State of Connecticut
DIVISION OF CRIMINAL JUSTICE

Testimony of the Division of Criminal Justice

Joint Committee on Transportation
March 3, 2010

The Division of Criminal Justice respectfully submits the following testimony concerning bills on the agenda for today's public hearing:

S. B. No. 345 (RAISED) AN ACT AUTHORIZING MUNICIPALITIES TO CONDUCT A PILOT PROGRAM FOR THE USE OF AUTOMATED TRAFFIC CONTROL SIGNAL ENFORCEMENT DEVICES AT CERTAIN INTERSECTIONS.

S. B. No. 346 (RAISED) AN ACT CONCERNING THE INSTALLATION OF SPEED DETECTING CAMERAS ON HIGHWAYS.

Both of these bills offer worthwhile concepts that require additional refinement before they would produce a system that would be an effective tool for law enforcement. The Division applauds the public safety intentions of these bills, but also must stress the need for language that will allow for effective enforcement. The Division believes this is an area ripe for consideration but still too short on specifics to provide for effective enforcement and the efficient use of limited law enforcement resources.

H. B. No. 5384 (RAISED) AN ACT PROHIBITING OPEN ALCOHOLIC BEVERAGE CONTAINERS IN MOTOR VEHICLES.

The bill suffers from many of the same defects as cited in past years. For example, and of particular note, the so-called tailgating exemption provided in section 2 of the bill would allow an operator to drive with the open container for the entire length of the expansive parking lot at Rentschler Field as long it happened six hours before or two hours after a sporting event. Further, while such conduct would be legal at Rentschler since it is under control of the state, it would not be legal in the parking area of a private college or university. Such a distinction raises obvious legal problems. Barring major revisions, the bill should be rejected.

H. B. No. 5385 (RAISED) AN ACT CONCERNING THE USE OF IGNITION INTERLOCK DEVICES IN MOTOR VEHICLES.

This bill would only further complicate the already complicated state of DUI law in Connecticut. The Division would recommend an alternative to the approach proposed

in H.B. No. 5385, namely that section 14-215 (c) of the general statutes be amended to require that whenever an operator is stopped and his or her license is determined to be under suspension that an interlock device must be used upon termination of the suspension. Such an approach would avoid the issue of having to coordinate the IID requirements under section 14-227a, the driving while intoxicated statute. Requiring the interlock device would not depend on the number of DUI convictions – the device in fact could be required for as few as one conviction. If the purpose of requiring an ignition interlock device is to prevent recidivism and to require all 14-215 (c) violators to be within the scope of the statute, then the preferred approach would be accomplished by requiring the devices pursuant to section 14-215 (c).

H. B. No. 5387 (RAISED) AN ACT CONCERNING THE REMOVAL OF SNOW AND ICE FROM MOTOR VEHICLES.

This bill as currently written would be virtually impossible to enforce. A more appropriate means for addressing the issue at hand would be to require the operators of specified vehicles (i.e., large trucks, buses, etc.) to remove snow and ice from the vehicle before operation and to attach sanctions to the failure to do so.

Respectfully submitted,

Kevin T. Kane
Chief State's Attorney