



Acts Affecting Transportation

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Notice to Readers

This report provides highlights of new laws affecting transportation enacted during the 2018 regular legislative session. In each summary, we indicate the public act (PA) or special act (SA) number.

Not all provisions of the acts are included here. Complete summaries of all 2018 public acts are available, or will be soon, on OLR's webpage: <https://www.cga.ct.gov/olr/olrpassums.asp>. Readers are encouraged to obtain the full text 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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Airports

Airport Concessions

A new law allows the Connecticut Airport Authority (CAA), rather than the state, to enter into agreements with lessees or concessionaires regarding the hours for selling, dispensing, and allowing food or nonalcoholic beverages to be consumed under airport restaurant, airport bar, or airport airline club permits ([PA 18-66](#), effective upon passage).

Extended Hours for Alcohol Service in Airport Lounges

The legislature extended the hours during which an airport airline club permittee may sell and dispense alcohol for on-premises consumption, allowing them to do so (1) three hours earlier Monday through Saturday, starting at 6:00 a.m. instead of 9:00 a.m., and (2) four hours earlier on Sunday, starting at 6:00 a.m. instead of 10:00 a.m. ([PA 18-66](#), effective upon passage).

Fire Marshals and Police Officers on CAA-Controlled Property

A new law allows the administrative services commissioner to delegate to any CAA employee certain powers to administer fire prevention and safety statutes on CAA-controlled property. It similarly allows the emergency services and public protection commissioner to commission, upon CAA's application, one or more persons to serve as sworn police officers with arrest powers on property, business, and airplanes owned or controlled by the authority ([PA 18-142](#), effective upon passage).

Automobile Insurance

Electronic Proof of Automobile Insurance

A new law allows a person to present an automobile insurance identification card electronically on a cell phone or other electronic device, instead of in paper form, to law enforcement officers and the Department of Motor Vehicles (DMV) commissioner. Officers and the commissioner cannot view any other content on the device. The act exempts the state, a municipality, and state and local agencies or employees from liability for any damage to a device handed over to display an electronic automobile insurance identification card ([PA 18-108](#), effective October 1, 2018).

Notice of Automobile Insurance Policy Additions to DMV

Under a new law, the DMV commissioner may require automobile insurers to notify him of any policies they add each preceding month. (Existing law already allows him to do so for policy cancellations.) The notice must include the same information for policy additions as existing law requires for cancellations (i.e., the insured's name, policy number, vehicle identification number, and effective date) ([PA 18-164](#), § 13, effective October 1, 2018).

Bicycling and Other Wheeled Activities

Expanded Helmet Requirements

A new law expands the activities during which children under age 16 must wear protective headgear to include skateboarding, non-motorized scootering, roller skating, and in-line skating. Under prior law, helmets were required only while riding a bicycle. The new law also requires children to wear helmets during such activities in public parks ([PA 18-167](#), § 12, effective October 1, 2018).

Regulation of Electric Bicycles (E-bikes)

A new law classifies e-bikes into three categories and generally gives e-bike riders the same rights, privileges, and duties as existing law provides for regular bicycle riders. It also requires manufacturers of e-bikes sold in the state to comply with specific requirements, such as ensuring e-bikes conform to relevant federal regulations. Under the new law, e-bikes must have operable foot pedals and a motor with a maximum power of 749 watts ([PA 18-165](#), effective October 1, 2018).

Department of Transportation (DOT) Administration

Encroachment Permit Fees

Prior to November 2017, the DOT commissioner had the general authority to set reasonable fees for state highway right-of-way encroachment permits. The FY 18-19 budget act (PA 17-2, § 673) limited this authority, allowing him to charge only for encroachment permits for an open air theater, shopping center, or other development generating large volumes of traffic.

This session, the legislature reinstated the DOT commissioner's general authority to set encroachment permit fees, restoring his ability to charge for all other state highway right-of-way encroachment permit applications ([PA 18-167](#), § 2, effective October 1, 2018).

Express Findings

A new law eliminates requirements that the DOT commissioner, before exercising his public transportation-related powers, make certain express findings on a range of subjects, including the operation and acquisition of transportation facilities ([PA 18-167](#), §§ 3, 9, & 16, effective October 1, 2018).

Service of Process in Eminent Domain-Related Proceedings

A new law allows the DOT commissioner to serve process to the designated agent of a person who has an interest of record in land involved in an eminent domain-related proceeding. By law, the commissioner must give notice of the assessed damages to each person who has an interest of record in the land ([PA 18-62](#), effective October 1, 2018).

Driver's Licenses, Registrations, and Certificates of Title

Increased Convenience Fee for Contractors Processing DMV Transactions

By law, the DMV commissioner may authorize contractors (e.g., AAA) or municipalities to process specified transactions, such as driver's license and registration renewals. A new law increases, from \$5 to \$8, the maximum convenience fee that any authorized entity may charge to process these transactions ([PA 18-164](#), § 23, effective July 1, 2018).

Increased Penalty for Improper Use of Driver's Licenses and Vehicle Registrations

The legislature increased, from \$100 to \$500, the maximum fine for (1) using another person's vehicle registration or driver's license or (2) using a vehicle registration on a vehicle other than the one for which it was issued ([PA 18-164](#), § 27, effective October 1, 2018).

Registration Cancellations

A new law (1) eliminates requirements to return license plates and other specified documents to DMV when a motor vehicle is transferred or its registration expires or is not renewed and (2) authorizes the DMV commissioner to establish procedures for cancelling such registrations.

It also makes a corresponding change to the procedure for obtaining second-year registration refunds, requiring registrants to request a refund after canceling a registration one year or more before it expires. Under prior law, the refund occurred when a registrant returned his or her license plates and registration certificate with one year or more remaining on the registration ([PA 18-164](#), §§ 3, 4, & 25, effective July 1, 2018).

“Save Our Lakes” License Plate

A new law requires the DMV commissioner to issue, beginning January 1, 2020, “Save Our Lakes” commemorative license plates to enhance public awareness of efforts to protect the state's lakes and ponds from aquatic invasive species and cyanobacteria (e.g., blue-green algae) blooms. The commissioner must adopt regulations establishing, among other things, a fee for the plates that is in addition to the regular fees for registering a motor vehicle. Fees collected must be deposited into the Connecticut lakes and ponds preservation account, which the act creates ([PA 18-101](#), effective October 1, 2018).

Timeframe for Mailing Registration Renewal Notices

The legislature changed the deadline by which DMV must send registration renewal applications to registrants, requiring DMV to do so at least 30 days, rather than at least 45 days, before a registration expires ([PA 18-164](#), § 21, effective July 1, 2018).

Transportation-Related Benefits for Veterans with Certain Qualifying Conditions

A new law extends certain transportation-related benefits to veterans who (1) were discharged under conditions other than dishonorable or for bad conduct and (2) have a qualifying condition. Under the new law, a “qualifying condition” means a diagnosis of post-traumatic stress disorder or traumatic brain injury made by, or a military sexual trauma experience disclosed to, an individual licensed to provide care at a U.S. Department of Veterans Affairs facility.

The benefits extended include (1) veterans status on their driver’s license and identity card and (2) a motor vehicle license and registration fee exemption for one licensing period if the veteran was a legal resident of Connecticut at the time of his or her induction and applies within two years following the date of separation ([PA 18-47](#), §§ 16-18, effective October 1, 2018). By law, these benefits are already provided to those who were honorably discharged.

Driving Under the Influence (DUI)

Ignition Interlock Devices (IID) for Indigent Offenders

A new law allows IID service providers to reduce or eliminate charges for IID installation, maintenance, removal, or other services that they provide to eligible indigent offenders, regardless of any law requiring offenders to bear such costs. The law applies to indigent offenders who must use an IID as a result of a DUI conviction or other specified offense ([PA 18-30](#), effective October 1, 2018).

License Revocation Reversal or Reduction

A new law changes the requirements that a person whose license has been revoked for DUI three or more times within 10 years must meet in order to have the revocation reversed or reduced. The changes include specifying that the required education and treatment program must have been completed after the person's most recent alcohol- or drug-related offense ([PA 18-164](#), § 10, effective July 1, 2018).

Highway Safety

Increased Surcharge for Certain Moving Violations

The legislature increased, from \$15 to \$20, the surcharge paid, in addition to a fine, by people who violate specified motor vehicle laws and regulations, such as speeding and reckless driving. By law, the state must remit this fee to the municipalities in which the violations occur ([PA 18-164](#), § 24, effective October 1, 2018).

Operator Retraining Program Fee Increase

The legislature increased, from \$60 to \$85, the maximum fee for the operator's retraining program. Currently, DMV requires drivers with multiple moving violations or certain speeding violations to complete the program. The fee is paid to the private vendors who provide the program ([PA 18-164](#), § 22, effective July 1, 2018).

Penalty for Causing an Accident while Tailgating

By law, failing to drive a reasonable distance apart from another vehicle ("tailgating") is an infraction. Under a new law, if a person causes an accident while tailgating, he or she is instead subject to a fine ranging from \$100 to \$200 ([PA 18-164](#), § 29, effective October 1, 2018).

Reports of Fatal Accidents

A new law requires the police or other investigators of fatal motor vehicle accidents to refer the case to the state's attorney in the district where the accident took place if they are unable to determine the accident's cause. It also allows the state's attorney to refer the matter to the State Police for review and further investigation. For fatal accidents, this new law also requires the accident report to include, if possible and practicable, a conclusion as to the accident's cause ([PA 18-3](#), effective October 1, 2018).

Motor Vehicle Dealers and Repairers

Documents for Vehicle Resale

A new law modifies the documents dealers must complete before reselling a vehicle, requiring them to, among other things, complete as the buyer (1) the certificate of title from the owner or lienholder or (2) a statement that the title is lost or destroyed ([PA 18-164](#), § 17, effective July 1, 2018).

Electronic Records

A new law (1) imposes a penalty on dealers and repairers who fail to produce electronic records upon DMV's request, making it an infraction, and (2) allows repairers that operate wrecker services to maintain records electronically ([PA 18-164](#), §§ 7 & 9, effective July 1, 2018).

Timeframe for Submitting Vehicle Registration and Title Documents

A new law increases, from five to 10 days, the timeframe within which certain entities that electronically file applications for motor vehicle registrations and title certificates with DMV must subsequently submit the applications and related documents to DMV. It applies to motor vehicle dealers, rental or leasing companies, and registration services ([PA 18-164](#), §§ 1, 2, 6, & 8, effective July 1, 2018).

Ports, Harbors, and Vessels

Bond Funding for Dredging

The bond act authorizes up to \$25 million in general obligation (GO) bonds for the Office of Policy and Management to provide grants for dredging and navigational improvements ([PA 18-178](#), § 9, effective July 1, 2018).

Connecticut Port Authority (CPA) Powers

A new law expands the powers of the CPA, authorizing it to, among other things, (1) enter into joint ventures to form businesses to advance the authority's purposes; (2) charge fees for its services; and (3) provide loans, grants, and other forms of financial assistance. By law, the CPA is a quasi-public agency charged with marketing and developing the state's ports and maritime economy ([PA 18-163](#), § 1, effective October 1, 2018).

Dyed Diesel Fuel Used for Marine Purposes

A new law establishes conditions under which (1) dyed diesel fuel sold to marine fuel dock owners or operators exclusively for marine purposes is exempt from the motor vehicle fuels tax and (2) marine fuel dock owners and operators may purchase and sell such tax-exempt fuel. Federal law exempts diesel fuel used for certain non-highway purposes (including marine purposes) from federal fuel taxes and requires exempt diesel fuel to be dyed red so it can be identified ([PA 18-81](#), §§ 64 & 65, effective July 1, 2018; the exemption is applicable to sales occurring on or after July 1, 2018).

Pilotage Exemption for Recreational Vessels

A new law exempts recreational vessels that are less than 200 feet long from the state's pilotage requirement, which generally mandates that vessels entering or departing from a state port or crossing the Long Island Sound take on board a Connecticut- or New York-licensed marine pilot to help navigate in or out of port ([PA 18-163](#), § 2, effective October 1, 2018).

Sales and Use Tax on Vessels, Vessel Motors, and Trailers Used to Transport Vessels

A new law reduces, from 6.35% to 2.99%, the sales and use tax on vessels (i.e., boats), vessel motors, and trailers used for transporting vessels ([PA 18-81](#), §§ 62-63, effective July 1, 2018, and applicable to sales occurring on or after July 1, 2018).

Public Transportation

Aggravated Assault of a Public Transit Employee

A new law creates a specific class C felony offense with a maximum fine of \$20,000 for aggravated assault of a public transit employee. Under the new law, such aggravated assault is committed when a person assaults a public transit employee, as provided in CGS § 53a-167c, and in doing so uses, is armed with and threatens to use, or displays or represents by words or conduct that he or she has a knife, box-cutter, or firearm ([PA 18-167](#), § 11, effective October 1, 2018).

Smoking at Bus and Rail Platform Shelters

A new law expands the list of areas where smoking is prohibited to include bus shelters and partially-enclosed shelters on rail platforms that are owned and operated or leased and operated by the state or a local government. The new law does not apply to e-cigarettes. Under existing law, smoking in prohibited areas is an infraction ([PA 18-167](#), § 7, effective October 1, 2018).

Task Force on Transportation for Persons with Disabilities, Seniors, and Veterans

A new law establishes a 13-member task force to study issues with publicly-funded transportation for individuals with disabilities, older adults, and veterans. The study must include, among other things, (1) the services and discounts currently available, (2) current and anticipated transportation needs, and (3) ways Connecticut can provide more cost-effective, efficient, and reliable transportation. The task force must report its findings and recommendations to the Aging, Human Services, Transportation, and Veterans' Affairs committees by January 1, 2019 ([SA 18-3](#), effective upon passage).

School Bus Carriers and Drivers

Fingerprinting School Bus Endorsement Applicants

By law, a person must submit to a fingerprint-based criminal history records check before he or she may be issued a license endorsement to drive a school bus (i.e., an "S" endorsement). A new law specifies that S endorsement applicants' fingerprints may be captured electronically or by other means approved by the Department of Emergency Services and Public Protection (DESPP) ([PA 18-164](#), § 26, effective July 1, 2018)

School Bus Driver Training for Allergic Reactions

The legislature passed a law that requires school transportation carriers to train all school bus drivers in how to handle serious food allergy reactions. The training must include instruction on identifying anaphylaxis symptoms and administering epinephrine by a cartridge injector ("EpiPen"). The new law also extends the "Good Samaritan" law's protections to cover school bus drivers rendering certain emergency first aid in response to a student's allergic reaction ([PA 18-185](#), § 3, effective July 1, 2018).

Suspended Bus Driver Report Check

A new law requires that school bus carriers check the DMV's suspended bus driver report once during each of the first and third weeks of each month, rather than twice per month. It also requires carriers to prohibit any employee who appears on the list from driving a school bus immediately after reviewing the report, rather than within 48 hours of doing so ([PA 18-164](#), § 12, effective July 1, 2018).

Transportation Funding and Finance

Bonds for Transportation Projects

The bond act caps at \$750 million the total amount of special tax obligation (STO) bonds that the treasurer may issue for transportation projects in each of FY 19 and FY 20. The act also authorizes up to \$250 million in GO bonds for transportation projects in each of calendar years 2018 and 2019 and exempts bonds issued under such authorization from the statutory bond caps ([PA 18-178](#), §§ 41 to 44, effective July 1, 2018).

Lapse of Certain Town Aid Road Funds

Beginning June 30, 2018, a new law effectively eliminates a DOT account that was available to towns to defray the cost of repairing damage to roads, bridges, and dams caused by a natural disaster. The law transfers the current balance of that account (\$871,792) to the state's Special Transportation Fund (STF) ([PA 18-167](#), § 1, effective upon passage).

Short-Term Stabilization of the STF

Prior to the 2018 session, the governor and transportation commissioner announced that the STF was facing an operating deficit in FY 19 and insolvency in FY 20 if no changes were made to STF revenue or expenditures. The governor and commissioner had proposed numerous measures to address this shortfall, including transit fare hikes and services cuts that were set to take effect July 1, 2018. By adjusting STF appropriations for FY 19 and accelerating the transfer of motor vehicle sales tax revenue to the STF, the legislature stabilized the STF in the short term, avoiding the fare hikes and service cuts ([PA 18-81](#), §§ 2, 62 & 63, effective July 1, 2018).

Trucking

Pilot Program for Transporting Certain Housing Structures

A new law requires DOT to establish a one-year pilot program to allow vehicles to transport motor homes, modular homes, house trailers, and certain sectional houses on limited access highways (other than I-95) during daylight hours, from 10 A.M. to 2 P.M. on Mondays through Thursdays ([PA 18-167](#), § 10, effective upon passage).

“Superload” Study

The legislature passed a law requiring DOT, DMV, and the State Police to study the transport of larger oversized loads (i.e., “superloads”) in the state and report their findings to the Transportation Committee by January 1, 2019. The study must include, among other things, an examination of other northeastern states’ requirements for transporting superloads and recommendations for revising state laws to make them consistent with such states ([PA 18-164](#), § 28, effective upon passage).

Miscellaneous

Autonomous Vehicle (AV) Task Force

A new law makes several changes related to the AV task force, including (1) requiring a Transportation Committee chairperson to call the task force’s first meeting if a chairperson has not been selected and (2) extending its reporting deadlines by one year to July 1, 2019, for the interim report and January 1, 2020, for the final report ([PA 18-167](#), § 8, effective upon passage).

Information on Taxable Vehicles Registered Out-of-State

The legislature eliminated a process through which local tax assessors could receive from DMV certain identifying information about taxable motor vehicles registered out-of-state in order to add such vehicles to a municipality’s grand list ([PA 18-164](#), § 14, effective upon passage). The process was initially established in the FY 18-19 budget act (PA 17-2, June Special Session, § 556).

Prohibition on Private Property Owners Issuing Parking Tickets

A new law prohibits private property owners and lessees from issuing parking tickets to owners of vehicles parked on their property. Violators face (1) a \$50 fine for a first offense and (2) for subsequent offenses, a \$50 to \$100 fine, up to 30 days in prison, or both. Private property owners and lessees are still permitted to tow or render immovable (i.e., “boot”) unauthorized vehicles left on their property ([PA 18-164](#), § 15, effective October 1, 2018).

Service of Civil Process

Existing law allows for service of process (i.e., the initiation of a civil action) on the DMV commissioner under certain circumstances in cases involving licensed drivers or owners of registered vehicles who cannot be located for in-person service, regardless of their last known address. A new law additionally allows such service for cases involving unlicensed drivers or owners of unregistered vehicles, provided the driver or owner had a last known address in Connecticut.

Any service under the new law may be made using existing law's process for cases involving licensed drivers or owners of registered vehicles who allegedly caused injury to another person or his or her property and cannot be served at the driver's or owner's last address on file with DMV ([PA 18-56](#), effective October 1, 2018).

Stamford Transportation Center Improvement District

A new law provides a process through which voters in a specified section of Stamford may establish a "Transportation Center Improvement District." Among other things, it allows the district to (1) plan, construct, maintain, and finance transportation, utility, and other infrastructure improvements; (2) levy assessments and taxes on property benefitting from the improvements; and (3) issue up to \$250 million in bonds, subject to specified conditions and requirements ([SA 18-9](#), effective upon passage).

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