

Statement of Ellen Stotler
In Support of Senate Bill 620 – An Act Concerning Dangerous State Roadways
Judiciary Committee, Friday, March 24, 2006

When I was just 15 years old, I met and fell in love with my husband, Chip. We soon became best friends and soul mates. Seven years later, we were married, working days, going to school nights for our Master's degrees, and saving every penny we could for a down payment on a house. When we were 26, we moved into the new home we had just built.

When we were still in high school, we talked about having kids. I told him that I had always pictured myself having 4 girls, 2 of which I imagined would be twins. He smiled and said that was good because he wanted to have 3 or 4 girls, too – and twins would be fun. Ten years after we were married, we had a daughter. Shortly after that we had a 2nd daughter and then a 3rd. We were just amazed. We debated over having the fourth child, because what would we do if we had a boy?! Or worse yet, what if we had twin boys?! We decided to risk it and have baby number 4. When we found out we were having twins, I cried and Chip laughed. Because that was his nature. He saw the humor in everyone and everything. Twenty weeks later we heard our 3 favorite words, twice – “It’s a girl!” We were in awe.

Chip was so proud of his girls. He’d spend every minute that he could playing with them doing for them and teaching them. The girls didn’t even know he was teaching them because he always made it seem like play. Each night we’d go to bed exhausted from the day’s pace and responsibilities, and talk about what a great life we had and all the things we were going to do together as a family as the girls grew up. We just had to get through the diaper stage.

We were out of the diaper stage for exactly one year before Chip was tragically taken from us on July 29th 2005 in the horrific Avon Mountain accident. We never got to do the things we had planned to do as a family out of diapers. And we never got to celebrate our 20th wedding anniversary which is coming up next month.

I’m not sure which was worse that day – hearing the words “Your husband has died” or having to go home and look in the faces of five amazing little girls who were packing to go on vacation and tell them that Daddy has died. My heart was torn into pieces.

Chip was an amazing person. I could spend a lot of time telling you about him, but without knowing him, it would just be words on paper. Suffice it to say that he was a father like no other that I have known, and a husband and best friend that none can compare. He touched the lives of many and was well respected by friends and colleagues. His sense of humor was legendary. His motto in life was “Don’t sweat the little stuff – just enjoy the ride.” The girls and I are having an extremely difficult time enjoying the ride by ourselves.

Chip and I worked hard for everything we had and we had every intention to work hard to raise and educate our five daughters. I am now left to do that on my own. I am solely responsible for the welfare and well-being of five children aged 9 to 4. That awesome responsibility is no longer shared with my partner. The girls’ emotional and financial resources were just cut by 50%.

Many of you here today, in addition to representing your districts, are business men and women. As such, can you even imagine going to work one day and trying to run your business using exactly *half* the resources that you have used over the last 10 years? Chances are your businesses would fail in a

very short time. I can't let that happen to my business – my family. It must thrive. In order for me to be 100% of the emotional support for my girls, I need to be financially secure so that I can focus on the girls, without worries about unpaid bills, and college tuition for five.

It is true that David Wilcox, the owner of the truck that caused the fatal Avon Mountain accident last summer, made extremely poor and unethical business decisions in running his company, and he needs to be held accountable for that. It is also true that the State of CT has made an extremely poor business decision in continuously ignoring the problematic road design and traffic patterns of Avon Mountain, the cause of numerous traffic accidents each year that have included many fatalities. The State of CT needs to be held accountable for that. Currently, the state is not incented to fix any of the fatal roads running throughout CT because unless it is proven that the roadway is 100% at fault in causing an accident, then the State of CT cannot be held liable.

I believe that there is a common misperception that the July 29th accident was a so-called freak accident – something that no one could ever have predicted. I even heard an expert from UConn on the radio one morning discussing Avon Mtn. and the fact that accidents are random in nature and therefore unpredictable. However, in 2001 just four years prior to this accident, an accident took place at the exact same intersection with virtually identical circumstances. A truck was out of control on the way down the mountain, veered out into oncoming traffic to avoid the cars stopped at the light in front of it, and caused an eleven car pile-up. Fortunately for the victims of that accident, no one died. A third very similar situation happened just weeks after July 29th on the other side of Avon Mt when a truck lost its breaks and went careening out of control through a red light at the base intersection, luckily avoiding all vehicles. I am not a statistician, but I believe that two virtually identical accidents and a 3rd near miss happening on the same mountain in less than four years takes the randomness out of the accidents and puts predictability in its place.

I also believe that had there been a runaway ramp or some other safety precautions or road re-design in place on July 29th, Chip would still be with us today.

Because the design of the road was a major contributing factor to the July 29th accident, and the State of CT has known that this road is unsafe for many years but has chosen not to fix it, I feel that the state should be held responsible for its fair share in compensating the victims for their tremendous losses.

I am here today to ask for your support in passing Senate Bill 620 which will hold the state accountable for any accidents caused by unsafe roads such as the Avon Mt disaster. This Bill will incent the state to make prudent business decisions to fix the fatal roads in the state, thereby saving lives. If nothing is done about the design of Avon Mountain in the very near future, you can be sure that a third, fourth and fifth accident virtually identical to this one will occur. You can also be sure that the next victims in these accidents will be someone that you or one of your friends know or at least know of, perhaps even one of your own family members. And you can be sure that you would want the state to be held accountable for continuously ignoring the unsafe design and traffic pattern of Avon Mountain.

The girls and I miss Chip terribly and are devastated by our loss. I am now trying to pick up the pieces of our lives and put them back together so that the girls can have happy memories of their childhood and grow up to become well respected and productive members of the community just like their Dad was. There are a few holes that I need to fill.

Please support Senate Bill 620. Thank you for allowing me the opportunity to speak to you today.