



# House of Representatives

General Assembly

**File No. 499**

February Session, 2018

House Bill No. 5474

*House of Representatives, April 16, 2018*

The Committee on Judiciary reported through REP. TONG of the 147th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT CONCERNING AN ACCIDENT REPORT FOR A MOTOR VEHICLE ACCIDENT IN WHICH A PERSON WAS KILLED.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 14-108a of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2018*):

4 (a) (1) The Commissioner of Transportation shall prescribe for the  
5 Division of State Police within the Department of Emergency Services  
6 and Public Protection and for each police department and officer and  
7 other suitable agencies or individuals a uniform investigation of  
8 accident report, in such form as the commissioner shall prescribe,  
9 which form shall be followed in filing all such reports.

10 (2) In each motor vehicle accident in which any person is killed or  
11 injured or in which damage to the property of any one individual,  
12 including the operator, in excess of one thousand dollars is sustained,  
13 the police officer, agency or individual who, in the regular course of

14 duty, investigates such accident, either at the time of or at the scene of  
 15 the accident or thereafter, by interviewing the participants or  
 16 witnesses, shall, [within] not later than five days after completing such  
 17 investigation, complete and forward one copy of such report to the  
 18 Commissioner of Transportation. Such report shall [call for and]  
 19 contain all available [detailed] information relating to [disclose] the  
 20 location and cause of the accident, the conditions then existing, the  
 21 persons and vehicles involved and the names of the insurance  
 22 companies issuing their automobile liability policies, as well as the  
 23 enforcement action taken, if any, and, in the case of a motor vehicle  
 24 accident in which any person is killed, such report shall, if possible and  
 25 practicable, reach a conclusion as to the cause of the accident. If such a  
 26 conclusion cannot be reached, the investigating officer, agency or  
 27 individual shall refer the case to the state's attorney for the judicial  
 28 district in which the accident occurred, who may refer the case to the  
 29 Division of State Police within the Department of Emergency Services  
 30 and Public Protection for review and further investigation. The  
 31 Commissioner of Transportation shall forward to the Commissioner of  
 32 Motor Vehicles one copy of each report of any accident involving a  
 33 school bus. The Commissioner of Motor Vehicles may inquire into or  
 34 investigate any accident reported pursuant to this subsection and may  
 35 request the assistance of the Division of State Police within the  
 36 Department of Emergency Services and Public Protection for such  
 37 purposes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2018	14-108a(a)

**JUD**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

There is expected to be no fiscal impact from the bill, which requires that in cases where an investigation into a fatal vehicle accident is not conclusive, the police department investigating must refer it to the state's attorney's office, which may refer it to the Department of Emergency Services and Public Protection (DESPP) for further investigation. To the extent that the state's attorney's office refers cases to DESPP, any further investigation into such incidents is expected to be within the agency's capacity. The number of cases that are expected to be sent to DESPP for further review is expected to be minimal.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

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**OLR Bill Analysis****HB 5474*****AN ACT CONCERNING AN ACCIDENT REPORT FOR A MOTOR VEHICLE ACCIDENT IN WHICH A PERSON WAS KILLED.*****SUMMARY**

This bill requires the police or other agencies or individuals investigating a fatal motor vehicle accident (investigators) to refer the case to the state's attorney in the district where the accident took place if they are unable to determine the accident's cause, and it allows the state's attorney to refer the matter to the State Police for review and further investigation.

By law, investigators must send the transportation commissioner an accident report, within five days after completing an investigation, for any motor vehicle accident in which someone (1) was killed or injured or (2) incurred more than \$1,000 in property damage. The bill requires the report to include, if possible and practicable, a conclusion as to the cause of any fatal accident. Existing law already requires accident reports to include information about the cause of a reportable accident.

The bill also makes technical changes.

EFFECTIVE DATE: October 1, 2018

**BACKGROUND*****Related Bill***

SB 471, reported favorably by the Judiciary Committee, contains the same provisions.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea 40 Nay 0 (03/28/2018)