



SOLIMENE & SECONDO, LLP
ATTORNEYS AT LAW

March 8, 2021

By electronic mail

Tratestimony@cga.ct.gov

Transportation Committee

RE: Tristan's Law, proposed Senate Bill No. 608, An Act Concerning The Safety of Children When Buying Ice Cream From a Frozen Dessert Truck.

To whom it may concern,

I am writing this letter to give you my support for SB No. 608 as a small business owner in the State, an Attorney and a mother of 4 children. By way of relevance, I would like it to be known, that I presently represent a local bus company, that services hundreds of children across the State. As their counsel, I have become extremely familiar with the extreme caution and diligence in which they operate and serve the public. As you probably know, this is also a highly regulated area. In my opinion, everything they do in their daily operations is done with the utmost concern and safety for the children they service daily, including the use of stop arms and caution lights.

In witnessing the way my client runs its business, it has become clear to me that ice cream trucks do not have the same level regulation or concern in their daily operations. That is not to say that anything done or not done by these local ice cream truck owners has been done so maliciously. However, it would appear that there is a very visible gap in the laws surrounding the operation of these businesses that does not take into consideration the safety of these children. There is no uniformity. Something must be done to provide a higher level of guidance to protect the children of this state. Additional safety precautions among all ice cream trucks are needed.

As you know, SB No 608, is an act establishing safety protocols concerning the use and operation of ice cream trucks following the untimely death of Tristan Barhorst on June 12, 2020. It is my understanding that Tristan was struck and killed by a vehicle that passed this parked parked ice cream truck, the owner of whom had just sold him ice cream. That ice cream truck operator was still actively engaged in selling ice cream to other children when Tristan was struck. Upon information and belief, that operator had a stop arm installed on his truck, but was not using it when Tristan was killed. He was also not using any form of hazard lights.

Tristan's death could have been prevented. This proposed legislation is necessary to protect other children from getting injured. It is negligent not to do anything about this gap in the law. The State has an obligation to protect its children and at the very least pass something that

requires ice cream trucks to use stop arms and hazard lights to warn passing vehicles to slow down and be aware of children.

The cost of a stop arm is approximately \$425.00, which I have verified through vendors such as Unity or Midwest Transit.

It would appear that many ice cream trucks already have stop arms installed. Those that do not could apply for a grant that could be funded through a non profit if they are unable to afford the cost of a stop arm on their own. This would be a one-time fee that is simply the cost of doing business of this type (selling ice cream to children). The cost of a stop arm would also appear nominal when compare to the price of the truck itself.

Thank you for your consideration and support of this very important bill.

Yours Truly,

A handwritten signature in cursive script that reads "Elycia Solimene".

Elycia Solimene
Mother of 4, Attorney and
CT Small Business Owner