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## OLR Bill Analysis

### sHB 7060

#### **AN ACT CONCERNING TRANSPORTATION WORKER SAFETY.**

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*Increases current law’s enhanced penalties for violations of the “move over” law and the law on endangering highway workers that result in the injury or death of an emergency vehicle driver or occupant or a highway worker*

#### **SUMMARY**

This bill (1) creates a new Department of Motor Vehicles-administered highway work zone and roadside vehicle safety awareness program; (2) increases the penalties for violations of several laws related to roadway safety, including the safety of highway workers and emergency vehicle drivers; and (3) names a road and bridge. It also makes various minor, technical, and conforming changes. A section-by-section analysis follows.

EFFECTIVE DATE: October 1, 2025, except the road and bridge namings are effective upon passage.

## **§§ 1 & 2 — ROAD AND BRIDGE NAMINGS**

*Names a (1) section of road in Meriden the “Andrew DiDomenico Memorial Highway” and (2) bridge in Southington the “State Trooper First Class Aaron M. Pelletier Memorial Bridge”*

The bill names (1) a section of Connecticut Special Service Road 495 in Meriden the “Andrew DiDomenico Memorial Highway” and (2) Bridge No. 01241 in Southington the “State Trooper First Class Aaron M. Pelletier Memorial Bridge.”

## **§§ 3-5 — HIGHWAY WORK ZONE AND ROADSIDE VEHICLE SAFETY AWARENESS PROGRAM**

*Creates a new DMV-administered highway work zone and roadside vehicle safety awareness program and related requirements; generally requires driver’s license applicants and violators of the “move over” law or highway worker endangerment law to take the program and requires suspension of violators’ licenses if they commit specified additional violations within a certain time period after completing it*

The bill creates a new highway work zone and roadside vehicle safety awareness program administered by the Department of Motor Vehicles (DMV). It generally requires this program to be completed by (1) applicants for a driver’s license or learner’s permit and (2) drivers convicted of violating the “move over” law or the law on endangering highway workers (see §§ 8 & 9 below).

Specifically, the bill requires 16- and 17-year-old driver’s license applicants who receive a learner’s permit on or after October 1, 2025, to submit a program completion certificate to the DMV commissioner, as he prescribes. Beginning on the same date, it also generally applies this requirement to any driver’s license applicant who (1) has not previously held a Connecticut license and (2) does not hold a valid license issued by (a) another state or U.S. territory or possession or (b) a foreign country with which the commissioner has an agreement for reciprocal recognition of driver training requirements.

The bill establishes program requirements and allows the commissioner to certify organizations (e.g., licensed driving schools) to offer the program. It requires a violator’s driving record to reflect program participation for a specified time period and sets license suspension requirements for drivers who commit certain additional violations during this time period.

The bill also requires the DMV commissioner to adopt regulations to implement the program.

***Program Requirements***

Under the bill, the highway work zone and roadside vehicle safety awareness program must, at minimum, do the following and conclude with a written or electronic test:

1. review principles of safe motor vehicle operation,
2. highlight dangers of highway work zones and emphasize risks related to driving unsafely in them,
3. include testimonials from highway workers and their families,
4. emphasize the dangers of vehicles located on the highway shoulder, and
5. review proper interactions with emergency vehicles.

DMV and other program providers (see below) may offer it in person, virtually (i.e. through distance learning), or by a combination of both. The virtual option must have interactive components (e.g., mandatory interactions, participation, or testing). Any person required to attend the program due to a conviction for one of the violations discussed above must complete it in person.

***Program Fee.*** The bill sets a maximum \$150 fee providers may charge for the program. (The cap specifically applies when the program is provided to 16- and 17-year-olds according to related driver's license application requirements, as described above, but appears to apply for other required participants as well.)

***Program Providers***

The bill requires DMV to offer the program and allows the commissioner to certify other organizations (e.g., licensed driving schools) to do so. He must determine how many program providers are needed.

Under the bill, each organization or driving school seeking certification or recertification must apply to DMV as the commissioner prescribes and submit a \$350 application fee. Certifications are valid for two years and are not transferable. Additionally, each applicant must:

1. be registered to do business in Connecticut and maintain good standing with the Office of the Secretary of the State;
2. have a permanent place of business in the state where all program records are maintained and accessible to DMV during normal business hours;
3. submit to the DMV commissioner for approval a detailed curriculum and lesson plan (including any changes to them), which will be used in each program;
4. electronically transmit to the commissioner, at the times and in the form he prescribes, information on enrollment and program completion; and
5. file and maintain a \$50,000 surety bond (a) conditioned on compliance with state and federal laws or regulations related to the program and (b) provided as indemnity for the state's or any person's losses or expenses due to the program provider's acts or omissions.

This bond must be executed in the name of the state for the benefit of any aggrieved party, but the penalty of the bond may only be imposed on the DMV commissioner's order after a hearing.

Under the bill, the commissioner has discretion over provider recertification.

**Background Check.** Before the DMV commissioner certifies an applicant to provide the program, he must investigate the applicant's character, driving history, and criminal history (including its principals and officers, in the case of business entities). The bill requires applicants to submit to the commissioner any information on current or past criminal or civil actions.

***Driving Records and License Suspension***

Under the bill, anyone required to attend the program due to a “move over” law or highway worker endangerment law violation, as discussed above, must have the requirement and its completion date posted on his or her driving record. The program completion date must remain on the driver’s record until he or she has gone 36 consecutive months without any subsequent (1) moving or suspension violations or (2) violations of the “move over” law.

If a driver commits one of these violations before 36 months pass, the commissioner must suspend his or her driver’s license for (1) 30 days upon a first conviction, (2) 60 days upon a second conviction, and (3) 90 days upon a third or subsequent conviction.

“Moving violations” and “suspension violations” are violations specified in existing law for which the DMV commissioner can require a driver, after committing a certain number of them, to attend a four-hour operator’s retraining program. These violations include, for example, speeding and reckless driving.

**§§ 6 & 7 — RECKLESS DRIVING**

*Makes driving a motor vehicle on a limited access highway while engaged in any activity prohibited by the state’s existing distracted driving law a reckless driving violation; sets increased penalties for a first reckless driving offense that occurs in a highway work zone*

***Distracted Driving on a Limited Access Highway***

The bill makes it a reckless driving violation to drive a motor vehicle on a limited access highway while engaging in any activity the state’s existing distracted driving law prohibits. Under current law, the penalty for a first reckless driving offense is a fine of \$100 to \$300, up to 30 days imprisonment, or both. The penalty for a subsequent offense is a fine up to \$600, up to 364 days imprisonment, or both. (Existing law’s distracted driving penalties are a fine of \$200 for a first violation, \$375 for a second violation, and \$625 for subsequent violations.) Under the bill, a person cannot be prosecuted for both a reckless driving violation and distracted driving violation for the same offense.

The distracted driving law generally prohibits a driver from talking or listening with a hand-held cell phone (unless he or she uses a hands-

free device), using any mobile electronic device, or texting on either. It provides for certain exceptions, such as to contact an emergency response operator or police department in an emergency. It also prohibits, with certain exceptions, the use of these devices (even with hands-free accessories) by drivers under age 18 or school bus operators driving with passengers.

### ***Increased Penalty for Reckless Driving in a Work Zone***

For first reckless driving offenses that occur in a highway work zone, the bill increases the penalty to a fine of up to \$500, up to three months imprisonment, or both. For subsequent offenses, the bill retains the penalties in existing law (see above).

As under existing law, a “highway work zone” is an area of a state highway (1) where construction, maintenance, or utility work is being performed and (2) that is marked in a specified manner signifying where the work zone begins and ends.

### ***Background — Related Bills***

sSB 1375, reported favorably by the Transportation Committee, (1) modifies the distracted driving law by explicitly prohibiting watching or playing a video while driving, including on an installed screen or other digital display (§ 4), and (2) requires drivers to attend the operator’s retraining program upon their first conviction of reckless driving (§ 9).

sHB 7204 (File 476), reported favorably by the Public Safety and Security Committee, criminalizes certain violations by subjecting them to the penalties for reckless driving (§ 2).

## **§§ 8 & 9 — FINES FOR VIOLATIONS OF “MOVE OVER” LAW OR AGGRAVATED ENDANGERMENT OF A HIGHWAY WORKER**

*Increases current law’s enhanced penalties for violations of the “move over” law and the law on endangering highway workers that result in the injury or death of an emergency vehicle driver or occupant or a highway worker*

### ***“Move Over” Law***

The state’s “move over” law requires drivers, when approaching slow or stationary emergency vehicles in the shoulder, lane, or

breakdown lane, to (1) immediately slow down to a speed reasonably below the speed limit and (2) if traveling in the lane adjacent to the shoulder or lane with the emergency vehicle, move over one lane unless it would be unsafe to do so. (While these provisions specifically apply on public roads with at least two travel lanes going in the same direction, the requirement to slow down generally also applies to two-lane roads with undivided traffic proceeding in opposite directions.)

Under current law, violations are generally infractions; however, violators are subject to higher fines if the violation results in an emergency vehicle driver's or occupant's injury (up to \$2,500) or death (up to \$10,000). The bill increases these enhanced penalties to \$10,000 and \$20,000, respectively.

### ***Endangerment of a Highway Worker***

Under existing law, drivers generally commit the offense of endangerment of a highway worker if they are convicted of any of the following in a highway work zone with a highway worker nearby:

1. exceeding the posted speed limit by at least 15 mph;
2. failing to obey certain traffic control devices for any reason other than an emergency, avoiding an obstacle, or protecting another person's health and safety;
3. driving through or around the work zone in a lane not clearly designated for this use; or
4. physically assaulting, attempting to assault, or threatening a highway worker with a motor vehicle or other instrument.

Drivers commit the offense of "aggravated endangerment of a highway worker" if they are convicted of one of the above offenses that resulted in a highway worker's serious physical injury or death. The bill increases the enhanced penalties for this offense from \$5,000 to \$10,000 (in the case of injury) and from \$10,000 to \$20,000 (in the case of death).

### **COMMITTEE ACTION**

Transportation Committee

Joint Favorable Substitute

Yea     34     Nay   0     (03/19/2025)