
OLR Bill Analysis

HB 6570 (as amended by House "A")*

AN ACT CONCERNING DAMAGES TO PERSON OR PROPERTY CAUSED BY THE NEGLIGENT OPERATION OF A MOTOR VEHICLE OWNED BY A POLITICAL SUBDIVISION OF THE STATE.

SUMMARY

Under existing law, political subdivisions of the state (e.g., municipalities) are generally liable for damages to a person or property caused by, among other things, their negligence or the negligence of their employees, officers, or agents acting within the scope of their employment or official duties. However, they are not liable for damages caused by negligent acts or omissions requiring the exercise of judgment or discretion as an official function of authority granted by law (i.e., discretionary actions). So, political subdivisions are immune from civil liability for damages caused by discretionary actions.

Regardless of this exception for discretionary actions, this bill eliminates the governmental immunity defense in a civil action for damages to a person or property caused by any negligent operation of a motor vehicle owned by a political subdivision. (Presumably, this change applies only to motor vehicles operated by an employee, officer, or agent of the political subdivision that owns it.) The bill also specifies that eliminating this governmental immunity must not be construed as limiting or expanding the rights, duties, and exemptions given to an emergency vehicle operator under existing law. By law, among other things, emergency vehicle operators may park or stand the vehicle, proceed through red lights, and exceed speed limits under certain conditions (CGS § 14-283).

*House Amendment "A" adds the provision on emergency vehicle operators and changes the effective date to limit the applicability to civil actions filed on or after the bill's passage.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 31 Nay 6 (03/27/2023)