



Senate

General Assembly

File No. 433

January Session, 2023

Substitute Senate Bill No. 1078

Senate, April 4, 2023

The Committee on Transportation reported through SEN. COHEN of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING RAIL SERVICE.

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

1 Section 1. (*Effective from passage*) As used in this section, "Shore Line
2 East" and "New Haven Line" have the same meanings as provided in
3 section 13b-79o of the general statutes. The Department of
4 Transportation shall (1) restore service on Shore Line East to the same
5 level of service that existed prior to the reduction in service due to the
6 COVID-19 public health emergency and the civil preparedness
7 emergency declared by the Governor on March 10, 2020, (2) purchase
8 and install new rail cars for use on the Waterbury and Danbury
9 branches of the New Haven Line, (3) expand the Danbury branch of the
10 New Haven Line to include the town of New Milford, and (4) expand
11 the Waterbury branch of the New Haven Line to include the towns of
12 Seymour, Shelton and Derby.

13 Sec. 2. (*Effective from passage*) The Commissioner of Transportation
14 shall study the future of railroads in the state, including, but not limited
15 to, (1) the feasibility of establishing rail service between the towns of

16 Hartford and Middletown, and (2) the feasibility of operating hybrid
17 trains on the Danbury branch of the New Haven Line, as defined in
18 section 13b-78k of the general statutes. On or before February 1, 2024,
19 the commissioner shall submit the results of such study to the joint
20 standing committee of the General Assembly having cognizance of
21 matters relating to transportation, in accordance with the provisions of
22 section 11-4a of the general statutes.

23 Sec. 3. Section 13b-79u of the general statutes is repealed and the
24 following is substituted in lieu thereof (*Effective from passage*):

25 (a) The Commissioner of Transportation is authorized and directed,
26 in consultation with the Secretary of the Office of Policy and
27 Management and with the approval of the Governor, to enter into any
28 agreements with the National Rail Passenger Corporation or its
29 successor in interest that are necessary for the operation of rail
30 passenger service on the New Haven-Hartford-Springfield rail line.

31 (b) The commissioner is authorized and directed, in consultation with
32 the secretary and with approval of the Governor, to enter into any
33 agreements with the commonwealth of Massachusetts, or any entity
34 authorized to act on its behalf, or the state of Vermont, or any entity
35 authorized to act on its behalf, that are necessary for the state's
36 participation in the provision of rail passenger service on the New
37 Haven-Hartford-Springfield rail line.

38 (c) The commissioner is authorized and directed, in consultation with
39 the secretary and with the approval of the Governor, to select through a
40 competitive process and contract with an operator or operators for rail
41 service on the New Haven-Hartford-Springfield rail line.

42 (d) The commissioner is authorized and directed to select through a
43 competitive process and contract with an operator or operators for rail
44 service on the Shore Line East rail line.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	13b-79u

Statement of Legislative Commissioners:

In Section 1, the first sentence was added to define "Shore Line East" and "New Haven Line" for clarity.

TRA *Joint Favorable Subst. -LCO*

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.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 24 \$	FY 25 \$	Out Years
Department of Transportation	TF - Cost	See Below	See Below	Significant

Note: TF=Transportation Fund

Municipal Impact: None

Explanation

Section 1 requires the Department of Transportation (DOT) to undertake several actions related to its rail operations. The fiscal impact of these actions are as follows:

- **Restore service on Shore Line East (SLE) to pre-pandemic levels.** The cost for this depends on both the timeline for restoration and the baseline funding level assumed. Compared to current funding levels (FY 23), the cost to restore service would be \$13.5 million in FY 24 and \$13.9 million in FY 25. However, the Governor's proposed FY 24 and FY 25 budget recommends a decrease in service below current levels. Compared to the Governor's proposal, the cost to restore service would be \$25.6 million in FY 24 and \$26.4 million in FY 25.
- **New rail cars on the Waterbury and Danbury branches.** The bill does not specify a date by which cars must be purchased or the number of cars required, both of which would impact the cost. DOT is currently in the process of procuring new rail cars, some of which are anticipated for placement on the

Waterbury and Danbury branch lines. These procurements are included in DOT's capital plan and the department expects to use previously-authorized state bond funding for this purpose. The cost of these rail cars is unknown at this time pending the procurement process.

- **Expand the Danbury branch to include New Milford.** The cost to extend the branch is currently unknown but would be significant. Prior to expansion, DOT would need to undertake a study and related planning efforts. This expansion is not included in DOT's capital plan.
- **Expand the Waterbury branch to include Seymour, Shelton, and Derby.** The provision is not expected to have a fiscal impact because the Waterbury branch currently has stations either in (Seymour and Derby) or near (Shelton) these towns.

Section 2 requires DOT to study "the future of railroads in the state," including, but not limited to, the feasibility of establishing rail service between Hartford and Middletown and operating hybrid trains on the Danbury branch. The bill requires DOT to submit the results of such study to the Transportation Committee by February 1, 2024. This study is expected to cost approximately \$2 million in FY 24, which is comparable to what similar studies have cost the department in recent years (e.g., the Eastern CT Rail Study).

Section 3 authorizes DOT to competitively select the SLE service provider, potentially resulting in lower operating costs depending upon the terms of any future procurement. Currently DOT is required to contract with Amtrak for service on SLE.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation, the terms of any new agreements, and as otherwise described. The cost of expanding the Danbury branch to New Milford is expected to be significant.

OLR Bill Analysis**SB 1078*****AN ACT CONCERNING RAIL SERVICE.*****SUMMARY**

This bill requires the Department of Transportation (DOT) to take several actions to increase rail service in the state. It requires DOT to restore service on the Shore Line East rail line to the same service level that existed before it was reduced in 2020 because of the COVID-19 public health and civil preparedness emergency declarations. It also authorizes and directs the DOT commissioner to contract with one or more operators for this service through a competitive selection process.

The bill requires DOT to purchase and install new rail cars for use on the Waterbury and Danbury branches of the New Haven line and to expand these branches to include the towns of:

1. New Milford on the Danbury branch; and
2. Seymour, Shelton, and Derby on the Waterbury branch.

Lastly, the bill requires the commissioner to study the future of railroads in the state, including the feasibility of (1) establishing service between Hartford and Middletown and (2) operating hybrid trains on the Danbury branch. He must submit these study results to the Transportation Committee by February 1, 2024.

By law, the New Haven Line means service between New Haven and intermediate points and Grand Central Station and includes the Danbury, Waterbury, and New Canaan branch lines. Shore Line East includes rail service between New Haven and New London.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Transportation Committee

Joint Favorable

Yea 36 Nay 0 (03/17/2023)