



General Assembly

February Session, 2002

Raised Bill No. 629

LCO No. 2671

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING MANDATORY TESTING OF DRIVERS.

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

1 Section 1. Section 14-227c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2002*):

3 As part of the investigation of any motor vehicle accident resulting
4 in a fatality, the Chief Medical Examiner, Deputy Chief Medical
5 Examiner, an associate medical examiner, a pathologist as specified in
6 section 19a-405, or an authorized assistant medical examiner, as the
7 case may be, shall order that a blood sample be taken from the body of
8 any operator or pedestrian who dies as a result of such accident. Such
9 blood samples shall be examined for the presence and concentration of
10 alcohol by the Division of Scientific Services within the Department of
11 Public Safety or by the Office of the Chief Medical Examiner. [To the
12 extent provided by law, a] A blood or breath sample [may also] shall
13 be obtained from any surviving operator whose motor vehicle is
14 involved in [such] an accident resulting in a serious physical injury, as
15 defined in section 53a-3, as amended, or a fatality, if a police officer has
16 probable cause to believe that such operator operated such motor
17 vehicle while under the influence of intoxicating liquor or drugs or

18 both. The test shall be performed by or at the direction of a police
19 officer according to methods and with equipment approved by the
20 Department of Public Safety and shall be performed by a person
21 certified or recertified for such purpose by said department or
22 recertified by persons certified as instructors by the Commissioner of
23 Public Safety. The equipment used for such test shall be checked for
24 accuracy by a person certified by the Department of Public Safety
25 immediately before and after such test is performed. If a blood test is
26 performed, it shall be on a blood sample taken by a person licensed to
27 practice medicine and surgery in this state, a qualified laboratory
28 technician, an emergency medical technician II, a registered nurse or a
29 phlebotomist, as defined in subsection (m) of section 14-227a. The
30 blood samples obtained from the surviving operator shall be examined
31 for the presence and concentration of alcohol by the Division of
32 Scientific Services within the Department of Public Safety. Nothing in
33 this section or section 19a-406 shall be construed as requiring such
34 medical examiner to perform an autopsy in connection with obtaining
35 such blood samples.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>

Statement of Purpose:

To require blood testing of any operator involved in an accident resulting in serious physical injury or death.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]