



STATE OF CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES
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**Testimony of Department of Motor Vehicles
Commissioner Melody A. Currey
Judiciary Committee Public Hearing
April 15, 2013**

HB 6697 - AN ACT CONCERNING THE FORFEITURE OF A MOTOR VEHICLE
OPERATED WHILE CONSUMING OR UNDER THE INFLUENCE OF
INTOXICATING LIQUOR OR DRUGS

Good morning Senator Coleman, Representative Fox, Senator Kissel and Representative Rebimbas and other members of the Judiciary Committee. Thank you for the opportunity to submit testimony on this proposal.

The Department of Motor Vehicles (DMV) would like to offer comment related to this proposal. It appears to authorize law enforcement officers who make an arrest for any of the specified offenses, including operating under the influence (OUI), to seize the motor vehicle that the offender was driving.

There are approximately ten thousand OUI arrests per year in Connecticut. Roughly two thirds of those are first offenders who are eligible for the pretrial alcohol education program (AEP). If these people successfully complete the program, they are not convicted of the offense, and therefore, the vehicles they were driving when they were arrested are subject to seizure, but not to forfeiture. It takes several months to complete AEP. The effect is that the owner of the vehicle seized will be required to be without a car until she/he completes AEP, or is able to post a bond. In any case, the requirement that a hearing be held for every seizure places a substantial burden on state resources.

This provision places the responsibility on the police of issuing a summons on owners, lienholders, lessors and those with a security interest within ten days of the seizure. While police have access to owner information, they will be required to obtain lienholder information from DMV. It is unclear how they will ascertain other legal interests that may exist. Similarly, law enforcement would be required to have vehicles towed by licensed dealers and stored on those dealers' premises or at other storage facilities. In the case of an older vehicle, it would not be uncommon under the terms of this proposal to have the storage costs surpass the value of the vehicle. It appears that lower income residents will be the hardest hit by this proposal.

This provision appears to be at odds with the legislative goal of increasing the use of ignition interlock devices (IIDs). A person whose car is seized and subsequently forfeited on a conviction of OUI will no longer own a vehicle on which to install an IID. That person will not be able to seek reinstatement, increasing the likelihood that the person will operate under suspension.

Thank you again for opportunity to provide comments on this proposed legislation.