



## ACTS AFFECTING TRANSPORTATION



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## **NOTICE TO READERS**

This report provides highlights of new laws (public acts) affecting transportation enacted during the 2014 legislative session. In each summary, we indicate the public act (PA) number.

Not all provisions of the acts are included here. Complete summaries of all 2014 public acts are available on OLR's webpage: <http://cga.ct.gov/olr/olrsums.asp>

Readers are encouraged to obtain the full texts of acts that interest them from the Connecticut State Library, the House Clerk's Office, or the General Assembly's website: <http://www.cga.ct.gov>.

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## **AVIATION**

### ***Connecticut Airport Authority (CAA) Advisory Committee***

This act requires the CAA executive director to establish an advisory committee of up to six members. The director must consult with the committee on matters relating to Bradley International Airport and business related to it. The committee must include two legislative appointees, one each appointed by the Transportation Committee co-chairs and ranking members. The act does not specify who will appoint the other four members, though presumably these appointments will be made by CAA's executive director. The advisory committee must include residents of and representatives of businesses located in the Bradley Development Zone ([PA 14-199, § 11](#), effective upon passage).

## **BOATS AND BOATING**

### ***Abandoned Vessels***

This act replaces existing procedures and establishes a new process for seizing and disposing of abandoned vessels. It generally allows certain public or private parties to begin a process to take ownership of an abandoned vessel. Ownership may occur after 45 days if the vessel is not claimed by the owner, a lienholder, or a person with a security interest. The act also makes abandoning a vessel punishable by a fine of between \$300 and \$500, unless the abandonment

occurs during, and because of conditions that caused, a declared emergency ([PA 14-57](#), effective January 1, 2015).

### ***Certificates of Title for Vessels***

The Uniform Certificate of Title for Vessels Act creates a title system for certain vessels that are principally used on Connecticut waters. It generally requires owners to apply to the Department of Motor Vehicles (DMV) for a certificate when a vessel's ownership changes or Connecticut becomes a vessel's state of principal use. The act does not apply to a number of different types of vessels, most notably those (1) with a model year of 2016 or earlier, (2) less than 19.5 feet long unless they are motor boats, or (3) covered by federal documentation or a foreign country's registry.

The act also makes a certificate of title prima facie evidence of ownership, sets rules for perfecting security interests on certificates and indicating transfers of interest in vessels, establishes penalties for fraudulent acts related to certificates, and requires DMV to maintain certain information for public searches ([PA 14-63](#), effective January 1, 2016).

## **BONDING FOR TRANSPORTATION PROJECTS**

The bond authorization act includes up to \$28.4 million in special tax obligation (STO) bonds in FY 15 for the following Department of Transportation (DOT) projects: (1) \$10 million for the

development of a comprehensive asset management plan in accordance with federal regulations, (2) \$5.4 million for highway and bridge renewal equipment, (3) \$10 million for the local bridge program, and (4) \$3 million to reconfigure an existing off ramp on the Merritt Parkway in Westport.

The act also changes certain FY 15 general obligation (GO) and STO bond authorizations enacted in PA 13-239, including (1) an increase from \$5 million to \$25 million in GO bonds to DOT for grants for improvements to ports and marinas, including dredging and navigational direction; (2) an increase from \$13.99 million to \$20.69 million in STO bonds to DOT's Bureau of Highway Operations for, among other things, environmental compliance, hazardous material abatement, salt shed construction, and storage tank replacement at or near state-owned properties or related to DOT operation; (3) an increase from \$143 million to \$185.45 million in STO bonds to the Bureau of Public Transportation for bus and rail facilities and equipment; and (4) a change from STO bonds to GO bonds for the Town-Aid-Road program, which has a bond authorization of up to \$60 million ([PA 14-98, §§ 9, 16-21, 89, & 94 - 95](#), effective July 1, 2014).

## **DRIVER'S LICENSES**

### ***Medical Qualifications of Drivers of Certain Passenger Vehicles***

This act requires DMV to renew a noncommercial license with certain passenger endorsements (e.g., a taxi or livery driver) for an applicant who (1) is

taking medication to control a medical condition that would otherwise disqualify him or her from getting such a license and (2) would qualify for a waiver or exemption under federal regulations. A licensed physician must certify that the applicant is controlling the medical condition ([PA 14-130, § 29](#), October 1, 2014).

### ***Organ Donations***

Under this act, DMV must require applicants for driver's licenses or identity cards to indicate whether they consent or decline to be organ donors. Prior law allowed these applicants the opportunity to become a donor ([PA 14-130, § 8](#), effective October 1, 2014).

### ***Waivers for Veterans and Armed Forces and National Guard Members***

A new law requires the DMV commissioner to waive all, instead of allowing her to waive part of, examinations for motor vehicle licenses, except the driving skills test for commercial driver's licenses (CDL), for veterans who (1) apply within two years after their military discharge and (2) before military discharge, held a military operator's license to drive the same class of vehicles allowed under their prospective license. DMV must do the same for an armed forces or National Guard member who holds a military operator's license.

The DMV commissioner may also waive the commercial motor vehicle driving skills test if an applicant meets conditions set by federal regulations. If

he or she meets these conditions, the commissioner may substitute the applicant's driving record in combination with certain driving experience for the driver's test. The applicant must hold a military commercial vehicle license when applying for the state license ([PA 14-131 §§ 2 & 3](#), effective October 1, 2014).

## **DRIVING UNDER THE INFLUENCE (DUI)**

### ***License Suspensions and Ignition Interlocks***

Existing law requires an administrative license suspension process for drivers who refuse to submit to a blood alcohol content (BAC) test or whose test results indicate an elevated BAC (.08% or more). Under prior law, these suspensions ranged from 90 days to six months, depending on test results or refusal, for first offenders. This act reduces the administrative license suspension to 45 days for all drivers whose test results indicate an elevated BAC or who refuse to submit to a test, but imposes ignition interlock device (IID) requirements after the suspension ends. An IID requires the driver to breathe into it to operate the vehicle and prevents the vehicle from starting if it detects a BAC above a certain threshold.

Any person who does not use the IID as required is subject to a license suspension until the person demonstrates to the commissioner's satisfaction that he or she intends to install and maintain the IID as required.

It also eliminates a provision that prohibited DMV from issuing a special operator's permit (which allows a driver with a suspended license to drive to work or school) to a person whose license was suspended for refusing to submit to a test until such person has served a 90-day suspension. Under the act, the DMV commissioner may, for license suspension and IID purposes, consider out-of-state DUI convictions as second or subsequent convictions if a person was convicted of DUI in Connecticut or another state in the previous 10 years ([PA 14-228](#), effective July 1, 2015).

## **GARAGES**

### ***Liens by Garage Owners***

By law, someone whose vehicle is in the custody of a person who holds a lien on it (e.g., a garage owner whose garage has repaired it) may apply in writing to Superior Court to dissolve the lien (and recover the vehicle) if the vehicle owner substitutes a surety bond for the vehicle. The act requires a garage owner to immediately notify DMV if a vehicle owner has not applied for dissolution within 30 days after a garage's work on the vehicle is completed. It also allows a garage owner to charge for 30 days' storage of the vehicle after completing the repairs, but the commissioner may limit the number of storage days for which a garage may charge after the 30-day period expires ([PA 14-130, § 27](#), July 1, 2014).



## **HIGHWAY SAFETY**

### ***Chemical Road Treatment Study***

Under this act, the Department of Transportation (DOT) must study chemical road treatments, including (1) analyzing the corrosive effects of road treatments on state snow and ice equipment, state infrastructure, and the environment; (2) determining the cost of corrosion created by road treatments; and (3) evaluating alternative techniques and products. The final report is due July 1, 2015 ([PA 14-199, § 6](#), effective upon passage).

### ***Conforming State Motor Vehicle Law to Federal Law***

This act eliminates provisions in several motor vehicle laws that require the DMV commissioner to adopt safety standards by regulation, and instead requires people to operate vehicles with equipment that meets federal safety standards. Specifically, it requires the following to meet federal safety standards instead of DMV regulation: (1) braking systems in vehicles with a gross weight of over 10,000 pounds, (2) tires on motor vehicles and trailers, and (3) motorcycle helmets for motorcycle operators and passengers under the age of 18 ([PA 14-187](#), effective July 1, 2014).

### ***Fines for Harming a Vulnerable User of a Public Way***

This act creates a separate violation for a motorist travelling on a road who fails to exercise reasonable care and seriously injures or causes the death of

a vulnerable user (e.g., pedestrians, highway workers, cyclists), provided that the vulnerable user was exercising reasonable care in using the road. Any motorist who commits such a violation must be fined up to \$1,000 ([PA 14-31](#), effective October 1, 2014).

### ***Statute of Limitations for Prosecuting a Motor Vehicle Violation That Results in Death***

This act eliminates the statute of limitations for prosecuting motor vehicle violations and offenses involving another's death when the offender causes the death while operating a motor vehicle and flees the scene ([PA 14-185](#), effective October 1, 2014).

## **MOTOR VEHICLE DEALERS AND REPAIRERS**

### ***Guaranteed Motor Vehicles***

The act requires that, for the sale of guaranteed motor vehicles, the order and invoice include the phrase "this motor vehicle is guaranteed" followed by the guarantee's terms. This act requires that these terms include the (1) duration of the guarantee or (2) number of miles the guarantee remains in effect ([PA 14-187](#), effective July 1, 2014).

### ***Inspections of Emergency Medical Services (EMS) Vehicles***

The act allows inspections of EMS vehicles to be performed by state or municipal employees or DMV-licensed motor vehicle repairers or dealers who are qualified under federal regulations.

Prior law required the Department of Public Health to conduct these inspections. The act specifies that these inspections must be conducted in accordance with federal regulations. It also requires a record of each inspection to be made according to such regulations ([PA 14-231](#), effective October 1, 2014).

### ***Refusing to Issue or Renew a Dealer or Repairer License Because of Delinquent Sales Taxes***

This act prohibits DMV, after notice and a hearing, from granting or renewing a motor vehicle dealer or repairer license to a licensee or applicant the Department of Revenue Services (DRS) reports is delinquent in paying sales taxes ([PA 14-130, § 15](#), effective July 1, 2014).

### ***Restricting the Use of Dealer and Repairer Surety Bonds***

By law, new and used car dealers, repairers, and certain motor vehicle rental firms must furnish a cash or surety bond as indemnity against any loss incurred because they (1) committed an act that constitutes grounds for license suspension or revocation or (2) went out of business. This act restricts the use of these bonds to losses incurred by a dealer's, repairer's, or rental firm's customers, rather than anyone so injured by the dealer, repairer, or rental firm. It explicitly excludes from those entitled to such indemnification any (1) person, firm, or corporation that finances a

licensed dealer's motor vehicle inventory and (2) licensed dealer who, in his or her capacity as a dealer, buys motor vehicles from, or sells motor vehicles to, another licensed dealer ([PA 14-130, § 14](#), effective July 1, 2014).

### ***Sales Orders and Invoices to Include Dealer Information***

Under this act, sales orders and invoices for the sale of motor vehicles must include the dealer's legal name, address, and license number, in addition to other information the law already requires ([PA 14-130, § 17](#), effective July 1, 2014).

### ***Same-Day Production of Dealer and Repairer Records***

This act allows motor vehicle repairers to keep their records electronically, as the law already allows licensed motor vehicle dealers to do. It requires dealers and repairers that store records electronically to produce such records at DMV's request on the same business day DMV requests them. Prior law allowed dealers three days to produce such records ([PA 14-130, § 16](#), effective July 1, 2014).

## **MOVING COMPANIES**

This new law adds an applicant's criminal history and financial stability to the factors DOT must consider when deciding whether to issue a certificate of public convenience and necessity allowing the applicant to operate a moving company. It eliminates, as such a factor, the public need for the service ([PA 14-68](#), effective July 1, 2014).

## **PUBLIC TRANSIT**

### ***Expanding Police Reporting Requirements***

This law requires police to report to DMV, within 48 hours, the arrest on (1) felony charges or (2) a charge of fourth-degree sexual assault of anyone whose driver's license permits him or her to transport members of the public, including school children (e.g., bus driver, taxi driver, or livery service driver). Prior law required police to report such arrests only for drivers who transported school children ([PA 14-130, § 8](#), effective June 6, 2014).

### ***Fare Inspectors and Theft of Public Bus Services***

This act authorizes fare inspectors to (1) inspect documents that prove an individual has paid the appropriate bus fare and (2) issue citations to someone who deliberately rides a state-owned or controlled public bus without paying. Under prior law, intentionally obtaining any bus service without payment was considered larceny and was punishable by fines and imprisonment. For state-owned and controlled buses, this act reduces the offense to an infraction, for which the penalty is a fine, usually set by Superior Court judges, of \$35 to \$90 plus surcharges and payable by mail ([PA 14-199, §§ 1 - 4](#), effective October 1, 2014).

### ***Hartford-New Britain Busway***

This act requires the DOT commissioner, in implementing the Hartford-New Britain busway, to ensure

that all Hartford streets intersecting with the busway are equipped with sufficient signage, gates, traffic lights, and other equipment in order to (1) keep such streets open to vehicles and pedestrians for at least 20 hours per day and (2) allow trains to safely cross the streets at any time ([PA 14-98, § 31 & 96](#), effective July 1, 2014).

## **RAILROADS**

### ***Commercial Rail Freight Line Competitive Grants***

This act increases by \$10 million, from \$7.5 million to \$17.5 million, the existing bond authorization for DOT's commercial rail freight line competitive grant program. It also expands the range of eligible projects for which the DOT commissioner must give preference to include those (1) furthering DOT's Connecticut State Rail Plan goals and objectives and (2) increasing the capacity of the state's freight rail infrastructure ([PA 14-98, § 98](#), effective July 1, 2014).

### ***Wayside Horns***

This act allows for a wayside horn (a stationary horn located at an at-grade railroad crossing) to be used at an at-grade crossing instead of a horn attached to a train, provided that the crossing is equipped with an active warning system that includes lights and gates ([PA 14-199, § 17](#), effective upon passage).

## **SCHOOL BUSES AND STUDENT TRANSPORTATION VEHICLES (STV)**

### ***Assigning DMV Inspectors to Inspect School Buses***

Under this new act, the DMV commissioner must assign as many motor vehicle inspectors as she finds necessary to (1) inspect school buses and STVs, (2) investigate (a) accidents involving these vehicles and (b) complaints against school bus and STV owners and drivers, and (3) coordinate various school bus safety programs ([PA 14-130, § 26](#), effective June 6, 2014).

### ***Removing "Carrying School Children" Signs Optional***

This act allows, but does not require, STVs or other vehicles to remove "carrying school children" signs when such vehicle is not being used to transport school children ([PA 14-130, § 28](#), July 1, 2014).

## **SHIPPING**

### ***Connecticut Port Authority***

A new act creates a Connecticut Port Authority to coordinate the development and marketing of state ports, including the three deep water ports of Bridgeport, New Haven, and New London. At the same time, it creates a Port Authority Working Group to make recommendations to the Department of Economic and Community Development (DECD) on the port authority's powers and duties.

It requires the DECD commissioner, after consulting with specified agencies, and within available appropriations, to (1) develop a plan to move the Connecticut Maritime Commission and DOT's maritime functions to the authority and (2) review and make recommendations for state policies affecting the ports ([PA 14-222](#), effective upon passage, except the provisions on the port authority are effective October 1, 2015).

## **TAXIS AND LIVERY VEHICLES**

### ***Background Checks for Interstate Livery Companies***

By law, any person, limited liability company, or corporation authorized by the Federal Highway Administration to operate a motor vehicle for charter and special operation must register with DOT for interstate operation.

This act requires such operators to undergo a state and national criminal history records check and provide the results to DOT prior to registration ([PA 14-199, § 16](#), effective upon passage).

### ***Study of Mobile Apps for Taxi and Livery Service***

DOT is required under this act to study the regulation of for-hire transportation services, including a review of how emerging technologies (e.g., mobile applications like Uber and Lyft) fit into the regulatory scheme. DOT's final report is due February 1, 2015 ([PA 14-199, § 19](#), effective upon passage).

## ***Taxis Cannot Be More Than 10 Years Old***

This law bars DMV from registering a motor vehicle as a taxi if it is more than 10 model years old. Any validly registered taxi that is older than 10 model years old during its registration period may continue as a taxi until its two-year registration expires ([PA 14-130, §1](#), effective June 6, 2014).

## **TRANSPORTATION OF GOODS AND MATERIALS**

### ***Fracking Waste***

This act establishes at least a three-year moratorium on, among other things, the transfer of hydraulic fracturing ("fracking") waste between vehicles or modes of transportation and the sale, manufacture, and distribution of deicing and dust suppression products derived from or containing these wastes until the Department of Energy and Environmental Protection (DEEP) adopts regulations and certain licensing and information disclosure requirements. DEEP is required to submit these regulations to the Regulations Review Committee between June 30, 2017 and July 1, 2018 ([PA 14-200](#), effective July 1, 2014).

### ***Seeds***

By law, no person may transport for sale within Connecticut any agricultural or vegetable seed unless (1) a germination test was performed and (2) it meets certain labeling, purity, and weed-seed requirements. This act

extends these restrictions to flower seed and tree or shrub seeds ([PA 14-223, § 3](#), effective October 1, 2014).

## **TRUCKS AND TRUCKING**

### ***CDL Driver History and CDL Partial-Year Fee***

This act eliminates (1) a requirement that a person seeking a first renewal of a CDL provide DMV with the names of the states in which he or she has held a driver's license and (2) the partial-year fee for CDLs ([PA 14-130, § 12](#), October 1, 2014).

### ***Commercial Driver's Instruction Permit Requirements***

This new act prohibits DMV from administering a CDL road test unless an applicant has held a commercial driver's instruction permit for at least 14 days. It requires a holder of such permit who did not obtain a CDL before his or her permit expired to retake (1) the CDL written test and (2) any applicable license endorsement written tests ([PA 14-130, §10](#) effective July 1, 2015).

### ***Conforming State CDL Law on Fraud to Federal Regulations***

The act conforms state law to federal CDL regulations regarding fraud and false information by requiring DMV to deny, or disqualify for 60 days, a CDL or CDL instruction permit if it finds the holder gave false information on any certification he or she provided concerning the permit or license application. It also specifies a process

for notifying and retesting an individual that DMV suspects of fraud ([PA 14-130, § 11](#), effective October 1, 2014).

## **WRECKERS AND TOWING**

### ***New Requirements for Police and Garages on Vehicles Towed from Private Property***

This act requires the police, within 48 hours of receiving notice from a wrecker that towed a motor vehicle from private property, to determine if the vehicle was stolen. It also requires the wrecker or storage garage owner to notify the vehicle's owner and lien holders of the tow by certified mail. Also under the act, garage and/or wrecker owners have more flexibility in obtaining liens, allowing them to obtain liens for their towing charges, storage charges, or both ([PA 14-130, §§ 21-22](#), effective July 1, 2014).

### ***Requiring Additional Information on Tows***

This new act requires a wrecker owner to (1) record the registration number of each wrecker used to tow or transport a vehicle and (2) note the wrecker's mileage at the start and end of the tow, rather than the total miles traveled during the tow. It also requires dealers that operate a wrecking service to produce records on the same business day DMV asks for them ([PA 14-130, § 19](#), effective October 1, 2014).

## **MISCELLANEOUS**

### ***Brewery, Winery, and Agricultural Highway Signs***

Under this act, signs bearing directions to farms and facilities related to agricultural tourism, Connecticut-made wine, and Connecticut-made beer may be erected and maintained within 300 feet of state highways with DOT's approval ([PA 14-199, §§ 12-14](#), effective upon passage).

### ***DMV's Delinquent Property Tax Enforcement Program***

By law, DMV is required to administer a program that prevents individuals with delinquent motor vehicle or snowmobile property taxes from registering a motor vehicle, snowmobile, all-terrain vehicle, or vessel. Prior law required municipalities participating in this program to (1) notify DMV when a taxpayer was delinquent on his or her motor vehicle or snowmobile property taxes and (2) pay annually their proportionate share, based on population, of the cost to administer the program. The act eliminates the requirement that municipalities pay for this program, and requires municipalities to notify DMV monthly of delinquent property taxes ([PA 14-19](#), effective May 5, 2014).

### ***Eliminating Certain Requirements for New Driving License Instructors***

This new act eliminates the requirement that licensed driving instructors, in the three years after

getting their initial license, either (1) attend annual DMV-sponsored traffic safety seminars or (2) take a DMV-approved 45-hour instructor traffic safety course ([PA 14-130, § 20](#), effective July 1, 2014).

DMV commissioner to issue title certificates for these vehicles ([PA 14-130, § 24](#), October 1, 2014).

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### ***Issuing Information on Motor Fuels Tax on Gaseous Fuels***

This act requires the DRS commissioner to annually issue information about how he calculates the motor vehicle fuels tax on gaseous fuel (e.g., natural gas or propane). He must also include information on the conversion factor used to determine the liquid gallon equivalent, which must be consistent with applicable federal standards ([PA 14-155](#), effective upon passage).

### ***Study of Access to Rentschler Field***

Under this act, DOT is required to study challenges to enter and exit Rentschler Field in East Hartford that may result from the state-certified industrial reinvestment project at Pratt and Whitney headquarters authorized in the Aerospace Reinvestment Act ([PA 14-2](#)). The final report is due January 1, 2015 ([PA 14-199, § 18](#), effective upon passage).

### ***Title Not Required for Vehicles More Than 20 Years Old***

This act exempts owners of motor vehicles more than 20 model years old from the need to get a title certificate and allows, but does not require, the