



State of Connecticut
GENERAL ASSEMBLY
STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

Testimony in SUPPORT of Senate Bill Number 608:
An Act Concerning the Safety of Children When Buying Ice Cream from a Frozen Dessert Truck.
Transportation Committee
March 8, 2021

Chair Lemar, Vice Chairs Cassano and Simms, Ranking Members Carney and Somers, and Distinguished Members of the Transportation Committee:

We write today in strong support of our proposed **Senate Bill Number 608, An Act Concerning the Safety of Children When Buying Ice Cream from a Frozen Dessert Truck.**

We drafted this bill in response to last year's horrific death of Tristan Barhorst, a 10-year-old boy whom was hit by a passing vehicle after purchasing ice cream from an ice cream truck, and a similar incident in Hamden the year before that left a child with injury to the head, collar bone, and both legs. No child or family should have to endure this pain. As such, this bill seeks to increase the safety of children when purchasing food items from frozen dessert trucks, thereby curtailing similar, preventable loss of life and injury going forward.

We continue to fully and wholeheartedly support this concept.

However, when drafting this proposal, we had discussed including a temporary grandfather clause, establishing a grace period for currently operating trucks to temporarily continue operation while making the safety improvements required by this bill. Unfortunately, such a clause does not appear to have been included in the committee's draft, and we hope the Transportation Committee will reconsider.

To be clear, temporarily grandfathered trucks should be subject to additional safety procedures while operating in our recommended grace period. For an example, the committee might wish to consider conditional selling restrictions, like those imposed by City of Hartford ordinance §27-126, on the grandfathered trucks. Such provisions should expire when requisite safety mechanisms are installed or at the completion of the grace period, whichever comes first. This would allow existing vendors ample time to comply with the new regulations while also ensuring the safety of young customers in the meantime. The temporary grandfather clause should not apply to new vendor trucks entering the market.

Thank you for allowing us to submit testimony in **SUPPORT** of Senate Bill 608, and we strongly urge the Transportation Committee to advance such important legislation **with the inclusion of a temporary grandfather clause for existing vendors.**

Respectfully,

Handwritten signature of Craig C. Fishbein in black ink.

Craig C. Fishbein
State Representative
90th House District

Handwritten signature of Paul Cicarella in black ink.

Paul Cicarella
State Senator
34th Senate District