

**PA13-92**

HB5250

House	2595-2604	10
Senate	3936-3954, 3993-3995	22
Transportation	9, 11, 26-28, 35-37, 45-47, 98, 135-142, 247-250, 269, (335-336), (344)	28

**H - 1157**

**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
2013**

**VOL.56  
PART 8  
2370 - 2742**

Bill Number 5836:  
Total Number Voting 146  
Necessary for Passage 74  
Those Voting Yea 146  
Those Voting Nay 0  
Absent and Not Voting 4

ASSISTANT DEPUTY SPREAKER ALTOBELLO:

Bill passes.

Will the Clerk please call Calendar 230.

THE CLERK:

On page 49, Calendar 230, Favorable Report of the Joint Standing Committee on Finance, Revenue and Bonding, House Bill 5250, AN ACT CONCERNING THE SAFETY OF WORKERS IN ROADWAY WORK ZONES.

ASSISTANT DEPUTY SPREAKER ALTOBELLO:

Representative Guerrero, the esteemed Chairman of the Transportation Committee from the 29th District of Rocky Hill, you have the floor, sir.

REP. GUERRERA (29th):

Thank you, Mr. Speaker. Good to see you.

Mr. Speaker, I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

ASSISTANT DEPUTY SPREAKER ALTOBELLO:

Question before the Chamber is Joint Committee's Favorable Report and passage of the bill.

Please proceed, sir.

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

Mr. Speaker, as you know last week was Work Safety Zone Week in the State of Connecticut and through the Transportation Committee we have had numerous bills come across our Committee in regards to improving the safety for those workers out there who - who risk their lives every day.

And I want to commend individuals on the Committee like Representative Morin who is -- who has been a strong advocate of this and Representative Scribner from the other side who have worked together with myself and other members of this Committee to make sure that something like this happens to protect those individuals out there that risk their lives every day.

What this bill basically does is it stiffens the penalties for drivers who violate certain laws obviously within the highway work zones. It doubles the penalties for drivers who use hand-held devices and also adds -- creates a work safety zone account,

the funds which will be used for highway traffic enforcement.

And also I think what we came up, Mr. Speaker, was a -- a different type of account that will work with driving schools to inform them what to do when they approach work safety zones because we felt as though, as an educational piece, this would go a long way.

So with that, Mr. Speaker, I move for acceptance.

ASSISTANT DEPUTY SPREAKER ALTOBELLO:

Question before the Chamber is passage of the bill.

Will you remark further on the bill? Will you remark further?

Representative Scribner of the 107<sup>th</sup>, you have the floor, sir.

REP. SCRIBNER (107th):

Thank you, Mr. Speaker.

A few questions, through you, to the -- just kidding. I rise in support of the bill before us. As the Chairman of Transportation pointed out Representative Morin brought this original proposal forward to the Transportation Committee.

It's a measure that we've acted on in the past but we've also learned from -- in an effort to improve not only enforcement but the provisions of the bill and this expands it quite a bit to require better educated knowledge of the drivers, better signaling of a defined workforce. There's even questions that are now required that the Department of Motor Vehicles include on driver's tests to help ensure that the drivers are aware and know about the ramifications of facing a work safety zone.

We have regrettably had tragic accidents occur in areas where workers were on the highway and that is what this bill seeks to prevent from happening in the future.

So I give my wholehearted support behind it and hope that the Chamber will as well.

Thank you.

ASSISTANT DEPUTY SPREAKER ALTOBELLO:

Thank you, Representative Scribner.

Representative Aman of the 14th District.

REP. AMAN (14th):

Thank you, Mr. Speaker.

I also stand to endorse the bill as presented. Anyone who has worked along a highway or work on a

roadway knows the difficulty of working when people are not using common sense as to the way they're driving whether it be the speed of their driving or the erraticness of their driving.

There is a -- a problem that has been in our -- that I have tried to address before and that's the way our statutes are designed, all of these talk about state highways.

This leaves off the municipal roads and so the same safety standards that we put on state highways, because of the way the statutes are written, exempt municipal roads and my argument has always been how can you say a person working on one side of the intersection gets one set of protections and someone on another set does not.

I did have an amendment to address this issue but the Chairman of the Transportation Committee has assured me that this will be addressed at some time in the future in the major transportation bill and I'd rather have the language be exact and cover not only this situation but others in the future.

So I will defer to the Chairman of the Transportation Committee and look forward to the

discussions and seeing that in a bill later on this session.

So I do encourage my members to vote for this.

ASSISTANT DEPUTY SPREAKER ALTOBELLO:

Thank you very much, Representative Aman.

Representative Sawyer of the 55<sup>th</sup>, you have the floor, Madam.

REP. SAWYER (55th):

Thank you, Mr. Speaker.

In the Chamber it is important to rise when you speak. In this particular bill, one of the key pieces, I think, is that it will be taught in the driver license knowledge test so that we have a situation where the young people are learning to drive or older people have decided finally to take on the challenge of hitting the roads and it will be a mandatory question somewhere on that test.

One of the problems I find we have in driving is so often people forget or don't know the rules of the road. Rules have changed so I think it's important that we teach it, that we teach and it and test it.

So I thank the Chairman for putting that piece in there because it strengthens I think the whole concept of what we intend here for protecting work -- people

in the work zone and that we are -- where we are doubling the fines and get off the cell phones.

Thank you, sir.

ASSISTANT DEPUTY SPREAKER ALTOBELLO:

Thank you, Madam.

Representative LeGeyt of the 17th, you have the floor, sir.

REP. LEGEYT (17th):

Thank you, Mr. Speaker. Good afternoon to you.

ASSISTANT DEPUTY SPREAKER ALTOBELLO:

Good afternoon, sir.

REP. LEGEYT (17th):

I have a comment and then a -- a question for the proponent of the bill.

I would like to align my remarks with those of Representative Scribner with regard to the importance and the value of this particular piece of legislation. I'm completely in support of it. I just have one question for the proponent of the bill if I may.

ASSISTANT DEPUTY SPREAKER ALTOBELLO:

Please proceed, sir.

REP. LEGEYT (17th):

Thank you.

On lines 46 through 50 that have to do with the speed of vehicles going through a work zone and being required to attend a driver training -- or a driver safety course as a result, I'm just wondering instead of picking numbers, 75 miles an hour or 65 miles an hour and considering the fact that there are various speed limits on state roads where work zones may be set up, for legislative intent, why wasn't the choice made to pick a number above whatever the posted speed limit is you know like 25 miles above the posted speed limit rather than picking a number and saying 65 miles regardless of what the speed limit is?

Through you, Mr. Speaker.

ASSISTANT DEPUTY SPREAKER ALTOBELLO:

Representative Guerrero.

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

And I'd like to thank the gentleman for his question. That was something that was brought up and I believe we did speak to the Department of Transportation looking for a certain number.

Obviously any number obviously when you're speeding at the excess of a -- a work zone is not good but we felt as though when you're traveling in -- in

an excessive speed of 65 miles an hour that it causes more harm to an individual obviously when he should be traveling obviously at a third of that speed so, therefore, that was the reason why we came up with that number.

ASSISTANT DEPUTY SPREAKER ALTOBELLO:

Representative LeGeyt.

REP. LEGEYT (17th):

I thank the Chairman of the Transportation Committee for his answer. I just wanted some clarification and completely supportive of the bill.

Thank you, Mr. Speaker.

ASSISTANT DEPUTY SPREAKER ALTOBELLO:

Thank you, Representative LeGeyt.

Further on the bill? Further on the bill?

If not, staff and guests please return to the Well of the House. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by Roll.

The House of Representatives is voting by Roll.

Will Members please return to the Chamber immediately.

ASSISTANT DEPUTY SPREAKER ALTOBELLO:

Have all members voted? Have all members from  
Bristol voted? Thank you. Have all members voted?  
The machine will be locked

Will the Clerk please take a tally.

Will the Clerk please announce the tally.

THE CLERK:

Bill Number 5250:

Total Number Voting	146
Necessary for Passage	74
Those Voting Yea	146
Those Voting Nay	0
Absent and Not Voting	4

ASSISTANT DEPUTY SPREAKER ALTOBELLO:

The bill passes.

Will the Clerk please call Calendar 40 -- four  
zero.

THE CLERK:

Mr. Speaker, on page two of today's calendar,  
House Bill -- or Calendar Number 40, Favorable Report  
of the Joint Standing Committee on Insurance and Real  
Estate, Substitute for House Bill 5072, AN ACT  
CONCERNING AUTOMOTIVE GLASS WORK.

ASSISTANT DEPUTY SPREAKER ALTOBELLO:

**S - 664**

**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
2013**

**VOL. 56  
PART 13  
3813 - 4129**

On Page 45, Calendar 553, House Bill Number 5250, AN ACT CONCERNING THE SAFETY OF WORKERS IN ROADWAY WORK ZONES, Favorable Report of the Committee on TRANSPORTATION.

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

Thank you, Mr. President.

I remove the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

On acceptance and passage.

Will you remark, sir?

SENATOR MAYNARD:

Yes. Thank you.

This bill is an important bill for our highway workers. And we are reminded very frequently, in fact, as recently as last week, that workers in the highway safety zones are at considerable risk. Thankfully, last week on a highway incident, it was a truck only that was struck, but it reminds us of the kind of danger that exists on our water -- on our highways.

So I would briefly summarize the bill. It penalty -- it doubles the penalty for drivers who use handheld cell phones in a highway work zone. It adds violators of the highway work zone safety law to those people who may be required to attend a retraining program. It creates Work Zone Safety Account, the funds from which are used for highway traffic enforcement.

It requires driver's license knowledge test to include questions on instruction regarding highway work zone safety. And it requires the Transportation Commissioner to study implementing a pilot program

using variously colored lights to improve work zone safety. All good measures to try to improve safety on our highways and protect our highway workers.

THE CHAIR:

Thank you, Senator.

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President, I rise to support the bill and the amendment, as it does certainly highlight the fact that we do have serious issues with highway safety for the employees of the DOT, and that we all have experienced instances of this type in our own districts and we should do all that we can to protect their safety as they go about their work, improving the infrastructure for the state of Connecticut.

So I urge everyone's support.

Thank you.

THE CHAIR:

Thank you.

Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President.

I appreciate that. I agree with Senator Boucher that this is a step in the right direction. It's not a new concept, but it does sharpen the teeth of this bill for sure.

But through you, Mr. President.

I do have a couple of questions of Senator Maynard.

THE CHAIR:

Senator Maynard.

Please proceed, sir.

SENATOR FRANTZ:

Thank you.

Through you, Mr. President.

Just so that I understand clearly what the fines that you're talking about with respect to specifically cell phone usage. They are to be -- they are to be increased by 50 percent or is it a doubling?

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

Oh. Thank you.

Through you, Mr. President.

It is a doubling of those fines with the increased fine going into the Work Zone Safety Account.

THE CHAIR:

Senator Frantz.

SENATOR MAYNARD:

Happy to expand upon that the bill -- cell phone fines currently range from 125 for a first offense to 400 for a third offense. So if we -- if a person is fined in each of those categories it is a doubling?

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you

Through you, Mr. President.

I appreciate that clarification. So up to \$400 per violation and you've heard me stand up before in the Circle and say that despite the fact that this is a hardship for some people, certain police officers might have a tough time issuing a ticket that would require a payment of \$400 or -- or thereabouts is a difficult thing to do, it -- it does act as a huge deterrent.

So I am in favor of that. And -- and there's always, you know, recourse in the courts of someone really can't afford it. At least they're going to be able to pay something and feel the pain so that they never do that again. We've heard all of the tragic stories with respect to people using cell phones to text or to make simple calls and they get into an accident or possibly hurt someone or worse, God forbid kill them.

So through you, Mr. President.

Fifty percent of each of the additional fees collected go into the Work Zone Safety Account. Can you explain to us, Senator Maynard, through you, Mr. President, what that account does and also if it is immune from any sort of sweeping authority from any other part of State government?

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

Yes. Thank you, Mr. President.

To Senator Frantz. Yes, the Work Zone Safety Account is designed to improve work zone safety awareness and to help pay for additional signage and to help the Commissioner with the study and implementation of any additional colored -- I think I mentioned earlier -- excuse me for just a moment. The -- I apologize. If you could bear with me for just one moment.

THE CHAIR:

Senate will stand at --

SENATOR MAYNARD:

Yes --

THE CHAIR:

You've got it?

SENATOR MAYNARD:

Yes, I do.

The bill requires that the Commissioner study the implementation of a pilot program to use variously colored lights in highway work zones to increase awareness. And the funds that go into -- the added funds that would be above the normal fines would go into that account to help supplement the cost of this. There's an anticipated 15,000-dollar annual additional revenue that is anticipated.

SENATOR FRANTZ:

Thank you.

And through you, Mr. --

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you.

And through you, Mr. President.

The operation -- and sorry, just to -- to follow up on the second part of the question, which was could this money ever get swept out of this account, even though it's not a significant amount of money?

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

It is not a significant amount of -- thank you, Mr. President.

Through you.

It's not a significant amount of money. I doubt it would be targeted because of the nature of it, but it is designed to try to specifically use that money that is obtained from these violations to address the problem that these violators, you know, were -- were ticketed for.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you.

Through you, Mr. President.

I appreciate that answer, and -- and I for one believe that we should do everything we possibly can to make sure that people do not use their personal digital assistance, their cell phones, their other communication devices in any way that puts into jeopardy anybody's safety, let alone those who are essentially putting their lives in risk's way by working on the sides of the roads or sometimes in the various lanes of the highways that we travel to and from on a regular basis. And those of us who travel to the Capitol from far away places know a lot about that, as do you, Senator.

So I -- I applaud that.

Next question, through you, Mr. President, is Operation Big Orange is a -- a new concept to may -- I should know about that, being a member of the Transportation Committee, but I don't. If you could describe to myself and the Circle what that is.

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

Yes, Operation Big Orange is this overall effort to improve highway work zone safety and it includes all the measures that we've been referring to -- to increase driver awareness and the results of this pilot program that the Commissioner will be undertaking. It -- it basically is the name given to that entire effort. Because we've seen far too many instances of workers hurt and injured and killed along our highways. So it's a -- it's a public awareness program backed with the significant stick of higher fines for violations.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ.

Thank you.

Through you, Mr. President.

Thank you for that answer. No need to look this up, but Lines 45 to 50, they talk about the Commissioner being required to require any motor vehicle operator convicted of traveling more than 75 miles an hour or any person operating a commercial vehicle convicted of traveling more than 65 miles an hour in a highway work zone. Is this -- is this common practice? Do -- do we know what the -- the data is here?

I mean, that -- that strikes me as, you know, as an insane speed to be traveling through a work zone. Forty-five miles an hour even sounds like a -- a, you know, too high a speed for -- for my liking. Twenty-five miles an hour would be more acceptable, even though it means you're adding a minute or two or three or four minutes to your travel time to get to where you need to be.

Is -- is this a significant problem in the state of Connecticut where people are traveling through at 65 and 75 miles an hour?

SENATOR MAYNARD:

I have --

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

I apologize, Mr. President.

Yes. Through you.

I have no specific statistical data to report, but I can tell you even from my own anecdotal experience that it is a very common thing. Often you'll see, on a multilane highway, a work zone that's clearly marked, and for some distance before the actual work zone, warnings and speed limits posted for, as you say, reduced travel -- lane travel, but people are so used to and accustomed to traveling at those speeds along a normal highway area that they just continue to operate in that.

They may be one or two lanes away from the cones and thinking that they're a sufficient distance away to provide enough safety, but the reality is there's moving traffic, changing of lanes, and can cause enormous confusion if, for example, a semi-truck is operating, perhaps in inclement weather, and people are slowing down and other people aren't slowing down. There's the change of lanes. You can have catastrophic results with a whole pile up into a work zone area.

Regrettably, it's all too common and the entire reasoning behind the bill is to highlight this to make those penalties meaningful. And then to be able to, you know, to introduce new safety measures that might discourage that. And I think that's where the colored light issue is coming from, to really provide a visual warning.

I think people have become inured to the idea that an orange sign that says 45 means nothing to them, but perhaps being signaled with a changing color pattern might grab their attention and also provide absolutely no doubt that they were warned sufficiently to slow down.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you.

Through you, Mr. President.

Thank you for that answer. And one thing I would like to work on with you offline next session is to deal with the problem that I know all of us face from time-to-time when there is a construction zone as we're driving up the Merritt Parkway, 95, or 91 and you have a shrinking down from three lanes or two lanes down to one.

And you have people, most responsible people pulling over to the left-hand lane, giving the workers room, and then you have the person, maybe it's an out-of-stater, maybe not, pulling -- maybe with a Massachusetts plate, maybe not, pulling up on the right-hand side doing the 65 or 75 miles an hour that you're talking about, which is clearly a violation of the spirit of the law, which is the left-hand lane is for passing, the right-hand lane is for cruising and exiting and entrancing the highway or the parkway. To -- to deal with that either through signage or some sort of PSA program. So that people understand you can't really do that. It's not only dangerous, but it's rude and it's inconsiderate.

And you know, to me, having traveled a lot by car through the Midwest, where people tend to be a little more civilized and we're pretty heavily urbanized here on the East Coast, and the Northeast in particular, you have this competitive instinct that comes out in

so many people. Where you've got people passing on the right.

And many times down in our neck of the woods, maybe your neck of the woods too, you have people driving in the emergency, breakdown lane, because they get the advantage there. And they can travel 40 or 50 cars up and then dodge into -- into an opening up year, taking someone's safety zone away, even though they're doing 25 or 40 miles an hour. And they get in there, creating a very unsafe situation.

So people are semi-civilized in the state of Connecticut, but they're not completely civilized. And it would be great to talk to you about how to fix that going forward.

Through you, Mr. President.

Another question about the knowledge test. It says in Line 89 here that each -- each such knowledge test shall include a question concerning highway work zone safety and the responsibilities of an operator of a motor vehicle under Section 14-212D. This is the -- is the knowledge you're -- you're referring to. Is this for newly licensed people or people seeking their -- their license for the first time or -- or is it inclusive of the people older than 18 as well? Because I think that's very important.

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

Yes. Thank you, Mr. President.

First, I would like to comment on the -- on the passing of people in -- in a work zone. I -- I think there is statistical evidence that a high number of those people are actually Wall Street brokers. They tend to be a little more aggressive. They tend to look for advantage.

SENATOR FRANTZ:

Looking for the opportunity.

SENATOR MAYNARD:

So we're looking into that and a specific program for retraining those particularly aggressive drivers, but --

No, but in all seriousness, that is one of the more aggravating types of driver's and it actually slows down all traffic, because there are those -- it interrupts the natural flow. And you're exactly right. We've had a wonderful proposal from a Member of the House who spoke to us, witnessing that very phenomenon here on a regular basis, even in rush hour traffic, where the train -- where the lanes already naturally narrow. And I think it's a very good idea, because it helps improve the flow of traffic and/or at least relieve congestion.

To your other question, I think the knowledge test is intended for both new drivers and for, certainly, people who are going to go through driver training and have to be sensitized to the errors of their ways. So I think both -- both conditions would exist, but it would be primarily an expansion of the existing driver's test.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Okay, terrific.

And -- and I appreciate that. I think that's a -- that's a great idea and I think that's something that we can figure out a very good solution for next year or maybe even, hopefully, sooner.

So in Lines 138, 139, it required -- the bill requires that the classroom instruction of any such driver education program shall include a discussion concerning highway work zones, safety, and responsibility of an operator of a motor vehicle under Sections 14-212D. This includes, obviously, more

things than what we were just talking about and just to get a flavor for what those different subject items might be.

Through you, Mr. President.

If Senator Maynard could -- could give us just a couple of examples.

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

Yes. Thank you, Mr. President.

The -- the area -- this area applies to driver education programs in secondary schools and offers up through those programs this particular additional classroom instruction and it is related to all of the above awareness' of work zones, speed limits, appropriate conduct of -- of driver's as they approach and travel through those. And the additional fines and penalties associated with it. I think it's just one of the broader educational awareness, but it specifically addresses those programs that would be a requirement for driver ed programs through the school system.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President.

And thanks for that answer. And I think that's a very good idea. Oftentimes, you know, I think personally that the time that you need to take to go to a remediation course, a driving course, rehab course, whatever they're called, is -- is one of the most punitive of punishments, because it takes time, it takes effort, you need to leave work, you need to leave your home life or whatever to go complete these courses.

And I applaud that because it really needs to take driving very seriously. You're, as a driver, driving around a three, four, or five-thousand foot or pound weapon. Something that we all need to respect a lot more than we generally do.

(The President in the Chair.)

So through you, Madam President.

The question I have for you, Senator Maynard, is -- is on Line 201 it says, in subparagraph 3, it says, not more than two points shall be assessed for the conviction of a violation of Section 14-212D. That strikes me as a little bit on the light side. Would you agree with that Senator or do you think that that's sufficient?

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

Oh. Thank you, Madam President.

Good to see you.

THE CHAIR:

Good to see you, sir.

SENATOR MAYNARD:

You know, I don't have an opinion to offer to Senator Frantz on that. Two points is a significant amount. There is, I guess arguably, there is the ability to accumulate these and of course then the concomitant cost on your insurance, et cetera adds an extra penalty, but I'm certainly willing to discuss that further. Those are the kinds of things we could increase if we found that the two points was not getting people's sufficient attention.

SENATOR FRANTZ:

Thank you.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Through you, Madam President.

Could you refresh the Circle with what the regulations are now. When -- how many points do you need to have a license suspension? How many points, generally speaking do you need to have an increase in insurance premiums by your carrier? If that's set by the free market, maybe just an average number or an off-the-cuff guess would be very helpful. And anything else that you think is relevant to the punitive end of -- of this -- this exercise of trying to get people to respect the rules and especially in the work zone.

SENATOR MAYNARD:

Yes, if you would bear with me for just --

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

Thank you, Madam President.

If I could just ask for the Senate's indulgence for just a moment, there was a section of the bill I wanted to reference specifically.

THE CHAIR:

The Senate will stand at ease.

(Chamber at ease.)

SENATOR MAYNARD:

Senator, I'm having a difficult time finding that.

THE CHAIR:

The Senate will come back to order.

Senator Maynard.

SENATOR MAYNARD:

Thank you, Madam President.

I'm having a difficult time finding the specifics of that -- to answer that question explicitly. I'll get those to the Senator if he's amenable to my answering that shortly, but I don't have it in front of me.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you, Madam President.

Yes, absolutely. No reason why anybody would know that off the cuff, unless they have had a run-in with the law, their license suspended.

THE CHAIR:

That's wonderful to hear, Senator Maynard.

Senator Frantz.

SENATOR FRANTZ:

For some reason, through you, Madam President, the number 10 sticks out for a suspension. I could be off by two points. I'm glad no one else in the Circle has any knowledge of this. But it's either eight or 10 and I think that's -- that's a totally legitimate level at which to take away -- suspend anyway -- someone's license. But -- but if we're reducing some of these violations or infractions down to one or two points per violation, you know, it's going to -- it's going to take a long time for -- it's going to take a long time for people to build up to the point where there may be some repercussions to them.

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

Thank you very much, Madam President.

I knew it was in front of me. I just couldn't locate it. The answer to the Senator's question is that a driver who accumulates 11 or more points is subject to suspension and that the violations currently range between one and five points for various motor vehicle violations, from at an unreasonable speed on the low side, one point to five points for negligent homicide. So you sort of get a sense of what the range is for various offenses. I would guess that the two for going at an unreasonable speed through work zone is either, maybe one or two points too low if you wanted to consider the risk involved.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you.

Thank you, Madam President.

And through you, thank you for those answers. That's very, very helpful to me and any unanswered questions we'll find out the answers to in the next couple of days.

I just want to say you've been a terrific Co-Chair of the Transportation Committee.

This is a great bill. It's one of many that you've helped usher through. And it's been great to work with you on the issue of safety. That's something that, you know, as you know I'm very big on and you've been very amenable to every suggestion that -- that I've had personally and many of the other good suggestions coming from both sides of the aisle. And

so thank you for your hard work on transportation,  
especially as it relates to safety.

Thank you, Madam President.

THE CHAIR:

Thank you.

Senator Maynard.

SENATOR MAYNARD:

Thank you very much.

And I would like to thank Senator Frantz for his  
support for the bill. As long as -- as well as  
Senator Boucher. And for all of the great work we do  
together. It's been a pleasure to work with Senator  
Frantz as well. And I thank him for sharpening my  
skills on some of the point issues here. It was an  
area of obvious lack of familiarity and I'm pleased to  
have refreshed it.

Thank you very much.

And if there's no objection, I would ask that this be  
placed on the Consent Calendar.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Madam President.

Madam President, I have a question to the proponent.

Through you.

THE CHAIR:

Please proceed, sir.

SENATOR CHAPIN:

I don't have the Section in front of me, but the mandatory training, if you're traveling at 75 miles an hour through a work zone, would that be a work zone that actually had workers in it? I know a lot of times they post signs that say it is a work zone, but they, of course -- for the better part of the day, they're not working in it. So some evening leaving the Capitol in the wee hours, maybe not paying attention to the speedometer, if somebody goes through one of these zones where there are no workers and they get stopped, would they fall under this requirement?

Through you, Madam President.

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

Thank you, Madam President.

No -- no, the bill addresses the endangerment of a highway worker when there are workers present, and that's where the heightened fines and penalties come in.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Madam President.

I thank the gentleman for his answer.

THE CHAIR:

Thank you.

Senator Maynard.

SENATOR MAYNARD:

Thank you, Madam President.

If there's no objection, I would ask that this be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

Mr. Clerk.

THE CLERK:

On Page 40, we are talking Calendar 265, Senate Bill Number 191, AN ACT CONCERNING THE PENALTY FOR CAUSING HARM TO A VULNERABLE USER OF A PUBLIC WAY, Favorable Report of the Committee on TRANSPORTATION.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Madam President.

If that item might be passed temporarily and we will return to it shortly.

Madam President, if we might move to Calendar Page -- Calendar Page 16, Calendar 523, House Bill 6323.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 16, Calendar 523, House Bill Number 6323, AN ACT CONCERNING ADOPTION FEES FOR DOGS, Favorable Report of the Committee on PLANNING AND DEVELOPMENT.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO:

Yes, Madam President. Good evening.

Oh -- I apologize.

SENATOR LOONEY:

On the Consent Calendar.

THE CHAIR:

If there's no objection, it will be placed on the  
Consent Calendar.

I apologize.

Senator Looney.

SENATOR LOONEY:

Yes, Madam President.

Madam President, if the Clerk would now list the items  
on the Second Consent Calendar so that we might move  
to a vote on that Second Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 5, Calendar 275, Senate Bill 299.

On Page 7, Calendar 356, House Bill 6253.

Page 15, Calendar 518, House Bill 6316.

And Page 18, Calendar 555, House Bill 5836.

On Page 21, Calendar 579, House Bill 6358.

Page 40, Calendar 265, Senate Bill 191.✓

Page 41, Calendar 305, Senate Bill 1081.

And on Page 43, Calendar 388, Senate Bill 1096.

And Page 45, Calendar 553, House Bill 5250.

THE CHAIR:

Mr. Clerk, please call for a roll call vote. The machine will be open for this Second Consent Calendar.

THE CLERK:

Immediate roll call has been ordered in the Senate.  
Senators please return to the Chamber. Immediate roll call on today's Second Consent Calendar has been ordered in the Senate.

THE CHAIR:

Do me a favor. Call it one more time now, so we can get them in here faster. Thank you.

THE CLERK:

Immediate roll call ordered in the Senate on the Second Consent Calendar of the day. Senators please return to the Chamber. Immediate roll call in the Senate.

THE CHAIR:

All members have voted, all members have voted, the machine will be closed.

Mr. Clerk will you call the last tally of the night.

THE CLERK:

On the Second Consent Calendar of the day.

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

THE CHAIR:

Consent Calendar passes.

Senator Looney, do you have some good news for us, sir?

SENATOR LOONEY:

Madam President, just before moving for adjournment, we have a couple of other just Calendar items. One item on the foot of the Calendar.

Madam President, Calendar Page 49, Calendar 240, Senate Bill 849. I would move to remove that item from the foot and just mark it passed, retaining its place on the Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

And also, Madam President, other item on the foot of the Calendar, Calendar 182, Senate Bill 1000. Would move to remove that item from the foot and to mark it passed, retaining its place on the Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you.

Madam President, the other items previously marked go for this evening, should now be marked passed, retaining their place on the Calendar. We hope to begin with those items early tomorrow.

And I would yield the floor now for Members for announcements of Committee Meetings or other Points of Personal Privilege.

THE CHAIR:

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**TRANSPORTATION  
PART 1  
1 – 295**

**2013  
INDEX**

1  
lg/sd/cd/gbr TRANSPORTATION COMMITTEE

February 4, 2013  
10:00 A.M.

CHAIRMEN: Representative Guerrero  
Senator Maynard

VICE CHAIRMEN: Senator Stillman  
Representative Mikutel

MEMBERS PRESENT:  
SENATORS: Boucher, Cassano, Frantz,  
Hartley, Leone, McLachlan,

REPRESENTATIVES: Scribner, Alexander, Betts,  
Giegler, Hovey, Janowski,  
Jutila, Labriola, Larson,  
Lemar, Lopes, Molgano, Morin,  
O'Dea, Perillo, Santiago,  
Sawyer, Sayers, Serra,  
Simanski, Steinberg

REP. GUERRERA: -- please hand them out to the members  
of the committee.

COMMISSIONER JAMES P. REDEKER: Good morning, Mr.  
Chairman and members of the Transportation  
Committee. Thank you for your time this morning.

The Department is submitting written comments on  
15 bills, and my purpose this morning is not to  
go over that but rather just to highlight a few  
issues that are important to us.

First, really, is the topic of workers' safety,  
and there are several bills that can help this  
year, whether that's fines for texting or cell  
phone use, or fines in work zone safety. We  
endorse working on all of those issues as a  
collective issue. Our worker safety and that of  
the construction industry is paramount. So we  
pledge our support to work with the committee as  
any of those bills might advance.

HB 5248

HB 5550

HB 5549 HB 5250

And the last issue I wanted to comment on briefly is the issue of regional coordination on selecting transportation infrastructure projects. As you know, we do that extensively with our MPOs and RPOs, long transportation planning program delivery and outreach processes, public hearings.

SB641

And finally, when it comes to TOD, the Governor has established a new task force under the lead DECD that we're participating in. One more way to coordinate on investments, particularly around our transportation infrastructure, so we think we are doing an extensive amount of coordination already and, with that, I'll end my remarks and I'm open for any potential questions you might have.

REP. GUERRERA: Thank you, Commissioner, for that update, and I know that you have submitted written testimony.

In regards to the worker safety bill, I am hoping that, you know, and I'm sure you are, we will be working with individuals, like Ron McClellan and I know that Representative Morin has been a leader on this bill, also -- maybe gather ideas so that way we can try to -- it's our purpose here when this bill's ready to have it drafted and ready to go. So that way we have all the information in there, so.

HB5250HB5549

COMMISSIONER JAMES P. REDEKER: We look forward to doing that.

REP. GUERRERA: Any questions for the Commissioner?

Representative Hovey.

REP. HOVEY: Thank you.

the table, and see if we can negotiate some resolution.

REP. LARSON: Well, herein lies, sort of, the rub, is that this particular line has currently six at-grade crossings throughout town. I mean it runs, you know, parallel to Route 5 all the way through East Hartford, up to South Windsor, et cetera. And I don't know, you tell me, we took down an old bridge because it was, you know, a "Hadfields and McCoys," between the housing authority and the public works who was going to maintain it. So is that a new crossing or is that an old one being remodeled?

COMMISSIONER JAMES P. REDEKER: So this is an issue that needs some facts, and it needs to go through a hearing process about what that crossing needs or doesn't, but we can help get it that that point and get some decision making on it, and that is what I can pledge to you.

REP. LARSON: You are the best. Thank you very much.

Thank you, Mr. Chairman.

REP. GUERRERA: Thank you, Representative Morin.

REP. MORIN: Thank you, Mr. Chairman.

Good morning, Commissioner.

COMMISSIONER JAMES P. REDEKER: Good morning.

REP. MORIN: Good to see you. I just want to touch base briefly. I was pleased to hear Chairman Guerrero's strong support for Bill 5250 working for safety of workers. And I want to be clear, we are fortunate today -- further on, we are going to have some testimony from people. We have some DOT workers that have taken the time

off from work to come here and show their support because it is a really important issue, and I am -- you know, when I just crafted the beginning of this is was a discussion on, you know, and I think everybody just thinks of DOT workers, but I think this is going to take a real collaboration with -- you know, the commissioner of motor vehicles, state police, because there are a lot of people that spend their lives on our roadways and they're just so dangerous.

So I appreciate and I look forward to working with you and I just think in your years of experience in the transportation field, I mean, together, we have seen a lot of tragic events, and it is going to take quite a collaboration, and I hope that we will be able to bring, as we sit together, to try to try to craft a very good piece of legislation that we could bring those stakeholders together with yourself to do the -- something that will have a positive effect.

COMMISSIONER JAMES P. REDEKER: And I look forward to that. We have -- just, actually, working on a final draft of a work zone safety plan with federal highway. It's the first time we have put that together.

And, as you know, I am really looking -- I have engaged, not just my administrative team, but all of our workers in a dialogue. We'd like to work also with the industry itself and all the workers out there because I think there is any number of things we can do from communication issues and education and promotional things to investments in technology, investments in, you know, implementation of enforcement activities. All geared toward, frankly, the safety -- not just of the workers but the traveling public in those zones. So I am looking forward to some serious and productive discussions there.

REP. MORIN: As am I, thank you, Mr. Chairman.

REP. GUERRERA: Thank you, Representative Morin.

Representative Betts followed by Representative Steinberg.

REP. BETTS: Thank you, Mr. Chairman

And good morning, Commissioner.

COMMISSIONER JAMES P. REDEKER: Good morning.

REP. BETTS: I was looking at your testimony dealing with the use of fuel cells, and I noticed, obviously, these news buses are very expensive, about four times the cost of other buses. How much -- do you have an idea how much it costs, because I know it is very expensive?

HB6055

COMMISSIONER JAMES P. REDEKER: Right now, these really are experimental vehicles I would put it in that category. There are about \$2.5 million apiece. And they have, I would say, the fuel cells themselves have about a seven-year life cycle. So somewhere around four years, we begin working on a replacement cycle for those. And I would add further in this context that they really a piloting kind of a activity right now. We're committed to alternative means of propulsion and to an environmentally friendly fleet and an efficient one. We have the greenest fleet east of California, and we have to the only fuel cell fleet in the country, and we have the only place where there is stationary fuel cells and mobile fuel cells in the country. So we are committed to this, but we want to do it in a reasonable way.

And on the local bridge side, it is adding money to and removing some of the constraints that already exist. So that on top of a desire to, sort of, share some of what we are learning on accelerated bridge construction techniques where we might be able to replace some of those bridges in a weekend as opposed to five years. That's where we should be heading in terms of a goal, and I pledge my support to get there.

REP. GUERRERA: Thank you, Representative.

Representative Sawyer followed by Senator Hartley.

REP. SAWYER: Just one quick question because I love the bridging idea. When you talked earlier about the safety -- the work zone safety program that you're doing in conjunction with the federal highway, is there a grant involved with this? Does this mean some federal dollars that we are able to use to move this forward because it's one of most -- I think one of the most important things that this committee has done and Representative Morin and myself have been such major proponents with the Chairs to push the expansion of our -- the initiatives from the Department and, certainly, with the fines and fees to make people more aware.

HB 5250  
HB 5549

COMMISSIONER JAMES P. REDEKER: So, I'll offer three comments there. There is a way -- what I talked about is a first-ever work zone safety plan. And, you know, the fact we didn't have one done was important to us to get it done so it's in final drafted stages. That will also help us because it will enable to us, perhaps, to apply for federal dollars from FHWA, which we might not have otherwise used.

Second, we do have -- we were also one of the only -- well, we were the only state in the country to get a distracted driving grant to do enforcement for distracted driving. That is intended to be a program in the Danbury area, but it was in a partnership with state police and with the police department in Newtown, and we are holding off on that as we just want to give some time in that area, and, hopefully, we can continue to do it because we have partners that want to do it, but we just need to give some more time before we get into that. The federal government is allowing us to hold off a little while, but it is an important initiative. Distracted driving is something that is absolutely critical, and we know that a program like this could have terrific benefits.

And last is MAP-21, our federal legislation that we are currently under, does has a significant emphasis on safety. And we're looking at, not just the physical side of safety in terms of infrastructure improvements, but also, you know, how do we convince people, how do we communicate, how do we educate people so that really wearing seatbelts and the significant gains that were made there can also be made; that same kind of gain could be made in the distracted driving arena. So we are really committed to that, and, personally, I want to work as hard as I can go get us as a lead state and leadership state but not because I want to be a state that wins competitions, but it's just too important for everybody from a safety point of view.

REP. SAWYER: I'll take the competitive part. When do you expect the plan for the work zone safety to be completed?

COMMISSIONER JAMES P. REDEKER: Probably this week. I turned it back with some comments just because I

wanted to add some -- a little bit more oomph to it. But it's in the final drafting stage, we would be happy to share it.

REP. SAWYER: I would love that when it comes out. Thank you.

COMMISSIONER JAMES P. REDEKER: You bet.

REP. GUERRERA: Thank you.

Senator Hartley followed by Senator Frantz.

SENATOR HARTLEY: Thank you, Mr. Chair.

And good morning, Commissioner. We are going to go all the way around the circle so maybe this is close to the end.

First of all, I just want to recognize your leadership to date with regard to being very willing to talk about things that we never been able to do and try to look them a under a new lens.

And I refer to one and that is the maintenance and safety of our bridges. With the change in our snow prevention program with new compounds on the highway, we have been particularly concerned about the effect on bridges. And we know of the competition, if you will, or the difference in opinions and agencies -- I refer to DEEP. And I am just wondering if you could update us with regard to your working with that agency to try to address the corrosive issue that we are experiencing because this new technology with regard to snow removal safety.

(HB5547)

COMMISSIONER JAMES P. REDEKER: Thank you. First, let me just talk about our salting and snow removal policies. We are preparing a report on what

COMMISSIONER JAMES P. REDEKER: Great. Thank you.

REP. O'DEA: Thank you, Mr. Chair.

REP. GUERRERA: Thank you.

Representative Scribner.

REP. SCRIBNER: Thank you, Mr. Chairman.

Good morning, Commissioner.

Just a brief question, you touched on and referenced the federal grant that the State has achieved to address distracted driving. Could you just elaborate a little bit on that? We have a number of proposals from legislators to address that very issue, and it might be helpful for the committee as we continue to hear from the public and have further discussions about what we might implement. What the scope of that project is including -- I know you mentioned the Danbury area. What kind of money is involved? What kind of enforcement will be entailed and what we hope to accomplish, even the time frame?

HB 5250  
HB 5549

COMMISSIONER JAMES P. REDEKER: Okay. I'll get you the scope of that -- a write up on that. Essentially, it's taking a look at -- it's an enforcement program with a very clear before and after measurement system. I mean, it is -- it really is an experiment, if you will, paid for by the federal government. I think US DOT sees Connecticut as a leader in these activities and we are fortunate that we can continue getting grants like this. So what it's really doing is looking at enforcement where we would pay for additional police time, state police and local police, to identify people using cell phones or other, you know, texting while they're driving, distracted driving, and then issue fines and then

look at the -- what happens in that area when people are aware. It's also partnered with a communications program saying, "We're doing this." And we'll, you know, take an example -- make an example of the people who were caught or stopped, how they behaved afterwards so there's a behavioral aspect, a communications aspect and an enforcement aspect, and I'll get you the details on the duration of that and how it's being handled by the federal government.

My opinion is I would like to have ten of them, not just one of them. I am interested in things -- for example, there's a distracted driving simulator. I think many of you know about -- you know, drunk driving simulator in, you know, high schools that are used and how effective that can be. There's a distracted driving simulator, but you can only borrow it from the federal government for short periods of time.

I am contemplating whether we can use some funding or get some funding to buy one and be able to use it, you know, around Connecticut and be just as effective of that. There's lots of aspects of this issue. But on the particular grant, I will get you the details so you have it in hand.

REP. SCRIBNER: Thank you and that would be very helpful. And I do agree that one of things that I hope we maximize the communication of the enforcement because I think that's one of the greatest obstacles that we continue to face in this very growing epidemic problem.

COMMISSIONER JAMES P. REDEKER: Absolutely.

REP. SCRIBNER: Thank you.

REP. GUERRERA: Thank you.

Any other comments?

Seeing none, thank you, Commissioner.

COMMISSIONER JAMES P. REDEKER: Thank you, Mr. Chairman.

Thank you committee members.

REP. GUERRERA: Commissioner Currey.

And then after the Commissioner -- after questions, we will go to the public. And we'll have to go back and forth the public and to the officials after your comments there.

Good morning.

COMMISSIONER MELODIE A. CURREY: Good morning, Mr. Chairman, Senator Maynard, Representative Scribner and Senator Boucher, and other members of the committee.

SB 266

HB 5550

HB 6016

Thank you, for allowing me to come before you today in relation to the bills that we have before your committee. I just want to start out by saying we are in the middle of CIVLS, which is the modernization of our computer system so there are many things that may be proposed this year that are wonderful ideas but not feasible under our present system. And as we move forward, changes to the system that we presently have will impact both financially and physically our time schedule for rolling out CIVLS.

So, well -- for instance, Bill Number 135, motor vehicle liability insurance, the Department is opposing that although we certainly want to see people insured. We don't know how, for instance, we would, in lines 11 and 12, "Such owner

through probably higher insurance rates and then that sort of thing because of all that. But what -- we see so many thousands of these cases, I mean, just driving up here every morning, going home every afternoon. I'm sure we both see dozens of them that they managed to escape without incident, but they're creating a risk. And sooner or later create that much risk, we're going to have incidents and some of them are going to be pretty serious.

REP. GUERRERA: Thank you.

Any other comments?

Thank you, Representative Leone.

SENATOR LEONE: Thank you, Mr. Chairman.

REP. GUERRERA: Don Shubert.

DON SHUBERT: Good morning, Mr. Chairman and members of the committee. My name is Don Shubert. I'm the president of the Connecticut Construction Industry Association. And I'm here to testify on the bills that were associated with the first two topics that Commissioner Redeker covered this morning, Bill 5250 and 5549, concerning the safety of workers in roadway work zones and concerning penalties for endangerment of a highway worker.

HB 5547

That's a priority for us in the construction industry and, not only for our workers, but for the DOT officials that are out there with us and the traveling public. And there's already been a rigorous discussion about penalties here this morning but, like the Commissioner, we think it has to be part of a multifaceted approach that includes communications and outreach.

RON MCLELLAN: Good afternoon, Mr. Chairman and members of the Transportation Committee. My name is Ron McLellan. I'm the president of the Connecticut Employees Union Independent, SEIU, Local 511. We represent about 5,000 maintenance and service workers in the state of Connecticut, about 1200 of which are highway maintenance workers.

And I am here this afternoon in support of House Bill 5250, House Bill 5549, House Bill 5248. And Mr. Chairman, I've resubmitted some of the testimony that some of our members had made in December and some of my own. I just have a few additional comments.

I heard a lot about work -- highway safety issues today. And when we think about those issues who is at risk, we are all at risk, our sons, our daughters, our sisters, our brothers, our mothers and fathers, and especially those who have the highways for their -- for their workplace, who spend the entire day on the road, are at much greater risk because their whole day is consumed by being on the highway -- police, firefighters, medical responders, emergency roads service responders, highway maintenance workers and our highway service patrol.

What is our number one hazard that we face out there right now? Unfortunately, we've heard about it today, distracted driving. Our hearts go out to the young lady who lost a loved one because we've been through it. It's an awful thing, and we hope it doesn't happen again. But these electronic devices that have been developed in the last 10 years have completely changed the game for us. For you, legislators, who would like some information on distracted driving, go to [distraction.gov](http://distraction.gov). That's [distraction.gov](http://distraction.gov). It's a great website. They will educate you

about things about distracted driving you didn't even know existed.

And we've heard it today when we talked about distracted driving. It's a step further than impaired driving because your eyes are off the road. You are completely unaware of your surroundings. We don't know if it's one second, two seconds, a minute where your eyes are off the road, a serious problem.

What are some of the solutions? A culture change, changing how we think about using a device in a car; education, an education program that constantly reminds the public about impact and about consequences, what is the impact of your behavior, what are the consequences.

And I have to tell you I was taken back a little bit here in the discussion about the impact of a fine on a family, when, Mr. Chairman, you and I were at a funeral back in March. We know what impact is. We know what impact is on a family when we lose someone. And I have to tell you we can talk about tougher penalties, but if we don't find a way to enforce them, we're never going to get there and enforcing distracted driving is much different than speeding.

And I have to tell you, one of our members who testified here in December from the service patrol, John Blanchard, not two weeks before he sat in this very chair and gave testimony, he was hit at full speed. His crash unit was hit from the rear on I-84 in Waterbury. He was seriously injured. He still suffering from neck and back injuries. The service van driver and handicapped passenger were seriously injured. This is an ongoing problem that just is not stopping.

And just to wrap this up, I don't want to -- I don't want to go to anymore funerals. I don't want to get these calls where I have to visit members in the hospital; they're getting killed; they're getting injured on the road and it's our responsibility to do something about it. And I don't want to see another -- one of our members have to sit in this chair and hold back tears talking about losing a loved one on the highway. It's hopefully the last time that we go through that.

We send our men and women out onto our highways to take care of our roads. It's our responsibility to do everything we can to make sure they go home to their families at the end of the day. Let them work and let them live.

I want to thank the Chairs of the Committee for your commitment on this issue, past, present and future.

REP. GUERRERA: Thank you, Ron, for your comments, and I couldn't agree with you more.

We will be looking at some legislation here with the help of yourself and other representatives in this room to try to craft something that will protect, not only the people of the state of Connecticut, but our state employees, too, at work on those roads every day. I was at that funeral, and it was heartbreaking. And we don't want to go to another one.

Any comments for Ron?

Representative Scribner.

REP. SCRIBNER: Thank you, Mr. Chairman.

Good afternoon. Thank you for taking the time to be here waiting to testify. Your message is compelling; it's important. We appreciate your voice on behalf of many state employees but everybody that's on the road.

And you're absolutely right. We have struggled with this issue that continues to grow. We hear and listen and pay attention, we want to do what's best for the public and increase the safety on the roads no matter what, and we don't, perhaps, all agree on how we get there, so I think what we have to do is to come up with reasonable enhancements to what's already in place to prevent fatalities and serious injuries to anybody that is on our road for any reason.

We all know the statistics and they don't lie. And if it means increasing fines is one way to address it then, perhaps, that's what we need to do. But we appreciate your voice because you represent a segment of the population that are important to us, and they're lucky to have your voice. Thank you.

RON MCLELLAN: I appreciate that, and I think the point that you made that it's not just workers, it's everybody that uses our roads that is at risk, a very important one. Thanks.

REP. GUERRERA: Representative O'Dea.

REP. O'DEA: Thank you, Mr. Chair.

Thank you, sir, very much for your testimony here today. And, obviously, I support what you're doing 100 percent.

In listening to Representative Mikutel's comments, I tend to agree with him not -- I mean, I can understand why you can be somewhat taken

aback or upset, but I think what his point was what my -- let me just say what my point is. A lot of police officers that I know would be apprehensive to fine a family that may be struggling, and they know they're struggling, with \$500 for a violation. That does not make light of what -- and you're absolutely correct, the impact from the actions could be deadly and are. And we, in fact, had a woman, a teenager while texting accidentally kill somebody in New Canaan, right on the border with Norwalk. It was horrible; her life is impacted forever as a result of that.

But what -- what I believe may be something we can look at is the -- the staggered fine so that the first fine is \$100 so it's no longer just written off as a warning, they'll actually impose it. The second fine may be 250; the third one, may be 500. I've seen some of the bills that recommend that. So please don't take my words on that issue as meaning I don't care about reducing the impact. What I'm looking at is trying to allow the officers to enforce it -- or want the officers to enforce that first fine even on a family that may struggle with it because they need to learn their lesson so that something much worse doesn't happen.

But thank you very much, sir, for your testimony and you are protecting those most exposed -- or advocating for those most exposed to distracted driving. And thank you very much.

Thank you, Mr. Chair.

RON MCLELLAN: Thank you. I appreciate your comments. And it is true if we don't have some enforcement mechanism, we could write all the laws that we want. We have to have the enforcement out there, and I think one of the most important proposals

that we made is somehow finding a way to use infraction revenue to continue an enforcement operation because it's always about funding. And with distracted driving, it's a special type of enforcement that takes somebody riding around in a vehicle to see what we see traveling to work every day. Right? They have to be in the flow of traffic, up higher, the better, looking and seeing what people are doing so I'm hoping the Committee will take that proposal of somehow moving some of that infraction revenue to continue an enforcement operation seriously.

REP. GUERRERA: Thank you, Representative O'Dea.

Ron, I couldn't agree with you more. I think there are ways of doing this where that -- some of that monies could go back to municipalities for those specific units that may be a specific two or three officers that's all they're doing is looking -- going out there looking for this. And even with our state troopers knowing that if the fine is a certain amount that half of that fine would go back to them to keep that funding process in place but, more importantly what it's doing is saving lives.

Any other comments?

Thank you, Ron.

RON MCLELLAN: Thank you.

REP. GUERRERA: Lori Pelletier, and I think --

Is Joe Schmitt with you, too, Lori, or not? No. Okay.

LORI PELLETIER: Good afternoon, Transportation Committee. I'm Lori Pelletier, and I serve as the secretary-treasurer of the Connecticut AFL-

HB 5549

HB 5250

CIO, and we have members in every city and town in the state.

I've submitted written testimony and I just want to touch on a few things, and I'm appreciative of Ron McLellan and his leadership on this issue. But on a personal note, I mean, in my role as secretary-treasurer and I know that John Olsen in his role as president, we spend a lot of miles on -- time on these roads in Connecticut. And just after the hearing that you had in the off-season, if you will, I was the next day heading the Merritt and this guy driving a van looking down and controlling the wheel with one hand and looking down texting with the other almost went into one of the barrier trucks for our state employees.

And you know, every year across this nation 5,000 workers die on the job. In Connecticut last year, we had 50. Again, this is something we can control if we can put in there legitimate fines with legitimate ways of making sure that workers who work for us -- let's remember that these are public servants who work for us -- that if they go to work they should come home and we should not have to attend those funerals.

So I know this committee is so supportive of our Department of Transportation workers, as well as all state employees. So again, if there's anything that the state AFL-CIO can do to help you with the legislation move forward, or if you have any questions I'd be glad to answer them at this time.

Thank you.

REP. GUERRERA: Thank you, Lori, for those comments. I know you've been very helpful in regards to this issue along with Ron and a lot of his

members and a lot of members on this committee. So they can rest assured that there will be something done out of this session and, hopefully, we can all gather enough information to do it the right way.

LORI PELLETIER: Great.

REP. GUERRERA: Any comments for Lori Pelletier?

Thank you, Lori.

LORI PELLETIER: Thank you.

REP. GUERRERA: Myron Johnson.

MYRON JOHNSON: Good afternoon, committee members.

I'm going to try and make this brief. I had a written statement. I submitted it, but I think I'll just kind of go off-the-cuff, and I'll make a couple points.

I'm here -- just one second -- my name is Myron Johnson. I'm a lifetime resident of Cromwell, and I'm a former member of our local board of selectmen. I'm here today show to show my strong support for House Bill 6028, to improve the traffic flow for Exit 19.

I don't know if any of you are familiar with it, but where Cromwell is centrally located -- and if you're traveling on Route 9 at any time of the day, say, towards the latter part of the day, it really gets backed up because of our Portland Bridge. We have stoplights on it, and it's an interstate problem, and what our issue that we have is our exit ramp in Cromwell it -- there is a "No Turn on Red" on our off-ramp. And what we have is a hazard where the traffic just seems to back up into the interstate, and it's extremely difficult to navigate.



RON McLELLAN  
President

DAVID CUMMINGS  
Vice President

LESLIE MADDOCKS  
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Testimony by Ronald McLellan, President  
Connecticut Employees Union Independent (CEUI), SEIU Local 511  
Transportation Committee Public Hearing  
Hearing Date: February 04, 2013

Testimony Regarding: HB 5250 An Act Concerning the Safety of Workers in Roadway Work Zones, HB 5549 An Act Concerning The Penalties for Endangerment of a Highway Worker, HB 5248 An Act Increasing Fines For Distracted Driving.

Good afternoon Mr. Chairmen and Members of the Transportation Committee. My name is Ron McLellan and I am the President of the Connecticut Employees Union Independent, SEIU Local 511. We represent 5000 maintenance and service workers in the state of Connecticut. Over 1200 of our members are highway maintenance workers.

I am providing testimony today in support of these bills and out of great concern over the increasingly dangerous driving culture on Connecticut's highways. CEUI members have been sounding an alarm that action must be taken to get the attention of drivers that use electronic devices, travel at high speeds, and drive aggressively at the peril of other drivers and workers on our highways. This behavior endangers the lives of other motorists, stranded motorists, highway maintenance workers, tow truck drivers, emergency

responders, police officers, and firefighters. This behavior becomes even more dangerous in a highway work zone.

The injuries and deaths that result from distracted and/or aggressive driving have real impact on families. The loss of a loved one or a serious injury that causes lifelong pain and restriction are scars that never heal and can't be fully compensated.

In our Union, we know from experience what it is like to have a co-worker killed or injured. In our 40 plus year history we have lost seven (7) DOT members on the job. Many more workers have sustained serious injuries while doing their jobs.

The most recent and I hope the last worker to get killed on the job was Dan DiNardi on March 22, 2012. Not just a statistic. He was a son, a father, a brother, and a friend. His family and friends are always in our thoughts and prayers. You will receive written testimony today from his brother Fredrick DiNardi. I want to thank him and his family for their courage and commitment to these issues.

On December 12, 2012 several CEUI members gave testimony to the Transportation Committee. John Blanchard, a Service Patrol Driver, talked about the hazards they face in assisting the public on every shift they work.

Just two weeks after his testimony, he was rear ended on I-84 in the Waterbury area by a service van going full highway speed. He sustained neck and back injuries, while the van driver and passenger also sustained serious injuries.

Another issue that contributes to public disregard for work zones is the constant anti-government rhetoric. Some web, radio, TV and print media personnel continually beat the drum of a hate your government message for political reasons. We have a former governor in an afternoon radio slot inciting the public we serve by calling out multiple idle trucks in a work zone as a waste of taxpayer funds. He knows full well that they are there to protect the public and the workers. This messaging that workers on the road are just in your way and wasting your tax dollars is wrong and dangerous. A public relations and education plan is needed to change that perception back to the reality that we are just doing our jobs and providing a valuable service to the traveling public.

Every day our highway maintenance workers experience close calls and near misses that never get reported or make the news. You will receive written testimony today from CEUI members about the dangerous conditions they face every day.

We will never be able to prevent all accidents, however we can stop the reckless actions of people who believe that the flow of information on an electronic device is more important than the lives of others. We need a culture change similar to drunk driving. Thirty years ago many people would not think twice about drinking and driving. Due to enforcement and education the culture is much different today and we think before getting behind the wheel. It is that same stop and think moment that we need when it comes to responsible driving on our highways.

In addition to my testimony today, we have submitted a list of recommendations to your committee for review. An additional resource is the website **distraction.gov**, it has some great information and statistics on this issue.

On behalf of our members, I want to thank the chairs and committee members for their support- past, present, and future on these important issues. I will be happy to answer any questions.



## CONNECTICUT AFL-CIO

56 Town Line Road, Rocky Hill, CT 06067  
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Testimony of Lori Pelletier, Secretary-Treasurer of the  
Connecticut AFLCIO before the Transportation Committee  
February 4, 2013

Senator Maynard and Representative Guerrera and members of the Transportation Committee, my name is Lori Pelletier and I am the Secretary Treasurer of the Connecticut AFLCIO, and I am here on behalf of our 900 affiliated local unions.

We are in support of the following proposed bills:

Proposed H.B. No. 5549 AN ACT CONCERNING THE PENALTIES FOR  
ENDANGERMENT OF A HIGHWAY WORKER. (TRA)

Proposed H.B. No. 5250 AN ACT CONCERNING THE SAFETY OF WORKERS IN  
ROADWAY WORK ZONES. (TRA)

We appreciate the committee holding this public hearing on this very important issue of workplace safety. For DOT workers it is especially important because their workplace is fraught with danger. Speeding cars, distracted drivers, elements of the weather, all play a part in the tragic death and injury of these important public servants.

Each year over 5000 workers die in our nation while on the job, and countless more are injured. These workers will never return home to their families and that is just simply unacceptable. We need to seriously look at the causes of injuries and death to our employees and do everything possible to make sure they have every opportunity to come home after a hard days (or nights) work.

Each year the Connecticut AFLCIO remembers our fallen brothers and sisters on April 28th, on that day we pray for those who died on the job, but we also pledge to each other to continue to fight to ensure no family has to suffer by the loss of a loved one who perishes while on the job. We stand ready, willing and able to work with this committee as well as the whole General Assembly to prevent workplace injuries and death.

Thank you for bring this bill up for discussion, and we look forward to working together to keep Connecticut's public servants safe while they make our lives better.

<b>PRESIDENT</b> John W Olsen	<b>1<sup>st</sup> VICE PRESIDENT</b> Sharon M Palmer	<b>VICE PRESIDENTS</b> John Ahern John A Altieri Linda Armstrong Richard Benham Karen Blanchard Tammie Botelho Beverley Brakeman Calvin Bunnell Wayne J Burgess Michael Calderon Peter S Carozza, Jr	Peter Carroll Carol Censki Frank Cirillo Everett C Corey Shellye Davis Kenneth DelaCruz Alvin Douglas Steven R Ferrucci III Ronald Frost Patrick Gaynor Bill Henderson Keri Hoehne	Kathleen S Jackson Clarke King Thomas Ledoux John McCarthy Richard McCombs Ronald McLellan Jean Morningstar Warren Pepicelli Melodie Peters Michael Petosa Ronald Petronella Roberta Price	Robert Proto Peter Reilly Carmen Reyes David Roche Edward Sasso Patrena Smith Valerie Stewart Ray Soucy James R Wallace, Jr Paul Wallace Kurt Westby
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**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**TRANSPORTATION  
PART 2  
296 - 649**

**2013**

REP. GUERRERA: I see more of you now than I did on the Transportation Committee.

REP. LAVIELLE: You do. I'm looking at you instead of being next to you.

Well, good morning, Chairman Guerrero and Ranking Member Scribner and all my former fellow members, thank you again for tolerating me and my abundance of testimony. I'm sure you've noticed that I've introduced a large number of transportation bills. Today you have ten of them before you. I'm not going to go through all of them. And you heard six from me last week. And thank you for granting them all a hearing. I've submitted written testimony on most of them so you will have that.

(HB 5181)(HB 5127)

(HB 5128)(HB 5184)

(HB 5301)(HB 5249)

(HB 5250)

If you want to refer to something, I am looking at a document called "Testimony on Multiple Rail Bills," and that's what I will be following. I do have clear objectives in introducing the sheer quantity of bills that I introduced. And I'll -- what I am going to do is go through those objectives for you. Some of them resemble some of the ones that I introduced last time, but there are some new ones, new subjects as well, and probably more of those than old ones.

Before I go into that I do want to say one thing. As you look at all of these concepts it may be tempting to interpret my intent as being critical of the DOT and its policies, and on the contrary absolutely not. In fact, I want to take the opportunity to compliment Commissioner Redeker on his work. I've worked with him now for several years and he's always been a highly cooperative and effective partner. He's responsive and always thinks first of the people his agency serves. And as

he sets objectives and implements plans he looks to us for feedback on priorities and of course for funding. So I offer the proposals you have before you now in that spirit of collaboration.

The bills I've introduced all concern mass transit and chiefly rail. They fall into three major categories, each defined by a guiding principal or objective and here they are: Number one, we heard something about this last week. Ensuring adequate funding for our transportation infrastructure needs. Estimates for those costs over the next few years range from anywhere from 3 billion to 5 billion dollars.

And while there is currently a lot of discussion about seeking new sources of revenue, I believe our first step has to be ensuring that the revenues we already collect from fares and from the gas tax and other sources go into the special transportation fund and stay there to be used for transportation purposes only, and only when we've achieved that should we be looking to other sources of revenue.

The second objective is prioritizing rail investments where demand already exist and why therefore an immediate return on investment is highly likely. That's why I focus so much on the Danbury branch line in so many of the bills that I've introduced.

(HB 5181)

The projects that are related to upgrading and extending that line stand in very sharp contrast to the projects already underway in Central Connecticut like the bus way and the high speed rail line where our projections about ridership are much more speculative. With the Danbury line we know many of the

questions today.

REP. O'DEA: I just want to comment. Obviously as representing the same town, at least part of one of your towns, Wilton, I support all three of these priorities that you've outlined in your summary sheet which I appreciate. Thank you very much, and thank you for your testimony. Thank you.

REP. GUERRERA: Thank you, Representative. Thank you, Representative Lavielle.

REP. LAVIELLE: Thank you. It's still very good to see you.

REP. GUERRERA: Same here.

REP. LAVIELLE: Thanks so much for your testimony.

REP. GUERRERA: Being that now we've gone into the first hour, I am going to have to go back and forth to the public and to the regular officials here.

So with that, I will call on Matthew Murray and then go with Representative Srinivasan. Is he here?  
Yes.

MATTHEW MURRAY: Thank you to Chairman Maynard and Chairman Guerrera and to all the members of the committee. I am Matthew Murray from Westport, and I'm here to speak about State Bill Number 103, THE ACT REQUIRING BICYCLISTS TO RIDE SINGLE FILE ON A PUBLIC ROAD, and I support it moving forward to become law. It already has the support of the Simsbury Chief of Police and State's Attorneys' office. This law is modeled after the current New York State law.

Since implementation of the requirement for a motorist to be at least three feet away from