



General Assembly

**Substitute Bill No. 6566**

January Session, 2021



**AN ACT CONCERNING THE SAFETY OF CHILDREN PURCHASING FROZEN DESSERTS FROM ICE CREAM TRUCKS AND DRIVER EDUCATION REQUIREMENTS.**

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

1 Section 1. (NEW) (*Effective October 1, 2021*) For the purposes of this  
2 section and sections 2 to 5, inclusive, of this act:

3 (1) "Frozen dessert truck" means a motor vehicle in which frozen  
4 desserts are carried for purposes of retail sale on the highway;

5 (2) "Vend" means offering frozen desserts for sale from a frozen  
6 dessert truck;

7 (3) "Frozen desserts" has the same meaning as provided in section  
8 21a-48 of the general statutes; and

9 (4) "Highway" has the same meaning as provided in section 14-1 of  
10 the general statutes.

11 Sec. 2. (NEW) (*Effective October 1, 2021*) (a) Except as provided in  
12 subsection (b) of this section, the operator of a vehicle shall stop such  
13 vehicle not less than ten feet from the front when approaching and not  
14 less than ten feet from the rear when overtaking any frozen dessert truck  
15 on a highway when the frozen dessert truck is displaying flashing red

16 signal lights and extending the stop signal arm and the front crossing  
17 arm. The operator may then proceed past the frozen dessert truck at a  
18 reasonable and prudent speed, not exceeding five miles per hour, and  
19 shall yield the right-of-way to any pedestrian who crosses the highway  
20 to or from the frozen dessert truck.

21 (b) The operator of a vehicle on a highway with two or more lanes for  
22 traffic separated by a safety island or physical barrier may proceed  
23 without stopping upon approaching or overtaking a frozen dessert  
24 truck on another lane.

25 (c) Violation of any provision of this section shall be an infraction.

26 Sec. 3. (NEW) (*Effective October 1, 2021*) (a) Each frozen dessert truck  
27 shall be equipped in the following manner:

28 (1) Signal lamps mounted at the same level and as high and as widely  
29 spaced laterally as practicable. The signal lamps shall be not less than  
30 five and not more than seven inches in diameter and shall display two  
31 alternately flashing red signal lights visible at a distance of not less than  
32 five hundred feet to the front and rear in normal sunlight upon a straight  
33 level highway.

34 (2) A stop signal arm that can be extended horizontally from the left  
35 side of the frozen dessert truck. When such arm is extended, the side of  
36 such arm nearest the truck shall be seven and one-quarter inches long  
37 and parallel to the side of the truck. The side farthest from the truck shall  
38 be eighteen inches long and parallel to the side nearest the truck. The  
39 two sides shall be eighteen inches apart creating a symmetrical,  
40 trapezoidal shape. Two alternately flashing red lights shall be located in  
41 the outside corners of the extended signal arm and such corners shall be  
42 rounded to conform with the shape of the lights. Each red light shall be  
43 not less than three and not more than five inches in diameter and visible  
44 at a distance of not less than three hundred feet to the front and rear in  
45 normal sunlight upon a straight level highway. Both sides of the signal  
46 arm shall have a red reflectorized background and the following legend:

47 The word "STOP" shall appear in six-inch-high white letters not to  
48 exceed four inches in length in the middle of the signal arm; above the  
49 word "STOP", the phrase "IF SAFE" shall appear in two-inch-high white  
50 letters not to exceed one and three-fourths inches in length; below the  
51 word "STOP", the phrase "THEN GO" shall appear in two-inch-high  
52 white letters not to exceed one and three-fourths inches in length. The  
53 colors of such legend shall conform to the requirements set forth in the  
54 Manual on Uniform Traffic Control Devices for Streets and Highways  
55 published by the Federal Highway Administration, as amended from  
56 time to time. The bottom of the extended signal arm shall be forty-two  
57 inches above the street.

58 (3) A convex mirror mounted on the front of the frozen dessert truck  
59 so the operator in a normal seating position is capable of seeing the area  
60 in front of the truck that is obscured by the hood.

61 (4) A front crossing arm attached to the front bumper of the frozen  
62 dessert truck hinged from the truck's right side. The bottom of the front  
63 crossing arm shall be not less than sixteen and not more than twenty  
64 inches above the street. The front crossing arm shall be made of any  
65 durable material covered with a yellow or white reflective material and  
66 shall extend in conjunction with the stop signal arm described in  
67 subdivision (2) of this subsection. When extended outward in front of  
68 the truck, the front crossing arm shall extend not less than four and not  
69 more than six feet parallel to the ground. When retracted against the  
70 front of the truck, the front crossing arm shall not extend past the width  
71 of the truck on the operator's left side.

72 (b) The Commissioner of Motor Vehicles may establish additional  
73 standards and requirements for such equipment in regulations adopted  
74 in accordance with the provisions of chapter 54 of the general statutes.

75 (c) The commissioner shall not register a frozen dessert truck unless  
76 such truck is equipped with signal lamps, a stop sign arm, a convex  
77 mirror and a front crossing arm in accordance with the provisions of  
78 subsection (a) of this section and any regulations adopted under

79 subsection (b) of this section.

80 (d) Any person who operates a frozen dessert truck without  
81 equipping such truck as required by this section shall have committed  
82 an infraction.

83 Sec. 4. (NEW) (*Effective October 1, 2021*) (a) The operator of any frozen  
84 dessert truck, when about to bring the frozen dessert truck to a stop to  
85 vend, shall signal his or her intention to do so by displaying flashing red  
86 signal lights and extending the stop signal arm and the front crossing  
87 arm for not less than fifty feet before the operator brings the frozen  
88 dessert truck to a stop.

89 (b) The operator of any frozen dessert truck shall not display the  
90 flashing red signal lights or extend the stop signal arm and the front  
91 crossing arm when the frozen dessert truck is in motion or stopped for  
92 a purpose other than vending.

93 (c) Violation of any provision of this section shall be an infraction.

94 Sec. 5. (NEW) (*Effective October 1, 2021*) (a) No person shall vend from  
95 a frozen dessert truck that is stopped, parked or standing on any  
96 highway:

97 (1) When the posted speed limit on such highway is greater than  
98 twenty-five miles per hour;

99 (2) When such highway is less than one hundred feet from an  
100 intersection with another highway that has a posted speed limit greater  
101 than twenty-five miles per hour;

102 (3) Located less than five hundred feet from any property used as an  
103 elementary or middle school, one hour before and one hour after the  
104 regular school day, unless that day is not a school day and the local or  
105 regional board of education approves such vending in writing;

106 (4) When such person does not have a free and unobstructed view for

107 at least two hundred feet in both directions of the highway where the  
108 frozen dessert truck is stopped or parked; or

109 (5) To a person standing in the highway.

110 (b) No person shall (1) stop on the left side of a one-way highway to  
111 vend, or (2) back up a frozen dessert truck to vend or attempt to vend.

112 (c) A person shall vend (1) when the frozen dessert truck is lawfully  
113 stopped or parked, and (2) from the side of the frozen dessert truck  
114 facing away from moving traffic and as close as practicable to the curb  
115 or edge of the highway.

116 (d) The operator of a frozen dessert truck shall not permit any  
117 unauthorized person to ride in or on the truck.

118 (e) Violation of any provisions of this section shall be an infraction.

119 Sec. 6. Subsection (b) of section 14-96p of the general statutes is  
120 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
121 *2021*):

122 (b) Except as provided in section 14-96q, flashing lights are prohibited  
123 on motor vehicles, except: (1) Red and yellow lights when used for the  
124 purpose of receiving or discharging students on school buses; (2) white  
125 lights that are located on the top rear of school buses; (3) when such  
126 lights are used as a means for indicating a right or left turn; [or] (4) when  
127 such lights are used in any manner to indicate (A) a disabled vehicle that  
128 is stopped in a hazardous location on the highway, or in close proximity  
129 thereto, (B) a motor vehicle that is unable to maintain the minimum  
130 speed of forty miles per hour on a limited access divided highway  
131 because of the grade of such highway, (C) a motor vehicle that is  
132 operating at such slow speed as to obstruct or endanger following traffic  
133 on any highway, or (D) a student transportation vehicle, as defined in  
134 section 14-212, accommodating fifteen or fewer students with  
135 disabilities that is receiving or discharging such students; or (5) red  
136 lights when used by a frozen dessert truck pursuant to section 4 of this

137 act. For the purpose of this subsection, [the term] "students with  
138 disabilities" means students who have intellectual disability, autism  
139 spectrum disorder, mental disability, visual impairment, blindness,  
140 deafness, speech impairment or orthopedic impairment, who are hard  
141 of hearing or who have another health impairment who, by reason  
142 thereof, require special education and related services, and "frozen  
143 dessert truck" has the same meanings as provided in section 1 of this act.

144 Sec. 7. Section 14-36e of the general statutes is repealed and the  
145 following is substituted in lieu thereof (*Effective October 1, 2021*):

146 Each local and regional board of education may provide a course of  
147 instruction in motor vehicle operation and highway safety on a  
148 secondary school level, which course (1) shall consist of not less than  
149 thirty clock hours of classroom instruction offered during or after school  
150 hours as said board of education, in its discretion, may provide,  
151 including instruction of not less than fifteen minutes concerning the  
152 responsibilities of an operator of a motor vehicle under (A) subsection  
153 (b) of section 14-223 and the penalty for a violation of the provisions of  
154 said subsection (b), and (B) section 2 of this act and the penalty for a  
155 violation of the provisions of said section, and (2) may include behind-  
156 the-wheel instruction of up to twenty clock hours. Said course shall be  
157 open to enrollment by any person between the ages of sixteen and  
158 eighteen, inclusive, who is a resident of the town or school district or  
159 whose parent, parents or legal guardian owns property taxable in such  
160 town or school district. Any such board of education may contract for  
161 such behind-the-wheel instruction with a licensed drivers' school.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	New section
Sec. 2	<i>October 1, 2021</i>	New section
Sec. 3	<i>October 1, 2021</i>	New section
Sec. 4	<i>October 1, 2021</i>	New section
Sec. 5	<i>October 1, 2021</i>	New section
Sec. 6	<i>July 1, 2021</i>	14-96p(b)

Sec. 7	October 1, 2021	14-36e
--------	-----------------	--------

**Statement of Legislative Commissioners:**

Section 6 was added to make changes in conformity with Section 4.

**KID**      *Joint Favorable Subst.*