



*Office of Chief Public Defender
State of Connecticut*

30 TRINITY STREET, 4TH FLOOR
HARTFORD, CONNECTICUT 06106
TEL (860)509-6429
FAX (860)509-6499
susan.storey@jud.ct.gov

ATTORNEY SUSAN O. STOREY
CHIEF PUBLIC DEFENDER

**Testimony
of
Susan O. Storey
Chief Public Defender**

***Raised House Bill No. 7218
An Act Concerning Probable Cause to Search a Motor Vehicle and its Contents***

***Judiciary Committee Public Hearing
February 26, 2007***

The Office of Chief Public Defender supports passage of ***Raised House Bill No. 7218, An Act Concerning Probable Cause to Search a Motor Vehicle and Its Contents***. Section 2 of this bill clarifies that the failure of a person to comply with C.G.S. §14-99f, *Windshield, Obstruction of view*, would not, *in and of itself*, create probable cause to conduct a search of the motor vehicle. Current law prohibits a person from operating a motor vehicle with objects "attached to or hung on" the motor vehicle in a way which obstructs the view of the operator. A person who is found guilty of violating C.G.S. §14-99f, *Windshield, Obstruction of View*, an infraction, is subject to the imposition of a fine.

Anecdotal information received reveals that in certain Connecticut cities, persons have been stopped by law enforcement for violating C.G.S. §14-99f. Subsequent to the stop and for no other reason, law enforcement has searched these motor vehicles. This bill would clarify that violation of this statute, an infraction, does not constitute probable cause for law enforcement to search the motor vehicle. The inclusion of this language mirrors the statute for persons who fail to wear a seat belt. Current law provides what is commonly referred to as the "seat belt exception" which provides that the failure to wear a seatbelt does not provide probable cause for law enforcement to search a motor vehicle and its contents.

The Office of Chief Public Defender therefore respectfully requests that the Committee support this bill. Thank you.