



General Assembly

Substitute Bill No. 5875

February Session, 2008

* HB05875PS 041608 *

AN ACT CONCERNING THE PROTECTION OF FAMILY VIOLENCE VICTIMS IN FAMILY RELATIONS MATTERS AND THE NOTIFICATION OF A FAMILY OR HOUSEHOLD MEMBER AFTER A MOTOR VEHICLE FATALITY.

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

1 Section 1. (NEW) (*Effective July 1, 2008*) (a) In any court proceeding
2 in a family relations matter, as defined in section 46b-1 of the general
3 statutes, the court may, within available resources, upon motion of the
4 attorney for any party, order that the testimony of a party or a child
5 who is a subject of the proceeding be taken outside the physical
6 presence of any other party if a protective order, restraining order or
7 standing criminal restraining order has been issued on behalf of the
8 party or child, and the other party is subject to the protective order or
9 restraining order. Such order may provide for the use of alternative
10 means to obtain the testimony of any party or child, including, but not
11 limited to, the use of a secure video connection for the purpose of
12 conducting hearings by videoconference. Such testimony may be taken
13 in a room other than the courtroom or at another location outside the
14 courthouse or outside the state. The court shall provide for the
15 administration of an oath to such party or child prior to the taking of
16 such testimony in accordance with the rules of the superior court.

17 (b) Nothing in this section shall be construed to limit any party's
18 right to cross-examine a witness whose testimony is taken in a room

19 other than the courtroom pursuant to an order under this section.

20 (c) An order under this section may remain in effect during the
21 pendency of the proceedings in the family relations matter.

22 Sec. 2. Section 14-108a of the general statutes is repealed and the
23 following is substituted in lieu thereof (*Effective October 1, 2008*):

24 (a) (1) The Commissioner of Transportation shall prescribe for the
25 Division of State Police within the Department of Public Safety and for
26 each police department and officer and other suitable agencies or
27 individuals a uniform investigation of accident report, in such form as
28 the commissioner shall prescribe, which form shall be followed in
29 filing all such reports.

30 [(b)] (2) In each motor vehicle accident in which any person is killed
31 or injured or in which damage to the property of any one individual,
32 including the operator, in excess of one thousand dollars is sustained,
33 the police officer, agency or individual who, in the regular course of
34 duty, investigates such accident, either at the time of or at the scene of
35 the accident or thereafter, by interviewing the participants or
36 witnesses, shall, within five days after completing such investigation,
37 complete and forward one copy of such report to the Commissioner of
38 Transportation. Such report shall call for and contain all available
39 detailed information to disclose the location and cause of the accident,
40 the conditions then existing, the persons and vehicles involved and the
41 names of the insurance companies issuing their automobile liability
42 policies, as well as the enforcement action taken. The Commissioner of
43 Transportation shall forward to the Commissioner of Motor Vehicles
44 one copy of each report of any accident involving a school bus. The
45 Commissioner of Motor Vehicles may inquire into or investigate any
46 accident reported pursuant to this subsection and may request the
47 assistance of the Division of State Police within the Department of
48 Public Safety for such purposes.

49 (b) (1) In each motor vehicle accident in which any person is killed,
50 the police officer, agency or individual who, in the regular course of

51 duty, investigates such accident shall use reasonable efforts to identify
52 and notify a member of the person's family or household of the fatality
53 as soon as practicable after the accident. Such notification shall (A)
54 indicate that the person was killed in a motor vehicle accident, the
55 location of the accident and the location of the person's body, and (B)
56 on and after the date the applicable police department, agency or
57 individual adopts a policy under subdivision (3) of this subsection, be
58 made in accordance with such policy.

59 (2) Not later than October 1, 2008, the Police Officer Standards and
60 Training Council established under section 7-294b shall establish a
61 uniform policy for identifying and notifying a member of a person's
62 family or household with respect to any motor vehicle accident in
63 which a person is killed. The council shall make the uniform policy
64 available to each police department, agency or individual required to
65 adopt a policy pursuant to subdivision (3) of this subsection. The
66 council shall design the uniform policy to ensure that such notification
67 is made promptly in a manner appropriate for the identified member
68 of the person's family or household.

69 (3) Not later than January 1, 2009, each police department, agency or
70 individual that, in the regular course of duty, has responsibility for
71 investigating motor vehicle accidents shall consider the provisions of
72 the uniform policy established by the Police Officer Standards and
73 Training Council pursuant to subdivision (2) of this subsection and
74 adopt a policy for identifying and notifying a member of a person's
75 family or household with respect to any motor vehicle accident in
76 which a person is killed. Each such police department, agency or
77 individual shall design its policy to ensure that such notification is
78 made promptly in a manner appropriate for the identified member of
79 the person's family or household.

80 (4) Policies established or adopted pursuant to this subsection shall
81 not be considered regulations under section 4-166.

82 (5) For the purposes of this subsection, "police department"

83 includes, but is not limited to, the Division of State Police within the
84 Department of Public Safety.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2008</i>	New section
Sec. 2	<i>October 1, 2008</i>	14-108a

JUD *Joint Favorable Subst.*

PS *Joint Favorable*