



## Acts Affecting Transportation

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## Notice to Readers

This report provides summaries of new laws (public acts and special acts) significantly affecting transportation enacted during the 2019 regular session. OLR's other Acts Affecting reports are, or will soon be, available on OLR's website: <https://www.cga.ct.gov/olr/actsaffecting.asp>.

Each summary indicates the public act (PA) or special act (SA) number. Not all provisions of the acts are included. The report does not include vetoed acts unless the veto was overridden.

Complete summaries of public acts are, or will soon be, available on OLR's website:

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

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## **Airports**

### ***Connecticut Airport Authority (CAA) Nonbudgeted Expenditures***

The legislature increased, from \$500,000 to \$1 million, the maximum amount of nonbudgeted expenditures the CAA board may authorize the executive director to make, without its prior approval, in certain emergency situations ([PA 19-123](#), § 1, effective upon passage).

### ***Connecticut Airport and Aviation Account***

A new law transfers the authority to spend funds in the Connecticut airport and aviation account from the transportation commissioner to the CAA executive director. By law, spending from the account requires approval from the Office of Policy and Management (OPM) secretary ([PA 19-123](#), § 2, effective upon passage).

## **Autonomous Vehicles (AVs)**

### ***AV Pilot Program***

A new law eliminates the requirement that, under OPM's AV pilot program, people be seated in the driver's seat while testing an AV and instead requires that they be physically inside the AV. It continues to require these operators to monitor the AV's operation when testing it and be capable of taking immediate manual control of it. Additionally, the act extends by 18 months, from January 1, 2019, to July 1, 2020, the OPM secretary's initial deadline for reporting to the legislature on the program's progress ([PA 19-119](#), § 17, effective upon passage).

### ***AV Task Force***

The legislature made several changes related to the AV task force, including (1) authorizing any Transportation Committee chairperson to schedule task force meetings, as he or she deems necessary, and act as the task force chairperson until its members elect a chairperson from its members and (2) extending, by one year, the deadlines for the task force's reports ([PA 19-119](#), § 18, effective upon passage).

## **Boating**

### ***Annual Aquatic Invasive Species Fee***

A new law establishes an aquatic invasive species (AIS) fee and requires owners of registered vessels (i.e., generally, any type of watercraft except a seaplane) to pay it annually to the Department of Motor Vehicles (DMV) when they pay any required vessel registration fee. The annual AIS fee is \$5 for in-state vessels and \$20 for out-of-state vessels. DMV must deposit all AIS

fee proceeds into the Connecticut lakes, rivers, and ponds preservation account ([PA 19-190](#), most provisions are effective January 1, 2020).

### ***Reduced Sales and Use Tax on Dyed Diesel Fuel***

The legislature reduced, from 6.35% to 2.99%, the sales and use tax rate applicable to dyed diesel fuel that is sold by a marine fuel dock exclusively for marine purposes or stored, accepted, or otherwise used for these purposes. By law, dyed diesel fuel is exempt from the motor fuels tax and the petroleum products gross earnings tax ([PA 19-117](#), §§ 323 & 324, effective October 1, 2019, and applicable to sales occurring on or after that date).

## **Department of Transportation (DOT) Operation**

### ***DOT Land Inventory to Site Renewable Facilities***

A new law requires DOT to submit to the Department of Energy and Environmental Protection (DEEP) an inventory of DOT-owned land suitable to site Class I renewable energy sources (e.g., wind and solar). DEEP must conduct a technical, legal, and financial analysis of the land considering various factors. The act also allows DEEP to give preference to projects sited on land included on the inventory in solicitations it issues for renewable energy procurements ([PA 19-35](#), § 8, effective upon passage).

### ***Green Lights on Maintenance Vehicles***

A new law allows DOT-owned and -operated maintenance vehicles to use green steady or flashing lights in addition to, or instead of, the yellow or amber steady or flashing lights that they may already use under existing law ([PA 19-161](#), § 10, effective October 1, 2019).

### ***New Haven Property***

A new law requires DOT to (1) submit to the Transportation Committee an inventory of all land in New Haven that is under its control in connection with the I-95 New Haven Harbor Crossing Corridor Improvement Program and (2) indicate when it intends to return the land to New Haven control ([PA 19-161](#), § 12, effective upon passage).

### ***Rest Areas***

The biennial budget appropriates \$1.16 million each in FYs 20 and 21 to DOT to operate the state's rest areas for 24 hours per day. The state has seven rest areas: Danbury, Middletown, North Stonington, Southington, Wallingford, and two in Willington. Prior to this change, they were open

daily from 8:30 a.m. to 3:30 p.m. for restroom use; portable restrooms were available outside of these hours ([PA 19-117](#), effective July 1, 2019).

### ***Wayfinding Signage***

A new law requires the DOT commissioner to study wayfinding signage, including signs on limited access highways indicating food and fuel services in the state. The study must examine the standards for or regulation of advertising local businesses on such signage. By February 1, 2020, the commissioner must report his findings and recommended changes to the standards and regulations to the Commerce and Transportation committees ([PA 19-178](#), effective upon passage).

## **Driver's Licenses, Registrations, and Certificates of Title**

### ***Compliance Notice in Lieu of Renewal Application***

Under prior law, DMV had to send renewal applications to all motor vehicle registrants at least 30 days before their registrations expired. Under a new law, DMV may send a notice instead of an application to registrants who must resolve compliance issues, such as outstanding motor vehicle property taxes or DMV fines or fees, before their registration may be renewed. The notice must detail the outstanding compliance issues and state that the registrant's registration will not be renewed until the issues are resolved or the fees or fines are paid in full ([PA 19-119](#), § 1, effective July 1, 2019).

### ***Document Envelope for Individuals with Autism Spectrum Disorder***

A new law requires the DMV, in consultation with the Connecticut Police Chiefs Association and at least one autism spectrum disorder advocacy organization, to design blue envelopes that (1) hold a driver's license, registration, and insurance card and (2) provide guidance on enhancing effective communication between police officers and people with autism spectrum disorder. Beginning January 1, 2020, the DMV commissioner must provide an envelope upon request to a person with autism spectrum disorder or such person's parent or guardian, if the person is a minor ([PA 19-161](#), § 39, effective upon passage).

### ***Extended Driver's License, Identity Card, and Vehicle Registration Renewal Periods***

The legislature extended the maximum renewal periods of (1) driver's licenses and identity cards, from six years to eight years, and (2) most vehicle registrations, from two years to three years. Fees for these extended renewal periods are generally proportionate to their respective six-year and two-year fees. The act also proportionally adjusts other registration-related fees to account for the

extended renewal period options, including the Clean Air Act and Passport to the Parks fees ([PA 19-165](#), effective January 1, 2020).

## ***Motor Vehicle Operator's License Medical Advisory Board***

### ***Nominations***

By law, the Motor Vehicle Operator's License Medical Advisory Board advises the DMV commissioner on the medical aspects and concerns of licensing motor vehicle operators. A new law removes the requirement that the DMV commissioner's board appointments be made from a list of nominees submitted by the Connecticut State Medical Society, Connecticut Association of Optometrists, and certain other professional medical organizations. It instead allows those organizations to submit nominations for the commissioner's consideration ([PA 19-119](#), § 10, effective July 1, 2019).

## ***Out-of-State Registration Task Force***

A new law establishes a 12-member task force to study compliance with the state's motor vehicle registration laws and ways to prevent Connecticut residents from registering motor vehicles out-of-state. The task force must submit a report with its findings and recommendations to the Transportation Committee by January 1, 2020 ([PA 19-119](#), § 14, effective upon passage).

## **Electric Vehicles**

### ***Connecticut Hydrogen and Electric Automobile Purchase Rebate Program***

A new law establishes the Connecticut Hydrogen and Electric Automobile Purchase Rebate (CHEAPR) program to provide rebates of at least \$3 million annually to state residents for the purchase or lease of new or used hydrogen or electric vehicles. It also increases and broadens the application of the greenhouse gas reduction fee to generate a revenue stream to fund the program ([PA 19-117](#), §§ 94 & 95, the CHEAPR program provisions are effective October 1, 2019, and the greenhouse gas reduction fee changes are effective January 1, 2020).

### ***Parking at Electric Vehicle Charging Stations***

Existing law prohibits non-electric vehicles from parking in parking spots with electric vehicle charging stations. This session, the legislature made it an infraction to violate this prohibition ([PA 19-161](#), § 9, effective October 1, 2019).



## ***Zero-Emission Vehicles in State Fleet***

Starting January 1, 2030, a new law generally requires that at least 50% of the state fleet's cars and light duty trucks and at least 30% of its buses be zero-emission vehicles. It exempts certain vehicles used for law enforcement or emergency response purposes from this requirement ([PA 19-117](#), § 93, effective October 1, 2019).

## **Highway Traffic Safety**

### ***Civil Damages for Traffic Violations***

By law, in civil actions to recover damages due to personal injury, wrongful death, or property damage that result from certain motor vehicle violations, the jury or judge may award double or triple damages if (1) the defendant committed the violation with deliberate or reckless disregard and (2) the violation was a substantial factor in causing the injury, death, or property damage for which the plaintiff is seeking damages. A new law adds using a cell phone or other mobile electronic device while driving to the list of motor vehicle violations for which double to triple damages may be awarded in certain circumstances ([PA 19-160](#), effective July 1, 2019, and applicable to all civil actions pending on, or filed on or after, that date).

### ***Crossing Railroad Tracks***

Existing law prohibits people from crossing railroad tracks when warned of an approaching railroad locomotive, car, or train. A new law additionally prohibits a person from crossing railroad tracks when warned of other equipment on the tracks. A violation is an infraction ([PA 19-119](#), § 13, effective October 1, 2019).

### ***E-Scooter Regulation***

The legislature established a regulatory framework for electric foot scooters ("e-scooters"), generally granting e-scooter riders the same rights, privileges, and duties that apply to bicycle and electric bicycle ("e-bike") riders. As with bicycles and e-bikes, municipalities are generally allowed to regulate e-scooters, as long as the regulations do not conflict with state law ([PA 19-162](#), effective October 1, 2019).

### ***Ignition Interlock Devices***

Existing law prohibits a person required by a court order, the DMV commissioner, or any law that requires the use of an ignition interlock device (IID) from, among other things, driving a vehicle that does not have a functioning IID or that the court has ordered the person not to operate. A new law specifies that a person who is required to install an IID as a condition for reinstating a license, but

who fails to do so and drives, is guilty of operating under a suspension that resulted from an alcohol-related offense ([PA 19-119](#), § 8, effective October 1, 2019).

### ***Increased Penalties for Illegal Racing***

The legislature increased the penalties for driving a motor vehicle on a public road for purposes of betting, racing, or making a speed record. Under prior law, a first offense was punishable by a fine of \$75 to \$600, up to one year in prison, or both; any subsequent offense was punishable by a fine of \$100 to \$1,000, up to one year in prison, or both. Instead, under the act, the minimum fine is \$150 for a first offense and \$300 for any subsequent offense and the DMV commissioner must require violators to attend an operator's retraining program ([PA 19-53](#), effective October 1, 2019).

### ***Increased Penalties for Negligent Homicide with a Motor Vehicle***

The legislature increased the maximum fine and prison sentence for causing someone else's death through the negligent operation of a motor vehicle. Under prior law, such negligent operation of a (1) motor vehicle, other than a commercial vehicle, was punishable by a fine of up to \$1,000, up to six months in prison, or both or (2) commercial motor vehicle was punishable by a fine of up to \$2,500, up to six months in prison, or both. Under the act, such negligent operation of any motor vehicle is punishable by a fine of up to \$3,500, up to three years in prison, or both ([PA 19-53](#), effective October 1, 2019).

### ***Operation Lifesaver***

A new law makes changes to the Operation Lifesaver program, including (1) requiring that DOT, instead of the Operation Lifesaver committee, administer it; (2) revising the committee's membership; and (3) allowing the commissioner to enter into a contract with a nonprofit to administer the program. By law, the program is designed to increase public awareness of at-grade railroad crossing hazards ([PA 19-161](#), § 1, effective upon passage).

### ***Vulnerable User Law Expansion***

The legislature expanded the state's vulnerable user law to cover instances when a driver causes "substantial bodily harm," meaning bodily injury that (1) involves a temporary but substantial disfigurement, (2) causes a temporary but substantial loss or impairment of a body part's or organ's function, or (3) causes the fracture of any body part. By law, a driver who fails to exercise reasonable care and harms a vulnerable user (e.g., a pedestrian, bicyclist, or highway worker) faces a penalty of up to \$1,000 ([PA 19-162](#), § 18, effective October 1, 2019).

## **Motor Vehicle Dealers and Repairers**

### ***Vehicle Trade-in Fee***

A new law increases the motor vehicle trade-in fee from \$35 to \$100. By law, the DMV commissioner must charge new and used car dealers this fee on each used motor vehicle they accept as a trade-in when selling a new or used vehicle ([PA 19-117](#), § 361, effective October 1, 2019, and applicable to transactions occurring on or after that date).

Another new law specifies that dealers are not prohibited from seeking payment for the vehicle trade-in fee ([PA 19-161](#), § 36, effective October 1, 2019).

## **Parking**

### ***Accessible Parking Penalties***

A new law restricts the use of the cross hatches next to parking reserved for people with disabilities (i.e., accessible parking) to motor vehicles that (1) display a state-issued license plate or windshield placard and (2) are operated by or carry as a passenger the person for whom the plate or placard was issued. The act also raises the fines for violating existing accessible parking laws, from \$100 to \$250 for a first violation and from \$250 to \$500 for a subsequent violation, and subjects people who unlawfully use the cross hatches next to such parking to the same penalties ([PA 19-119](#), §§ 11 & 12, effective October 1, 2019).

### ***Accessible Parking Placards for Parents of Children with Disabilities***

The law allows a parent or guardian of a child (under age 18) with a disability to apply for an accessible parking windshield placard, on the child's behalf. New legislation specifies that DMV must issue a placard to each parent or guardian who applies, except that no more than two placards may be issued on behalf of an eligible child ([PA 19-161](#), § 37, effective October 1, 2019).

### ***Parking Tickets by Independent Higher Education Institutions and Private High Schools***

A new law allows independent higher education institutions and private high schools to issue parking citations that impose monetary sanctions on owners of vehicles parked on their property. Prior law prohibited all private property owners and lessees, or their agents, from issuing these parking citations ([PA 19-140](#), effective upon passage).

## **Public Transportation**

### ***Commuter Rail Parking Garage Plan***

A new law requires the DOT commissioner to submit to the Transportation Committee by January 1, 2021, a plan to modernize the parking garages at commuter rail stations in Bridgeport, New Haven, and Stamford. The plan must address, among other things, (1) traffic flow inside the garages, (2) access to other transportation modes at the garages, (3) pedestrian access and safety, and (4) the incorporation of new technology at the garages ([PA 19-161](#), § 8, effective upon passage).

### ***Municipal Redevelopment Authority***

A new law establishes a quasi-public Municipal Redevelopment Authority (MRDA) to, among other things, develop property and manage facilities in the areas around transit stations and downtowns (i.e., “development districts”) in order to stimulate economic and transit-oriented development. It requires certain municipalities to be members of MRDA and allows others to join under certain conditions. MRDA’s powers include purchasing property; hiring consultants, attorneys, and appraisers; entering into contracts; employing staff; and issuing bonds ([PA 19-117](#), §§ 212-227, effective October 1, 2019).

### ***Positive Train Control Status Reports***

Under a new law, DOT must submit quarterly reports, beginning by August 15, 2019, to the Transportation Committee on the progress made to implement positive train control (PTC) systems on passenger rail lines. Generally, PTC systems are technologies designed to automatically stop a train before certain accidents related to human error occur. Under federal law, PTC systems had to be installed on all passenger rail lines by December 31, 2018; rail lines that qualified for an alternative schedule, including Metro North, must fulfill the requirement as soon as possible, but no later than December 31, 2020 ([PA 19-161](#), § 13, effective upon passage).

## **School Bus Carriers and Drivers**

### ***Cell Phone Use by School Bus Drivers***

By law, school bus drivers, while driving a bus carrying passengers, are prohibited from using a cell phone or other electronic device, including those with hands-free accessories, except to communicate with school officials, first responders, or other specified individuals in an emergency. A new law additionally allows these drivers to use a cell phone or mobile electronic device in the same manner as a two-way radio to communicate with the above listed individuals in any circumstance, including in nonemergency situations ([PA 19-119](#), § 15, effective October 1, 2019).

## ***Suspended and Revoked Driver Report and Carrier Compliance***

Under existing law, DMV must periodically provide to school districts and school bus companies (i.e., carriers) a report listing the names and driver's license numbers of each public passenger endorsement holder whose license or endorsement has been suspended or revoked. Carriers must review DMV's report at least once during the first week and third week of each month.

A new law eliminates the requirement that DMV ensure that each carrier is reviewing the report by, among other things, conducting random compliance audits. It instead requires carriers to register with DMV on and after October 1, 2019, and provide the name of the employee or agent responsible for checking the report. Carriers that fail to register as required face a civil penalty of \$1,000 for a first violation and \$2,500 for a subsequent violation ([PA 19-119](#), §§ 6 & 7, effective July 1, 2019).

## **Transportation Funding and Finance**

### ***Motor Vehicle Sales and Use Tax Diversion***

The legislature modified the schedule for diverting motor vehicle sales and use tax revenue to the Special Transportation Fund (STF) by reducing the transfer from (1) 33% to 17% in FY 20 and (2) 56% to 25% in FY 21. The required diversions remain the same for FY 22 (75%) and FY 23 (100%) ([PA 19-117](#), §§ 317 & 318, effective July 1, 2019, and applicable to sales occurring on or after that date).

## **Transportation Network Companies (TNCs)**

### ***Illuminated TNC Decal Placement***

A new law requires that any illuminated vehicle decals used by TNC (e.g., Uber & Lyft) drivers be displayed on the passenger side of the vehicle. By law, TNC drivers must display a sufficiently large, TNC-issued decal that is reflective, illuminated, or otherwise visible in darkness ([PA 19-161](#), § 11, effective October 1, 2019).

### ***TNC Driver License Requirements***

Under a new law, anyone authorized as a TNC driver in Connecticut who does not hold an in-state driver's license must hold a driver's license from a "reciprocal state," rather than any state as prior law required. A reciprocal state is any state that allows Connecticut driver's license holders to act as a TNC driver in their state ([PA 19-161](#), § 3, effective October 1, 2019).

## ***TNC Fee Increase***

As part of the budget, the legislature increased, from 25 cents to 30 cents, the fee TNCs must pay on each ride that originates in the state. TNCs must remit this fee on a quarterly basis to the Department of Revenue Services ([PA 19-117](#), § 360, effective July 1, 2019).

## **Trucking**

### ***Commercial Vehicle Services Study***

A new law requires the DMV and Department of Administrative Services commissioners to jointly study the current system used to evaluate motor carriers providing, or seeking to provide, the state or a municipality with commercial motor vehicles services and make recommendations on making the system more efficient. By January 1, 2020, the commissioners must submit a report with the study results to the Transportation Committee ([PA 19-119](#), § 16, effective upon passage).

### ***Display of International Registration Plan Documents***

A new law allows motor carriers to present certain International Registration Plan (IRP) documents on a cell phone or other electronic device in conformance with a recent amendment to the IRP. The IRP is an interstate compact under which states recognize the registration of commercial motor vehicles registered in other jurisdictions and receive apportioned registration fees based on the distance operated in member jurisdictions ([PA 19-119](#), §§ 3 & 4, effective July 1, 2019).

## **Miscellaneous**

### ***Motor Vehicle Inspectors as Peace Officers***

A new law expands the definition of “peace officer” to include DMV motor vehicle inspectors who have received Police Officer Standards and Training Council (POST) certification. Under prior law, POST-certified motor vehicle inspectors had many, but not all, of the powers and protections afforded to peace officers. Among other things, the peace officer designation gives these inspectors the authority to obtain a motor vehicle’s event data recorder under a search warrant ([PA 19-108](#), effective October 1, 2019).

### ***Multiuse Trail Study***

A new law requires DOT, in consultation with DEEP and the Lower Connecticut River Valley Council of Government, to (1) identify a feasible route for a multiuse trail to connect the Arrigoni Bridge in Middletown to the Farmington Canal Trail in Cheshire via the commuter rail station in Meriden, (2) recommend phases for constructing the trail and estimate the cost of each phase, and (3) summarize public comments on the study or trail route ([PA 19-161](#), § 4, effective upon passage).

## ***Use of Blue and Red Steady Lights***

Under a new law, the use of a steady blue or red illuminated light, visible from the front of a vehicle, is limited to a state or local police vehicle operated by a police officer or DMV inspector. By law, unchanged by the act, vehicles operated by certain individuals under specified circumstances may use flashing blue or red lights (e.g., volunteer firefighters, EMS organization members, or police officers responding to an emergency) ([PA 19-161](#), § 10, effective October 1, 2019).

## ***Welcome Centers***

The biennial budget appropriates \$655,090 each in FYs 20 and 21 to the Department of Economic and Community Development to staff the state's welcome centers, including reopening the one in Westbrook. The state has six welcome centers: Danbury, Darien, Greenwich, North Stonington, Westbrook, and Willington ([PA 19-117](#), effective July 1, 2019).

Additionally, new legislation also requires that within available appropriations, (1) restroom facilities at the state's welcome centers be open 24 hours per day and (2) welcome center signage indicate the hours when the centers are open ([PA 19-178](#), effective upon passage).