General Assembly

Amendment

January Session, 2025

LCO No. **9972**

Offered by:
REP. HOWARD, 43rd Dist.

To: Subst. House Bill No. **7160** File No. 567 Cal. No. 352

(As Amended)

"AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE DEPARTMENT OF MOTOR VEHICLES AND CONCERNING PENALTIES FOR OPERATING A MOTOR VEHICLE AND VESSEL WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR ANY DRUG, PONTOON BOATS, TECHNICAL CORRECTIONS TO THE MOTOR VEHICLE STATUTES, VIDEO PRESENTATION UPON LICENSE RENEWAL AND THE SAFE DRIVING PRACTICES COURSE."

After the last section, add the following and renumber sections and internal references accordingly:

"Sec. 501. Section 14-222 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) (1) No person shall operate any motor vehicle upon any public highway of the state, or any road of any specially chartered municipal association or of any district organized under the provisions of chapter 105, a purpose of which is the construction and maintenance of roads

and sidewalks, or in any parking area for ten cars or more or upon any private road on which a speed limit has been established in accordance with the provisions of section 14-218a or section 14-307a or upon any school property recklessly, having regard to the width, traffic and use of such highway, road, school property or parking area, the intersection of streets and the weather conditions.

(2) The operation of a motor vehicle upon any such highway, road or parking area for ten cars or more at such a rate of speed as to endanger the life of any person other than the operator of such motor vehicle, or the operation, downgrade, upon any highway, of any motor vehicle with a commercial registration with the clutch or gears disengaged, or the operation knowingly of a motor vehicle with defective mechanism, shall constitute a violation of the provisions of this section.

(3) The operation of a motor vehicle upon any such highway, road or parking area for ten cars or more at a rate of speed greater than eighty-five miles per hour shall constitute a violation of the provisions of this section.

(4) The operation of a motor vehicle upon a limited access highway while engaged in any activity prohibited by section 14-296aa, as amended by this act, shall constitute a violation of the provisions of this section.

(b) Any person who violates any provision of this section (1) for the first offense, shall be fined not less than one hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days or be both fined and imprisoned, **[**for the first offense**]** except any person who violates any provision of this section while operating a motor vehicle within a highway work zone, as defined in section 14-212d, as amended by this act, shall be fined not more than five hundred dollars or imprisoned not more than three months or be both fined and imprisoned, and (2) for each subsequent offense, shall be fined not more than six hundred dollars or imprisoned not more than one year or be both fined and imprisoned.

Sec. 502. Section 14-296aa of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) For purposes of this section, the following terms have the following meanings:

(1) "Mobile telephone" means a cellular, analog, wireless or digital telephone capable of sending or receiving telephone communications without an access line for service.

(2) "Using" or "use" means (A) holding a hand-held mobile telephone to, or in the immediate proximity of, the user's ear, or (B) watching or playing a video on a mobile electronic device that is in full view of the operator in a normal driving position.

(3) "Hand-held mobile telephone" means a mobile telephone with 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.

(10) "Highway", "commercial motor vehicle" and "authorized emergency vehicle" have the same meanings as provided in section 14-1.

(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 hand-held 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 highway, except as provided in subparagraph (A) of subdivision (4) of subsection (b) of this section.

(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.**]**

(g) Any law enforcement officer who issues a summons for a violation of this section shall record on such summons the specific 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, 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 summons issued by such municipality. Each clerk of the Superior Court or the Chief Court Administrator, or any other official of the Superior Court designated by the Chief Court Administrator, shall, on or before the thirtieth day of January, April, July and October in each year, certify to the Comptroller the amount due for the previous quarter under this subsection to each municipality served by the office of the clerk or official.

(k) A record of any violation of this section shall appear on the driving history record or motor vehicle record, as defined in section 14-10, of any person who commits such violation, and the record of such violation shall be available to any motor vehicle insurer in accordance with the provisions of section 14-10.

(l) No person shall be subject to the prosecution for a violation of the provisions of this section and subsection (a) of section 14-222, as amended by this act, because of the same offense.

Sec. 503. Subsection (d) of section 14-283b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(d) (1) Any person who violates the provisions of subsection (b) of this section shall have committed an infraction, except that if such violation results in the injury of the operator or any occupant of an emergency vehicle, such person shall be fined not more than **[**two

thousand five hundred**]** ten thousand dollars and, if such violation results in the death of the operator or any occupant of an emergency vehicle, such person shall be fined not more than **[**ten**]** twenty thousand dollars.

(2) Any person who violates the provisions of subsection (c) of this section shall have committed an infraction.

Sec. 504. Subsection (f) of section 14-212d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(f) Upon conviction or a plea of guilty for committing the offense of aggravated endangerment of a highway worker, a person shall be subject to a fine of (1) not more than **[**five**]** ten thousand dollars if such offense results in serious physical injury to a highway worker, or (2) **[**ten**]** twenty thousand dollars if such offense results in the death of a highway worker, in addition to any other penalty authorized by law."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	*October 1, 2025*	14-222
Sec. 502	*October 1, 2025*	14-296aa
Sec. 503	*October 1, 2025*	14-283b(d)
Sec. 504	*October 1, 2025*	14-212d(f)