



General Assembly

January Session, 2023

Raised Bill No. 6745

LCO No. 4684



Referred to Committee on TRANSPORTATION

Introduced by:
(TRA)

***AN ACT CONCERNING THE CONSTRUCTION OF NOISE BARRIERS,
A PLAN IMPLEMENTING A STATE-WIDE DECIBEL LEVEL TESTING
PROGRAM AND IDLING MOTOR VEHICLES.***

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

1 Section 1. (NEW) (*Effective October 1, 2023*) For the purposes of this
2 section, "Type II project" has the same meaning as provided in 23 CFR
3 772.5, as amended from time to time. The Department of Transportation
4 shall develop and implement a Type II program in accordance with the
5 provisions of 23 CFR Part 772, as amended from time to time, to provide
6 for the construction of noise barriers along an existing highway. The
7 department shall conduct a state-wide evaluation of the feasibility and
8 reasonableness of constructing noise barriers for Type II projects and
9 identify the benefits, length, location and approximate construction
10 costs associated with such projects. The department shall establish a
11 priority rating system to rank such projects and use such system to
12 establish a priority list of such projects. On or before February 1, 2024,
13 the department shall submit, in accordance with the provisions of
14 section 11-4a of the general statutes, the results of such evaluation, a
15 description of the priority ranking system and a copy of the priority list

16 to the joint standing committee of the General Assembly having
17 cognizance of matters relating to transportation.

18 Sec. 2. Section 19 of public act 22-44 is repealed and the following is
19 substituted in lieu thereof (*Effective from passage*)

20 Not later than [January] October 1, 2023, the Commissioner of Motor
21 Vehicles shall submit, in accordance with the provisions of section 11-
22 4a of the general statutes, a plan to implement a state-wide decibel level
23 testing program for motor vehicles and motorcycles at official emissions
24 inspection stations, as defined in section 14-164b of the general statutes,
25 and any recommendations for legislation and funding necessary for
26 such implementation, to the joint standing committees of the General
27 Assembly having cognizance of matters relating to transportation,
28 appropriations and the budgets of state agencies and finance, revenue
29 and bonding.

30 Sec. 3. (NEW) (*Effective October 1, 2023*) Any municipality may, by
31 ordinance adopted by its legislative body, establish a fine for any
32 violation of the prohibition against operating the engine of a motor
33 vehicle for more than three consecutive minutes as set forth in
34 regulations adopted pursuant to section 22a-174 of the general statutes,
35 provided such fine shall not be more than ninety dollars per violation.
36 Any police officer or other person authorized by the chief executive
37 officer of the municipality may issue a citation to any person who
38 commits such violation. Any municipality that adopts an ordinance
39 pursuant to this section shall also adopt a citation hearing procedure
40 pursuant to section 7-152c of the general statutes, as amended by this
41 act, by which procedure such fine shall be imposed. Any fine collected
42 by a municipality pursuant to this section shall be deposited into the
43 general fund of the municipality or in any special fund designated by
44 the municipality.

45 Sec. 4. Subsection (c) of section 7-152c of the general statutes is
46 repealed and the following is substituted in lieu thereof (*Effective October*
47 *1, 2023*):

48 (c) Any such municipality, at any time within twelve months from
 49 the expiration of the final period for the uncontested payment of fines,
 50 penalties, costs or fees for any citation issued under any ordinance
 51 adopted pursuant to section 7-148, [or section] 7-152e, section 3 of this
 52 act or section 22a-226d, for an alleged violation thereof, shall send notice
 53 to the person cited. Such notice shall inform the person cited: (1) Of the
 54 allegations against [him] such person and the amount of the fines,
 55 penalties, costs or fees due; (2) that [he] such person may contest [his]
 56 such person's liability before a citation hearing officer by delivering in
 57 person or by mail written notice within ten days of the date thereof; (3)
 58 that if [he] such person does not demand such a hearing, an assessment
 59 and judgment shall be entered against [him] such person; and (4) that
 60 such judgment may issue without further notice. For purposes of this
 61 section, notice shall be presumed to have been properly sent if such
 62 notice was mailed to such person's last-known address on file with the
 63 tax collector. If the person to whom such notice is issued is a registrant,
 64 the municipality may deliver such notice in accordance with section 7-
 65 148ii, provided nothing in this section shall preclude a municipality
 66 from providing notice in another manner permitted by applicable law.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	New section
Sec. 2	<i>from passage</i>	PA 22-44, Sec. 19
Sec. 3	<i>October 1, 2023</i>	New section
Sec. 4	<i>October 1, 2023</i>	7-152c(c)

Statement of Purpose:

To (1) require the Department of Transportation to develop and implement a program for the construction of noise barriers along an existing highway, (2) require the Commissioner of Motor Vehicles to submit a plan to implement a state-wide decibel level testing program by October 1, 2023, and (3) permit a municipality to enforce a state regulation prohibiting the idling of a motor vehicle for more than three consecutive minutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]