



Senate

General Assembly

File No. 441

January Session, 2023

Substitute Senate Bill No. 1080

Senate, April 5, 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 TRANSPORTATION SERVICES FOR PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.

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

1 Section 1. (NEW) (*Effective from passage*) (a) On and after July 1, 2023,
2 the Department of Transportation shall provide for fare-free bus public
3 transportation services for persons with intellectual or developmental
4 disabilities who receive services from the Department of Developmental
5 Services. The cost of such transportation services shall be paid from the
6 funds appropriated to the Department of Transportation. The
7 Department of Transportation, in coordination with the Department of
8 Developmental Services, shall make applications for a fare-free transit
9 identification card available to such persons. Any such identification
10 card shall include a photograph of such person.

11 (b) On and after July 1, 2023, the Department of Transportation shall
12 provide for reduced fares for intrastate rail service by commuter
13 railroad systems for persons with intellectual or developmental

14 disabilities who receive services from the Department of Developmental
15 Services. Such reduced fares shall be one-half the amount of the fare
16 charged for such rail service by a commuter railroad system. The cost of
17 such reduced fares shall be paid from the funds appropriated to the
18 Department of Transportation. The Department of Transportation, in
19 coordination with the Department of Developmental Services, shall
20 make applications for an identification card for reduced fare rail services
21 available to such persons. Any such identification card shall include a
22 photograph of such person.

23 Sec. 2. (*Effective from passage*) The Commissioners of Transportation
24 and Developmental Services, in conjunction with each transit district
25 established under chapter 103a of the general statutes or any special act,
26 shall study the demand and need for state-wide and local transportation
27 services for persons with intellectual or developmental disabilities. Such
28 study shall include, but need not be limited to, (1) expanding the hours
29 of operation, including the evening hours, for rail service on commuter
30 railroad systems and state-owned or controlled bus public
31 transportation services, (2) determining the daily transportation needs
32 of such persons, including traveling to and from work, educational
33 facilities, medical appointments, stores and other places in order to
34 enjoy life's amenities, and (3) a specific analysis of the transit services
35 provided by each transit district that identifies locations underserved by
36 such transit district and specific routes for possible expansion to meet
37 the demand and needs for such transit services and the costs associated
38 with servicing such locations and expanding such routes. On or before
39 February 1, 2024, the commissioners shall submit the results of such
40 study and recommendations, in accordance with the provisions of
41 section 11-4a of the general statutes, to the joint standing committees of
42 the General Assembly having cognizance of matters relating to
43 transportation and human services.

44 Sec. 3. (NEW) (*Effective from passage*) Not later than January 1, 2024,
45 each transit district established under chapter 103a of the general
46 statutes or any special act shall develop a process by which an employer
47 who employs at least ten employees with intellectual or developmental

48 disabilities or a provider of community-based services for at least ten
49 persons with intellectual or developmental disabilities may request the
50 district to construct and maintain a bus stop or shelter at or near such
51 employer's or provider's location. Each transit district shall post such
52 process in a conspicuous plan on the district's Internet web site.

53 Sec. 4. (*Effective from passage*) On or before October 1, 2023, the
54 Department of Developmental Services shall issue a request for
55 proposals for the provision of nonmedical transportation services for
56 persons with intellectual or developmental disabilities whose
57 transportation needs are not currently served by public transportation
58 in the state. Such nonmedical transportation services shall provide
59 transportation to and from work, educational facilities, medical
60 appointments, stores and other places in order for such persons to enjoy
61 life's amenities.

62 Sec. 5. (NEW) (*Effective from passage*) The Department of
63 Transportation, in consultation with the Department of Developmental
64 Services, shall ensure persons with intellectual or developmental
65 disabilities who receive services from the Department of Developmental
66 Services have access to any travel training program funded by the
67 Department of Transportation that provides instruction on how to
68 safely use commuter railroad systems and bus public transportation
69 services.

70 Sec. 6. (NEW) (*Effective from passage*) For the purposes of this section,
71 "carrier" has the same meaning as provided in section 14-212 of the
72 general statutes and "school bus driver" has the same meaning as
73 provided in section 14-276b of the general statutes. The Department of
74 Developmental Services, in consultation with the Department of Motor
75 Vehicles, shall develop and make available to carriers and school bus
76 drivers online training resources or videos that provide instruction and
77 best practices concerning ways to appropriately interact with persons
78 with intellectual or developmental disabilities. The departments shall
79 post such training resources or videos in a conspicuous place on their
80 respective Internet web sites.

81 Sec. 7. (NEW) (*Effective from passage*) Not later than October 1, 2023,
82 the Commissioner of Motor Vehicles shall offer appointments to
83 students with disabilities, including, but not limited to, students with
84 intellectual or developmental disabilities, for the on-the-road skills test
85 portion of the examination for a motor vehicles operator's license at
86 drivers' schools, licensed in accordance with the provisions of section
87 14-69 of the general statutes. The on-the-road skills test shall be
88 administered by a motor vehicle inspector agent or an agent of the
89 commissioner and shall be made available to such students of such
90 schools who are otherwise eligible to take such test.

91 Sec. 8. Subsection (b) of section 14-253a of the general statutes is
92 repealed and the following is substituted in lieu thereof (*Effective July 1,*
93 *2023*):

94 (b) The Commissioner of Motor Vehicles shall accept applications
95 and renewal applications for removable windshield placards from (1)
96 any person who is blind, as defined in section 1-1f; (2) any person with
97 disabilities; (3) any parent or guardian of any person who is blind or any
98 person with disabilities, if such person is under eighteen years of age at
99 the time of application; (4) any parent or guardian of any person who is
100 blind or any person with disabilities, if such person is unable to request
101 or complete an application; and (5) any organization which meets
102 criteria established by the commissioner and which certifies to the
103 commissioner's satisfaction that the vehicle for which a placard is
104 requested is primarily used to transport persons who are blind or
105 persons with disabilities. Except as provided in subsection (c) of this
106 section, on and after October 1, 2011, the commissioner shall not accept
107 applications for special license plates, but shall accept renewal
108 applications for such plates that were issued prior to October 1, 2011.
109 No person shall be issued a placard in accordance with this section
110 unless such person is the holder of a valid motor vehicle operator's
111 license, or identification card issued in accordance with the provisions
112 of section 1-1h. The commissioner is authorized to adopt regulations for
113 the issuance of placards to persons who, by reason of hardship, do not
114 hold or cannot obtain an operator's license or identification card. The

115 commissioner shall maintain a record of each placard issued to any such
116 person. Such applications and renewal applications shall be on a form
117 prescribed by the commissioner. The application and renewal
118 application shall include: (A) Certification by a licensed physician, a
119 physician assistant, an advanced practice registered nurse licensed in
120 accordance with the provisions of chapter 378, or a member of the driver
121 training unit for persons with disabilities established pursuant to
122 section 14-11b, that the applicant meets the definition of a person with a
123 disability which limits or impairs the ability to walk, as defined in 23
124 CFR Section 1235.2; or (B) certification by a psychiatrist who is
125 employed by, or under contract with, the United States Department of
126 Veterans Affairs that the applicant (i) is a veteran, as defined in
127 subsection (a) of section 27-103, who has post-traumatic stress disorder
128 certified as service-connected by the United States Department of
129 Veterans Affairs, and (ii) meets the definition of a person with a
130 disability which limits or impairs the ability to walk, as defined in 23
131 CFR Section 1235.2. In the case of persons who are blind, the application
132 or renewal application shall include certification of legal blindness
133 made by the Department of Aging and Disability Services, an
134 ophthalmologist or an optometrist. Any person who makes a
135 certification required by this subsection shall sign the application or
136 renewal application under penalty of false statement pursuant to section
137 53a-157b. The commissioner, in said commissioner's discretion, may
138 accept the discharge papers of a disabled veteran, as defined in section
139 14-254, in lieu of such certification. The Commissioner of Motor Vehicles
140 may require additional certification at the time of the original
141 application or at any time thereafter. If a person who has been requested
142 to submit additional certification fails to do so within thirty days of the
143 request, or if such additional certification is deemed by the
144 Commissioner of Motor Vehicles to be unfavorable to the applicant, the
145 commissioner may refuse to issue or, if already issued, suspend or
146 revoke such special license plate or placard. The commissioner shall not
147 issue more than one placard per applicant, except the commissioner
148 shall issue one placard to each applicant who is a parent, [or] guardian
149 or caregiver of any person who is blind or any person with disabilities,

150 provided no more than [two] three such placards shall be issued on
 151 behalf of such person. The fee for the issuance of a temporary removable
 152 windshield placard shall be five dollars. Any person whose application
 153 has been denied or whose special license plate or placard has been
 154 suspended or revoked shall be afforded an opportunity for a hearing in
 155 accordance with the provisions of chapter 54.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>July 1, 2023</i>	14-253a(b)

Statement of Legislative Commissioners:

In Section 3, "January 1, 2023" was changed to "January 1, 2024" for accuracy; and in Section 7, "of such schools" was added 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 \$
Department of Transportation	TF - Cost	261,000 - 777,000	161,000 - 777,000
Developmental Services, Dept.	GF - Cost	See Below	See Below

Note: TF=Transportation Fund; GF=General Fund

Municipal Impact: None

Explanation

Section 1 requires the Department of Transportation (DOT) to provide fare-free bus service and half-price intrastate commuter rail service to persons with intellectual or developmental disabilities who receive services from the Department of Developmental Services (DDS). DOT has an existing reduced fare (generally half-price) transit program on both bus and intrastate rail for persons with a qualifying disability and it is expected that most of the DDS clients described in the bill would qualify for this program. As a result, the fiscal impact of this section is limited to the incremental cost of providing fare-free bus service (versus half-price) because the other benefits described in this section are currently provided.

It is unknown how many or how often DDS clients ride the bus so a range of costs will be considered for this analysis. A plausible lower estimate assumes that DDS clients ride the bus at twice the rate of the state's overall population, resulting an annual cost to the Special

Transportation Fund (STF) of approximately \$322,000.¹ A plausible higher estimate assumes that 10% of DDS clients are heavy users (i.e., they regularly purchase the \$30.60 reduced fare monthly passes) and the remaining 90% ride the bus at the same rate as Connecticut's population as a whole. Under these assumptions, a high-end cost for this section would be \$777,000 annually. It should be noted that individuals supported through DDS are active on one of the three Medicaid home and community-based services waivers, and as part of the service array, transportation is available as a covered service when not already included as part of the residential or day support services.

Section 2 requires DOT and DDS, in conjunction with the transit districts, to study the demand and need for various transportation services for persons with intellectual or developmental disabilities and to submit such study to the Transportation and Human Services Committees by February 1, 2024. DOT currently conducts similar studies that are required by federal transportation law, and it is expected that DOT would leverage its expertise through those efforts as part of this study. However, some amount of additional work would be needed, and it is estimated that such a study would cost up to \$200,000 which would be shared equally by the two agencies.

Section 4 requires DDS to issue a request for proposals (RFP) for the provision of nonmedical transportation services for persons with intellectual or developmental disabilities whose transportation needs are not currently served by public transportation in the state. It is anticipated that DDS has the expertise to issue the RFP. To the extent that the RFP results in a contract, DDS would incur the associated costs.

Section 5 requires DOT to ensure access to travel training programs funded by the department and does not result in a fiscal impact because the current program is open to any individual who requests the service.

Section 6 requires DDS in consultation with the Department of Motor

¹ There are approximately 17,206 DDS clients and on average each CT resident takes the bus 11 times per year. The current reduced fare rate is \$0.85 per trip.

Vehicles (DMV) to provide school bus drivers with online training resources or videos that provide instruction and best practices on how to appropriately interact with persons with intellectual or developmental disabilities. DMV testified that they had online training resources that could be shared with DDS. To the extent that this occurs, it is anticipated that there is no fiscal impact to DDS to share these resources online.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation, the terms of any contract, or as otherwise described.

OLR Bill Analysis**SB 1080*****AN ACT CONCERNING TRANSPORTATION SERVICES FOR PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.*****SUMMARY**

This bill makes various changes affecting public transportation access and awareness for people with intellectual or developmental disabilities (IDD). Specifically, it requires the following:

1. the Department of Transportation (DOT), starting July 1, 2023, to use its appropriated funds to give people with IDD who receive Department of Developmental Services (DDS) services (a) free public bus fares and (b) 50% reduced fares on intrastate commuter rail systems (§ 1);
2. DOT, in coordination with DDS, to make applications for transit photo ID cards available to these riders (§ 1);
3. the DOT and DDS commissioners, in conjunction with each transit district, to study the demand and need for statewide and local transportation services for people with IDD and report on the study results and recommendations to the Human Services and Transportation committees by February 1, 2024 (§ 2);
4. each transit district, by January 1, 2024, to develop a process for employers or community-based service providers that employ or serve at least 10 people with IDD to request the district to build and maintain a bus stop or shelter at or near their location (§ 3);
5. DDS, by October 1, 2023, to issue a request for proposals for the provision of nonmedical transportation services for people with

IDD whose needs are not currently met by public transportation, including to and from work, educational facilities, medical appointments, stores, and other places to enjoy life's amenities (§ 4);

6. DOT, in consultation with DDS, to ensure people with IDD who receive DDS services have access to any DOT-funded travel training program on how to safely use commuter railroad systems and public bus services (§ 5);
7. DDS, in consultation with the Department of Motor Vehicles (DMV), to develop and post in a conspicuous place on their websites, online training resources or videos with instruction and best practices for student transportation carriers and school bus drivers to appropriately interact with people with IDD (§ 6);
8. the DMV commissioner, by October 1, 2023, to offer appointments at licensed driving schools to students with disabilities (including IDD) for the on-the-road skills test part of the driver's license test if the test is (a) administered by one of his agents or a DMV inspector agent and (b) made available to students of these schools who are otherwise eligible to take the test (§ 7); and
9. starting July 1, 2023, allows the caregiver of a child younger than age 18 with a disability to apply for an accessible parking windshield placard on the child's behalf, in addition to the child's parent or guardian, who already may do so under current law (§ 8).

EFFECTIVE DATE: Upon passage, except the provision on accessible parking placards (§ 8) is effective July 1, 2023.

§ 2 — STUDY ON TRANSPORTATION NEEDS FOR PEOPLE WITH IDD

The bill requires the DOT and DDS commissioners, together with each transit district, to study the need for statewide and local

transportation services for people with IDD including:

1. expanding the operating hours, including evening hours, for service on commuter railroad systems and state-owned or controlled public bus transportation;
2. determining their daily needs, including traveling to and from work, educational facilities, medical appointments, stores, and other places to enjoy life’s amenities; and
3. a specific analysis of each transit district’s services that identifies underserved locations, specific routes for possible expansion to meet the needs, and the associated costs.

§ 8 — ACCESSIBLE PARKING PLACARDS

The bill allows a caregiver of a child younger than age 18 with a disability to apply for an accessible parking windshield placard on the child’s behalf. Current law already allows the child’s parent or guardian to do so.

As under current law, the DMV must issue a placard to each parent, guardian, or caregiver who applies. It correspondingly increases, from two to three, the maximum number of placards the DMV may issue on behalf of an eligible child.

COMMITTEE ACTION

Transportation Committee

Joint Favorable
 Yea 36 Nay 0 (03/17/2023)