



# Senate

General Assembly

**File No. 216**

February Session, 2024

Substitute Senate Bill No. 337

*Senate, April 3, 2024*

The Committee on Public Safety and Security reported through SEN. GASTON of the 23rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

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

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 Section 14-390 of the general statutes is repealed and the  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, and any regulations adopted pursuant  
87 to 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, as amended by this act, or  
99 53a-119b, for a period of not less than one year and, for a subsequent  
100 violation thereof, for a period of not less than two years; for a violation  
101 of subsection (a) of section 14-222, [or subsection (c) of section 14-224,]  
102 for a period of not less than thirty days or more than ninety days and,  
103 for a subsequent violation thereof, for a period of not less than ninety  
104 days; for a violation of subdivision (2) or (3) of subsection (b) of section  
105 14-224, for a period of not less than ninety days and for a subsequent  
106 violation thereof, for a period of not less than one year; for a violation of  
107 subsection (c) of section 14-224, for a period of forty-five days, provided  
108 the commissioner shall permanently revoke such person's operator's  
109 license or privilege for a third violation thereof; for a first violation of  
110 subsection (b), (d) or (e) of section 14-147, for a period of not less than  
111 ninety days and, for a subsequent violation thereof, for a period of not  
112 less than five years; for a first violation of subsection (c) of section 14-  
113 147, for a period of not less than thirty days and, for a subsequent

114 violation thereof, for a 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, as amended by this act, or 14-222, subsection (b) of  
138 section 14-223 or subdivision (2) or (3) of subsection (b) or subsection (c)  
139 of section 14-224 for six months for a first offense and one year for a  
140 second or subsequent 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 (c) of section 14-215 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 (c) (1) Any person who operates any motor vehicle during the period  
154 such person's operator's license or right to operate a motor vehicle in  
155 this state is under suspension or revocation on account of a violation of  
156 subsection (c) of section 14-224, section 14-227a or 14-227m, subdivision  
157 (1) or (2) of subsection (a) of section 14-227n or section 53a-56b or 53a-  
158 60d or pursuant to section 14-227b, or in violation of a restriction or  
159 limitation placed on such person's operator's license or right to operate  
160 a motor vehicle in this state by the Commissioner of Motor Vehicles  
161 pursuant to subsection (i) of section 14-227a or pursuant to an order of  
162 the court under subsection (b) of section 14-227j, shall be fined not less  
163 than five hundred dollars or more than one thousand dollars and  
164 imprisoned not more than one year, and, in the absence of any  
165 mitigating circumstances as determined by the court, thirty consecutive  
166 days of the sentence imposed may not be suspended or reduced in any  
167 manner.

168 (2) Any person who operates any motor vehicle during the period  
169 such person's operator's license or right to operate a motor vehicle in  
170 this state is under suspension or revocation on account of a second  
171 violation of subsection (c) of section 14-224, section 14-227a or 14-227m,  
172 subdivision (1) or (2) of subsection (a) of section 14-227n or section 53a-  
173 56b or 53a-60d or for the second time pursuant to section 14-227b, or in  
174 violation of a restriction or limitation placed for the second time on such  
175 person's operator's license or right to operate a motor vehicle in this state  
176 by the Commissioner of Motor Vehicles pursuant to subsection (i) of  
177 section 14-227a or pursuant to an order of the court under subsection (b)  
178 of section 14-227j, shall be fined not less than five hundred dollars or  
179 more than one thousand dollars and imprisoned not more than two

180 years, and, in the absence of any mitigating circumstances as  
181 determined by the court, one hundred twenty consecutive days of the  
182 sentence imposed may not be suspended or reduced in any manner.

183 (3) Any person who operates any motor vehicle during the period  
184 such person's operator's license or right to operate a motor vehicle in  
185 this state is under suspension or revocation on account of a third or  
186 subsequent violation of subsection (c) of section 14-224, section 14-227a  
187 or 14-227m, subdivision (1) or (2) of subsection (a) of section 14-227n or  
188 section 53a-56b or 53a-60d or for the third or subsequent time pursuant  
189 to section 14-227b, or in violation of a restriction placed for the third or  
190 subsequent time on such person's operator's license or right to operate  
191 a motor vehicle in this state by the Commissioner of Motor Vehicles  
192 pursuant to subsection (i) of section 14-227a or pursuant to an order of  
193 the court under subsection (b) of section 14-227j, shall be fined not less  
194 than five hundred dollars or more than one thousand dollars and  
195 imprisoned not more than three years, and, in the absence of any  
196 mitigating circumstances as determined by the court, one year of the  
197 sentence imposed may not be suspended or reduced in any manner.

198 (4) The court shall specifically state in writing for the record the  
199 mitigating circumstances, or the absence thereof.

200 Sec. 6. Subsection (b) of section 51-164n of the 2024 supplement to the  
201 general statutes is repealed and the following is substituted in lieu  
202 thereof (*Effective October 1, 2024*):

203 (b) Notwithstanding any provision of the general statutes, any person  
204 who is alleged to have committed (1) a violation under the provisions of  
205 section 1-9, 1-10, 1-11, 2-71h, 4b-13, 7-13, 7-14, 7-35 or 7-41, subsection (c)  
206 of section 7-66, section 7-83, 7-147h, 7-148, 7-283, 7-325, 7-393, 8-12, 8-25,  
207 8-27, 9-63, 9-322, 9-350, 10-185, 10-193, 10-197, 10-198, 10-230, 10-251, 10-  
208 254, 10a-35, 12-52, 12-54, 12-129b or 12-170aa, subdivision (3) of  
209 subsection (e) of section 12-286, section 12-286a, 12-292, 12-314b or 12-  
210 326g, subdivision (4) of section 12-408, subdivision (3), (5) or (6) of  
211 section 12-411, section 12-435c, 12-476a, 12-476b, 12-476c, 12-487, 13a-  
212 266, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-

213 124, 13a-139, 13a-140, 13a-143b, 13a-253, 13a-263 or 13b-39f, subsection  
214 (f) of section 13b-42, section 13b-90 or 13b-100, subsection (a) of section  
215 13b-108, section 13b-221 or 13b-292, subsection (a) or (b) of section 13b-  
216 324, section 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c,  
217 subsection (a), (b) or (c) of section 13b-412, section 13b-414 or 14-4,  
218 subdivision (2) of subsection (a) of section 14-12, subsection (d) of  
219 section 14-12, subsection (f) of section 14-12a, subsection (a) of section  
220 14-15a, section 14-16c, 14-20a or 14-27a, subsection (f) of section 14-34a,  
221 subsection (d) of section 14-35, section 14-43, 14-44j, 14-49, 14-50a, 14-58  
222 or 14-62a, subsection (b) of section 14-66, section 14-66a or 14-67a,  
223 subsection (g) of section 14-80, subsection (f) or (i) of section 14-80h,  
224 section 14-97a or 14-98, subsection (a), (b) or (d) of section 14-100a,  
225 section 14-100b, 14-103a, 14-106a, 14-106c, 14-145a, 14-146, 14-152, 14-  
226 153, 14-161 or 14-163b, subsection (f) of section 14-164i, section 14-213b  
227 or 14-219, subdivision (1) of section 14-223a, subsection (d) of section 14-  
228 224, section 14-240, 14-250, 14-253a, 14-261a, 14-262, 14-264, 14-266, 14-  
229 267a, 14-269, 14-270, 14-272b, 14-274, 14-275 or 14-275a, subsection (c) of  
230 section 14-275c, section 14-276, subsection (a) or (b) of section 14-277,  
231 section 14-278, 14-279 or 14-280, subsection (b), (e) or (h) of section 14-  
232 283, section 14-283d, 14-283e, 14-283f, 14-283g, 14-291, 14-293b, 14-296aa,  
233 14-298a, 14-300, 14-300d, 14-300f, 14-319, 14-320, 14-321, 14-325a, 14-326,  
234 14-330 or 14-332a, subdivision (1), (2) or (3) of section 14-386a, section  
235 15-15e, 15-25 or 15-33, subdivision (1) of section 15-97, subsection (a) of  
236 section 15-115, section 16-15, 16-16, 16-44, 16-256e, 16-278 or 16a-15,  
237 subsection (a) of section 16a-21, section 16a-22, subsection (a) or (b) of  
238 section 16a-22h, section 16a-106, 17a-24, 17a-145, 17a-149 or 17a-152,  
239 subsection (b) of section 17a-227, section 17a-465, subsection (c) of  
240 section 17a-488, section 17b-124, 17b-131, 17b-137, 19a-33, 19a-39 or 19a-  
241 87, subsection (b) of section 19a-87a, section 19a-91, 19a-102a, 19a-102b,  
242 19a-105, 19a-107, 19a-113, 19a-215, 19a-216a, 19a-219, 19a-222, 19a-224,  
243 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338,  
244 19a-339, 19a-340, 19a-425, 19a-442, 19a-502, 19a-565, 20-7a, 20-14, 20-  
245 153a, 20-158, 20-231, 20-233, 20-249, 20-257, 20-265, 20-324e, 20-329c or  
246 20-329g, subsection (b) of section 20-334, section 20-341l, 20-366, 20-482,  
247 20-597, 20-608, 20-610, 20-623, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48 or



248 21-63, subsection (d) of section 21-71, section 21-76a or 21-100,  
249 subsection (c) of section 21a-2, subdivision (1) of section 21a-19, section  
250 21a-20 or 21a-21, subdivision (1) of subsection (b) of section 21a-25,  
251 section 21a-26 or 21a-30, subsection (a) of section 21a-37, section 21a-46,  
252 21a-61, 21a-63, 21a-70b or 21a-77, subsection (b) or (c) of section 21a-79,  
253 section 21a-85 or 21a-154, subdivision (1) of subsection (a) of section 21a-  
254 159, section 21a-278b, subsection (c), (d) or (e) of section 21a-279a,  
255 section 21a-421eee, 21a-421fff, 21a-421hhh, subsection (a) of section 21a-  
256 430, section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-30, 22-34, 22-35,  
257 22-36, 22-38, 22-39, 22-39f, 22-49, 22-54, 22-61j or 22-61l, subdivision (1)  
258 of subsection (n) of section 22-61l, subsection (f) of section 22-61m,  
259 subdivision (1) of subsection (f) of section 22-61m, section 22-84, 22-89,  
260 22-90, 22-96, 22-98, 22-99, 22-100 or 22-111o, subsection (d) of section 22-  
261 118l, section 22-167, subsection (c) of section 22-277, section 22-278, 22-  
262 279, 22-280a, 22-318a, 22-320h, 22-324a or 22-326, subsection (b),  
263 subdivision (1) or (2) of subsection (e) or subsection (g) of section 22-344,  
264 subsection (a) or (b) of section 22-344b, subsection (d) of section 22-344d,  
265 section 22-344f, 22-350a, 22-354, 22-359, 22-366, 22-391, 22-413, 22-414,  
266 22-415, 22-415c, 22a-66a or 22a-246, subsection (a) of section 22a-250,  
267 section 22a-256g, subsection (e) of section 22a-256h, section 22a-363 or  
268 22a-381d, subsections (c) and (d) of section 22a-381e, section 22a-449,  
269 22a-450, 22a-461, 23-4b, 23-38, 23-45, 23-46 or 23-61b, subsection (a) or  
270 subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40,  
271 subsection (a) of section 25-43, section 25-43d, 25-135, 26-18, 26-19, 26-  
272 21, 26-31, 26-40, 26-40a, 26-42, 26-43, 26-49, 26-54, 26-55, 26-56, 26-58 or  
273 26-59, subdivision (1) of subsection (d) of section 26-61, section 26-64,  
274 subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94,  
275 26-97, 26-98, 26-104, 26-105, 26-107, 26-114a, 26-117, subsection (b) of  
276 section 26-127, 26-128, 26-128a, 26-131, 26-132, 26-138, 26-139 or 26-141,  
277 subdivision (1) of section 26-186, section 26-207, 26-215, 26-217 or 26-  
278 224a, subdivision (1) of section 26-226, section 26-227, 26-230, 26-231, 26-  
279 232, 26-244, 26-257a, 26-260, 26-276, 26-280, 26-284, 26-285, 26-286, 26-  
280 287, 26-288, 26-290, 26-291a, 26-292, 26-294, 27-107, 28-13, 29-6a, 29-16,  
281 29-17, 29-25, 29-143o, 29-143z or 29-156a, subsection (b), (d), (e), (g) or  
282 (h) of section 29-161q, section 29-161y or 29-161z, subdivision (1) of

283 section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of section  
284 29-291c, section 29-316 or 29-318, subsection (b) of section 29-335a,  
285 section 29-381, 30-19f, 30-48a or 30-86a, subsection (b) of section 30-89,  
286 subsection (c) or (d) of section 30-117, section 31-3, 31-10, 31-11, 31-12,  
287 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-36, 31-47 or  
288 31-48, subsection (b) of section 31-48b, section 31-51, 31-51g, 31-52, 31-  
289 52a, 31-53 or 31-54, subsection (a) or (c) of section 31-69, section 31-70,  
290 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i) of section 31-  
291 273, section 31-288, 31-348, 33-624, 33-1017, 34-13d or 34-412,  
292 subdivision (1) of section 35-20, subsection (a) of section 36a-57,  
293 subsection (b) of section 36a-665, section 36a-699, 36a-739, 36a-787, 38a-  
294 2 or 38a-140, subsection (a) or (b) of section 38a-278, section 38a-479qq,  
295 38a-479rr, 38a-506, 38a-548, 38a-626, 38a-680, 38a-713, 38a-733, 38a-764,  
296 38a-786, 38a-828, 38a-829, 38a-885, 42-133hh, 42-230, 42-470 or 42-480,  
297 subsection (a) or (c) of section 43-16q, section 45a-283, 45a-450, 45a-634  
298 or 45a-658, subdivision (13) or (14) of section 46a-54, section 46a-59, 46a-  
299 81b, 46b-22, 46b-24, 46b-34, 46b-38d, 47-34a, 47-47 or 47-53, subsection  
300 (i) of section 47a-21, subdivision (1) of subsection (k) of section 47a-21,  
301 section 49-2a, 49-8a, 49-16, 52-143 or 52-289, subsection (j) of section 52-  
302 362, section 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-  
303 290a, 53-302a, 53-303e, 53-311a, 53-314, 53-321, 53-322, 53-323 or 53-331,  
304 subsection (b) of section 53-343a, section 53-344, subsection (b) or (c) of  
305 section 53-344b, subsection (b) of section 53-345a, section 53-377, 53-422  
306 or 53-450 or subsection (i) of section 54-36a, or (2) a violation under the  
307 provisions of chapter 268, or (3) a violation of any regulation adopted in  
308 accordance with the provisions of section 12-484, 12-487 or 13b-410, [or]  
309 (4) a violation of any ordinance, regulation or bylaw of any town, city or  
310 borough, except violations of building codes, [and] the health code or  
311 an ordinance described in subdivision (5) of this subsection, for which  
312 the penalty exceeds ninety dollars but does not exceed two hundred  
313 fifty dollars, unless such town, city or borough has established a  
314 payment and hearing procedure for such violation pursuant to section  
315 7-152c, or (5) a violation of an ordinance adopted by a town, city or  
316 borough pursuant to section 14-390, as amended by this act, section 14-  
317 390m, as amended by this act, or section 3 of this act for which the

318 penalty does not exceed two thousand dollars, unless such town, city or  
319 borough has established a payment and hearing procedure for such  
320 violation pursuant to section 7-152c, shall follow the procedures set  
321 forth in this section.

322       Sec. 7. (NEW) (*Effective from passage*) (a) For the fiscal year ending June  
323 30, 2025, and each fiscal year thereafter, the Office of Policy and  
324 Management shall, within available appropriations, administer a  
325 program to provide grants to municipalities to support enforcement of  
326 laws relating to street takeovers, as defined in section 14-224 of the  
327 general statutes, and illegal dirt bike and all-terrain vehicle operation,  
328 including enforcement of the provisions of subsection (c) of section 14-  
329 224 of the general statutes and ordinances adopted pursuant to section  
330 14-390 of the general statutes, as amended by this act, section 14-390m  
331 of the general statutes, as amended by this act, and section 3 of this act.  
332 Such grants shall be in an amount of not less than five hundred  
333 thousand dollars and shall be used by municipalities for law  
334 enforcement overtime costs associated with enforcement of such laws,  
335 acquiring equipment to enhance enforcement of such laws and any  
336 other expenses related to such enforcement.

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

343       (c) Not later than January 1, 2026, and annually thereafter, the office  
344 shall submit a report, in accordance with the provisions of section 11-4a  
345 of the general statutes, to the joint standing committee of the General  
346 Assembly having cognizance of matters relating to public safety and  
347 security. Such report shall include information for the preceding  
348 calendar year on the number of applications for grants that were  
349 received, the number of grants that were awarded and a list of the  
350 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>	14-215(c)
Sec. 6	<i>October 1, 2024</i>	51-164n(b)
Sec. 7	<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.

**PS**      *Joint Favorable Subst. -LCO*

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
Judicial Dept. (Probation); Correction, Dept.	GF - Potential Cost	Minimal	Minimal
Resources of the General Fund	GF - Potential Revenue Gain	Minimal	Minimal
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

<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.

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 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.

**Sections 4 and 5** extend existing mandatory minimum sentence penalties<sup>2</sup> that apply if a person operates a motor vehicle with a suspended or revoked license to violators of the street racing and street takeover law resulting in a potential cost to the Department of Correction and the Judicial Department for incarceration or probation and a potential revenue gain from fines.<sup>3</sup> On average, the marginal cost to the state for incarcerating an offender for the year is \$3,300<sup>4</sup> while the average marginal cost for supervision in the community is less than \$800<sup>5</sup> each year for adults and \$1,000 each year for juveniles.

**Section 6** adds some municipal ordinance violations to the list of offenses for which fines are payable to the Centralized Infraction Bureau

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<sup>2</sup>A first violation has a 30 day mandatory minimum, a second violation is 120 days, and a third violation is 364 days.

<sup>3</sup> In FY 23, \$75,506 was collected in revenue from fines for these offenses.

<sup>4</sup>Inmate marginal cost is based on increased consumables (e.g. food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

<sup>5</sup> Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

(CIB). This may result in a potential revenue gain from fines to the extent that municipalities create ordinances and that violations occur.

**Section 7** 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, penalties, and violations issued, and grants administered to municipalities.

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**OLR Bill Analysis****sSB 337*****AN ACT CONCERNING STREET TAKEOVERS AND THE ILLEGAL USE OF CERTAIN VEHICLES.*****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 (§ 7);
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. 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 (§ 5);
4. authorizes municipalities to adopt ordinances that penalize street takeovers (§ 3);
5. allows municipalities to destroy ATVs, dirt bikes, and mini-motorcycles that are seized and forfeited for violating a municipal ordinance (§§ 1 & 2); and
6. 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, an ordinance by any municipality may allow the seizure and forfeiture of an ATV for a violation, and municipalities with a population of 20,000 or more 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 by 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, has been determined by the Department of Motor Vehicles commissioner to be unsuitable for operation on public roads, and 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 (1) fine imposed under it is paid; (2) related charges (e.g., towing fees) are paid; and (3) overdue property taxes on the vehicle are paid.

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) and related regulations.

### **§§ 4 & 5 — 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 the holder of any driver’s license has been convicted or has forfeited any bond taken or has received a suspended judgment or sentence for violating the above law, the motor vehicles commissioner must, without hearing, suspend the person’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 suspension of 45 days for a first and second violation, and then permanent revocation of the person’s license or privilege to drive for a third violation.

Additionally, for violators of the above street racing and street takeover law, the bill extends existing penalties that apply if the person operates a motor vehicle while his or her driver’s license or right to operate in Connecticut is suspended or revoked due to that violation. The person must be fined \$500 to \$1,000 and is subject to imprisonment as follows, based on whether this happens during a suspension or revocation for a first or later violation:

1. for a first violation: up to 364 days (see CGS § 53a-36a), with a 30-day mandatory minimum;
2. for a second violation: up to two years, with a 120-day mandatory minimum; and
3. for a third or subsequent violation: up to three years, with a 364-day mandatory minimum.

In each case, the court is not required to impose the mandatory minimum if it finds mitigating circumstances.

## § 6 — PROCESSING OF 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.

**§ 7 — OPM GRANTS**

Starting with FY 25 and each fiscal year after, the bill requires OPM to administer, within available appropriations, a program to provide grants to municipalities to support enforcement of 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 the enforcement of 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***

sHB 5413, favorably reported by the Judiciary Committee, has substantially similar provisions as this bill (except it does not have provisions on penalties for driving with a suspended or revoked license).

**COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable

Yea 25    Nay 0    (03/19/2024)