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## **OLR Bill Analysis**

### **SB 336**

#### ***AN ACT CONCERNING THE PENALTY FOR CAUSING HARM TO A VULNERABLE USER OF A PUBLIC WAY.***

#### **SUMMARY:**

This bill creates a separate violation for a motorist travelling on a public way who fails to exercise reasonable care and causes the serious physical injury or death of a “vulnerable user,” provided the vulnerable user exercised reasonable care in using the public way. The bill does not define “reasonable care,” but it is generally understood to mean the degree of caution and concern for one’s own and others’ safety that an ordinarily prudent and rational person would use in the circumstances. Any motorist found to have seriously injured or caused the death of a vulnerable user in such circumstances must be fined up to \$1,000.

Depending on the circumstances, such conduct may already subject drivers to penalties under existing criminal laws, including:

1. misconduct with a motor vehicle (CGS § 53a-57),
2. negligent homicide with a motor vehicle (CGS § 14-222a), and
3. aggravated endangerment of a highway worker (CGS § 14-212d).

EFFECTIVE DATE: October 1, 2014

#### **DEFINITIONS**

Under the bill, vulnerable users include:

1. pedestrians;
2. highway workers;
3. people riding or driving animals;

4. bicyclists;
5. skaters, skateboarders, or roller bladers;
6. people riding or driving tractors;
7. people using wheelchairs or motorized chairs; and
8. blind people and their service animals.

A “public way” includes any of the following that are under the control of the state or a political subdivision and open to public travel: public highways, roads, streets, avenues, alleys, driveways, parkways, or places.

**COMMITTEE ACTION**

Transportation Committee

Joint Favorable

Yea 32    Nay 0    (03/14/2014)