



# Senate

General Assembly

**File No. 387**

February Session, 2022

Substitute Senate Bill No. 391

*Senate, April 11, 2022*

The Committee on Transportation reported through SEN. HASKELL of the 26th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING THE RECOMMENDATIONS OF THE LEGISLATIVE COMMISSIONERS' OFFICE REGARDING MINOR AND TECHNICAL REVISIONS TO THE TRANSPORTATION AND MOTOR VEHICLE STATUTES.***

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

1 Section 1. Subdivision (38) of section 14-1 of the 2022 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective July 1, 2022*):

4 (38) [Foreign jurisdiction] "Foreign jurisdiction" means any  
5 jurisdiction other than a state of the United States;

6 Sec. 2. Subsection (d) of section 4-256 of the 2022 supplement to the  
7 general statutes is repealed and the following is substituted in lieu  
8 thereof (*Effective July 1, 2022*):

9 (d) If the department submits a project in accordance with subsection  
10 (a) of this section, the department shall at the same time transmit, in  
11 accordance with the provisions of section 11-4a, a copy of its submission

12 to the joint standing committees of the General Assembly having  
13 cognizance of matters relating to finance, revenue and bonding, [and]  
14 appropriations and the budgets of state agencies and transportation.  
15 Said committees shall hold public hearings on any such submission.

16 Sec. 3. Subsection (a) of section 4-257 of the 2022 supplement to the  
17 general statutes is repealed and the following is substituted in lieu  
18 thereof (*Effective July 1, 2022*):

19 (a) Notwithstanding the provisions of section 4b-91 and chapter 242,  
20 the department shall, when it determines appropriate, provide for a  
21 process of prequalification for private entities seeking to enter into a  
22 public-private partnership. Any such process shall include public notice  
23 of the prequalification process and the requirements and the criteria the  
24 department will use in determining whether the private entity qualifies  
25 for prequalification. If the department has determined that such a  
26 prequalification process is appropriate for the project, the department  
27 shall allow only prequalified private entities to be a proposer. The  
28 department may charge a reasonable application fee for  
29 prequalification.

30 Sec. 4. Subsection (a) of section 4-258 of the 2022 supplement to the  
31 general statutes is repealed and the following is substituted in lieu  
32 thereof (*Effective July 1, 2022*):

33 (a) The department shall conduct a competitive procurement process  
34 for the selection of a contractor prior to entering into a public-private  
35 partnership. The department shall use, where appropriate, in  
36 accordance with the nature and scope of the project, (1) competitive  
37 bidding, as defined in section 4e-1, or (2) competitive negotiation, as  
38 defined in section 4a-50.

39 Sec. 5. Subsection (b) of section 4-264 of the 2022 supplement to the  
40 general statutes is repealed and the following is substituted in lieu  
41 thereof (*Effective July 1, 2022*):

42 (b) For any public-private partnership, the Commissioner of

43 Transportation shall make best efforts to perform development and  
44 inspection services using, where such employees are available,  
45 department employees and reducing, and where possible eliminating,  
46 the dependency on consultants. Any contract the department enters into  
47 with a consultant to perform development and inspection services with  
48 regards to a public-private partnership shall contain a provision that  
49 provides for training department employees in the process for bidding  
50 and managing public-private partnerships. Employees may be  
51 appointed to durational positions to reduce the need for development  
52 and inspection services to be performed by consultants. Such employees  
53 may be appointed as engineers to durational positions without  
54 examination provided such employees have met the education,  
55 knowledge and training requirements required by the job classification  
56 by the Department of Administrative Services. [job classification.]

57 Sec. 6. Subsection (a) of section 14-390 of the 2022 supplement to the  
58 general statutes is repealed and the following is substituted in lieu  
59 thereof (*Effective July 1, 2022*):

60 (a) Any municipality may, by ordinance, regulate the operation and  
61 use, including hours and zones of use, of snowmobiles and all-terrain  
62 vehicles in a manner not inconsistent with the provisions of this section  
63 and sections 14-379 to 14-389, inclusive, or any regulations adopted  
64 pursuant thereto, and may (1) prescribe a penalty for violation of such  
65 ordinance [(1)] in an amount not to exceed one thousand dollars for a  
66 first violation, in an amount not to exceed one thousand five hundred  
67 dollars for a second violation, and in an amount not to exceed two  
68 thousand dollars for a third or subsequent violation, and (2) [to] provide  
69 for the seizure and forfeiture to the municipality of such all-terrain  
70 vehicle for a violation of such ordinance, subject to any bona fide lien,  
71 lease or security interest in the all-terrain vehicle, including, but not  
72 limited to, a lien under section 14-66c.

73 Sec. 7. Subdivision (3) of subsection (c) of section 14-275 of the 2022  
74 supplement to the general statutes is repealed and the following is  
75 substituted in lieu thereof (*Effective July 1, 2022*):

76 (3) Each school bus shall be equipped with emergency lighting  
77 equipment as provided by section 14-97a, with a defrosting device as  
78 provided by section 14-97, with a system of mirrors as provided in the  
79 Code of Federal Regulations Title 49, Section 571.111, as amended from  
80 time to time, or with an outside mirror as provided by section 14-99, and  
81 a system of crossover mirrors designed and mounted so as to give the  
82 driver a view of the road from the front bumper forward to a point  
83 where direct observation is possible and along the left and right sides of  
84 the bus, with a signalling device as provided by section 14-101, and with  
85 chain nonskid devices for immediate use on at least one outside or  
86 inside rear tire on each side or tires designed to prevent skidding on all  
87 rear wheels when weather and highway conditions require such use.

88 Sec. 8. Subsection (a) of section 14-300i of the 2022 supplement to the  
89 general statutes is repealed and the following is substituted in lieu  
90 thereof (*Effective July 1, 2022*):

91 (a) As used in subsection (b) of this section, (1) "vulnerable user"  
92 means: (A) A pedestrian; (B) a highway worker; (C) a person riding or  
93 driving an animal; (D) a person riding a bicycle, an electric bicycle or an  
94 electric foot scooter; (E) a person using a skateboard, roller skates or in-  
95 line skates; (F) a person operating or riding on an agricultural tractor;  
96 (G) a person using a wheelchair or motorized chair; (H) a person who is  
97 blind and such person's service animal; and (I) a person operating (i) a  
98 commercial motor vehicle equipped with a garbage compactor, a  
99 detachable container or a curbside recycling body, (ii) a tank vehicle, (iii)  
100 a vehicle authorized by the United States government to carry mail, or  
101 (iv) a vehicle [operated] authorized by an express delivery carrier  
102 service, (2) "public way" includes any state or other public highway,  
103 road, street, avenue, alley, driveway, parkway or place, under the  
104 control of the state or any political subdivision of the state, dedicated,  
105 appropriated or opened to public travel or other use, (3) "substantial  
106 bodily harm" means bodily injury that involves a temporary but  
107 substantial disfigurement, causes a temporary but substantial loss or  
108 impairment of the function of any bodily part or organ, or causes a  
109 fracture of any bodily part, and (4) "serious physical injury" has the same

110 meaning as provided in section 53a-3.

111 Sec. 9. Section 14-283e of the 2022 supplement to the general statutes  
112 is repealed and the following is substituted in lieu thereof (*Effective*  
113 *October 1, 2022*):

114 (a) On and after May 1, 2022, each frozen dessert truck shall be  
115 equipped in the following manner:

116 (1) Signal lamps mounted at the same level and as high and as widely  
117 spaced laterally as practicable. The signal lamps shall be not less than  
118 five and not more than seven inches in diameter and shall display two  
119 alternately flashing red signal lights visible at a distance of not less than  
120 five hundred feet to the front and rear in normal sunlight upon a straight  
121 level highway.

122 (2) A stop signal arm that can be extended horizontally from the left  
123 side of the frozen dessert truck. When such arm is extended, the side of  
124 such arm nearest the truck shall be seven and one-quarter inches long  
125 and parallel to the side of the truck. The side farthest from the truck shall  
126 be eighteen inches long and parallel to the side nearest the truck. The  
127 two sides shall be eighteen inches apart creating a symmetrical,  
128 trapezoidal shape. Two alternately flashing red lights shall be located in  
129 the outside corners of the extended signal arm and such corners shall be  
130 rounded to conform with the shape of the lights. Each red light shall be  
131 not less than three and not more than five inches in diameter and visible  
132 at a distance of not less than three hundred feet to the front and rear in  
133 normal sunlight upon a straight level highway. Both sides of the signal  
134 arm shall have a red reflectorized background and the following legend:  
135 The word "STOP" shall appear in six-inch-high white letters not to  
136 exceed four inches in length in the middle of the signal arm; above the  
137 word "STOP", the phrase "IF SAFE" shall appear in two-inch-high white  
138 letters not to exceed one and three-fourths inches in length; below the  
139 word "STOP", the phrase "THEN GO" shall appear in two-inch-high  
140 white letters not to exceed one and three-fourths inches in length. The  
141 colors of the background and legend shall conform to the requirements  
142 set forth in the Manual on Uniform Traffic Control Devices for Streets

143 and Highways published by the Federal Highway Administration, as  
144 amended from time to time. The bottom of the extended signal arm shall  
145 be approximately forty-two inches above the street.

146 (3) A convex mirror mounted on the front of the frozen dessert truck  
147 so the operator in a normal seating position is capable of seeing the area  
148 in front of the truck that is obscured by the hood.

149 (4) A front crossing arm attached to the front bumper of the frozen  
150 dessert truck hinged from the truck's right side. The bottom of the front  
151 crossing arm shall be not less than sixteen and not more than twenty  
152 inches above the street. The front crossing arm shall be made of any  
153 durable material covered with a yellow or white reflective material and  
154 shall extend in conjunction with the stop signal arm described in  
155 subdivision (2) of this subsection. When extended outward in front of  
156 the truck, the front crossing arm shall extend not less than four and not  
157 more than six feet parallel to the ground. When retracted against the  
158 front of the truck, the front crossing arm shall not extend past the width  
159 of the truck on the operator's left side.

160 (b) Any person who operates a frozen dessert truck without  
161 equipping such truck as required by subsection (a) of this section shall,  
162 for a first offense, be deemed to have committed an infraction, and for a  
163 subsequent offense, shall be fined not less than one hundred dollars and  
164 not more than five hundred dollars.

165 [(c) On and after September 1, 2021, and until April 30, 2022, a person  
166 operating a frozen dessert truck shall not stop or park the truck to vend  
167 to a child in any location where the child would be required to cross the  
168 highway to approach the frozen dessert truck. The provisions of this  
169 subsection shall not apply if (1) a child is physically escorted by an adult,  
170 or (2) a frozen dessert truck is equipped as required by subsection (a) of  
171 this section. Any person who operates a frozen dessert truck in violation  
172 of the provisions of this subsection shall have committed an infraction.]

173 Sec. 10. Section 14-283h of the 2022 supplement to the general statutes  
174 is repealed and the following is substituted in lieu thereof (*Effective July*

175 1, 2022):

176 Not later than July 1, 2021, the Commissioner of Motor Vehicles shall  
177 publish on the Internet web site of the Department of Motor Vehicles  
178 information concerning (1) the equipment required of a frozen dessert  
179 truck pursuant to subsection (a) of section 14-283e, as amended by this  
180 act, and (2) the operation of and vending from a frozen dessert truck as  
181 specified in [subsection (c) of section 14-283e and] sections 14-283f and  
182 14-283g.

183 Sec. 11. Subsection (a) of section 21a-51 of the 2022 supplement to the  
184 general statutes is repealed and the following is substituted in lieu  
185 thereof (*Effective July 1, 2022*):

186 (a) Each manufacturer of frozen desserts and frozen dessert mix for  
187 sale [in this state] shall file with the Commissioner of Consumer  
188 Protection an application for a license, upon a form prescribed by the  
189 commissioner. The application shall show the location of each plant at  
190 which frozen desserts and frozen dessert mix are to be manufactured  
191 and the name of the brand or brands, if any, under which the same are  
192 to be sold. The license period shall be for twelve months.

193 Sec. 12. Subsection (a) of section 13a-124a of the 2022 supplement to  
194 the general statutes is repealed and the following is substituted in lieu  
195 thereof (*Effective July 1, 2022*):

196 (a) As used in this section, ["a specific service sign"] "specific service  
197 sign" means a rectangular sign with the word GAS, FOOD, LODGING,  
198 CAMPING or ATTRACTION and exit directional information  
199 pertaining to the designated motorist service placed on the sign and  
200 upon which is mounted separately attached business sign panels  
201 showing the brand, symbol, trademark or name, or any combination of  
202 these, for the designated service available on a crossroad at or near an  
203 interchange or intersection.

204 Sec. 13. Subsections (b) to (d), inclusive, of section 14-20d of the 2022  
205 supplement to the general statutes are repealed and the following is

206 substituted in lieu thereof (*Effective July 1, 2022*):

207 (b) The Commissioner of Motor Vehicles shall, at the request of any  
208 veteran or member of the armed forces who received a campaign medal,  
209 issue special registration [marker] number plates to indicate service  
210 during a period of war. Such plates shall bear the words "(Name of War)  
211 Veteran" and shall be designed in consultation with the Commissioner  
212 of Veteran Affairs. The plates shall expire and be renewed as provided  
213 in section 14-22. The Commissioner of Motor Vehicles shall charge a fee  
214 for such plates, which fee shall cover the entire cost of making such  
215 plates and shall be in addition to the fee for registration of such motor  
216 vehicle. No use shall be made of such plates except as official  
217 registration [marker] number plates.

218 (c) A request made under subsection (b) of this section shall be  
219 accompanied by proof from the Department of Veterans Affairs that the  
220 person making a specific request served in the armed forces during such  
221 period of war.

222 (d) The surviving spouse of a veteran or member of the armed forces  
223 issued special registration [marker] number plates under subsection (b)  
224 of this section may retain any such plates for his or her lifetime or until  
225 such time as he or she remarries.

226 Sec. 14. Subsection (e) of section 13a-267 of the 2022 supplement to  
227 the general statutes is repealed and the following is substituted in lieu  
228 thereof (*Effective July 1, 2022*):

229 (e) Personally identifiable [customer] information shall not be  
230 deemed a public record, for purposes of the Freedom of Information  
231 Act, as defined in section 1-200.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2022</i>	14-1(38)
Sec. 2	<i>July 1, 2022</i>	4-256(d)
Sec. 3	<i>July 1, 2022</i>	4-257(a)



Sec. 4	July 1, 2022	4-258(a)
Sec. 5	July 1, 2022	4-264(b)
Sec. 6	July 1, 2022	14-390(a)
Sec. 7	July 1, 2022	14-275(c)(3)
Sec. 8	July 1, 2022	14-300i(a)
Sec. 9	October 1, 2022	14-283e
Sec. 10	July 1, 2022	14-283h
Sec. 11	July 1, 2022	21a-51(a)
Sec. 12	July 1, 2022	13a-124a(a)
Sec. 13	July 1, 2022	14-20d(b) to (d)
Sec. 14	July 1, 2022	13a-267(e)

**Statement of Legislative Commissioners:**

In Section 7, "from time to time" was inserted for consistency with standard drafting conventions; and in Section 8(a)(1)(I)(iv), "service" was added for clarity.

**TRA**      *Joint Favorable Subst. -LCO*

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*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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### **OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

### **Explanation**

The bill, which makes technical changes to the transportation and motor vehicle statutes, has no fiscal impact.

### **The Out Years**

**State Impact:** None

**Municipal Impact:** None

**OLR Bill Analysis****sSB 391*****AN ACT CONCERNING THE RECOMMENDATIONS OF THE LEGISLATIVE COMMISSIONERS' OFFICE REGARDING MINOR AND TECHNICAL REVISIONS TO THE TRANSPORTATION AND MOTOR VEHICLE STATUTES.*****SUMMARY**

This bill makes minor and technical changes in the transportation and motor vehicle statutes.

EFFECTIVE DATE: July 1, 2022, except the repeal of a temporary requirement for ice cream trucks is effective October 1, 2022.

**COMMITTEE ACTION**

Transportation Committee

Joint Favorable

Yea 35    Nay 0    (03/24/2022)