



General Assembly

February Session, 2002

Amendment

LCO No. 3320

HB0537103320SR0

Offered by:

SEN. RORABACK, 30th Dist.

To: Subst. House Bill No. 5371

File No. 468

Cal. No. 297

"AN ACT CONCERNING OPERATING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR AND RESTRICTING THE USE OF MOBILE TELEPHONES."

1 After the last section, insert the following:

2 "Sec. 6. Section 14-227c of the general statutes is repealed and the
3 following is substituted in lieu thereof (*Effective October 1, 2002*):

4 As part of the investigation of any motor vehicle accident resulting
5 in a fatality, the Chief Medical Examiner, Deputy Chief Medical
6 Examiner, an associate medical examiner, a pathologist as specified in
7 section 19a-405, or an authorized assistant medical examiner, as the
8 case may be, shall order that a blood sample be taken from the body of
9 any operator or pedestrian who dies as a result of such accident. Such
10 blood samples shall be examined for the presence and concentration of
11 alcohol by the Division of Scientific Services within the Department of
12 Public Safety or by the Office of the Chief Medical Examiner. [To the
13 extent provided by law, a] A blood or breath sample [may also] shall
14 be obtained from any surviving operator whose motor vehicle is

15 involved in [such] an accident resulting in a serious physical injury, as
16 defined in section 53a-3, as amended, or a fatality, if a police officer has
17 probable cause to believe that such operator operated such motor
18 vehicle while under the influence of intoxicating liquor or drugs or
19 both. The test shall be performed by or at the direction of a police
20 officer according to methods and with equipment approved by the
21 Department of Public Safety and shall be performed by a person
22 certified or recertified for such purpose by said department or
23 recertified by persons certified as instructors by the Commissioner of
24 Public Safety. The equipment used for such test shall be checked for
25 accuracy by a person certified by the Department of Public Safety
26 immediately before and after such test is performed. If a blood test is
27 performed, it shall be on a blood sample taken by a person licensed to
28 practice medicine and surgery in this state, a qualified laboratory
29 technician, an emergency medical technician II, a registered nurse or a
30 phlebotomist. [, as defined in subsection (m) of section 14-227a.] The
31 blood samples obtained from the surviving operator shall be examined
32 for the presence and concentration of alcohol by the Division of
33 Scientific Services within the Department of Public Safety. Nothing in
34 this section or section 19a-406 shall be construed as requiring such
35 medical examiner to perform an autopsy in connection with obtaining
36 such blood samples."