
OLR Bill Analysis

sSB 290 (File 277, as amended by Senate "A")*

AN ACT CONCERNING THE PENALTY FOR TAILGATING AND CONOR'S LAW REGARDING PROTECTIVE HEADGEAR WHILE SKATEBOARDING, ROLLER SKATING AND IN-LINE SKATING.

SUMMARY

Existing law generally (1) prohibits drivers from following another motor vehicle more closely than is reasonable or in a way that obstructs or impedes traffic and (2) subjects violators to an infraction (see BACKGROUND). Under this bill, if driving in this manner results in a motor vehicle accident, violators are instead subject to a fine ranging from \$100 to \$200.

Current law requires any child under age 16 who rides a bicycle on a public road to wear protective headgear that meets the minimum specifications established by the American National Standards Institute or the Snell Memorial Foundation. The bill:

1. expands the types of activities during which these children must wear such protective headgear to include skateboarding, non-motorized scootering, roller skating, and in-line skating;
2. adds parks, including skateboarding parks, to the places where the protective headgear must be worn; and
3. requires that the protective headgear is properly fitted and fastened.

Current law also authorizes the Department of Consumer Protection (DCP) commissioner to establish, within available appropriations, a public awareness campaign to educate and promote the use of protective headgear when bicycling. The bill eliminates that authorization and instead requires the commissioner to post information on the department's website promoting the use of

protective headgear during the above activities, including bicycling, and about the dangers of not doing so.

By law, failure to wear protective headgear is not considered a violation or an offense and cannot be considered contributory negligence by a parent or a child or be admissible in any civil action.

The bill also makes technical changes.

*Senate Amendment "A" (1) adds parks to the places where protective headgear must be worn; (2) eliminates the DCP public awareness campaign authorization; and (3) requires DCP to post certain protective headgear information on its website.

EFFECTIVE DATE: October 1, 2018

BACKGROUND

Infractions

Infractions are punishable by fines, usually set by Superior Court judges, of between \$35 and \$90, plus a \$20 or \$35 surcharge and an additional fee based on the amount of the fine. There may be other added charges depending upon the type of infraction. For example, certain motor vehicle infractions trigger a Transportation Fund surcharge of 50% of the fine. With the various additional charges, the total amount due can be over \$300 but often is less than \$100. An infraction is not a crime, and violators can pay the fine by mail without making a court appearance.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 36 Nay 0 (03/23/2018)