

PA 11-256

HB6540

House	7894-7901	8
Senate	7172, 7176-7178, 7182-7183	6
Transportation	1473, 1503-1506, 1575-1576	<u>7</u>
		<b>21</b>

**H – 1114**

**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
2011**

**VOL.54  
PART 23  
7574 – 7912**

The Emergency Certified bill is passed.

Representative Carter, for what purpose do you rise?

REP. CARTER (2nd):

Mr. Speaker, I'd like to be recorded in the affirmative. Is it too late?

DEPUTY SPEAKER GODFREY:

It's too late, but the transcript will so note. Representative Lesser.

REP. LESSER (100th):

Thank you, Mr. Speaker.

In the affirmative.

DEPUTY SPEAKER GODFREY:

The transcript will so note. Will -- will the Clerk please call Calendar 241.

THE CLERK:

On page 43, Calendar 241, Substitute for House Bill Number 6540, AN ACT CONCERNING HIGHWAY SAFETY, STATE FACILITY TRAFFIC AUTHORITIES, MUNICIPAL BUILDING DEMOLITION, STATE TRAFFIC COMMISSION CERTIFICATES AT GRADE CROSSINGS, THE NAMING OF ROADS AND BRIDGES IN HONOR OR IN MEMORY OF PERSONS AND ORGANIZATIONS, AND A TRAIN STATION IN NIANTIC, favorable report by the Committee on Public safety.

rgd/gdm/gbr  
HOUSE OF REPRESENTATIVES

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June 4, 2011

DEPUTY SPEAKER GODFREY:

The distinguished chairman of the Transportation Committee, Representative Guerrero.

REP. GUERRERA (29th):

Good evening, Mr. Godfrey. Mr. Speaker, nice to see you.

Mr. Speaker, I move acceptance of the joint committee's favorable report and passage of the bill.

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DEPUTY SPEAKER GODFREY:

The question is on acceptance and passage.

Will you explain the bill please, sir?

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

Mr. Speaker, House Bill 6540 is the annual omnibus Department of Transportation bill.

And the Clerk has amendment LCO 8387. Will the Clerk please call it, and I be allowed to summarize.

DEPUTY SPEAKER GODFREY:

The Clerk is in possession of LCO Number 8387, which will be designated House Amendment Schedule "A".

Mr. Clerk, please call the amendment.

THE CLERK:

LCO 8387 House "A," offered by Representatives

Guerrera and Scribner.

DEPUTY SPEAKER GODFREY:

The gentleman has asked leave of the Chamber to summarize. Is there objection?

Hearing none, Representative Guerrera, please proceed.

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

This is the strike-all amendment. And among the provisions, it clarifies the Governor's commitment to the Highway Safety Program, in accordance with the federal law. It clarifies some technical revisions. It also designates several commemorative bridges and road namings, and business signage, and tourist information, and also allows motorcycles to travel on the Wilbur Cross Parkway.

Mr. Speaker, I would also like to say that I want to thank my vice chair, Mr. Mikutel, for his help throughout the whole year during the committee process, and also, the distinguished ranking member, David Scribner, who has always been a big help to the committee. And I want to thank all of the members of the Transportation Committee. We had some long hearings this session, and so forth, and they all stood,

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in regards to long nights and early mornings, to get many of these proposals through, and I want to thank all the members here today for that.

So Mr. Speaker, I move adoption of this amendment.

DEPUTY SPEAKER GODFREY:

The question is on adoption.

Will you remark further on House Amendment Schedule "A"? The distinguished ranking member of the Transportation Committee, Representative Scribner.

REP. SCRIBNER (107th):

Thank you, Mr. Speaker. Good evening.

DEPUTY SPEAKER GODFREY:

Good evening, sir.

REP. SCRIBNER (107th):

I rise in support of the strike-all amendment that Representative Guerrero has offered to the Chamber. I think it's important to note that this is the product of several months of hard work by the leadership of the Transportation Committee, as well as each of its members. This reflects a lot of work and input that came from the Department of Transportation itself.

I would specifically like to thank Commissioner Redeker for his cooperation and support, and the person that we work so closely with

on a very routine basis, Pam Sucato, who's been a tremendous help, along with all of those in on support staff, C. J. Strand, the committee clerk, is -- and I think it's important to identify that this allows the department to implement many of its ongoing programs, as well as some new programs.

And we've -- many of the items that are in here were sound and wise proposals that were brought forward by members of each side of the aisle here in the Chamber, that went through a fully vetted public hearing process. We screened together. We discuss and make decisions right up through this afternoon, when this final amendment was put together.

And so I'd like to offer my special thanks to Representative Guerrera who has exercised very impressive leadership for a committee that has a reputation of working so well together and addressing the needs of the people of Connecticut. I urge adoption. Thank you.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Will you remark further on House Amendment Schedule "A"?

Representative Chapin, of New Milford.

REP. CHAPIN (67th):

Thank you, Mr. Speaker.

Mr. Speaker, one quick question to the proponent, through you, please.

DEPUTY SPEAKER GODFREY:

Proceed.

REP. CHAPIN (67th):

Thank you, Mr. Speaker.

In Section 16, regarding petitions signed by 25 electors or town residents causing the DOT commissioner to come to a hearing. I just wanted to make sure that it is the intent that that hearing be held in the municipality affected.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Guerrero, do you care to respond?

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

Yes, that is.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker. And I thank the gentleman



for his answer.

I also rise in strong support of the bill before us and would encourage my colleagues to support both the amendment and the bill as amended.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Will you remark further on House Amendment Schedule "A"? If not, let me try your minds. All those in favor, signify it by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER GODFREY:

Opposed, nay.

The ayes have it. The amendment is adopted.

Will you remark further on the bill as amended?  
Will you remark further on the bill as amended? If not, staff and guests please come to the Well of the House. Members take their seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the Chamber. The House is taking a roll call vote. Members to the Chamber, please.

(Speaker Donovan in the Chair.)

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? Please check the roll call board to make sure your vote has been properly cast. If all members have voted, the machine will be locked, the Clerk will please take a tally. Will the Clerk please announce the tally.

THE CLERK:

House Bill 6540 as amended by House "A".

Total number voting	132
Necessary for passage	67
Those voting Yea	132
Those voting Nay	{0
Those absent and not voting	19

SPEAKER DONOVAN:

The bill as amended is passed. Representative Sharkey.

REP. SHARKEY (88th):

Thank you, Mr. Speaker. Mr. Speaker, I move that we immediately transmit the items that have not been previously transmitted that we've acted on today to the Senate for further action.

**S - 633**

**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
2011**

**VOL. 54  
PART 22  
6915-7208**

cd/lg/sg/mhr/gbr  
SENATE

569  
June 8, 2011

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Calendar page 22, Calendar 651, House Bill 6540;  
Madam President, move to place the item on the Consent  
Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Calendar page 23, Calendar 657, House Bill 6262;  
Madam President, move to place the item on the Consent  
Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, Calendar page 23, Calendar 658,  
House Bill 6364; move to place this item on the  
Consent Calendar.

THE CHAIR:

So ordered.

Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber. Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber.

Madam President, the items placed on the first Consent Calendar begin on Calendar page 10, Calendar Number 478, House Bill 6488; Calendar 480, House Bill 5256.

Calendar page 11, Calendar 513, substitute for House Bill 6557.

Calendar page 12, Calendar Number 535, substitute for House Bill 6226; Calendar 555, House Bill 6259.

Calendar page 13, Calendar 560, substitute for House Bill 5368; Calendar 567, substitute for House Bill 6157.

Calendar page 14, Calendar 574, substitute for House Bill 6410; Calendar 578, House Bill 6156.

Calendar page 15, Calendar 591, House Bill 6263; Calendar 594, substitute for House Bill 5508; Calendar 595, substitute for House Bill 62 -- 5263.

Calendar page 16, Calendar Number 606, substitute for House Bill 6581; Calendar 609, substitute for House Bill 6501.

Calendar page 17, Calendar 610, substitute for House Bill 6224; Calendar 613, substitute for House Bill 6453.

Calendar page 18, Calendar 614, substitute for House Bill 5068; Calendar 628, substitute for House Bill 5008; Calendars 633, House Bill 6489.

Calendar page 19, Calendar 635, substitute for House Bill 6351; Calendar 640, House Bills, 6559.

Calendar page 20, Calendar 642; House Bill 6595.

Calendar page 21, Calendar 645, substitute for House Bill 6267; Calendar 648, substitute for House Bill 5326; Calendar 650, substitute for House Bill 6344.

Calendar page 22, Calendar 651, substitute for House Bill 6540.

Calendar page 23, Calendar Number 655, substitute for House Bill 6497; Calendar 657, substitute for House Bill 6262; Calendar 658, House Bill 6364; Calendar 659, House Bill 5489.

Calendar page 24, Calendar 660, substitute for House Bill 6449.

Calendar page 36 -- correction -- Calendar page 33, Calendar Number 390, substitute for Senate Bill 1181.

Calendar page 36, Calendar Number 481, House Bill 5472.

Calendar page 37, Calendar Number 584, substitute for House Joint Resolution Number 34; Calendar 585, substitute for House Joint Resolution Number 54; Calendar 586, House Joint Resolution Number 65, Calendar 587, House Joint Resolution Number 66.

Calendar page 38, Calendar 588, House Joint Resolution Number 80; Calendar 589, House Joint Resolution Number 63; Calendar 590, House Joint Resolution Number 35; Calendar 620, substitute for House Joint Resolution Number 45.

Calendar page 39, Calendar Number 621, substitute for House Joint Resolution Number 47; Calendar 622, House Joint Resolution Number 68; Calendar 623, substitute for House Joint Resolution Number 69; Calendar 624, substitute for House Joint Resolution Number 73.

Calendar page 40, Calendar 625, substitute for House Joint Resolution Number 81; Calendar 626, House Joint Resolution Number 84.

Madam President, I believe that completes the items placed on Consent Calendar Number 1.

THE CHAIR:

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SENATE

579  
June 8, 2011

Thank you.

SENATOR LOONEY:

Thank you, Madam President.

THE CHAIR:

Mr. Clerk, please call for a roll call vote, and the machine will be open.

THE CLERK:

The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber. The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber.

THE CHAIR:

Senator Gomes?

If all members have voted; all members have voted? The machine shall be locked.

And, Mr. Clerk, will you please call the tally.

THE CLERK:

Motion is on adoption of Consent Calendar  
Number 1.

Total number voting	36
Those voting Yea	36
Those voting Nay	0



Those absent and not voting 0

THE CHAIR:

Consent Calendar passes.

The Senate will stand at ease for a moment.

(Chamber at ease.)

SENATOR LOONEY:

Madam President?

THE CHAIR:

Yes, Senator.

The Senate will come to order.

SENATOR LOONEY:

Yes. Madam President, the Clerk is in possession of Senate Agenda Number 5 for today's session.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Madam President, the Clerk is in possession of Senate Agenda Number 5, dated Wednesday, June 8, 2011.

Copies have been made available.

THE CHAIR:

Senator Looney.

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**TRANSPORTATION  
PART 5  
1283 – 1625**

**2011**

7  
lml TRANSPORTATION COMMITTEE

March 14, 2011  
10:00 A.M.

REP. GUERRERA: Tom Harley, is he here? From DOT.

THOMAS HARLEY: Good morning. My name is Tom Harley, Chief Engineer with the Department of Transportation. I'm here this morning on behalf of the Commissioner. I want to thank the committee for the opportunity to comment on the proposed legislation today.

HB 6567 HB 6576  
HB 6580 HB 6577  
HB 6571 HB 6196

We have provided written comments on many of the bills before you today, but I'm looking to testify on five specific pieces of legislation. The department would characterize these five bills as minor process improvements since DOT is working with the new administration to propose changes, to improve the workflow and efficiency of state government.

I do have a number of individuals from the Department of Transportation with me here today to answer any questions that you may have.

So the first bill I'm going to speak to is Item 6, House Bill 6540, AN ACT CONCERNING THE GOVERNOR'S HIGHWAY SAFETY PROGRAM. The Department is proposing this language -- Title 23 of the Federal Code requires that the governor of the state of Connecticut be responsible for the state's highway safety program. There is approximately \$26 million worth of safety program moneys that are at risk here, mainly because our current law does not specify specifically that the governor is responsible.

So the language is pretty simple. The governor is responsible. The governor in turn makes the DOT responsible for carrying out the -- the highway safety plan. It's -- it's really pretty straightforward, and I'll leave it at that.

engineers had not fight this proposal with so many years.

SENATOR MAYNARD: Thank you. Any final comments from any of the committee members? Seeing none, thank you very much, Representative.

REP. ROLDAN: Thank you for your time and consideration.

SENATOR MAYNARD: Next, we'll hear from Andy Matthews followed by Eric Hammerling.

SERGEANT ANDREW MATTHEWS: Good morning, Senator Maynard, Representative Guerrera, and distinguished members of the Transportation Committee. My name is Andrew Matthews. I am the president of the Connecticut State Police Union and a sergeant with the Connecticut State Police.

As the union president I represent about approximately 1096 state troopers, sergeants, and master sergeants. We are here today to speak in opposition to proposed bill number 6540, AN ACT CONCERNING THE GOVERNOR'S HIGHWAY SAFETY PROGRAM.

In part, Bill 6540 proposes to designate the Department of Transportation as the sole administrator in the State of Connecticut for Highway Safety Program, and the sole coordinator of all highway safety activities within the state. We are opposed to this action because we believe it could negatively impact public safety and the safety of our troopers.

Currently the Department of Public Safety along with the Department of Transportation work collaboratively to ensure the safety of the public visitors and workers, which include

troopers, DOT employees on our highways. The Connecticut State Police plays an essential role by educating the public, taking enforcement action, and reducing highway accidents, injuries, and fatalities.

As such, the state police possess critical knowledge to maintaining and improving highway safety activities and should continue to have a prominent role in that process.

Presently, the DPS and DOT apply for and receive substantial federal funding for our highway safety programs. Allowing one state agency to control highway safety programs and activities will result in a reduction in federal funding granted to DPS, thereby reducing state police coverage on the highways. As a result, there will be a reduction in law enforcement visibility, enforcement activities, and troopers working within work zones.

As an example, over the past year DPS has drastically decreased the staffing levels for federally funded Highway Incident Management -- HIM program. This program is regulated by the Federal Highway Safety Administration and DOT. This program was established in 1995 to provide additional police services to respond to the high volume of traffic accidents, disabled and speeding motorist, traffic congestion and fatalities on I-95 between Branford and the New York State Line.

This section of I-95 is one of the deadliest stretches on the East Coast, and the increased calls for service have justified the additional staffing levels over the past 15 years. Recently, DPS reduced the patrol coverage from 12 additional troopers and one additional dispatcher per day, down to eight additional troopers and no additional dispatchers. This

has effected the response time for calls for service.

DPS informed the State Police Union that the reduction was necessary because DPS had not reimbursed the DPS for nearly \$800,000 in federal funding, which is controlled by DOT.

In closing, the Department of Transportation should not be designated as the sole administrator or coordinator of this state of Connecticut's Highway Safety Program. This process should continue to be a collaborative process to allow the exchange of vital information -- information, suggestions, and ideas on ways to improve public safety on our highways.

Removing state police from any part of the process involving highway safety activities seems irresponsible and defeats one of our main missions, which is to protect the motoring public on the highways. Additionally, Connecticut will most likely see a decrease in vehicle enforcement, which may result in less revenue and federal funding during these difficult times.

Doing more with less may work in certain areas, but when it comes to public safety -- not when it comes to public safety on our highways. Eventually this may also result in increase in serious injury accidents and fatalities on our highway.

In closing, I would respect -- we respectfully request the committee to prevent these changes from occurring and continue to allow DPS and DOT to work together to improve our highway safety program. Thank you for your time.

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lml TRANSPORTATION COMMITTEE

March 14, 2011  
10:00 A.M.

SENATOR MAYNARD: Thank you, Sergeant. Comments or questions from committee members? I -- I -- just one clarification, so your testimony indicates that -- do you have any sense of the scale of the revenue impact were this to occur -- the governor's proposal to go forward?

SERGEANT ANDREW MATTHEWS: I don't have a breakdown, but I could work on providing that information for you. I could work with the agency to get it for you.

SENATOR MAYNARD: I just -- recognizing that there's separate funnels of money for -- for each department, I think that would be helpful to have a sense of potential impact.

SERGEANT ANDREW MATTHEWS: Just to be clear, are you referring to when it was staffed with 12 additional and now eight -- the difference between that time period? All right.

SENATOR MAYNARD: Okay, very good. Thank you. Any other comments or questions? Thank you very much, Sergeant.

SERGEANT ANDREW MATTHEWS: Yes, sir.

SENATOR MAYNARD: Is Eric Hammerling here? I understand he may have left. Okay. Next is Bob Hamilton followed by Mike -- Mike Riley.

ROBERT HAMILTON: Mr. Chairman and members of the committee, I want to thank you for this opportunity this morning to provide my testimony. My name is Bob Hamilton. I happen to be a resident of Middletown, Connecticut. My family happens to be 3rd generation in the truck maintenance industry. I have 37 years personally in the industry with 25 years in the executive level. And currently I am the

HB 6571

## CONNECTICUT STATE POLICE UNION

Good morning, Senator Maynard, Representative Guererra and Distinguished Members of the Transportation Committee My name is Andrew Matthews, and I am the President of the Connecticut State Police Union and a Sergeant within the Connecticut State Police. As the Union President, I represent approximately 1,096 State Troopers, Sergeants and Master Sergeants We are here to speak in OPPOSITION TO

### PROPOSED BILL NO. 6540

#### AN ACT CONCERNING THE GOVERNOR'S HIGHWAY SAFETY PROGRAM.

In part, Bill #6540 proposes to designate the Department of Transportation as the sole administrator of the State of Connecticut's Highway Safety program and sole coordinator of all "highway safety activities within the state" We are opposed to this action because we believe it could negatively impact public safety and the safety of Troopers.

Currently, the Department of Public Safety (DPS) along with the Department of Transportation (DOT) work collaboratively to ensure the safety of the public, visitors and workers (State Troopers and DOT employees) on our highways. The Connecticut State Police plays an essential role by educating the public, taking enforcement action, and reducing highway accidents, injuries and fatalities. As such, the State Police possesses critical knowledge to maintaining and improving "highway safety activities" and should continue to have a prominent role in the process

Presently, the DPS and DOT apply for and receive substantial federal funding for highway safety programs Allowing one state agency to control the highway safety programs and activities will result in a reduction in federal funds granted to the DPS, thereby reducing State Police coverage on the highways As a result, there will be a reduction in law enforcement visibility, enforcement activities, and Troopers working within work zones

As an example, over the past year DPS has seen a drastic decrease in staffing levels for the (federally funded) Highway Incident Management (HIM) program This program is regulated by the Federal Highway Safety Administration and DOT This program was established in 1995 to provide additional police services to respond to the high volume of traffic accidents, disabled and speeding motorist, traffic congestion and fatalities on I-95 between Branford and the New York State line This section of

I-95 is one of the deadliest stretches on the east coast and the increased calls for service have justified the additional staffing levels over the past 15 years Recently, DPS reduced the patrol coverage from (12) additional Troopers and (1) additional dispatcher each day, down to (8) additional Troopers and no additional dispatchers. This has affected the response times to calls for service. DPS informed the State Police Union that the reduction was necessary because DPS had not been reimbursed for nearly \$800,000 of federal funding, which is controlled by DOT

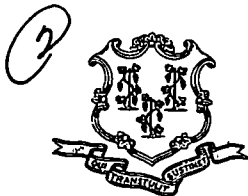
In closing, the Department of Transportation should not be designated as the sole administrator/coordinator of the State of Connecticut's Highway Safety program This process should continue to be a collaborative process to allow for the exchange of vital information, suggestions and ideas on ways to improve public safety on our highways Removing the State Police from any part of a process involving "highway safety activities" seems irresponsible and defeats one of our main missions, which is to protect the motoring public on the highways Additionally, Connecticut will most likely see a decrease in vehicle enforcement, which may result in less revenue and federal funding During these difficult financial times, doing more with less, may work in certain areas, but not when it comes to public safety on our highways Eventually, this may also result in an increase in serious injuries, accidents and fatalities on our roadways

We respectfully request that this committee prevent these changes from occurring and continue to allow for DPS and DOT to continue working together to provide highway safety programs

March 14, 2011

**CONNECTICUT STATE POLICE UNION**  
Andrew Matthews, Esq - President





STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION

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Commissioner

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**Public Hearing – March 14, 2011  
Transportation Committee**

**Testimony Submitted by Acting James P. Redeker  
Department of Transportation**

**H.B. 6540 - An Act Concerning the Governor's Highway Safety Program.  
(ConnDOT proposal)**

The Department of Transportation (Department) is proposing language in H.B. 6540 aimed at clearly articulating the Governor's commitment to highway safety programs in accordance with federal law, Section 402 of Title 23, United States Code (USC).

Recently, the National Highway Traffic Safety Administration (NHTSA) advised the Department that further enabling legislation is needed for compliance with the Highway Safety Act of 1966, as amended (23 USC § 402). The Highway Safety Act of 1978 amended Section 402(b) (1) (a) of Title 23, USC. NHTSA does not find the authorities set forth in Connecticut General Statutes, Section 4-28 to be sufficient.

In particular, 23 USC § 402 provides that the Secretary of Transportation shall not approve a State highway safety program that does not "Provide that the Governor of the State shall be responsible for the administration of the program through a State Highway Safety Agency which shall have adequate powers and be suitably equipped and organized to carry out such program." The Secretary of Transportation has delegated the authority and responsibility for assuring compliance with the provisions of the Highway Safety Act with NHTSA. Without H.B. 6540, NHTSA representatives have told the Department that approximately \$26 million in federal highway safety funding could be in jeopardy.

For further information or questions, please contact Pam Sucato, Legislative Program Manager for the Department of Transportation, at (860) 594-3013.