

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-66		1025	3	1	3
<u>Committee Pages:</u> <ul style="list-style-type: none"> • <i>Judiciary</i> 547 • <i>Judiciary</i> 556 • <i>Judiciary</i> 558 				<u>House Pages:</u> <ul style="list-style-type: none"> • 1195 	<u>Senate Pages:</u> <ul style="list-style-type: none"> • 649-651

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
PART 3
974-1450**

Tuesday, April 6, 1971

11.

roc

Senate Bill 1025, File 52 has not as of yet been acted upon.

MR. MAHANEY: (92nd)

I am sorry. I neglected to include that, Mr. Speaker. At this time, I would move then for the acceptance of the Joint Committee's favorable report and passage of the bill entitled Cal. 0236, Substitute for Senate Bill 1025, AN ACT CONCERNING THE RIGHT OF WAY ON LEFT TURNS as amended by Senate Amendment Schedule "A". File No. 52.

THE SPEAKER:

Is there any individual objection to this being considered now. If not, the question is on acceptance and passage. All those in favor indicate by saying AYE. Those opposed. The bill is PASSED.

Representative Prete from the 114th.

MR. PRETE: (114th)

Mr. Speaker, I move for suspension of the rules for the immediate consideration of the following resolutions on the Consent Calendar:

Cal. No. 268, House Resolution No. 56, Resolution EXTENDING CONDOLENCES ON THE DEATH OF NATHAN K. ALLISON OF GRANBY, FORMER STATE REPRESENTATIVE.

Cal. No. 269, House Joint Resolution No. 158, RESOLUTION EXPRESSING SYMPATHY ON THE DEATH OF EDWIN H. SHATTUCK.

I move the adoption of these resolutions.

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**CONNECTICUT
GENERAL ASSEMBLY**

SENATE

PROCEEDINGS

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PART 2

474-956

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amendment and the bill? Question is on the amendment. All those in favor of adopting the amendment signify by saying, "aye". Opposed, "nay". The ayes have it. The amendment is adopted.

SENATOR JACKSON:

Mr. President, the bill as amended, this spells out the power of the trial Judge to grant a non-suit where the plaintiff has failed to proceed and in addition, on a trial of an issue of fact in a civilized action, after the plaintiff has offered his evidence and rested, the defendant may move for a judgement and not lose the right to present evidence if his motion is denied.

THE CHAIR:

Question is on passage of the bill. All those in favor signify by saying "aye". Opposed, "nay". The ayes have it. The bill is passed.

THE CLERK:

CAL. NO. 40. FILE NO. 52. Favorable report of the Joint Standint Committee on Judiciary. Substitute for Senate Bill No. 1025. An Act Concerning the Right of Way on Left Turns.

SENATOR JACKSON:

Mr. President I move acceptance of the committees favorable report and passage of the bill. Clerk has an amendment.

THE CLERK:

SENATE AMENDMENT A: OFFERED BY SENATOR JACKSON:

Delete Line 8, 9 and 10 and insert in lieu thereof; the following:
Intersection or within the area formed by the extension of the lateral lines of the private alley, road or driveway, across the full length of the public highway with which it intersects or so close to such intersection of public

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highways or to the area formed by the extension of the lateral lines in said private alley, road or driveway across the full length of the public highway is to constitute an immediate hazard.

SENATOR JACKSON:

Mr. President, never underestimate the power of attorney to take four words and give some explanatory language.

THE CHAIR:

Would you explain the amendment, so the Chair may form an opinion as to whether or not, it is technical?

SENATOR JACKSON:

Mr. President, the original bill said or parallel to an alley or private driveway, the question was what does parallel to the driveway or alley mean. The additional verbage is to spell this out so that when you have the original bill, youre within an intersection. We know what within an intersection means but there was some fear that the people would not understand what parallel of the alley or private driveway meant. So the explanatory language is to show that you are within this intersecting lines as extended.

THE CHAIR:

The Chair will rule that it is a technical amendment. You may proceed.

SENATOR JACKSON:

Ther is no necessity to vote on the amendment?

THE CHAIR:

Yes, we have to vote on the amendment.

SENATOR JACKSON:

I would move the amendment.

THE CHAIR

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THE CHAIR:

Question is on the adoption of the amendment. All those in favor signify by saying, "aye". Opposed, "nay". The ayes have it. The amendment is carried.

SENATOR JACKSON:

Mr. President, the bill, as amended, changes our existing law to include the private driveway or alley in the left turn right-of-way statute. I think it spells out the situation if you are on a highway and you intend to make a left turn into an alley or private drive. It spells out when you have to yield to the vehicle approaching from the opposite direction. I urge its passage.

THE CHAIR:

Question is on passage of the bill. Will you remark further? All those in favor of passage of the bill signify their intention by saying, "aye". Opposed, "nay". The ayes have it. The bill is passed.

THE CLERK:

CAL. NO. 59. FILE NO. 16 Favorable report of the joint committee on Banks and Regulated Activities. Substitute for House Bill No. 7197. An Act Concerning the Wallingford Transit District. (As Amended by House Amendment Schedule A). Passed temporarily.

CAL. NO. 65. FILE NO. 77. Favorable report of the joint committee on Judiciary. Substitute for Senate Bill No. 497. An Act Concerning Youthful Offenders.

SENATOR JACKSON:

I move for acceptance of the joint committee's favorable report and passage of the bill.

**JOINT
STANDING
COMMITTEE
HEARINGS**

JUDICIARY

**PART 2
393-688**

1971

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TUESDAY

JUDICIARY COMMITTEE

MARCH 2, 1971

Lt. Griffin: (cont'd) We would like to go on record as being in favor of S.B.#1025.

S.B.#1025 - AN ACT CONCERNING RESTRICTED TURNS, U-TURNS AND STOPPING ON HIGHWAYS AND SIGNALS THEREFOR.

This also would bring Connecticut Motor Vehicle Traffic laws into conformity with the uniform vehicle code as regards left turns.

S.B.#1095 - AN ACT CONCERNING THE OPERATION OF A VEHICLE WHILE THE ABILITY TO SO OPERATE IS IMPAIRED.

The State Police Department is in favor of this bill. At the present time there is no provision in the statute to prohibit an individual from operating a motor vehicle when his ability to operate is impaired by use of alcohol or drugs. The present statutes provide that it is illegal to drive a vehicle in the state if the blood alcohol level is .15% or above. The legislature, legislation has been submitted lowering the blood alcohol level to .10% for presumptive evidence that the subject is under the influence. In the event that the blood level is lower than .10 of 1% no provision is made for prima face case of the accused was in violation of any law or a danger on a public highway. This proposed bill makes operating a motor vehicle while the blood alcohol level is .05 and .10% a violation of operating while the ability to operate is impaired. The penalty is not as severe as that for operating while under the influence of liquor. The bill is intended to prevent those persons who drink enough so that it effects their motor vehicle operation but not enough to reach a presumptive blood alcohol level from driving on a public highway with the usual attendant hazard for those using the highway at the same time.

The State Police Department is in favor of S.B.#1096.

S.B.#1096 - AN ACT CONCERNING IMPLIED CONSENT TO TESTS IN ARRESTS FOR OPERATING A MOTOR VEHICLE UNDER THE INFLUENCE.

We're also in favor, gentlemen, of S.B.#1097.

S.B.#1097 - AN ACT CONCERNING THE TAKING OF BLOOD SAMPLES IN CONNECTION WITH FATAL MOTOR VEHICLE ACCIDENTS.

And last the State Police Department is in favor of S.B.#1101.

S.B.#1101 - AN ACT CONCERNING THE OPERATION OF A MOTOR VEHICLE WHILE THE INFLUENCE OF LIQUOR OR DRUGS.

This provides for reducing the blood alcohol level from

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22.

TUESDAY

JUDICIARY COMMITTEE

MARCH 2, 1971

Sen. Jackson: Anthony Mancuso.

Mr. Mancuso: Mr. Chairman, Members of the Committee: My name is Anthony Mancuso. And I'm here on behalf of the State Traffic Commission. They are in favor of bill #6649.

H.B.#6649 - AN ACT CONCERNING SPEEDING

This bill would provide for meaningful and enforceable signs being erected on both the state highways and the town roads. And these signs would be so placed by an engineering survey which would be conducted by the State Traffic Commission through the Department of Transportation.

And in the same vein we're opposed to H.B.#6649 which provides for an increment of 5 miles an hour and the present maximum speed limit from 70-75.

We also wish to speak in favor of bill #7413 and #1025.

H.B.#7413 - AN ACT CONCERNING THE RIGHT OF WAY AT STOP SIGNS

S.B.#1025 - AN ACT CONCERNING RESTRICTED TURNS, U-TURNS AND STOPPING ON HIGHWAYS AND SIGNALS THEREFOR.

These two bills provide and establish the responsibility of the driver at an intersection. And they are based on a national uniform vehicle code.

Thank you.

Sen. Jackson: Thank you very much. Edward Carroll.

Mr. Carroll: Mr. Chairman, Members of the Judiciary Committee: I'm Edward Carroll, representing the Department of Motor Vehicles. Yesterday, Robert C. Leuba was sworn in as Commissioner of Motor Vehicles. Commissioner Leuba has not had sufficient time to review the bills which this Committee is concerned this morning. Therefore, he has directed me to ask permission of the Committee to submit written testimony regarding these bills at a later date. Commissioner Leuba did instruct me to inform the Committee that the Department of Motor Vehicles will favor legislation calling for the lowering of the blood alcohol level to .10 as being prima facie evidence that an operator was driving under the influence. Also the Department will oppose H.B.#5862

H.B.#5862 - AN ACT CONCERNING THE SUSPENSION OR REVOCATION OF MOTOR VEHICLE REGISTRATIONS AND LICENSES.

Which would require a department hearing before any suspension action is taken except in cases where the law provides for mandatory suspension. This measure will be

TUESDAY

JUDICIARY COMMITTEE

MARCH 2, 1971

Mr. Adint: (cont'd) Just a little background on the next four bills. Two years ago, a Legislative subcommittee met and reviewed many of the our motor vehicles statutes to see how closely we conform with the uniform vehicle code. Many of our laws differ in form. Some were in partial conformity but these are the four areas that are being heard today that we felt changes should be made. And I'm speaking in favor of these four bills.

S.B.#1022- AN ACT CONCERNING STOPPING OR MOTOR VEHICLES AT RAILROAD CROSSINGS

This concerns the vehicles transporting school children and carrying explosive substances requiring that as they are crossing a railroad track that they would not shift gears.

S.B.#1023 - AN ACT CONCERNING HAND SIGNALS BY MOTORISTS

To amend our present hand signal law. As Lt. Griffin has said Connecticut, I believe, is one of one or two states that does not comply with the uniform vehicle code. Most of the other states have. And I would like to point out a slight error on #1023, Section 2, which reads Section 14-246 of the General Statute is repealed. This Section 2 is in error on this bill and should not be there. Section 2 will be repeated in another bill but it should not appear here under this bill.

S.B.#1025 - AN ACT CONCERNING RESTRICTED TURNS, U-TURNS AND STOPPING ON HIGHWAYS AND SIGNALS THEREFOR

This concerns the right of way for a vehicle intending to turn left within an intersection. The previous law simply stated intersection. The uniform code adds a left turn at an intersection, alley, private road or drive way.

S.B.#1102 - AN ACT CONCERNING RECKLESS DRIVING

This would put a little more substance to our present reckless driving law in that it will add "not only endangering life but also endangering property" and it will delete the phrase "other than the occupant of such motor vehicle" so that no matter whose life the driver endangers it will be considered reckless driving if he is driving so recklessly.

I would also like to submit position papers on the next four bills but I would like to go over some of the salient points of each bill. And I speak in favor of all four of these bills.