
OLR Bill Analysis

SB 1284 (as amended by House "B" and Senate "A")*

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

SUMMARY

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

1. changes the license penalties for violating a state law against illegal street racing and street takeovers, including setting a two-year license suspension for a third or subsequent violation (§ 4);
2. authorizes municipalities to adopt ordinances that penalize street takeovers (§ 3);
3. allows municipalities to destroy ATVs, dirt bikes, and mini-motorcycles that are seized and forfeited for violating a municipal ordinance and allows all municipalities, not just those over a certain size, to adopt ordinances for the seizure and forfeiture of dirt bikes or mini-motorcycles for violations (§§ 1 & 2);
4. limits, to 90 days, current protections from forfeiture for ATVs, dirt bikes, and mini-motorcycles by requiring their owner or lienholder to pick them up within that timeframe (§§ 1 & 2);
5. sets a minimum \$2,000 fine for a subsequent offense of (a) evading responsibility in an accident causing property damage or (b) driving a vehicle for an illegal race, contest, demonstration, or street takeover (§ 5); and
6. requires violations of municipal ordinances regulating ATVs, snowmobiles, dirt bikes, mini-motorcycles, and street takeovers

to be processed through the Centralized Infractions Bureau (see BACKGROUND), unless the municipality has established by ordinance a payment and hearing procedure for the violation that complies with state law (§ 6).

*Senate Amendment “A” moves up the effective date, from October 1, 2025, to July 1, 2025, for the provisions that (1) allow municipalities to destroy certain vehicles that are forfeited for violating a municipal ordinance and (2) limit to 30 days current protections related to these vehicles’ forfeiture.

*House Amendment “B” makes several changes to the bill as amended in the Senate, including (1) changing the bill’s license penalty for a third violation for street racing or street takeovers to a two-year suspension rather than permanent revocation; (2) allowing all municipalities, not just those over a certain size as under current law, to adopt ordinances for the seizure and forfeiture of dirt bikes or mini-motorcycles for violations; (3) giving owners or lienholders 90 days, rather than 30, to collect certain vehicles to avoid forfeiture; (4) allowing municipal ordinances for street takeovers to deem a vehicle forfeited if certain fines are not paid within six months; and (5) setting a \$2,000 minimum fine for certain subsequent offenses.

EFFECTIVE DATE: October 1, 2025, except as noted below.

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

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

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 the owner or lienholder does not collect it within 90 days after the later of when the municipality (1) posts notice on its website that the vehicle is subject to forfeiture if not collected within 90 days and (2) mails this notice to the owner or lienholder.

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

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

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

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

EFFECTIVE DATE: July 1, 2025

§ 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” (that is, taking over part of a public road or off-street parking lot open to the public by blocking or impeding regular traffic flow to cause disorder or create a nuisance to other road or lot users).

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

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

Additionally, the ordinance may allow the impounding of any vehicle used for violating it until any of the following are paid: (1) a fine imposed under it; (2) related charges (e.g., towing fees); and (3) overdue property taxes on the vehicle. The ordinance may provide that the vehicle is deemed forfeited to the municipality if, six months after the vehicle’s impoundment, the owner or lienholder has failed to pay these fines and related charges.

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

The bill changes the license penalties for violating a state law that prohibits driving a motor vehicle on a public road or off-street parking lot open to the public for any race, contest, or demonstration of speed or skill or street takeover (see above). This law also prohibits (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 in any way, including through electronic or social media.

Under current law, whenever someone is convicted or forfeits a bond taken, or receives a suspended judgment or sentence, for violating the above law, the DMV commissioner must, without a hearing, suspend the person’s driver’s license or privilege to operate a motor vehicle in

Connecticut for 30 to 90 days and, for a subsequent violation, for at least 90 days. The bill instead requires a 45-day suspension for a first and second violation and a two-year suspension for a third or subsequent violation.

§ 5 — FINE FOR CERTAIN SUBSEQUENT OFFENSES

Under existing law, it is a class D felony for a subsequent offense of (1) evading responsibility in an accident causing property damage (see BACKGROUND) or (2) driving a vehicle for an illegal race, contest, demonstration, or street takeover. A class D felony is generally punishable by a prison term of up to five years, a fine of up to \$5,000, or both. The bill requires a minimum \$2,000 fine for these offenses.

By law, for either of these, a first offense is a class A misdemeanor, punishable by up to 364 days in prison, a fine of up to \$2,000, or both. Also, for driving a vehicle for an illegal race, contest, demonstration, or street takeover, a court may (1) order the vehicle to be impounded for up to 30 days if it is registered to the offender or (2) if the vehicle is registered to someone else, fine the offender up to \$2,000 for a first offense and up to \$3,000 for any subsequent offense.

BACKGROUND

Centralized Infractions Bureau

The Superior Court's Centralized Infractions Bureau processes payments or not guilty pleas for committing infractions or certain violations. Generally, anyone who is alleged to have committed an infraction or certain violations may either plead not guilty or pay by mail the set fine and any other fee or cost the law prescribes.

Evading Responsibility

By law, a motor vehicle driver who is knowingly involved in an accident that causes property damage must (1) immediately stop and render any needed assistance and (2) generally give his or her name, address, and license and registration numbers to the owner of the damaged property, any officer, or witness to the accident. If the driver is unable to give this information to any of those individuals, he or she must immediately report the damage to a municipal or state police

officer, constable, or motor vehicle inspector or at the nearest police precinct or station. In the report, the driver must state the accident's location and circumstances and include the information required above. (Similar provisions apply to drivers in accidents causing personal injuries.)

Related Bill

SB 1389 (File 486), favorably reported by the Public Safety and Security Committee, allows municipalities to prohibit, by ordinance, a person from organizing, participating in, or gathering with intent to observe and actually observing a street takeover, and provides for possible forfeiture of the vehicle.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 40 Nay 1 (04/08/2025)