



General Assembly

January Session, 2021

Raised Bill No. 1010

LCO No. 4443



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

***AN ACT CONCERNING THE USE OF MOBILE TELEPHONES BY
EMERGENCY PERSONNEL.***

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

1 Section 1. Subsection (b) of section 14-296aa of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (b) (1) Except as otherwise provided in this subsection and
5 subsections (c) and (d) of this section, no person shall operate a motor
6 vehicle upon a highway, as defined in section 14-1, while using a hand-
7 held mobile telephone to engage in a call or while using a mobile
8 electronic device. An operator of a motor vehicle who types, sends or
9 reads a text message with a hand-held mobile telephone or mobile
10 electronic device while operating a motor vehicle shall be in violation of
11 this section, except that if such operator is driving a commercial motor
12 vehicle, as defined in section 14-1, such operator shall be charged with
13 a violation of subsection (e) of this section.

14 (2) An operator of a motor vehicle who holds a hand-held mobile
15 telephone to, or in the immediate proximity of, his or her ear while

16 operating a motor vehicle is presumed to be engaging in a call within
17 the meaning of this section. The presumption established by this
18 subdivision is rebuttable by evidence tending to show that the operator
19 was not engaged in a call.

20 (3) The provisions of this subsection shall not be construed as
21 authorizing the seizure or forfeiture of a hand-held mobile telephone or
22 a mobile electronic device, unless otherwise provided by law.

23 (4) Subdivision (1) of this subsection shall not apply to: (A) The use
24 of a hand-held mobile telephone for the sole purpose of communicating
25 with any of the following regarding an emergency situation: An
26 emergency response operator; a hospital, physician's office or health
27 clinic; an ambulance company; a fire department; or a police
28 department, [or (B) any of the following persons while in the
29 performance of their official duties and within the scope of their
30 employment: A peace officer, as defined in subdivision (9) of section
31 53a-3, a firefighter or an operator of an ambulance or authorized
32 emergency vehicle, as defined in section 14-1, or a member of the armed
33 forces of the United States, as defined in section 27-103, while operating
34 a military vehicle, or (C)] (B) the use of a hand-held radio by a person
35 with an amateur radio station license issued by the Federal
36 Communications Commission in emergency situations for emergency
37 purposes only, or [(D)] (C) the use of a hands-free mobile telephone.

38 Sec. 2. (NEW) (*Effective from passage*) No member of the Division of
39 State Police within the Department of Emergency Services and Public
40 Protection, authorized pursuant to subdivision (2) of subsection (a) of
41 section 5-246 of the general statutes to provide police services for a
42 private contractor at a highway construction site, shall use a mobile
43 telephone, as defined in subsection (a) of section 14-296aa of the general
44 statutes, while providing such police services, except such member may
45 use a mobile telephone if such member's radio to allow real-time
46 communication with an emergency response operator, a police
47 department or the Division of State Police is inoperative.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	14-296aa(b)
Sec. 2	<i>from passage</i>	New section

Statement of Purpose:

To prohibit (1) emergency personnel from using a hand-held mobile telephone when operating a motor vehicle upon a highway, and (2) a state police officer from using a mobile telephone when providing police services for private contractors at highway construction sites.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]