

Transportation Committee JOINT FAVORABLE REPORT

Bill No.: HB-6748

AN ACT CONCERNING CERTIFICATES OF APPROVAL FOR MOTOR VEHICLE DEALERSHIPS AND REPAIR SHOPS, TRESPASS ON WATERSHED LAND, THE "MOVE OVER" LAW AND MINOR REVISIONS TO MOTOR

Title: VEHICLE STATUTES.

Vote Date: 3/17/2023

Vote Action: Joint Favorable Substitute

PH Date: 2/27/2023

File No.:

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SPONSORS OF BILL:

Transportation Committee

REASONS FOR BILL:

This bill establishes that those who wish to deal or repair motor vehicles obtain certificates from their municipality in which their business will be located, which must be approved by their municipalities Zoning Board of Appeals. This helps clarify who can approve such businesses for any city or town in Connecticut. The bill also establishes that trespassing on railroad property without consent of the railroad authority is considered an infraction, which will encourage keeping railways free of persons and prevent accidents or casualties across the state. Additionally, the bill establishes that operators of motor vehicles must immediately reduce speed and move over if they are approaching stationary emergency vehicles on the highway. According to those who are first responders, this provision will help to keep first responders and drivers safe. By establishing the violation of this as an infraction and instilling a monetary fine for those who violate this, it will help promote additional safety on highways in the event of an emergency. Also, the bill establishes a Connecticut Hydrogen and Electric Automobile Purchase Rebate Advisory Board, which will advise the Commissioner of DEEP on how they should allocate, distribute, and utilize funds for the Connecticut Hydrogen and Electric Automobile Purchase Rebate program. Lastly, the bill will establish that the commissioner can grant extensions for required inspections to those who need repairs to their motor vehicles in the event their vehicle may not pass inspection due to its condition. This will assist those who may be struggling with obtaining proper car-parts, as the market has increasingly faced car-part shortages in recent years.

PROPOSED SUBSTITUTE LANGUAGE

Section 1: deletes “Any person who desires to obtain a license for dealing in or repairing motor vehicles shall first obtain and present to the commissioner a certificate of approval [of the location for which such license is desired from the board or authority designated by local charter, regulation or ordinance of the town, city or borough wherein the business is located or is proposed to be located, except that in any town or city having a zoning commission, combined planning and zoning commission and a board of appeals, such certificate shall be approved by the board of appeals” and is replaced with “Any person who desires to obtain a license for dealing in or repairing motor vehicles shall first obtain and present to the commissioner a certificate of approval from the zoning enforcement official of the municipality where such license is desired, affirming that the proposed location and use of the property conform to the zoning regulations of the municipality.” This amendment to the language helps make the provisions of the bill easier to read and clarifies that the local Zoning Enforcement Offices would have the authority to sign off on the certificate. Sec. 2: adds “or watershed land” to proposed language to put this area under the same provisions as railroad property. This will help protect watersheds and reservoirs, as these areas are utilized by everyone in Connecticut and in high quantities daily. Sec. 3 (a): deletes “provided such highway has two or more travel lanes that proceed in the same direction” as it is defined differently in section 14-1 of the general statutes. Sec. 4 (c): deletes “service” and is replaced with “continue to serve” to provide clarity on the Commissioner of Energy and Environmental Protection’s term duration. Sec. 5 (2): deletes “waiver” and is replaced with “extension of time” to provide clarity on the sections’ provisions.

RESPONSE FROM ADMINISTRATION/AGENCY:

None Expressed.

NATURE AND SOURCES OF SUPPORT:

Jeffrey Bond, Member, Burlington Volunteer Fire Department

In support of this bill, Sec on 3 of Raised Bill No. 6748 (a) removes wording pertaining to limited access highways and initiates language to reflect all public roadways should have the same protects on in the Move Over Law. Another important addition is (c). This sec on protects and requires vehicle operators to Slow Down and Move over for non-emergency vehicles. Motorist changing are, incurring a mechanical breakdown or emergency support vehicles should be afforded protection on with the Law. (d) Line 58 of the Bill should be revised to include responders other that the vehicle operators. I would offer amending line 58 with the following “violation results in the injury to any emergency responder or Good Samaritan,”

In 2022 13 Emergency responders have been killed and the number injured by motor vehicles in U.S. roadways. The accuracy of the number of people that have been hurt or killed is still an overwhelming number. The changes to the o CT Gen Stat § 14-283 (b) will be its ability to help protect Connecticut’s first responders. I believe the proposed enhancement to the CT “Slow Down/Move Over” Law will reduce injuries and fatalities to all of Connecticut First Responders. I plead that you pass this bill to reduce the injuries and lives of the Connecticut First Responders who put their lives on the line every day for the people of CT. The challenge is for the Transportation on Committee to amend and provide support for the

language in Proposed Bill No. 6748. This proposal will fully support the Committees ongoing work regarding Traffic Safety as an important issue as outlined in the Major Issues of 2022 Legislative Session Report.

John Guskowski, AICP, Government Relations Officer, CCAPA

CCAPA strongly supports Section 1 of this Proposed Bill and has advocated for a modification to CGS §14-54 for several years. The proposed change would grant the local Zoning Enforcement Officer the authority to sign off on a certificate of approval per local zoning regulations covering motor vehicle dealerships and repair shops, as applicable. This is certainly more clearly defined than the prior confusion of having the Zoning Board of Appeals handle these matters. However, some communities may need time to bolster standards specific to motor vehicle uses and we would strongly recommend that local jurisdictions: 1) define locations where this use is allowed; and 2) provide adequate site plan standards for development of the use to achieve necessary public health, safety, and welfare requirements. Provided these are in place, the granting of certificates of approval and location are clearly more appropriately delegated to the Zoning Commission or their designated Zoning Enforcement Officer and allowing for approval of these applications at a staff level further streamlines this process. The result of this bill will be to unify a more complete range of land use regulation and review authorities in the most appropriate local entity.

Amy Blaymore Paterson, Executive Director, CT Land Conservation Council

CLCC in support of Section 2 of H.B. No. 6748, An Act Concerning Certificates of Approval for Motor Vehicle Dealerships and Repair Shops, Trespass on Watershed Land, the "Move Over" Law, and Minor Revisions to Motor Vehicle Statutes. Section 2, which would expand state prohibitions and penalties regarding simple trespass to watershed lands – strengthening the ability of water companies to protect these critical natural resources.

Lori Vitagliano, Government and Public Relations, Regional Water Authority

The Regional Water Authority in support of House Bill 6748, As a water utility we are one of only sixteen designated in Connecticut and believe that Section 2 of House bill 6748 would strengthen the ability to deter trespassing and protect our watershed and reservoirs. We respectfully suggest that the term " watershed lands" be narrowed to reference public water supply watershed lands owned, controlled, or managed by a water company as defined by Section 25-32a of the general statutes. The RWA encourages the Transportation committee to pass Section 2 of HB 6748 so that tougher deterrents are needed to address trespassers and lessen the damage with the operation of ATV's and similar vehicles on public water supply watershed land owned, controlled, or managed by the water company.

Elizabeth Gara, CT Water Works Association

The CT Water Works Association supports the provisions in Section 2 of HB-6748 regarding watershed lands. Source water protection plans include efforts to actively protect public water supply watershed lands, which are the lands streams surrounding a public drinking water source into which precipitation drains. Recognizing the importance of protecting watershed lands, water company owned watershed lands are preserved in perpetuity through permanent conservation easements to ensure that the property remains in pristine condition for water supply purposes. This also helps protect ecological habitats and other environmental resources. CWWA therefore supports the provisions in the Section 2 of bill which provide that trespass is prohibited on public water supply watershed lands. This will help strengthen efforts to protect watershed lands and the purity and adequacy of drinking

water sources. CWWA suggests that the term “watershed lands” be narrowed to reference “public water supply watershed lands owned, controlled or managed by a water company as defined by Section 25-32a of the general statutes”.

Eric Hammerling, Executive Director, Connecticut Forest & Park Association

The CFPA supports Section 2 of HB 6748 which would allow water companies to protect these important lands more effectively against trespass by elevating a potential fine to a trespasser to the level of an infraction. CFPA does not have a position on other elements of this bill, but we hope you will strongly support Section 2.

Rep. John E. Piscopo, 76th District, Chief House Republican Whip, CGA

In support of HB 6748; An Act Concerning Certificates of Approval for Motor Vehicle Dealerships And Repair Shops, Trespass On Watershed Land, The "Move Over" Law And Minor Revisions To Motor Vehicle Statutes. I would like to address section 3 specifically of HB 6748. Section 3 of the bill takes the "Move Over" law and applies it to our municipal roads. It simply requires that when a motor vehicle is approaching one or more emergency vehicles that are stationary or traveling significantly below the posted speed limit and located on the shoulder, lane or breakdown lane of such road, an effort shall be made by the approaching car to slow down and if safe, move over. Most people already do this, but there are those drivers of an approaching car that may not be paying attention to their surroundings. By applying this to municipal roads, we can now educate drivers of this change in law, and it will give our first responders another measure of safety. I respectfully urge committee's favorable action on this bill HB6748.

NATURE AND SOURCES OF OPPOSITION:

None Expressed

Reported by: Irene Santiago & Alyssa Carroll

Date: 3/31/2023