



General Assembly

Amendment

February Session, 2006

LCO No. 4366

SB0059904366SD0

Offered by:

SEN. MCDONALD, 27th Dist.

SEN. PRAGUE, 19th Dist.

To: Senate Bill No. 599

File No. 480

Cal. No. 344

**"AN ACT CONCERNING THE OPERATION OF SNOWMOBILES,
ALL-TERRAIN VEHICLES AND OTHER MOTOR VEHICLES WHILE
UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR ANY
DRUG."**

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

3 "Sec. 501. Subsections (c) and (d) of section 14-227b of the 2006
4 supplement to the general statutes are repealed and the following is
5 substituted in lieu thereof (*Effective October 1, 2006*):

6 (c) If the person arrested refuses to submit to such test or analysis or
7 submits to such test or analysis, commenced within two hours of the
8 time of operation, and the results of such test or analysis indicate that
9 such person has an elevated blood alcohol content, the police officer,
10 acting on behalf of the Commissioner of Motor Vehicles, shall
11 immediately revoke and take possession of the motor vehicle
12 operator's license or, if such person is a nonresident, suspend the

13 nonresident operating privilege of such person, for a twenty-four-hour
14 period. The police officer shall prepare a written report of the incident
15 and, except as provided in subsection (d) of this section, shall mail the
16 report and a copy of the results of any chemical test or analysis to the
17 Department of Motor Vehicles [within three] not later than three
18 business days after the incident. The report shall be made on a form
19 approved by the Commissioner of Motor Vehicles and shall be
20 subscribed and sworn to under penalty of false statement as provided
21 in section 53a-157b by the arresting officer. If the person arrested
22 refused to submit to such test or analysis, the report shall be endorsed
23 by a third person who witnessed such refusal. The report shall set forth
24 the grounds for the officer's belief that there was probable cause to
25 arrest such person for operating a motor vehicle while under the
26 influence of intoxicating liquor or any drug or both and shall state that
27 such person had refused to submit to such test or analysis when
28 requested by such police officer to do so or that such person submitted
29 to such test or analysis, commenced within two hours of the time of
30 operation, and the results of such test or analysis indicated that such
31 person had an elevated blood alcohol content. If the report contains an
32 error in form or documentation, the Commissioner of Motor Vehicles
33 shall notify the police officer, in writing, of such error not later than
34 five business days after receipt of the report and the police officer may
35 resubmit the report in accordance with the provisions of this
36 subsection not later than five business days after receipt of such notice.

37 (d) If the person arrested submits to a blood or urine test at the
38 request of the police officer, and the specimen requires laboratory
39 analysis in order to obtain the test results, the police officer shall cause
40 the specimen to be transmitted not later than the next business day to
41 the Division of Scientific Services within the Department of Public
42 Safety for such laboratory analysis. The police officer shall not take
43 possession of the motor vehicle operator's license of such person or,
44 except as provided in this subsection, follow the procedures
45 subsequent to taking possession of the operator's license as set forth in
46 subsection (c) of this section. Not later than three business days after

47 receipt of such specimen, the division shall mail a copy of the test
48 results from the laboratory analysis of the specimen to the police
49 officer and to the Department of Motor Vehicles. If the test results
50 indicate that such person has an elevated blood alcohol content, the
51 police officer, [immediately upon] not later than three business days
52 after receipt of the test results, shall notify the Commissioner of Motor
53 Vehicles and submit to the commissioner the written report required
54 pursuant to subsection (c) of this section."