

Legislative History for Connecticut Act

PA 14-199

SB235

| | | |
|-----------------------|-----------------------|-----------|
| House | 7093-7097 | 5 |
| Senate | 3369-3373 | 5 |
| <u>Transportation</u> | <u>7, 13, 182-184</u> | <u>5</u> |
| | | 15 |

H – 1201

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2014**

**VOL.57
PART 21
6912 – 7260**

Substitute Senate Bill 235, AN ACT CONCERNING

REVISIONS TO THE TRANSPORTATION STATUTES.

SPEAKER SHARKEY:

Representative Guerrero.

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

I move -- I move --

SPEAKER SHARKEY:

I believe that's correct now on the board.

Representative Guerrero.

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

I move acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate.

SPEAKER SHARKEY:

Question's on acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate?

Will you remark, sir?

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

The Clerk has an amendment, LCO 5633, Senate "A," and I ask that I please summarize.

SPEAKER SHARKEY:

Will the Clerk please call LCO 5633, which has been previously designated as House Amendment "A."

A VOICE:

Senate "A."

SPEAKER SHARKEY:

Senate Amendment "A" -- excuse me.

THE CLERK:

Senate "A," LCO 5633, as offered by Senator Maynard, et al.

SPEAKER SHARKEY:

The gentleman seeks leave of the chamber to summarize.

Seeing no objection, please proceed, sir.

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

This is a strike-all amendment, which becomes the bill. It's a great bill, and I urge all my colleagues to vote for it. And I move adoption. Thank you.

SPEAKER SHARKEY:

Thank you, sir.

Representative Scribner.

REP. SCRIBNER (107th):

Thank you, Mr. Speaker.

I rise in support of the bill that's before us. Actually, the amendment that's before us which becomes the bill. This is the comprehensive Department of Transportation bill. Most of the items in here, which includes 20 sections, some of which are technical in nature have all held public hearings, and this has been a cooperative effort that we have worked out with the Department and each of the leaders of the Transportation Committee.

I'd like to thank all of them, as well as the members of the committee, and I urge support of the entire chamber. Thank you.

SPEAKER SHARKEY:

Thank you, sir.

Would you care to remark? Would you care to remark further on Senate Amendment "A"?

If not, let me try your minds. All those in favor of Senate "A," please signify by saying aye?

REPRESENTATIVES:

Aye.

SPEAKER SHARKEY:

Those opposed, nay.

The ayes have it. The amendment is adopted.

Would you care to remark further on the bill as amended? Would you care to remark further?

If not, staff and guests 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.

SPEAKER SHARKEY:

Have all the members voted? Have all the members voted? Members please check the board to make sure your vote is properly cast. If all the members have voted, the machine will be locked and the Clerk will take a tally.

The Clerk will please announce the tally.

THE CLERK:

Senate Bill 235 as amended by Senate "A" in concurrence with the Senate

| | |
|-----------------------------|-----|
| Total Number Voting | 149 |
| Necessary for Passage | 75 |
| Those voting Yea | 142 |
| Those voting Nay | 5 |
| Those absent and not voting | 4 |

SPEAKER SHARKEY:

The bill, as amended, passes in concurrence with the Senate.

Will the Clerk please call Calendar 527.

THE CLERK:

House Calendar 527, favorable report of the joint standing committee on Judiciary. Senate Bill 237, AN ACT PROHIBITING THE STORAGE OR DISPOSAL OF FRACKING WASTE IN CONNECTICUT.

SPEAKER SHARKEY:

Representative Albis.

REP. ALBIS (99th):

Thank you, Mr. Speaker.

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

SPEAKER SHARKEY:

The question's on acceptance of the joint committee's favorable report and passage of the bill.

A reminder to everyone here, we have adopted Senate "A" and "B," rejected House "B" and -- House "A" and Senate "B" has been withdrawn.

Would you care to remark further on the bill?

REP. ALBIS (99th):

Thank you, Mr. Speaker.

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CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2014**

**VETO
SESSION**

**VOL. 57
PART 11
3246 – 3508**

pat/gbr
SENATE

184
May 7, 2014

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, I move all items on Senate Agenda Number 1 dated Wednesday, May 7, 2014 to be acted upon as indicated and that the Agenda be incorporated by reference in the Senate Journal and the Senate Transcript.

THE CHAIR:

So ordered. Mr. Clerk.

THE CLERK:

On Page 32, Calendar 168, Substitute for Senate Bill Number 235 AN ACT CONCERNING REVISIONS TO THE TRANSPORTATION STATUTES, Favorable Report of the Committee on Transportation. We have amendments.

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

Thank you, Mr. President. I move the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

On acceptance and passage. Will you remark?

SENATOR MAYNARD:

Yes. The Clerk has in his possession an amendment, LCO Number 5633, which becomes the bill.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 5633, Senate "A" offered by Senators Maynard, Boucher, et al.

pat/gbr
SENATE

185
May 7, 2014

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

I ask leave to summarize.

THE CHAIR:

On adoption. Will you adopt?

SENATOR MAYNARD:

Oh, thank you, I'm sorry, Mr. President. On adoption.

THE CHAIR:

Will you remark, sir?

SENATOR MAYNARD:

Yes. The bill is our annual DOT omnibus bill. It represents an enormous number of technical changes.

I can summarize briefly. It updates and establishes various transportation statutes to facilitate the Connecticut Fastrack Collection policy and procedures.

It makes several changes to laws governing the Connecticut Airport Authority.

Allows certain special needs buses to operate on the Merritt and Wilbur Cross Parkways and provides necessary statutory authority for the FBI to conduct background checks for interstate livery.

Also, there are a number of DOT studies requested, one that was important to a great many folks in this difficult winter is the study on chemical road treatments, a study regarding Smart Phone application in the transportation for hire service industries and a study of ongoing road challenges in Rentschler Field area to parallel activities surrounding the new agreement the state and UTC to upgrade their facilities.

pat/gbr
SENATE

186
May 7, 2014

I can happily answer any questions, but it's a largely a technical bill with just a few items of modest interest.

THE CHAIR:

Thank you, Senator. Will you remark further on the Amendment? Senator Boucher.

SENATOR BOUCHER:

Good evening, Mr. President.

THE CHAIR:

Good evening.

THE CHAIR:

Mr. President, I stand in support of this very large section by section description that has just been made by my good Chairman of the Transportation Committee and I believe it has accomplished all of the things that the good Chairman has described and it's highly supportable by the rest of the Body. I don't think there's anything in here that isn't either controversial or hasn't been worked out in advance. Through you, Mr. President.

THE CHAIR:

Thank you, Senator. Will you remark further on the Amendment? Will you remark further on the Amendment?

SENATOR MAYNARD:

Yes, Mr. President.

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

Mr. President, I'd ask the a Roll Call be taken so it can be sent to the House.

THE CHAIR:

We have to adopt the Amendment first.

THE CHAIR:

I apologize. Thank you.

THE CHAIR:

If not, I'll try your minds. All those in favor please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Those opposed, nay? Senate "A" is adopted. Will you remark further on the bill as amended? Will you remark further on the bill as amended? Senator Maynard.

SENATOR MAYNARD:

Thank you. Now I will ask that a Roll Call be taken.

THE CHAIR:

Mr. Clerk, please announce the pendency of a Roll Call Vote. The machine will be opened.

THE CLERK:

An immediate Roll Call has been ordered in the Senate.
An immediate Roll Call ordered in the Senate.

THE CHAIR:

Senator Musto. Senator Kissel. Senator Meyer. Have all members voted? If all members have voted, please check the board to make sure your vote is accurately recorded.

pat/gbr
SENATE

188
May 7, 2014

If all members have voted, the machine will be closed and the Clerk will announce the tally.

THE CLERK:

On Senate Bill Number 235.

| | |
|-----------------------------|----|
| Total number voting | 36 |
| Necessary for passage | 19 |
| Those voting Yea | 36 |
| Those voting Nay | 0 |
| Those absent and not voting | 0 |

THE CHAIR:

The bill as amended passes. Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, would move for immediate transmittal to the House of Representatives of that item just acted upon.

THE CHAIR:

So ordered.

SENATOR LOONEY:

And that was Calendar Page 32, Calendar 168, Senate Bill 235.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, I also have an item to change a marking on.

THE CHAIR:

Please proceed, sir.

SENATOR LOONEY:

SB 293

**JOINT
STANDING
COMMITTEE
HEARINGS**

**TRANSPORTATION
1 – 499**

**2014
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have a feeling that Mike Lowdy was behind that, Commissioner, but, you know what I mean, but --

SB34
SB235
HB5289
(SB237) (HB5308)
(HB5409)

COMMISSIONER JAMES REDEKER: Good morning, Representative Guerrero and members of the Committee. Thank you for the opportunity to be here to give you a brief presentation on our snow and ice program, as well as to just give a few comments on the bills before you from a transportation perspective today.

HB5288

I want to start the presentation on our snow and ice program by saying it's all about one thing and one thing only, and that is safety. Safety of our roads, safety of our drivers and second to safety is to keep roads open for business, open for mobility, and those two things guide our program and our deliberations about the work that we do and how we deploy our resources.

We're responsible for 5,700 two-lane miles of roads, or 10,400, you know, miles of roads with 1,400 employees to take care of those, 632 plow trucks, hoping to keep those going every day. It's an old fleet, but we try to keep those moving, a hundred and two loaders. We purchased this year snow blowers after last year's major storm. They've been very effective in clearing some of our bridges, and 205 contractors that we use to augment and supplement our forces during a snowstorm.

Typically, we've got 12 storms with a 20-hour duration and 10 activities with smaller durations, smaller storms, different things that we deal with. That has not at all been the case this year. That average storm of 20 hours has been exceeded in almost every one of the storms. We're up to 15, probably 16 storms coming. Each one has been an extraordinary duration, and this year in particular, extraordinary temperature swings, with

but not the competitive sort of issues that have been part of our evaluation.

That proposal will streamline the application process for household goods carrier applicants and create efficiencies in my department, which I favor.

Senate Bill 235, some revisions to the transportation statutes. The most important ones are revision 2, Sections one to four that deal with the definition of a fare inspector.

As we open Connecticut Fast Track next year, that system will be using a fare collection technology called proof of payment. It will require fare inspectors to be part of the program on checking on fares and authorizing a fare inspector to issue citations and infractions and reclassifying failure to pay a transit fare from a misdemeanor to an infraction are the key elements of this proposal.

So instituting a fare collections system, defining a fare inspector, and redefining fare, failure to pay a fare, as an infraction are the key parts of that.

Section 5 of the bill would exempt salt sheds, parking garages and maintenance facilities from the requirements of high performance building construction standards for state facilities. We are committed to lead standards. We do that around our system but salt sheds and some of these other facilities just don't lend themselves to that. They can't meet the standards. This would grant that exemption so we don't have to go through that each and every time.

And then finally, just a quick comment on House Bill 5289 which is a port authority bill. The



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION

2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546



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**Public Hearing – February 28, 2014
Transportation Committee**

**Testimony Submitted by Commissioner Jim Redeker
Department of Transportation**

Raised S.B. 235 - An Act Concerning Revisions to the Transportation Statutes.
Department of Transportation proposal

The Department of Transportation (CTDOT) would like to thank the Transportation Committee for raising S.B. 235, AAC Revisions to the Transportation Statutes. The bill represents the Department's ongoing efforts to streamline and create efficiencies within the Department that ultimately facilitate the implementation and management of the State's multimodal transportation program.

In preparation of CTfastrak operation in 2015, the Department is updating its fare collection policy and procedures. Sections 1-4 seek to address the following items in statute:

- Define a "fare inspector";
- authorize a fare inspector to issue citations for infractions; and
- Reclassify failure to pay on a state-owned or controlled bus from a misdemeanor to an infraction.

Section 5 of the bill exempt salt sheds, parking garages and maintenance facilities from the requirements of high performance building construction standards for state facilities.

CTfastrak Fare Collection

The CTfastrak will facilitate fast and convenient customer use through streamlined fare collection procedures. Customers will purchase their ticket before boarding. This will allow speedy boarding using all doors of the bus, instead of filing one- at a-time by a farebox. Fare inspectors will be deployed periodically to view customer's tickets or "fare media". If the customer cannot produce the required proof of fare payment, the Fare Inspector will request identification and issue a citation to the customer. The customer will be directed to leave the bus at the next station. Customers will be informed of this process prior to using the system

There is also the need to reclassify fare evasion as a "violation". Currently, fare evasion under CGS 53a-119 is considered "theft of services," which is sixth-degree larceny and a criminal offense warranting arrest. The penalty for sixth-degree larceny (a Class C misdemeanor) is set by a judge hearing the specific

case, with the potential of imprisonment. It is therefore possible that a person could be imprisoned for avoiding a \$1.50 fare. One of the intents of this proposal is to reclassify fare evasion as a "violation" to commensurate with the severity of the offense.

Finally, there is the need to add "Theft of [State-owned bus] Services" to the list of violations adjudicated by the State Centralized Infractions Bureau. With "fare evasion" being added to the list of payable violations, the Centralized Infractions Bureau would handle payments and pleas of not guilty.

CTDOT Facility Exemption

The Department of Transportation requests that salt sheds, parking garages and maintenance facilities be exempt from the requirements of High Performance Building Construction Standards for State Funded Buildings (CGS Sections 16a-38k-1 to 16a-38k-9). The Connecticut Building Standard Guidelines Compliance Manual for High Performance Buildings, the guidance document to meet the regulations, has 12 mandatory requirements that must be met along with a minimum number of credits achieved through energy performance, water use, lighting and other conservation measures.

Several types of CTDOT facilities, such as Salt Sheds, Maintenance Facilities for state trucks & buses and Parking Garages cannot meet the guidelines for High Performance Buildings without costing more than the energy saved, or cannot meet the guidelines because the building uses little to no energy such as a shelter to store buses out of the weather. The portions of the facilities that do use energy are currently designed to the highest standards for energy efficiency.

The 2009 amendment to the State Building code requires designs, including all new energy systems and equipment, to meet or exceed the International Energy Conservation Code (2009 edition) and ASHRAE Standard 90.1 (2009 edition) energy efficient standards which was put in place after the guidelines were written. These codes are much more stringent with regard to energy performance requirements than the previously adopted codes. The Department's current building designs, energy systems and equipment currently meets or exceeds these codes.

The Department requires that their building designs qualify for the financial energy incentives under CL&P's Energy Conscious Blueprint Program. This program provides the Department with financial incentives available for qualified energy-saving measures being installed. Electronic ballasts and lamps installed in all building projects currently meet CL&P's designated harmonic distortion criteria and are eligible for design incentives by meeting/surpassing ASHRAE standards. Energy-efficient motors installed in all building projects will meet or exceed the nominal efficiencies defined for each horsepower to be eligible for incentives.

Salt Sheds: These facilities are barn type structures used for the storage of salt to treat roads and highways during winter storms and are not heated or equipped with potable water. The only energy used is for lighting. 6 out of the 12 mandatory requirements are associated with facilities that have conditioned air and on-site potable water. Therefore, these mandatory requirements cannot be achieved for these facilities.

Parking Garages: These facilities are usually concrete, single or multi-level, non-conditioned structures, which may have open sides, for the sole purpose of parking vehicles. Most of the energy used is for

lighting. As with salt sheds, many of the 12 mandatory requirements cannot be achieved since they are associated with facilities that have conditioned air and on-site potable water.

Maintenance Facilities: These facilities provide heated spaces inside a building to work on maintenance vehicles and buses. Maintenance Garages, where vehicles are routinely repaired and maintained, are required to have high ventilation rates along with required conditioned air make-up by code. Maintenance bay wash sinks and other fixtures need to be designed for industrial use. With these design requirements, two of the mandatory requirements cannot be achieved.

The Department must request an exception for each of these facilities over \$5,000,000 for a new facility and \$2,000,000 for a renovation. The engineering required to determine base energy performance, designing elements to try to achieve the minimum savings, and determining the cost benefit can cost the Department up to \$20,000 for every maintenance facility. The Department will never meet the 21% requirement for energy performance because of the high ventilation rate required in the maintenance bays. Exempting maintenance facilities can save the Stat significant engineering costs for each project.

Example of a typical maintenance facility:

A typical highway maintenance facility consist of 16-20 vehicle storage bays including wash bays and a central office core which includes employee restrooms, offices and conference room. The buildings are steel frame construction with exterior steel siding and Masonry.

Mandatory Requirement No. 3 pursuant to 16a-38k-3(c) entitled Energy Performance requires that the base minimum energy performance shall be 21% better than the most current CT Building Code or ASHRAE 90.1.

An Energy model was performed for a typical highway maintenance facility with the exhaust fans running a minimum of two hours a day. The Result of this model gave an overall energy savings of 8.4 % well short of the 21% total percentage reductions required by the Guidelines.

In order to achieve the 21% efficiency, you would have to install energy recovery equipment at a cost of \$600,000 for this facility. With an annual energy savings of \$5,600 per year, the return on the investment would be well beyond the useful life of the equipment. (\$224,000 @ 20 years).

Mandatory Requirement No. 6 pursuant to 16a-38k-3(f) entitled Water Usage requires the use of low flow fixtures to save an aggregate 20% over base levels.

The Department's best efforts to reduce water usage fall short of the Mandatory Requirement (Section 16a-38k-3(f) on Water Usage. Using the most durable water efficient fixtures, the Department can only achieve 18.2 % of the required 20%. The maintenance bay wash sinks would have to be eliminated to meet this mandatory requirement.

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