

Legislative History for Connecticut Act

SB 699 P.A. 292 1993

Sen: 1523-1543, 4484-4495 (32)

Rep: 3423-3424, 9907-9958 (54)

CHILDREN: 553-556, 567, 572, 593-97,
608-615, 627-641, 644-45,
1303-1307 (41)

TOTAL ~~88~~ 88

Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate
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PART 5

1465-1848

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1051.

Calendar Page 27, Calendar No. 84, Substitute for
Senate Bill 294.

Madam President, that completes the first Consent
Calendar.

THE CHAIR:

Thank you very much, Mr. Clerk. You've heard the
items that have been placed on the Consent Calendar.
The machine is on. You may record your vote.

Have all Senators voted and have your votes been
properly recorded? Have all Senators voted and have
your votes been properly recorded? The machine is
closed.

The result of the vote:

36 Yea

0 Nay

0 Absent

The Consent Calendar for today, No. 1, has been
adopted.

Mr. Clerk.

THE CLERK:

Calendar Page 11, Calendar No. 238, File No. 356,
Substitute for Senate Bill 699, AN ACT CONCERNING
BICYCLE HELMETS FOR CHILDREN.

Favorable Report of the Committee on

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Transportation.

THE CHAIR:

Is Senator Meotti here? Yes, with his helmet. The Chair would recognize Senator Meotti.

SENATOR MEOTTI:

Thank you, Madam President. I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

Thank you very much, Senator. Do you wish to remark further?

SENATOR MEOTTI:

First, if there are any amendments bearing my name, I'd ask that they be withdrawn.

THE CLERK:

There are no amendments, Madam President.

SENATOR MEOTTI:

Madam President, this bill would require that children under the age of 16 while on a bicycle on a public highway in the State of Connecticut wear a protective headgear or helmet that complies with standards established by the American National Standards Institute dealing with this type of protective safety headgear.

This is another issue similar to the one we dealt

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with last week that we think addresses a serious safety concern for young children, in fact, for people of all ages in the State of Connecticut. There is an extensive record of accidents and fatalities in the State of Connecticut and the United States with children on bicycles. Five hundred to six hundred children and adolescents under 20 are killed every year while bicycling. In the State of Connecticut an average of about five annually, hundreds, 500 or more admitted to hospitals each year. A good number of these are motor vehicle-related and the simple fact of the matter is, is that on a bicycle, one does not have the same type of protective surroundings that one does in the standard motor vehicle.

You are not in a vehicle that can absorb the impact of a light or low speed accident of say, 20 to 25 miles an hour. At that speed, what could be a minor accident in a car becomes a serious, life threatening, if not fatal accident to someone on a bike who is thrown from the bike and very frequently has and sustains some type of serious brain injury, if not traumatic brain injury, which is not only a great personal and family crisis, but also in many instances leads to extraordinary costs for medical care and sustains support throughout the lifetime of the victim which does become a cost that

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all of us in society bears. For the minimal cost of an investment in a bicycle helmet, many, many, many of these injuries can be prevented in the State of Connecticut.

There are groups in the manufacturing field and also the medical field and the rest who are eagerly developing public awareness programs and are also fostering the availability of bicycle helmets at very, very low cost for children throughout the State of Connecticut. In fact, we just recently checked as recently as a week ago and we were able to find that in the just general availability for sale right now are bicycle helmets for young children that are under \$20 each.

We think it is a very, very wise investment on the part of parents and guardians to protect their children and we think this step is a very wise part of the state's strategy to reduce the tragedy of these accidents and reduces the costs that society bears for the injuries that flow from them.

THE CHAIR:

Thank you very much. The Chair would recognize Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam President. Let me thank Senator

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Meotti for his leadership in bringing this bill here. Let me also acknowledge the work on this issue of Senator Upson who has also I think helped to focus concern in an area that needs to have concern.

I'm not going to repeat all the wonderful things and the good evidence and the strong evidence that Senator Meotti has offered. I'm going to cite one statistic and one statistic only, that lifetime care, lifetime care for a child sustaining traumatic brain injury is estimated to cost by Connecticut statistics \$4.5 million, lifetime care. Forget the tragedy even of what that means for the child and the family -- and the lost potential. Think about what the means for each and every one of us in terms of the cost that we pay for a cheaply and easily and simply avoidable injury that is more and more the practice, in addition to which one of the facts that is abundantly clear from the other jurisdictions that have moved in this direction is that even the simple passage of a law which indicates the need for this compliance results in significant compliance just in and of itself.

This is a simple step. It is a low cost and it is a lifetime, literally a lifetime of savings.

THE CHAIR:

Thank you very much, Senator Sullivan. The Chair

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would recognize Senator Upson.

SENATOR UPSON:

Yes, I also would like to thank both Senator Meotti and Senator Sullivan. I think this is an important step. We recognize that with helmets for persons 17 and under for motorcyclists and now I think this is an appropriate safety device for children who ride bicycles and I don't think this is a party question or a conservative versus liberal. It's savings lives, it's an economic question and I think that's what Senator Sullivan just talked about.

I urge everyone's support. Thank you.

THE CHAIR:

Thank you very much. Senator Scarpetti.

SENATOR SCARPETTI:

Thank you, Madam President. Madam President, I'd like to direct a question to Senator Meotti, if I may.

THE CHAIR:

Certainly.

SENATOR SCARPETTI:

Senator Meotti, you're talking about children that ride their bicycles on sidewalks?

THE CHAIR:

Senator Meotti.

SENATOR SCARPETTI:

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Streets? Because cars do not go on sidewalks where automobile accidents do occur -- or can't occur.

THE CHAIR:

Are you directing your question to Senator Meotti, Senator Scarpetti?

SENATOR SCARPETTI:

Yes, I am, Madam President, I'm sorry.

THE CHAIR:

Through the Chair.

SENATOR SCARPETTI:

Through the Chair, I'm sorry.

THE CHAIR:

Senator Meotti.

SENATOR MEOTTI:

Through you, Madam President, the requirement extends to the public highway and while I know that sometimes with very young children and neighborhoods that do have sidewalks, we do tend to develop different behavior patterns. It is really not recommended that one rides a bicycle on a sidewalk.

SENATOR SCARPETTI:

In a --. Through the Chair.

SENATOR MEOTTI:

But in any event, the legal requirement of the bill before us today relates to a "public highway" which

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means the roads and streets and byways, whatever, of the State of Connecticut and it's municipalities.

THE CHAIR:

Thank you, Senator Meotti. Senator Scarpetti.

SENATOR SCARPETTI:

Yes, through you, Madam President, I do know like in cities like Bridgeport, Hartford, we do have sidewalks and children, four, five, six, seven, eight years old, whatever age, do ride on the sidewalks. Are these children going to be required to wear helmets?

THE CHAIR:

Senator Meotti.

SENATOR MEOTTI:

Through you, Madam President, again, I can only tell you that the bill that is before us requires that they be worn when the bicycle is operated on a public highway.

THE CHAIR:

Senator Scarpetti.

SENATOR SCARPETTI:

So that, through you, Madam Chairman -- I just want to clarify something, if I may, Madam Chairman, through you, again, if a child is on a sidewalk in a city or a town that has sidewalks, they are not required to wear helmets. I'm sorry, Senator. Through you, Madam

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Chair.

THE CHAIR:

Senator.

SENATOR MEOTTI:

Madam President, I can't give the Senator a specific answer as to how someone is going to interpret whether or not the sidewalk in their given community is part of the public highway. I don't believe that this -- the way it is written, public highway, would encompass the sidewalk.

However, as I indicated, I don't believe it is appropriate to be operating vehicles of any kind, though I know it is done different for very young children when they're first starting riding their bikes, but it is not actually considered to be an appropriate behavior to ride a bicycle on a sidewalk.

SENATOR SCARPETTI:

Thank you. Madam President.

THE CHAIR:

Senator Scarpetti.

SENATOR SCARPETTI:

I did not support this bill in committee and I don't support it now. This is a motherhood and apple pie bill. I am not against helping children, protecting children, but I have four children and four

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grandchildren and I do know that they've fallen off bikes. They've broken an arm. You know, a helmet is not going to help them.

I think that the parents should take some responsibility. I think we've reached a point where we're going to legislate everything. I think when a parent buys a bicycle for a child or if a young adult buys a bicycle, he should have sense enough to buy a helmet and I don't think that we should legislate -- we're legislating everything. I think we're taking the responsibility much too often, many times away from parents.

The parents have to realize they do have some responsibility, Madam Chair. So again, I am not against protecting children, but I do think we have reached a point where parents do have to take some responsibility, so I'm not going to support this. Thank you, Madam Chair.

THE CHAIR:

Thank you very much, Senator Scarpetti. The Chair would recognize Senator Mustone.

SENATOR MUSTONE:

Thank you, Madam President. I'd like to associate myself with the remarks made by Senators Meotti, Sullivan and Upson. This bill emanated in the Select

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Committee on Children. It has really three components. There is no fine in the bill because we realize that there are many people out there who have a number of children with used bicycles and can't afford perhaps to buy four or five \$25 helmets. So that was the reason that the fine was withdrawn from the bill.

Rental agencies that rent bicycles, for instance, would be required to provide a helmet. And the third part of the bill, Section 3 of the bill, provides for the Department of Consumer Protection to do an education. This is symbolic. There is no fine attached to it, but I spoke with a group of seventh graders here this morning in the Chamber and asked for a show of hands and about half of them wear helmets while riding bicycles.

So it's a case of children wanting to mimic other children. It's a holistic way of looking at it, to prevent traumatic brain injuries or serious brain injuries and I hope that the Senate will see fit to certainly pass this piece of legislation. Thank you, Madam President.

THE CHAIR:

Thank you very much, Senator Mustone. Senator Freedman.

SENATOR FREEDMAN:

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Thank you, Madam President. Through you, a question to Senator Meotti. I notice that Consumer Protection will be the agency to go out and make people aware of this. I'm not wondering if we cannot get the Connecticut Motor Club, the various Police Departments and other agencies involved in developing the better habits of bicycle riding and I guess my question is, through you, Madam President, was any of this considered as the legislation was being developed?

THE CHAIR:

Senator Meotti.

SENATOR MEOTTI:

Yes, Madam President, through you, absolutely. The Department of Consumer Protection was designated as the coordinating or official home within the state structure for this type of an operation. I expect from the discussion I've had and I know that you, Senator, have been a party to meetings with some of these people.

There is substantial interest on the part of groups like the Junior Women's Club, some of the other safety-oriented professional groups and also a new bicycling safety group that's being formed among a wide variety of groups in the State of Connecticut to promote issues addressing bicycle safety and helmet use

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will be first and foremost among them, but we wanted to designate one state agency as sort of the homing place for them if need be.

SENATOR FREEDMAN:

The biking place. Thank you, Senator Meotti. I am a bicyclist. I was as a child. I was never allowed to ride the bicycle on the sidewalk because I believe the rules were that you had to ride on the street going with traffic. I certainly made the comment to my colleagues a few minutes maybe if I had worn a helmet, I wouldn't be up here today, but I do believe it's an activity that is a lifetime activity and for us to start training children at a young age to be cautious and the helmet is not going to interfere with their activity.

As Senator Sullivan made the remarks, we could be saving a potentially great deal of money in terms of the types of injuries sustained by a bicycle accident. I rise in support of the bill and I would hope that my colleagues will become aware that at the end of this month there is going to be a conference specifically on bicycle safety, expansion of bicycle paths, use of helmets, which involves legislators, the Connecticut Motor Club, citizens, many various groups that use bicycles in this state so that our state has a foot

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forward on bicycle safety.

I would urge support of this bill. Thank you.

THE CHAIR:

Thank you very much. Would anybody else wish to
remark? Senator Kissel.

SENATOR KISSEL:

Through you, Madam President, a question to the
proponent of the bill.

THE CHAIR:

Yes, sir.

SENATOR KISSEL:

Let's say a police officer comes across four
children riding their bicycles in front of their
parents' house, it's a cul-de-sac, what type of
penalties are envisioned by this legislation?

THE CHAIR:

Senator Meotti.

SENATOR MEOTTI:

Through you, Madam President, there would be no
fine for a violation. It would be envisioned a
circumstance that where a police officer was able to
see a violation, that the police officer would be able
to stop the youngsters and just tell them that they're
required to have a bicycle helmet. They should speak
to their -- in fact, probably then if the police

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officer wanted to, could use one of the groups in the community to communicate back to the parents on the issue of the safety issues concerned and could use that as an opportunity for education and promotion of this safety feature, but there is no fine or violation as such.

THE CHAIR:

Thank you very much, Senator. Senator Kissel.

SENATOR KISSEL:

I'd like to associate myself with the remarks by Senator Lee Scarpetti and I do not take that position lightly whatsoever. I know there is a disagreement here on the floor and there's a great amount of proponents of this measure and I certainly don't take it lightly, nor do I speak for the purpose of hearing myself speak.

I think when we're dealing with children's health, the utmost care should be taken, but there's also the need to allow parents to take that responsibility which has been given to them by virtue of their being parents in the first instance.

We're talking about children below the age of 16, and then to my mind, at 16 years some miracle happens and these children now can get behind the wheel of a car if they pass the Department of Motor Vehicle test

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and yet if they're 15 years old, they're supposed to be wearing a bicycle helmet by law.

The ability to develop is a progression, so although I consider the ramifications of injuries quite serious, I think this is another measure where we have to defer to the sound judgment and discretion of parents. It'll depend on where they live, what the neighborhood is like, their own ability to supervise, whatever neighbor children comes over to play. All of these factors are things that should go into the decisions made by the parents and when we legislate these requirements, my concern is, is that we are entering into a domain where we should be educating rather than legislating. We should make it a situation where parents want to do this, but not mandating that they have to do this.

And until we have exhausted all means of education, then we should not impose it upon them from here. So I acknowledge the very serious ramifications of this. I do not take it lightly, none the less, I cannot support this measure.

THE CHAIR:

Thank you very much. Would anybody else wish to remark? Senator Gunther.

SENATOR GUNTHER:

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Madam President, I rise a little on mixed emotions because of the paternalistic part of this bill. I think that the educational portion of the bill is something that is probably needed and we really don't need paper tiger laws to take and put on the books that take and demand that parents, and of course I love the language here. It must have been a lawyer that wrote this -- knowingly allows their children to go without helmets.

The other part of the bill which has a rental of bicycles, and I take it, incidentally, the terminology saying bicycle means that a person or any child that's under 16 that rides a tricycle is eliminated from requiring a helmet. I suppose that's because they believe the stability of a tricycle is better than that of a bicycle, but nonetheless, the child falling of a tricycle and hitting his head could be as open for TBI as what a bicycle could be.

And if we wanted to be totally paternalistic we could take it and say, should be the tricycle in there, but here's the rental guy out there, anybody under 16 he has to have a protective helmet, but God bless you, you pass the age of 16 and he doesn't have to have a helmet for you, even if you wanted one, and he isn't required.

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Frankly, I think that the one section of the bill that requires the education is the thing that we ought to be doing up here. If you want to pass a bill that says let's educate the people in the State of Connecticut, let's get these kids with helmets on, and you know, Madam President, back a few years ago when we were arguing on the motorcycle bill, I had an amendment that suggested we wear helmets in cars because TBI doesn't occur just on the bicycle riders and that type of thing. There's plenty of it in the operation of an automobile, and of course, somebody, in fact I've had some editorial writers, think it was a joke that I said that, but by God, I'll tell you, go out and watch the racers that are going around the track and they have enough brains to put a helmet on and they're the best drivers in the world.

So I'd like the educational portion of this, but supporting the rest of it, I think is one of our paternalistic moves that we do here so many times. I don't know if we'll build on this if it does pass. Next year it might be mandatory. There might be penalties in it and this is usually the camel's head in the tent, so I will oppose it, but I do think the education and that is proper. I think we've improved the knowledge in motorcycle riding, we're requiring

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people to take testing and we actually instruct them under the proper circumstances to wear helmets, but again, when we pass a bill that says you've got to do something or mandates it all, many times you have the people going out there and saying the hell with this, I'm going to do what I want to.

So I think your education portion is very good, Senator. I think that there is definitely concern on everybody's part, but I think, again, this is a paper tiger in the major part of the bill and the only part that I really feel should be out there is the Consumer Protection or some agency educating young people and their parents to wear helmets.

THE CHAIR:

Thank you very much, Senator Gunther. Senator DeLuca.

SENATOR DELUCA:

Thank you. Thank you, Madam President. I also have mixed emotions on this bill. I'm very much in favor of safety and preventing traumatic injury to children or any person, but I -- and I also endorse the part of the bill to afford education and to educate children properly on how to act, but I can't help but notice that at age 15 or 15 and three-quarters a child riding a bicycle will have to wear a helmet, but after

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reaching the magical age of 16, maybe one months, two months later and they get -- pass the test and get a license to drive an automobile, that he can also get a test to drive a motorcycle and then they won't need a helmet.

They can go 50 to 70 miles an hour without a helmet, but if they go two to five miles an hour on a bicycle, they will three weeks before or three months before.

So I think that if we're going to take about safety and traumatic injury and the numbers of people that are injured, we should take into consideration the ability to pass legislation for helmets on motorcycles, which in my opinion, are far more dangerous than a bicycle although anyone injured is equally important. So I think, if I repeat -- I don't want to repeat all of the discussion from last week, but we did have hearings on helmets for motorcycles and that bill is not before us and I think this one is important, but I think the other one is equally important. Thank you.

THE CHAIR:

Thank you very much. Would anybody else wish to remark on Senate Calendar No. 238? Are there any further remarks? If not, Mr. Clerk, would you please make the necessary announcement for a roll call vote.

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THE CLERK:

An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber. An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

Thank you very much, Mr. Clerk. The issue before the Chamber is Senate Calendar No. 238, Senate Bill No. 699. The machine is on. You may record your vote.

Is Senator Przybysz here? Have all Senators voted and are your votes properly recorded? Have all Senators voted and are your votes properly recorded? The machine is closed.

The result of the vote:

29 Yea

7 Nay

0 Absent

The bill passes.

(TERRY ENDS)

THE CLERK:

Calendar Page 16, Calendar No. 264, File No. 404, Substitute for Senate Bill 862, AN ACT CONCERNING THE WITNESS FEE OF THE CHIEF MEDICAL EXAMINER.

Favorable Report of the Committee on Finance,

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Revenue and Bonding.

THE CHAIR:

Thank you very much. Is Senator Maloney here?

SENATOR PRZYBYSZ:

Madam President.

THE CHAIR:

Yes, Senator Przybysz.

SENATOR PRZYBYSZ:

Thank you. I move acceptance of the Joint Committee's Favorable Report of the bill.

LAUGHTER

And ask for your indulgence.

THE CHAIR:

And take a deep breath, Senator.

SENATOR PRZYBYSZ:

I move acceptance of the Joint Committee's Favorable Bill and passage of the bill.

THE CHAIR:

Thank you very much. Mr. Clerk, do you have any amendments for this bill?

THE CLERK:

No amendments, Madam President. Would you wish to remark further, Senator Przybysz.

SENATOR PRZYBYSZ:

Thank you, Madam President. What this bill does is

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Thank you very much. Would anybody else wish to remark on Senate Calendar 149, Substitute for Senate Bill 918, as amended? Are there any further remarks? If not, Senator, would you like to make a motion to place this on the Consent Calendar?

SENATOR LOONEY:

Yes, Madam President, I would. If there is no objection, I would ask that this matter be put on the Consent Calendar.

THE CHAIR:

Thank you very much. Is there any objection to placing Senate Calendar 149, Substitute for Senate Bill 918 on the Consent Calendar? Is there any objection? Hearing none, it is so ordered.

THE CLERK:

Calendar Page 20, Calendar No. 238, File No. 1025, Substitute for Senate Bill 699, AN ACT CONCERNING BICYCLE HELMETS FOR CHILDREN. (As amended by House Amendment Schedule "A").

Favorable Report of the Committee on Judiciary.

THE CHAIR:

The Chair would recognize Senator Meotti.

SENATOR MEOTTI:

Thank you, Madam President. I move acceptance of the Joint Committee's Favorable Report and passage of

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the bill in accordance with the House.

THE CHAIR: ~~161~~

Thank you very much, Senator. Do you wish to remark further?

SENATOR MEOTTI:

Yes, Madam President. This is our second visitation of this issue and the bill contains a number of other points, but quickly, this will apply to children under the age of 12. It also requires the availability of helmets when renting bicycles to children under the age of 16 and adopts federal standards on child restraint systems for automobiles and allows police officers operating a bicycle in response to an emergency call to be exempt from certain limitations on bicycle use on state highways.

THE CHAIR:

Thank you very much. Would anybody else wish to remark on Senate Calendar 238? Are there any further remarks? If not, Senator, would you like to make a motion, if there's no objection, to place this item on the Consent Calendar?

SENATOR MEOTTI:

I so move, Madam President. Thank you very much. Is there any objection to placing Senate Calendar 238, Substitute for Senate Bill 699, as amended, on the

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Consent Calendar. Is there any objection?

SENATOR ANISKOVICH:

Madam President.

THE CHAIR:

Senator Aniskovich.

SENATOR ANISKOVICH:

There is an objection to a Consent Calendar on that.

THE CHAIR:

Thank you very much. Any further remarks? Senator Robertson.

SENATOR ROBERTSON:

Yes, Madam President, a question, through you, to Senator Meotti. Senator Meotti, could you possibly tell me what the average cost is for a bicycle helmet?

THE CHAIR:

Senator Meotti.

SENATOR MEOTTI:

Through you, Madam President, I can't attempt to answer the question what the average cost might be, but for a children's helmet, I've seen them for sale under \$20 in the State of Connecticut and there are also programs under which a number of manufacturers are involved in making such helmets available to children from disadvantaged backgrounds for even less than that.

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THE CHAIR: Meotti

Senator Robertson.

SENATOR ROBERTSON: Madam President,

Madam President, I thank you. I thank Senator Meotti. That's my only concern. It seems to me if someone who is economically disadvantaged, it would be a shame for them not to be able to ride a bicycle because they couldn't afford a helmet.

THE CHAIR:

Any other remarks on Senate Calendar 238? Senator Kissel.

SENATOR KISSEL:

Yes, Madam President, a question to the proponent, and I apologize for having missed some of this, being out of the room and being spoken to about something else. My concern regarding this bill was that it would have an adverse impact. My concern primarily was when you have things regarding this -- regarding young children, that's fine, well and good, but as children get older, they use nearly everything as a means of assuring independence with their parents and I'm just wondering if you could just -- for my own benefit a little bit again, give me the prescriptions regarding the age this is going to impact.

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you, Senator Meotti.

SENATOR MEOTTI:

Through you, Madam President, it's under the age of 12.

SENATOR KISSEL:

So, through you, Madam President, as a point of clarification, 13, 14, 15, 16, this is not going to affect them?

THE CHAIR:

Senator Meotti.

SENATOR MEOTTI:

I'm sorry, I can't -- Well, math was not my strongest point, but yes, in fact -- as a matter of fact, my reading of this would be that once you achieve your 12th birthday, as a matter of fact, the law would not apply to you. It's under -- under the age of 12.

SENATOR KISSEL:

Okay. And, through you, Madam President, just in response to, I believe it was last week we amended the horse bill to -- and it had an amendment regarding bicycle helmets. Does that work with this bill? Are we talking about the same one? I think what that did was that absolved parents from civil liability if they did not -- if their children did not have a bicycle helmet on. I just need to have that clarified, through

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you, Madam President.

THE CHAIR:

Senator Meotti. It is a requirement of the law
SENATOR MEOTTI: by enactment that we create it to be a

Madam President, it's difficult for me to answer a question about legislation that we enacted when unfortunately it was described as a horse bill, but what I believe might be being referred to was language which would say that had been present in some of the other drafts of this bill that the failure to use a bicycle helmet would not be admissible in a civil action as contributory negligence and I can only guess that that is what the Senator is referring to because I believe that is the approach and it would be completely consistent with this language to have that even on a separate bill.

SENATOR KISSEL:

Yes, and through you, Madam President, I apologize if I wasn't as succinct and clear with the question, but that's exactly what I was driving at. And again, for my own edification, is this a mandate to parents, that they are required, for children up to 12 years, their 12th birthday, that they have to wear these bicycle helmets?

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Senator Meotti.

SENATOR MEOTTI:

Madam President, it is a requirement of the law, however, the only sanction that we create is to permit a law enforcement officer to issue a verbal warning to the parent or guardian.

THE CHAIR:

Thank you, Senator Meotti. Senator Kissel.

SENATOR KISSEL:

And through you, Madam President, to the proponent, let's say the police officer sees the kid on the side of the road, the kid is 10 years old, goes to the child's home, issues the warning and let's say the parent just doesn't want to comply with this law, I mean with repeated violation, is there any enhanced penalty or is that simply the end of the road, that's the extent of the penalty, through you, Madam President?

THE CHAIR:

Senator Meotti.

SENATOR MEOTTI:

Madam President, what I described earlier is the only penalty, the only sanction provided for in this bill would be the verbal warning to the parent or guardian.

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THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

That's the extent of my questions, but as a statement, what I had said very much earlier in this Chamber was that I had a concern with this particular law. It's been significantly changed to allow parents a lot more leeway.

I still get concerned when we are essentially telling parents how to raise their kids. They know what kind of neighborhoods they live in. They know what kinds of roads there are. They know what kind of dangers exist, and as a practical matter, I think the ramifications of this bill are relatively minimal.

Nonetheless, if I were a parent, I might be offended to have a police officer come knocking on my door and say there's a law and your 10 year old is driving around without a bicycle helmet and you should actually go out there and get your child a bicycle helmet because fundamentally when parents have children they are entrusted with making hundreds of decisions on a weekly basis regarding that child's welfare, whether it's what kind of food that child is going to eat, how much television that child is going to watch, where that child is going to go to play, who the babysitters

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are going to be in that child's house and despite the fact that this bill takes away those initial concerns that I have, I guess as a matter of fundamental philosophical difference, I'm going to have to just voice my own personal objection to this, not because I don't feel the goals aren't laudable, but because I just feel that we should draw a line in the sand and allow parents to make certain decisions. We can certainly recommend to them, but I just feel that it's a step too far to have police officers taking out time of their day when we have so much other crime, to go and tell parents that their ten year old should be wearing a bicycle helmet and really there comes a time when you just have to let parents be parents and hope that they make the very best decision possible regarding the welfare of their children. Thank you, Madam President.

THE CHAIR:

Thank you very much, Senator Kissel. The Chair would recognize Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam President. It may very well be that we can draw a line in the sand and I would hope that we would worry about the child's blood that might be in that sand.

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What this bill says is it's time to remind the parent before it's too late, not to tell them that they should have thought about the bicycle helmet before the child has had the injury, has had the accident, has potentially been killed and I think that that's the reason why the amendment was drafted in the way it was, that it places someone in the position of authority, in a position to carry that message back to a parent to simply say, and by the way, if you really want to protect your kid's life while they're out there on that bicycle out in the street, wear a helmet because it will protect that child's life. It will protect that child for the rest of their lives.

I don't find that offensive. I find that to be incredibly caring and thoughtful and the kind of thing we ought to be doing and I'm very pleased this bill is back here and I want to commend those who have worked on it to make something more workable as it comes to us here today.

So I thank Senator Meotti for the effort that has gone into this. I would hope that we would pass it today.

THE CHAIR:

Thank you very much. Senator Upson.

SENATOR UPSON:

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~~Chair~~ Yes, I rise too also to support this bill. It's not exactly what I wanted. Nothing ever is up here. We started out banning motorcycle helmets, I mean now we allow them through 17 years old and under. I wanted to make sure that was true with anyone that rode a motorcycle.

The same thing was true today for children riding bicycles 17 and under should have to wear a helmet, just like is true with motorcycles. Now they've compromised it down to 12 years old for bicycles -- not motorcycles, excuse me.

So the fact that we've amended it a little further, at least 12 years old and under will be protected while they're riding bicycles and I feel that, yes, it's an impingement on freedom and all these other things, but it's also safety and life and the cost to the state. So I rise in support. Thank you.

THE CHAIR:

Thank you, Senator Upson. Anybody else wish to remark on Senate Calendar 238? Are there any further remarks? If not, Mr. Clerk, would you please make the necessary announcement for a roll call vote.

THE CLERK:

An immediate roll call has been ordered in the Senate. Will all Senators please return to the

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Chamber. An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

Thank you very much, Mr. Clerk. The issue before the Chamber is Senate Calendar 238, Substitute for Senate Bill 699, as amended. The machine is on. You may record your vote.

Senator Balducci. Senator Daily. Have all Senators voted and are your votes properly recorded? Have all Senators voted and are your votes properly recorded? The machine is closed.

The result of the vote:

30	Yea
6	Nay
0	Absent

The bill passes.

THE CLERK:

Calendar Page 21, Calendar No. 315, File No. 520, Senate Bill No. 207, AN ACT CONCERNING LIABILITY FOR DAMAGES OF POLITICAL SUBDIVISIONS OF THE STATE. (As amended by Senate Amendment Schedule "A").

Favorable Report of the Committee on Appropriations.

The House rejected Senate Amendment Schedule "A" on

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DEPUTY SPEAKER LYONS:

The question before us is on referral to Legislative Management. Is there objection? Hearing none, so ordered.

CLERK:

Page 13, Calendar 419, Substitute for Senate Bill Number 1055, AN ACT CONCERNING MEDICARE SUPPLEMENT POLICIES, as amended by Senate Amendment Schedule "A". Favorable Report of the Committee on Insurance and Real Estate.

DEPUTY SPEAKER LYONS:

Representative Luby.

REP. LUBY: (82nd)

I move that that matter be referred to the Committee on Public Health.

DEPUTY SPEAKER LYONS:

The question before us is on referral to Public Health. Is there objection? Hearing none, it is so ordered.

CLERK:

Calendar 420 on Page 13, Substitute for Senate Bill Number 699, N ACT CONCERNING BICYCLE HELMETS FOR CHILDREN. Favorable Report of the Committee on Transportation.

DEPUTY SPEAKER LYONS:

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Tuesday, May 4, 1993

Representative Luby.

REP. LUBY: (82nd)

I move that that matter be referred to the
Committee on General Law.

DEPUTY SPEAKER LYONS:

The question before us is on referral to General
Law. Is there objection? Hearing none, so ordered.

CLERK:

On Page 14, Calendar 421, Senate Bill Number 1054,
AN ACT CONCERNING POISON CONTROL EFFORTS. Favorable
Report of the Committee on Public Health.

DEPUTY SPEAKER LYONS:

Representative Luby.

REP. LUBY: (82nd)

I move that that matter be referred to the
Committee on General Law.

DEPUTY SPEAKER LYONS:

The question before us is on referral to General
Law. Is there objection? Hearing none, so ordered.

CLERK:

Page 14, Calendar 422, Substitute for Senate Bill
Number 667, AN ACT CONCERNING INVESTMENT OF EMPLOYEE
DEFERRED COMPENSATION FUNDS. Favorable Report of the
Committee on Finance, Revenue and Bonding.

DEPUTY SPEAKER LYONS:

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Appropriations, Friday morning at 9:45 for bills referred from the Senate and one bill from the House. Room 2C - 9:45.

DEPUTY SPEAKER COLEMAN:

Any further announcements or points of personal privilege?

Clerk, please continue with the call of the Calendar.

CLERK:

Page 27, Calendar 420, substitute for Senate Bill 699, AN ACT CONCERNING BICYCLE HELMETS FOR CHILDREN.

Favorable report of the Committee on Judiciary.

DEPUTY SPEAKER COLEMAN:

Representative Thompson.

REP. THOMPSON: (13th)

Thank you, Mr. Speaker. Mr. Speaker, I move acceptance of the Joint Committee's favorable report and passage of the bill in concurrence with the Senate. May I remark?

DEPUTY SPEAKER COLEMAN:

The question is on acceptance and passage in concurrence with the Senate. Will you remark further?

REP. THOMPSON: (13th)

Yes, I will Mr. Speaker. Mr. Speaker, in the United States, approximately five to six hundred

children and adolescent under 20 are killed each year while bicycling. Over one half million bicycle riders are treated in hospital emergency departments each year. Nearly two-thirds of this amount are children age 5 to 14. In Connecticut, in the most recent information, five children and adolescent bikers under 20 are killed each year, 516 bikers are admitted to hospitals each year. Of these, 25% are motor vehicle related and 75% are non-motor vehicle related.

Eight hundred forty-three children and adolescents under 20 are struck by motor vehicles each year by bicycling and almost 4,000 bike incidents each year require medical care.

The characteristics of the problem include the fact that children are of particular risk to this type of accident. And most serious bicycle related injuries and deaths are due to head injuries and very few, less than 5% of Connecticut children wear bicycle helmets.

Mr. Speaker, the bill before us is a bicycle safety measure. May I address sections 2 and 3 of the bill? Section 2 would provide that any firm renting bicycles to children 16 years of age or under would be required to furnish a helmet to the renter.

Section 3 would require or not require, but request that the Commissioner of Consumer Protection would

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provide a public safety education program for cyclists.

Mr. Speaker, to address section 1, we have an amendment, and for the amendment, may I yield to Representative Richard Tulisano, the author of the amendment?

DEPUTY SPEAKER COLEMAN:

Representative Fritz, do you accept the yield?
Representative Tulisano, do you accept the yield?

REP. TULISANO: (29th)

Yes, Mr. Speaker. Mr. Speaker, for the purposes of an amendment, the Clerk has LCO8905.

DEPUTY SPEAKER COLEMAN:

Would the clerk please call LCO8905, designated House "A"?

THE CLERK:

LCO8905, designated House "A" offered by Representatives Tulisano and Esposito.

REP. TULISANO: (29th)

Permission to summarize, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative has requested permission to summarize. Is there objection? Without objection, please proceed, Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, the amendment, first of all, modifies

section 1 of the bill by defining bicycle as any vehicle propelled by a person riding the same by foot or hand power.

It indicates further that it requires children under 12 years old who are operating a bicycle on a travelled portion of a highway, it applies to them not wearing a helmet, it indicates that it is not either a violation nor an offense if they are, but also says a law enforcement officer may issue a verbal warning to their parent or guardian that the child has failed to comply with subsection a. That is in fact in order to be on that section of highway, they should have a helmet on.

It also provides some language dealing with introducing child restraints systems which do not conform to federal regulation. It allows the Department of Consumer Protection to order repurchase of them if they don't and allows the Department of Consumer Protection to get an injunction upon the sale.

It also allows a police officer who is operating a bicycle in response to an emergency call, to be exempt from certain provisions of rules normally applicable to bicycles, much like we do when they are operating motor vehicles, provided they use some sort of warning device.

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I move for adoption of the amendment.

DEPUTY SPEAKER COLEMAN:

The question is adoption of House "A". Will you remark further? Representative Ward.

REP. WARD: (86th)

Mr. Speaker, I am actually a little surprised to the particular gentleman who is bringing out the amendment. Just a question through you, to Representative Tulisano.

DEPUTY SPEAKER COLEMAN:

Please proceed.

REP. WARD: (86th)

Just what exactly does the law enforcement officer warrant will happen to the parent or guardian that violates? I understand usually, you warn that you might get a ticket next time, but what does this warning do?

REP. TULISANO: (29th)

Through you, Mr. Speaker. It is clearly a warning that they did not wear the device and it is an educational tool. And obviously, that is why it says "may" instead of "shall".

DEPUTY SPEAKER COLEMAN:

Representative Ward.

REP. WARD: (86th)

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I guess, without asking further questions, I guess I wonder to some extent whether that is the appropriate role for law enforcement officers to be really educational officials. I don't know if next we will make them maybe if we had a certification bill and hours of training, I kind of wonder if they are going to need teachers certifications next. If they are going to be primarily educational.

I guess I don't believe in putting things that would appear to be in the criminal statutes, but they are not really criminal.

I guess it may not fit in that section. Somewhere it is going to go in our code, it is going to be a general statute. I don't know where it is going to fit. It seems to me that it is advisory in nature and not a law or at least not a criminal penalty and I guess I don't know if that really makes sense for us to start deciding what is a good idea, so we put it in statute and tell you it is a good idea that we really ought to draw the line of telling people it is illegal or it is not and let the good ideas come from something other than the General Assembly.

Thank you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Ward. Will you remark

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further? Representative Belden.

REP. BELDEN: (113th)

Mr. Speaker, there is just something in this amendment that I can't let go past.

I would like, through you, to ask the gentleman from Rocky Hill if the course of instruction in basic police bicycle patrol, certified by the municipal police training council is in the 568 hours of training that we have been talking about for the past several weeks.

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker. If it isn't, I expect it soon will be.

REP. BELDEN: (113th)

Ah, Mr. Speaker -- another mandate.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Belden. Representative Simmons.

REP. SIMMONS: (43rd)

Thank you, Mr. Speaker. I rise in support of the amendment. The issue was raised a few moments ago as to whether by passing an amendment of this sort, we are placing an undue burden on our police departments to be

an educational mode. I served for a number of years as the Chairman of the Board of Police Commissioners in the Town of Stonington and I would suggest that our police are an educational mode and have been for some time and that that is basically, a beneficial thing.

For example, in the Town of Stonington, as I am sure is the case in other towns in the State of Connecticut, we have a D.A.R.E. program which deals with education our youth as to the problems of drugs and alcohol.

Also, in the Town of Stonington, because we are a coastal town, we have water safety programs that are involved in educating our young people on water safety.

So, I see nothing inconsistent about this amendment when it comes to the issue of trying to teach our young people and particularly, our children about safety of operating their bicycles on the highway. And I think to provide a caution with regard to the use of a helmet, is really a helpful thing and something that we should support.

Thank you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Simmons. Will you remark further? Representative Lockton.

REP. LOCKTON: (149th)

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Thank you, Mr. Speaker. This is another bill that has been amended that I think is more acceptable and people have to work together on this. I do have some questions. Through you to Representative Tulisano.

DEPUTY SPEAKER COLEMAN:

Please frame your question.

REP. LOCKTON: (149th)

On line 23, the word "highway", I am presuming that pertains to any road in the State of Connecticut?

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker. Yes, Mr. Speaker. A travelled portion of a highway means the actual roadway and not including the sidewalk. The original bill included the sidewalk and other areas. That is why it was changed.

DEPUTY SPEAKER COLEMAN:

Representative Lockton.

REP. LOCKTON: (149th)

And through you, Mr. Speaker, a child could be riding on the sidewalk and not be pulled over by a policeman because he doesn't have his helmet on? Through you, Mr. Speaker.

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Representative Tulisano.

REP. TULISANO: (29th)

That is correct.

REP. LOCKTON: (149th)

Okay.

REP. TULISANO: (29th)

A child could be on his big wheel and nobody is going to stop him.

DEPUTY SPEAKER COLEMAN:

Representative Lockton.

REP. LOCKTON: (149th)

Okay. I think in line 28, where we have the verbal warning that the police officer will give a child who is not wearing a helmet, I really would like to see and Representative Simmons talked about this a little bit, education and our police officers becoming friends to the kids and sort of when they give them the verbal warning and educate them for legislative intent, why they should be wearing their helmet. Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker. It actually goes to the parent or guardian and not to the child. I would

presume an officer would stop somebody, tell them they are supposed to have it, find out who their mother or father is or guardian and then just give them that advice that they participate in the education process, not use, what I was afraid of, the use of police power and have kids be opposed to because you know, cops stopped them and they got into trouble. So, this goes directly to the parents so they become part of the response.

DEPUTY SPEAKER COLEMAN:

Representative Lockton.

REP. LOCKTON: (149th)

Thank you, Mr. Speaker. When I was at the National Commission on Children meeting in Washington, there are programs throughout the Country of police becoming more of a friend to a child than the person who is always after the child to do right or wrong, so I think, if the police, through legislative intent, could take this on as more of an education for the child also, that would be a very positive step.

I do have a question, for you, Representative Tulisano on line 31. We are now making it an infraction for somebody who rents a bike and does not provide a helmet. What would be the fee for that infraction upon the owner of the shop? Through you,

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Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker, the judges in the Superior Court sitting in a committee, established the various violations. They can be anywhere from -0- to \$200 and I think it is nothing less than \$99 anymore. \$100 generally. \$99 to \$100 plus \$15 costs probably. That is in the area. They set the establishment for mail in purposes. They mail it in.

DEPUTY SPEAKER COLEMAN:

Representative Lockton.

REP. LOCKTON: (149th)

Now, I guess I have a little bit of problem with the bill if we have got the owner of a bicycle store does not rent or perhaps the person who rented the bike is not wearing the helmet or has put it down at a restaurant and lost it, then the owner of the shop would be fined maybe \$100 or \$200? Through you, Mr. Speaker to Representative Tulisano.

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker. Obviously, this is not a

piece that I was involved in drafting, but it says, that basically section 2 says that a person or firm who are renting it would have to supply the helmet and their violation is them not providing it and that is what the infraction would be applicable to. And yes, it could go up to \$200.

REP. LOCKTON: (149th)

So that would mean, through you, Mr. Speaker, that the person must provide the helmet. Once he provides the helmet, even if it is worn or not, he would not be available for an infraction.

REP. TULISANO: (29th)

Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

That is correct. In fact, if the person came in with their own head gear, the head gear must be available to the person renting it if it is needed and they have to provide it, and if they don't make provisions for it, then the infraction is, and they have a rental agreement acknowledging, that would be it.

DEPUTY SPEAKER COLEMAN:

Representative Lockton.

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REP. LOCKTON: (149th)

Thank you, Mr. Speaker. And how are we making the owners of the bicycle shops around the State of Connecticut knowledgeable that they could be charged for an infraction after this goes into effect if the helmets are not available? Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker. Just like any other law that we pass here. That is why we have an October 1st effective date, generally, and they would learn from however one learns these things. I might add that the use of the infraction is a much more potential less penalty than leaving it the way it was which was up to \$500 because it was an offense and that is one of the reasons the violation language was put in there.

DEPUTY SPEAKER COLEMAN:

Representative Lockton.

REP. LOCKTON: (149th)

Thank you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Will you remark further? Representative Gerratana.

REP. GERRATANA: (23rd)

Mr. Speaker, I would like to speak in favor of this

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amendment. Both of my children have worn bicycle helmets since they have been able to ride bicycles. Five Sundays ago on a very quiet Sunday afternoon, my seven year old took his brother's bicycle, which was a little too large for him, but he put his helmet on, pulled out of our driveway, our 200 foot driveway, pulled onto the street, and the back tire of the bicycle was hit by a jeep.

My son went flying. He suffered scrapes and abrasions and so forth. But thank God, he had a helmet on. It is one of those moments that a mother just gets weak in the knees just thinking about it. I am strong proponent of bicycle helmets and certainly, I believe that helped saved my son's life. And I hope that this General Assembly will adopt the amendment.

Thank you.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Gerraratana.

Representative DePino.

REP. DE PINO: (97th)

Thank you, Mr. Speaker. A question through you to the proponent of the amendment, if I might?

DEPUTY SPEAKER COLEMAN:

Please frame your question.

REP. DE PINO: (97th)

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Thank you. Representative Tulisano, the bill mandates that children under twelve years old will have to wear a helmet now in order to ride a bicycle. If that child cannot afford a bicycle helmet or that child's parents cannot afford a bicycle helmet, what would be the remedy for the State then? Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker. I would hope, Mr. Speaker, that people would be engaged in public service programs in which they make things available as we do with car seats with children. There are many people who can't afford those and for purposes of protection, others have come into it.

Other than that, I guess they can't ride bikes on the travelled portion of the highway.

DEPUTY SPEAKER COLEMAN:

Representative DePino.

REP. DE PINO: (97th)

Thank you. Another question, through you, Mr. Speaker. If the child does have a bicycle helmet on, who makes the determination whether that helmet is in fact up to the criteria issued in, I guess, line 34 or

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35 or 36? Who makes that determination?

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

At the time they are stopped, it's got to be the police officer. The police officer makes the decision. I expect by next year, we will see an amendment to this bill, similar to the amendment I just put on which will put that into statute and allow the Department of Consumer Protection to stop people from selling helmets that don't qualify. But, I guess the police officer is going to have to know the difference.

REP. DE PINO: (97th)

Through you, Mr. Speaker, then does that mean that we will have to require our police officers to take training or be able to identify certain helmets which conform to the State law versus certain helmets which will not conform? Through you, Mr. Speaker.

REP. TULISANO: (29th)

Through you, Mr. Speaker, this isn't a crime or an offense. I don't think we have to require they be trained. I think in terms of everything else, what the public service is, if they are prepared in the community to get people more information so they might engage in the educational process and learning process

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and safety process, then I think they will. I don't think think it is required because it is not necessarily an obligation under our criminal law in which he is sworn to uphold.

DEPUTY SPEAKER COLEMAN:

Representative DePino.

REP. DE PINO: (97th)

Thank you very much and I would just like to piggy back on one final question that Representative Lockton raised. If the nature of the bill is to be more educational than it is to be punitive, what is the maximum monetary fine if the parent or a child or a guardian could expect from non-compliance with the statute? Through you, Mr. Speaker.

REP. TULISANO: (29th)

Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

None. That is clear, I think in the amendment for the reason the amendment is here to make it clear that this is not to be considered a violation or an offense. Since there is nothing stated, it is not one of those. It is just, it is not a crime for which a penalty would adhere to.

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DEPUTY SPEAKER COLEMAN:

Representative DePino.

REP. DE PINO: (97th)

Thank you. Then it is my understanding then that no criminal penalty, no penalty will be levied against any parent or guardian for failure for a child not to wear a helmet on a bicycle? Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

That is correct.

DEPUTY SPEAKER COLEMAN:

Representative DePino.

REP. DE PINO: (97th)

Thank you very much.

DEPUTY SPEAKER COLEMAN:

Will you remark further? Representative Collins.

REP. COLLINS: (117th)

Thank you, Mr. Speaker. I guess regretfully, I have a question to the proponent. It is regarding the American National Standards Institute, commonly referred to as the ANSI standards. I would like to know if the proponent or if someone else can tell me what the ANSI standards are for bicycle helmets and the reason I ask, is some time ago, I was involved with

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midget football. The helmets had to meet ANSI standards. It is possible to manufacture to those standards, however, this bill says that they have to conform to the minimum specifications. Minimum specifications with ANSI meant that every three years, the helmets had to be sent out for a stress test. And if there were any cracks, the helmets were rejected. I would assume that this is similar, therefore the bicycle shops would have to send these helmets out every three years.

Is that the case? Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

Well, Mr. Speaker, I would be honest with you. I can't tell you what the ANSI standards are, but I knew they would be easier to find than the Schnell standards, but I would, if possible, yield to Representative Thompson, who might have that answer.

DEPUTY SPEAKER COLEMAN:

Representative Collins. Representative Thompson.

REP. THOMPSON: (13th)

Mr. Speaker, just a minute.

REP. TULISANO: (29th)

Mr. Speaker, I had indicated and I don't think he

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heard me. I had indicated that I would yield to Representative Thompson because I believe he had the response to exactly what the ANSI standard was. I am sorry.

DEPUTY SPEAKER COLEMAN:

Representative Thompson, will you accept the yield?

REP. THOMPSON: (13th)

Through you, Mr. Speaker. Yes, I will. Mr. Speaker, there is an identification of the American National Standards Institute which contains some basic information in the analysis and I am not sure how helpful it is, but it says that ANSI's bicycle helmet standard and then it gives a reference to the specific is one of 8,000 voluntary standards each representing general agreement among maker, seller, and user groups as to the best current practices.

It sets minimum requirements for bicycle helmet construction, materials, labelling, shock absorbtion, poriferal vision and retention systems. It does not mention retesting periodically. And that is all the information I have regarding to ANSI.

Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Collins.

REP. COLLINS: (117th)

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Thank you, Representative Thompson and Representative Tulisano. If this legislation passes and we are indeed going to need to address it in the future. I would hope that someone would look at that to make sure that we are doing things properly.

I don't feel that we are. Thank you.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Collins. Will you remark further? Representative Kyle.

REP. KYLE: (36th)

Thank you, Mr. Speaker. A couple of questions here quickly for legislative intent, I suppose to Representative Tulisano.

DEPUTY SPEAKER COLEMAN:

Please proceed, Sir.

REP. KYLE: (36th)

When the gentleman was on a roll there after all, we might as well keep him on that roll. For the purpose of legislative intent, I would like to explore the definition of highway just a little more.

You mentioned that it did not include sidewalks and that sort of thing. Is a highway also a rural town road, any kind of a public vehicular way? Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

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Representative Tulisano.

REP. TULISANO: (29th)

We have the use of the word "travelled portion of any highway" as something that is consistent in our statutes. And it would include a rural or a town road, which that is the definition of a highway. The parts of where a vehicle would go as opposed to the whole highway.

DEPUTY SPEAKER COLEMAN:

Representative Kyle.

REP. KYLE: (36th)

Thank you, Mr. Speaker. Also, through you to Representative Tulisano, another question here. In section 4, a police officer operating a bicycle in hot pursuit, after the suspected perpetrator must be wearing a distinctive uniform. Through you, Mr. Speaker, I am wondering if that means just a regular police uniform or some other kind of distinctive uniform. Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker, that is a police uniform. Again, that language is used in another part of our statutes and when you are dealing with hot pursuit, car

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chases and they have to be identifiable, that sort of thing, it creeps up in other places. I must admit, that is not my artwork.

DEPUTY SPEAKER COLEMAN:

Representative Kyle.

REP. KYLE: (36th)

I thank the gentleman from Rocky Hill for that response.

Also in subsection b of section 5, the audible signal warning device, a siren, whistle or bell, does that have to be going constantly or can he use the playing card flipping through the bicycle wheel?

REP. TULISANO: (29th)

What I thought it was, Mr. Speaker was a little thing on the handle bar that goes ding, ding, ding. I thought that would be sufficient. That would be minimal I suppose, Mr. Speaker.

But the reality is what you are trying to do is get something that someone from behind can identify that they are an official person and are trying to get by them. Say you are on the sidewalk because in some towns, you can ride a bicycle on the sidewalk. And I am given to understand, Mr. Speaker that there are some municipalities in our community who now have bicycle patrol and that way, they would reduce the potential

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liability is they save themselves.

Mr. Speaker, for a more detail on municipal bike patrols, I would like the opportunity to yield to Representative Mulready who could go into more detail than I could.

DEPUTY SPEAKER COLEMAN:

Representative Mulready, do you object?

REP. MULREADY: (20th)

Not enough, Mr. Speaker, not to accept the yield.

DEPUTY SPEAKER COLEMAN:

Please proceed, Sir.

REP. MULREADY: (20th)

Mr. Speaker, a general answer to earlier questions, this was an amendment or this portion of the amendment was asked by the West Hartford Police who have a bicycle patrol and do some significant training and these officers, in most cases, lined up, essentially as community relations officers who work in West Hartford center with there is a heavy population. But on occasion, there are incidents, people steal something from a store and they take off in hot pursuit on a bicycle. And there is some concern in the law about their rights, the law is pretty clear about when they are in hot pursuit in a car and so forth and so on, but there is a law that deals with the issue of policemen

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on bicycles.

This has been taken up in California before where many of these trends come from and they just felt there was some need to codify this separate type of police patrol. So, you know, despite the fact that we are all having a little bit of fun at the expense of the bicycle patrol of the police, it is a serious issue that they take seriously and other towns in the state are now adopting and coming to West Hartford to get some guidance on these bicycle patrols.

DEPUTY SPEAKER COLEMAN:

Representative Kyle.

REP. KYLE: (36th)

Thank you, Mr. Speaker and I certainly thank the two gentlemen for their responses to that. One always looks to save money and I am sure bicycles will save us a bit in the cost of operating our mounted patrols, as it were.

I apologize to this Chamber for making light of the people's business here and I do intend to support this amendment. I thank you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Kyle. Representative Wollenberg.

REP. WOLLENBERG: (21st)

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Thank you, Mr. Speaker. A question to Representative Tulisano.

DEPUTY SPEAKER COLEMAN:

Please proceed, Sir.

REP. WOLLENBERG: (21st)

Thank you, Mr. Speaker. If he would prepare himself, Representative Tulisano, the definition of bicycle "any vehicle propelled by the person riding the same by foot or hand power". I assume that means propelling it by foot or hand power and not somebody walking on his hands or something. But anyway.

REP. TULISANO: (29th)

I don't know if a person on his hands is a vehicle. Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Wollenberg.

REP. WOLLENBERG: (21st)

Well, he might.. another question through you, to Representative Tulisano. Those things, walkers that babies are in, it is a wheeled vehicle and they move around. Would that be considered a bicycle for this? It seems to fit the definition. Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

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REP. TULISANO: (29th)

Through you, Mr. Speaker, yeah that is true and I think if you find one on the travelled portion of the highway, somebody ought to intervene. Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Wollenberg.

REP. WOLLENBERG: (21st)

Well, the question isn't on whether he is on the highway. The question is whether he has a helmet on or not. Through you, to Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker, only on the travelled portion of the highway.

DEPUTY SPEAKER COLEMAN:

Representative Wollenberg.

REP. WOLLENBERG: (21st)

Through you, Mr. Speaker, another question for Representative Tulisano. You took out all of section 1 and in section 1, and this is a serious question, you included passengers. And was that inadvertent that is was left out when you re-did that section? You don't include passengers here so I see these children riding in the back seats of older people, should they probably have a helmet as well? Is it just as dangerous?

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Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker, they probably should, but I thought we were going far enough. Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Wollenberg.

REP. WOLLENBERG: (21st)

So, it was intentional, through you, Mr. Speaker, that you left out the passenger.

REP. TULISANO: (29th)

Yes. Mr. Speaker, through you.

REP. WOLLENBERG: (21st)

Again, through you, Mr. Speaker, a question to Representative Tulisano.

DEPUTY SPEAKER COLEMAN:

Please proceed.

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REP. WOLLENBERG: (21st)

Thank you, Mr. Speaker. Representative Tulisano, also in section 1 and we have done this before, in lines 11 through 14, failure to wear protective head gear should not be considered contributory or negligence on the part of the child. We do that for a purpose where we leave out where we say they are not a contributory negligent. And they probably could be considered contributory negligent if they did not have the helmet on, under this case. Is that not so? Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker. No, in the file copy that is a mandate, a requirement, a statutory requirement of what one should do. This is just as indicated, neither a violation or an offense and is designed to be an educational tool and not a mandate which would become negligence, per se.

DEPUTY SPEAKER COLEMAN:

Representative Wollenberg.

REP. WOLLENBERG: (21st)

Through you, Mr. Speaker to Representative Tulisano. We can say that it is not negligence per se,

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but that does not make it not negligence, per se, Representative Tulisano so that if a child was out on a bike and he was riding and someone hit him, the claim could be that he was contributory negligent because he didn't have his helmet on, under this law.

Now, we can say it isn't but that doesn't make it so. Isn't that true? So, he could be contributory and negligent and it could be devastating to him. Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker. As Representative Wollenberg well knows, that could be. I have made it clear that because of the way this is written, I don't believe it is negligence, per se. It is not a statute where that usually comes in to play. However, you are right. A court could certainly interpret it otherwise.

I would not deny that and he has an amendment to put that on right now, I would be happy to, but I inadvertently left it off. Thank you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Wollenberg.

REP. WOLLENBERG: (21st)

Yes, another question through you, to

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Representative Tulisano. On the amendment, Representative Tulisano, you recite highway. Would this be a public highway or a private highway? Would a private highway be exempt here?

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker, I am not sure I know what a private highway is other than a driveway of some sort. I am not sure what a private ...

REP. WOLLENBERG: (21st)

We don't mean a public way, necessarily.

REP. TULISANO: (29th)

You mean a highway where vehicles go. Public way would be a right of way.

REP. WOLLENBERG: (21st)

Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Please proceed.

REP. WOLLENBERG: (21st)

It could be a private way.

REP. TULISANO: (29th)

It could be a private highway in which vehicles are meant to be operated on, but not a public way in which it could be pedestrian traffic.

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REP. WOLLENBERG: (21st)

Through you, Mr. Speaker. Representative Tulisano, distinguishing the two public highway meaning something that the town has an obligation to care for, whereas a private way, one that the individual land owner or someone would have a obligation to maintain. But you mean them interchangeably in this instance, Sir?

Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker. It was meant to be a travel portion of any highway which under the statutes in our books concludes public and private for vehicle use. That is what it is meant to include. Whether it is public or private, if it is used for those purposes. It is not meant to include the whole public highway which in the file copy is language which means areas in which traffic is not otherwise being used. It would be the right of way on the other instance.

DEPUTY SPEAKER COLEMAN:

Representative Wollenberg.

REP. WOLLENBERG: (21st)

Through you, Mr. Speaker to Representative Tulisano, then police who are going to be patrolling

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this and warning people would not have an occasion to go on the private way as opposed to the public way and therefore probably enforcement, in that regard, would be lacking. Is that true?

REP. TULISANO: (29th)

Through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

That is probably true and I suspect any enforcement or any implementation is the better word, Mr. Speaker and would be done in terms of observation in the areas of which they normally patrol.

DEPUTY SPEAKER COLEMAN:

Representative Wollenberg.

REP. WOLLENBERG: (21st)

Thank you, Representative Tulisano and I appreciate what you have gone through to get this bill to this point. I think you have done a good job in re-working it and creating something out of nothing back into nothingness, but in any event, there is one thing I am taken aback by and I am extremely surprised and I just want to let this Chamber know is that one of the ways to get a bill killed in the Judiciary, is to mention some standard and not to identify it to Representative

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Tulisano. Or say it is a federal law. One of those get things killed real fast in either one of those ways.

And here we have something that says the American National Standards Institute, ANSI and yet, we don't know and Representative Thompson couldn't tell us just what the standards were here, so I think Representative Tulisano, we found a chink in armour here and certainly, I will use it in days to come and refer to this time, and time again.

Thank you.

DEPUTY SPEAKER COLEMAN:

Representative Sellers.

REP. SELLERS: (140th)

Through you, Mr. Speaker. Since I have been here in the House, it is often appalling to hear what is basically known in the common street as a bunch of B.S. going on what is best for a child and safety when half of you don't know what is going on.

So, I refer to it from a police officer's perspective. When you see anyone who has been struck by a motor vehicle and they sustain a head injury, be it your own relative or a friend of the family, you can best know that you can appreciate any kind of head gear which is protective that would sustain injury and hold it to a minimum because a head injury is what

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tends to bleed the most and causes the most injury.

Now, I rise in support of this amendment. For that reason and for also a few more in that I am accustomed to going to motor vehicle accidents. But one of the things that I think a few of you tend to forget is that there is nothing perfect out here. Whether you have standards of which any company could come up with a better helmet than the company that had the helmet before that that had that helmet before that. There are no set things that would indicate that this is going to be a done deal.

But as long as this legislative body is committed to helping to excel in public safety, I don't see where the joke is. I have a brother now who fell out of a tree at eleven and has seizures and he is forty-six at this point in time. And the medical costs which has been a burden on my mother is been astronomical, but because there wasn't even a thought of a helmet when you go up in a tree, is less than questionable and I think this is a very good amendment. I also believe that it is a very good start. So, when you take the technicality out of all what is basically good for either partisan or bipartisan politics, you will come up with what I feel to be the best answer. That is this bill should be passed. So, I support the

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amendment.

Thank you.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Sellers. Representative DiMeo.

REP. DIMEO: (103rd)

Thank you, Mr. Speaker. First, I would like to thank Representative Tulisano. He may be our reluctant hero, but he is our hero. With all of the waiting matters, and complicated matters that he has had to deal with, some would not leave him alone. But he came through.

Let's look at what we are trying to accomplish here. Are we trying to make parents into criminals or little children into criminals because they ride their bike? No. We are trying to raise the level of sensitivity to the need for highway safety of children riding their bikes on the highway.

I had an interesting incident which I thought the police officer was absolutely correct. My grandson and some of his buddies that were riding their little bikes out on the road. A police officer came by and he was not in uniform at the time. I think he was going on duty. He stopped and told us to gather the children and that he would be right back. He came back in

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uniform in his police car, he was not threatening, and he talked to the children about highway safety and how they should not be riding their bicycle in the road.

That is the spirit that we want to engender here. We have, in my town, the Town of Hamden, and I checked statistics in other communities abutting us in proportionately, they were in the same proportion of Hamden, that we had between eleven and twelve instances a year of children being hit by automobiles while they are on bicycles.

Head injuries are devastating. They are absolutely devastating. I have seen, first hand, in my own family, with a son who was injured at a very early age, and a helmet would not have been appropriate at the time. But the fact of the matter is, I have seen what head injuries do. We have to raise the level of sensitivity. We had difficulty with that when we talked about seat belts. We had difficulty talking about air bags. Auto seats for our children so that they are safely restrained within a vehicle.

These things we resist because they interfere well, I guess, for a lack of a better word, Mr. Speaker, I will call it our free spirit. But the fact of the matter is, without making it or creating a law which is suppressive, we wanted to create a situation in which we

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could say, that this is the law and raise the level of consciousness and sensitivity to the problem.

We do it in sports. We don't send our little children and our little leaguers out there to play football without a helmet on. We don't send them out there to play in our Pee Wee hockey teams without putting a helmet on them. We don't send them out to the plate in baseball without putting a helmet on them. We don't do those things.

~~and~~ Construction workers, I remember in the beginning when the helmets were required for them to be worn, resisted it. You now will never see a construction worker out on the job without a helmet on because we know what head injuries do. How final they can be as far as not only life threatening, but the quality of the life of the child if he does survive or the individual that survives.

It is a good bill. It is not a bill that is going to shake the world, but it is a good bill that is going to do a lot of good. And I again, thank Representative Tulisano.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative DiMeo. Representative Powers.

REP. POWERS: (151st)

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Thank you, Mr. Speaker. I rise in support of this amendment. In my town, the elementary schools, a little over a year ago, required that if children rode bicycles to their neighborhood schools, they had to wear a helmet. It is very simple. Is it a pain in the neck to get a helmet on my eleven year old? Yes, it is but I would rather go through that than visit him in the hospital. Yes, I would. Has he gotten out the door without my getting the helmet on him? Yes, he has and the school sent him back home.

It is very simple. It is very effective and I don't think anybody else would have any more trouble with it in their towns and with their children than we did in Greenwich. Thank you.

DEPUTY SPEAKER COLEMAN:

Representative Truglia.

REP. TRUGLIA: (145th)

Thank you, Mr. Speaker. I rise in support of this amendment.

This past winter, Mr. Speaker, The Select Committee on Children, held public hearings throughout the State. The support of children wearing bicycle helmets came up in almost every meeting.

Dr. Harry Romanowitz, the pediatrician and chief of staff at Stamford Hospital testified on behalf of the

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Department of Pediatrics, a group which represents all of the practicing pediatricians in the City of Stamford, New Canann and Darien. He said that in accordance with the recommendation of the American Academy of Pediatrics, they have been advising parents of the necessity of wearing bicycle helmets at all times while riding.

He said that, however, there can be no stronger message sent than through the force of law. I would like to tell you a story that he told us. He spoke of a beautiful nine year old boy, growing and active. And the light of his parents' lives. Until he was struck by a car while riding his bike.

He sustained massive head injuries, which have permanently disabled him to the point where he is never likely to be a productive citizen in our society. He will require a lifetime of support and rehabilitation. He spent weeks in intensive care following massive neurological surgery. Months in an acute pediatric unit followed by what will probably be years of rehabilitation and a long term setting.

Aside from the emotional and human cost, the financial burden to his family, the hospital and our State, is enormous. Therefore, in order to improve public awareness, increase compliance, and prevent

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tragedy, I urge this chamber to support this amendment.

And Mr. Speaker, I would like to make a comment to Representative DePino's question of a child who can't afford to purchase a helmet. I have been in touch with a gentleman who has just become the President of the Exchange Club for the State of Connecticut. He has offered to make his forty exchange club groups in the State purchase helmets and give them to children who cannot afford to purchase them. I think that is going to be extremely helpful.

And I thank you very much, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Truglia.

Will you remark further? Representative Donovan.

REP. DONOVAN: (84th)

Mr. Speaker, I speak in favor of this amendment and the bill. We shouldn't underestimate our own influence. Just a case in point, my own son, in just reading the newspaper, and seeing that we would just even discuss the possibility of helmet laws, took it upon himself to talk to his friends and in an neighborhood where children weren't wearing helmets. The thought that now this will become law, spread throughout the neighborhood and children who had helmets, are now wearing helmets because they are saying, it is the law

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and they are even discussing it.

One kid said, Hey, I will get around it. I will work my way through the back garages and the cops won't be able to find me and they said yeah, but it is the law and I heard later that afternoon, he crashed his bike and now his parents said he is wearing his helmet.

So, that is not even the law and I think these kids are looking for some protection. They know it is there and I think this amendment is a good idea. Our kids are looking to us to show them some ideas and I think it is a great idea.

I support this amendment.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Donovan. Will you remark further? Representative Garvey.

REP. GARVEY: (67th)

Through you, Mr. Speaker. A question to the proponent of the bill, please.

DEPUTY SPEAKER COLEMAN:

Please proceed, Madam.

REP. GARVEY: (67th)

To the amendment. I wondered if a parent did not enforce this law and a child were riding a bicycle without a helmet and were severely injured. Would the child have the ability to be able to sue the parent for

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negligence?

DEPUTY SPEAKER COLEMAN:

Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, I don't believe so. In order to, there has to be a duty, breach of duty and damages and the injury is not the cause of the parent didn't cause the injury, now if the parent caused the injury, then I suppose there is the ability as they can now sue if they cause an injury. I don't think the mere idea that they didn't have a helmet on is a duty as we know it in those instances.

DEPUTY SPEAKER COLEMAN:

Representative Garvey.

REP. GARVEY: (67th)

Thank you.

DEPUTY SPEAKER COLEMAN:

Will you remark further? Will you remark further on House "A"? Representative Mushinsky.

REP. MUSHINSKY: (85th)

Thank you, Mr. Speaker. I rise to support the amendment. I have two boys, ages three and five and both of them wear helmets. I convinced them that they look like professional racers if they wear them and that was enough to talk them into it.

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I wear one myself. The helmet is a fraction of the cost of the bicycle and pediatricians say getting the kids to wear helmets are like vaccinating the kids. Prevention now spares heartache and expense later. It is a common sense amendment and I hope everyone, including Representative Tulisano will support it.

DEPUTY SPEAKER COLEMAN:

Representative Gyle.

REP. GYLE: (108th)

Thank you, Mr. Speaker. I would just like to point out to the Chamber that if anyone goes on an organized bus tour, a bike tour, they will have to wear a helmet and that all competitive racers do wear helmets and the reason that most children don't wear helmets is because their friends don't.

When you go down South and you see little kids playing football on Friday nights which is a big thing down South, all these little kids have helmets on. The reason they have helmets on is because all the rest of their friends have helmets on and they have to have them on. So, if everyone has to have them on, then they won't feel out of place, they won't look different or strange, they will just be the accepted norm. That is not a bad accepted norm for us to enforce and I would encourage everyone to support this very good,

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preventive health care measure.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Gyle. Anyone else?
Representative Wollenberg.

REP. WOLLENBERG: (21st)

Yes, thank you. Mr. Speaker, for the second time and I will be very brief, but this contributory negligence in all seriousness, does bother me because I think if this child is hit without wearing it and I could be totally at fault, I am going to claim that he was contributory negligent because he didn't wear it and I think that is very serious and I think it something that could be taken care of.

I will vote for the bill. I think this learning experience is fine, but I think that is a very serious thing, that contributory negligence. It was left out when we did that first part over and it could be very serious in the negligence field if this happens and I think maybe we ought to take a second look at that Representative Tulisano and PT it, do something, let's pass it.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Wollenberg. Will you remark further?

REP. TULISANO: (29th)

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Yes, Mr. Speaker. I appreciate Representative Wollenberg bringing that to our attention, and I think it is clear that could be clarifying language, I understand we are not about to PT bills, but I am sure we will look quickly for another vehicle that has negligence if we put that in right now.

That is a valid observation and we should make it clear. Because we say it, doesn't make it, as he indicated.

DEPUTY SPEAKER COLEMAN:

Will you remark further? Will you remark further? If not, the Chair will try your minds.

The question before the Chamber is motion for adoption of House Amendment Schedule "A". All those in favor, say Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER COLEMAN:

All those opposed, say nay.

REPRESENTATIVES:

No.

DEPUTY SPEAKER COLEMAN:

The ayes have it. House "A" is adopted and ruled technical.

Will you remark further on the bill, as amended?

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Will you remark further on the bill, as amended?

Representative Thompson.

REP. THOMPSON: (13th)

Mr. Speaker, in urging people to vote for the bill, as amended, I would like to make one further observation that in the American Journal of Public Health, its most recent issue, they revealed a study that was made of bicycle helmet laws and educational campaigns. As a result of a mandatory bicycle helmet law for children, in Howard County, Maryland, where it was clearly the conclusion that legislation combined with education, appears to increase bicycle helmet use substantially more than does education alone.

And I believe this was also the subject of a story in the New York Times recently. So, I would urge my colleagues to vote on the bill favorably and I would like to thank Representatives Esposito, DiMeo and Tulisano for hanging in there and helping us craft a good bill, good legislation.

Thank you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Thompson. Will you remark further? Representative Cutler.

REP. CUTLER: (51st)

Thank you, Mr. Speaker. I have got a few points I

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would like to bring up concerning this bill, as amended and many of these points date back to my personal childhood.

Growing up on a farm, we were very poor when I was growing up. Very poor. In fact, my parents couldn't even afford to buy my brother and I bicycles when we were growing up, so my father, when he would get home from work, as a construction worker, would come home and he would assemble, put together bicycles for us. He assembled a bicycle for both my brother and I just out of spare parts that were kicking around the farm and we had bikes to ride.

We couldn't even afford a bicycle. How were we going to afford a helmet? Now, I know there is a safety issue involved, but my brother and I did so many things on that farm and riding the roads and jumping and running into trees, climbing trees, without the bicycle, of course, climbing on the stacks of hay and falling off and hitting our heads, playing football without helmets. I spent two years in the South. In South Carolina and I never saw people playing pick up football games with helmets on.

Do all kinds of things that are dangerous and we don't wear helmets. But again, I would like to go back to the issue when I was a kid, not that I am not right

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now, but our parents couldn't even afford to buy us bicycles.

My father, God bless his soul, put some together for my brother and I and we had bikes to ride. But we couldn't afford helmets. Now, I know there is not a fine involved with this bill, as amended. But in the future, I think there will be one. This bill gets the State's foot in the door and it is a nice gushy type bill, well intended as it may be, and I think it is very well intended. I would like to commend the people who brought forth this bill.

But, I can't support it. How far are we going to go in the future? Are we going to mandate that kids do wear helmets to climb trees? We did a lot of that when I was growing up. Play pick up football games, baseball games out in the field, kids in the neighborhood all over came by to play.

Mr. Speaker, I oppose this bill. Thank you.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Cutler. Will you remark further on the bill, as amended? If not, will staff and guests please come to the well of the House? Would members please be seated? The machine will be opened.

CLERK:

The House of Representatives is voting by roll

kfh

House of Representatives

Wednesday, June 2, 1993

call. Members to the Chamber. The House is voting by
roll call. Members to the Chamber.

DEPUTY SPEAKER COLEMAN:

Have all members voted? Have all members voted?
If all members have voted, the machine will be locked.
Clerk, will please take the tally.

Representative Krawiec.

REP. KRAWIEC: (26th)

In the affirmative.

DEPUTY SPEAKER COLEMAN:

Representative Krawiec of the 26th in the
affirmative.

Representative Beamon of the 72nd.

REP. BEAMON: (72nd)

Thank you, Mr. Speaker. In the affirmative,
please.

DEPUTY SPEAKER COLEMAN:

Representative Beamon of the 72nd, in the
affirmative.

Will the Clerk please announce the tally?

CLERK:

Senate Bill 699 as amended by House Amendment
Schedule "A"

Total number Voting 147

Necessary for Passage 74

kfh

House of Representatives Wednesday, June 2, 1993

Those voting Yea	137
Those voting Nay	10
Those absent and not voting	4

DEPUTY SPEAKER COLEMAN:

The bill, as amended passes.

Will the Clerk please continue with the call of the Calendar?

THE CLERK:

On Page 30, Calendar 546, Substitute for House Bill 6899, AN ACT CONCERNING THE CIVIL PENALTIES OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION. Favorable report of the Committee on Planning and Development.

DEPUTY SPEAKER COLEMAN:

Representative Stratton.

REP. STRATTON: (17th)

Yes, Mr. Speaker. I move acceptance of the Joint Committee's favorable report and passage of the bill.

DEPUTY SPEAKER COLEMAN:

Question is acceptance and passage. Will you remark further?

REP. STRATTON: (17th)

Yes, Mr. Speaker. Before talking about the specifics of this bill which deals with changes to the Department of Environmental Protection Civil Penalties Laws, I would like to call an amendment. The Clerk has

JOINT
STANDING
COMMITTEE
HEARINGS

SELECT
COMMITTEE
ON CHILDREN
PART 2
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CHILDREN

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REP. LOCKTON: Thank you. Further questions of Ms. Hoffman. Representative Barry Kolar.

REP. KOLAR: Yes, you mentioned 185 percent of the poverty rate. A typical family of four, what would be the maximum amount of money that they could make to fall within this range?

ROBYN HOFFMAN: Let's see,, that would be -- I want to say about \$24,000. I'm getting the nod over from (inaudible) over at DIM.

REP. KOLAR: So you're claiming that somebody that's making \$24,000 a year is a distressed family and should be eligible for these expanded programs?

ROBYN HOFFMAN: Many of these families may be uninsured despite the fact that there is a working parent in the family.

REP. KOLAR: And if it was, let's say, a family with three small children, the income limit would be what -- it would be \$28,000?

ROBYN HOFFMAN: Three would be about \$22,000.

REP. KOLAR: Okay.

SEN. MUSTONE: Further questions? If not, thank you, Ms. Hoffman. The Chair would like to call forward Dr. Leonard Banco from the Childhood Injury Prevention Center.

DR. LEONARD BANCO: Thank you very much. My name is Leonard Banco and I'm the Vice President of the Connecticut Chapter of the American Academy of Pediatrics and Chair of their Injured Prevention Committee.

Before I begin my remarks, which I'm going to keep brief because so many other people are waiting to testify, I'd like to direct your attention to the packet that I've handed out which includes not only a transcript of my testimony, but some addenda put together by the Connecticut Childhood Injury Prevention Center which include a fact sheet talking about some of the data in general and then a couple of other specific forms which include bicycle deaths for the Year 1988 and 1989 in

children and adolescents in the State of Connecticut and Connecticut motor vehicle bicycle collisions between 1981 and 1987 broken down by each town in the state, total and average per year during that period of time.

I'm here today to speak in favor of Proposed SB699, AN ACT CONCERNING SAFETY HELMETS FOR CHILDREN RIDING BICYCLES. Injuries as a group, are the major cause of death and disability to children, greater than any disease. Children are uniquely vulnerable to injury because of the mismatch between their developmental level and their environment, an environment which has been created by adults, and it's as adults we have a responsibility to protect our children.

Bicycle injuries are a particularly serious cause of injury to children. School-aged children ride on the street and 850 children and adolescent bikers in Connecticut are hit by cars each year. These children suffer invariably in these car versus bike collisions. The cars almost always win.

At least another 2,000 child bikers suffer serious injuries which are not automobile related each year. Five of these children die each year and over 500 are admitted to various hospitals around the state. Sometimes they break arms or legs, but the most serious problem is that children are apt to fall on their heads and they suffer brain damage as a result.

Ask people from the Connecticut Traumatic Brain Injury Association or from the Rehabilitation Unit at Newington Children's Hospital or ask friends in your own town. They all know children who have been seriously hurt or killed as a result of bike injuries, but it's not a hopeless situation. Death and head injuries can be prevented by use of bike helmets. Research from around the United States over the past seven years has shown conclusively that the use of bicycle helmets can reduce death and serious injury during biking accidents by 85 percent.

This is as effective as any immunization for childhood diseases which this state mandates for entry into day care centers and schools, but will children wear helmets? Won't they look weird? Once again research has shown that education and public awareness can change the attitudes of children and their parents toward the weirdness factor. The Connecticut Childhood Injury Prevention Center, the American Academy of Pediatrics and the Connecticut Junior Women have been actively working town by town over the past three years to encourage helmet use with encouraging results, but aren't helmets expensive? No.

Helmets that meet national safety standards are available for as little as \$20, but education regarding helmet use and accessibility of helmets are not enough. Legislation is the other important step we must take to encourage widespread helmet use among children and adolescents. Like infant and child car seats, also mandated by this state, legislation to promote bike helmet use will save lives, prevent long term disability and reduce medical costs to the state as a whole.

The cost to individuals will be small and the program will cost the state nothing, but best of all, hundreds more children will live normal healthy lives each year as a direct result of legislation you can pass this session.

Thank you very much for giving me the opportunity to testify and I'd be very happy to answer any questions you might have.

SEN. MUSTONE: Thank you, Dr. Banco. Are there any questions for Dr. Banco? Representative Joe Piscopo.

REP. PISCOPO: I was wondering, and I apologize if I missed it in your testimony, do you have an estimate on how many children are traumatic brain injured or are injured in bicycle accidents?

DR. LEONARD BANCO: We know the number who are killed, it's five per year average. We know the number admitted to hospitals is about 500 a year. This would be a guess, but probably between 50 and 100

children a year end up with serious long term disability from brain injuries and there are a significant number of others who end up with more subtle long term disabilities.

: Excuse me. I'm from the Connecticut Brain Injury Association and I can give that figure, if it's okay to talk out of turn?

SEN. MUSTONE: No, you'll have to come to the microphone and identify yourself.

: Okay.

SEN. MUSTONE: So it will be written into the record, read into the record. Any further questions for Dr. Banco. If not, thank you very much, sir. Representative Andrea Stillman.

REP. STILLMAN: Thank you very much. Good afternoon, Senator Mustone, Representative Thompson and committee members. I am Representative Andrea Stillman and I am here to speak in support of Proposed HB6076, AN ACT ENSURING THE SAFETY OF CHILDREN ON PUBLIC PLAYGROUNDS.

My support of this bill is based on the personal experience of my daughter. Approximately seven years ago when she was ten years old she had a terrible accident on the school playground. She arrived at school in the morning and proceeded to the playground for supervised play with her friends before the school day began. As she was jumping and swinging from one bar to another on the "monkey bars," she fell to the ground on wet sand. My daughter's hip was broken from this fall.

She was operated on, had three pins put in her hip and was plastered into a body cast for two months. During this two month period she was treated at home and our family room became a hospital with a rented hospital bed and rehabilitation equipment. She missed school for more than two months and this accident caused concern about any developmental problems as well.

than the kind of issues you were looking at and the kind of issues this legislation speaks to, but what I am here for is SB698 and SB699. You will have testimony on the public portion on both of these, good, strong testimony.

SB698 deals, once again, with the issue of the hazards of carrying children in the open beds of pickup trucks. I think we've been through this discussion for two years now. I am hopeful that this committee and the new focus on children and children's safety and children's futures will help us carry the day and finally getting this bill passed through both houses. We have been successful in one in the past.

The record of need and the record of lack of safety and long term cost in terms of pediatric injury is clear. It is a simple proposition. I sincerely hope we don't go back to that terrible year where we had a bill where we put together the prohibition on carrying children in pickup trucks and another bill on the prohibition of carrying dogs in pickup trucks, and believe it or not, what came forward out of another committee was the dogs and not the kids. This committee is a better statement of priorities than we've had in a long time and hopefully will help in that matter.

Second, SB699, also on pediatric injury, I'm going to defer largely to the testimony that Dr. Banco has provided. I think indicating very strongly that this simple step of requiring children safety helmets for bicycle riding and requiring particularly those who rent bicycles to provide them to the children who are renting them makes all the sense in the world.

Talk about prevention, preventing traumatic injury and the long term costs of that in human potential and dollars makes all the dollars and cents in the world and I thank you for your attention this afternoon.

SEN. MUSTONE: Thank you, Senator Sullivan. Are there any questions? Yes, Representative Janet Lockton.

REP. LOCKTON: Two. Senator Sullivan, highway, public highway, how is that described?

especially the next to the last paragraph combined with the earlier testimony from both Judy Solomon and the Connecticut Association of Human Services, it seems to me that we have some opportunity to explore, indeed expanding beyond what the Governor is proposing immediately, and secondly, to await the alternative of the CHIPS program and the expansion of the EPSDT.

So I know we'll be meeting with Commissioner Rowe in the subcommittee and we'd certainly welcome your input and the input of the other people who have already testified on this issue.

DONNA MOORE: Thank you very much.

REP. THOMPSON: Yes, thank you. Commissioner, did you have anything you wanted to add?

COMM. AUDREY ROWE: No, I left this to the experts.

REP. THOMPSON: Me too. Thank you. Our next speaker is Commissioner Gloria Schaffer of the Department of Consumer Protection. Thank you for your patience, Commissioner.

COMM. GLORIA SCHAFFER: Chairman Johnson, members of the committee, I would to go on record on behalf of the Department of Consumer Protection in favor of SB699, which is the ACT CONCERNING SAFETY HELMETS FOR CHILDREN RIDING BICYCLES. Dr. Banco and others have given very convincing testimony and I'm sure that you'll hear more on the subject.

I feel very strongly that requiring helmets to be worn by young people will drastically reduce the number of bicycle injuries, particularly those traumatic injuries that occur to the head.

The other bill on which I wish to comment briefly is HB6076, AN ACT ENSURING THE SAFETY OF CHILDREN ON PUBLIC PLAYGROUNDS. The department supports the goal of minimizing playground injuries through proper design, installation, inspection and maintenance of these facilities.

However, if one looks at the full scope of services to be included within this implementation, certainly the recruitment of additional providers is part of the program, informing clients about the availability of the full range of preventive services is part of the program. I think those of us who sit in administration within urban settings would love to transfer responsibilities from settings such as emergency departments in which we provide episodic care that is far more difficult to settings in which we could provide longitudinal continuity of care which ultimately would be cost saving.

So I do agree that the capacity of the system is problematic and I think that's precisely why we need a comprehensive approach as opposed to just a piecemeal approach that would not be successful. We need all components of this program.

REP. THOMPSON: I hope we have you on tape because I can use that explanation when that argument is raised again.

PAUL DWORKIN: I'll be glad to repeat it any time. Thanks.

REP. THOMPSON: William Nelligan, followed by Len Krassner, followed by Dona Hoff.

WILLIAM NELLIGAN: Good afternoon, Senator Mustone, Representative Thompson. I'm William Nelligan. I'm the Program Coordinator from the Connecticut Traumatic Brain Injury Association. I am going to summarize my testimony and I think being the Children's Committee, you will understand why. I am the single parent with full custody of a six year old son and I expected this to start a lot earlier.

First, I'm going to talk about SB698, children riding in the back of pickup trucks, an act prohibiting that. I'm going to summarize it by saying that in Connecticut 5,000 people each year sustain traumatic brain injury. Sixty percent of these are vehicular related, that only two percent of the individuals who sustain traumatic brain injury receive the rehabilitative service that they require, specifically concerning pickup trucks.

It's funny, I've talked on this bill three years in a row, the last two years to the Transportation Committee. The Transportation Committee last year passed a bill prohibiting carrying animals in the back of pickup trucks, but they failed to pass the law prohibiting children riding in the back of pickup trucks on public roadways.

The evidence is clear that passengers in pickup trucks are at even greater risk of ejection injuries than passengers riding inside a vehicle. If you're inside a car, you are 25 times more likely to be ejected from the car if you are non-belted in. Think about the much greater risk if you're riding in the back of a pickup truck. 127 children were killed in the State of Connecticut in 1987 from falling out of pickup trucks. Most of these were non-collision deaths. They were caused by the child falling out of the truck, either by sitting on the tailgate or by engaging in horseplay or because the vehicle swerved to avoid something on the road. That's 127 deaths that could have probably been avoided.

We know there's no cure to TBI once the injury has occurred, lives are irrevocably changed and children are a priceless commodity. I urge you to support SB698.

Keeping my remarks brief on HB699, AN ACT REQUIRING BICYCLE HELMET USE FOR CHILDREN UNDER 16. There was a question that was asked before of one of the advocates from Childhood Injury Prevention. There are 400,000 bicycle related injuries that require hospitalization each year. 320,000 of those are due to head trauma. I'm going to give you a personal -- I wasn't going to do this, last year my son learned how to ride a bicycle when he was five years old and I said, "Cody, you are going to ride with a helmet." And Cody said, "Daddy, I'm not riding with a helmet. None of the other kids ride with a helmet." I made him put it on and even though it had Ninja turtle things all over it, he didn't want to wear it.

He ran out of the house in a snit, crossed the street, stumbled and fell before even getting on his bicycle. He went headfirst into the curb, hitting the curb with his helmet. He got up,

looked at me standing on the porch, took the helmet off, looked at the helmet, looked at me, walked across to me, I have never had a problem with him wearing his bicycle helmet since that day.
(laughter)

I strongly urge you to support SB699 as well as SB698.

REP. THOMPSON: Are there questions. Just for clarification. I think you mentioned a number of deaths and I understood you to say in 1987. Did you mean since 1987?

WILLIAM NELLIGAN: No, in 1987. That's the figure -- the latest figure we were able to get.

REP. THOMPSON: Is that a national or a state --?

WILLIAM NELLIGAN: That's a state number.

REP. THOMPSON: That's -- thank you very much. Unbelievable.

WILLIAM NELLIGAN: The numbers that I gave you on the 320,000 head trauma cases of emergency room that required hospitalization, so those are national numbers, so you can extrapolate the figures knowing that 5,000 citizens in Connecticut sustained traumatic brain injury year and that 60 percent of them are vehicular related.

One other thing about the bicycle bill that is interesting to note, only 25 percent of the children that were seriously injured in bicycle related injuries were involved in injuries with a vehicle and yet that number is still up near 850 per year. So 75 percent of those injuries were resulted not by being hit by a car and 85 percent of serious head injuries and deaths could be prevented by wearing bicycle helmets, 85 percent and that comes from the New England Journal of Medicine.

REP. THOMPSON: Thank you very much.

WILLIAM NELLIGAN: You're quite welcome.

REP. THOMPSON: Our next speaker is Len Krassner, to be followed by Dona Hoff, to be followed by Alicia McCarthy.

LEONARD KRASSNER: My name is Leonard Krassner, I'm a practicing pediatrician for 35 years and I am here today, I am sent here by the American Academy of Pediatrics and the State Medical Society to support two bills. The first one is the bicycle helmet bill. And I am going to summarize, because you have heard a lot of the figures already. SB699

Several years ago I had the opportunity to meet with members of the Legislature to discuss infant car seats. And it became obvious at that time that without the state law parents were not going to be motivated to restrain their kids. And as I remember, it took three years to get that bill passed.

Now, about a decade later, along with other physicians, I am directing your attention to another preventable catastrophe. That is severe head injury secondary to falling off a bicycle.

Everybody's numbers differ a little bit. My numbers are 600,000 emergency room visits in the country. 1300 deaths in the country from bicycle accidents. Over half of those victims were under 15.

My mandating the use of helmets and by starting the use of helmets very early, Doctor Gorkin and I were just talking about putting helmets on two year olds when they are riding their tricycles to get them into the habit, the same way we do with infant car seats. And so that if we start kids early enough, we can train them to wear their helmets and avoid that kind of nerdy confrontation that they have with their peers.

Some schools in Connecticut have already gone ahead of the legislature in the sense that they have said, if you don't wear a helmet when you ride a bike to school, you can't park your bike at school. So that more and more people, schools, doctors, bicycle sales people have all become more aware of what is going on.

Helmet use as it has been said, reduces the incidents of head injury by 85% and the incidents of brain injury by 88%. Unfortunately, only about 2 to 5% of children routinely wear helmets, and the overall use is less than 10%.

Pros wear helmets, professional bicycle riders wear helmets, but we can't get our kids to wear helmets and it is about time that we gave parents a little bit of motivation in order to do that.

The other bill that I just want to talk to briefly is the act prohibiting carrying children in the back of pickup trucks. And this is, again, this is the third time. Hopefully this will be the lucky third time for this legislation to take place.

SB 698

Motor Vehicle trauma is still one of our major causes of death in children over the age of a year. Once you have eliminated congenital defects, automobile accidents are the worst. Only 17 states have statewide restrictions for passengers riding in the backup trucks. And of these only one state, New Jersey, is it illegal for anyone to ride in a cargo area of a pickup truck.

In Connecticut, we were, I think as I remember, we were about the 6th, somewhere around the 5th, 6th or 7th, to mandate infant car seats so that we can be second if we mandate the elimination of human cargo from the back of trucks.

22% of pickup truck deaths in the United States in 1987 were associated with riding in the cargo area, compared with only 3% of adults. So that this is a child related problem. The kind of injuries that result from injuries from a pickup truck are the worst kind of injuries you can possibly imagine, with injuries to the skull, the spinal cord, to the abdominal contents. But also there have been reports of carbon monoxide toxicity associated with riding in the back of these trucks as well.

I want to mention just two things that we would suggest. If a truck is sold or leased, the dealer would be required to inform the buyer of this legislation and two, that all trucks would be required to affix a decal that would attached to

RUTH HANLOR: I happen to be from Stamford as well. But I am here along with several other teen pregnancy prevention coordinators in Connecticut. Due to timing and due to, and with the difference of the Committee, I would like to waive my testimony on condition that you read the written testimony and the same for Susan Harrod of that is possible.

REP. THOMPSON: That's a good deal. We will take that. I promise. Doctor Steven Holland to be followed by Susan Harrod, to be followed by Christine Bertz.

DR. STEVEN HOLLAND: Good afternoon. My name is Steve Holland. I am an emergency physician at Saint Mary's Hospital in Waterbury and I am here today as a representative of the Connecticut College of Emergency Physicians and I would like to speak in favor of Proposed bill SB698 and SB699.

I believe the statistical argument in favor of these bills, regarding bicycle helmet useage for children and not allowing children to ride in the back of pickups has already been made today and I will try not to belabor that.

I do think that several statements bear repeating though. The most common cause of death and serious disability in bicycle accidents is from head injury. Head injury is the primary or contributing cause in death in 70 to 80% of all bicycle fatalities and in one study, cycling was the most common cause of head injuries for which children had to be admitted to the hospital. I find that that is a very fascinating statistic. This study was actually done in Canada. And it was used in evidence of the fact that their seatbelt campaign was so good, that now motor cycle head injuries, I'm sorry, motor vehicle accident head injuries to children had now dropped below bicycle head injuries as the number one reason for them being admitted.

It just goes to show that when statistics change, perhaps our priorities on what needs to be amended and changed regarding prevention will change as well.

Clearly, there is a problem that needs to be addressed and I would like to share my experiences as an emergency physician and as a father here today.

What I was trying to think of last week, what to talk about, I actually happen to run into a mother of a child in the emergency department who I had actually treated last summer. And that time, last July, her 12 year old boy had fallen off his bicycle backwards, hitting his head against the street fairly hard. Necessitating that he be brought to the emergency department by ambulance.

At that time we found out that he had a fractured skull to the excipidal bone on the left side, and the catscan showed a small bleed as well, necessitating him being admitted to the hospital. He did quite well. He didn't have any neurological deficits and was able to be discharged three days later.

As far as the hospital goes, that is end of story. A cure so to speak. But the mother story was very interesting. The child went on to have headaches that kept him awake at night. He developed poor sleep habits, poor eating, weight loss and poor concentration in school. He is fine right now, but it took him months to get over that.

It just goes to show you that things that these statistics don't show you, something in this case what we would call a post conclusive syndrome, go on to cause a lot of problems in children and statistics would just never tell you about it. And it just goes to show you how complex an issue like head injury can be.

As an emergency physician I deal with death and serious injury as well. I pronounce patients dead at the scenes of accidents and I also pronounced them dead on arrival. I have told family members how their loved ones died. The most difficult part is trying to tell them why and to be honest with you, I don't think I can truly ever explain that to them honestly.

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Nothing in my job however, compares to having to tell a parent that their young child is dead or seriously injured.

Many times I have imagined my own children in their place and instead of telling another parent, imagine myself being told by somebody what has happened. And I can tell you it is the most difficult thing that I want to go through and that I want to put anyone else through. And really by fate, or luck or act of God, what you want to call; it, it is not my children there.

This is my son's helmet today. And I think it is interesting to hear my story in comparison to what you heard earlier. My son loves his helmet. He loves wearing it. I have actually never had to tell him to do so. Of course my son is also only five years old. This is his second helmet and he has been wearing one since he was two. So as far as he knows, that is the thing to do.

Of course, his bicycle still only has training wheels and he is still not allowed in the street yet. And he actually, I was looking at it earlier today, seeing how unmarred it is. I don't think he has ever actually hit the ground with it yet. And I hope he never does. But, what was apparent in the story you heard earlier, is a parent can be also, one day my son is going to be ridiculed or laughed at or some comment is going to be made to him by another boy his age and he is not going to want to wear it.

Or he is going to look around and realize the other neighborhood kids aren't wearing it and he will come home and from that point on it will be very difficult to get him to wear this helmet and I know that I will probably meet with success in making him do so.

At that time, he will become one of the 96% of bicyclers out there who don't wear helmets. Of course, I will do everything I can to prevent him becoming one of the statistics they were talking about earlier today. But having a law to help me do this would certainly go a long way in helping myself and other parents making their kids make the right decision. Thank you very much.

REP. THOMPSON: Thank you Doctor. Any questions?
Representative Lockton.

REP. LOCKTON: A few questions. Maybe these were answered in my absence. How many helmets a year do you think a child would have to have, as their heads grow? How many helmets?

DR. STEVEN HOLLAND: This helmet here, well, I am not too sure at the older ages. This helmet will go from ages 2 to 7. And the reason why it is allowed to do that is the inside. The importance of having a helmet, first of all is to have the hard shell on the outside. There is different types of helmets. This helmet is approved by the American Academy of Pediatrics.

The reason why you can allow for growth is they have these inner velcro cushions that as a child head gets larger, you can insert smaller velcro cushions there. So this typically, and it will vary from child to child. This one typically, will go from age 2 to 7. His brother happens to have his other helmet right now, which is the only reason why we bought him a new one. But this would, like I say, go up to age 7. From age 7 to 15 I understand would be the next size.

So, in many cases, you could probably get by with 3 helmets for a child from ages 2 to their teenage years. This helmet did cost less than 20 dollars by the way.

REP. LOCKTON: That one cost less than 20 dollars. Okay. Now, has anybody thought of how, and maybe it has been discussed, how we could get helmets to parents who could not afford to by helmets if we pass the law?

DR. STEVEN HOLLAND: I would be very similar to the car seat issue. There is a lot of programs that have been out there and even manufactured sponsored programs, whereby people are given coupons. I have seen situations where car seats have been funded by hospitals. Have been funded by various, I think that the funding is always out there for something as cheap as this, when it comes down to it, that the underprivileged children would not be affected

by a law. Certainly wouldn't be biased against them and certainly would be helpful to that population.

I don't think that funding would be a major, would have a major impact against underprivileged youth.

REP. LOCKTON: You think there would be private funding available to buy helmets for those that --

DR. STEVEN HOLLAND: I think private funding, I think auxiliary organizations, I think that manufacturers would love to help out there. I think that hospitals and pediatric groups. I think there is plenty organizations who would love to take hold of a project like that.

REP. LOCKTON: Did I hear right before, if we enacted this, this would be the first state in the country that had a law like this?

DR. STEVEN HOLLAND: No.

REP. LOCKTON: Is there another state that has that now?

DR. STEVEN HOLLAND: There are other municipalities that have and there are other districts and there is other countries that have it. To my knowledge, there is not a full state that has it, but I could be wrong about that. We would be the second state to have the pickup law. And I think maybe that was mentioned earlier, but to my knowledge no state has this actual law.

REP. LOCKTON: Thank you.

REP. THOMPSON: Do you have a question?

REP. DAVINO: Representative Davino, I am also from Waterbury. Question I have for you. In your experience, do you think use of those helmets would have prevented all the injuries if the children had been wearing that helmet, would have totally prevented all the injuries that you have seen or experienced?

DR. STEVEN HOLLAND: That's a good question. Statistically it is about 85%. Of the ones that I have personally seen, I would have to say probably comes close to that.

I actually can't think of any offhand that it would not have helped. But, I would guess that there is maybe some that escape my memory right now that might not have.

REP. DAVINO: Well, that's good, I think the 85% is the number that I was looking for. Wasn't just your experience, it was more broad understanding.

DR. STEVEN HOLLAND: About 85%, it is not 100% by any means, but 85% is a pretty good number.

REP. DAVINO: Okay, thank you.

REP. THOMPSON: Representative Kolar.

REP. KOLAR: Yes, I would just like to relay my own childhood and that was growing up, I was one of three boys and we never bought new bikes. My father was conservative and also frugal and most of my friends didn't buy new bikes. Today, if you are going to buy a bike you can go to a yard sale or a flea market and you get them for 20 to 30 dollars. And I would venture to say that between 50 and 75% of the kids that buy bikes today and have them, purchase them this way. Now all of a sudden you are advocating 100% increase in the cost of child being able to ride a bike. Because if you can buy a bike at a flea market or a yard sale for 20, 30 dollars, then you are going to pass a law for 50% of the children that this is the only way that they can get a bike. Or a lot of these bikes are even given away in innercities for people on assistance.

You are going to make the cost of biking, which is as American as ma and apple pie. You are going to take that away from 50% of the children out there because there is going to be a 100% increase in the cost of riding a bike. Because that helmet is going to be 20 to 30 dollars which is equal to the cost for over 50% of the children that are purchasing bikes today.

This to me is a huge dilemma and I was wondering what your feelings are with this line of thought?

DR. STEVEN HOLLAND: I don't think that is going to have that impact in that way. I think that there is a almost a emotional argument that I have going back to my youth when I was foot loose and fancy, and would not have responded well to somebody telling me that I had to wear a helmet. The same was true when somebody told me I had to wear a seatbelt.

When law was mandated, I became much more conscience of wearing the seatbelt and later on putting my children into car seats. The car seat issue I think is very analogous here. WE have situation where we are all of a sudden telling underprivileged people, even though they may have a car or somebody elses car to ride in, they now had to purchase an 80 dollar car seat to allow their children to get home from the hospital and to go anywhere else. Well, these people all have car seats now. They have them one way or the other and if they want to ride in cars, and they want to obey it, they managed to get it and there have been plenty of programs out there that have financed those car seats for three.

The same is true with this. A 20 dollar helmet is not going to cause any child in this United States from stopping to have a bicycle because of law mandating it. They will find the money or they will find a way of getting a helmet for free and it will be done.

REP. KOLAR: I have to disagree with you and for wearing a seatbelt or the purchase of a seatbelt in a car, you are looking at less than one percent of the cost of that car. But when you are looking at 50% of the bikes being bought in this country, between 20 and 30 dollars, then you are talking about doubling that cost for half the kids in this country. I mean,

DR. STEVEN HOLLAND: Regardless of doubling --

REP. KOLAR: The person that can afford a new bike and spend a hundred dollars. The 20 dollars is achievable and its affordable. But what about all those, what about the other 50% that can't afford this. You are talking about a doubling of the cost of an American boy or girl riding a bike. I mean, you are taking this away from their childhood. to say that they are, they will be able to do it. I mean, how would you advocate it?

REP. THOMPSON: If I may interrupt. We are getting into debate here and the issue, that debate should follow this. We really have a number of other people waiting to testify and I think if you can respond very briefly and let us move on.

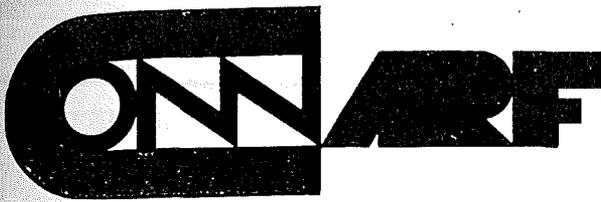
DR. STEVEN HOLLAND: It may in some cases be doubling the cost of the bicycle. But we are still only talking about 20 dollars and less and in many cases I believe, I honestly believe it would be free or at a very minimal cost. And at the same time I'm talking. I am seeing the innercity, the youth that you are talking about would be denied a privilege of wearing a bicycle, come into my emergency department on a daily basis and they get the money to get a 120 dollar sneakers. I am sure that the money can be found somewhere to afford a 20 dollar bicycle helmet.

REP. KOLAR: You are talking about a 15 or a 17 year old kid. I am talking about a 6 year old, 8 year old. I mean, they are not walking around with 120 dollar sneakers. That is a bad comparison.

REP. THOMPSON: Thank you Doctor. Thank you Representative. Our next witness is Susan Harrod followed by Christen Bertz, followed by Kathy Valentine.

SUSAN HARROD: I will also waive my testimony. Because I do have it in writing. And I certainly will hope that the Committee members will read it. I think of the seven coordinators, we will whittle ourselves down to two people testifying now.

REP. THOMPSON: Thank you Susan. Our next speaker is Christen Bertz.



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CONNECTICUT ASSOCIATION OF REHABILITATION FACILITIES

Terry Edelstein
Executive Director

February 25, 1993

Testimony - Select Committee on Children

Re: S.B. 699 AAC Safety Helmets for Children Riding Bicycles

My name is Terry Edelstein. I am the Executive Director of the Connecticut Association of Rehabilitation Facilities. ConnARF's 100 member organizations provide vocational, residential, medical, and support services for people with disabilities throughout the state.

We support S.B. 699 An Act Concerning Safety Helmets for Children Riding Bicycles. Members of our Medical Division treat children and adults with traumatic brain injury. They have seen the trauma and the loss of capacity resulting from head injuries. Requiring children to wear helmets is one way of assisting in preventing serious, potentially avoidable injury. While the proposed bill imposes a penalty on culpable parents, it becomes a message to all of us that bicycle safety is enhanced if the rider wears protective headgear.

We suggest that the Committee consider amending the bill by adding an educational component. Require that those selling or renting

bicycles distribute to buyers or renters a fact sheet describing the reasons to wear bicycle helmets and offering advice on what to look for in a bicycle helmet. Members of our Association would be glad to work with you in developing suitable language which alerts all buyers and renters to the prevention aspects of helmets, describes appropriate helmet fit, and outlines acceptable safety standards .

Thank you for your attention to preventing injury.

LT/tstmy



CONNECTICUT CHILDHOOD INJURY PREVENTION CENTER

000628

SB699

80 Seymour Street
Hartford, CT 06115

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Bicycle Injury Fact Sheet

In the United States¹

- 500 to 600 children and adolescents under 20 are killed each year while bicycling
- 400,000 bikers are treated in hospital emergency departments each year

In Connecticut^{2,3, 4}

- 5 children and adolescent bikers under 20 are killed each year
- 516 bikers are admitted to hospitals each year; of these 25% are motor vehicle related and 75% are non-motor-vehicle related
- bicycle hospitalization rates are highest among 10-14 year old males
- 843 children and adolescents under 20 are struck by a motor vehicle each year while bicycling
- 3,500 - 4,000 bike incidents per year require medical care

Characteristics of the problem¹

- children are at particular risk of bicycle-related
- most serious bicycle-related injuries and deaths are due to head injuries
- very few, (less than 5%) Connecticut children wear bicycle helmets
- most parents don't realize the danger to their children
- few children think that a bicycle helmet is acceptable

Strategies for preventing bicycle-related injuries

- wearing a bicycle helmet reduces the risk of serious head injury by 85%⁵
- convince parents of the need for bicycle helmets and motivate children and adolescents to wear them
- increase the availability of helmets and reduce their cost through a discount coupon program
- mandate the use of helmets for children
- build community support for a bicycle helmet campaign
- educational campaigns can raise bicycle helmet use rates but legislation can yield more immediate and dramatic increases of helmet use (10% vs 43% respectively)⁶

Universal use of helmets by all bicyclists could prevent one death every day and one head injury every 4 minutes⁷

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American
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TESTIMONY BY LEONARD BANCO, MD
VICE PRESIDENT, CT. CHAPTER AND
CHAIR, INJURY PREVENTION COMMITTEE
AMERICAN ACADEMY OF PEDIATRICS

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I am here to speak in favor of proposed SB No. 699 "An Act Concerning Safety Helmets for Children Riding Bicycles".

Injuries as a group are the major cause of death and disability to children, greater than any disease. Children are uniquely vulnerable to injury because of the mismatch between their developmental level and their environment -- an environment created by adults. And as adults, we have a responsibility to protect our children.

Bicycle injuries are a particularly serious cause of injury. School age children ride on the street, and 850 child and adolescent bikers in Connecticut are hit by cars each year. They suffer invariably in these car vs. bike collisions; the cars win! At least another 2000 child bikers suffer serious injuries which are not auto-related; 5 of them die each year and over 500 are admitted to the hospital. Sometimes they break arms or legs, but the most serious problem is that children are apt to fall on their heads. They suffer brain damage as a result.

Ask people from the CT Traumatic Brain Injury Association - or from the rehab unit at Newington Children's Hospital. Or ask friends in your own town. They all know children who have been seriously hurt or killed as a result of bike injuries.

But this is not a hopeless situation. Death and head injuries can be prevented by use of bike helmets. Research from around the U.S. over the past 7 years has shown that use of bicycle helmets can reduce death and serious injury during biking by 85 percent!!!

This is as effective as any immunization for childhood diseases which this state mandates for entry to day care centers and schools.

But will children wear helmets? Won't they think they look weird? Once again, research has shown that education and public awareness can change the attitudes of children and their parents towards the "weirdness factor".

The Connecticut Childhood Injury Prevention Center, American Academy of Pediatrics, and Connecticut Junior Women have been actively working, town by town, over the past 3 years to encourage helmet use, with encouraging results.

But aren't helmets expensive? No. Helmets that meet national safety standards are available for as little as \$20.

But education re: helmet use and accessibility of helmets are not enough. Legislation is the other important step we must take to encourage widespread helmet use among children and adolescents. Like infant and child car seats, legislation to promote bike helmet use will save lives, prevent long term disability, and reduce medical costs to the state as a whole. The cost to individuals will be small and the program will cost the state nothing. But best of all, hundreds more children will live normal, healthy lives each year as a direct result of legislation you can pass this session.

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BICYCLE HELMET SUPPORT TESTIMONY 0631

SB699

My name is Dr. Leonard Krassner. I am the Medical Director at Choate Rosemary Hall school in Wallingford, past president of the Connecticut Chapter of the American Academy of Pediatrics, past chairman of the Academy's Injury Prevention Committee, and member of the Connecticut State Medical Society Committee on Sports Medicine. I am here to speak in support of the bill on bicycle helmets.

Several years ago I had the opportunity to meet with members of the Transportation Committee to request passage of a bill mandating the use of infant car seats. At that time, it became apparent to many of us that unless there was a law mandating restraint usage, most parents would not protect their children with car seats. Connecticut was among the first states to pass such a law.

Now, a decade later, along with other physicians, I am directing your attention to another preventable catastrophe - severe head injury associated with falling off a bicycle.

Each year bicycle-related injuries account for 600,000 emergency room visits and 1,300 deaths. Over half of these victims are under 15 years of age. Clearly the time has come for legislators (along with physicians, schools, and bicycle manufacturers) to take an active role in preventing these useless deaths and injuries. By mandating the use of helmets, we will generate peer pressure among the junior set and, at the same time, stimulate the schools' and parents' awareness of the necessity of protecting their child's central nervous system. Some schools have gone ahead on their own, not waiting for legislation from Hartford, and have said that students cannot ride or park their bicycles at school unless they rode to school with their heads protected by an approved helmet.

Helmet use has been demonstrated to reduce the incidence of head injury by 85 percent and the incidence of brain injury by 88 percent. The converse of these figures is that death or permanent brain injury occurs when helmets are not worn. Unfortunately, only 2 to 5 percent of children routinely wear safety helmets, and the use overall is less than 10 percent.

On the basis of my previous legislative experience, I would be delightfully surprised if the bill passed this session -- or even next session. But my friends and I will be back next year and the year after in the hope of obtaining your support to avoid preventable brain injury in our children.

TBIA

*Connecticut Traumatic
Brain Injury Association, Inc.*

"Help Us Keep Minds Open"

Testimony to Committee on Children S.B. 699

An Act Requiring Bicycle Helmet Use for Children Under 16

February 25, 1993

Senator Mustrone, Representative Thompson and members of the Children's Committee.

My name is Kathleen Ryan, and I am the Executive Director of The Connecticut Traumatic Brain Injury Association. I present testimony on behalf of TBIA and our member agencies, particularly Newington Children's Hospital, in support of Senate Bill 699, An Act Requiring the Wearing of Bicycle Helmets for Children Under The Age of 16.

There is a growing awareness among parents of the importance of wearing bicycle helmets to prevent head and spinal cord injuries to children. As this awareness has grown, so has interest in mandatory bicycle helmet legislation. 400,000 children are treated in emergency rooms for bicycle related injuries each year. 80%, or 320,000 of these are seen for head trauma. A recent study in the New England Journal of Medicine showed that wearing a bicycle helmet can reduce a child's risk of serious head injury by 85%. Think about these numbers for a moment.

Besides the issues of lives irrevocably changed and the affect

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#8

that a serious head injury has on the family, what about the fiscal cost of head injuries? The consumer product safety commission estimates the annual cost of bicycle related injuries and deaths at 7.6 billion. Currently, some other states have already moved to enact bicycle helmet legislation, while in some areas the laws have been instituted at the county level. Examples are New Jersey where the law covers children upon to 14 and provides for fines of up to \$100, and Rockland County, New York where cyclists of all ages are required to wear approved protective headgear.

Statistics show that less than 5% of children in Connecticut wear helmets, and that between 3,500 - 4,000 bike incidents require medical care each year. Hospitalization is highest among 10-14 year old males, and while only 25% of these are motor vehicle related, still 843 children on bicycles are struck by vehicles in Connecticut yearly!

With statistics such as these - both nationally and at the state level, can any one doubt the need for bicycle helmet legislation?

We all agree that our children are our most precious resource, and protecting them from harm our most sacred duty. I implore you to support Senate Bill 699.

Thank you.



CONNECTICUT CHILDHOOD INJURY PREVENTION CENTER

000634

58699

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Connecticut Bicycle Deaths, under 20 years, 1988-89*

<u>Age (years)</u>	<u>Date of Death</u>	<u>Town</u>
8	10/24/88	Willington
10	6/29/88	Waterbury
14	9/29/88	Norwalk
14	10/20/88	Ridgefield
14	12/22/88	Stonington
6	4/17/89	Cheshire
9	5/19/89	Waterbury
12	5/23/89	Shelton
12	6/19/89	New Haven
14	8/16/89	Danbury

Total Years of Productive Life Lost = 537

* Connecticut Vital Statistics

To: Chairman Mustone, Chairman Thompson & Members of the
Select Committee on Children

From: Connecticut Public Interest Research Group (ConnPIRG)

Date: February 25, 1993

Re: Proposed S.B. 699, AAC SAFETY HELMETS FOR CHILDREN RIDING
BICYCLES & Proposed H.B. 6076, AA ENSURING THE SAFETY OF
CHILDREN ON PUBLIC PLAYGROUNDS

ConnPIRG has worked for the last several years to reduce the number of avoidable deaths and injuries to children through our "Campaign for Children's Safety." Successes of the campaign include the 1991 passage of a law to bind dealers of All-Terrain Vehicles to the provisions of the federal consent decree between the manufacturers and the U.S. Justice Department. More recently, the 1992 Legislative session saw Connecticut pass a "first-in-the-nation" toy labeling law to protect children under three from the choking hazards associated with small toy parts intended for older children. We are proud to announce to this Committee that this bill has served as the model for federal legislation which yesterday passed out of a House Committee in the U.S. House of Representatives.

We are here today to support both S.B. 699, AAC SAFETY HELMETS FOR CHILDREN RIDING BICYCLES & H.B. 6076, AA ENSURING THE SAFETY OF CHILDREN ON PUBLIC PLAYGROUNDS.

S.B. 699, AAC SAFETY HELMETS FOR CHILDREN RIDING BICYCLES

Bicycle accidents in Connecticut kill 5 children and adolescent bikers under 20 each year. Over 500 more are admitted to hospitals. Most serious bicycle-related injuries and deaths are due to head injuries. Bicycle helmet use reduces the risk of serious head injury by 85% according to the New England Journal of Medicine. These simple facts point to the need for S.B. 699.

We have enclosed with our testimony a draft of legislation that we feel would achieve the goals of a strong bicycle safety law. In addition to bicycle helmet language, it also includes strong provisions for the transport of children under four as passengers. The sections include the following:

- Mandatory helmet use by operators and passengers up to the age of 18;

- Required use of passenger seat which conforms to regulations established by Department of Consumer Protection for transport of child under four years of age;
- Bicycle dealers must provide information regarding this law to all purchasers;
- Bicycle rental stores must provide information and availability of a youth helmet to all customers seeking to rent a bicycle.

H.B. 6076, AA ENSURING THE SAFETY OF CHILDREN ON PUBLIC PLAYGROUNDS

In 1992, ConnPIRG, along with state PIRGs around the country, and the Consumer Federation of America undertook a national investigation of public playgrounds. In short, the study concluded that our nation's playgrounds are seriously lacking with regard to safety standards.

In 1990 alone, 150,000 children were injured seriously enough to require emergency room treatment. Tragically, at least 17 children die each year playing on playgrounds. Our study looked at the hazards which cause the most serious playground injuries: falls, impact with moving swings, and head entrapment.

I've requested a copy of the Consumer Federation of America's 1992 Report and Model Law on Public Play Equipment and Areas. This served as a blueprint for our study. I apologize for its late arrival, but I will get it to the Committee in short order.

We would like to thank the Committee for the consideration of our comments. We look forward to working with you on these and other bills through the session.



STATE OF CONNECTICUT

000637

DEPARTMENT OF HEALTH SERVICES

OFFICE OF COMMISSIONER

TESTIMONY IN SUPPORT OF PROPOSED BILL 699 AND PROPOSED BILL 6076

February 25, 1993

By Susan S. Addiss, MPH, MUR
Commissioner

Senator Mustone, Representative Thompson and members of the Committee on Children, I would like to express the strong support of the Department of Health Services for Senate Bill 699, AN ACT CONCERNING SAFETY HELMETS FOR CHILDREN RIDING BICYCLES and HOUSE Bill 6076, AN ACT ENSURING THE SAFETY OF CHILDREN ON PUBLIC PLAYGROUNDS.

Bicycling is a favorite activity and a healthy form of exercise for many children. However each year an estimated 1 million children under the age of 14 receive medical treatment for bicycle injuries in the United States. In Connecticut, bicycle injuries are a major cause of injury-related hospitalization for children 5 to 14 years of age.

Bicycles are a major cause of head injury in children. Approximately 80% of the bicycle fatalities among children under the age of 14 involve head trauma. Many more children receive serious or permanently disabling injuries.

Bicycle helmets (bearing a seal of approval from the Snell Foundation or the American National Standards Institute) are one of the most effective ways to prevent many of these deaths and injuries. Helmets have been shown to reduce the risk of head injury by 85% and brain injury by 88%. However surveys show that few children wear bike helmets.

PASSAGE OF PROPOSED BILL 699 WILL HELP TO PREVENT DEATHS AND SERIOUS AND DISABLING HEAD INJURIES AMONG CONNECTICUT CHILDREN.

The National Electronic Injury Surveillance System estimates that there are approximately 200,000 playground-related injuries requiring emergency room treatment each year nationwide. Half of these injuries occur at schools or other public playgrounds. Most playground injuries are minor but deaths and severe injuries do occur. The majority of the injuries involving emergency room treatment were falls. Injuries from falls to paved playground surfaces occurred at twice the rate of all other surfaces.

Proper design, construction, and maintenance of playgrounds and playground equipment has been demonstrated to reduce the risk of injury to children. Currently there are no standards for playground safety nationally or in Connecticut.

PASSAGE OF PROPOSED BILL 6076 WILL HELP TO REDUCE THE RISK OF PLAYGROUND-RELATED INJURIES TO CHILDREN.

References:

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U.S. Consumer Product Safety Commission. Handbook for Public Playground Safety.

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STATE OF CONNECTICUT

DEPARTMENT OF CONSUMER PROTECTION

SELECT COMMITTEE ON CHILDREN
 FEBRUARY 25, 1993
 COMMISSIONER GLORIA SCHAFFER

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 S.B. 699 AN ACT CONCERNING SAFETY HELMETS FOR CHILDREN
 RIDING BICYCLES

H.B. 6076 AN ACT ENSURING THE SAFETY OF CHILDREN ON
 PUBLIC PLAYGROUDS

Senator Mustone, Representative Thompson, members of the Select Committee on Children, it is a pleasure for me to appear before you today to support legislation concerning the protection of Connecticut's children.

Senate Bill 699, An Act Concerning Safety Helmets for Children Riding Bicycles, would protect children under the age of 16 from devastating head injuries.

National statistics on bicycle injuries have been well documented. According to the National Consumer Product Safety Committee, each year, approximately 1200 cyclists die as a result of accidents on bicycles and more than half a million bicycle-related injuries are treated in hospital emergency rooms. Of those 1200 fatalities, approximately 75% involve head injuries. Connecticut statistics show that 85 to 90% of the drivers injured in bicycle accidents are under the age of sixteen. By requiring helmets to be worn by these young people, we can drastically reduce the number of bicycle injuries, especially traumatic injuries to the head.

House Bill 6076, An Act Ensuring the Safety of Children on Public Playgrounds, would require Connecticut to adopt regulations which would incorporate as a minimum standard the guidelines published in the Handbook for Public Playground Safety from the U.S. Consumer Product Safety Commission.

I have provided some copies of the handbook for the committee to review.

The Department supports the goal of minimizing playground injuries through the proper design, installation, inspection and maintenance of these facilities. At present, we do not have reliable statistics on the number of injuries sustained at public playgounds but we recognize that the proliferation of playscapes and other outdoor facilities at schools and parks across the state may require closer attention. The Department stands ready to work with the committee to develop this issue with the recognition that the statewide regulation contained in this legislation would require additional agency resources for enforcement and training.

Thank you for the opportunity to appear before you today.

000640

CT Motor Vehicle Bicycle Collisions, 1981-87: Town of Occurrence

Town	Total	Avr/yr	%	Town	Total	Avr/yr	%
Andover	1	0.1	0.0	Groton	88	12.6	1.5
Ansonia	24	3.4	0.4	Guilford	33	4.7	0.6
Ashford	2	0.3	0.0	Haddam	6	0.9	0.1
Avon	15	2.1	0.3	Hamden	81	11.6	1.4
Barkhamsted	2	0.3	0.0	Hampton	2	0.3	0.0
Beacon Falls	9	1.3	0.2	Hartford	477	68.1	8.1
Berlin	8	1.1	0.1	Hartland	0	0.0	0.0
Bethany	5	0.7	0.1	Harwington	3	0.4	0.1
Bethel	28	4.0	0.5	Hebron	6	0.9	0.1
Bethlehem	1	0.1	0.0	Kent	3	0.4	0.1
Bloomfield	54	7.7	0.9	Killingly	46	6.6	0.8
Bolton	8	1.1	0.1	Lillingworth	2	0.3	0.0
Bozrah	5	0.7	0.1	Lebanon	1	0.1	0.0
Branford	43	6.1	0.7	Ledyard	22	3.1	0.4
Bridgeport	199	28.4	3.4	Lisbon	6	0.9	0.1
Bridgewater	1	0.1	0.0	Litchfield	7	1.0	0.1
Bristol	133	19.0	2.3	Lyme	2	0.3	0.0
Brookfield	13	1.9	0.2	Madison	25	3.6	0.4
Brooklyn	10	1.4	0.2	Manchester	172	24.6	2.9
Burlington	11	1.6	0.2	Mansfield	11	1.6	0.2
Canaan	0	0.0	0.0	Marlborough	3	0.4	0.1
Canterbury	3	0.4	0.1	Meriden	127	18.1	2.2
Canton	12	1.7	0.2	Middlebury	8	1.1	0.1
Chaplin	1	0.1	0.0	Middlefield	6	0.9	0.1
Cheshire	46	6.6	0.8	Middletown	53	7.6	0.9
Chester	2	0.3	0.0	Milford	159	22.7	2.7
Clinton	21	3.0	0.4	Monroe	36	5.1	0.6
Colchester	14	2.0	0.2	Montville	35	5.0	0.6
Colebrook	0	0.0	0.0	Morris	1	0.1	0.0
Columbia	4	0.6	0.1	Naugatuck	38	5.4	0.6
Cornwall	0	0.0	0.0	New Britain	146	20.9	2.5
Coventry	10	1.4	0.2	New Canaan	25	3.6	0.4
Cromwell	10	1.4	0.2	New Fairfield	8	1.1	0.1
Danbury	89	12.7	1.5	New Hartford	8	1.1	0.1
Darien	42	6.0	0.7	New Haven	306	43.7	5.2
Derby	25	3.6	0.4	Newington	59	8.4	1.0
Durham	8	1.1	0.1	New London	79	11.3	1.3
Eastford	1	0.1	0.0	New Milford	30	4.3	0.5
East Granby	4	0.6	0.1	Newtown	24	3.4	0.4
East Haddam	5	0.7	0.1	Norfolk	4	0.6	0.1
East Hampton	10	1.4	0.2	North Branford	19	2.7	0.3
East Hartford	100	14.3	1.7	North Canaan	4	0.6	0.1
East Haven	40	5.7	0.7	North Haven	37	5.3	0.6
East Lyme	47	6.7	0.8	North Stonington	6	0.9	0.1
Easton	4	0.6	0.1	Norwalk	156	22.3	2.6
East Windsor	16	2.3	0.3	Norwich	102	14.6	1.7
Ellington	13	1.9	0.2	Old Lyme	13	1.9	0.2
Enfield	111	15.9	1.9	Old Saybrook	21	3.0	0.4
Essex	17	2.4	0.3	Orange	12	1.7	0.2
Fairfield	97	13.9	1.6	Oxford	5	0.7	0.1
Farmington	41	5.9	0.7	Plainfield	30	4.3	0.5
Franklin	2	0.3	0.0	Plainville	45	6.4	0.8
Glastonbury	67	9.6	1.1	Plymouth	16	2.3	0.3
Goshen	1	0.1	0.0	Pomfret	3	0.4	0.1
Granby	5	0.7	0.1	Portland	13	1.9	0.2
Greenwich	89	12.7	1.5	Preston	2	0.3	0.0
Griswold	13	1.9	0.2	Prospect	8	1.1	0.1

Source: Connecticut Childhood Injury Prevention Center

CT Motor Vehicle Bicycle Collisions, 1981-87: Town of Occurrence

Town	Total	Avr/yr	%
Putnam	16	2.3	0.3
Redding	6	0.9	0.1
Ridgefield	37	5.3	0.6
Rocky Hill	22	3.1	0.4
Roxbury	1	0.1	0.0
Salem	1	0.1	0.0
Salisbury	3	0.4	0.1
Deep River	3	0.4	0.1
Scotland	2	0.3	0.0
Seymour	29	4.1	0.5
Sharon	3	0.4	0.1
Shelton	44	6.3	0.7
Sherman	2	0.3	0.0
Simsbury	27	3.9	0.5
Somers	6	0.9	0.1
Southbury	7	1.0	0.1
Southington	71	10.1	1.2
South Windsor	25	3.6	0.4
Sprague	2	0.3	0.0
Stafford	9	1.3	0.2
Stamford	105	15.0	1.8
Sterling	1	0.1	0.0
Stonington	48	6.9	0.8
Stratford	115	16.4	1.9
Suffield	9	1.3	0.2
Thomaston	10	1.4	0.2
Thompson	9	1.3	0.2
Tolland	10	1.4	0.2
Torrington	55	7.9	0.9
Trumbull	24	3.4	0.4
Union	0	0.0	0.0
Vernon	80	11.4	1.4
Voluntown	2	0.3	0.0
Wallingford	81	11.6	1.4
Warren	0	0.0	0.0
Washington	1	0.1	0.0
Waterbury	196	28.0	3.3
Waterford	21	3.0	0.4
Watertown	35	5.0	0.6
Westbrook	13	1.9	0.2
West Hartford	117	16.7	2.0
West Haven	127	18.1	2.2
Weston	2	0.3	0.0
Westport	83	11.9	1.4
Wethersfield	44	6.3	0.7
Willington	4	0.6	0.1
Wilton	13	1.9	0.2
Winchester	15	2.1	0.3
Windham	45	6.4	0.8
Windsor	67	9.6	1.1
Windsor Locks	24	3.4	0.4
Wolcott	15	2.1	0.3
Woodbridge	18	2.6	0.3
Woodbury	8	1.1	0.1
Woodstock	4	0.6	0.1
Total	5899	842.7	100.0

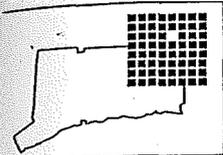
Source: Connecticut Childhood Injury Prevention Center

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CONNECTICUT COLLEGE OF EMERGENCY PHYSICIANS

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February 25, 1993

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To: Members of the Select Committee on Children

From: Stephen Holland, M.D.
Chairman, Government Affairs/CCEP

Re: Proposed S.B. 698 and 699

My name is Steve Holland. I am an Emergency Physician at St. Mary's Hospital in Waterbury. I am here today as representative of the Connecticut College of Emergency Physicians and would like to speak in favor of Bill 698 and 699. I believe the statistical argument in favor of bicycle helmets for children and not allowing them to ride in the back of pick-ups has already been made today. Several statements bear repeating. The most common cause of death and serious disability in bicycle accidents is head injury. Head injury is the primary or contributing cause in death in 70-80% of all bicycle fatalities. In one study, cycling was the most common cause of the head injuries for which children were admitted to the hospital. Clearly, there is a problem here. I would like to share my experience as an Emergency Department Physician and a father.

I am reminded of a 12 year old boy I saw last July. He fell off his bike backwards and broke the occipital bone of his skull. His admission was fairly routine, he did well and was discharged several days later without neurological deficit. For months later, however, he was plagued by headaches, poor sleep, weight loss and poor concentration at school. He is better now, but there is a common post concussive scenario that the statistics don't tell you about and until you have witnessed it first-hand, you don't know how complex even mild head injuries are.

As an Emergency Physician, I deal with death and serious injury as well. I have pronounced patients dead at the scenes of an accident as well as on arrival. I've told family members how their loved ones died, but I never have been able to really explain why. Nothing, however, in my job compares with having to tell a parent that their young child is dead or seriously injured. Many times I've imagined my own children on the stretcher, unstead of someone elses, and have known that but for fate or luck, or Act of God it could just as easily be them.

This is my son's helmet. He loves it and loves wearing it even though I've never asked him to. Sounds strange? Not really. He's only five...his bike still has training wheels and he is not allowed to ride it in the street. Some day in the not too distant future, some other boy will make fun of him or he'll notice that none of the other neighborhood boys wear a helmet and he will stop using it despite my protests. On that day he will become part of the 96% of bicyclists who also don't. I'll still do what I can to make sure that he doesn't become one of the statistics that we talked about here today, but this law will certainly go a long way to help.

Respectfully submitted,

Stephen T. Holland, M.D.

JOINT
STANDING
COMMITTEE
HEARINGS

SELECT
COMMITTEE
ON
CHILDREN
PART 4
1147-1402

1993

REP. LOCKTON: We have now been joined by Dolly Powers from 151st District in Greenwich. She replaced our beloved Lydia Stevens. Dr. Harry Romonowitz please.

DR. HARRY ROMONOWITZ: Thank you. It's a pleasure to be here and to address a group that's been very familiar and very helpful in the past. The pediatricians at Stamford Hospital which is a group that represents all of the pediatricians in the City of Stamford had a business meeting this past Thursday and one of the items on the agenda was what we considered very very important and a simple one.

I was charged by them with the mission of expressing this group's unanimous and unwaivering support for the urgent passage of a bicycle helmet bill that's currently under consideration. These pediatricians have all felt that SB699, the bill should receive immediate attention, full support in order to pilot the need for children, or adults for that matter, but this bill deals with kids under 18 to use safety helmets when operating their bikes. This is completely in accordance with the recommendations of the Academy of Pediatrics and we have been recommending this to our parents as pediatricians for the past decade or so, but I don't think there can be any stronger message sent than when something is done through the course of the law.

In order to prevent future tragedies, I'll take a minute to describe just one, increased public awareness and increased compliance, I think it would be most helpful if all of our Legislators could see to it that this bill is passed. Until yesterday, Timmy C. was a nine year old boy, beautiful nine year old boy who was growing and active, healthy and the light of his parents's lives until he was struck by a car while riding his bike.

He sustained massive head injuries which have permanently disabled him to the point where he is never likely to become a productive citizen in our society. He will require a lifetime of support and rehabilitation. He spent weeks in intensive care following massive neurosurgery, months in our

acute pediatric unit of Stamford Hospital and followed by what will probably be years of rehabilitation in a long term setting.

Aside from the emotional and human cost, the burden to his family and to our hospital and the burden to our state is enormous and that's a burden that's financial as well. Any costs that would be required in implementing this bill are far overshadowed by the cost of that one life. Even in financial terms forgetting about the emotional and human terms. Multiply that by city after city after city throughout our state and even if you get 20% compliance, which is actually pretty good of kids riding around in helmets because of law that merely imposes a fine, I think you will have accomplished an enormous amount both on the human level as well in terms of saving health care dollars for the next several decades, so on behalf of all our pediatricians, I want to thank you for your support up until now and hope that will continue. I appreciate your giving us this opportunity to address you, and I'll be happy to answer any questions.

REP. TRUGLIA: Thank you. Were there any questions?

SEN. JEPSEN: Just a quick one. Do you have any statewide statistics for the number?

DR. HARRY ROMONOWITZ: Yes. I'd be happy to leave them with you.

SEN. JEPSEN: I'd like that.

DR. HARRY ROMONOWITZ: It's for bicycle accidents broken down by city and town by town, and I'll leave that with you.

SEN. JEPSEN: Thanks.

REP. POWERS: Do you recommend a specific kind of helmet or specific style of helmet as opposed, because as a mother when you go out to buy them, there's a whole range of them with a whole range of prices and they're made of different materials and they're strapped differently.

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DR. HARRY ROMONOWITZ: There are two that are described in the bill actually and that's with the auto car seat safety, car safety seats for infants and children, there are specifically designated and recommended qualities that the federal authorities as well as state authorities have designated and that's described in the bill actually, in the legislation that's pending.

REP. POWERS: And you'r happy with those.

DR. HARRY ROMONOWITZ: Yeah.

REP. LOCKTON: I heard in the public hearing on the bill that the helmets, what do they cost?

DR. HARRY ROMONOWITZ: They cost under \$20.

REP. LOCKTON: And do they have to, like a child would need three in a lifetime.

DR. HARRY ROMONOWITZ: Right.

REP. LOCKTON: Because of the growth of the head, and I'm wondering for the families and this was a concern of many members of the Committee that a family that may buy a bike for \$20 at a tag sale or something to go and buy the helmet on top may be unaffordable and may be breaking the law. Would the pediatricians around the state or something develop a fund to buy helmets or where do you see?

DR. HARRY ROMONOWITZ: There are several cities and volunteer programs that have been put into place regarding similar safety issues. For example, the infant car seats and the infant car seats program that was legislated, Stamford Hospital recognized that infants up to six months outgrow their seats and then in the typical American fashion they are obsolete and you have to buy another care seat.

Those are about \$60 a piece. Yet we require every infant that leaves from the hospital, who's born be discharged in an approved infant car seat. Our hospital has put together a voluntary program whereby car seats are distributed to anyone who wants one for at \$35 deposit. They keep the seat for six months. When they're done with the seat

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and their child has outgrown it. They return the seat and then get their \$30 dollars back. It costs them nothing and they grow into the next seat.

There are bike helmet trade in programs and there's one in the City of Stamford where if you can't afford a helmet, you come in. You get a helmet. You're handed it. It should be perfectly adequate for the entire time you need it. You return it. You get another helmet to trade in. Kiwanis Clubs around the state have already volunteered their funding to support bike helmet programs as with car safety seat programs.

REP. LOCKTON: The car safety seat program that the hospital is participating in, was that sort of legislated or is that just voluntary?

DR. HARRY ROMONOWITZ: Voluntary, and there are Junior Leagues and there are Kiwanis Clubs and there are voluntary agencies that would be happy I think to take on similar programs. The Kiwanis Club is responsible for a lot of the put your seat belt on signs that you see around the city as well as the car seat program.

REP. LOCKTON: The affordability of the helmet is a big handicap to many of the, I think, the people on the Committee, so that's nice.

DR. HARRY ROMONOWITZ: I think it's a small expense and I think it can be overcome by voluntary programs such as this, and indeed if Laura wants to answer what our city does.

REP. LOCKTON: Come forward.

LAURA CRAWFORD: I'd like to add.

REP. LOCKTON: Laura? We're taping everything. This is very important because we do have members on the Committee who haven't been convinced.

LAURA CRAWFORD: I'd like to add to the City of Stamford's Health Department's support to Dr. Romonowitz plea and let you know that we have a program that's funded by state called Home Safe Home in which we distribute bike helmets in

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addition to a number of home safety appliances, outlet covers, things like that for kids, for anybody.

REP. LOCKTON: Would you give your name please?

LAURA CRAWFORD: I'm Laura Crawford with the City of Stamford's Health Department.

REP. LOCKTON: Excuse me, Laura. What is the Home Safe Home, what department does that come from, agency in Hartford?

LAURA CRAWFORD: I think it's the Department of Health Services, production grant.

REP. LOCKTON: Thank you.

LAURA CRAWFORD: Thank you.

DR. HARRY ROMONOWITZ: With your permission I'll leave you with the statistics and a copy of my. Thank you.

REP. TRUGLIA: Thanks very much. It's going to be tremendously helpful. Patricia Purnall please.

PATRICIA PURNALL: (Inaudible - off mic and noise)
Thank you for holding a public hearing in Stamford also. It's easier to drive here than to Hartford. I'm work with the Head Start program in Stamford which serves 215 three and four year olds from families who live at or below the federal poverty guidelines. I think all children living in poverty need to be considered at risk.

Alcohol and
Drug Abuse
Treatment
Facilities and
Programs

Those 215 children who we are serving this year, 26 are diagnosed with a disability and nine are in the referral process with the Board of Education. That is 16% of our children this year are diagnosed or suspected disability. Many of the children have got disabilities that are more severe than we were seeing five to ten years ago. We feel this is due to their exposure to drugs and/or alcohol prenatally and the environment in which they have spent the first three or four years of life.