



House of Representatives

File No. 965

General Assembly

January Session, 2009

(Reprint of File No. 400)

Substitute House Bill No. 5262
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 15, 2009

**AN ACT CONCERNING THE IMPOUNDMENT OF VEHICLES USED
FOR ILLEGAL STREET RACING.**

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

1 Section 1. Section 14-224 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2009*):

3 (a) Each person operating a motor vehicle who is knowingly
4 involved in an accident which causes serious physical injury, as
5 defined in section 53a-3, to or results in the death of any other person
6 shall at once stop and render such assistance as may be needed and
7 shall give his name, address and operator's license number and
8 registration number to the person injured or to any officer or witness
9 to the death or serious physical injury of any person, and if such
10 operator of the motor vehicle causing the death or serious physical
11 injury of any person is unable to give his name, address and operator's
12 license number and registration number to the person injured or to any
13 witness or officer, for any reason or cause, such operator shall
14 immediately report such death or serious physical injury of any person
15 to a police officer, a constable, a state police officer or an inspector of

16 motor vehicles or at the nearest police precinct or station, and shall
17 state in such report the location and circumstances of the accident
18 causing the death or serious physical injury of any person and his
19 name, address, operator's license number and registration number.

20 (b) Each person operating a motor vehicle who is knowingly
21 involved in an accident which causes physical injury, as defined in
22 section 53a-3, to any other person or injury or damage to property shall
23 at once stop and render such assistance as may be needed and shall
24 give his name, address and operator's license number and registration
25 number to the person injured or to the owner of the injured or
26 damaged property, or to any officer or witness to the physical injury to
27 person or injury or damage to property, and if such operator of the
28 motor vehicle causing the physical injury of any person or injury or
29 damage to any property is unable to give his name, address and
30 operator's license number and registration number to the person
31 injured or the owner of the property injured or damaged, or to any
32 witness or officer, for any reason or cause, such operator shall
33 immediately report such physical injury of any person or injury or
34 damage to property to a police officer, a constable, a state police officer
35 or an inspector of motor vehicles or at the nearest police precinct or
36 station, and shall state in such report the location and circumstances of
37 the accident causing the physical injury of any person or the injury or
38 damage to property and his name, address, operator's license number
39 and registration number.

40 (c) (1) No person shall operate a motor vehicle upon any public
41 highway for a wager or for any race or for the purpose of making a
42 speed record.

43 (2) No person shall (A) possess a motor vehicle under circumstances
44 manifesting an intent that it be used in a race or event prohibited
45 under subdivision (1) of this subsection, (B) act as a starter, timekeeper,
46 judge or spectator at a race or event prohibited under subdivision (1)
47 of this subsection, or (C) wager on the outcome of a race or event
48 prohibited under subdivision (1) of this subsection.

49 (d) Each person operating a motor vehicle who is knowingly
50 involved in an accident on a limited access highway which causes
51 damage to property only shall immediately move or cause his motor
52 vehicle to be moved from the traveled portion of the highway to an
53 untraveled area which is adjacent to the accident site if it is possible to
54 move the motor vehicle without risk of further damage to property or
55 injury to any person.

56 (e) No person who acts in accordance with the provisions of
57 subsection (d) of this section may be considered to have violated
58 subsection (b) of this section.

59 (f) Any person who violates the provisions of subsection (a) of this
60 section shall be fined not more than ten thousand dollars or be
61 imprisoned not less than one year nor more than ten years or be both
62 fined and imprisoned.

63 (g) Any person who violates the provisions of subsection (b) or (c)
64 of this section shall be fined not less than seventy-five dollars nor more
65 than six hundred dollars or be imprisoned not more than one year or
66 be both fined and imprisoned, and for any subsequent offense shall be
67 fined not less than one hundred dollars nor more than one thousand
68 dollars or imprisoned not more than one year or be both fined and
69 imprisoned.

70 (h) In addition to any penalty imposed pursuant to subsection (g) of
71 this section: (1) If any person is convicted of a violation of subdivision
72 (1) of subsection (c) of this section and the motor vehicle being
73 operated by such person at the time of the violation is registered to
74 such person, the court may order such motor vehicle to be impounded
75 for not more than thirty days and such person shall be responsible for
76 any fees or costs resulting from such impoundment; or (2) if any
77 person is convicted of a violation of subdivision (1) of subsection (c) of
78 this section and the motor vehicle being operated by such person at the
79 time of the violation is not registered to such person, the court may
80 fine such person not more than two thousand dollars, and for any

81 subsequent offense may fine such person not more than three
82 thousand dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	14-224

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Judicial Dept.	GF - Revenue Gain	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill alters requirements for the enforcement of illegal street racing. The bill requires the impoundment of vehicles in cases where violators are registered owners of vehicles used for illegal street racing, with the costs of impoundment borne by the owner of the vehicle. In cases where a violator is not the registered owner of a vehicle used for illegal street racing, the bill imposes a fine of up to \$2,000 dollars for a first offense, and up to \$3,000 for any subsequent offense, but does not require impoundment. This results in a minimal revenue gain to the state.

House "A" establishes separate penalties for violators who are or are not registered owners of vehicles used in illegal street racing.

The Out Years

The annualized ongoing fiscal impact identified above would continue remain constant into the future as fines are set by statute.

OLR Bill Analysis**sHB 5262 (as amended by House "A")******AN ACT CONCERNING THE IMPOUNDMENT OF VEHICLES USED FOR ILLEGAL STREET RACING.*****SUMMARY:**

By law, no one may operate a motor vehicle on a public highway for a wager, a race, or for the purpose of making a speed record. Violators are subject to a fine of \$75 to \$600, up to one year imprisonment, or both for a first offense and a \$100 to \$1,000 fine, up to one year imprisonment, or both for any subsequent offense. In addition to these penalties, this bill permits the court to (1) order the motor vehicle the person used to be impounded for up to 30 days if it is registered to the offender or (2) if the vehicle is registered to someone other than the offender, fine the offender up to \$2,000 for a first offense and up to \$3,000 for any subsequent offense. The bill makes an impounded vehicle's owner responsible for all fees or costs resulting from the impoundment.

*House Amendment "A" makes the bill effective on July 1, 2009, instead of October 1, 2009, and replaces a requirement that police impound someone's vehicle when the person is arrested with the court-ordered sanctions explained above.

EFFECTIVE DATE: July 1, 2009

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 36 Nay 0 (03/16/2009)

Judiciary Committee

Joint Favorable

Yea 42 Nay 0 (04/14/2009)