
OLR Bill Analysis

HB 6033

AN ACT CONCERNING MOTOR VEHICLE INSURANCE PROVIDERS AND DISTRACTED DRIVING.

SUMMARY:

This bill:

1. increases the fines for violating the ban on driving while operating a cell phone, texting, or engaging in any activity that interferes with a vehicle's safe operation;
2. requires that the record of such a violation appear in the violator's driving history or motor vehicle record and be made available to motor vehicle insurers; and
3. requires the motor vehicles (DMV) commissioner to assess at least one point against the driver's license of a driver who violates the law. It creates a task force to study distracted driving issues and report to the Transportation Committee by January 1, 2014.

EFFECTIVE DATE: October 1, 2013, except the task force provision is effective upon passage.

INCREASED FINES

The bill increases the fines for a first violation from \$125 to \$150; for a second violation, from \$250 to \$300; and for subsequent violations, from \$400 to \$500.

MOTOR VEHICLE INSURERS

By law, motor vehicle insurers have access to motor vehicle records and personal information in connection with the investigation of claims arising under insurance policies, antifraud activities, rating, or underwriting (CGS § 14-10 (d) and (f) (2) (E)).

TASK FORCE

Mission

The task force must (1) evaluate the effectiveness of existing distracted driving laws; (2) examine enforcement of those laws; (3) consider distracted driving measures taken by the federal government and other states; and (4) make recommendations, including legislation, to prevent distracted driving in the state.

The task force terminates on the date it submits its report to the Transportation Committee or January 1, 2014, whichever is later.

Membership

The task force has 10 members, including the commissioners of motor vehicles and transportation, or their designees. The other members are appointed as follows:

1. two by the House speaker,
2. two by the Senate president pro tempore,
3. one by the House majority leader,
4. one by the House minority leader,
5. one by the Senate majority leader, and
6. one by the Senate minority leader.

Task force members may include legislators. Appointments must be made no later than 30 days after the bill takes effect. Any vacancy must be filled by the appointing authority.

The House speaker and Senate president pro tempore must select the task force chairpersons from among task force members. (The bill does not specify the number of chairpersons.) The chairpersons must hold the task force's first meeting within 60 days after the bill takes effect. The task force is staffed by the Transportation Committee's administrative staff.

BACKGROUND

Point System

State regulations allow the motor vehicles commissioner to suspend the license of a driver who accumulates 11 or more points on his or her driving record. DMV regulations assign between one and five points to various motor vehicle violations, ranging from one point for operating at an unreasonable speed to five points for negligent homicide with a motor vehicle (Conn. Agency Regs. § 14-137a-5 *et seq.*). Points remain on a driver's record for two years from the date they are assessed.

Related Bills

sSB 975, reported favorably by the Transportation Committee, specifies that the ban on using hand-held cell phones while driving applies when a vehicle is temporarily stopped because of traffic, road conditions, or traffic control signs or signals.

sHB 6495, reported favorably by the Transportation Committee, adds using a hand-held cell phone or other electronic device while driving a commercial motor vehicle to those offenses considered a serious traffic violation.

HB 5250, reported favorably by the Transportation Committee, doubles the penalty for drivers who violate the cell phone ban in highway work zones.

COMMITTEE ACTION

Transportation Committee

Joint Favorable

Yea 32 Nay 2 (03/15/2013)