure to comply
538 with (1) the requirements of this section, (2) regulations adopted
539 pursuant to this section, or (3) any orders of the commissioner relating
540 to the erection and maintenance of specific information signs and
541 business signs. Any such bond or recognizance shall remain in full force
542 and effect as long as such person or company is subject to any such
543 requirements, regulations or orders as provided in this section.

544 (c) Any person or company issued a permit in accordance with
545 subsection (b) of this section shall be reimbursed, by subsequent

546 permittees on the same sign, the costs associated with said sign divided
547 by the number of other permittees on said sign.

548 (d) The commissioner shall adopt regulations in accordance with
549 chapter 54 to carry out the purposes of this section. Such regulations
550 shall include, but not be limited to, establishment of (1) fees for the
551 permits issued under subsection (b) of this section, (2) reimbursements
552 issued pursuant to subsection (c) of this section, and (3) standards for
553 the location, size and maintenance of specific information signs and
554 business signs.]

555 (b) The Commissioner of Transportation may enter into an agreement
556 with a qualifying person or company regarding the erection,
557 maintenance and removal of a specific service sign within the rights-of-
558 way of any portion of a state-maintained limited access highway, except
559 a parkway. The commissioner shall adopt regulations, in accordance
560 with the provisions of chapter 54, regarding (1) the design and
561 installation requirements for a specific service sign, (2) the minimum
562 qualifications for a person or company to obtain a specific service sign,
563 (3) the application process to obtain a specific service sign, (4) the
564 financial responsibility of such person or company, and (5) the terms
565 regarding the removal of a specific service sign or revocation of an
566 agreement with such person or company.

567 Sec. 20. Section 13b-237 of the general statutes is repealed and the
568 following is substituted in lieu thereof (*Effective October 1, 2021*):

569 (a) (1) The Commissioner of Transportation shall not, directly or
570 indirectly, sell, transfer, salvage or otherwise dispose of any surplus rail
571 [or other track] material, [unless the commissioner has offered such rail
572 or other track material] including, but not limited to, rail sections having
573 a maximum length of two hundred feet, ties, tie plates and other track
574 material, without first offering such surplus rail material to freight
575 railroad companies for upgrading state-owned rights-of-way. [Said
576 commissioner shall offer any remaining rail or other track material, if
577 any, to freight railroad companies for upgrading other rail lines located
578 within the state. If any freight railroad company accepts such offer, the

579 Department of Transportation shall transfer such rail or other track
580 material to the recipient's designated material site within the state at a
581 charge to such recipient that, in the case of state-owned rights-of-way
582 does not exceed the value, as scrap, of the materials replaced by the
583 material transferred by said department, and, in the case of non-state-
584 owned rights-of-way, does not exceed the value, as scrap, of the
585 materials transferred by said department.] Such offer shall be in writing
586 and shall be sent by first class mail or electronic mail. No later than thirty
587 days after the date of such offer, a freight railroad company interested
588 in acquiring such surplus material shall submit, in a manner prescribed
589 by the commissioner, a notification of interest and a statement regarding
590 the need and intended use of such surplus material. If more than one
591 freight railroad company submits a notification of interest, the
592 commissioner may select a freight railroad company based on the prior
593 distribution of surplus rail material and the best intended use of such
594 surplus rail material on state property as determined by the
595 commissioner. The commissioner shall send a notification of selection to
596 the selected freight railroad company by first class mail or electronic
597 mail.

598 (2) The commissioner shall offer remaining surplus rail material, if
599 any, to freight railroad companies for upgrading other rail lines located
600 within the state in the same manner as provided for in subdivision (1)
601 of this subsection.

602 (3) The commissioner shall make any surplus rail material available
603 for inspection at a designated location within a rail yard or along a
604 sliding track in the state.

605 (b) A freight railroad company that received a notice of selection shall
606 accept delivery of the surplus rail material not later than thirty days after
607 receipt of such notice. If the selected freight railroad company does not
608 accept delivery within such thirty-day period, the commissioner may
609 select another freight railroad company that submitted a notification of
610 interest and statement pursuant to subsection (a) of this section or
611 salvage or otherwise dispose of the surplus rail material. The selected

612 freight railroad company shall (1) arrange for and pay the costs
613 associated with the handling and delivery of the surplus rail material
614 from a specific location within a rail yard or along a sliding track in the
615 state, (2) accept the surplus rail material in "as is" condition, (3)
616 acknowledge that the commissioner assumes no responsibility for the
617 quality or fitness of the surplus rail material, and (4) install the surplus
618 rail material pursuant to the statement submitted to the commissioner
619 in accordance with subsection (a) of this section unless otherwise
620 approved in writing by the commissioner. The selected freight railroad
621 company shall not salvage the surplus rail material and obtain
622 reimbursement for the cost of the handling and delivery of the surplus
623 rail material, but may salvage any material replaced by the surplus rail
624 material to offset such costs.

625 (c) The commissioner may enter into agreements with salvage
626 companies for the salvage or disposal of surplus rail material that is not
627 distributed to a freight railroad company pursuant to this section.

628 Sec. 21. (*Effective from passage*) On or before January 1, 2022, the
629 Commissioner of Transportation shall submit a report, in accordance
630 with the provisions of section 11-4a of the general statutes, to the joint
631 standing committee of the General Assembly having cognizance of
632 matters relating to transportation concerning the status of (1) installing
633 a side rail on the New Canaan branch of the New Haven Line, as defined
634 in section 13b-79a of the general statutes, and (2) increasing direct
635 service to New York on the Danbury branch of the New Haven Line.

636 Sec. 22. Section 13b-390 of the general statutes is repealed. (*Effective*
637 *October 1, 2021*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	13a-73(h)
Sec. 2	<i>from passage</i>	13a-151
Sec. 3	<i>October 1, 2021</i>	14-298a
Sec. 4	<i>from passage</i>	13b-20e(a)
Sec. 5	<i>from passage</i>	13b-20f

Sec. 6	<i>from passage</i>	13b-34(a)
Sec. 7	<i>from passage</i>	13b-80
Sec. 8	<i>from passage</i>	13a-95c(b)(2)
Sec. 9	<i>from passage</i>	13b-97(a)
Sec. 10	<i>October 1, 2021</i>	13b-103
Sec. 11	<i>October 1, 2021</i>	13b-389(a)
Sec. 12	<i>October 1, 2021</i>	13b-391
Sec. 13	<i>October 1, 2021</i>	13b-392
Sec. 14	<i>October 1, 2021</i>	19a-342(b)(1)
Sec. 15	<i>from passage</i>	SA 91-32
Sec. 16	<i>from passage</i>	4e-30
Sec. 17	<i>October 1, 2021</i>	14-100a(c)
Sec. 18	<i>October 1, 2021</i>	54-33m
Sec. 19	<i>from passage</i>	13a-124a
Sec. 20	<i>October 1, 2021</i>	13b-237
Sec. 21	<i>from passage</i>	New section
Sec. 22	<i>October 1, 2021</i>	Repealer section