
OLR Bill Analysis

HB 6376

AN ACT CONCERNING MOTOR VEHICLE INSPECTORS AS PEACE OFFICERS.

SUMMARY

This bill expands a statutory definition of peace officer (see BACKGROUND) to include motor vehicle inspectors in the Department of Motor Vehicles who have received Police Officer Standards and Training Council (POST) certification. Under current law, motor vehicle inspectors have many, but not all, of the powers and protections afforded to these peace officers (e.g., both may, in certain circumstances, use physical force to arrest or prevent the escape of a person they reasonably believe committed an offense (CGS § 53a-22(b)).

By law, motor vehicle inspectors have, when on duty, the same authority to enforce motor vehicle laws as police have in their respective jurisdictions, including making arrests or issuing citations for violations (CGS § 14-8(a)). Under the bill, POST-certified motor vehicle inspectors, as peace officers, are specifically allowed to, among other things:

1. be considered peace officers for purposes of the state's Blue Alert system, which can be used to apprehend anyone suspected of killing or seriously injuring a peace officer or locate any officer who is missing (CGS § 29-1k);
2. obtain a motor vehicle's event data recorder pursuant to a search warrant, which the law generally limits to the vehicle's owner (CGS § 14-164aa); and
3. be considered peace officers subjected to a substantial risk of bodily injury at the scene of first degree arson (CGS § 53a-111).

The bill eliminates the exemption that allows POST-certified motor vehicle inspectors to carry a pistol or revolver in the course of their official duties without a handgun permit. The same law exempts peace officers, but does not explicitly reference the bill's definition of peace officer, which includes POST-certified motor vehicle inspectors.

The bill also makes minor, technical, and conforming changes.

EFFECTIVE DATE: October 1, 2019

BACKGROUND

Peace Officers

By law, the following individuals are designated peace officers: state and local police, Division of Criminal Justice inspectors, state marshals exercising statutory powers, judicial marshals performing their duties, conservation or special conservation officers, constables who perform criminal law enforcement duties, appointed special policemen, adult probation officers, Department of Correction officials authorized to make arrests in a correctional institution or facility, investigators in the State Treasurer's Office, U.S. marshals and deputy marshals, U.S. special agents authorized to enforce federal food and drug laws, and certified police officers of a law enforcement unit created and governed under a state-tribal memorandum (CGS § 53a-3(9)).

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable

Yea 22 Nay 2 (03/19/2019)