

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-775		5561	9	1	1
<u>Committee Pages:</u> <ul style="list-style-type: none"> • <i>Transportation</i> 346-347 • <i>Transportation</i> 349-350 • <i>Transportation</i> 362 • <i>Transportation</i> 366-370 				<u>House Pages:</u> <ul style="list-style-type: none"> • 5066(<i>consent</i>) 	<u>Senate Pages:</u> <ul style="list-style-type: none"> • 3402(<i>Consent</i>)

H-118

**CONNECTICUT
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HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
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Saturday, June 5, 1971

11

Page 16, calendar 1169, house Bill 7903, file 1284.

Calendar 1170, substitute for House Bill 7959, file 1292.

Calendar 1171, substitute for House Bill 8228, file 1294.

Page 17, Calendar 1217, substitute for House Bill 7686,
file 1349.

Page 18, Calendar 1234, House Bill 6837, file 1353.

Calendar 1242, substitute for House Bill 6448, file 1377.

Calendar 1245, Substitute for House Bill 7974, file 1382.

Page 19, Calendar 1263, substitute for House Bill 5561,
file 1431.

Calendar 1273, substitute for House Bill 5247, file 1429.

Calendar 1274, substitute for House Bill 6512, file 1428.

Page 20, Calendar 1299, House Bill 5147, file 1437.

Page 21, Calendar 1308, substitute for House Bill 5895,
file 1463.

Calendar 1311, substitute for House Bill 5953, file 1445.

Calendar 1312, substitute for House Bill 6123, file 1468.

Calendar 1316, substitute for House Bill 6292, file 1456.

Page 22, Calendar 1322, substitute for House Bill 6447,
file 1497.

Calendar 1324, House Bill 6525, file 1475.

Page 24, Calendar 1379, substitute for House Bill 9229,
file 1576.

Page 25, Calendar 1383, substitute for House Bill 7744,
file 1573.

Page 28, Calendar 1422, substitute for Senate Bill 240,

S-82
CONNECTICUT
GENERAL ASSEMBLY

SENATE

PROCEEDINGS
1971

VOL. 14
PART 7
2874-3413

June 9, 1971

Page 73

File 1608; Cal. 1365, House Bill 5578, File 1444; Cal. 1366, House Bill 5697
File 666; Cal. 1367, House Bill 5824, File 775; Cal. 1369, House Bill 6180,
File 1580; Cal. 1371, House Bill 6687, File 1290; Cal. 1372, House Bill 6731
File 1469; Cal. 1373, House Bill 6842, File 1659; Cal. 1375, House Bill 7031
File 588; Cal. 1376, House Bill 7237, File 1629; Cal. 1377, House Bill 7493
File 1623; Cal. 1379, House Bill 7907, File 1446; Cal. 1380, House Bill 7960;
File 1306; Cal. 1381, House Bill 8093, File 1663; Cal. 1383, House Bill 8170
File 1621; Cal. 1386, House Bill 9220, File 1635; Cal. 1387, House Bill 9252,
File 1672; Cal. 1389, House Bill 5154, File 913; Cal. 1390, House Bill 5286,
File 1271; Cal. 1392, House Bill 5661, File 919; Cal. 1394, House Bill 6380
File 1386; Cal. 1395, House Bill 6908, File 1442; Cal. 1396, House Bill 6914
File 1388; Cal. 1397, House Bill 7438, File 890; Cal. 1398, House Bill 7450
File 1198; Cal. 1399, House Bill 7889, File 1441; Cal. 1296, House Bill 5036
File 746; Cal. 1297, House Bill 5147, File 1437; Cal. 1298, House Bill 5157
File 1466; Cal. 1299, House Bill 5216; File 744; Cal. 1300, House Bill 5219
File 949; Cal. 1301, House Bill 5247, File 1429; Cal. 1303, House Bill 5561
File 1431; Cal. 1304, House Bill 5577, File 1289; Cal. 1306, House Bill 5754
File 1554; Cal. 1308, House Bill 5918, File 937; Cal. 1309, House Bill 5953
File 1445; Cal. 1310, House Bill 5957, File 1563; Cal. 1311, House Bill 5958
File 1299; Cal. 1312, House Bill 6123, File 1468; Cal. 1313, House Bill 6292
File 1456; Cal. 1314, House Bill 6376, File 833; Cal. 1315, House Bill 6423
File 1458; Cal. 1316, House Bill 6470, File 923; Cal. 1317, House Bill 6512
File 1428; Cal. 1318, House Bill 6525, File 1475; Cal. 1319, House Bill 6547
File 1266; Cal. 1320, House Bill 6606, File 933; Cal. 1321, House Bill 6837
File 1353; Cal. 1322, House Bill 6682, File 1352; Cal. 1323, House Bill 6885
File 1348; Cal. 1324, House Bill 6939, File 1330; Cal. 1325, House Bill 6963

**JOINT
STANDING
COMMITTEE
HEARINGS**

TRANSPORTATION

**PART 2
338-674**

1971

WEDNESDAY

TRANSPORTATION

MARCH 24, 1971

has not yet happened, so there's a real gap between the theory of the rhetoric and the reality of what happening now, and that's particularly so with regard to bus transportation (Dictaphone failure)

Mr. Kannel: (Dictaphone failure) If I may Mr. Chairman present to you a substitute bill 5561 which adds the additional language to the effect that we accept all these responsibilities as subject to the requirement that they cannot be implemented until further funds are made available by the legislature. As I think your all aware of, we're meeting now before the Appropriations Committee with respect to our new budget and in constant with states financial requirements we ask for no additional funds, simply intend to carry out the various programs now under way. For this reason it just isn't the funding to take upon ourselves an additional program, but the principle should be established by recognizing the state and the town should have responsibilities to maintain these bridges as part of the highway system.

Rep. Holdsworth: Earl Holdsworth, 125th. Mr. Commissioner, I'm a little concerned here about towns being required to maintain a bridge over a railroad. I don't know of anything off hand, I'm thinking of the Norwalk - Danbury line where I'm sure there are many town roads which have bridges over them. This is an _____ fine line the costs that _____ are for the type of operation, I think would be very high and I'm just wondering, there are certain towns, certain areas, where the municipalities are going to be under a severe burden if this is passed. I don't know how many lines are still in operational as far as the Town of New Haven that closes down the line someplace. I don't know how many lines total there are but I know this particular line in the North of Danbury _____ line goes up through a lot of small towns, most of the towns, would be unduly low towns, don't you agree.

Mr. Kannel: I agree this would be an additional load on towns, for this reason, of course, in years we have had an allocation of highway funds to help towns bear this responsibility, perhaps the allocation might be reduced in light of that, I agree the towns have a continuing problem with education, a number of matters that's part of our state local problem, how do we carry these costs, but the fact is that the bridges are not being maintained, and we do have a serious and _____ , and how do we meet it.

Rep. Frate: Rep. Frate, Sam I presume that the department gets a priority list----.

Mr. Kannel: Yes, you certainly do, as a matter of fact, the men right here have all the details and I don't think you want them right now, but they have all the information available if needed as to those that are, safety comes first, of course, then following safety is the traffic hazard or whether the traffic tieup because of inadequacy in any of these bridges.

Rep. McHugh: Rep. McHugh of the 117th, Is it true that surfaces of bridges and state highways is now the responsibility of the state highway department?

Mr. Kannel: Some bridges that were built more recently, other bridges by

WEDNESDAY

TRANSPORTATION

MARCH 24, 1971

agreement the railroad maintains the undersection and the highway maintains the surface. There's a variation and something now all the new bridges over the turnpike, on the turnpike and so on, the entire bridge is maintained by the Highway Department. Not true in some instances, there's some bridges where there is divided responsibility. I say the railroad has responsibility for the sub-structure of the face of the bridge or the face of the steel structure of wood structure some of the old ones, the Highway maintains the surface, this would put it all on the highway, and many bridges should be replaced with adequate sides.

Rep. O'Dea: Thank you Mr. Kannel. S.B. 586, is anyone opposed? If there is no opposition to 586 we will close.

Mr. Squillacote: My name is Barry Squillacote, I'm Director of Public Works, in New Britain. We oppose this bill and I believe that the Commissioner Kannel put it very well, in addition to that some of our reasoning for objecting to this in New Britain they do have a lot of problems, not only with the bridges but with the grade crossings and with our utilities. If the railroad in addition to be granted to this request would turn over to the city of New Britain the free easement rights along the railroad and along their crossings in order that we may, put our utilities underground and resurface the road we don't mind fixing the road, if we were allowed to do it according to our standards. Also, the condition of the railroad rights of ways in that there quite deplorable as indicated pull lines along that we have no jurisdiction, if they were put to jurisdiction these rights and ways to the municipalities I'm sure the municipality wouldn't object.

Rep. O'Dea: Thank you Mr. Squillacote. Anyone else opposed to 586? The hearing is closed on this bill. We'll now hear 587, AN ACT CONCERNING CHANGE IN LOCATION OF HIGHWAYS CROSSED BY A RAILROAD. Anyone in favor?

Mr. Gill: My name is George E. Gill, I'm Assistant General Attorney for the Penn Central Transportation Company, Debtor. I appear in support of S.B. 587, S.B. No. 587 seeks to shift responsibility for the expense of any changes in the location of a highway passing over or under a railroad to the petitioning city or town. Under Section 16-110, entitled "Change in location of highways crossed by a railroad," a town, city or borough in which such highway is located may file a petition with the Public Utilities Commission seeking a change in such highway. The expense of any changes ordered can be apportioned between the railroad and the town, city or borough but in no case shall the town, city or borough bear expense in excess of one-half of such expense. The justification for the change in law sought by proposed S.B. No. 587 is the same as that we advance in support of the other bridge and crossing bills being considered by this committee today. Since our presentation concerning those bills is a matter of the record made before this committee today, it is requested that such presentation also be considered in your evaluation of the merits of this proposed bill. Basically the public derives the direct benefit from such changes and should, therefore, bear the expense. Improved highway bridges and highways under a railroad benefits that segment of the public utilizing vehicular modes of transport. The benefit, in the form of better highways resulting in the savings of travel time and wear and tear on vehicles, is great. However, such changes for the most part confer no direct benefit on railroad operation. Basic fairness, therefore, supports the argument that since

WEDNESDAY

TRANSPORTATION

MARCH 24, 1971

add one dollars more burdens on cities and towns. Your talking about bridges, your not talking about a \$5.00 bill, your talking half a million dollars and upward. Many towns this is disasterous they just can't carry the load. I fully respect the problems as laid out by Mr. Kannel, but I must make a strong plea for the citizens in the cities, we have many,many, other problems that are as serious, if not more so, that are crying for solution. I don't think that we can possibly add on another burden to the one source we have which is the property owner, and I strongly urge that this plea of mine be considered, all you Gentlemen live in cities and towns and I'm sure your well aware of the cost of maintaining schools, maintaining police services, fire services, and all the other things we've got to provide. We certainly can not take on another responsibility.

Rep. O'Dea: Thank you Mayor. Anyone else opposed to 587?

Mr. Woodcock: My name is J. M. Woodcock and I'm the first selectmen in Ridgefield, Connecticut and we oppose it but, for money only, only because of money. Our town is one of those fast growing towns, we grow from 8,000 to 18,000 between census 1960 to 1970, our new groth all seem to be young and prolific young people, as a result we're building two schools a year, we have a high school and a junior high under construction now, with two building committees planning two more schools, the schools rightly are getting our priority therefore, even every other department of our town has suffered from the schools and our highway department, it just seems difficult for us to take on any more responsibilites now, when our highway department at the present time isn't receiving enough money to do what I think is a good job. I hate to see anything more added on at the present time. Thank you very much.

Rep. O'Dea: Thank you Mr. Woodcock. Anyone else opposed to 587? The hearing is closed on this bill. We will now hear 588 AN ACT CONCERNING DAMAGES OR INJURIES BY MEANS OF DEFECTIVE ROADS AND BRIDGES. Anyone in favor?

Mr. Gill: Mr. Chairman, members of the committee, for the record my name is George Gill, I'm Assistant General Attorney, Penn Central Transportation Company, Debtor. I appear here today to support S.B. No. 588. The purpose of S.B. No. 588 is to place liability for injury to persons or property caused by a structure legally placed on a road by a railroad company on the party obligated to keep the road and/or structure in repair. Section 13a-149 of the Connecticut General Statutes presently covers such liability. That section, in part, provides "and, unless the injury has been caused by a structure legally placed on such road by a railroad company, it, and not the party bound to keep the road in repair, shall be liable therefore." The purpose of S.B. No. 588 is to eliminate the above quoted language from Section 13a-149. The effect of such elimination would be to remove the statutory liability imposed upon railroads concerning legally placed structures and shift it to the party bound to maintain and keep a structure in repair. This is in line with the stated purpose of H.B. No. 6335, and the other bridge and crossing bills we support here today, which propose to shift maintenance of bridges and crossings to the state or municipalities involved. Simply stated, S.B. No. 588, like those bills, 6335, 5561, 8363, 6323, 586, 587, would place the obligation with respect to a given structure or crossing upon the party deriving the primary benefit of such structures. In addition

WEDNESDAY

TRANSPORTATION

MARCH 24, 1971

to this statement I would point out to the committee that the existing law under Section 13a-149 is not all that clear in the first instance, there have been some cases which held the railroad liable for giving claim to injury and there have been some contrary decisions, the language when read in context with the entire section is thus vague and has thus given the courts problems in interpretation. For this reason we would also advocate that the present section 13a-149 be clarified. Thank you.

Rep. Holdsworth: Mr. Chairman, Earl Holdsworth, 125th. All the bills that are proposed by Penn Central, can you enlighten me and the committee as laws of this type in existing in other states?

Mr. Gill: There are, I think the presentation that Mr. Chapin will make in connection with one of these other bills will report to show what is the situation in many of the other states and he will refer specifically to them, with answer to your question, yes many of the other states have much more extensive participation by states or by towns, and the bridge repair maintenance and construction costs.

Rep. O'Dea: Thank you Mr. Gill. Anyone else in favor of 588? Anyone opposed? The hearing is closed on this bill, we will now hear 983, this bill is just a statement of purpose, to UTILIZE NEW USES OF RAILS AND RAILBEDS FOR INTERCITY TRAVEL. We have not received the bill yet. Mr. Kannel do you want to comment on it?

Mr. Kannel: I'm Samuel Kannel, Deputy Transportation Commissioner, Bureau of Rail and Motor Carriers Services. Of course, we're talking about a bill with just a title but, I'd like to say the title is indicative of what should be done and is being done. Rail and rail corridors are invaluable, if these rail corridors are lost or cut up used for other purposes it would be almost impossible to replace these corridors. For this reason its our policy under existing legislation, and we could use additional financial support this purpose, to buy up all available rail corridors when lines are abandoned. We have now under state control, the state parking force, has control of the line from Middletown to Saybrook, has a portion of the line from Willimantic to Putnam. We have reached agreement to buy the remaining portion of the line to Putnam to the Massachusetts border, and we're now negotiating with the railroad to buy the line from Manchester to Vernon, and from Vernon to Columbia. Thats a some 30 mile stretch. We have completed negotiations without great _____ with Connecticut Light and Power and the Hartford Electric Light Company with respect to three rights of way, from Portland, to Willimantic, from _____ and _____ and from Torrington to Winsted. The _____ will be utilities are to effect that titles of these lines would be conveyed to the states for \$1.00, and the state in return will give the utilities an easement to run their power lines subject to the requirements that at such time that the power lines have to be moved or relocated because of other uses of the corridors, such as reestablishment of rail or some other form of transportation or possibly a tube or some other pipe line whatever the transportation order may be. The state will then have the responsibility to pay the utilities for the cost or relocation of their lines, but basically we are obtaining

WEDNESDAY

TRANSPORTATION

MARCH 24, 1971

reasons I have advanced in connection with H.B. No. 5561 and H.B. No. 6335, we believe that the approach reflected in H.B. No. 5561 and H.B. No. 6335 is preferable and that H.B. No. 6335 is by far the most desirable. May I say at this time Gentlemen, that in relation to all of these bills the statement and position is, 5561 submitted by the Department of Transportation we are certainly in favor, however, the bill that we are proposing on this general matter is 6635 we would certainly prefer. So, I would like to make that clear at the outset, we certainly would most desire 6635, but we are certainly in favor of 5561. Briefly stated, the necessity of annual resort to the legislature is not conducive to long-range planning of needed programs, programs I might add which benefit the motoring public. While this type of bill would clearly afford sorely needed aid, it does not provide assurance of a positive long-term program of public support which is needed. I refer there to 5561, because of the dire financial straits of the railroad, the public support and cooperation must of necessity come in the form of financial aid. This bill, as was the case with the previously enacted similar bills, does represent a recognition by the state of the overall public interest in continuation of the entire railroad operation and would be an appropriate step toward equalization of the railroad's burdens with those of competitive modes of transportation. It is also warranted because of the public benefit derived in the form of adequately maintained highway bridges, and likewise can be justified as according fairer treatment of the railroad. Again, however, Mr. Chairman, and members of the committee, the same arguments can be made for favorable consideration of the approach reflected in H.B. No. 5561 and more so in H.B. No. 6335. In general, we appreciate the intent of H.B. No. 8363 we certainly support it in principle. However, we suggest H.B. No. 5561 as a better alternative and H.B. no. 6335 as the most preferable bill. Again Mr. Chairman, Gentlemen, thank you very much.

Rep. O'Dea: Anyone else in favor of the bill?

Mr. Chapin: For the record my name is E.N. Chapin, Area Engineer, Penn Central Transportation Company. Mr. Chairman, members of the committee, this bill is similar to a previous special acts provided by the legislature and to advise the commission, committee, regarding work accomplished we have prepared a tabulation of the projects completed and the funds received and reimbursement therefore, filed under New Haven Railroad from the inception of the maintenance support program to its termination December 31, 1968. Also, included in our exhibits is a listing of the locations of the various projects performed with the aid of the special act performance. I would just like to summarize the major features of the program. Each year the railroad has presented its proposals to the Highway Department and the Public Utilities Commission. These state agencies have reviewed the proposed programs, suggested changes or modifications and, after consultation with the railroad, and agreement upon any necessary changes, have approved the plans as modified. Since 1961, a review of the major projects shows that 24 bridges have been reconstructed; major steel repairs have been performed on 29 others; 34 bridge decks have been repaired or replaced; 114 grade crossing have been resurfaced or repaired; and 197 bridges have been painted. The largest percentage of the funds expended under this program has been for highway bridge maintenance. This is comprised generally of the sums tabulated under the headings "Deck", "Bridge Reconstruction" and "Steel Repairs". This averages in an excess of 60% of the funds expended. During the last four years sums expended on grade crossings have comprised over 20% of the funds. Bridge painting expenditures comprised another significant (approximately 14%)

WEDNESDAY

TRANSPORTATION

MARCH 24, 1971

which was approved June 15, 1943. Special Act 405 ordered the Public Utilities Commission to require the railroad company to replace signal devices with manually operated gates and attendants 24 hours a day continuously until the provisions of Sections 2 and 3 of the Act has been complied with. Those sections require action on the part of the Highway Commissioner and Engineering Departments of Hartford and West Hartford to remove a dangerous condition existing at the crossings in accordance with present Section 16-104 of the Connecticut General Statutes. To date, neither municipality nor the Highway Commissioner have removed the impediment to installation of automatic signal devices by compliance with Sections 2 and 3 of the Act. As a result of Special Act 405, the Public Utilities Commission in Docket No. 7369 dated July 16, 1943, ordered the railroad to comply with such Act. which the railroad did, and at the present it still is so doing. On November 6, 1969, Penn Central filed an application with the Public Utilities Commission seeking authority to replace the manually operated gates at the Flatbush Avenue crossing with automatic flashing light signals and short arm gates. The matter was heard before the Commission on December 1, 1969. In its order in Docket No. 10887 dated June 9, 1970, the Commission denied the application on the grounds that Special Act 405 precluded it from ordering replacement of manually operated gates with automatic signal devices and short arm gates which it also found would be superior to the present manual protection now afforded. If Special Act 405 is repealed, this would place jurisdiction over the Flatbush Avenue crossing with the Public Utilities Commission and would, therefore, permit it to make a finding authorizing the railroad to install the automatic gate protection which it has already found to be superior to the present manual protection. H.B. No. 5557 seeks to accomplish the identical purpose of H.B. No. 6237. The one difference is that H.B. No. 6237 contains a Section 2 which would permit the Public Utilities Commission, after any necessary hearings, to repeal its order dated July 16, 1943 in Docket No. 7369 and to issue an order aimed at permitting installation of automatic crossing protection. With me here today is Mr. F. G. Fotta, who speaks further with respect to these bills.

Rep. O'Dea: Thank you Mr. Gill. Anyone else in favor of 5557? Anyone opposition to the bill? The hearing is closed on this bill. The next bill 5561 MAINTENANCE, RECONSTRUCTION OR REPLACEMENT OF STRUCTURES OVER OR UNDER RAILROAD TRACKS.

Mr. Kanell: Mr. Chairman, members of the committee, my name is Samuel Kanell. I reported earlier to this bill, my earlier testimony and this is a Departmental bill which we urge your passage. I regret that I was out of the hearing room when the call for opposition to H.B. 8363 which is a related bill, that's the bill which the railroad was recommending that would allocate 900,000 dollars per year to the railroad to maintain bridges and crossings. I believe that if 5556 were inacted 8363 is unnecessary. In any event, I do not agree, the department does not agree that 8363 is a method of attacking this problem, by making a 900,000 dollar per year or 900,000dollar fiscal year allocation to the railroad. I think that since the highways, bridges are part of the highway system they should

WEDNESDAY

TRANSPORTATION

MARCH 24, 1971

be maintained by highway forces of the highway department or towns people or towns forces, necessary. This should be a more economical way of doing this, then simply giving money to the railroad, as 8363 would have you do. Therefore, I oppose 8363 and urge passage of 5561.

Rep. O'Dea: We've had many references to 5561, does anyone want to comment?

Mr. Gill: Mr. Chairman, members of the committee, my name is George Gill, Assistant General Attorney, Penn Central Transportation Committee, Debtor. H.B. No. 5561 would change the responsibility for maintaining highway structures over railroads from the railroad company to the party responsible for maintenance of the highway and to make the state responsible for reconstruction of new railroad bridges occasioned by new or changed highway requirements. Under the present law contained in Section 16-111 of the Connecticut General Statutes, the railroad is obligated to repair structures under or over tracks except that the state maintains wearing surfaces, curbs, sidewalks and fences of structures over railroads on state highways, and also repairs any structures on a state highway constructed after January 1, 1955, except where the structure replace previously existing bridges. Mr. William H. Tucker, Senior Executive Representative, Public Affairs, is here today and will present to this committee Penn Central's position with respect to this bill. Also here is Mr. E. N. Chapin, Area Engineer, Northeastern Region.

Mr. Tucker: Mr. Chairman, members of the committee, thank you for the opportunity to testify on this bill. I have a short statement I'd like to summarize and submit the statement if I may, Sir. I'm Senior Executive Representative Public Affairs, for the Penn Central Transportation Company, and prior testimony today I pointed out that our company is most appreciative to the efforts of the department and legislative committees and others and the progress of bill no. 5561, and we support that bill. However, we certainly feel that the bill that we filed and that we, the bill that we would prefer is bill 6335 and should 5561 pass we would like to see it ammended which would not require yearly appropriations for this and would permit long term planning. Again, however, I say that we support 5561, we prefer 6335, but in any event we would like to see 5561 ammended so as not to require yearly appropriations. Thank you.

Rep. O'Dea; Thank you Mr. Tucker. Will there be no further comment on the bill?

Mr. Chapin: Mr. Chairman, members of the committee, my name is E. N. Chapin, Area Engineer, Penn Central Transportation Company. Bill No. 5561 is similar to bill no. 6335 except that the maintenance of all new bridges carrying a railrod over a highway will be the responsibility of the railroad. We would refer you to the exhibits A,B,C and D prepared in connection with bill 6335 showing railroad participation in construction and maintenance costs in the states and other jurisdictions in which the Penn Central operates. I believe a look at the approach taken in other jurisdidctions as to maintenance of bridges would be helpful in connection with considering this proposed bill. Consider, first, the statute requirements for maintenance of bridges carrying highways over the railroad. Connecticut is the only state where, by statute, the railroad is required to bear the full cost of maintaining such structures. This, of course, pertains to bridges on highways other than State Highways. Some relief was provided by the legislature in modifying the statute to provided for the

WEDNESDAY

TRANSPORTATION

MARCH 24, 1971

state to maintain the surface, curbs, fences and walks on highways over railroad bridges constructed prior to January 1, 1955, and to maintain 100% of new bridges over railroad construction after 1961. Massachusetts and Pennsylvania (and New York on other than State Highways) require the railroad to maintain the framework and supports of such bridges. In New York, railroads are not required to contribute to cost of bridge maintenance of State Highways. In one State, Maryland, the railroad must assume 25% of maintenance costs. However, in recent years Federal Funds have been involved and railroad's costs have been zero. Rhode Island has no statute provision and the maintenance is generally determined by negotiation. Nine States; Delaware, Indiana, Michigan, New Jersey, Ohio, Pennsylvania, West Virginia, require no participation by railroad in maintenance costs, and Illinois can be considered with this group as there is no statute and usually railroad is not required to contribute to maintenance costs. Thus in the majority of these states, the public bears a major cost of maintaining highway bridges over railroads and the policy thread running through this appears to be a division of cost on a basis of benefits. With respect to bridges carrying a railroad over a highway this bill makes no change in the present law requiring the railroad to assume 100% of the maintenance. This is where this bill differs from Bill No. 6335. The continuing program for expansion of the highway system in Connecticut has required construction of several new bridges where no bridges now exist carrying the railroad over a highway, and several more are in the construction and planning stages. Under this existing law the railroad is obligated to assume full maintenance responsibility for these spans. Over the past eight years eight bridges in this category have been built or are proposed, affecting the Penn Central, which, in effect, means approximately 2,850 L.F. of additional bridge spans where no spans formerly existed; spans which are of benefit to highway traffic but of no benefit to the railroad, and spans which the railroad must maintain at its own expense under the existing law. As a matter of information to the Committee, we have prepared a tabulation, marked as Exhibit D, showing approximate maintenance expenditures in Connecticut by the former New Haven Railroad, and now the Penn Central on bridges carrying highways over the railroad. This shows that the average maintenance expenditure by the railroad in the years 1960 to 1970 inclusive averaged \$77,472 per year. In addition an average of \$198,500 per year was spent from July 196 to December 1968, which was reimbursed in accordance with Connecticut Special Acts. A tabulation of expenditures under these Acts is presented showing the various types of work accomplished together with the cost thereof. We would point out that expenditure programmed for this work in Connecticut for this year, 1971, amounts to only \$26,000 which, of course, reflects the serious financial problems of the Penn Central. Thank you.

Rep. O'Dea: Thank you Mr. Chapin. Anyone else in opposition to 5561? The hearing is closed on that bill. The next bill is 6076, A TOLL-FREE EXIT LANE ON THE CONNECTICUT TURNPIKE AT STRATFORD. Rep. Provenzano has already spoken on the bill. Anyone else want to comment? Now the hearing is closed on this. The next bill is 6161 TRANSIT DISTRICTS. Anyone in favor of the bill?

Mr. Kanell: Mr. Chairman, I am Samuel Kanell, Deputy ~~Transportation~~

WEDNESDAY

TRANSPORTATION

MARCH 24, 1971

Commissioner. The apparent purpose of this bill is to eliminate the need for referendums which would expedite the establishment of transit districts, From this standpoint we support the bill because anything we can do to improve local bus service or for transportation service should be enacted and this bill by eliminating one step which would make it time consuming is desirable and therefore, should be passed.

Rep. O'Dea: Thank you Mr. Kanell. Anyone else to comment on the bill? The hearing is closed on 6161, House Bill 6233 PARKING AT THE NOROTON HEIGHTS RAILROAD STATION. Anyone in favor?

Rep. Frate: Representative Frate from the Town of Darien, this bill was introduced by me the Noroton Heights Railroad Station is in the Village of the Town of Darien and the town is convinced that we can get together with Mr. Kanell and solve our problems. So, I wish to withdraw the bill.

Rep. O'Dea; House Bill 6233 has been withdrawn. Next bill is H.B. 6237 we have had many comments on this bill from Mr. Kanell. Anyone else it was tied in with 5561? Hearing is closed on this bill. We now have 6323 REMOVAL OF GRADE CROSSINGS. Anyone to comment on this bill?

Mr. Gill: Mr. Chairman, members of the committee, I have a prepared statement which I would like to submit in connection with this bill, in support. Basically as we have gone through the hearings on the various bridge crossing bills, we have shown that the same threat, the same policy rather, threads through our support of all of these bills, the same is true with respect to this bill. I would point out that for the reasons that we have advance in these other bills we also support this bill and suggest that the benefit derived by the public in connection with change grade crossings and authorization thereof, be born by the party benefiting. So for that reason I will submit my statement and Mr. Chapin has a short statement also, in connection with this.

Rep. O'Dea: Anyone else to comment on 6323? If not the hearing is closed on 6323. The next one is 6335 THE MAINTENANCE AND REPAIR OF STRUCTURES OVER OR UNDER RAILROADS. We have had many, many, comments on this one. The next bill is -----

Mr. Gill: Mr. Chairman, members of the committee, my name is George Gill, Assistant General Attorney, Penn Central Transportation Company, Debtor. Again as in the case of the previous bills I have a prepared statement which I would like to introduce and have copied into the record as our support for this bill. Mr. Tucker is also present here, I believe he has a statement, and will speak on it to be followed by Mr. Chapin. Basically this is, as we have indicated previously. is the bill we most prefer and urge favorable action on.

Rep. O'Dea: Thank you Mr. Gill. Mr. Tucker do you want to comment again?

Mr. Tucker: Yes, Mr. Chairman, my name is William H. Tucker, Senior Executive Representative, Penn Central Transportation Company. I have a 5 page statement in support of this bill which was introduced at our request and I'd like to summarize it briefly. If I may? The statement that I have Mr. Chairman, and gentlemen of the committee, simply points out

WEDNESDAY

TRANSPORTATION

MARCH 24, 1971

the case for public responsibility in terms of improved crossings and improved bridges and points up the _____ realm of history of financial problems , of previous and present railroads in New England and Connecticut _____ and we think that there is a clear case here for enactment of a statute this year on a long term basis to take care of this problem and permit us to plan and work carefully for the future with the Department of Transportation and the P.U.C., the legislature and other agencies. The only further point I want to make which is in the statement is, that railroads here before and now have never regarded the bridge maintenance concept as being something related to support of passenger service. We feel that something is in the community of interest in the railroad industry of this state and as I said before, we would like to see 6335 passed, we think it's the better bill, but we certainly wouldn't opposed 5561. Thank you. I submit my statement.

Rep. O'Dea: Mr. Chapin do you want to submit your statement?

Mr. Chapin: E. N. Chapin, Area Engineer, Penn Central, I just would submit this statement which is very similar to bill 5561, the only difference being, the maintenance of the railroad bridges over the highways, the new railroad bridges over the highway, which we consider, and we consider this bill to be preferable to 5561. And the exhibits herewith contained, are the same exhibit as were furnished on 5561.

Rep. O'Dea: Thank you. Anyone else to comment on 6335? Hearing is closed on this bill. The next bill is 6604 AN ACT DIRECTING THE DEPARTMENT OF TRANSPORTATION TO PERFORM AN ENGINEERING STUDY OF THE FEASIBILITY OF ELIMINATING GRADE CROSSINGS ON THE NEW HAVEN TO SPRINGFIELD MAIN LINE OF THE PENN CENTRAL RAILROAD IN THE TOWNS OF WALLINGFORD AND MERIDEN. Anyone in favor?

Rep. DuBaise: Mr. Chairman, Representative DuBaise from Wallingford. We submitted this bill in response to some of the deaths that have occurred in the Town of Wallingford and North Haven and Meriden. We feel that probably the study should include many, many more towns then what we have included in our specific bill, but I think the bill has a good intent and I would hope that you would support its measures. Thank you.

Mr. Tucker: William H. Tucker, Senior Executvie Representative of Penn Central Transportation, Deptor. We support this bill in general, Mr. Chairman, members of the committee, and we favor any solution of the grade crossing for our own _____ and we favor engineering studies. We do not, however, want to support, nor do we believe that any expenditures required to eliminate grade crossings to be born by the railroad. I have a one page statement I'd like to submit for the record.

Rep. O'Dea: Thank you. Anyone else in favor?

Mr. Kanell: Mr. Chairman, I am Samuel Kanell, Deupty Transportation Commissioner. We support the concept of the bill, but suggest that is this bill were inacted that the implicibility be extended through the entire state.

Rep. O'Dea: Thank you Sir. Anyone else in favor? Anyone opposed? The hearing is closed on 6604. Next bill 7191 AN ACT CONCERNING THE POWERS OF THE NEW HAVEN PARKING AUTHORITY. Anyone in favor of this bill? Anyone opposed? The hearing is closed on 7191. House Bill 7594 AN ACT CONCERNING ESTABLISHMENT OF NORTHERN CONNECTICUT MASS TRANSIT AUTHORITY. Rep. Hanzalek