AN ACT CONCERNING THE SUSTAINABILITY OF CONNECTICUT'S TRANSPORTATION INFRASTRUCTURE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (Effective from passage) As used in this section and sections 2 to 6, inclusive, of this act:

(1) "Base rate" means the rate charged by the Department of Transportation or a toll operator to the registered owner of a large commercial truck equipped with a transponder;

(2) "Electronic toll collection system" means a system where a transponder, camera-based vehicle identification system, video toll transaction system or other electronic transaction and payment technology is used to deduct payment of a toll from a toll customer account or to establish an obligation to pay a toll;

(3) "Large commercial truck" means any vehicle classified within Class 8 to Class 13, inclusive, by the Federal Highway Administration's
vehicle category classification system, as amended from time to time,
that is not an authorized emergency vehicle, as defined in section 14-1
of the general statutes;

(4) "Personally identifiable toll customer information" means
information created or maintained by the Department of Transportation
or a toll operator that identifies or describes a toll customer, including,
but not limited to, the toll customer's address, telephone number,
number plate, as defined in section 14-1 of the general statutes,
photograph, bank account information, credit card number, debit card
number or the date, time, location or direction of travel on a tolled
highway, bridge or other facility;

(5) "Toll customer" means the registered owner of a large commercial
truck that incurs an obligation to pay a toll;

(6) "Toll customer account" means an account that is linked to a
transponder or number plate, as defined in section 14-1 of the general
statutes, in order to pay a toll;

(7) "Toll operator" means an entity that operates an electronic toll
collection system pursuant to an agreement with the Commissioner of
Transportation; and

(8) "Transponder" means a device attached to a motor vehicle or other
electronic transaction and payment technology that automatically
identifies the motor vehicle as it travels on a tolled bridge.

Sec. 2. (NEW) (Effective from passage) (a) The Department of
Transportation is authorized, subject to the provisions of 23 USC 129, as
amended from time to time, to charge and collect tolls from large
commercial trucks at limited access highway bridges requiring
construction, reconstruction or replacement:

(1) On Interstate 84 crossing the Housatonic River in the towns of
Newtown and Southbury;
(2) On Interstate 84 and Connecticut Route 8 in the city of Waterbury;

(3) On Interstate 84 overpassing Berkshire Road in the town of West Hartford;

(4) On Interstate 91 and Connecticut Route 15 at the Charter Oak Bridge and Dutch Point in the cities of Hartford and East Hartford;

(5) On Interstate 95 overpassing the Metro-North Railroad in the city of Stamford;

(6) On Interstate 95 overpassing Connecticut Route 33 in the town of Westport;

(7) On Interstate 95 overpassing the Metro-North Railroad in the city of West Haven;

(8) On Interstate 95 overpassing Connecticut Route 161 in the town of East Lyme;

(9) On Interstate 95 overpassing the Thames River in the cities of New London and Groton;

(10) On Interstate 395 overpassing the Moosup River in the town of Plainfield;

(11) On Interstate 684 overpassing the Byram River in the town of Greenwich; and

(12) On Connecticut Route 8, south of the interchange with Interstate 84 in the city of Waterbury.

(b) The Commissioner of Transportation may: (1) Enter into tolling agreements with the Federal Highway Administration and other agreements, as deemed necessary, with any other federal, state or municipal agency to implement the provisions of this section and sections 3 and 4 of this act, (2) design, construct, maintain and operate electronic toll collection systems and enter into agreements with toll
operators for the design, engineering, construction, financing, operation or maintenance, or any combination thereof, of electronic toll collection systems, and (3) retain and employ consultants and assistants on a contract or other basis for rendering legal, financial, professional, technical or other assistance and advice necessary for the design, construction, operation, maintenance and financing of electronic toll collection systems and for the collection and enforcement of tolls.

(c) The Commissioners of Transportation and Motor Vehicles may jointly enter into, or authorize a toll operator on behalf of the commissioners to enter into, reciprocal agreements with the operators of tolled highways, bridges or other facilities in other states to: (1) Facilitate the collection of unpaid tolls and civil penalties imposed in connection with tolling by owners of large commercial trucks registered in another state, and (2) share information regarding such persons, including, but not limited to, such person's name and address, and the make and number plate, as defined in section 14-1 of the general statutes, of such person's large commercial truck.

(d) The Department of Transportation shall place and maintain signs in advance of any tolled bridge to notify large commercial truck operators: (1) That a toll will be charged at such bridge, and (2) how to pay such toll.

(e) All revenues received by the Department of Transportation from tolls and the imposition of any civil penalties in connection with tolling shall be deposited into the Special Transportation Fund, established pursuant to section 13b-68 of the general statutes and maintained pursuant to article thirty-second of the amendments to the Constitution of the state. Such revenues shall be expended only for the purposes specified in, and subject to, the provisions of 23 USC 129(a)(3), as amended from time to time.

(f) Any electronic toll collection system operated by the Department of Transportation or a toll operator shall be interoperable with all other
electronic toll collection systems in the state and shall comply with all state and federal interoperability requirements and standards. Such electronic toll collection system interoperability shall extend to system technology and the transfer of funds. The Commissioners of Transportation and Motor Vehicles, in consultation with the Commissioner of Administrative Services, shall ensure the coordination and compatibility of information system technology and data of any electronic toll collection system. The provisions of chapters 58 and 61 of the general statutes shall not apply to this subsection.

(g) The Commissioner of Transportation shall adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to implement the provisions of this section. Such regulations shall include, but need not be limited to, the manner in which a transponder shall be attached to a large commercial truck when traveling on a tolled bridge.

(h) The construction, reconstruction or replacement of any limited access highway bridge described in subsection (a) of this section shall (1) either be subject to the prevailing wage requirements pursuant to section 31-53 of the general statutes or the rate established by the use of a project labor agreement, and (2) comply with (A) the state's environmental policy requirements as set forth in sections 22a-1 and 22a-1a of the general statutes, (B) the requirements of the set-aside program for small contractors as set forth in section 4a-60g of the general statutes, as amended by this act, and (C) any applicable permitting or inspection requirements for projects of a similar type, scope and size as set forth in the general statutes or the local ordinances of the municipality where the project is located.

Sec. 3. (NEW) (Effective from passage) (a) The Commissioner of Transportation shall establish the initial schedule of base rate tolls for large commercial trucks equipped with a transponder traveling over tolled bridges. Such base rates shall be not less than six dollars and not more than thirteen dollars. Not later than thirty days prior to the date such base rates become effective, the Department of Transportation
shall publish such base rates on its Internet web site and provide a copy of such base rates to the Transportation Policy Council established pursuant to section 13b-13b of the general statutes, as amended by this act.

(b) The toll rate for travel by a large commercial truck not equipped with a transponder on a tolled bridge shall be fifty per cent higher than the base rate toll.

(c) The registered owner of a large commercial truck equipped with a transponder shall not incur an obligation to pay more than one toll per tolled bridge, per day in each direction.

(d) The Department of Transportation may propose to the Transportation Policy Council established pursuant to section 13b-13b of the general statutes, as amended by this act, to change the toll rate for any tolled bridge by the rate of inflation or a rate based on the construction cost index, whichever is greater. No proposed toll rate change shall become effective unless approved by the Transportation Policy Council established pursuant to section 13b-13b of the general statutes, as amended by this act.

(e) Tolls shall not be subject to and shall be exempt from taxation of every kind by the state and by the municipalities and all other political subdivisions or special districts having taxing powers in the state.

Sec. 4. (NEW) (Effective from passage) (a) Except as provided in subsection (c) of section 3 of this act, the registered owner of a large commercial truck that travels on a tolled bridge shall incur an obligation to pay the toll. Failure to pay such toll shall constitute a toll violation. The Department of Transportation or the toll operator may assess and collect fees and penalties from a toll customer for each toll violation.

(b) (1) If a toll customer commits a toll violation, the Department of Transportation or the toll operator shall issue an invoice to the toll customer for the toll customer's past due toll balance, plus a postage fee.
The toll customer shall pay the invoice not later than thirty days after the date the invoice is received by the toll customer.

(2) If the invoice described in subdivision (1) of this subsection is not timely paid, the Department of Transportation or the toll operator shall issue to the toll customer a second invoice for the amount of the toll customer's past due toll balance, plus a one-dollar fee for each unpaid toll violation and a postage fee. The toll customer shall pay the second invoice not later than thirty days after the date the invoice is received by the toll customer.

(3) If the invoice described in subdivision (2) of this subsection is not timely paid, the Department of Transportation or the toll operator shall issue to the toll customer a notice of nonpayment. The notice of nonpayment shall include an invoice for the toll customer's past due toll balance and fees, plus a one-dollar fee for each unpaid toll violation and a postage fee. The toll customer shall pay the notice of nonpayment invoice not later than thirty days after the date the notice is received by the toll customer.

(4) If the invoice described in subdivision (3) of this subsection is not timely paid, the Department of Transportation shall issue to the toll customer a notice of liability. The notice of liability shall include an invoice for the toll customer's past due toll balance and fees, plus a one-dollar fee for each unpaid toll violation, a twenty-dollar penalty and a postage fee. The toll customer shall pay the notice of liability invoice not later than thirty days after the date the notice is received by the toll customer.

(5) If the invoice described in subdivision (4) of this subsection is not timely paid, (A) the toll customer shall be fined not more than three thousand dollars, or (B) if the toll customer's large commercial truck is registered in this state, such truck's registration shall be suspended until the amount due on the notice of liability is paid.

(c) Any person who contests the amount of a toll or a civil penalty
imposed under this section shall be afforded an opportunity for a
hearing with the department in accordance with the provisions of
chapter 54 of the general statutes.

(d) The Department of Motor Vehicles shall provide the Department
of Transportation and any toll operator with the information necessary
to collect tolls and any civil penalties imposed in connection with tolling
including, but not limited to, information regarding the make of a large
commercial truck, the truck's number plate and the name and address
of the toll customer.

Sec. 5. (NEW) (**Effective from passage**) The Commissioner of
Transportation shall prioritize the completion of transportation projects
on and in the immediate vicinity of the tolled bridges described in
section 2 of this act, except if the commissioner determines that, due to
the presence of a toll gantry, a significant amount of traffic is diverting
from a highway onto local roads in the municipality where a toll is
located, the commissioner shall prioritize transportation projects to
mitigate such traffic diversions.

Sec. 6. (NEW) (**Effective from passage**) (a) No personally identifiable toll
customer information shall be sold or disclosed by the Department of
Transportation or a toll operator to any person or entity except where
the disclosure is made: (1) In connection with the charging, collection
and enforcement of tolls and civil penalties imposed in connection with
tolling; (2) pursuant to a reciprocal agreement entered into under
section 2 of this act; (3) pursuant to an administrative hearing conducted
pursuant to section 4 of this act; (4) pursuant to a judicial order,
including a search warrant or a subpoena, in a criminal proceeding; or
(5) to comply with federal or state laws or regulations.

(b) No personally identifiable toll customer information shall be
stored or retained by the Department of Transportation or a toll operator
unless such information is necessary for the collection and enforcement
of tolls.
(c) The Department of Transportation or a toll operator may disclose aggregate toll customer information and other data that does not directly or indirectly identify a toll customer or motor vehicle for research purposes authorized by the Commissioner of Transportation.

(d) Except as otherwise provided by law or in connection with an administrative summons or a judicial order, including a search warrant or a subpoena, in a criminal proceeding, the Department of Transportation or a toll operator shall destroy (1) personally identifiable toll customer information and other data that specifically identifies a large commercial truck and relates to a specific tolling transaction not later than sixty days after the collection of the toll or any civil penalty imposed in connection with tolling or the resolution of an administrative hearing conducted pursuant to section 4 of this act, whichever is later, and (2) data collected by an electronic toll collection system that is not necessary for the collection or enforcement of tolls not later than fifteen days after such data is collected.

(e) Commencing six months from the date a toll is first collected by an electronic toll collection system in this state, and every six months thereafter, the Department of Transportation shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to transportation. Such report shall list any request for personally identifiable toll customer information received by the department, identify who made each such request and include a copy of each such request.

(f) Personally identifiable toll customer information shall not be deemed a public record, for purposes of the Freedom of Information Act, as defined in section 1-200 of the general statutes.

(g) Prior to the collection of tolls on tolled bridges in this state, the Commissioner of Transportation shall adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, regarding the
privacy, security, confidentiality, collection and use of personally identifiable toll customer information and any other data collected, received, maintained, archived, accessed and disclosed by the department or a toll operator regarding the collection and enforcement of tolls. Such regulations shall include, but need not be limited to: (1) A description of the types of information collected by the department or a toll operator; (2) procedures to ensure the privacy and security of personally identifiable toll customer information; and (3) provisions to appropriately limit access to personally identifiable toll customer information and other such data.

Sec. 7. (NEW) (Effective from passage) On or before October 1, 2020, and annually thereafter, the Commissioner of Transportation shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to transportation. Such report shall include the status and actions undertaken by the Department of Transportation to implement the provisions of sections 1 to 6, inclusive, of this act.

Sec. 8. (NEW) (Effective from passage) (a) For each fiscal year during which special tax obligation bonds issued pursuant to section 13b-74 to 13b-77, inclusive, on and after July 1, 2020, and prior to July 1, 2022, shall be outstanding, the state of Connecticut shall not charge tolls for any class of vehicle other than large commercial trucks, as defined in section 1 of this act, traveling over the bridges described in section 2 of this act. The state of Connecticut does hereby pledge to and agree with the holders of any bonds, notes and other obligations issued pursuant to subsection (b) of this section that no public or special act of the General Assembly taking effect on or after July 1, 2020, and prior to July 1, 2030, shall alter the obligation to comply with the provisions of this section, until such bonds, notes or other obligations, together with the interest thereon, are fully met and discharged, provided nothing in this subsection shall preclude such alteration (1) if and when adequate provision shall be made by law for the protection of the holders of such
bonds, or (2) (A) if and when the Governor declares an emergency or the existence of extraordinary circumstances, in which the provisions of section 4-85 of the general statutes are invoked, (B) at least three-fifths of the members of each chamber of the General Assembly vote to alter such required compliance during the fiscal year for which the emergency or existence of extraordinary circumstances are determined, and (C) any such alteration is for the fiscal year in progress only.

(b) The Treasurer shall include this pledge and undertaking in special tax obligation bonds, notes and other obligations issued on or after July 1, 2020, and prior to July 1, 2022, provided such pledge and undertaking shall not apply to refunding bonds, notes and other obligations issued under this section.

Sec. 9. (NEW) (Effective from passage) No agreement entered into by the Commissioner of Transportation for a loan or other financial assistance for the construction, reconstruction or replacement of a tolled bridge described in section 2 of this act may contain a provision pledging toll revenue for the payment of obligations incurred under such agreement, other than toll revenue collected from large commercial trucks pursuant to section 2 of this act.

Sec. 10. Section 13b-13b of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) There is established a Transportation Policy [Advisory] Council, which shall be part of the [Executive] Legislative Department.

(b) The council shall consist of the following members:

(1) One appointed by the speaker of the House of Representatives, who has experience and expertise in commuter rail transportation;

(2) One appointed by the president pro tempore of the Senate, who has experience and expertise in transportation equity;

(3) One appointed by the majority leader of the House of
Representatives, who has experience and expertise in bus transportation;

(4) One appointed by the majority leader of the Senate, who has experience and expertise in municipal government;

(5) One appointed by the minority leader of the House of Representatives, who has experience and expertise in public safety;

(6) One appointed by the minority leader of the Senate, who has experience and expertise in construction or engineering;

(7) The Secretary of the Office of Policy and Management, or the secretary's designee;

(8) The Commissioner of Economic and Community Development, or the commissioner's designee;

(9) The Commissioner of Energy and Environmental Protection, or the commissioner's designee;

(10) The Commissioner of Housing, or the commissioner's designee;

(11) The State Treasurer, or the Treasurer's designee; and

(12) Two appointed by the Governor, one of whom has experience and expertise in transit-oriented development and one of whom represents the building trades.

(c) The council shall consist of the following ex-officio, nonvoting members: (1) The Commissioner of Transportation, or the commissioner's designee, and (2) the chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to transportation, and finance, revenue and bonding.

(d) Any member of the council appointed under subdivisions (1) to (6), inclusive, of subsection (b) of this section may be a member of the
General Assembly.

(e) All initial appointments to the council shall be made not later than [December 1, 2017] April 1, 2020.

(f) The Secretary of the Office of Policy and Management [, or the secretary's designee, shall serve as the chairperson of the council. Such chairperson] shall schedule the first meeting of the council, which shall be held not later than [February 1, 2018] June 1, 2020. The members of the council shall select the chairperson of the council from among the members of the council. The council shall meet at least once during each calendar quarter and at such other times as the chairperson deems necessary.

(g) [The council shall be within the Office of Policy and Management for administrative purposes only] The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to transportation shall serve as administrative staff of the council.

(h) The terms of the appointed members of the council shall be coterminous with the terms of the appointing authority for each member and subject to the provisions of section 4-1a. Any vacancy on the council shall be filled by the appointing authority.

(i) [Three-fourths of the] An affirmative vote by not less than seven voting members of the council shall [constitute a quorum] be required for the transaction of any business.

(j) The members of the council shall serve without compensation, but shall, within available appropriations, be reimbursed for expenses necessarily incurred in the performance of their duties.

(k) In making the appointments in subsection (b) of this section, the appointing authorities shall use best efforts to reflect the racial, gender and geographic diversity of the population of this state.
(l) Any appointed or designated member who fails to attend three consecutive meetings or who fails to attend fifty per cent of the meetings held during any calendar year shall be deemed to have resigned from the council.

[(k)] (m) The council shall have the following powers and duties:

(1) To develop and recommend policies for improving transportation planning and the selection of transportation projects;

(2) To [review] approve or reject, in whole or in part, the five-year transportation capital plan for the state developed annually by the Department of Transportation pursuant to section 11 of this act, examine the impact of such plan on the present and future transportation needs of the state and evaluate whether such plan assures the development and maintenance of an adequate, safe and efficient transportation system;

(3) To conduct [a] at least one public hearing annually on the five-year transportation capital plan for the state and seek testimony from metropolitan planning organizations, as defined in 23 USC 134, as amended from time to time, regarding transportation projects to be conducted or being conducted within the boundaries of their respective metropolitan planning areas;

(4) To review the comprehensive long-range plan developed by the Department of Transportation pursuant to the provisions of 23 USC 135, as amended from time to time, and examine the impact of such plan on the present and future transportation needs of the state and evaluate whether such plan assures the development and maintenance of an adequate, safe and efficient transportation system;

(5) To conduct at least one public hearing on the comprehensive long-range plan developed by the Department of Transportation pursuant to the provisions of 23 USC 135, as amended from time to time;
[(4)] (6) To advise the Commissioner of Transportation on policies and procedures to promote economic development, transit-oriented development, housing development, access to employment, environmental protection and the specific needs of geographic areas of the state;

[(5)] (7) To review the assessment of transportation projects prepared and submitted pursuant to subsection (e) of section 13b-13c, as amended by this act;

(8) To review the schedule of base rate tolls for tolled bridges submitted by the Commissioner of Transportation in accordance with subsection (a) of section 3 of this act;

(9) To approve or reject adjustments to the schedule of toll rates for tolled bridges submitted by the Commissioner of Transportation in accordance with subsection (d) of section 3 of this act except the council may not expand the classification of trucks or type of motor vehicles subject to tolls for travelling on a tolled bridge;

[(6)] (10) To obtain from any executive department, board, commission or other agency of the state such assistance and data as necessary and available to carry out the purposes of this section; [and]

(11) To approve or reject any transportation project in the state transportation improvement program developed by the Department of Transportation pursuant to section 49 USC 5304(g), as amended from time to time, prior to submission to the United States Department of Transportation if such transportation project is not contained in the five-year transportation capital plan and is estimated to cost fifty million dollars or more. If the council does not approve or reject a transportation project within fifteen days of receiving the state transportation improvement program from the Department of Transportation, the transportation project shall be deemed approved by the council;

(12) To review transportation projects for which the Department of
Transportation will apply for loans from the United States Department of Transportation under RRIF and TIFIA, each as defined in section 13b-78, provided such transportation projects are not in the five-year transportation capital plan or the state transportation improvement program developed by the Department of Transportation pursuant to 49 USC 5304(g), as amended from time to time, and have not previously been reviewed by the council; and

[(7)] (13) To perform such other acts as may be necessary and appropriate to carry out the duties described in this section.

[(l)] (o) The council may establish committees at any time to advise the council in carrying out its duties. Each committee shall be composed of transportation professionals, advocates and other interested stakeholders.

[(m)] (p) Not later than January 1, [2019] 2021, and annually thereafter, the council shall submit, in accordance with the provisions of section 11-4a, a report on its activities to the joint standing committees of the General Assembly having cognizance of matters relating to transportation and finance, revenue and bonding.

Sec. 11. (NEW) (Effective from passage) On or before December 31, 2020, and annually thereafter, the Commissioner of Transportation shall develop a five-year transportation capital plan for the next five federal fiscal years. The capital plan shall not be effective unless approved by the Transportation Policy Council, established pursuant to section 13b-13b of the general statutes, as amended by this act. The capital plan shall: (1) Include projects in all modes of transportation, including, but not limited to, highways, bridges, public transportation, facilities and pedestrian enhancements that the department plans to initiate in the next five federal fiscal years, and (2) detail the financing and planned investments for such projects. The department shall submit and present the proposed capital plan to the council. Not later than thirty days after such presentation, the council shall, in whole or in part, approve or reject
the proposed capital plan. The council shall, in reviewing the plan, evaluate whether such plan assures the development and maintenance of an adequate, safe and efficient transportation system, and whether the plan is consistent with the long-range plan development by the Department of Transportation pursuant to the provisions of 23 USC 135, as amended from time to time. Failure of the council to act on the proposed capital plan within such thirty-day period shall be deemed an approval. If the council rejects the proposed capital plan, in whole or in part, the council shall issue a detailed written explanation of the reasons for such rejection. If the proposed capital plan is rejected in whole, the proposed capital plan shall be returned to the department for revisions and the department shall resubmit a revised proposed capital plan to the council within thirty days of such rejection in the same manner as provided in this section. If and when a five-year transportation capital plan is approved, in whole or in part, by the council for the first time pursuant to the provisions of this section, the department's presentation and the council's review of any subsequent proposed capital plan shall be limited to new projects and any changes made to the prior five-year transportation capital plan and any projects contained in such capital plan. The council shall, in whole or in part, approve or reject any subsequent proposed capital plan in the same manner as provided in this section.

Sec. 12. Subsection (a) of section 4e-70 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) As used in this section and section 4e-71:

(1) "Contractor" means an individual, business or other entity that is receiving confidential information from a state contracting agency or agent of the state pursuant to a written agreement to provide goods or services to the state, including, but not limited to, a toll operator, as defined in section 1 of this act.
(2) "State agency" means any agency with a department head, as defined in section 4-5.

(3) "State contracting agency" means any state agency disclosing confidential information to a contractor pursuant to a written agreement with such contractor for the provision of goods or services for the state.

(4) "Confidential information" means an individual’s name, date of birth, mother's maiden name, motor vehicle operator's license number, Social Security number, employee identification number, employer or taxpayer identification number, alien registration number, government passport number, health insurance identification number, demand deposit account number, savings account number, credit card number, debit card number or unique biometric data such as fingerprint, voice print, retina or iris image, or other unique physical representation, personally identifiable information subject to 34 CFR 99, as amended from time to time, and protected health information, as defined in 45 CFR 160.103, as amended from time to time, and the date, time, location and direction an individual has travelled over a tolled bridge described in section 2 of this act. In addition, "confidential information" includes any information that a state contracting agency identifies as confidential to the contractor. "Confidential information" does not include information that may be lawfully obtained from publicly available sources or from federal, state, or local government records that are lawfully made available to the general public.

(5) "Confidential information breach" means an instance where an unauthorized person or entity accesses confidential information that is subject to or otherwise used in conjunction with any part of a written agreement with a state contracting agency in any manner, including, but not limited to, the following occurrences: (A) Any confidential information that is not encrypted or secured by any other method or technology that renders the personal information unreadable or unusable is misplaced, lost, stolen or subject to unauthorized access; (B) one or more third parties have accessed, or taken control or possession
of, without prior written authorization from the state, (i) any
confidential information that is not encrypted or protected, or (ii) any
encrypted or protected confidential information together with the
confidential process or key that is capable of compromising the integrity
of the confidential information; or (C) there is a substantial risk of
identity theft or fraud of the client of the state contracting agency, the
contractor, the state contracting agency or the state.

Sec. 13. Section 14-33 of the general statutes is repealed and the
following is substituted in lieu thereof (Effective from passage):

(a) If any property tax, or any installment thereof, laid by any city,
town, borough or other taxing district upon a registered motor vehicle
or snowmobile remains unpaid, the tax collector of such city, town,
borough or other taxing district shall notify the Commissioner of Motor
Vehicles of such delinquency in accordance with subsection (e) of this
section and guidelines and procedures established by the commissioner.
The commissioner shall not issue registration for such motor vehicle or
snowmobile for the next registration period if, according to the
commissioner's records, it is then owned by the person against whom
such tax has been assessed or by any person to whom such vehicle has
not been transferred by bona fide sale. Unless notice has been received
by the commissioner under the provisions of section 14-33a, no such
registration shall be issued until the commissioner receives notification
that the tax obligation has been legally discharged; nor shall the
commissioner register any other motor vehicle, snowmobile, all-terrain
vehicle or vessel in the name of such person, except that the
commissioner may continue to register other vehicles owned by a
leasing or rental firm licensed pursuant to section 14-15, and may issue
such registration to any private owner of three or more paratransit
vehicles in direct proportion to the percentage of total tax due on such
vehicles which has been paid and notice of payment on which has been
received. The Commissioner of Motor Vehicles may immediately
suspend or cancel all motor vehicle, snowmobile, all-terrain vehicle or
vessel registrations issued in the name of any person (1) who has been
reported as delinquent and whose registration was renewed through an error or through the production of false evidence that the delinquent tax on any motor vehicle or snowmobile had been paid, or (2) who has been reported by a tax collector as having paid a property tax on a motor vehicle or snowmobile with a check which was dishonored by a bank and such tax remains unpaid. Any person aggrieved by any action of the commissioner under this section may appeal therefrom in the manner provided in section 14-134. For the purposes of this subsection, "paratransit vehicle" means a motor bus, taxicab or motor vehicle in livery service operated under a certificate of convenience and necessity issued by the Department of Transportation or by a transit district and which is on call or demand or used for the transportation of passengers for hire.

(b) Notwithstanding the provisions of subsection (a) of this section, the Commissioner of Motor Vehicles, in consultation with the Treasurer and the Secretary of the Office of Policy and Management, may enter into an agreement with the tax collector of any city, town, borough or other taxing district whereby the commissioner shall collect any property tax or any installment thereof on a registered motor vehicle which remains unpaid from any person against whom such tax has been assessed who makes application for registration for such motor vehicle. Each such agreement shall include a procedure for the remission of taxes collected to the city, town, borough or other taxing district, on a regular basis, and may provide that a fee be paid by the city, town, borough or other taxing district to the commissioner to cover any costs associated with the administration of the agreement. In the event an agreement is in effect, the commissioner shall immediately issue a registration for a motor vehicle owned by a person against whom such tax has been assessed upon receipt of payment of such tax and a service fee of two dollars, in addition to the fee prescribed for the renewal of the registration.

(c) On and after March 1, 1989, any municipality may participate in a program administered by the Commissioner of Motor Vehicles to
facilitate the payment of fines for parking violations. If any such
municipality elects to participate in such program, it shall provide for a
notice of violation to be served personally upon the operator of a motor
vehicle who is present at the time of service. If the operator is not
present, the notice shall be served upon the owner of the motor vehicle
by affixing notice to said vehicle in a conspicuous place, or, in the case
of the city of Hartford Parking Authority, by regular or certified mail to
the registered owner of the vehicle, which shall have the same effect as
if the notice of violation was personally served on the owner or operator
of the vehicle. In the case of any motor vehicle that is leased or rented
by the owner, not more than thirty days after the initial notice of a
parking violation for which a fine remains unpaid at such time, a second
notice of violation shall be mailed to the address of record of the owner
leasing or renting the motor vehicle to such operator. No fines or
penalties shall accrue to the owner of such rented or leased vehicle for
the violation for a period of sixty days after the second notice is mailed.
Upon receipt of such notification, the owner of such rented or leased
vehicle may notify the municipality as to whom the lessee was at the
time of such issuance of the notice of violation, the lessee's address,
motor vehicle operator's license number and state of issuance, and the
municipality shall issue such notice of violation to such lessee. A
participating municipality shall notify the commissioner of every owner
of a registered motor vehicle who has unpaid fines for more than five
parking violations committed within such municipality on and after
March 1, 1989. Upon receipt of such notification, the commissioner shall
not issue or renew the motor vehicle registration of such person until he
receives notification from such municipality that the delinquent fines
have been paid.

(d) The provisions of [subsection] subsections (c) and (g) of this
section shall not apply to any person, firm or corporation engaged in the
business of leasing or renting motor vehicles without drivers in this state
with respect to any motor vehicle which is leased or rented. The
commissioner shall adopt regulations, in accordance with chapter 54, to
implement the provisions of [subsection] subsections (c) and (g) of this section.

(e) The tax collector of a city, town, borough or other district shall, at least once during each calendar month, notify the Commissioner of Motor Vehicles of any outstanding delinquent property tax payment or installment thereof for a registered motor vehicle or snowmobile. If a tax collector fails to provide such notice to the commissioner, the commissioner shall not be required to deny the issuance of a registration, pursuant to subsection (a) of this section, to the person against whom such tax has been assessed by said city or town, or by a borough or other taxing district located therein.

(f) Any city, town, borough or other taxing district that notifies the commissioner of (1) a delinquency in accordance with subsection (a) of this section, or (2) an owner of a registered motor vehicle who has unpaid fines for more than five parking violations in accordance with subsection (c) of this section, may participate in a program to issue temporary registrations for passenger motor vehicles on behalf of the commissioner to persons whose registrations have been denied, and who subsequently make full payment to the city, town, borough or other taxing district for the amounts owed under said subsections. A participating city, town, borough or other taxing district shall issue such temporary registrations in accordance with subsection (i) of section 14-12 and shall retain the fees authorized in subsection (n) of section 14-49 for such registrations. The commissioner may adopt regulations in accordance with chapter 54 to carry out the provisions of this subsection.

(g) The Commissioner of Transportation or a toll operator shall, at least once during each calendar month, notify the Commissioner of Motor Vehicles of every owner of a registered large commercial truck who owes an unpaid toll or civil penalty associated with tolling in this state. Upon receipt of such notification, the Commissioner of Motor Vehicles shall not issue or renew the motor vehicle registration of such owner until the commissioner receives notification from the
Commissioner of Transportation or the toll operator that such toll or civil penalty has been paid. The Commissioner of Motor Vehicles may immediately suspend or cancel any motor vehicle registration issued in the name of any owner (1) who has been reported as owing a toll or civil penalty associated with tolling and whose registration was renewed through an error or through the production of false evidence that such toll or civil penalty has been paid, or (2) who has been reported by the Commissioner of Transportation or the toll operator as having paid such toll or civil penalty with a check that was dishonored by a bank and such toll or civil penalty remains unpaid. For the purposes of this subsection, "large commercial truck" and "toll operator" have the same meanings as provided in section 1 of this act.

Sec. 14. Section 13b-13c of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) For the purposes of this section, "transportation project" means any transportation planning or capital project undertaken by the state on or after [July 1, 2018] January 1, 2021, that expands capacity on a limited access highway, transit or railroad system or parking facility or is estimated to cost [one hundred] fifty million dollars or more, but does not mean any transportation project undertaken by the state on or after [July 1, 2018] January 1, 2021, that the Commissioner of Transportation finds is necessary to maintain the state's infrastructure in good repair and [estimates to cost less than one hundred fifty million dollars] does not expand capacity on a limited access highway, transit or railed system or parking facility.

(b) The Commissioner of Transportation, in consultation with the Commissioners of Economic and Community Development, Housing and Energy and Environmental Protection, the Secretary of the Office of Policy and Management and the chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to transportation and finance, revenue and bonding, shall develop a method to assess each transportation
project to determine the impact of such transportation project on economic development, transit-oriented development, housing development, access to employment, the environment, traffic congestion and public safety.

(c) On or before [February 1, 2018] July 1, 2020, the commissioner shall submit, in accordance with section 11-4a, such assessment method to the joint standing committee of the General Assembly having cognizance of matters relating to transportation. Not later than sixty days after the receipt of such assessment method, said committee shall meet to approve or reject such assessment method and advise the commissioner of said committee's approval or rejection. If said committee fails to approve or reject such assessment method within sixty days of such receipt, such assessment method shall be deemed approved. Such assessment method shall become effective when approved by an affirmative vote of said committee or deemed approved. In the event that such assessment method is rejected, such assessment method shall be returned to the commissioner for revisions and resubmitted to said committee not later than thirty days after such rejection.

(d) On and after [July 1, 2018] January 1, 2021, the commissioner shall assess each transportation project using the assessment method approved pursuant to subsection (c) of this section. The commissioner shall not include a transportation project in the Department of Transportation's five-year transportation capital plan for the state unless the assessment of such transportation project is completed.

(e) The commissioner shall submit the assessment of each transportation project to the Transportation Policy [Advisory] Council established pursuant to section 13b-13b, as amended by this act, and post such assessments on the Department of Transportation's Internet web site.

(f) The Department of Transportation shall not submit a request for
appropriations or authorization of bonds for a transportation project to the General Assembly unless the commissioner has submitted the assessment of such transportation project pursuant to subsection (e) of this section.

(g) On or before [January 1, 2019] July 1, 2021, and annually thereafter, the commissioner shall submit a report, in accordance with the provisions of section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to transportation and finance, revenue and bonding, on the assessments of transportation projects completed in the previous calendar year.

Sec. 15. (NEW) (Effective from passage) (a) The Department of Administrative Services shall contract with a third party to conduct a disparity study. The study shall provide an analysis of statistical data concerning the state’s current set-aside program, established under section 4a-60g of the general statutes, as amended by this act, to determine whether its current form achieves the goal of facilitating the participation in state contracts of small contractors and minority business enterprises, as both terms are defined in section 4a-60g of the general statutes, as amended by this act. The study shall include, but not be limited to, a review of Connecticut’s current set-aside program practices and the best practices of other states or governmental entities. The study shall examine:

(1) Whether there is a disparity between the number of qualified historically underutilized businesses that are ready, willing and able to perform state contracts and the number of such contractors engaged by state agencies to perform such contracts;

(2) Whether, of the total amount spent on state contracts in a fiscal year, there is a disparity between the percentage of spending attributable to contracts awarded to qualified historically underutilized businesses and the percentage of state contracts that were awarded to historically underutilized businesses in that fiscal year;
(3) The state's contracting processes to determine if there are any contracting practices or unintentional but existing barriers in such processes that prevent small contractors and minority business enterprises from fully participating in such contracting processes; and

(4) The impediments to the establishment and growth of small contractors and minority business enterprises capable of performing work required to construct, improve and maintain transportation infrastructure and transit-oriented development in the state.

(b) Not later than January 1, 2022, the Commissioner of Administrative Services shall submit the findings of such study and any recommendations for legislative action concerning such study, in accordance with the provisions of section 11-4a of the general statutes, to the Secretary of the Office of Policy and Management, the Commissioner of Transportation, the Transportation Policy Council established pursuant to section 13b-13b of the general statutes, as amended by this act, and to the joint standing committees of the General Assembly having cognizance of matters relating to government administration, labor and transportation.

(c) On and after July 1, 2022, the Department of Transportation shall, consistent with federal law (1) consider the results of such study when evaluating and formulating programmatic goals for minority and disadvantaged business participation, and (2) formulate project-specific goals to address and mitigate disparities identified by the study for any project funded solely with state funds.

Sec. 16. Subdivision (2) of subsection (b) of section 4a-60g of the 2020 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2020, and applicable to agency small business and minority business enterprise state set-aside program goals established on or after August 30, 2020):

(2) Notwithstanding any provisions of the general statutes, and except as set forth in this section, the head of each awarding agency shall
set aside in each fiscal year, for award to small contractors, on the basis of competitive bidding procedures, contracts or portions of contracts for the construction, reconstruction or rehabilitation of public buildings, the construction and maintenance of highways and the purchase of goods and services. The total value of such contracts or portions thereof to be set aside by each such agency shall be at least twenty-five per cent of the total value of all contracts let by the head of such agency in each fiscal year. [provided a contract for any goods or services which have been determined by the Commissioner of Administrative Services to be not customarily available from or supplied by small contractors shall not be included.] Contracts or portions thereof having a value of not less than twenty-five per cent of the total value of all contracts or portions thereof to be set aside shall be reserved for awards to minority business enterprises.

Sec. 17. Subsection (m) of section 4a-60g of the 2020 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(m) (1) On or before November first of each year and on a quarterly basis thereafter, each awarding agency setting aside contracts or portions of contracts under subdivision (2) of subsection (b) of this section shall prepare a status report on the implementation and results of its small business and minority business enterprise state set-aside program goals during the three-month period ending one month before the due date for the report. Each report shall be submitted to the Commissioner of Administrative Services and the Commission on Human Rights and Opportunities and the Minority Business Initiative Advisory Board. Any awarding agency that achieves less than fifty per cent of its small contractor and minority business enterprise state set-aside program goals by the end of the second reporting period in any twelve-month period beginning on July first shall provide a written explanation to the Commissioner of Administrative Services and the Commission on Human Rights and Opportunities detailing how the awarding agency will achieve its goals in the final reporting period. Any
awarding agency that does not meet its small contractor and minority business enterprise state set-aside program goals by June thirtieth of such reporting period shall submit a written notice that explains the reasons for such failure and sets forth a summary of efforts made by the awarding agency to achieve such goals and strategies the awarding agency will implement to achieve such goals to the Commissioner of Administrative Services, the Commission on Human Rights and Opportunities and the Minority Business Initiative Advisory Board and, in accordance with the provisions of section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to planning and development and government administration. Such committees may hold a public hearing on such notice and require the head of such awarding agency to appear at such hearing to explain the reasons for the agency's failure to comply with its set-aside program goals.

(2) The Commission on Human Rights and Opportunities shall: [(1)]
(A) Monitor the achievement of the annual goals established by each awarding agency; and [(2)] (B) prepare a quarterly report concerning such goal achievement, including for each awarding agency that has not achieved its annual goals, a determination of whether the agency has made a good faith effort to achieve such goals. The report shall be submitted to each awarding agency that submitted a report, the Commissioner of Economic and Community Development, the Commissioner of Administrative Services, the Secretary of the Office of Policy and Management and, in accordance with the provisions of section 11-4a, to the cochairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to planning and development and government administration. The Secretary of the Office of Policy and Management shall require any agency that the Commission on Human Rights and Opportunities has determined has not made a good faith effort to achieve its annual goals to implement remedial measures, which may include the appointment of an independent contract compliance officer.
or agent. Such officer or agent may be an officer or agency of a political subdivision of the state or a private consultant experienced in similar government compliance matters and the requirements of the state set-aside program for agency contracts. Failure by any awarding agency to submit any reports required by this section shall be a violation of section 46a-77.

Sec. 18. (NEW) (Effective from passage) (a) The Commissioner of Transportation shall adopt procedures in connection with the construction, reconstruction or replacement of the limited access highway bridges described in section 2 of this act to (1) require that contractors or subcontractors engaged in such construction, reconstruction or replacement take affirmative action to provide equal opportunity for employment without discrimination as to race, creed, color, national origin or ancestry or gender, (2) ensure that the wages paid on an hourly basis to any mechanic, laborer or workman employed by such contractor or subcontractor with respect to such construction, reconstruction or replacement shall be at a rate customary or prevailing for the same work in the same trade or occupation in the municipality where such work occurs, unless otherwise established pursuant to a project labor agreement, and (3) require the prime construction contractors for such construction, reconstruction or replacement make reasonable efforts to hire or cause to be hired available and qualified residents of the municipality in which such work occurs and available and qualified members of minorities, as defined in section 32-9n of the general statutes.

(b) The commissioner shall appoint an independent construction contract compliance officer or agent, which may be an officer or agency of a political subdivision of the state, or a private consultant experienced in similar public contract compliance matters, to monitor compliance by the commissioner, the project manager and each prime construction contractor with the provisions of applicable state law, and with applicable requirements of contracts with the department, relating to set-asides for small contractors and minority business enterprises and
required efforts to hire available and qualified members of minorities, as defined in section 32-9n of the general statutes, and available and qualified residents of the municipality where the construction, reconstruction, or replacement of a limited access bridge occurs. Such independent contract compliance officer or agent shall file a written report of his or her findings and recommendations with the commissioner each quarter during the period of time such work occurs.

Sec. 19. Subsection (a) of section 14-270c of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The Commissioner of Motor Vehicles shall staff, and shall coordinate coverage and hours of operation of, the official weighing areas as follows:

(1) Greenwich: [Eight] Sixteen work shifts in each seven-day period from Sunday through Saturday; [No such shifts shall be worked consecutively, except that two shifts may be worked consecutively on not more than three days;]

(2) Danbury: The Department of Motor Vehicles shall staff six work shifts in each seven-day period from Sunday through Saturday. The Commissioner of Motor Vehicles shall, whenever possible, coordinate coverage between this official weighing area and the official weighing area in Greenwich in order to ensure concurrent coverage;

(3) Union: Between five and eight work shifts in each seven-day period from Sunday through Saturday; and

(4) Portable scale locations: The Commissioner of Emergency Services and Public Protection shall assign troopers to work ten shifts in each seven-day period from Sunday through Saturday to conduct commercial motor vehicle enforcement throughout the four geographical areas established by the Commissioner of Motor Vehicles with concentration in areas that have fewer hours of operation for the
permanent weighing areas.

Sec. 20. (NEW) (Effective from passage) The Commissioner of Transportation shall consider the transportation needs of the state and the interest rates of available financing instruments, and, as the Commissioner deems appropriate, apply for loans from the United States Department of Transportation under RRIF and TIFIA, each as defined in section 13b-78 of the general statutes, to finance transportation projects.

Sec. 21. Subsection (a) of section 4-9a of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The Governor shall appoint the chairperson and executive director, if any, of all boards and commissions within the Executive Department, except the State Properties Review Board, the State Elections Enforcement Commission, the Commission on Human Rights and Opportunities, the Commission on Fire Prevention and Control [], and the Citizen's Ethics Advisory Board, [and the Transportation Policy Advisory Council.]

This act shall take effect as follows and shall amend the following sections:

<table>
<thead>
<tr>
<th>Section 1</th>
<th>from passage</th>
<th>New section</th>
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</thead>
<tbody>
<tr>
<td>Sec. 2</td>
<td>from passage</td>
<td>New section</td>
</tr>
<tr>
<td>Sec. 3</td>
<td>from passage</td>
<td>New section</td>
</tr>
<tr>
<td>Sec. 4</td>
<td>from passage</td>
<td>New section</td>
</tr>
<tr>
<td>Sec. 5</td>
<td>from passage</td>
<td>New section</td>
</tr>
<tr>
<td>Sec. 6</td>
<td>from passage</td>
<td>New section</td>
</tr>
<tr>
<td>Sec. 7</td>
<td>from passage</td>
<td>New section</td>
</tr>
<tr>
<td>Sec. 8</td>
<td>from passage</td>
<td>New section</td>
</tr>
<tr>
<td>Sec. 9</td>
<td>from passage</td>
<td>New section</td>
</tr>
<tr>
<td>Sec. 10</td>
<td>from passage</td>
<td>13b-13b</td>
</tr>
<tr>
<td>Sec. 11</td>
<td>from passage</td>
<td>New section</td>
</tr>
<tr>
<td>Sec. 12</td>
<td>from passage</td>
<td>4e-70(a)</td>
</tr>
<tr>
<td>Section</td>
<td>Description</td>
<td>Reference</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
<td>-----------</td>
</tr>
<tr>
<td>Sec. 13</td>
<td>from passage</td>
<td>14-33</td>
</tr>
<tr>
<td>Sec. 14</td>
<td>from passage</td>
<td>13b-13c</td>
</tr>
<tr>
<td>Sec. 15</td>
<td>from passage</td>
<td>New section</td>
</tr>
<tr>
<td>Sec. 16</td>
<td>July 1, 2020, and applicable to agency small business and minority business enterprise state set-aside program goals established on or after August 30, 2020</td>
<td>4a-60g(b)(2)</td>
</tr>
<tr>
<td>Sec. 17</td>
<td>from passage</td>
<td>4a-60g(m)</td>
</tr>
<tr>
<td>Sec. 18</td>
<td>from passage</td>
<td>New section</td>
</tr>
<tr>
<td>Sec. 19</td>
<td>from passage</td>
<td>14-270c(a)</td>
</tr>
<tr>
<td>Sec. 20</td>
<td>from passage</td>
<td>New section</td>
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<tr>
<td>Sec. 21</td>
<td>from passage</td>
<td>4-9a(a)</td>
</tr>
</tbody>
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