# STATE OF CONNECTICUT

## Senate

File No. 540

General Assembly

Substitute Senate Bill No. 1375

January Session, 2025

Senate, April 7, 2025

The Committee on Transportation reported through SEN. COHEN of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

## AN ACT CONCERNING HIGHWAY, PEDESTRIAN AND CYCLIST SAFETY.

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

- Section 1. Section 14-300 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):
- 3 (a) The traffic authority may designate, by appropriate official traffic
- 4 control devices, as defined in section 14-297, or markers, or by lines
- 5 upon the surface of the highway, such crosswalks and intersections as,
- 6 in its opinion, constitute a danger to pedestrians crossing the highway
- 7 including, but not limited to, specially marked crosswalks in the vicinity
- 8 of schools, which crosswalks shall have distinctive markings, in
- 9 accordance with the regulations of the Office of the State Traffic
- 10 Administration, to denote use of such crosswalks by school children;
- and may maintain suitable signs located at intervals along highways,
- 12 particularly where there are no sidewalks, directing pedestrians to walk
- 13 facing vehicular traffic.

(b) At any intersection where special pedestrian-control signals bearing the words "Walk" or "Don't Walk" or the image of a walking person symbolizing "Walk" or an upraised hand symbolizing "Don't Walk" are placed, pedestrians may cross the highway only as indicated by the signal. At any intersection where traffic is controlled by other traffic control signals or by police officers, pedestrians shall not cross the highway against a red or "Stop" signal and shall not cross at any place not a marked or unmarked crosswalk. A pedestrian started or starting across the highway or on any such crosswalk shall have the right-of-way over all vehicles, including those making turns, until such pedestrian has reached the opposite curb or safety zone.

(c) Except as provided in subsection (c) of section 14-300c, at any crosswalk marked as provided in subsection (a) of this section or any unmarked crosswalk, provided such crosswalks are not controlled by police officers or traffic control signals, each operator of a vehicle shall grant the right-of-way, and slow or stop such vehicle if necessary to so grant the right-of-way, to any pedestrian crossing the roadway within such crosswalk. For the purposes of this subsection, a pedestrian is "crossing the roadway within such crosswalk" when the pedestrian (1) is within any portion of the crosswalk, (2) steps to the curb at the entrance to the crosswalk and indicates his or her intent to cross the roadway by raising his or her hand and arm toward oncoming traffic, or (3) indicates his or her intent to cross the roadway by moving any part of his or her body or an extension thereof, including, but not limited to, a wheelchair, cane, walking stick, crutch, bicycle, electric bicycle, stroller, carriage, cart or leashed or harnessed dog, into the crosswalk at the entrance to the crosswalk. No operator of a vehicle approaching from the rear shall overtake and pass any vehicle, the operator of which has stopped at any crosswalk marked as provided in subsection (a) of this section or any unmarked crosswalk to permit a pedestrian to cross the roadway. The operator of any vehicle crossing a sidewalk shall yield the right-of-way to each pedestrian and all other traffic upon such sidewalk.

(d) The operator of a motor vehicle who approaches or comes into the

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48 immediate vicinity of a pedestrian who is blind, as defined in subsection 49 (a) of section 1-1f, carrying a white cane or a white cane tipped with red, 50 or a pedestrian being guided by a service animal, shall reduce speed or 51 stop, if necessary, to yield the right-of-way to such pedestrian. No 52 person, except one who is blind, shall carry or use on any street or 53 highway, or in any other public place, a cane or walking stick which is 54 white in color or white, tipped with red. For the purposes of this 55 subsection, "service animal" has the same meaning as provided in 56 section 22-345.

- (e) Any crosswalk designated by a traffic authority on or after October 1, 2010, pursuant to subsection (a) of this section shall be required by such authority to have markings, signage, or any control signals deemed necessary by such authority to provide sufficient time for the safe crossing of pedestrians.
- (f) The operator of any motor vehicle who violates this section shall be fined not more than [five hundred] seven hundred fifty dollars.
- (g) In any civil action arising under subsection (c) or (d) of this section
   or sections 14-300b to 14-300d, inclusive, the doctrine of negligence per
   se shall not apply.
- Sec. 2. Section 14-230a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):
- 69 (a) On any divided limited access highway [which] that provides 70 more than two lanes for traffic proceeding in the same direction, no 71 operator of any motor vehicle with a commercial registration, motor 72 bus, vehicle with trailer or school bus shall drive in the extreme left lane 73 where the Office of the State Traffic Administration so designates, 74 except (1) on the direction of a police officer, or [except] (2) when access 75 to or egress from such highway is provided on the left, in which latter 76 case such operator shall drive in such left lane only for such period as is 77 reasonably necessary to enter or leave such highway safely.
  - (b) On any divided limited access highway that provides more than

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79 two lanes for traffic proceeding in the same direction, no operator of a 80 motor vehicle, other than a motor vehicle subject to the provisions of 81 subsection (a) of this section, shall drive in the extreme left lane, except 82 (1) when overtaking and passing another vehicle, (2) on the direction of 83 a police officer, (3) when access to or egress from such highway is 84 provided on the left, in which latter case such operator shall drive in 85 such left lane only for such period as is reasonably necessary to enter or 86 leave such highway safely, (4) if such motor vehicle is an emergency 87 vehicle operating pursuant to section 14-283, (5) if the operator is 88 engaged in the maintenance, repair or construction of such highway, or 89 (6) when traffic congestion makes driving in the extreme left lane 90 necessary.

- 91 (c) Any person who violates any provision of this section shall have 92 committed an infraction and shall be fined eighty-eight dollars.
- 93 Sec. 3. Section 14-289g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):
- 95 (a) No person under [eighteen] twenty-one years of age may (1) 96 operate a motorcycle or a motor-driven cycle, as defined in section 14-1, 97 or (2) be a passenger on a motorcycle or motor-driven cycle, unless such 98 operator or passenger is wearing protective headgear [of a type which] 99 that conforms to the minimum specifications established in 49 CFR 100 571.218, as amended from time to time. Any person who violates this 101 section shall have committed an infraction and shall be fined not less 102 than ninety dollars.
- 103 (b) As used in this section, the term "motorcycle" [shall] <u>does</u> not 104 include "autocycle".
- Sec. 4. Section 14-296aa of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):
- 107 (a) For purposes of this section, the following terms have the 108 following meanings:
- 109 (1) "Mobile telephone" means a cellular, analog, wireless or digital

telephone capable of sending or receiving telephone communications without an access line for service.

- 112 (2) "Using" or "use" means (A) holding a hand-held mobile telephone 113 to, or in the immediate proximity of, the user's ear, or (B) watching or 114 playing a video on a mobile electronic device that is in full view of the 115 operator in a normal driving position.
- 116 (3) "Hand-held mobile telephone" means a mobile telephone with 117 which a user engages in a call using at least one hand.
  - (4) "Hands-free accessory" means an attachment, add-on, built-in feature, or addition to a mobile telephone, whether or not permanently installed in a motor vehicle, that, when used, allows the vehicle operator to maintain both hands on the steering wheel.
  - (5) "Hands-free mobile telephone" means a hand-held mobile telephone that has an internal feature or function, or that is equipped with an attachment or addition, whether or not permanently part of such hand-held mobile telephone, by which a user engages in a call without the use of either hand, whether or not the use of either hand is necessary to activate, deactivate or initiate a function of such telephone.
  - (6) "Engage in a call" means talking into or listening on a hand-held mobile telephone, but does not include holding a hand-held mobile telephone to activate, deactivate or initiate a function of such telephone.
  - (7) "Immediate proximity" means the distance that permits the operator of a hand-held mobile telephone to hear telecommunications transmitted over such hand-held mobile telephone, but does not require physical contact with such operator's ear.
    - (8) "Mobile electronic device" means (A) any hand-held or other portable electronic equipment capable of providing data communication between two or more persons, including a text messaging device, a paging device, a personal digital assistant [,] or a laptop computer, (B) any equipment that is capable of playing a video game or a digital video disk, [or] (C) any equipment on which digital

photographs are taken or transmitted, (D) any installed screen, video monitor or other means of providing a visual display, or (E) any combination thereof. [, but] "Mobile electronic device" does not include any audio equipment or any equipment installed in a motor vehicle for the purpose of providing (i) navigation, (ii) emergency assistance to the operator of such motor vehicle, or (iii) video entertainment to the passengers in the rear seats of such motor vehicle that is not in full view of the operator in a normal driving position.

- (9) "Operating a motor vehicle" means operating a motor vehicle on any highway, [as defined in section 14-1,] including being temporarily stationary due to traffic, road conditions or a traffic control sign or signal, but not including being parked on the side or shoulder of any highway where such vehicle is safely able to remain stationary.
- 154 (10) "Highway", "commercial motor vehicle" and "authorized 155 emergency vehicle" have the same meanings as provided in section 14-156 1.
  - (b) (1) Except as otherwise provided in this subsection and subsections (c) and (d) of this section, no person shall operate a motor vehicle upon a highway [, as defined in section 14-1,] while using a hand-held mobile telephone to engage in a call or while using a mobile electronic device. An operator of a motor vehicle who types, sends or reads a text message with a hand-held mobile telephone or mobile electronic device while operating a motor vehicle shall be in violation of this section, except that if such operator is driving a commercial motor vehicle, [as defined in section 14-1,] such operator shall be charged with a violation of subsection (e) of this section.
  - (2) An operator of a motor vehicle who holds a hand-held mobile telephone to, or in the immediate proximity of, his or her ear while operating a motor vehicle is presumed to be engaging in a call within the meaning of this section. The presumption established by this subdivision is rebuttable by evidence tending to show that the operator was not engaged in a call.

(3) The provisions of this subsection shall not be construed as authorizing the seizure or forfeiture of a hand-held mobile telephone or a mobile electronic device, unless otherwise provided by law.

(4) Subdivision (1) of this subsection shall not apply to: (A) The use of a hand-held mobile telephone for the sole purpose of communicating with any of the following regarding an emergency situation: An emergency response operator; a hospital, physician's office or health clinic; an ambulance company; a fire department; or a police department, [or] (B) any of the following persons while in the performance of their official duties and within the scope of their employment: A peace officer, as defined in subdivision (9) of section 53a-3, a firefighter or an operator of an ambulance or authorized emergency vehicle [, as defined in section 14-1,] or a member of the armed forces of the United States, as defined in section 27-103, while operating a military vehicle, [or] (C) the use of a hand-held radio by a person with an amateur radio station license issued by the Federal Communications Commission in emergency situations for emergency purposes only, or (D) the use of a hands-free mobile telephone.

(c) No person shall use a hand-held mobile telephone or other electronic device, including those with hands-free accessories, or a mobile electronic device, while operating a school bus that is carrying passengers, except that this subsection shall not apply when such person: (1) Places an emergency call to school officials; (2) uses a handheld mobile telephone as provided in subparagraph (A) of subdivision (4) of subsection (b) of this section; (3) uses a hand-held mobile telephone or mobile electronic device in a manner similar to a two-way radio to allow real-time communication with a school official, an emergency response operator, a hospital, physician's office or health clinic, an ambulance company, a fire department or a police department; or (4) uses a mobile electronic device with a video display, provided such device (A) is used as a global positioning system or to provide navigation, (B) is securely attached inside the school bus near such person, and (C) has been approved for such use by the Department of Motor Vehicles.

(d) No person under eighteen years of age shall use any hand-held mobile telephone, including one with a hands-free accessory, or a mobile electronic device while operating a motor vehicle on a public 210 highway, except as provided in subparagraph (A) of subdivision (4) of subsection (b) of this section.

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- (e) No person shall use a hand-held mobile telephone or other electronic device or type, read or send text or a text message with or from a mobile telephone or mobile electronic device while operating a commercial motor vehicle, [as defined in section 14-1,] except for the purpose of communicating with any of the following regarding an emergency situation: An emergency response operator; a hospital; physician's office or health clinic; an ambulance company; a fire department or a police department.
- (f) Except as provided in subsections (b) to (e), inclusive, of this section, no person shall engage in any activity not related to the actual operation of a motor vehicle in a manner that interferes with the safe operation of such vehicle on any highway. [, as defined in section 14-1.]
- 224 (g) Any law enforcement officer who issues a summons for a 225 violation of this section shall record on such summons the specific 226 nature of any distracted driving behavior observed by such officer.
  - (h) Any person who violates this section shall be fined two hundred dollars for a first violation, three hundred seventy-five dollars for a second violation and six hundred twenty-five dollars for a third or subsequent violation.
  - (i) An operator of a motor vehicle who commits a moving violation, as defined in subsection (a) of section 14-111g, as amended by this act, while engaged in any activity prohibited by this section shall be fined in accordance with subsection (h) of this section, in addition to any penalty or fine imposed for the moving violation.
  - (j) The state shall remit to a municipality twenty-five per cent of the fine amount received for a violation of this section with respect to each

238 summons issued by such municipality. Each clerk of the Superior Court

- or the Chief Court Administrator, or any other official of the Superior
- 240 Court designated by the Chief Court Administrator, shall, on or before
- 241 the thirtieth day of January, April, July and October in each year, certify
- 242 to the Comptroller the amount due for the previous quarter under this
- subsection to each municipality served by the office of the clerk or
- 244 official.
- 245 (k) A record of any violation of this section shall appear on the
- 246 driving history record or motor vehicle record, as defined in section 14-
- 247 10, of any person who commits such violation, and the record of such
- 248 violation shall be available to any motor vehicle insurer in accordance
- 249 with the provisions of section 14-10.
- Sec. 5. (NEW) (Effective October 1, 2025) (a) For the purposes of this
- 251 section:
- 252 (1) "Alcoholic beverage" has the same meaning as provided in section
- 253 30-1 of the general statutes;
- 254 (2) "Highway", "motor bus" and "recreational vehicle" have the same
- 255 meanings as provided in section 14-1 of the general statutes;
- 256 (3) "Motor vehicle" has the same meaning as provided in section 14-
- 257 212 of the general statutes;
- 258 (4) "Motor vehicle in livery service" has the same meaning as
- 259 provided in section 13b-101 of the general statutes;
- 260 (5) "Open alcoholic beverage container" means a bottle, a can or other
- 261 receptacle (A) that contains any amount of an alcoholic beverage, and
- 262 (B) (i) that is open or has a broken seal, or (ii) the contents of which are
- 263 partially removed;
- 264 (6) "Passenger" means any occupant of a motor vehicle other than the
- 265 operator;
- 266 (7) "Passenger area" means (A) the area designed to seat the operator

of, and any passenger in, a motor vehicle while such vehicle is being operated on a highway, or (B) any area that is readily accessible to such operator or passenger while such person is in such person's seated position. "Passenger area" does not include (i) a locked container, such as a locked glove compartment or console, (ii) the trunk, or (iii) in a motor vehicle that is not equipped with a trunk, the area behind the last upright seat or any area not normally occupied by the operator or a passenger; and

- 275 (8) "Taxicab" has the same meaning as described in section 13b-95 of 276 the general statutes.
- (b) Except as provided in subsection (c) of this section, no person shall consume or possess an open alcoholic beverage container within the passenger area of a motor vehicle while such motor vehicle is on any highway in this state.
- (c) The provisions of subsection (b) of this section shall not apply to:
  (1) A passenger in a motor vehicle designed, maintained and primarily
  used for the transportation of passengers for hire, including, but not
  limited to, a taxicab, motor bus or motor vehicle in livery service, or (2)
  a passenger in the living quarters of a recreational vehicle.
- 286 (d) Any person who violates the provisions of subsection (b) of this section shall have committed an infraction.
- Sec. 6. Section 14-286d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):
- 290 (a) For the purposes of this section and section 14-286e, "bicycle" 291 means any vehicle propelled by the person riding the same by foot or 292 hand power.
- 293 (b) No child [fifteen] <u>seventeen</u> years of age or under shall operate a 294 bicycle, electric bicycle, nonmotorized scooter, skateboard or electric 295 foot scooter or wear roller skates or in-line skates on the traveled portion 296 of any highway, at a skateboarding park or any park unless such child 297 is wearing properly fitted and fastened protective headgear which

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298 conforms to the minimum specifications established by the American 299 National Standards Institute, the United States Consumer Product 300 Safety Commission, the American Society for Testing and Materials or 301 the Snell Memorial Foundation's Standard for Protective Headgear for 302 Use in Bicycling, as amended from time to time. Failure to comply with 303 this section shall not be a violation or an offense. Failure to wear 304 protective headgear as required by this subsection shall not be 305 considered to be contributory negligence on the part of the parent or the 306 child nor shall such failure be admissible in any civil action.

- (c) A law enforcement officer may issue a verbal warning to the parent or guardian of a child that such child has failed to comply with the provisions of subsection (b) of this section.
- 310 (d) A person, firm or corporation engaged in the business of renting 311 bicycles, electric bicycles or electric foot scooters shall provide 312 protective headgear conforming to the minimum specifications 313 established by the American National Standards Institute, the United 314 States Consumer Product Safety Commission, the American Society for 315 Testing and Materials or the Snell Memorial Foundation's Standard for 316 Protective Headgear for Use in Bicycling, as amended from time to time, 317 to any person [under sixteen] seventeen years of age or under who will 318 operate the bicycle, electric bicycle or electric foot scooter if such person 319 does not have protective headgear in his or her possession. A fee may 320 be charged for the protective headgear rental. Violation of any of the 321 provisions of this subsection shall be an infraction.
  - (e) The Commissioner of Consumer Protection shall post on the Department of Consumer Protection's Internet web site information concerning the dangers of riding bicycles, electric bicycles or electric foot scooters, skateboarding, roller skating and in-line skating without protective headgear and promoting the use of protective headgear while riding bicycles, electric bicycles or electric foot scooters, skateboarding, roller skating and in-line skating.
- Sec. 7. Section 13b-10 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

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(a) The commissioner may, subject to the provisions of chapter 67, employ such agents, assistants and employees as [he] the commissioner deems necessary to carry out [his] the commissioner's duties and responsibilities. [He] The commissioner may retain and employ other consultants and assistants on a contract or other basis for rendering legal, financial, technical or other assistance and advice.

- (b) The commissioner shall assign employees to support the adoption and implementation of Complete Streets standards or policies, as described in section 11206 of the Infrastructure Investment and Jobs Act, P. L. 117-58, as amended from time to time, throughout the state. Such support shall include administering grants and providing incentives to municipalities in order to finalize a project or prioritization plan that incorporates Complete Streets standards or policies.
- Sec. 8. (*Effective from passage*) (a) For the purposes of this section, "intelligent speed assistance device" means a device designed to be installed within a motor vehicle to actively monitor and limit the speed at which a motor vehicle is capable of traveling based on the applicable speed limit where such motor vehicle is being operated.
- (b) The Vision Zero Council, established under section 13b-23b of the general statutes, and the Chief State's Attorney shall jointly study and make recommendations concerning the feasibility of leveraging intelligent speed assistance devices to address speeding and reckless driving in the state. The Vision Zero Council and Chief State's Attorney may partner with an institution of higher education or national transportation research entity to perform such study. Such study shall, at a minimum, (1) examine whether sufficient evidence exists to show that the use of intelligent speed assistance devices changes driving behavior and improves road safety, (2) consider the different types and availability of such devices, (3) estimate the costs associated with the installation and maintenance of such devices to the motor vehicle operator and the state, (4) examine whether such devices work accurately and reliably in unsupervised environments and whether such devices are capable of producing evidence showing such device

has not been bypassed, circumvented or tampered with, and (5) if recommending the use of such devices in the state, (A) identify if the installation of such device would be in lieu of, or in addition to, a prescribed penalty or suspension of a motor vehicle operator's license and if such installation would be mandatory or discretionary, (B) identify the types and number of traffic violations that would require or permit the installation of such devices, (C) discuss if any such requirement to install an intelligent speed assistance device should apply differently to motor vehicle operators based upon the age or driving history of the operator, and (D) discuss necessary components of a regulatory framework that would be necessary to ensure the proper and accurate use of such devices.

- (c) Not later than January 15, 2026, the Vision Zero Council and the Chief State's Attorney shall submit their findings and any recommendations, including any proposed legislation, to the joint standing committee of the General Assembly having cognizance of matters relating to transportation, in accordance with the provisions of section 11-4a of the general statutes.
- Sec. 9. Section 14-111g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):
- (a) (1) For the purposes of this [subsection] section, "moving violation" means any violation of subsection (c) of section 14-36 or section 14-36g, 14-212d, 14-218a, 14-219, 14-222, 14-223, 14-230 to 14-249, inclusive, 14-279, 14-283, 14-289b, 14-296aa, as amended by this act, 14-388 299, 14-300, as amended by this act, 14-301, 14-302 or 14-303, and "suspension violation" means a violation of section 14-222a, 14-224, 14-227a, 14-227m or 14-227n, or section 53a-56b, 53a-57 or 53a-60d. [The]
  - (2) Except as provided in subdivision (4) of this subsection, the Commissioner of Motor Vehicles may require any motor vehicle operator who is twenty-four years of age or less, who has been convicted of a moving violation or a suspension violation, or both, committed on two or more occasions to attend a motor vehicle operator's retraining program. [The]

(3) Except as provided in subdivision (4) of this subsection, the commissioner may require any motor vehicle operator over twenty-four years of age, who has been convicted of a moving violation or a suspension violation or a combination of said violations, committed on three or more occasions to attend a motor vehicle operator's retraining program.

- (4) The commissioner shall require (A) any motor vehicle operator convicted of traveling more than seventy-five miles per hour, (B) any person operating a commercial motor vehicle convicted of traveling more than sixty-five miles per hour in a highway work zone, as defined in section 14-212d, [or] and (C) any [person] motor vehicle operator convicted of a violation of section 14-222 or subdivision (1) of subsection (c) of section 14-224, to attend a motor vehicle operator's retraining program.
- (5) The commissioner shall notify such operator, in writing, of such requirement. A fee of not more than eighty-five dollars shall be charged for the retraining program. The commissioner, after notice and opportunity for hearing, may suspend the motor vehicle operator's license of any such operator who fails to attend or successfully complete the program until the operator successfully completes the program. The hearing shall be limited to any claim of impossibility of the operator to attend the retraining program, or to a determination of mistake or misidentification.
- (b) (1) The retraining program shall be taught by a designee of the Commissioner of Motor Vehicles or by an instructor approved by the commissioner and shall [(1)] (A) review principles of motor vehicle operation, [(2)] (B) develop alternative attitudes for those attitudes contributing to aggressive driving behavior, and [(3)] (C) emphasize the need to practice safe driving behavior.
- (2) The retraining program shall be offered by the Department of Motor Vehicles or by any other organization certified by the commissioner to conduct such program in person in a congregate setting, through distance learning or through a combination of both in-

430 person and distance learning, provided such distance learning has

- interactive components such as mandatory interactions, participation or
- testing. Any drivers' school, as defined in section 14-68, that meets the
- licensure requirements of part IV of this chapter shall be eligible to seek
- certification to offer the motor vehicle operator's retraining program.
- The commissioner shall determine the number of program providers
- and necessary to serve the needs of the public.
- 437 (3) Each organization or drivers' school seeking certification or
- 438 recertification to conduct such retraining program shall submit an
- application to the department in such form as the commissioner shall
- require and an application fee of three hundred fifty dollars. Each such
- 441 applicant shall:
- 442 (A) Be registered to do business in this state and continuously
- maintain good standing with the office of the Secretary of the State;
- (B) [file] <u>File</u> and continuously maintain a surety bond in the amount
- of fifty thousand dollars. Such bond shall be conditioned upon
- compliance with the provisions of any state or federal law or regulation
- concerning the conduct of an operator retraining program and provided
- as indemnity for any loss or expense sustained by either the state or any
- person by reason of any acts or omissions of the program provider. Such
- bond shall be executed in the name of the State of Connecticut for the
- benefit of any aggrieved party, but the penalty of the bond shall not be
- 452 invoked except upon order of the Commissioner of Motor Vehicles after
- 453 a hearing held before the commissioner in accordance with the
- 454 provisions of chapter 54;
- (C) [have] Have a permanent place of business in this state where all
- 456 operator retraining program records shall be maintained and accessible
- 457 to the commissioner during normal business hours;
- (D) [submit] <u>Submit</u> for approval by the commissioner a detailed
- 459 curriculum and lesson plan, including any changes to such curriculum
- and lesson plan, which shall be used in each operator retraining class;
- 461 and

(E) [electronically] <u>Electronically</u> transmit information concerning enrollment and class completion to the commissioner at such times and in such form as the commissioner shall prescribe.

- (4) Prior to the certification of an applicant, the commissioner shall investigate the applicant's character, driving history and criminal history. If the applicant is a business entity, such investigation shall include the principals and officers of such entity. The applicant shall submit to the commissioner any information pertaining to current or past criminal or civil actions. The certification of a program provider by the commissioner shall not be transferable and shall be valid for a two-year period. Recertification of a provider shall be at the discretion of the commissioner and in such form and manner determined by the commissioner.
- (c) Any person who is required to attend an operator retraining program shall have such requirement and the completion date of such requirement posted on such person's driving history record maintained by the commissioner. The date of class completion shall remain on such person's driving history record until such person has attained thirty-six consecutive months without any additional moving violations or suspension violations specified in subsection (a) of this section being posted to such person's driving history record. Until the completion of such thirty-six consecutive months, the Commissioner of Motor Vehicles shall suspend such person's operator's license or operating privilege for: (1) Thirty days upon a first conviction for any specified moving violation or suspension violation; (2) sixty days upon a second conviction of any specified moving violation or suspension violation; and (3) ninety days for a third or subsequent conviction of a specified moving violation or suspension violation.
- (d) The commissioner shall adopt regulations, in accordance with chapter 54, to implement the provisions of subsections (a) and (b) of this section.
- Sec. 10. Subsection (e) of section 22a-202 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1*,

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(e) (1) As a part of the Connecticut Hydrogen and Electric Automobile Purchase Rebate program, the Commissioner of Energy and Environmental Protection shall also establish and administer a program to provide rebates or vouchers to residents of the state who purchase an electric bicycle. The commissioner, in consultation with the advisory board, shall establish and revise, as necessary, maximum income eligibility for such rebates or vouchers. Any such rebate or voucher amount shall be in an amount not less than five hundred dollars. The rebate or voucher program shall be designed to maximize the air quality benefits associated with the deployment of electric bicycles and prioritize providing vouchers to (A) residents of environmental justice communities, (B) residents having household incomes at or below three hundred per cent of the federal poverty level, [and] (C) residents who participate in state and federal assistance programs, including, but not limited to, the state-administered federal Supplemental Nutrition Assistance Program, state-administered federal Low Income Home Energy Assistance Program [,] or a federal Head Start program, [established pursuant to section 10-16] or who receive assistance provided by Operation Fuel, Incorporated, and (D) residents with physical disabilities.

(2) On and after July 1, 2022, and until June 30, 2027, inclusive, an electric bicycle that is eligible for a rebate or voucher under the program shall have a base manufacturer's suggested retail price of not more than three thousand dollars. The provisions of this subdivision shall not apply to an adaptive electric bicycle to be used by a resident with a physical disability.

This act shall take effect as follows and shall amend the following sections:				
Section 1	October 1, 2025	14-300		
Sec. 2	October 1, 2025	14-230a		
Sec. 3	October 1, 2025	14-289g		
Sec. 4	October 1, 2025	14-296aa		

Sec. 5	October 1, 2025	New section
Sec. 6	October 1, 2025	14-286d
Sec. 7	July 1, 2025	13b-10
Sec. 8	from passage	New section
Sec. 9	October 1, 2025	14-111g
Sec. 10	July 1, 2025	22a-202(e)

## Statement of Legislative Commissioners:

In Section 4(a)(8), clause designators were added for clarity and "that is not in full view of the operator in a normal driving position" was inserted after "rear seats of such motor vehicle" for consistency with the changes being made in Section 4(a)(2).

TRA 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 26 \$	FY 27 \$
Judicial Dept. (Probation)	GF - Potential	Minimal	Minimal
	Cost		
State Revenues	Various -	Minimal	Minimal
	Potential		
	Revenue Gain		

Note: GF=General Fund; Various=Various

#### Municipal Impact: None

#### **Explanation**

**Section 1** increases the fine for not yielding to pedestrians by \$250 (from \$500 to \$750) resulting in a potential revenue gain to the state.<sup>1</sup>

**Section 2** expands the circumstances in which it is prohibited to drive in the extreme left lane resulting in a potential revenue gain to the state from fines.<sup>2</sup>

**Section 3** increases the age for which helmets on motorcycles are required from 18 to 21 which results in a potential cost to the Judicial Department for probation and a potential revenue gain to the General Fund from fines.<sup>3</sup> On average, the marginal cost for supervision in the

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 $<sup>^{1}</sup>$  In FY 24, 332 charges were recorded for this offense under CGS 14-300 with \$45,420 in associated revenue collected.

 $<sup>^2</sup>$  In FY 24, 907 charges were recorded for this offense under CGS 14-230a with \$69,824 in associated revenue collected.

 $<sup>^{3}</sup>$  In FY 24, 13 offenses under CGS 14-289g were recorded with \$364 in associated revenue collected.

community is less than \$600<sup>4</sup> each year for adults and \$450 each year for juveniles.

**Section 4** expands the definition of distracted driving resulting in a potential revenue gain to the state from fines.<sup>5</sup>

**Section 5** creates an infraction for having an open alcoholic beverage container in the passenger area of a vehicle, which results in a potential revenue gain to the state. Infractions are not crimes and are punishable by fines that usually range from \$100 to \$300.

This section is expected to bring Connecticut into compliance with federal transportation law, which would remove a penalty that directs a percentage of the state's federally funded highway construction funding to the state's federally funded highway safety programs.

**Section 7** requires the Department of Transportation (DOT) to assign employees to support the adoption of Complete Streets standards or policies, and does not result in a fiscal impact because it comports to current DOT operations.

**Section 9** requires drivers convicted of certain offenses to take a Department of Motor Vehicle (DMV) approved operator retraining program upon the first offense rather than the third. This section does not have a fiscal impact because the programs are operated by third party vendors (and that generally charge an \$85 fee) rather than DMV.

**Section 10** expands eligibility to cover various adaptive e-bikes under the e-bike voucher program and requires the Department of Energy and Environmental Protection (DEEP) to give priority vouchers to residents with physical disabilities. This is not anticipated to result in additional

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<sup>&</sup>lt;sup>4</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.

 $<sup>^{5}</sup>$  In FY 24, 16,832 offenses under CGS 14-296aa were recorded with \$1,703,353 in associated revenue collected.

costs to DEEP, as DEEP caps programmatic costs. However, expanded eligibility could result in a redistribution of vouchers to eligible participants.

The other sections of the bill are not anticipated to result in a fiscal impact to the state or municipalities.

#### The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the actual number of offenses, or as otherwise described.

# OLR Bill Analysis sSB 1375

# AN ACT CONCERNING HIGHWAY, PEDESTRIAN AND CYCLIST SAFETY.

TABLE OF CONTENTS:

#### **SUMMARY**

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Increases, from \$500 to \$750, the penalty for failure to yield to pedestrians and other related violations

# $\S~2$ — DRIVING IN EXTREME LEFT LANE ON LIMITED ACCESS HIGHWAYS

Extends prohibition on driving in the extreme left lane on limited access highways with more than two lanes going in the same direction to all vehicles, with certain exceptions

#### § 3 — MOTORCYCLE HELMETS

Increases, from age 18 to 21, the age under which all motorcycle and motor-driven cycle drivers and passengers must wear a helmet

#### § 4 — DISTRACTED DRIVING

Modifies the distracted driving law by explicitly prohibiting watching or playing a video while driving, including on an installed screen or other visual display

#### § 5 — OPEN CONTAINERS IN MOTOR VEHICLES

Generally prohibits drinking from or possessing an open alcoholic beverage container in a motor vehicle's passenger area, with exceptions for for-hire transportation and RVs

# § 6 — HELMET REQUIREMENTS FOR CHILDREN RIDING BICYCLES AND SIMILAR VEHICLES

Increases, from age 16 to age 18, the age under which children must wear a helmet while riding a bicycle, electric bicycle, nonmotorized scooter, skateboard, or electric foot scooter or while using roller skates or roller blades

#### § 7 — COMPLETE STREETS IMPLEMENTATION SUPPORT

Requires DOT to assign employees to support the adoption of Complete Streets standards or policies throughout the state

#### § 8 — INTELLIGENT SPEED ASSISTANCE DEVICES STUDY

Requires the Vision Zero Council and the chief state's attorney to jointly study, and make recommendations on, the feasibility of addressing speeding and reckless driving with intelligent speed assistance devices

## § 9 — OPERATOR'S RETRAINING PROGRAM AND RECKLESS DRIVING

Requires drivers to attend an operator's retraining program upon their first conviction of reckless driving

#### § 10 — CHEAPR ADAPTIVE E-BIKE INCENTIVES

Exempts adaptive e-bikes from the \$3,000 MSRP cap and adds residents with physical disabilities to the list of residents who must get priority for vouchers

#### **BACKGROUND**

#### SUMMARY

This bill makes various changes related to open alcoholic beverage containers in motor vehicles, helmet requirements, distracted driving, reckless driving, failure to yield to pedestrians, left lane driving, adaptive e-bikes, and Complete Streets.

EFFECTIVE DATE: October 1, 2025, except the (1) Connecticut Hydrogen and Electric Automobile Purchase Rebate (CHEAPR) and Complete Streets provisions are effective July 1, 2025, and (2) speed assistance device study is effective upon passage.

#### § 1 — FAILURE TO YIELD TO PEDESTRIANS

*Increases, from* \$500 to \$750, the penalty for failure to yield to pedestrians and other related violations

The bill increases, from \$500 to \$750, the maximum fine for drivers who:

1. fail to yield (or slow down and stop if necessary) to a pedestrian who is crossing the roadway within a crosswalk or is at the curb indicating intent to cross;

2. pass a vehicle that is stopped at a crosswalk to allow a pedestrian to cross; or

3. fail to slow down when approaching and yield to a pedestrian (a) who is blind and carrying a white cane or a red tipped white cane or (b) being guided by a service animal.

# § 2 — DRIVING IN EXTREME LEFT LANE ON LIMITED ACCESS HIGHWAYS

Extends prohibition on driving in the extreme left lane on limited access highways with more than two lanes going in the same direction to all vehicles, with certain exceptions

By law, all vehicles must be driven on the right, with certain exceptions such as passing and on highways divided into three or more lanes (CGS § 14-230(a)).

Current law prohibits, with certain exceptions, motor vehicles with commercial registrations, motor buses, vehicles with trailers, and school buses from driving in the extreme left lane on limited access highways with three or more lanes going in the same direction. The bill prohibits driving any other motor vehicle in the extreme left lane on these highways.

The bill's prohibition does not apply to vehicles driving in the extreme left lane (1) to pass; (2) on a police officer's direction; (3) when the entrance or exit is on the right (only for the time period necessary to enter or exit); (4) when the vehicle is an emergency vehicle; (5) when maintaining, repairing, or constructing the highway; or (5) when traffic congestion makes it necessary. It also does not apply to emergency vehicles. Under current law, the prohibition on vehicles with commercial registration and other vehicles does not apply (1) when directed to drive in the extreme left by a police officer or (2) when the entrance or exit is on the left (only for the necessary time period).

Violations of the bill's prohibition are infractions, subject to a fine of \$85.

## § 3 — MOTORCYCLE HELMETS

Increases, from age 18 to 21, the age under which all motorcycle and motor-driven cycle drivers and passengers must wear a helmet

The bill increases, from age 18 to 21, the age under which all motorcycle and motor-driven cycle drivers and passengers must wear a helmet meeting federal helmet safety standards. Current law only requires helmets for (1) drivers and passengers under age 18 and (2) motorcycle instruction permit holders of any age (CGS § 14-40a).

Under the bill, as under existing law, violations of the helmet requirement are infractions (see BACKGROUND) and subject to the \$90 fine that applies under current law to drivers and passengers under age 18. By law, unchanged by the bill, a first offense by a motorcycle instruction permit holder is an infraction and subject to a \$50 fine, and a subsequent offense is a class D misdemeanor, subject to a fine of up to \$250, up to 30 days in prison, or both.

By law, a motor-driven cycle is a motorcycle, motor scooter, or bicycle with an attached motor (except an electric bicycle) that has a (1) seat height of at least 26 inches and (2) motor with a piston displacement under 50 cubic centimeters (cc). As under current law, the helmet requirement does not apply to autocycles.

#### § 4 — DISTRACTED DRIVING

Modifies the distracted driving law by explicitly prohibiting watching or playing a video while driving, including on an installed screen or other visual display

The bill modifies the distracted driving law by explicitly prohibiting watching or playing a video on a mobile electronic device while driving. It also expands the definition of "mobile electronic device" to include any installed screen, monitor, or other visual display.

As under existing law, mobile electronic device also includes handheld or portable electronic equipment capable of providing data communication between two or more people, including (1) a text messaging device, a paging device, a personal digital assistant, or a laptop computer; (2) equipment that plays video games or digital video disks; and (3) equipment that takes or transmits digital photos. It does

not include audio equipment or equipment installed to provide navigation, emergency assistance to the driver, or video entertainment to rear passengers.

By law, the fine for distracted driving is (1) \$200 for the first violation, (2) \$375 for the second violation, and (3) \$625 for the third or subsequent violation.

#### § 5 — OPEN CONTAINERS IN MOTOR VEHICLES

Generally prohibits drinking from or possessing an open alcoholic beverage container in a motor vehicle's passenger area, with exceptions for for-hire transportation and RVs

The bill prohibits consuming or possessing an open alcoholic beverage container in a motor vehicle's "passenger area" while the vehicle is on a public road. An open alcoholic beverage container is a bottle, can, or other receptacle that contains an alcoholic beverage and is either (1) open or has a broken seal or (2) partially empty. Under federal law, states must adopt an open container prohibition or face fiscal penalties (see BACKGROUND).

The bill's prohibition does not apply to passengers in (1) vehicles designed, maintained, and primarily used as for-hire passenger transportation, including taxis, motor buses, and livery vehicles (e.g., limousines) or (2) a recreational vehicle's (RV) living quarters.

Violations of the bill's provisions are infractions (see BACKGROUND). Under existing law, drivers who drink an alcoholic beverage while driving are guilty of a class C misdemeanor (punishable by up to three months in prison, a fine of up to \$500, or both) (CGS § 53a-213).

#### Passenger Area

The bill's open container prohibition applies to occupants of a vehicle's passenger area, which is (1) the area designed to seat the driver and any passenger while the vehicle is moving and (2) any area that is readily accessible to the driver or a passenger while sitting. It does not include (1) locked containers (such as glove compartments or consoles); (2) the trunk; or (3) in motor vehicles without trunks, the area behind

the last upright seat or any area not normally occupied by a driver or passenger.

## § 6 — HELMET REQUIREMENTS FOR CHILDREN RIDING BICYCLES AND SIMILAR VEHICLES

Increases, from age 16 to age 18, the age under which children must wear a helmet while riding a bicycle, electric bicycle, nonmotorized scooter, skateboard, or electric foot scooter or while using roller skates or roller blades

The bill increases, from age 16 to age 18, the age under which children must wear a helmet while (1) riding a bicycle, electric bicycle, nonmotorized scooter, skateboard, or electric foot scooter or (2) using roller skates or roller blades.

Under existing law, unchanged by the bill, this requirement applies while riding these vehicles on the traveled portion of a road and at any park or skateboarding park. As under existing law, helmets must meet the minimum specifications established by the American National Standards Institute, the United States Consumer Product Safety Commission, the American Society for Testing and Materials or the Snell Memorial Foundation's Standard for Protective Headgear for Use in Bicycling.

By law, failure to wear a helmet is not considered a violation or an offense and cannot be considered contributory negligence by a parent or a child or be admissible in any civil action. Law enforcement officers may issue a verbal warning to a child's parent or guardian that the child is not complying with the requirement.

#### § 7 — COMPLETE STREETS IMPLEMENTATION SUPPORT

Requires DOT to assign employees to support the adoption of Complete Streets standards or policies throughout the state

The bill requires the Department of Transportation (DOT) to assign employees to support the adoption of Complete Streets standards or policies throughout the state. The support must include administering grants and giving incentives to municipalities to finalize projects or prioritization plans that incorporate Complete Streets standards or policies.

The federal Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law, defines Complete Streets standards or policies as those that ensure the safe and adequate accommodation of all users of the transportation system, including pedestrians, bicyclists, public transportation users, children, older individuals, individuals with disabilities, motorists, and freight vehicles (P.L. 117-58, § 11206). IIJA requires states and metropolitan planning organizations to use a portion of their planning and research funds for Complete Streets activities.

#### § 8 — INTELLIGENT SPEED ASSISTANCE DEVICES STUDY

Requires the Vision Zero Council and the chief state's attorney to jointly study, and make recommendations on, the feasibility of addressing speeding and reckless driving with intelligent speed assistance devices

The bill requires the Vision Zero Council (see BACKGROUND) and the chief state's attorney to jointly study, and make recommendations on, the feasibility of addressing speeding and reckless driving with devices that actively monitor and limit a vehicle's speed based on the speed limit where the vehicle is being operated (i.e. intelligent speed assistance devices). In preparing the study, the bill allows them to partner with a higher education institution or national transportation research entity. They must submit their findings and recommendations to the Transportation Committee by January 15, 2026.

Under the bill, the study must, at a minimum:

- 1. determine if there is enough evidence to show whether the devices change driving behavior and improve road safety;
- consider the different types of devices and their availability, as well as estimate installation and maintenance costs to the driver and to the state; and
- 3. examine the devices' accuracy and reliability in unsupervised environments and whether they can produce evidence that they have not been bypassed, circumvented, or tampered with.

If the study recommends using the devices in the state, it must also:

1. identify whether installing the device would be (a) mandatory or discretionary and (b) instead of, or in addition to, a penalty or license suspension;

- 2. indicate the types and number of violations that would require or permit use of the device;
- 3. discuss whether any installation requirement should apply differently based on the driver's age or driving history; and
- 4. outline necessary components of a regulatory framework that would be needed to ensure devices were used accurately and properly.

## § 9 — OPERATOR'S RETRAINING PROGRAM AND RECKLESS DRIVING

Requires drivers to attend an operator's retraining program upon their first conviction of reckless driving

The bill requires drivers to attend an operator's retraining program upon their first conviction of reckless driving. Under current law, reckless driving is considered a "moving violation" for purposes of the operator's retraining program. The motor vehicles commissioner may (and does, in practice) require drivers convicted of three moving or suspension violations (or two, for drivers under age 25) to attend the operator's retraining program.

By law, the program completion date stays on a driver's record until 36 months have passed without the driver committing any more moving or suspension violations. If the driver commits another moving or suspension violation during that period, the commissioner must suspend the person's driver's license or operating privilege for (1) 30 days upon a first conviction, (2) 60 days upon a second conviction, and (3) 90 days upon a third or subsequent violation.

#### § 10 — CHEAPR ADAPTIVE E-BIKE INCENTIVES

Exempts adaptive e-bikes from the \$3,000 MSRP cap and adds residents with physical disabilities to the list of residents who must get priority for vouchers

This bill exempts adaptive e-bikes from the \$3,000 manufacturer's

suggested retail price (MSRP) cap for the CHEAPR e-bike voucher program, which applies by law until June 30, 2027. Under current law, an e-bike's MSRP must be under the cap to be eligible for a voucher under the program; under the bill, adaptive e-bikes with MSRPs above that amount are eligible for a voucher if they are to be used by a resident with a disability.

By law, the Department of Energy and Environmental Protection (DEEP) administers the e-bike voucher program as part of CHEAPR. The law generally requires DEEP to set most of the program's parameters administratively, including eligibility and voucher amounts, but it (1) sets a minimum voucher amount at \$500 and (2) requires DEEP to give priority for vouchers to environmental justice community residents, those with incomes of no more than 300% of the poverty level, and those who participate in certain state and federal assistance programs. The bill adds residents with physical disabilities to the list of residents who must get priority for vouchers.

#### BACKGROUND

## Federal Open Container Law Requirement

Federal law requires states to adopt an open container law that meets federal compliance criteria (23 U.S.C. § 154). To comply, the state law must apply to (1) possession and consumption, (2) the entire passenger area, (3) all alcoholic beverages, (4) all occupants, and (5) all motor vehicles. It must also provide for primary enforcement, meaning that law enforcement may issue a citation upon observing someone violating the law. It allows states to provide exceptions for (1) open containers stored in a locked container or, in vehicles without trunks, behind the last seat and (2) passengers in a for-hire transportation vehicle or an RV's living quarters (23 C.F.R. § 1270.4).

States without a compliant law must transfer 2.5% of their annual apportionment under specified highway construction programs (the National Highway Performance Program and the Surface Transportation Block Grant Program) to specified traffic safety programs (the 402 Highway Safety DUI Countermeasures Program or

the Hazard Elimination Program) (23 C.F.R. § 1270.6).

#### Infractions

Infractions are punishable by fines, usually set by Superior Court judges, of between \$35 and \$90, plus a \$20 or \$35 surcharge and an additional fee based on the fine's amount. There may also be other applicable charges depending on the type of infraction. For example, certain motor vehicle infractions trigger a Special Transportation Fund surcharge of 50% of the fine. An infraction is not a crime and violators can generally pay the fine by mail without making a court appearance.

#### Vision Zero Council

PA 21-28, § 2, established the Vision Zero Council and charged it with developing a statewide policy and interagency approach to eliminating all transportation-related fatalities and severe injuries to pedestrians, bicyclists, transit users, drivers, and passengers. It must consider ways to improve safety in all transportation modes using data, new partnerships, safe planning, and community-based solutions to achieve the goal of zero transportation-related fatalities.

By law, the council is composed of the DOT, Department of Public Health, and Department of Emergency Services and Public Protection commissioners and any other agency commissioners they invite. The council may establish committees to advise it in carrying out its duties.

#### Related Bills

sSB 6862, favorably reported by the Transportation Committee, modifies the definition of motor-driven cycle and helmet requirements pertaining to e-bikes.

sHB 7060, favorably reported by the Transportation Committee, makes violating the distracted driving law on a limited access highway a reckless driving violation.

## **COMMITTEE ACTION**

Transportation Committee

Joint Favorable Substitute

Yea 25 Nay 9 (03/19/2025)