

Municipal Oversight of State Roads

By: Jessica Schaeffer-Helmecki, Associate Legislative Attorney

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Issue

Provide an overview of the municipal role in oversight of state roads, specifically with respect to (1) maintenance, (2) traffic control signal installation, (3) parking restrictions, and (4) fine revenue from motor vehicle violations.

Summary

State statute dictates whether the state or municipality is responsible for overseeing state roads. The law makes the state responsible for maintaining state roads but allows municipalities to enter agreements assuming responsibility for portions of them in exchange for reimbursement ([CGS §§ 13b-26](#) and [13a-97](#)).

The state is also responsible for placing traffic control signals on state roads. But a municipality may, through its local traffic authority, request authorization from the state to place them on state roads within its boundaries ([CGS § 14-298](#)). (Each municipality has a designee, the local traffic authority, that handles traffic-related matters in it. Depending on the structure of the municipality, the local traffic authority may be the board of selectmen, police commission, mayor, town manager, police chief, or traffic authority. A directory of local traffic authorities is available on the Department of Transportation (DOT) [website](#).)

The law gives exclusive authority to the state to impose parking restrictions on state roads and specifies certain moving violations for which municipalities are entitled to a portion of fine revenue ([CGS §§ 14-307](#), [51-56a](#) and [14-296aa](#)).

Maintenance of State Roads

The state is generally responsible for repairing state roads. The DOT commissioner has exclusive jurisdiction over maintaining and repairing state roads and may do so whenever he or she determines it is in the state's interest ([CGS § 13b-26](#)).

The commissioner and a municipality may enter into a written agreement, though, authorizing the municipality to assume responsibility for a designated section of a state road, other than a limited access highway (i.e., roads or portions thereof designated as such by the commissioner that are accessible only at highway intersections or designated points). Such an agreement also transfers from the commissioner to the municipality liability for any failure to fulfill statutory obligations regarding the road. In exchange, the commissioner must reimburse the municipality on an amount per mile of road-maintained basis, which must be agreed upon by both parties and recorded in the agreement ([CGS § 13a-97](#)).

Traffic Control Signs and Signaling

By law, the DOT is responsible for placing and maintaining traffic control signs and signaling on state roads. And, municipalities may not place or maintain such signs or signaling on state roads without the department's authorization ([CGS §§ 14-298](#) and [14-309](#)). Depending on the nature of the change sought, the municipality's local traffic authority must request it from one of two DOT units: the Office of State Traffic Administration (OSTA) or the Division of Traffic Engineering. For additional guidance on the authorizing entity for different traffic control devices on state and town roads, see OSTA's [Guidance for Local Traffic Authorities](#).

Parking Restrictions

Municipalities may not impose parking restrictions on state roads. Restricting or prohibiting parking along state roads and bridges is exclusively the jurisdiction of OSTA. But, within its boundaries, a municipality may remove vehicles from state roads (except limited access highways) that are parked in violation of OSTA regulations ([CGS § 14-307](#)).

Motor Vehicle Violation Fine Revenue

Whether a municipality is entitled to revenue from fines for violations committed on roads within its boundaries depends on the violation, irrespective of which entity controls the road. State law lists violations for which municipalities are entitled to (1) a percentage of the fine amount (as shown in Table 1) or (2) a \$20 municipal surcharge, which is collected by the state and remitted quarterly to the municipality (as shown in Table 2)([CGS §§ 51-56a](#) and [14-296aa](#)). Additionally, prior to the

institution of court proceedings, municipalities may collect and retain all proceeds from parking violations committed within its boundaries ([CGS § 51-56a\(b\)\(1\)](#)).

OLR Reports [2019-R-0181](#) and [2019-R-0285](#) provide additional information on the distribution of revenue from motor vehicle fines and charges. And for a complete listing of fines and surcharges for each violation, see the Centralized Infractions Bureau [mail-in violations and infractions schedule](#).

Table 1: Motor Vehicle Violations With Municipal Remittances

CGS §	Violation	Fine Amount (\$)	% to Municipality
14-12(a)(2)	Operating or parking a vehicle registered out-of-state as a state resident	1,000	100
14-250b	Blocking the box (i.e., proceeding into a marked intersection without sufficient space on the opposite side of the intersection to accommodate the vehicle without obstructing traffic)	50	50 ¹
14-251	Improper parking	50	100
14-252	Blocking a driveway	50	100
14-253a	<ul style="list-style-type: none"> • Parking in a spot reserved for people with disabilities (i.e., accessible parking spot) or abutting cross hatches • Unauthorized use of placard or special license plate • Failure to return placard or special license plate • Improperly dumping or placing snow in an accessible parking spot 	1 st offense: 250 Subsequent offense: 500	100

Table 1 (continued)

CGS §	Violation	Fine Amount (\$)	% to Municipality
14-279	Improper passing of a standing school bus	1 st offense: 450 ² Subsequent offense: 500-1,000 ²	80
14-296aa	Driving while using a cell phone	1 st offense: 150 ² 2 nd offense: 300 ² Subsequent offense: 500 ²	25
14-305	Failure to comply with signs, signals, or markings regarding parking at a bus stop or public service motor vehicle stand	50	100
14-306	Failure to comply with signs, signals, or markings regarding parking at taxi stand	50	100
14-307	Failure to comply with signs, signals, or markings prohibiting, limiting or restricting parking on a highway or thoroughfare	50	100
14-308	Failure to comply with signs, signals or markings regarding parking in loading or unloading zone	50	100

Source: CGS § 51-56a; § 14-296aa

¹ Only remitted to towns if the ticket is given in one of the eight municipalities with the highest populations

² Fine is doubled in work and school zones

Table 2: Motor Vehicle Violations Subject to the Municipal Surcharge

CGS §	Violation
14-218a	Traveling unreasonably fast
14-219(a)	Driving to endanger
14-219(b) & (c)	Speeding
14-222	Reckless Driving
14-223	Disobeying the signal of an officer
14-227a	Driving under the influence of alcohol or drugs (DUI)

Table 2 (continued)

CGS §	Violation
14-227m	DUI with a child passenger
14-227n	DUI in a school bus, student transportation vehicle, or vehicle designed to carry children
14-230	Failure to drive right
14-230a	Use of restricted left-hand lane by commercial vehicles, buses, or vehicles with trailers
14-231	Failure to grant one-half of highway
14-232	Improper/unsafe passing
14-233	Passing on the right
14-234	Passing in a no passing zone
14-235	Failure to keep right on a curve or hill or at an intersection or railroad crossing
14-236	Failure to drive in the proper lane
14-237	Driving the wrong way on a divided highway
14-238	Improper entry or exit of controlled highway
14-238a	Entry upon limited access highway at other than the designated point
14-239(a)	Driving wrong way on one-way highway
14-239(b)	Failing to yield or driving the wrong way in rotaries
14-240	Failure to drive a reasonable distance apart
14-241	Improper turning
14-242	Making restricted turns, failing to grant proper right-of-way when making left turn
14-243	Unsafe movement of stopped, standing, or parked vehicle
14-244	Improper signaling for turns or stopping
14-245	Failure to grant right-of-way at an intersection
14-246a	Failure to grant right-of-way at the junction of a highway
14-247	Failure to grant right-of-way at private road or driveway
14-247a	Failure to grant right-of-way to pedestrians, bicyclists, or other traffic when emerging from an alley, driveway, or building
14-248a	Failure to slow down or stop at cattle crossing

Table 2 (continued)

CGS §	Violation
14-248b	Failure of people guiding cattle to yield to emergency vehicles
14-249	Failure to stop at a railroad crossing
14-279	Improper passing of a standing school bus (first offense)
14-289b	Various violations by motorcycles and autocycles (e.g., improper passing within lane, operating between lanes of traffic)
14-299	Failure to obey traffic control signal
14-300	Failure to grant right-of-way to pedestrian at a crosswalk or, when crossing a sidewalk, to yield to traffic on sidewalk
14-300d	Failure to exercise due care to avoid hitting a pedestrian or person propelling a human-powered vehicle
14-301	Failure to obey stop sign
14-302	Disregarding yield sign
14-303	Driving the wrong way on a one-way street

Source: CGS § 51-56a(d)

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