



COVID-19 | Order 7M Update

On March 25, 2020, Governor Lamont issued Emergency Order 7M (“Order 7M”), effective immediately, which addresses deadlines and proceedings before Connecticut State agencies. In line with prior emergency orders addressing judicial and probate proceedings, Order 7M allows the head of each agency to extend for a period not to exceed ninety (90) days “any statutory or regulatory time requirements, decision-making requirements, hearings, or other time limitations or deadlines, procedure or legal process pertaining to matters under their respective jurisdiction, functions or powers”

Order 7M is broadly worded to cover all administrative proceedings including “contested cases” under the Uniform Administrative Procedure Act, General Statutes § 4-166 *et seq.* As such, Order 7M impacts anyone who intends to file, or has a pending application or proceeding, before any Connecticut State agency such as the Department of Transportation, the Department of Energy and Environmental Protection, the Connecticut Siting Council, the Department of Motor Vehicles and the Department of Public Health. The extension is permissive and left to the discretion of each agency head “as they deem reasonably necessary to respond to the COVID-19 pandemic” Each agency may also issue any orders necessary to implement Order 7M, which must be posted publicly on their respective websites.

Additionally, Order 7M tolls the deadlines applicable to the Department of Transportation and appeals related to requests under the Freedom of Information Act, General Statutes § 1-200 *et seq.* Specifically, Order 7M tolls the ninety (90) day period in which the Department of Transportation must review and issue a decision on the following permits: (1) encroachment, (2) parkway, (3) industrial truck, (4) outdoor advertising, and (5) specific information signs on limited access highways. See General Statutes § 13b-31(f)(1).

Currently, certain agency officials are working remotely and diligently to move applications and filings forward in these unprecedented times. It is possible that agencies may hold meetings and hearings remotely if accommodations can be made to ensure the public health and, if applicable, participation.

Jesse A. Langer is a member of the Firm’s Administrative Law practice group, which provides guidance to clients in a full range of governmental regulatory processes. For questions concerning any new or pending administrative filing or proceeding, please contact Jesse A. Langer, at (203) 786-8317 or jlanger@uks.com.

Disclaimer: The information contained in this material is not intended to be considered legal advice and should not be acted upon as such. Because of the generality of this material, the information provided may not be applicable in all situations and should not be acted upon without legal advice based on the specific factual circumstances.

HARTFORD | NEW HAVEN | EAST HAVEN | MIDDLETOWN | STORRS
WWW.UKS.COM | 860.548.2600

