

OFFICE OF FISCAL ANALYSIS

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sHB-5464

AN ACT IMPLEMENTING RECOMMENDATIONS FROM THE DEPARTMENT OF TRANSPORTATION AND ESTABLISHING A PILOT PROGRAM TO OPERATE AUTOMATED TRAFFIC ENFORCEMENT SAFETY DEVICES ON LIMITED ACCESS HIGHWAYS.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 27 \$	FY 28 \$	Out Years
Department of Transportation	TF - See Below	See Below	See Below	See Below
Department of Emergency Services and Public Protection	GF - Potential Cost	None	None	See Below
State Resources	GF&TF - Potential Revenue Gain/ Cost	See Below	See Below	See Below

Note: TF=Transportation Fund; GF=General Fund; GF&TF=General Fund & Transportation Fund

Municipal Impact:

Municipalities	Effect	FY 27 \$	FY 28 \$	Out Years
Various Municipalities	Potential Revenue Gain/ Cost	None	None	See Below

Explanation

The bill makes various changes to transportation-related laws and results in the fiscal impacts described below. Fiscal impacts for the flex lanes and highway speed camera sections are discussed first, followed by impacts for other provisions.

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Flex Lanes

Sections 5 – 11 authorize the Department of Transportation (DOT) to designate flex lanes and allow for related enforcement measures, resulting in both a potential cost and potential revenue gain to the state and municipalities, predominately in the out years. The authority for flex lanes and related enforcement programs is permissive and because the bill provides no funding for these provisions, it is expected that the state and municipalities will only implement these programs to the extent funding is available.

DOT costs to implement flex lanes include planning, construction, and operating costs. The agency is currently in the planning phase of its first flex lane project, which is expected to be located along the 3.75 miles of I-84 between exits 4 and 7 in Danbury. Planning costs of \$6 million are included in the agency's current capital plan, with 90% anticipated to be reimbursed by the federal government. The construction phase of the project is expected to cost an additional \$250 million, beginning in early FY 29 and completing in early FY 31. Construction costs include much of the infrastructure that will be used for any future enforcement programs, including overhead gantries, signs, cameras, and communications infrastructure. DOT plans to fully integrate the construction phase of this project, including assignment of funding sources, into future iterations of its capital plan.

The bill also establishes restrictions and related violations for driving in flex lanes and includes provisions allowing DOT to establish automated enforcement systems (i.e., cameras) for enforcement. Any municipality operating a bus in a flex lane can also participate in the automated enforcement program provided they enter into an agreement with DOT and adopt a related ordinance, as further described in the bill.

For state level violations, the bill imposes a \$75 fine for a first offense and up to a \$200 fine for subsequent offenses, resulting in a potential revenue gain to the Special Transportation Fund (STF) from fines and a potential cost to the General Fund (GF) for any State Trooper overtime incurred in reviewing recorded images from the automated

enforcement program and issuing citations, as required by the bill.

For municipal level violations, the bill allows for a fine of up to \$75 for a first offense and up to \$200 for subsequent offenses, resulting in potential revenue gain to participating municipalities from fines and potential costs to municipal police departments for reviewing recorded images and issuing citations. Under the bill, municipalities shall deposit any fine revenue into the municipality's general fund or any designated special fund.

Fiscal impacts associated with enforcement would only occur in the out years, because no flex lanes are anticipated to be operational until at least FY 31.

Highway Speed Cameras Pilot Program

Sections 14 - 19 result in potential costs to the state and potential revenue to the STF by allowing DOT to establish a speed camera pilot program on highways beginning on or before January 1, 2027, and ending on December 31, 2028. Under the bill, violations for exceeding the posted speed limit by 15 or more miles per hour would be \$75 for a first offense and up to \$200 for any subsequent offenses, with all fine revenue deposited to the STF. If the agency chooses to establish the program, costs are expected to be greater than revenues.

As a point of comparison for potential costs, DOT's two-year Automated Work Zone Speed Control Pilot Program established by PA 21-1, June Special Session, cost approximately \$2.2 million to administer and resulted in approximately \$40,000 in fine revenue. It is expected that costs for the highway speed camera pilot program would at least equal those of the work zone speed camera pilot but would ultimately depend on implementation decisions made by DOT and available resources. Costs are also anticipated for DESPP by requiring that State Troopers review any recorded images and issue notices of violation.

Other Provisions

Section 1 results in lower DOT capital costs over the next several years by removing a prohibition on purchasing diesel transit buses, which have lower upfront purchase costs compared to battery electric buses. The agency has a fleet of approximately 516 diesel, 77 hybrid diesel, and 61 battery electric buses and plans to continue purchasing a mix of bus types while building out its charging infrastructure.

Section 3 reduces the number of electric vehicle (EV) charging stations at new state facilities from 20% to 8% of total spaces and results in potential savings to the state to the extent fewer EV charging stations are constructed.

Section 12 increases the maximum fine for violating a governor-issued travel restriction order from \$50 to \$250, resulting in a minimal potential revenue gain to the General Fund. Between FY 22 and FY 25, there were a total of 18 offenses recorded and about \$1,000 in fines collected under CGS § 3-6a.

Section 20 designates the "Kevin Ryan Memorial Highway" resulting in a minimal one-time cost in FY 27 to DOT for signs.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation, implementation decisions made by DOT and municipalities, and the number of violations.