State of Connecticut
DIVISION OF CRIMINAL JUSTICE

TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE

H.B. NO. 6387: AN ACT CONCERNING COURT OPERATIONS

JOINT COMMITTEE ON JUDICIARY
March 4, 2013

The Division of Criminal Justice supports the concept of Section 8 of H.B. No. 6387, An Act Concerning Court Operations. The Division would note that this same issue is addressed through slightly different language in H.B. No. 6253, An Act Concerning the Penalty for Failure to Remove Snow or Ice from a Motor Vehicle, which is before the Transportation Committee. Following is the testimony the Divison submitted in support of H.B. No. 6253 to the Transportation Committee on February 4, 2013:

TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE

IN SUPPORT OF:

H.B. NO. 6253: AN ACT CONCERNING THE PENALTY FOR FAILURE TO REMOVE ICE OR SNOW FROM A MOTOR VEHICLE

JOINT COMMITTEE ON TRANSPORTATION
FEBRUARY 4, 2013

The Division of Criminal Justice respectfully recommends the Committee's Joint Favorable Report for H.B. No. 6253, An Act Concerning the Penalty for Failure to Remove Ice or Snow from a Motor Vehicle. The purpose of this bill is to allow motorists who receive a traffic ticket pursuant to subsections (a) or (c) of Section 14-252a of the General Statutes to pay the $75 fine provided for in that section to pay the fine online or by mail.

Section 14-252a is the codification of Public Act 10-182 as amended by section 19 of Public Act 11-256. These acts provide that as of October 1, 2011, the operator of any noncommercial motor vehicle must remove accumulated snow and ice from the vehicle so that the snow or ice does not pose a threat to persons or property. Failure to do so is punishable by a $75 fine. The same provisions will be extended to commercial motor vehicles effective at the end of this year, December 31, 2013.

In most other cases fines such as this $75 penalty are already payable through the Centralized Infractions Bureau (CIB) in the Judicial Branch. Motorists can either mail in their payment or pay online through the Judicial Branch website. It would appear to be an oversight that the same option is not available for a ticket issued pursuant to Section 14-252a (a) or 14-25a (c). The maximum fine is still $75 – less than that for many other

infractions that can be paid by mail or online – but the violator in these cases must go to court. This is not fair to the motorist or an efficient use of state resources.

The Division of Criminal Justice recommends amending Section 51-164n of the General Statues, Procedure upon summons for infraction or certain violation, to add Section 14-252a (a) and Section 14-252a (c) to the list of infractions payable through the Centralized Infractions Bureau. The Division has been in contact with the Judicial Branch and it is our understanding that the Branch is in support of this amendment. Adding subsections (a) and (c) to section 51-164n would allow those who choose to do so to pay the fine by mail or online without going to court while permitting those who wish to contest the ticket to plead not guilty online or through the mail and then proceed on to court.

We must stress that our recommendation applies solely to subsections (a) and (c) of Section 14-252a, which involve accumulated snow or ice that does not dislodge and result in personal injury or property damage. Subsections (b) and (d) of Section 14-252a provide for greater penalties for violations involving personal injury or property damage. A motorist who receives a ticket under such circumstances would still be required to appear in court, which the Division believes is appropriate given the more severe nature of the incidents involved.

In conclusion, the Division of Criminal Justice wishes to express its appreciation to the Committee for allowing us to provide input on this matter. The Division would be happy to provide any additional information or to answer any questions the Committee might have.