



# House of Representatives

General Assembly

**File No. 453**

February Session, 2024

Substitute House Bill No. 5413

*House of Representatives, April 11, 2024*

The Committee on Judiciary reported through REP. STAFSTROM of the 129th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING THE ILLEGAL USE OF CERTAIN VEHICLES AND STREET TAKEOVERS.**

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

1 Section 1. Section 14-390 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2024*):

3 (a) Any municipality may, by ordinance, regulate the operation and  
4 use, including hours and zones of use, of snowmobiles and all-terrain  
5 vehicles in a manner not inconsistent with the provisions of this section  
6 and sections 14-379 to 14-389, inclusive, or any regulations adopted  
7 pursuant thereto, and may (1) prescribe a penalty for violation of such  
8 ordinance in an amount not to exceed one thousand dollars for a first  
9 violation, in an amount not to exceed one thousand five hundred dollars  
10 for a second violation, and in an amount not to exceed two thousand  
11 dollars for a third or subsequent violation, and (2) provide for the  
12 seizure and forfeiture to the municipality of such all-terrain vehicle for  
13 a violation of such ordinance, subject to any bona fide lien, lease or  
14 security interest in the all-terrain vehicle, including, but not limited to,

15 a lien under section 14-66c.

16 (b) No all-terrain vehicle shall be forfeited under an ordinance  
17 adopted pursuant to this section to the extent of the interest of an owner  
18 or lienholder by reason of any act or omission committed by another  
19 person if such owner or lienholder did not know and could not have  
20 reasonably known that such all-terrain vehicle was being used or was  
21 intended to be used in violation of a municipal ordinance, and such  
22 owner or lienholder collects such all-terrain vehicle not later than thirty  
23 days after the date the municipality mails such owner or lienholder a  
24 written notice indicating that such all-terrain vehicle shall be forfeited if  
25 not collected within such thirty-day period.

26 (c) Any all-terrain vehicle ordered forfeited pursuant to such an  
27 ordinance shall be sold at public auction conducted by the municipality  
28 or destroyed by the municipality. The proceeds of any such sale shall be  
29 paid to the treasurer of the municipality, who shall deposit such  
30 proceeds into the general fund of the municipality.

31 Sec. 2. Section 14-390m of the general statutes is repealed and the  
32 following is substituted in lieu thereof (*Effective from passage*):

33 (a) Any municipality that adopts an ordinance pursuant to section 7-  
34 148 to regulate the operation and use on public property, including  
35 hours of use, of dirt bikes or mini-motorcycles may prescribe a penalty  
36 for violation of such ordinance (1) in an amount not to exceed one  
37 thousand dollars for a first violation, in an amount not to exceed one  
38 thousand five hundred dollars for a second violation and in an amount  
39 not to exceed two thousand dollars for a third or subsequent violation,  
40 and (2) in the case of a municipality with a population of twenty  
41 thousand or more, to provide for the seizure and forfeiture to the  
42 municipality of such dirt bike or mini-motorcycle for violation of such  
43 ordinance, subject to any bona fide lien, lease or security interest in the  
44 dirt bike or mini-motorcycle, including, but not limited to, a lien under  
45 section 14-66c.

46 (b) No dirt bike or mini-motorcycle shall be forfeited under an

47 ordinance adopted pursuant to this section to the extent of the interest  
48 of an owner or lienholder by reason of any act or omission committed  
49 by another person if such owner or lienholder did not know and could  
50 not have reasonably known that such dirt bike or mini-motorcycle was  
51 being used or was intended to be used in violation of a municipal  
52 ordinance, and such owner or lienholder collects such dirt bike or mini-  
53 motorcycle not later than thirty days after the date the municipality  
54 mails such owner or lienholder a written notice indicating that such dirt  
55 bike or mini-motorcycle shall be forfeited if not collected within such  
56 thirty-day period.

57 (c) Any dirt bike or mini-motorcycle ordered forfeited pursuant to  
58 such an ordinance shall be sold at public auction conducted by the  
59 municipality or destroyed by the municipality. The proceeds of any  
60 such sale shall be paid to the treasurer of the municipality, who shall  
61 deposit such proceeds into the general fund of the municipality.

62 (d) For the purposes of this section and section 7-148, (1) "dirt bike"  
63 means a two-wheeled motorized recreational vehicle designed to travel  
64 over unimproved terrain and not designed for travel on a highway, as  
65 defined in section 14-1. "Dirt bike" does not include an all-terrain  
66 vehicle, as defined in section 14-379, or a motor-driven cycle, as defined  
67 in section 14-1, and (2) "mini-motorcycle" has the same meaning as  
68 provided in section 14-289j.

69 Sec. 3. (NEW) (*Effective October 1, 2024*) (a) For purposes of this  
70 section, "street takeover" has the same meaning as provided in section  
71 14-224 of the general statutes.

72 (b) Any municipality may, by ordinance, prohibit a person from  
73 organizing, participating in or gathering with intent to observe and  
74 actually observing a street takeover. Such ordinance may (1) prescribe a  
75 penalty for violation of such ordinance in an amount not to exceed one  
76 thousand dollars for a first violation, in an amount not to exceed one  
77 thousand five hundred dollars for a second violation and in an amount  
78 not to exceed two thousand dollars for a third or subsequent violation,  
79 and (2) provide for the impoundment of any vehicle used in violation of

80 this section until any fine imposed pursuant to subdivision (1) of this  
81 subsection is paid, any related charges, including, but not limited to,  
82 towing fees, are paid and any overdue property taxes on such vehicle  
83 imposed pursuant to chapter 203 of the general statutes are paid. Any  
84 ordinance adopted pursuant to this section shall be consistent with the  
85 provisions of sections 14-379 to 14-390m, inclusive, of the general  
86 statutes, as amended by this act, or any regulations adopted pursuant to  
87 said sections.

88 Sec. 4. Subsection (b) of section 14-111 of the 2024 supplement to the  
89 general statutes is repealed and the following is substituted in lieu  
90 thereof (*Effective October 1, 2024*):

91 (b) (1) Except as provided in subdivision (2) or (3) of this subsection,  
92 whenever the holder of any motor vehicle operator's license has been  
93 convicted or has forfeited any bond taken or has received a suspended  
94 judgment or sentence for any of the following violations, the  
95 commissioner shall, without hearing, suspend such person's operator's  
96 license or privilege to operate a motor vehicle in this state as follows:  
97 For a first violation of subsection (a) or subdivision (1) of subsection (b)  
98 of section 14-224 or section 14-110, 14-215 or 53a-119b, for a period of  
99 not less than one year and, for a subsequent violation thereof, for a  
100 period of not less than two years; for a violation of subsection (a) of  
101 section 14-222, [or subsection (c) of section 14-224,] for a period of not  
102 less than thirty days or more than ninety days and, for a subsequent  
103 violation thereof, for a period of not less than ninety days; for a violation  
104 of subdivision (2) or (3) of subsection (b) of section 14-224, for a period  
105 of not less than ninety days and for a subsequent violation thereof, for a  
106 period of not less than one year; for a violation of subsection (c) of  
107 section 14-224, for a period of forty-five days, provided the  
108 commissioner shall permanently revoke such person's operator's license  
109 or privilege for a third violation thereof; for a first violation of subsection  
110 (b), (d) or (e) of section 14-147, for a period of not less than ninety days  
111 and, for a subsequent violation thereof, for a period of not less than five  
112 years; for a first violation of subsection (c) of section 14-147, for a period  
113 of not less than thirty days and, for a subsequent violation thereof, for a

114 period of not less than one year.

115 (2) Notwithstanding the provisions of section 14-111b and except as  
116 provided in subdivision (3) of this subsection, whenever the holder of  
117 any motor vehicle operator's license or youth instruction permit who is  
118 less than eighteen years of age or whenever a person who does not hold  
119 an operator's license who is less than eighteen years of age has been  
120 convicted or has forfeited any bond taken or has received a suspended  
121 judgment or sentence for any of the following violations, the  
122 commissioner shall suspend such person's operator's license or  
123 privilege to obtain an operator's license as follows: For a first violation  
124 of subdivision (4) of subsection (a) of section 14-219 or subdivision (4)  
125 of subsection (b) of section 14-219, for a period of sixty days and, for a  
126 second violation thereof, for a period of ninety days and, for a third or  
127 subsequent violation thereof, for a period of six months; for a first  
128 violation of subsection (a) of section 14-222, for a period of six months  
129 and, for a subsequent violation thereof, for a period of one year; for a  
130 violation of subsection (c) of section 14-224, for a period of six months  
131 and, for a subsequent violation thereof, for a period of one year; for a  
132 first violation of section 14-296aa, for a period of thirty days and, for a  
133 second violation thereof, for a period of ninety days and, for a third or  
134 subsequent violation thereof, for a period of six months.

135 (3) The commissioner shall suspend the motor vehicle operator's  
136 license of any youth adjudged a youthful offender for a violation of  
137 section 14-215 or 14-222, subsection (b) of section 14-223 or subdivision  
138 (2) or (3) of subsection (b) or subsection (c) of section 14-224 for six  
139 months for a first offense and one year for a second or subsequent  
140 offense.

141 (4) Whenever any person who has not been issued a motor vehicle  
142 operator's license under section 14-36 is convicted of a second or  
143 subsequent violation of subsection (a) of section 14-36: (A) The  
144 commissioner shall suspend such person's privilege to operate a motor  
145 vehicle, (B) such suspension shall remain in effect for a period of ninety  
146 days, and (C) the commissioner shall not issue an operator's license to

147 such person under section 14-36 until such period of suspension has  
148 expired and all applicable requirements for such license have been  
149 satisfied by such person.

150 Sec. 5. Subsection (b) of section 51-164n of the 2024 supplement to the  
151 general statutes is repealed and the following is substituted in lieu  
152 thereof (*Effective October 1, 2024*):

153 (b) Notwithstanding any provision of the general statutes, any person  
154 who is alleged to have committed (1) a violation under the provisions of  
155 section 1-9, 1-10, 1-11, 2-71h, 4b-13, 7-13, 7-14, 7-35 or 7-41, subsection (c)  
156 of section 7-66, section 7-83, 7-147h, 7-148, 7-283, 7-325, 7-393, 8-12, 8-25,  
157 8-27, 9-63, 9-322, 9-350, 10-185, 10-193, 10-197, 10-198, 10-230, 10-251, 10-  
158 254, 10a-35, 12-52, 12-54, 12-129b or 12-170aa, subdivision (3) of  
159 subsection (e) of section 12-286, section 12-286a, 12-292, 12-314b or 12-  
160 326g, subdivision (4) of section 12-408, subdivision (3), (5) or (6) of  
161 section 12-411, section 12-435c, 12-476a, 12-476b, 12-476c, 12-487, 13a-  
162 266, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-  
163 124, 13a-139, 13a-140, 13a-143b, 13a-253, 13a-263 or 13b-39f, subsection  
164 (f) of section 13b-42, section 13b-90 or 13b-100, subsection (a) of section  
165 13b-108, section 13b-221 or 13b-292, subsection (a) or (b) of section 13b-  
166 324, section 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c,  
167 subsection (a), (b) or (c) of section 13b-412, section 13b-414 or 14-4,  
168 subdivision (2) of subsection (a) of section 14-12, subsection (d) of  
169 section 14-12, subsection (f) of section 14-12a, subsection (a) of section  
170 14-15a, section 14-16c, 14-20a or 14-27a, subsection (f) of section 14-34a,  
171 subsection (d) of section 14-35, section 14-43, 14-44j, 14-49, 14-50a, 14-58  
172 or 14-62a, subsection (b) of section 14-66, section 14-66a or 14-67a,  
173 subsection (g) of section 14-80, subsection (f) or (i) of section 14-80h,  
174 section 14-97a or 14-98, subsection (a), (b) or (d) of section 14-100a,  
175 section 14-100b, 14-103a, 14-106a, 14-106c, 14-145a, 14-146, 14-152, 14-  
176 153, 14-161 or 14-163b, subsection (f) of section 14-164i, section 14-213b  
177 or 14-219, subdivision (1) of section 14-223a, subsection (d) of section 14-  
178 224, section 14-240, 14-250, 14-253a, 14-261a, 14-262, 14-264, 14-266, 14-  
179 267a, 14-269, 14-270, 14-272b, 14-274, 14-275 or 14-275a, subsection (c) of  
180 section 14-275c, section 14-276, subsection (a) or (b) of section 14-277,

181 section 14-278, 14-279 or 14-280, subsection (b), (e) or (h) of section 14-  
182 283, section 14-283d, 14-283e, 14-283f, 14-283g, 14-291, 14-293b, 14-296aa,  
183 14-298a, 14-300, 14-300d, 14-300f, 14-319, 14-320, 14-321, 14-325a, 14-326,  
184 14-330 or 14-332a, subdivision (1), (2) or (3) of section 14-386a, section  
185 15-15e, 15-25 or 15-33, subdivision (1) of section 15-97, subsection (a) of  
186 section 15-115, section 16-15, 16-16, 16-44, 16-256e, 16-278 or 16a-15,  
187 subsection (a) of section 16a-21, section 16a-22, subsection (a) or (b) of  
188 section 16a-22h, section 16a-106, 17a-24, 17a-145, 17a-149 or 17a-152,  
189 subsection (b) of section 17a-227, section 17a-465, subsection (c) of  
190 section 17a-488, section 17b-124, 17b-131, 17b-137, 19a-33, 19a-39 or 19a-  
191 87, subsection (b) of section 19a-87a, section 19a-91, 19a-102a, 19a-102b,  
192 19a-105, 19a-107, 19a-113, 19a-215, 19a-216a, 19a-219, 19a-222, 19a-224,  
193 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338,  
194 19a-339, 19a-340, 19a-425, 19a-442, 19a-502, 19a-565, 20-7a, 20-14, 20-  
195 153a, 20-158, 20-231, 20-233, 20-249, 20-257, 20-265, 20-324e, 20-329c or  
196 20-329g, subsection (b) of section 20-334, section 20-341l, 20-366, 20-482,  
197 20-597, 20-608, 20-610, 20-623, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48 or  
198 21-63, subsection (d) of section 21-71, section 21-76a or 21-100,  
199 subsection (c) of section 21a-2, subdivision (1) of section 21a-19, section  
200 21a-20 or 21a-21, subdivision (1) of subsection (b) of section 21a-25,  
201 section 21a-26 or 21a-30, subsection (a) of section 21a-37, section 21a-46,  
202 21a-61, 21a-63, 21a-70b or 21a-77, subsection (b) or (c) of section 21a-79,  
203 section 21a-85 or 21a-154, subdivision (1) of subsection (a) of section 21a-  
204 159, section 21a-278b, subsection (c), (d) or (e) of section 21a-279a,  
205 section 21a-421eee, 21a-421fff, 21a-421hhh, subsection (a) of section 21a-  
206 430, section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-30, 22-34, 22-35,  
207 22-36, 22-38, 22-39, 22-39f, 22-49, 22-54, 22-61j or 22-61l, subdivision (1)  
208 of subsection (n) of section 22-61l, subsection (f) of section 22-61m,  
209 subdivision (1) of subsection (f) of section 22-61m, section 22-84, 22-89,  
210 22-90, 22-96, 22-98, 22-99, 22-100 or 22-111o, subsection (d) of section 22-  
211 118l, section 22-167, subsection (c) of section 22-277, section 22-278, 22-  
212 279, 22-280a, 22-318a, 22-320h, 22-324a or 22-326, subsection (b),  
213 subdivision (1) or (2) of subsection (e) or subsection (g) of section 22-344,  
214 subsection (a) or (b) of section 22-344b, subsection (d) of section 22-344d,  
215 section 22-344f, 22-350a, 22-354, 22-359, 22-366, 22-391, 22-413, 22-414,

216 22-415, 22-415c, 22a-66a or 22a-246, subsection (a) of section 22a-250,  
217 section 22a-256g, subsection (e) of section 22a-256h, section 22a-363 or  
218 22a-381d, subsections (c) and (d) of section 22a-381e, section 22a-449,  
219 22a-450, 22a-461, 23-4b, 23-38, 23-45, 23-46 or 23-61b, subsection (a) or  
220 subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40,  
221 subsection (a) of section 25-43, section 25-43d, 25-135, 26-18, 26-19, 26-  
222 21, 26-31, 26-40, 26-40a, 26-42, 26-43, 26-49, 26-54, 26-55, 26-56, 26-58 or  
223 26-59, subdivision (1) of subsection (d) of section 26-61, section 26-64,  
224 subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94,  
225 26-97, 26-98, 26-104, 26-105, 26-107, 26-114a, 26-117, subsection (b) of  
226 section 26-127, 26-128, 26-128a, 26-131, 26-132, 26-138, 26-139 or 26-141,  
227 subdivision (1) of section 26-186, section 26-207, 26-215, 26-217 or 26-  
228 224a, subdivision (1) of section 26-226, section 26-227, 26-230, 26-231, 26-  
229 232, 26-244, 26-257a, 26-260, 26-276, 26-280, 26-284, 26-285, 26-286, 26-  
230 287, 26-288, 26-290, 26-291a, 26-292, 26-294, 27-107, 28-13, 29-6a, 29-16,  
231 29-17, 29-25, 29-143o, 29-143z or 29-156a, subsection (b), (d), (e), (g) or  
232 (h) of section 29-161q, section 29-161y or 29-161z, subdivision (1) of  
233 section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of section  
234 29-291c, section 29-316 or 29-318, subsection (b) of section 29-335a,  
235 section 29-381, 30-19f, 30-48a or 30-86a, subsection (b) of section 30-89,  
236 subsection (c) or (d) of section 30-117, section 31-3, 31-10, 31-11, 31-12,  
237 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-36, 31-47 or  
238 31-48, subsection (b) of section 31-48b, section 31-51, 31-51g, 31-52, 31-  
239 52a, 31-53 or 31-54, subsection (a) or (c) of section 31-69, section 31-70,  
240 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i) of section 31-  
241 273, section 31-288, 31-348, 33-624, 33-1017, 34-13d or 34-412,  
242 subdivision (1) of section 35-20, subsection (a) of section 36a-57,  
243 subsection (b) of section 36a-665, section 36a-699, 36a-739, 36a-787, 38a-  
244 2 or 38a-140, subsection (a) or (b) of section 38a-278, section 38a-479qq,  
245 38a-479rr, 38a-506, 38a-548, 38a-626, 38a-680, 38a-713, 38a-733, 38a-764,  
246 38a-786, 38a-828, 38a-829, 38a-885, 42-133hh, 42-230, 42-470 or 42-480,  
247 subsection (a) or (c) of section 43-16q, section 45a-283, 45a-450, 45a-634  
248 or 45a-658, subdivision (13) or (14) of section 46a-54, section 46a-59, 46a-  
249 81b, 46b-22, 46b-24, 46b-34, 46b-38d, 47-34a, 47-47 or 47-53, subsection  
250 (i) of section 47a-21, subdivision (1) of subsection (k) of section 47a-21,



251 section 49-2a, 49-8a, 49-16, 52-143 or 52-289, subsection (j) of section 52-  
252 362, section 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-  
253 290a, 53-302a, 53-303e, 53-311a, 53-314, 53-321, 53-322, 53-323 or 53-331,  
254 subsection (b) of section 53-343a, section 53-344, subsection (b) or (c) of  
255 section 53-344b, subsection (b) of section 53-345a, section 53-377, 53-422  
256 or 53-450 or subsection (i) of section 54-36a, or (2) a violation under the  
257 provisions of chapter 268, or (3) a violation of any regulation adopted in  
258 accordance with the provisions of section 12-484, 12-487 or 13b-410, or  
259 (4) a violation of any ordinance, regulation or bylaw of any town, city or  
260 borough, except violations of building codes, [and] the health code or  
261 an ordinance described in subdivision (5) of this subsection, for which  
262 the penalty exceeds ninety dollars but does not exceed two hundred  
263 fifty dollars, unless such town, city or borough has established a  
264 payment and hearing procedure for such violation pursuant to section  
265 7-152c, or (5) a violation of any ordinance adopted by a town, city or  
266 borough pursuant to section 14-390, as amended by this act, section 14-  
267 390m, as amended by this act, or section 3 of this act for which the  
268 penalty does not exceed two thousand dollars, unless such town, city or  
269 borough has established a payment and hearing procedure for such  
270 violation pursuant to section 7-152c, shall follow the procedures set  
271 forth in this section.

272 Sec. 6. (NEW) (*Effective from passage*) (a) For the fiscal year ending June  
273 30, 2025, and each fiscal year thereafter, the Office of Policy and  
274 Management shall, within available appropriations, administer a  
275 program to provide grants to municipalities to support enforcement of  
276 laws relating to street takeovers, as defined in section 14-224 of the  
277 general statutes, and illegal dirt bike and all-terrain vehicle operation,  
278 including enforcement of the provisions of subsection (c) of section 14-  
279 224 of the general statutes and ordinances adopted pursuant to section  
280 14-390 of the general statutes, as amended by this act, section 14-390m  
281 of the general statutes, as amended by this act, and section 3 of this act.  
282 Such grants shall be in an amount of not less than five hundred  
283 thousand dollars and shall be used by municipalities for law  
284 enforcement overtime costs associated with enforcement of such laws,  
285 acquiring equipment to enhance enforcement of such laws and any

286 other expenses related to such enforcement.

287 (b) Not later than October 1, 2024, the office shall develop eligibility  
288 criteria to be used in selecting among applicants for such grants,  
289 develop application forms and deadlines and post in a conspicuous  
290 location on the office's Internet web site a description of the grant  
291 program that includes, but is not limited to, such criteria, forms and  
292 deadlines.

293 (c) Not later than January 1, 2026, and annually thereafter, the office  
294 shall submit a report, in accordance with the provisions of section 11-4a  
295 of the general statutes, to the joint standing committee of the General  
296 Assembly having cognizance of matters relating to public safety and  
297 security. Such report shall include information for the preceding  
298 calendar year on the number of applications for grants that were  
299 received, the number of grants that were awarded and a list of the  
300 municipalities that received grants and the amount of such grants.

|   |                        |             |
|---|------------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: |                        |             |
| Section 1   | <i>October 1, 2024</i> | 14-390      |
| Sec. 2  | <i>from passage</i>    | 14-390m     |
| Sec. 3  | <i>October 1, 2024</i> | New section |
| Sec. 4  | <i>October 1, 2024</i> | 14-111(b)   |
| Sec. 5  | <i>October 1, 2024</i> | 51-164n(b)  |
| Sec. 6  | <i>from passage</i>    | New section |

**Statement of Legislative Commissioners:**

In Sections 1(b) and 2(b), "such lienholder" was changed to "such owner or lienholder" for consistency, and Section 3(b) was rewritten for clarity.

**JUD**      *Joint Favorable Subst.*

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:**

| Agency Affected                                  | Fund-Effect | FY 25 \$              | FY 26 \$              |
|--|-------------|-----------------------|-----------------------|
| Policy & Mgmt., Off.                             | GF - Cost   | 107,700               | 105,900               |
| Policy & Mgmt., Off.                             | GF - Cost   | Potential Significant | Potential Significant |
| State Comptroller - Fringe Benefits <sup>1</sup> | GF - Cost   | 43,500                | 43,500                |

Note: GF=General Fund

**Municipal Impact:**

| Municipalities         | Effect                 | FY 25 \$  | FY 26 \$  |
|------------------------|------------------------|-----------|-----------|
| Various Municipalities | Potential Cost         | Minimal   | Minimal   |
| Various Municipalities | Savings                | See Below | See Below |
| Various Municipalities | Potential Revenue Gain | See Below | See Below |

**Explanation**

The bill results in various fiscal impacts described below regarding changes to street takeovers and the illegal use of motor vehicles.

**Sections 1 and 2** allows municipalities to (1) seize certain all-terrain vehicles (ATVs) that violate a local ordinance if the municipality mails a letter to the owner or lienholder first and (2) destroy the vehicles instead of requiring them to be stored or sold at a public auction. This may result in a potential cost to municipalities to the extent that more

<sup>1</sup>The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 41.25% of payroll in FY 25.

ATVs are seized. There is also a potential savings to municipalities to the extent they no longer have to store or auction the vehicles. These sections have no impact on municipalities that have not adopted an ordinance on the operation of ATVs.

**Section 3** allows municipalities to adopt an ordinance prohibiting street takeovers and allows fines to be set for the violation of this ordinance. There is a potential revenue gain to municipalities beginning in FY 25 to the extent that the ordinance is adopted, and fines are issued for violations. The section allows fines to be set up to \$1,000 for the first violations, \$1,500 for the second violations, and \$2,000 for all subsequent violations.

**Section 4** makes various changes to certain license penalties that does not result in an impact to the state or municipalities.

**Section 5** adds several municipal ordinance violations to the list of offenses for which fines are payable to the Centralized Infraction Bureau (CIB). This may result in a potential revenue gain to municipalities from fines to the extent that municipalities create ordinances and that violations occur.

**Section 6** requires the Office of Policy and Management (OPM) to administer grants to municipalities to support enforcement of street takeover and ATV regulations ordinances. The grants must be at least \$500,000 and specific uses are outlined in the bill. The section also requires OPM to develop grant application forms, post grant information online, and annually report on the program.

This results in a cost of approximately \$105,900 in FY 25 and FY 26 to OPM for a Lead Planning Analyst, training and supplies, and a one-time cost of \$1,760 in FY 25 for equipment costs. There is also a cost of \$43,500 in FY 25 and FY 26 to the Office of the State Comptroller for associated fringe benefits.

The section also results in a cost to OPM for grant funds of at least \$500,000 to each municipality and a corresponding potential revenue

gain to municipalities beginning in FY 25.

***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation, the number of vehicles seized, fines, violations issued, and grants administered to municipalities.

**OLR Bill Analysis****sHB 5413*****AN ACT CONCERNING THE ILLEGAL USE OF CERTAIN VEHICLES AND STREET TAKEOVERS.*****SUMMARY**

This bill makes several changes related to street takeovers and other laws on the illegal use of motor vehicles, including all-terrain vehicles (ATV). Principally, it:

1. requires the Office of Policy and Management (OPM), beginning FY 25, to administer a program, within available appropriations, providing grants of at least \$500,000 to municipalities to support enforcement of municipal and state laws against street takeovers and illegal use of ATVs and dirt bikes (§ 6);
2. changes the license penalties for violating a state law against illegal street racing and street takeovers, including permanently revoking someone's license for a third violation (§ 4);
3. authorizes municipalities to adopt ordinances that penalize street takeovers (§ 3);
4. allows municipalities to destroy ATVs, dirt bikes, and mini-motorcycles that are seized and forfeited for violating a municipal ordinance (§§ 1 & 2); and
5. limits current protections for ATVs, dirt bikes, and mini-motorcycles from being forfeited by requiring their collection within 30 days' notice (§§ 1 & 2).

EFFECTIVE DATE: October 1, 2024, except the provisions on dirt bike and mini-motorcycle municipal ordinances and OPM grants are

effective upon passage.

### **§§ 1 & 2 — FORFEITURE OF ATVS, DIRT BIKES, AND MINI-MOTORCYCLES FOR MUNICIPAL ORDINANCE VIOLATIONS**

By law, municipalities may adopt ordinances on the operation and use of (1) ATVs, including hours and zones of use, and (2) dirt bikes and mini-motorcycles on public property, including hours of use. Subject to any bona fide lien, lease, or security interest in a vehicle, a municipal ordinance may allow the seizure and forfeiture of an ATV for a violation, and municipalities with a population of at least 20,000 may do the same for dirt bikes or mini-motorcycles.

Current law protects an owner or lienholder's interest when forfeiture is due to someone else's act or omission if the owner or lienholder did not know, and could not have reasonably known, that the ATV, dirt bike, or mini-motorcycle was used or intended to be used in violation of a municipal ordinance. The bill creates an exception by allowing the vehicle's forfeiture if a municipality mails written notice to the owner or lienholder that this will occur if the vehicle is not collected within 30 days and the person fails to do so by 30 days after the notice is mailed.

Current law also requires any ATV, dirt bike, or mini-motorcycle that is ordered to be forfeited under an ordinance to be sold at public auction. The bill adds an alternative to this, allowing the municipality to instead destroy the vehicle.

By law, an "all-terrain vehicle" is a self-propelled vehicle designed to travel over unimproved terrain that (1) has been determined by the Department of Motor Vehicles commissioner to be unsuitable for operation on public roads and (2) is ineligible for registration (CGS § 14-379).

A "dirt bike" is a two-wheeled motorized recreational vehicle (excluding ATVs and motor-driven cycles) designed to travel over unimproved terrain but not public highways (including public streets and roads).

A “mini-motorcycle” is a vehicle that (1) has no more than three wheels in contact with the ground; (2) has a manufactured seat height of less than 26 inches, measured at the lowest point on top of the seat cushion without the rider; and (3) is propelled by an engine having a piston displacement of less than 50 cubic centimeters (CGS § 14-289j).

### **§ 3 — MUNICIPAL ORDINANCES PROHIBITING STREET TAKEOVERS**

The bill allows any municipality to adopt an ordinance prohibiting anyone from organizing, participating in, or gathering with intent to observe and actually observing a “street takeover” (i.e., taking over part of a public road or off-street parking lot open to the public by blocking or impeding regular traffic flow to cause disorder or create a nuisance to other road or lot users).

The ordinance may set fines for violating it at no more than:

1. \$1,000 for the first violation;
2. \$1,500 for the second violation; and
3. \$2,000 for subsequent violations.

Additionally, the ordinance may allow the impounding of any vehicle used for violating it until any of the following are paid: (1) a fine imposed under it; (2) related charges (e.g., towing fees); and (3) overdue property taxes on the vehicle.

Lastly, the bill requires any ordinance adopted to be consistent with certain state motor vehicle statutes (those on ATVs, dirt bikes, mini motorcycles, and snowmobiles) or related regulations.

### **§ 4 — LICENSE PENALTIES FOR ILLEGAL STREET RACING AND STREET TAKEOVERS**

The bill changes the license penalties for violating a state law that prohibits driving a motor vehicle on a public road or off-street parking lot open to the public for any race, contest, or demonstration of speed or skill or “street takeover” (see above). This law also prohibits certain related conduct, specifically: (1) possessing a motor vehicle under



circumstances showing an intent to use it for an illegal race, contest, or demonstration or street takeover; (2) acting as a starter, timekeeper, or judge at one; (3) betting on the outcome; or (4) knowingly inciting or recruiting anyone to participate in one beforehand by any action, method, device, or means, including electronic or social media.

Under current law, whenever someone is convicted or forfeits a bond taken, or receives a suspended judgment or sentence for violating the above law, the motor vehicles commissioner must, without hearing, suspend the person's driver's license or privilege to operate a motor vehicle in Connecticut for 30 to 90 days and, for a subsequent violation, for at least 90 days. The bill instead requires a 45-day suspension for a first and second violation, and then permanent revocation of the person's license or privilege to drive for a third violation.

#### **§ 5 — PROCESSING MUNICIPAL ORDINANCE VIOLATIONS**

The bill requires violations of municipal ordinances regulating ATVs, snowmobiles, dirt bikes, mini-motorcycles, and street takeovers to be processed through the Centralized Infractions Bureau (e.g., payable by mail), unless the municipality has established by ordinance a payment and hearing procedure for the violation that complies with state law.

#### **§ 6 — OPM GRANTS**

Starting with FY 25 and each fiscal year after, the bill requires OPM to administer, within available appropriations, a program to award municipalities grants to support enforcing the above street takeover law and municipal ordinances regulating ATVs, dirt bikes, and street takeovers. The grants must be at least \$500,000 and be used by municipalities for law enforcement overtime costs, acquiring equipment, and any other expenses related to enforcing these laws.

By October 1, 2024, OPM must create eligibility criteria for awarding the grants, develop application forms and deadlines, and post a description of the program on its website that includes the criteria, forms, and deadlines.

The bill also requires OPM, starting by January 1, 2026, to annually report on the program to the Public Safety and Security Committee. The reports must include the following information for the prior calendar

year: the number of applications received and grants awarded, a list of the municipalities that obtained grants, and the grant amounts.

**BACKGROUND**

***Related Bill***

sSB 337 (File 216), favorably reported by the Public Safety and Security Committee, (1) has substantially similar provisions as this bill and (2) extends existing criminal penalties for operating a vehicle during a license suspension or revocation due to specific traffic violations to ones caused for violating the illegal street racing and street takeover law.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 34 Nay 2 (03/26/2024)