



General Assembly

February Session, 2010

Raised Bill No. 227

LCO No. 1136

01136_____PD_

Referred to Committee on Planning and Development

Introduced by:
(PD)

AN ACT CONCERNING THE UNAUTHORIZED USE OF ALL-TERRAIN VEHICLES AND SNOWMOBILES.

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

1 Section 1. Section 14-388 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2010*):

3 Except as otherwise provided, any person who violates any of
4 sections 14-379 to 14-390, inclusive, or any regulation relating thereto
5 shall have committed an infraction for each such offense, except that
6 any person who violates subdivision (5) of section 14-387 shall be fined
7 not more than one hundred eighty dollars. In addition thereto the
8 operator or owner, or both, of a snowmobile or all-terrain vehicle, shall
9 be responsible and held accountable to the owner of any land where
10 trees, shrubs, crops, fences or other property have been damaged as a
11 result of travel of such snowmobiles or all-terrain vehicles over such
12 land, or where consequential damage has resulted from such travel.
13 Proof of the registration number of the snowmobile or all-terrain
14 vehicle shall be prima facie evidence in any prosecution or action for
15 damages that the owner was the operator.

16 Sec. 2. Section 51-164n of the 2010 supplement to the general statutes
17 is repealed and the following is substituted in lieu thereof (*Effective*
18 *October 1, 2010*):

19 (a) There shall be a Centralized Infractions Bureau of the Superior
20 Court to handle payments or pleas of not guilty with respect to the
21 commission of infractions and violations under subsection (b) of this
22 section. Except as provided in section 51-164o, any person who is
23 alleged to have committed an infraction or a violation under
24 subsection (b) of this section may plead not guilty or pay the
25 established fine and any additional fee or cost for the infraction or such
26 violation.

27 (b) Notwithstanding any provision of the general statutes, any
28 person who is alleged to have committed (1) a violation under the
29 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-
30 283, 7-325, 7-393, 8-25, 8-27, 9-63, 9-296, 9-305, 9-322, 9-350, 10-193, 10-
31 197, 10-198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292 or 12-326g,
32 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section
33 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-
34 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-
35 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-
36 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or
37 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,
38 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)
39 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,
40 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b
41 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-
42 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,
43 14-153 or 14-163b, a first violation as specified in subsection (f) of
44 section 14-164i, section 14-219 as specified in subsection (e) of said
45 section, subdivision (1) of section 14-223a, section 14-240, 14-249, 14-
46 250 or 14-253a, subsection (a) of section 14-261a, section 14-262, 14-264,
47 14-267a, 14-269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) of
48 section 14-283, section 14-291, 14-293b, 14-296aa, 14-319, 14-320, 14-321,

49 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of section
50 14-386a, subdivision (5) of section 14-387, section 15-33, subsection (a)
51 of section 15-115, section 16-256, 16-256e, 16a-15 or 16a-22, subsection
52 (a) or (b) of section 16a-22h, section 17a-24, 17a-145, 17a-149, 17a-152,
53 17a-465, 17a-642, 17b-124, 17b-131, 17b-137 or 17b-734, subsection (b) of
54 section 17b-736, section 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b)
55 of section 19a-87a, section 19a-91, 19a-105, 19a-107, 19a-215, 19a-219,
56 19a-222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335,
57 19a-336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-
58 158, 20-231, 20-257, 20-265 or 20-324e, subsection (a) of section 20-341,
59 section 20-341l, 20-597, 20-608, 20-610, 21-30, 21-38, 21-39, 21-43, 21-47,
60 21-48, 21-63, 21-76a, 21a-21, 21a-25, 21a-26 or 21a-30, subsection (a) of
61 section 21a-37, section 21a-46, 21a-61, 21a-63 or 21a-77, subsection (b)
62 of section 21a-79, section 21a-85, 21a-154, 21a-159, 22-13, 22-14, 22-15,
63 22-16, 22-29, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-
64 39d, 22-39e, 22-49, 22-54, 22-61, 22-89, 22-90, 22-98, 22-99, 22-100, 22-
65 111o, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-326 or 22-342,
66 subsection (b) or (e) of section 22-344, section 22-359, 22-366, 22-391, 22-
67 413, 22-414, 22-415, 22a-66a or 22a-246, subsection (a) of section 22a-
68 250, subsection (e) of section 22a-256h, section 22a-381d, 22a-449, 22a-
69 461, 23-37, 23-38, 23-46 or 23-61b, subsection (a) or (b) of section 23-65,
70 section 25-37, 25-40, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-49, 26-54, 26-
71 59, 26-61, 26-64, 26-79, 26-89, 26-97, 26-107, 26-117, 26-128, 26-131, 26-
72 132, 26-138, 26-141, 26-207, 26-215, 26-224a, 26-227, 26-230, 26-294, 28-
73 13, 29-6a, 29-109, 29-143o, 29-143z or 29-156a, subsection (b), (d), (e) or
74 (g) of section 29-161q, section 29-161y, 29-161z, 29-198, 29-210, 29-243,
75 29-277, subsection (c) of section 29-291c, section 29-316, 29-318, 29-381,
76 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18,
77 31-23, 31-24, 31-25, 31-28, 31-32, 31-36, 31-38, 31-38a, 31-40, 31-44, 31-47,
78 31-48, 31-51, 31-51k, 31-52, 31-52a or 31-54, subsection (a) or (c) of
79 section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-
80 134, subsection (i) of section 31-273, section 31-288, 36a-787, 42-230,
81 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54,
82 section 46a-59, 46b-22, 46b-24, 46b-34, 46b-38dd, 46b-38gg, 46b-38kk,

83 47-34a, 47-47, 49-8a, 49-16 or 53-133, or section 53-212a, 53-249a, 53-252,
84 53-264, 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331, 53-344
85 or 53-450, or (2) a violation under the provisions of chapter 268, or (3) a
86 violation of any regulation adopted in accordance with the provisions
87 of section 12-484, 12-487 or 13b-410, or (4) a violation of any ordinance,
88 regulation or bylaw of any town, city or borough, except violations of
89 building codes and the health code, for which the penalty exceeds
90 ninety dollars but does not exceed two hundred fifty dollars, unless
91 such town, city or borough has established a payment and hearing
92 procedure for such violation pursuant to section 7-152c, shall follow
93 the procedures set forth in this section.

94 (c) If any person who is alleged to have committed an infraction or
95 any violation specified in subsection (b) of this section elects to pay the
96 fine and any additional fees or costs established for such infraction or
97 violation, he shall send payment, by mail or otherwise, to the
98 Centralized Infractions Bureau, made payable to the "clerk of the
99 Superior Court". Such payment shall be considered a plea of nolo
100 contendere and shall be inadmissible in any proceeding, civil or
101 criminal, to establish the conduct of the person, provided the
102 provisions of this section and section 51-164m shall not affect the
103 application of any administrative sanctions by either the
104 Commissioner of Environmental Protection authorized under title 26
105 or the Commissioner of Motor Vehicles authorized under title 14,
106 except that no points shall be assessed by the Commissioner of Motor
107 Vehicles against the operator's license of such person for such
108 infraction or violation. The Judicial Department shall provide notice of
109 the provisions of this subsection to law enforcement agencies and
110 direct each law enforcement agency issuing a complaint to provide
111 such notice to any person who is alleged to have committed a motor
112 vehicle infraction or violation at the time a complaint alleging such
113 conduct is issued to such person.

114 (d) If the person elects to plead not guilty, he shall send the plea of
115 not guilty to the Centralized Infractions Bureau. The bureau shall send

116 such plea and request for trial to the clerk of the geographical area
117 where the trial is to be conducted. Such clerk shall advise such person
118 of a date certain for a hearing.

119 (e) A summons for the commission of an infraction or of a violation
120 specified in subsection (b) of this section shall not be deemed to be an
121 arrest and the commission of an infraction or of any such violation
122 shall not be deemed to be an offense within the meaning of section 53a-
123 24.

124 (f) The provisions of this section shall apply to the alleged
125 commission of an infraction or a violation specified in subsection (b) of
126 this section by a minor but, in a case involving a minor, a parent or
127 guardian shall sign any plea of nolo contendere or of not guilty on any
128 summons form issued in connection with the matter.

129 (g) In any trial for the alleged commission of an infraction, the
130 practice, procedure, rules of evidence and burden of proof applicable
131 in criminal proceedings shall apply. Any person found guilty at the
132 trial or upon a plea shall be guilty of the commission of an infraction
133 and shall be fined not less than thirty-five dollars or more than ninety
134 dollars.

135 (h) In any trial for the alleged commission of a violation specified in
136 subsection (b) of this section, the practice, procedure, rules of evidence
137 and burden of proof applicable in criminal proceedings shall apply.
138 Any person found guilty at the trial or upon a plea shall be guilty of
139 the commission of a violation and shall be fined not more than the
140 statutory amount applicable to such violation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	14-388
Sec. 2	<i>October 1, 2010</i>	51-164n

Statement of Purpose:

To increase the penalty for the unauthorized use of an all-terrain vehicle or snowmobile on state, municipal and private property.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]