



House of Representatives

File No. 755

General Assembly

January Session, 2023

(Reprint of File No. 652)

House Bill No. 6873
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 8, 2023

AN ACT REQUIRING THE POLICE OFFICER STANDARDS AND TRAINING COUNCIL TO DEVELOP AND PROMULGATE A MODEL POLICY REQUIRING THE USE OF A SEAT SAFETY BELT FOR ANY PERSON WHO IS BEING TRANSPORTED IN A MUNICIPAL POLICE VEHICLE.

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

1 Section 1. (NEW) (*Effective July 1, 2023*) (a) Not later than December
2 31, 2023, the Police Officer Standards and Training Council established
3 under section 7-294b of the general statutes shall develop and
4 promulgate a model policy that provides guidelines on (1) the required
5 use of a seat safety belt by any person who is being transported in a
6 municipal police vehicle, and (2) standardized procedures to be utilized
7 by a municipal police officer to ensure that any person who is being
8 transported in a municipal police vehicle is secure in such vehicle
9 through the use of a seat safety belt. Not later than April 1, 2024, each
10 municipal law enforcement unit shall adopt and maintain a written
11 policy that meets or exceeds the standards of the model policy

12 developed pursuant to this subsection.

13 (b) On and after April 1, 2024, if the chief law enforcement officer of
 14 a municipal law enforcement unit finds, through procedures developed
 15 pursuant to subsection (g) of section 7-294d of the general statutes, that
 16 a municipal police officer has engaged in conduct that constitutes a
 17 violation of the policy established pursuant to subsection (a) of this
 18 section and that such violation undermines public confidence in the
 19 municipal law enforcement unit, the chief law enforcement officer shall
 20 report such violation to the Police Officer Standards and Training
 21 Council. Said council shall thereafter conduct a de novo review of the
 22 matter. Whenever the council believes there is a reasonable basis for
 23 suspension, cancellation or revocation of the certification of a municipal
 24 police officer due to the reported violation, the council shall give notice
 25 and an adequate opportunity for a hearing to such officer prior to such
 26 suspension, cancellation or revocation. Such hearing shall be conducted
 27 in accordance with the provisions of chapter 54 of the general statutes.
 28 If the council finds by clear and convincing evidence that a violation of
 29 this section has occurred, the council may suspend, revoke or cancel the
 30 certificate of the certificate holder in accordance with the provisions of
 31 section 7-294d of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	New section

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill requires the Police Officer Standards and Training Council (POST) to develop a model policy for the use of seat belts in municipal police vehicles and outlines disciplinary procedures for violations of the policy, resulting in no fiscal impact to the state as POST has the expertise to meet the bill's requirements.

House "A" requires that all municipal law enforcement units adopt a written policy reflective of the model policy developed pursuant to the bill by April 1, 2024 and delays the applicability of the seat belt policy requirements from January 1 to April 1, 2024, resulting in no fiscal impact to the state or municipalities.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 6873 (as amended by House "A")******AN ACT REQUIRING THE POLICE OFFICER STANDARDS AND TRAINING COUNCIL TO DEVELOP AND PROMULGATE A MODEL POLICY REQUIRING THE USE OF A SEAT SAFETY BELT FOR ANY PERSON WHO IS BEING TRANSPORTED IN A MUNICIPAL POLICE VEHICLE.*****SUMMARY**

This bill requires the Police Officer Standards and Training Council (POST), by December 31, 2023, to develop and promulgate a model policy that has guidelines on required seat belt use in municipal police vehicles and standardized procedures for municipal police officers to ensure that anyone being transported in their vehicles is secured by a seat belt. By April 1, 2024, each municipal law enforcement unit must adopt and maintain a written policy that meets or exceeds these model policy standards.

Under the bill, starting on that same date, if a municipal law enforcement unit's chief law enforcement officer finds, through existing POST-developed procedures, that a municipal police officer's actions violate the adopted seat belt policy and the violation undermines public confidence in the municipal law enforcement unit, then the chief law enforcement officer must report the violation to POST, which must then do a de novo review (a new, independent review) of the matter.

Whenever POST believes there is a reasonable basis for suspending, canceling, or revoking a municipal officer's certification because of the reported violation, the council must give the officer notice and an adequate opportunity for a hearing before he or she is disciplined. The hearing must be done following the Uniform Administrative Procedure

Act. If POST finds by clear and convincing evidence that a violation of the bill has occurred, it may suspend, revoke, or cancel the officer’s certificate.

*House Amendment “A” (1) delays the applicability of the seat belt policy requirements from January 1 to April 1, 2024, and (2) requires each municipal law enforcement unit to adopt and maintain a written policy by that same date.

EFFECTIVE DATE: July 1, 2023

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 37 Nay 0 (03/31/2023)