



# Senate

General Assembly

**File No. 347**

January Session, 2009

Senate Bill No. 561

*Senate, March 31, 2009*

The Committee on Transportation reported through SEN. DEFRONZO of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

***AN ACT CONCERNING THE PENALTY FOR FAILURE TO REMOVE SNOW AND ICE FROM MOTOR VEHICLES.***

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

1 Section 1. (NEW) (*Effective October 1, 2009*) (a) The operator of any  
2 motor vehicle, as defined in section 14-1 of the general statutes, shall  
3 have an affirmative duty to remove accumulated ice or snow from the  
4 motor vehicle, including the hood, trunk and roof of the motor vehicle,  
5 so that any ice or snow accumulated on such vehicle does not pose a  
6 threat to persons or property while the vehicle is being operated on  
7 any street or highway of this state.

8 (b) When the operator of a motor vehicle violates the provisions of  
9 this section and snow or ice is dislodged from such vehicle and causes  
10 personal injury or property damage, the operator shall be fined not  
11 less than two hundred dollars but not more than one thousand dollars  
12 for each offense.

13 (c) This section shall not apply to (1) any operator of a motor vehicle

- 14 operated during a period of snow, sleet or freezing rain, or (2) any
- 15 operator of a motor vehicle while such vehicle is parked.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	New section

**TRA**      *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 House thereof for any purpose:

### **OFA Fiscal Note**

#### **State Impact:**

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Judicial Dept.	GF - Revenue Gain	Minimal	Minimal
Public Safety, Dept.	GF - None	None	None

Note: GF=General Fund

#### **Municipal Impact:**

Municipalities	Effect	FY 10 \$	FY 11 \$
Municipal Police Departments	None	None	None

#### **Explanation**

The bill's fine of \$200 to \$1,000 could be imposed on any person who doesn't remove accumulated ice and snow from the person's motor vehicle if that ice/snow is dislodged from the vehicle and causes personal injury or property damage. In light of the amount of revenue generated under a broader statute currently<sup>1</sup>, it is anticipated that this new fine would generate less than \$50,000 in revenue annually. Since the bill does not include this new fine among fines, fees, and surcharges<sup>2</sup> that must be deposited into the Special Transportation Fund<sup>3</sup>, any revenues generated under the bill would be deposited into the General Fund. Police enforcement could be accommodated within the normal course of police officers' duties and at no increased cost.

#### **The Out Years**

The annualized ongoing revenue gain identified above would remain constant into the future since fine amounts are set by statute.

<sup>1</sup> In FY 07, revenues in the amount of \$59,000 were generated under CGS 14-271(b), Operating with an Unsecured Load. The amount due for such a violation is \$177.

<sup>2</sup> CGS 13b-59(g)

<sup>3</sup> In accordance with CGS 13b-59(d) and 13b-61(b)(4).

**OLR Bill Analysis****SB 561*****AN ACT CONCERNING THE PENALTY FOR FAILURE TO REMOVE SNOW AND ICE FROM MOTOR VEHICLES.*****SUMMARY:**

This bill establishes an affirmative duty for the operator of a motor vehicle to remove accumulated ice or snow from the vehicle, including its hood, trunk, and roof, so that it does not pose a threat to people or property while being driven. An operator who fails to do so may be fined from \$200 to \$1,000 if snow or ice is dislodged from the vehicle and causes personal injury or property damage. The bill does not apply during a period of snow, sleet, or freezing rain; or if the vehicle is parked.

EFFECTIVE DATE: October 1, 2009

**COMMITTEE ACTION**

Transportation Committee

Joint Favorable

Yea 34 Nay 1 (03/13/2009)