



General Assembly

Amendment

January Session, 2005

LCO No. 7450

HB0695907450SD0

Offered by:

SEN. CIOTTO, 9th Dist.

SEN. NICKERSON, 36th Dist.

To: Subst. House Bill No. 6959

File No. 587

Cal. No. 544

"AN ACT CONCERNING ACCIDENTS INVOLVING STATE VEHICLES."

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

3 "Sec. 501. (NEW) (*Effective October 1, 2005*) (a) For the purposes of
4 this section:

5 (1) "Alcoholic beverage" has the same meaning as provided in
6 section 30-1 of the general statutes;

7 (2) "Highway" has the same meaning as provided in section 14-1 of
8 the general statutes;

9 (3) "Open alcoholic beverage container" means a bottle, can or other
10 receptacle (A) that contains any amount of an alcoholic beverage, and
11 (B) (i) that is open or has a broken seal, or (ii) the contents of which are
12 partially removed;

13 (4) "Passenger" means any occupant of a motor vehicle other than
14 the operator; and

15 (5) "Passenger area" means (A) the area designed to seat the
16 operator of and any passenger in a motor vehicle while such vehicle is
17 being operated on a highway, or (B) any area that is readily accessible
18 to such operator or passenger while such person is in such person's
19 seating position; except that, in a motor vehicle that is not equipped
20 with a trunk, "passenger area" does not include a locked glove
21 compartment, the area behind the last upright seat closest to the rear of
22 the motor vehicle or an area not normally occupied by the operator of
23 or passengers in such motor vehicle.

24 (b) (1) No operator of a motor vehicle shall possess an open
25 alcoholic beverage container within the passenger area of a motor
26 vehicle while such motor vehicle is on any highway in this state.

27 (2) No passenger in a motor vehicle shall possess an open alcoholic
28 beverage container within the passenger area of a motor vehicle while
29 such motor vehicle is on any highway in this state.

30 (c) The provisions of subdivision (2) of subsection (b) of this section
31 shall not apply to: (1) A passenger in a motor vehicle designed,
32 maintained and primarily used for the transportation of persons for
33 hire, and (2) a passenger in the living quarters of a recreational vehicle,
34 as defined in section 14-1 of the general statutes.

35 (d) Any person who violates the provisions of subdivision (1) of
36 subsection (b) of this section shall be fined not more than two hundred
37 dollars. Any person who violates the provisions of subdivision (2) of
38 subsection (b) of this section shall have committed an infraction.

39 Sec. 502. Subsection (b) of section 51-164n of the general statutes is
40 repealed and the following is substituted in lieu thereof (*Effective*
41 *October 1, 2005*):

42 (b) Notwithstanding any provision of the general statutes, any

43 person who is alleged to have committed (1) a violation under the
44 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-
45 283, 7-325, 7-393, 8-25, 8-27, 9-63, 9-296, 9-305, 9-322, 9-350, 10-193, 10-
46 197, 10-198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, or 12-326g,
47 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section
48 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-
49 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-
50 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-
51 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or
52 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,
53 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)
54 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,
55 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b
56 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-
57 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,
58 14-153 or 14-163b, a first violation as specified in subsection (f) of
59 section 14-164i, section 14-219 as specified in subsection (e) of said
60 section, section 14-240, 14-249 or 14-250, subsection (a), (b) or (c) of
61 section 14-261a, section 14-262, 14-264, 14-267a, 14-269, 14-270, 14-275a,
62 14-278 or 14-279, subsection (e) of section 14-283, section 14-291, 14-
63 293b, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or 14-332a,
64 subdivision (1), (2) or (3) of section 14-386a, section 15-33, subsection
65 (a) of section 15-115, section 16-256, 16-256e, 16a-15 or 16a-22,
66 subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145, 17a-149,
67 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137 or 17b-734,
68 subsection (b) of section 17b-736, section 19a-30, 19a-33, 19a-39 or 19a-
69 87, subsection (b) of section 19a-87a, section 19a-91, 19a-105, 19a-107,
70 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301,
71 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-502,
72 20-7a, 20-14, 20-158, 20-231, 20-257, 20-265 or 20-324e, subsection (a) of
73 section 20-341, section 20-341l, 20-597, 20-608, 20-610, 21-30, 21-38, 21-
74 39, 21-43, 21-47, 21-48, 21-63, 21-76a, 21a-21, 21a-25, 21a-26 or 21a-30,
75 subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63 or 21a-
76 77, subsection (b) of section 21a-79, section 21a-85, 21a-154, 21a-159,
77 21a-201, 21a-211, 22-13, 22-14, 22-15, 22-16, 22-29, 22-34, 22-35, 22-36,

78 22-37, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49, 22-54,
79 22-61, 22-89, 22-90, 22-98, 22-99, 22-100, 22-111o, 22-279, 22-280a, 22-
80 318a, 22-320h, 22-324a, 22-326 or 22-342, subsection (b) or (e) of section
81 22-344, section 22-359, 22-366, 22-391, 22-413, 22-414, 22-415, 22a-66a or
82 22a-246, subsection (a) of section 22a-250, subsection (e) of section 22a-
83 256h, subsection (a) of section 22a-381d, section 22a-449, 22a-461, 23-37,
84 23-38, 23-46 or 23-61b, subsection (a) or (b) of section 23-65, section 25-
85 37, 25-40, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-49, 26-54, 26-59, 26-61,
86 26-64, 26-79, 26-89, 26-97, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138,
87 26-141, 26-207, 26-215, 26-224a, 26-227, 26-230, 26-294, 28-13, 29-6a, 29-
88 109, 29-161y, 29-161z, 29-198, 29-210, 29-243, 29-277, 29-316, 29-318, 29-
89 341, 29-381, 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15,
90 31-16, 31-18, 31-23, 31-24, 31-25, 31-28, 31-32, 31-36, 31-38, 31-38a, 31-40,
91 31-44, 31-47, 31-48, 31-51, 31-51k, 31-52, 31-52a or 31-54, subsection (a)
92 or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b
93 or 31-134, subsection (i) of section 31-273, section 31-288, 36a-787, 42-
94 230, 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-
95 54, section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16 or
96 53-133, subsection (a) or (b) of section 53-211, or section 53-212a, 53-
97 249a, 53-252, 53-264, 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323,
98 53-331, 53-344 or 53-450, or subdivision (1) of subsection (b) of section
99 501 of this act, or (2) a violation under the provisions of chapter 268, or
100 (3) a violation of any regulation adopted in accordance with the
101 provisions of section 12-484, 12-487 or 13b-410, shall follow the
102 procedures set forth in this section."