

HB 5202

PA 762

1971

Transportation 402, 425

House 3018, 5883-5885

Senate 2894-2896

**JOINT
STANDING
COMMITTEE
HEARINGS**

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Rep. Pugliese(continued): towns would have to pay in order to remove these vehicles, getting them hauled away. We have done this on a two day period in town, the police removed vehicles, by request, and we were able to remove something like 40 or 50 vehicles. So I think that something along this line is worthwhile.

The other bill that I would like to touch on, briefly, is H. B. 5202, this concerns maximum noise levels of motor vehicles operating on streets and highways. We have heard another bill at a previous hearing, on this. There is also another bill that was mentioned, that will be coming up next week, on the same subject, and the concern here is that something be done to regulate noise levels on the highways. And, I think that any of us that have sponsored these bills, are willing that the best possible bill that can come out of the Committee; should be brought to the Senate and House to be passed. The difference between the bill I am submitting and the other two, is that this bill does not establish the noise levels, as the others do. But leaves this up to the discretion of the Commissioner of Motor Vehicles, on advice from the Health Commissioner. And, the only reason I did this, rather than establish the levels, is that I felt that their discretionary power might be of some value, in that there may be a slight difference in decibel ratings that could be applied on the major highways where they run through open countries and something lesser in the cities. Whether this is a valid point, I am sure that the Committee will take up. Thank you.

Chairman O'Dea: Thank you, sir. Is there anyone else to speak in favor of snowmobiles? Any snowmobile bill?

Judge Henry Gwiazda: I am appearing here, individually and as Director of The Connecticut Snowmobile Association, authorized to speak for 500 members, including individuals and clubs. We are the authors of the bill 1151, which I am happy to say in listening to the comments of the Representatives, is the most comprehensive study - piece of Legislation which can be submitted on a newly arrived recreational activity - on which people have difficulty in finding how to regulate control. We, as snowmobilers, have taken it upon ourselves to study this; to study the activity; the equipment; and then compile this law. In answer to a member of this Committee's question; we have based our organization entirely upon that of Boating Commission, which exists in this state. We have placed this activity, instead of in the Motor Vehicle Dept., into the proper Department, where it belongs, namely, Agriculture, under control of Parks and Forests, where most of this activity takes place.

We have gone to the trouble, not only to regulate and control and administrate; but we believe in policing our own activities. To give you an illustration; it is most difficult for a property owner to identify the present snowmobile activity which is contrary to his wishes, and to his property rights. Because he cannot identify that vehicle, only as a "yellow snowmobile". The

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Mr. Knotek: This would be up to the people, I believe. If they feel like having this plate on their car, they could buy them at the flea market and bring them to the Motor Vehicle Dept. and have them approved.

Rep. Miller: And they would qualify in the same respect as antique markers? Right? So, you would still be allowed the \$100 assessment that we just passed the other day? Thank you.

Chairman O'Dea: Anyone else in favor of the bill? Anyone opposed?

Lt. Michael Griffin: The State Police Dept. would like to go on record as being opposed to 8051. If passed, we understand this law would allow people to obtain and display marker plates that were issued or replicas of plates that were issued on the date of the manufacture of the vehicle. From the stand point of enforcement, we feel these would present a problem. At the present time the standard Connecticut passenger motor vehicle plate is limited to a white numerals and letters on a blue background. The addition of many different colored plates for the so-called classic vehicle, would make it difficult to identify these vehicles, at a quick glance. And identification is one of the primary reasons for having a registration plate in the first place.

Rep. McHugh: You wouldn't have to have a "quick" glance at these vehicles, they're not going that fast.

Lt. Griffin: Some of the 25 year old cars, sir, look pretty modern, like a '46 Chevy. And many times we are called on to look for a vehicle to deliver a message - perhaps a illness, to make a phone call home or something of that nature. And if someone says a 1914 Connecticut marker - some of fellows might become confused looking for a 1914 marker.

Chairman O'Dea: Any other opposition to the bill? The hearing is closed on 8051.
The next bill is 8053 (Rep. Dooley) AN ACT CONCERNING THE ESTABLISHMENT OF A BRANCH OF THE MOTOR VEHICLE DEPARTMENT IN VERNON. Rep. Dooley has already spoken on this bill. Is there anyone else in favor? Anyone opposed? The hearing is closed on 8053.

Now we have H. B. 8506 (Rep. O'Dea) AN ACT CONCERNING REFLECTORIZED LICENSE PLATES. This is also 6603. Is there anyone to speak on either of these bills? Any opposition?

Mr. Edward Carroll: The present life expectancy of marker plates is in excess of ten years. The expectancy of reflectorized plates would be about five years. The cost to replace all plates would be \$2,750,000. Thank you.

Chairman O'Dea: Anyone else opposed to the bills? The hearing is closed on 8506 and 6603.
The next bill is 5202 (Rep. Pugliese, Rep. Fox) AN ACT CONCERNING

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MAXIMUM NOISE LEVELS OF MOTOR VEHICLES OPERATED ON STREETS AND HIGHWAYS. Rep. Morano has already spoken on the subject. Anyone else want to speak in favor of this bill? Anyone opposed to the bill? The hearing is closed on 5202.

H. B. 5387 (Rep. Oliver) AN ACT CONCERNING MOTOR VEHICLE POLLUTION. Anyone in favor? Anyone opposed? The hearing is closed.

H. B. 5680 (Rep. Palmieri, Rep. Scully, Rep. Colucci, Rep. Begg, Rep. McNellis) AN ACT CONCERNING BUS STOPS. Anyone in favor of this bill? Just a statement of purpose. Anyone opposed?

Atty. Frank Healy: I am an Attorney from Waterbury representing the Connecticut Motor Stage Association. I think that there is adequate authority at the present time for locating bus stops and there is no need for putting this additional authority or burden on the town authorities to renew them all.

Chairman O'Dea: Anyone else opposed to the bill? The hearing is closed on 5680.

The next is H. B. 6081 (Rep. Nevas) AN ACT CONCERNING THE INTRASTATE TRAVEL ON INTERSTATE BUSES. Anyone in favor?

Mr. Fred Huntington: I happen to be the sponsor of the bill and the author and I do recommend it to be changed, now that I have heard the objections of the Connecticut Company. I think that the intent of the bill, which is to make it easier for passengers to travel between the big cities of Connecticut can be served either by raising the limitations to 25 miles or by having the PUC rewrite the intrastate restrictions. The point I want to make is, that while we have local bus service, the average speed is such, that it is not feasible to take it a distance greater than 25 miles. In fact, I haven't heard of anyone doing it regularly, therefore, I feel that the higher "lower" limit, there will be no competition against the Conn. Com., C. R. and L., Short Line, or any of the other local bus operators. It might even benefit them by getting more people to use the busses. I want to say I would ultimately like to see what you have in California, with Greyhound between San Diego and Los Angeles. Where you have the Greyhound serving - not city-bus type - but nearby communities about 20 miles. Then you have express service about every 40 miles; and you have non-stop. With three distinct markings on the timetable, make it very easy to transfer. I think that it should be coordinated with the railroad, as well. In order to maximize the amount of people that can use public transportation at no greater time-length than it would take to drive the same distance or reasonably so. And I apologize for speaking out of turn on the other issues.

Chairman O'Dea: Thank you, sir. Anyone else in favor of the bill?

Mr. Peter Lostocco: I am appearing here on behalf of the Public Utilities Commission, neither for or against the bill. I would just

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Connecticut Board of Examiners of Midwives and the Transfer of its Powers, File No. 986; Calendar No. 0942, substitute for H.B. No. 5202, An Act Concerning the Establishment of Maximum Noise Levels to Control Noise Generated by Vehicles, File No. 982; Calendar No. 0944, substitute for H.B. No. 5874. An Act Concerning Medical Treatment for Injured Workers, File No. 998; Calendar No. 0947, substitute for H.B. No. 6613, An Act Concerning Savings Bank Time Deposits, File No. 1002; Calendar No. 0949, substitute for H.B. No. 7428, An Act Concerning Cost-of-Living Adjustments to Beneficiaries Entitled to Workmen's Compensation Death Benefits, File No. 1015; Calendar No. 0969, substitute for S.B. No. 0464, An Act Concerning the Merger or Consolidation of State Banks and Trust Companies, File No. 709; Calendar No. 0970, Substitute for S.B. No. 1311, An Act Concerning the Reversion of Estate to Spouse, File No. 807; Calendar No. 0972, substitute for S.B. No. 1681, An Act Concerning Prosecution of Traffic Violations on Grounds of the University of Connecticut, File No. 809.

Mr. Speaker, if there's no objection to any of these bills, I move now for the acceptance of the committees' report and passage.

THE DEPUTY SPEAKER:

You heard the motion. Is there objection under Rule 48 on the part of any individual member to any of the items contained in the motion being considered on consent at this time? Hearing no objection, all those in favor will indicate by saying aye. Opposed? The bills are PASSED.

MR. MAHANEY (92nd):

Mr. Speaker, at this time, due to an objection, on page 3, I'd like to move that Calendar No. 0971, the third matter on the Calendar, substitute for S.B. No. 1421, File No. 806, be removed from the Consent Calendar.

THE DEPUTY SPEAKER:

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In line 45, after the word "rate" strike out the words "of interest, ad not to" and insert a comma and the following: "provided the accrued interest on any such instalment shall be payable concurrently with each such installment".

Strike out lines 46 through 51 inclusive and in line 52, the word "its payment".

THE SPEAKER:

Question is on adoption of Senate Amendment Senate "A".

MR. PUGLIESE (33rd):

Mr. Speaker, I move adoption of Senate Amendment Schedule "A".

THE SPEAKER:

Will you remark?

MR. PUGLIESE (33rd):

It's a technical amendment, Mr. Speaker, just wording, won't affect the bill.

THE SPEAKER:

Further remarks on Senate "A"? If not, all those in favor indicate by saying aye. Opposed. Amendment "A" is ADOPTED.

MR. PUGLIESE (33rd):

I move adoption of the bill.

THE SPEAKER:

Question is on acceptance and passage as amended by Senate Amendment Schedule "A". Will you remark? Will you remark further? If not, all those in favor indicate by saying aye. Opposed? The bill is PASSED.

THE CLERK:

Calendar No. 942, substitute for H.B. No. 5202, An Act Concerning The Establishment of Maximum Noise Levels to Control Noise Generated by Vehicles, as amended by Senate Amendment Schedule "A".

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MR. MORANO (151st):

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Mr. Speaker, I move the acceptance of the Joint Committee's favorable report and passage of the bill as amended by Senate Amendment "A".

THE SPEAKER:

Question is on acceptance and passage as amended by Senate "A". Will the Clerk call Senate "A"?

THE CLERK:

Senate Amendment Schedule "A" adopted by the Senate on June 4th.

In line 2, after the word "vehicle" delete the balance of the line and lines 3,4,5, and 6 and substitute in lieu thereof: "as defined in section 14-1, subdivision 26 of the 1969 supplement to the general statutes".

MR. MORANO (151st):

Mr. Speaker, Senate Amendment "A" defines a motor vehicle under the highway use tax as any vehicle propelled or drawn by anything except muscle power. This bill would allow the Commissioner of Motor Vehicles, with the advise of the Commissioner of Health to establish by regulation the maximum decibel level which shall not exceed 90 decibel levels for noises emitted by vehicles and the procedure for checking such decibel level. Now, we've all talked about water pollution, air pollution, now we're talking about noise pollution. Mr. Speaker, I yield to the gentleman from the 33rd.

THE SPEAKER:

Question is still on Senate "A". Further remarks?

MR. PUGLIESE (33rd):

Mr. Speaker, I would only add that we're moving into the area of noise control on our highways. The amendment to the bill merely eliminates some of the things that should be done on the local level as we gain a little

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experience in this type of a bill. I would urge its adoption.

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THE SPEAKER:

Further remarks on Senate "A"?

MR. MORANO (151st):

Mr. Speaker, I move passage of Senate Amendment "A".

THE SPEAKER:

Further remarks on Senate "A"? If not, all those in favor indicate by saying aye. Opposed? Senate "A" is ADOPTED.

MR. MORANO (151st):

Mr. Speaker, I believe the amendment has described the bill and I move passage of the bill as amended by Senate Amendment "A".

THE SPEAKER:

Further remarks? If not, all those in favor indicate by saying aye. Opposed? The bill as amended is PASSED.

THE CLERK:

Page 30, Calendar 1111, substitute for H. B. No. 5160, An Act Concerning Membership of State Ambulance Commission, as amended by Senate Amendment Schedule "A".

MR. HANNON (16th):

Mr. Speaker, I move acceptance of the Joint Committee's favorable report and passage of the bill in concurrence with the Senate.

THE SPEAKER:

Will you remark?

MR. HANNON (16th):

Yes, Mr. Speaker. I move adoption of Senate Amendment Schedule "A".

THE SPEAKER:

Would the gentleman outline Senate "A"?

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THE CHAIR:

Question is on passage of the bill. Will you remark further?

SENATOR IVES:

Mr. President, I rise to oppose this bill. The Bond Commission is the part of the Executive Department and I must oppose it on the basis of adding legislative members. But, if we were to add legislative members, I can see no justification for adding the Vice Chairman of the House Committee. If you were going to add them, it should have been the chairman, ranking minority member and the Senate Chairman and the ranking minority member. And I don't understand the concession to a second house member being added.

SENATOR CUTILLO:

Mr. President, I'd like to make note that, the separation of the Executive Branch and Legislative Branch has been brought to my attention. There has been no test case in this instance, of the country, to jeopardize the position of this bill. The vice chairman in answer to the honorable Minority Leader, is, a member in standing an Executive part of the Finance Committee and therefore, we felt he does belong and should belong on this particular committee. I move its passage.

THE CHAIR:

Will you remark further? If not, all those in favor of passage of the bill signify by saying, "aye". Opposed, "nay". The bill is passed.

THE CLERK:

CAL. NO. 841. File No. 982. Favorable report of the joint committee on Transportation. Substitute House Bill 5202. An Act Concerning the Establishment of Maximum Noise Levels to Control Noise Generated by Vehicles.

SENATOR MONDANI:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill. The clerk has an amendment.

THE CLERK:

SENATE AMENDMENT SCHEDULE, A, offered by Senator Mondani:

In line 2, after the word vehicle delete the balance of the line and lines 3,4,5 and 6 and substitute in lieu thereof as defined in section 14-1 subdivision (26) of the 1969 supplement to the General Statutes.

SENATOR MONDANI:

I move adoption of the amendment. This removes items that are not really motor vehicles, from this law. Inasmuch, as the Commissioner of Motor Vehicle is required under the act, to carry out the law and draw up the regulation. I would urge adoption of the amendment since the items such as, lawn mowers, snow blowers etc, would just make the act unworkable to that format.

THE CHAIR:

Question is on the adoption of the amendment. Will you remark further? If not, all those in favor of adoption of the amendment signify by saying, "aye". Opposed, "nay". The amendment is adopted.

SENATOR MONDANI:

Mr. President, I move adoption of the bill, as amended by Senate Amendment A. This bill would prohibit the operation of any vehicle which makes noise in excess of those established by a Commissioner of Motor Vehicle. He has under this act, power to make regulations that wouldn't exceed 90 decibels at the a scale. The a scale measures sound levels by putting more value on high frequency. Those sounds which effect human beings the most. I think that this bill goes a long way to reduce noise on the

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highways and the communities and I urge its adoption.

THE CHAIR:

Question is on passage of the bill, as amended. Will you remark further? If not, all those in favor of passage signify by saying, "aye". Opposed, "nay". The ayes have it. The bill is passed.

THE CLERK:

CAL. NO. 944. File 872. Favorable report of the Senate Committee on Appropriations. Substitute House Bill 5260. An Act Concerning the Administration of the State Welfare Law to Conform to Federal Requirements.

SENATOR HOULEY:

Mr. President, I move acceptance of the Senate Committee's favorable report and passage of the bill. I believe there's an amendment, Mr. President.

SENATOR CIARLONE:

Mr. President, I move adoption of the amendment.

THE CLERK:

SENATE AMENDMENT A, offered by Senator Ciarlone:

In line 43, after the word regulations: and before the semicolon insert a bracket.

In line 53, after the word therefore, delete the bracket.

In line 58, after the word dependent, delete the bracket.

In line 65, delte the brackets and the number 2

In line 71, after the word program and before the period insert a bracket

In line 108, after the word passage and before the period insert the following: except that section 1 of this act shall take effect January 1, 1972.

SENATOR CIARLONE: