



General Assembly

February Session, 2000

**Amendment**

LCO No. 3365

Offered by:

REP. WINKLER, 41<sup>st</sup> Dist.

To: Subst. House Bill No. 5904

File No. 450

Cal. No. 358

***"An Act Concerning Electronic Monitoring Of Drunken Drivers And Other Probationers With A History Of Alcohol Abuse And Requiring Notification When The Functioning Of Electronic Monitoring Equipment Is Interrupted."***

1 After line 110, add the following:

2 "Sec. 4. Subsection (l) of section 14-227a of the general statutes, as  
3 amended by section 1 of public act 99-255, is repealed and the  
4 following is substituted in lieu thereof:

5 (l) Notwithstanding the provisions of subsection (c) of this section,  
6 evidence respecting the amount of alcohol or drug in the blood or  
7 urine of an operator of a motor vehicle involved in an accident who  
8 has suffered or allegedly suffered physical injury in such accident,  
9 which evidence is derived from a chemical analysis of a blood sample  
10 taken from or a urine sample provided by such person after such  
11 accident at the scene of the accident, while en route to a hospital or at a  
12 hospital, shall be competent evidence to establish probable cause for  
13 the arrest by warrant of such person for a violation of subsection (a) of

14 this section and shall be admissible and competent in any subsequent  
15 prosecution thereof if: (1) The blood sample was taken or the urine  
16 sample was provided for the diagnosis and treatment of such injury;  
17 (2) if a blood sample was taken, the blood sample was taken in  
18 accordance with [the] appropriate regulations; [adopted under  
19 subsection (e) of this section;] (3) a police officer has demonstrated to  
20 the satisfaction of a judge of the Superior Court that such officer has  
21 reason to believe that such person was operating a motor vehicle while  
22 under the influence of intoxicating liquor or drug or both and that the  
23 chemical analysis of such blood or urine sample constitutes evidence  
24 of the commission of the offense of operating a motor vehicle while  
25 under the influence of intoxicating liquor or drug or both in violation  
26 of subsection (a) of this section; and (4) such judge has issued a search  
27 warrant in accordance with section 54-33a authorizing the seizure of  
28 the chemical analysis of such blood or urine sample. Such search  
29 warrant may also authorize the seizure of the medical records  
30 prepared by the hospital in connection with the diagnosis of treatment  
31 of such injury."