



# Senate

General Assembly

**File No. 435**

February Session, 2008

Senate Bill No. 670

*Senate, April 3, 2008*

The Committee on Judiciary reported through SEN. MCDONALD of the 27th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

***AN ACT CONCERNING FAILURE TO REMOVE SNOW AND ICE FROM A MOTOR VEHICLE IN OPERATION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-271 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 (a) No vehicle shall be driven or moved on any highway unless such  
4 vehicle is so constructed or loaded as to prevent any of its load from  
5 dropping, sifting, leaking or otherwise escaping therefrom in such  
6 manner or quantity as to constitute a hazard or nuisance to other users  
7 of the highway, except that sand may be dropped for the purpose of  
8 securing traction, or water or other substance may be sprinkled on a  
9 roadway in cleaning or maintaining such roadway.

10 (b) No person shall operate on any highway any vehicle with any  
11 load unless such load and any covering thereon is securely fastened so  
12 as to prevent such covering or load from becoming loose, detached or  
13 in any manner a hazard to other users of the highway.

14 (c) No person shall operate on any highway any vehicle having a  
 15 gross weight of five thousand pounds or more which is designed and  
 16 used exclusively for the collection and transportation of refuse and  
 17 which has a separable container with an open top unless the contents  
 18 of such container are secured by the use of a screen or other material  
 19 having perforations of a size not greater than two square inches when  
 20 such container is attached to such vehicle.

21 (d) No person shall operate on any highway any vehicle with an  
 22 accumulation of ice or snow, or any combination of ice or snow, in  
 23 excess of two inches in thickness on any exterior surface of such  
 24 vehicle. The provisions of this subsection shall not apply to any  
 25 amount of ice or snow that accumulates while the vehicle is in  
 26 operation during a period of snow, sleet, freezing rain or other  
 27 precipitation that causes snow or ice to accumulate on such vehicle.

28 [(d)] (e) The provisions of this section shall not apply to motor  
 29 vehicles registered as farm motor vehicles or vehicles used for farming  
 30 purposes.

31 [(e)] (f) Violation of any provision of subsection (a), (b) or (c) of this  
 32 section shall be an infraction for each offense.

33 (g) Any person who violates the provisions of subsection (d) of this  
 34 section shall be fined not more than ten dollars for each square foot, or  
 35 any part thereof, of accumulation of ice or snow.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2008	14-271

**JUD**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 09 \$	FY 10 \$
Judicial Dept.	GF & TF - Revenue Gain	Potential Significant	Potential Significant
Public Safety, Dept.	GF - None	None	None

Note: GF=General Fund; TF=Transportation Fund

**Municipal Impact:**

Municipalities	Effect	FY 09 \$	FY 10 \$
Municipal Police Departments	None	None	None

**Explanation**

The bill establishes a fine of up to \$10 for each square foot (or part thereof) of accumulated ice or snow on a vehicle traveling on any highway provided: (1) more than two inches has accumulated; and (2) the vehicle is not being driven during a period of precipitation that causes the snow or ice to accumulate.

The amount due for any violation under the bill would be determined by the fine amount (up to \$10) established by the Superior Court in addition to the surcharges that current law applies to any violation under CGS 14-271.<sup>1</sup> For illustrative purposes, a range is provided in the table below. Almost all of the revenues generated from these fines would be deposited into the Transportation Fund.

**Potential Amounts due\* per Violation under the Bill**

<sup>1</sup> Applicable surcharges are as follows: (1) a 50% surcharge (deposited into the Transportation Fund) under CGS 13b-70; (2) a \$35 cost (deposited into the General Fund) under CGS 54-143a; and (3) a fee of between \$4 and \$11 (deposited into the General Fund) under CGS 51-56a(b).

Vehicle type	\$1 per sq. foot	\$5 per sq. foot	\$10 per sq. foot
Passenger <sup>2</sup>	\$91	\$271	\$496
Tractor Trailer <sup>3</sup>	\$722	\$3,425	\$6,804
*Including all surcharges and fees.			

The potential number of violations under the bill is uncertain. However, given the fine amounts that could be levied, even relatively few violations could generate significant state revenues.

Both state and municipal police officers would be responsible for enforcing this statute. It is anticipated that such enforcement would be accommodated within the course of an officer's normal duties, resulting in no additional cost to the state or municipalities.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would remain relatively stable into the future since fine amounts are set by statute.

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<sup>2</sup> The assumed linear footage of the roof is 6' long by 5' wide; up to 1' of accumulation assumed.

<sup>3</sup> The assumed linear footage of the trailer's roof is 53' long by 8.5' wide; up to 1' of accumulation assumed.

**OLR Bill Analysis****SB 670*****AN ACT CONCERNING FAILURE TO REMOVE SNOW AND ICE FROM A MOTOR VEHICLE IN OPERATION.*****SUMMARY:**

This bill prohibits anyone from driving on any highway a vehicle that has more than two inches of ice, snow, or both accumulated on any exterior surface. The prohibition does not apply to vehicles being driven during a period of snow, sleet, freezing rain, or other precipitation that causes snow or ice to accumulate.

The bill subjects violators to a fine of up to \$10 for each square foot, or part thereof, of accumulated ice or snow.

EFFECTIVE DATE: October 1, 2008

**BACKGROUND*****Related Bill***

sSB 298, reported favorably by the Transportation Committee, imposes a fine of \$200 to \$1,000 on drivers who fail to remove accumulated ice or snow that dislodges and causes property damage or injury.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea 42 Nay 0 (03/17/2008)