



General Assembly

February Session, 2004

Amendment

LCO No. 4078

HB0503104078HR0

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."**

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

"Sec. 501. Subsection (c) of section 14-227b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2004*):

(c) If the person arrested refuses to submit to such test or analysis or submits to such test or analysis, commenced within two hours of the time of operation, and the results of such test or analysis indicate that such person has an elevated blood alcohol content, the police officer [] (1) shall seize and impound the motor vehicle of such person for a twenty-four-hour period, and (2) acting on behalf of the Commissioner of Motor Vehicles, shall immediately revoke and take possession of the motor vehicle operator's license or, if such person is a nonresident, suspend the nonresident operating privilege of such person, for a twenty-four-hour period. The police officer shall prepare a written

report of the incident and shall mail the report and a copy of the results of any chemical test or analysis to the Department of Motor Vehicles within three business days. The report shall be made on a form approved by the Commissioner of Motor Vehicles and shall be subscribed and sworn to under penalty of false statement as provided in section 53a-157b by the arresting officer. If the person arrested refused to submit to such test or analysis, the report shall be endorsed by a third person who witnessed such refusal. The report shall set forth the grounds for the officer's belief that there was probable cause to arrest such person for operating a motor vehicle while under the influence of intoxicating liquor or any drug or both and shall state that such person had refused to submit to such test or analysis when requested by such police officer to do so or that such person submitted to such test or analysis, commenced within two hours of the time of operation, and the results of such test or analysis indicated that such person had an elevated blood alcohol content. If a police officer seizes and impounds a vehicle pursuant to this subsection, such officer shall give notice to the commissioner in such form as the commissioner may require.

Sec. 502. (NEW) (*Effective October 1, 2004*) Each insurance company that issues a policy for automobile liability insurance in this state shall provide coverage for property damage and bodily injury or death caused by an insured in an accident pursuant to which such insured is arrested for a first violation of subsection (a) of section 14-227a of the general statutes, as amended."