



General Assembly

Amendment

February Session, 2004

LCO No. 4077

HB0503104077HRO

Offered by:

REP. PETERS, 30th Dist.

To: Subst. House Bill No. 5031

File No. 505

Cal. No. 349

**"AN ACT REVISING CERTAIN LAWS OF THE DEPARTMENT OF
TRANSPORTATION."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 14-227c of the general statutes, as amended by
4 section 4 of public act 03-265, is repealed and the following is
5 substituted in lieu thereof (*Effective October 1, 2004*):

6 (a) As part of the investigation of any motor vehicle accident
7 resulting in the death of a person, the Chief Medical Examiner, Deputy
8 Chief Medical Examiner, an associate medical examiner, a pathologist
9 as specified in section 19a-405, or an authorized assistant medical
10 examiner, as the case may be, shall order that a blood sample be taken
11 from the body of any operator or pedestrian who dies as a result of
12 such accident. Such blood samples shall be examined for the presence
13 and concentration of alcohol and any drug by the Division of Scientific
14 Services within the Department of Public Safety or by the Office of the
15 Chief Medical Examiner. Nothing in this subsection or section 19a-406

16 shall be construed as requiring such medical examiner to perform an
17 autopsy in connection with obtaining such blood samples.

18 (b) A blood or breath sample shall be obtained from any surviving
19 operator whose motor vehicle is involved in an accident resulting in
20 the serious physical injury, as defined in section 53a-3, or death of
21 another person, if a police officer has probable cause to believe that
22 such operator operated such motor vehicle while under the influence
23 of intoxicating liquor or any drug, or both. The test shall be performed
24 by or at the direction of a police officer according to methods and with
25 equipment approved by the Department of Public Safety and shall be
26 performed by a person certified or recertified for such purpose by said
27 department or recertified by persons certified as instructors by the
28 Commissioner of Public Safety. The equipment used for such test shall
29 be checked for accuracy by a person certified by the Department of
30 Public Safety immediately before and after such test is performed. If a
31 blood test is performed, it shall be on a blood sample taken by a person
32 licensed to practice medicine and surgery in this state, a qualified
33 laboratory technician, an emergency medical technician II, a registered
34 nurse, a physician assistant or a phlebotomist. The blood samples
35 obtained from an operator pursuant to this subsection shall be
36 examined for the presence and concentration of alcohol and any drug
37 by the Division of Scientific Services within the Department of Public
38 Safety."