Legislative History for Connecticut Act

Act Number:	54	2005
Bill Number:	5446	
Senate Pages:	Senate: 2035-2069, 2099-2100	**37**
House Pages:	House: 2304-2373	**70**
Committee:	Transportation: 538, 542-545, 546-552, 781-782	**14**

Page Total: 121

Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate and House of Representatives Proceedings

Connecticut State Library

Compiled 2016

S-510

CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
2005

VOL. 48
PART 7
1960-2270

THE CHAIR:

Will you remark further on the amendment? If not, try your minds. All those in favor, please say "aye".

SENATE ASSEMBLY:

Aye.

THE CHAIR:

Any opposed, "nay"? Ayes have it. The amendment is adopted. Senator Murphy.

SEN. MURPHY:

Thank you. With the adoption of that amendment, Mr. President, if there's no objection, I would move this item to the Consent Calendar.

THE CHAIR:

Hearing no objection, so ordered. Mr. Clerk.

THE CLERK:

Calendar Page 5, Calendar 382, Files 284 and 498, Substitute for H.B. 5446, An Act Concerning Additional Training and Restrictions for Drivers Under the Age of 18 as amended by House Amendment Schedules "A" and "C", Favorable Report of the Committee on Transportation.

THE CHAIR:

Senator Ciotto.

SEN. CIOTTO:

Thank you, Mr. President. Mr. President, I move the Joint Committee's Favorable Report and passage of the bill in concurrence with the House.

THE CHAIR:

On acceptance and passage, will you remark? Senator Ciotto.

SEN. CIOTTO:

Yes, what this bill does, Mr. President, it makes three important changes to the laws governing teen driving.

The first change increases the number of mandatory behind-the-wheel hours that 16- and 17-year-olds must have driven before they're eligible to attain their driver's license from 8 to 20 hours.

This training can be obtained through commercial driving schools, school-based driver education programs, home training, or, importantly, any combination of these options.

The second amends the current passage of restriction laws that apply to 16- and 17-year-olds during the first six months they hold their driver's

licenses by allowing both parents to drive with the child in the first three months. Current law only permits one person, a parent, legal guardian, or licensed driving instructor to be in the vehicle with the teenager during this phase.

The final change prohibits 16- and 17-year-olds with driver's licenses from driving between midnight and 5:00 a.m. unless they are traveling for employment, school, or medical-related reasons. This nighttime driving restriction, as well as the passenger restriction provisions, would not apply to active members of volunteer fire, ambulance, or emergency medical service members.

In drafting this legislation, the Transportation Committee carefully reviewed Connecticut's teen driving laws, and it feels that these three changes will make our roads safer and provide our teens with the necessary resources to become safe, responsible drivers. Thank you, Mr. President.

THE CHAIR:

Will you remark further? Senator McKinney.

SEN. MCKINNEY:

Thank you, Mr. President. Mr. President, this is a very good bill, and I thank the Chair of the Transportation Committee for his leadership in making the roads safer for our teenage drivers. Hopefully, Mr. President, we could make a good bill even better. And to that extent, there is an amendment at the desk, and I would ask that the Clerk call LCO 5683, and I seek lead to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 5683, which will be designated as Senate Amendment Schedule "A", as offered by Senator DeLuca of the 32nd District.

THE CHAIR:

Senator McKinney.

SEN. MCKINNEY:

Thank you, Mr. President. Mr. President, I move adoption of the amendment.

THE CHAIR:

On adoption, will you remark? Senator McKinney.

SEN. MCKINNEY:

Thank you, Mr. President. Mr. President, this is an amendment that is not new to the Circle. In fact, it is very similar in language to a similar amendment we passed just two years ago.

What this amendment does, simply, Mr. President, is require that when the Department of Motor Vehicles issues new applicants for driver's licenses, that the terms of those driver's licenses be limited if the applicant is a resident of Connecticut, but not a citizen of the United States or a permanent resident alien, and their presence in this country is of a limited duration.

In short, Mr. President, what this would do is make the term of the driver's license, for those individuals, coterminus with their legal stay in this state and in this country.

Unlike earlier versions of this amendment many years ago, which were somewhat controversial, there are a number of exceptions built into this to protect individuals who are here legally, but who, and for a limited duration, but who have sought application to extend their stay here.

And what the bill, and also let me just point out that one of the good things about arguing these things over the years is that this is actually a better bill now than it was when it originally started, thanks to the work of Senator Ciotto and Senator Finch and others who argued that there was some unfairness in the original bill.

What this would do is allow the person, the applicant for the driver's license, to present evidence satisfactory to the Commissioner of Motor Vehicles that the person has a pending application for change or extension of their status to stay in the United States, consistent with federal law.

If that is the case, for example, someone has a visa to be here for a year. They have an application to extend that stay by showing evidence that they have submitted application, they will be granted an extension on their driver's license.

I think this is a common sense piece of legislation. I talked to many people, constituents, about things we're doing up here, and they are somewhat surprised to learn that someone who is here

on a visa for a year can go and get a driver's license for six years.

And they think it's just common sense that your driver's license should be limited to your legal stay in the State of Connecticut and in the United States.

I think most of the objections to this legislation have been worked out over the past. I think this is common sense. Quite frankly, given the actions of our United States Congress last night in the Senate and a week ago in the House, this is a bill that we're going to be required to do anyways, so we might as well do it now, and I would urge adoption of the amendment, Mr. President.

THE CHAIR:

On the amendment, will you remark further? Senator Looney.

SEN. LOONEY:

Thank you, Mr. President. Speaking in opposition to the amendment, Mr. President, I believe that while the amendment reflects a direction that is, in fact, likely to be adopted under federal law in a bill that is now passed in both Houses, I believe that we should not move ahead in that direction, because the policy

involved, I believe, will be punitive on many resident aliens who are, in fact, trying to regularize their statutes, their status and may be subject to delays or loss of license under this amendment through no fault of their own.

The amendment provides that while their license would be restricted to the period of the person's lawful presence in the United States, the problem is, unfortunately, someone acting in good faith cannot always guarantee that an application for an extension of a stay or otherwise in dealing with the Immigration and Naturalization Service will be acted upon in a timely manner with evidence that would be satisfactory to the Commissioner of Motor Vehicles for an extension of stay.

And through no fault of their own, I believe that individuals acting conscientiously might, in effect, be left in limbo because of the passage of this amendment, and I believe that it would be more prudent for us to wait until it becomes essential, if in fact it does, if the federal law passes and is signed by the President to comply, to deal with those compliance issues as we deal with what may be mandated under

federal Law three years hence rather than acting precipitously now.

So I would urge opposition to the amendment, Mr. President, and would ask for a roll call vote.

THE CHAIR:

Roll call will be taken when the vote is taken. Will you remark further? Senator Roraback.

SEN. RORABACK:

Thank you, Mr. President. I rise in support of the amendment, and I think it's important for Members of this Circle to understand what the state of current law is.

This bill has often been mischaracterized as a bill which would prevent illegal immigrants from getting driver's licenses.

Nothing could be further from the truth. Existing law prevents illegal immigrants from getting driver's licenses. Our Department of Motor Vehicle will not issue a driver's license unless the person applying provides evidence that they're lawfully in this country.

All this amendment will do is to make sure that if someone gets a driver's license who is lawfully in

this country, that the license will only be as good as their lawful status is. Or will only be good for so long as their lawful status in this country is.

Mr. President, I understand that if you go to a local Motor Vehicles office you will be able to talk to clerks who say they've got people with three months remaining on their visa, who come in and get a six-year driver's license. And all of us know, Mr. President, what a driver's license means in American society today and what it gives all of us entree to.

So what this amendment simply does is say, if you're in this country lawfully, you are welcome to have a driver's license. We encourage you to have a driver's license. When that day comes, however, that you are no longer a lawful presence in our country, no longer will you be given the emblem of legitimacy which a driver's license is.

And I think there are great public safety that will come from keeping a check on people overstay their lawful welcome in our country, and I urge adoption. Thank you.

THE CHAIR:

Will you remark further on the amendment?

Senator, no. Senator Cappiello.

SEN. CAPPIELLO:

Thank you, Mr. President. I also rise in support of this amendment. Very briefly, the rule of law is you come to this country legally for a specific period time, you should be here for that specific period of time.

No one wants to prohibit someone who's here legally from having a state-issued driver's license, which, by the way, is a privilege even for U.S. citizens, not a right.

No one wants to prohibit legal immigrants from having those, their driver's license. But if you are here longer than your legal limit, you should not be able to have a state-issued driver's license, which is your de facto national ID card, what we use to get on airplanes. We use it to get a mortgage. We use it for every major transaction.

When showing our identification, we are relying on the authenticity of a driver's license, and this amendment would simply ensure that if you're here legally, you can get a license. If you're not, if you

overstay your legal stay, you cannot keep that driver's license. Thank you, Mr. President

THE CHAIR:

Will you remark further on the amendment? Senator Kissel.

SEN. KISSEL:

Thank you very much, Mr. President. I also rise in support of the amendment. I think that fundamentally what's at the core of this is concern regarding our place in the world as terrorism still is out there.

Unfortunately, somebody can come to this country completely legitimately under the guise of a proper visa. But what we're concerned about is, under that legitimate basis, that when that legitimacy passes, then they would have, as Senator Roraback so aptly called it, an emblem of legitimacy, and that's a very good way of putting it, Senator.

Clearly, throughout the United States, if you're asked for identification, we do not have a national identification card. Even if you had a Social Security card, there is no indicia on that that that individual is you.

And perhaps some day we will be forced and constrained by the difficulties of terrorism throughout the world to have a national ID card, but I hope that day doesn't come.

I think what this does is it says, to the folks in the State of Connecticut, you can have rights and privileges to travel on our highways. You can have this emblem of legitimacy, but when your legitimate period in the United States has expired, we are going to make sure that your license expires at the same time.

And then it's incumbent upon you, as an honest individual, to go and either get that reinstated or to go back to your home country or however it all works out.

I'm sure that one can apply to get extensions of visas and things of that nature. So what we're protecting ourselves against is something that actually took place.

We know that this is taking place, that folks are out there. Indeed, just this week, we know that folks were out there getting fake police badges in New York

City. There was an individual that was caught with hundreds and hundreds of these.

I think this debate has gone on throughout the United States. I wouldn't like to see us constrained to get a national ID card.

I think allowing each of the 50 states to have this kind of restriction regarding their legitimate motor vehicle licenses is a sensible way to go. It balances different compelling interests, and therefore, I am happy to support this amendment as well. Thank you very much, Mr. President.

THE CHAIR:

On the amendment, will you remark further? Senator DeLuca.

SEN. DELUCA:

Thank you, Mr. President. I also rise in support of this amendment. As has been indicated, for most things today where you need a photo identification, that license is it.

And we heard of fear of someone who had been here and made application to stay here longer because their visa was running out. In this bill, it says that if

you provide proof of that application, you will not be denied an extension of your license.

That was a concern last time, and even with that concern the last time this bill was before us, it passed this Chamber. This has been corrected. So that is one of the fears, and I just heard it again today, that has been taken care of.

Secondly, as an identification, this is something that is very, very important. No one who comes here and is here for a year or two should be able to get an identification for six years.

If that's the only time they're here, you are enabling them to spend more time illegally, illegally, and in my opinion, it's an incentive to stay here illegally. This bill is important, as has been indicated by others before me, is important to our national security. That's the important part.

We're concerned about people staying here illegally, coming here on a short visa, getting a legal license, and being able to stay here longer after that as an illegal and having no status. That gives them the opportunity to do many things that we think are not what is intended by a six-year license.

That's why this amendment is here before us. As I indicated, it passed before us in this Chamber with that other fear in it. We have taken that out. It should pass more easily today, and I urge its adoption. Thank you, Mr. President.

THE CHAIR:

On the amendment, will you remark further? Senator Williams.

SEN. WILLIAMS:

Thank you, Mr., thank you, Mr. President. I rise to join the remarks of our Majority Leader in opposition to the amendment. I think it's very well intentioned, and I think that the purpose is good, to have people obey the law, to have folks be here in Connecticut legally.

And certainly, as some folks have indicated, there are some Homeland Security issues as well, although I don't think that they are as important as the idea of having people obey the law and be in the state legally.

However, I'm very concerned about the rightness of this amendment given what is happening with very similar legislation in Washington, D.C., where

legislation has passed the House and the Senate, and I understand it's most likely that the President will sign it, to require something similar along these lines.

And I have no idea whether this would be in concert with that, in conflict with it, or what exactly.

So at this point, for that and for the other reasons that Majority Leader Looney referred to, I would, I would vote against this, reserve judgment on taking it up at a future date depending on having the answers to those questions. Thank you, Mr. President.

THE CHAIR:

Roll call having been asked for on the amendment, the machine will be open. The Clerk will please announce pendency of a roll call on the amendment.

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:

Have all Members voted? Senator LeBeau. Senator Herlihy. Senator Ciotto. Senator Meyer. Senator Hartley. Senator Prague. Senator Meyer.

If all Members have voted, the machine will be closed. The Clerk will announce the tally.

THE CLERK:

Motion is on adoption of Senate Amendment Schedule "A".

Total number voting, 34; necessary for adoption, 18. Those voting "yea", 13; those voting "nay", 21. Those absent and not voting, 2.

THE CHAIR:

The amendment fails. Will you remark further? Senator Nickerson.

SEN. NICKERSON:

Thank you, Mr. President. Mr. President, I want to discuss the underlying bill, thank the Chairman for bringing it out, and strongly urge adoption. Why?

Since we took our oath of office this January, teenagers have died on Connecticut roads. What is more precious to us than our teenage children?

This bill is a logical extension of the action that we took a year or two ago in this Chamber and in the House below in terms of building on the experience that we've gained through the graduated license system. This is a vital bill.

It recognized that teenage children, teenagers, are a small proportion of the driving population, but a larger proportion of the driving population which is involved in fatal accidents.

The most significant statistical cause of teenage fatalities is driving accidents.

Granted, this bill will not resolve all of that, but it logically recognizes that teenagers need the experience that they develop by driving in daytime hours, work their way into driving in nighttime hours, and I very much hope the Senate will adopt this bill as before us. Thank you, Mr. President.

THE CHAIR:

Will you remark further on the bill? Senator Fasano.

SEN. FASANO:

Thank you, Mr. President. If I could ask the question of the proponent of the bill.

THE CHAIR:

Please proceed, Senator.

SEN. FASANO:

Thank you, Sir. Senator Ciotto, under the bill, if a police officer is driving and he, it's after 12:00, should this bill become law, and he determines or believes that the person driving the vehicle is 16 or 17 years old, it is between that 12:00 a.m. and that 5:00 a.m. period, would he, under that bill, have the right to pull that driver over to determine whether or not that person is of the proper age, through you, Mr. President?

SEN. CIOTTO:

Through you, Mr. President.

THE CHAIR:

Senator Ciotto.

SEN. CIOTTO:

Thank you. Through you, Mr. President, yes, to Senator Fasano, he does.

According to the bill, Line 113, except as provided in subsection (b) of this section, no such person shall operate a motor vehicle on any highway,

as defined in Section 14-1, at or after midnight until and including 5:00 a.m. of the same day.

THE CHAIR:

Thank you, Senator Ciotto. Senator Fasano.

SEN. FASANO:

Thank you, Mr. President. Thank you, Senator Ciotto.

SEN. CIOTTO:

You're welcome, Senator. Thank you, Mr. President.

SEN. FASANO:

My concern is, you know, I've got a balancing test. My daughter will be 17 in a couple of days, frankly.

But my concern is this would allow any driver of a vehicle, where the police officer believes the driver to be 16 or 17 years old, to be pulled over. Now, once you've established that probable cause for the pullover, everything is fair game. Plain view, what they may believe the operator is or is not doing, registration, license, so forth and so on.

And I think between the 12:00 and 5:00 is a particular concern to me, because I have a problem

with a police officer, just by his own view, believing that someone is not the right age and pulling the person over.

I'm not saying it's going to happen, but I think you have to balance the infringement upon our freedom versus what we're trying to protect. And I don't want to underestimate what we're trying to protect.

My daughter's curfew is 12:00 midnight. That's it. So this would help me out tremendously for the next year, because now I won't get the phone calls, dad, can I stay out until 12:30. I can say, hey, that's the law, but, so that will help me out.

But my concern is the freedom. My concern is the probable cause. My concern is the pulling over for identifying those people that otherwise probably would not be pulled over. I raise the issue.

I'm actually interested if anybody else shares the same concerns I have, because I'm still weighing on what to do with this bill. Mr. President, I thank you.

THE CHAIR:

Will you remark further, Senator Ciotto.

SEN. CIOTTO:

Thank you, Mr. President. And through you, Mr. President, Senator Fasano, your concerns are shared by many of us, but this bill is not, this bill is being promoted here to protect the children.

This is not a bill to punish the children. This is a bill to show them that we care for them and that our love for them is concerned here.

As was indicated earlier, too many youngsters are being killed on the highways. And if it takes a policeman who makes one or two extra stops, which I do not particularly favor, I think we can live with that at this point. And we can certainly revisit the issue if it comes up and when the complaints are numerous that this is happening.

But thank you for expressing your concerns. Thank you, Mr. President.

THE CHAIR:

Senator Newton.

SEN. NEWTON:

Thank you, Mr. President. I also rise with skepticism, and some of the skepticism Senator Fasano said very well.

What I'm afraid of is that this might be used as another tool to profile. And, you know, if I'm a police officer, and I see two young people driving down the street, and I might think they're 16 years old or 17 years old, does that give me the right to just pull them over?

Because a police officer, when he looks, he doesn't know if you're 17, 18, 19, 20. And it might give them another tool that they can pull people over.

And I'm in favor of saving our young people's lives, you know, putting another tool in to make sure that young people go through the process before they're on our roads.

That's the only part that scares me is that now we're going to give law enforcement another tool to use their objection to see if a person is 17 or 16 just by looking to pull that person over.

And I hope that's not what this bill is intended to do, Mr. President, and my good friend from Transportation, but I have to raise those concerns because it does happen.

And I would just hope that this bill would be used for the intention of trying to save young

people's lives and not be used as a tool just to pull people over randomly here in our state. And it does happen.

And I think out of due respect, if our friend Senator Penn was here, he would have probably raised the same concerns. And so I'm just a little skeptical that this does not be used as a tool just to pull people over just to be pulling them over, Mr. President.

THE CHAIR:

Thank you, Senator. Will you remark further? Senator Freedman.

SEN. FREEDMAN:

Thank you, Mr. President. Through you to the proponent, I notice that if an incident happens once, I gather they're given a warning. Through you, Mr. President, what exactly happens if they're stopped?

THE CHAIR:

Senator Ciotto.

SEN. CIOTTO:

I'm sorry. Would you repeat that question, please, Senator? I didn't understand it.

THE CHAIR:

Senator Freedman.

SEN. FREEDMAN:

Through you, Mr. President, what happens the first time a 16- or 17-year-old driver is stopped without the parent in the car with them? Through you, Mr. President.

THE CHAIR:

Senator Ciotto.

SEN. CIOTTO:

Well, I assume he's going to be charged with violation of this statute. If he's stopped, then the policeman is going to give him, issue him a summons. He's going to be in violation of this statute.

And I don't see where the penalties are, but it would be an infraction, I believe. Through you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator Freedman.

SEN. FREEDMAN:

Yes, through you, Mr. President. As I'm reading it, I'm reading, will not be subject to restrictions, blah, blah, blah, but then it says they don't get that

infraction pinned upon them until it happens a second time.

I'm curious to know what happens the first time. Through you, is it a warning?

THE CHAIR:

Senator Ciotto.

SEN. CIOTTO:

Okay. Any person who violates any provision of subsection (a) of this section shall be deemed to have committed an infraction. The Commission of Motor Vehicles, after notice and opportunity for a rehearing, in accordance with Chapter 54, may suspend the motor vehicle operator's license of any person who commits a second or subsequent violation of provisions of subsection (a) of this section, until such person attains the age of 18 years.

THE CHAIR:

Senator Freedman.

SEN. FREEDMAN:

Yes, thank you, Mr. President. I am in support of this bill, but I just wanted to make sure that when something happened the first time around, the young person understood that they had a responsibility, as

do their parents, and I'm not sure how an infraction plays out in all of that.

And, through you, maybe Senator Ciotto could explain that to me.

THE CHAIR:

Senator Ciotto.

SEN. CIOTTO:

Well, through you, Mr. President. The statute indicates that a second offense would, could result in a suspension until the individual reaches 18 years of age.

The first time he would be stopped and it would be considered an infraction--

THE CHAIR:

Senator Freedman.

SEN. FREEDMAN:

Yes, thank you.

SEN. CIOTTO:

--with no suspension action. Excuse me, Mr. President.

SEN. FREEDMAN:

Thank you, Mr. President. Finally, through you, Mr. President, was there any testimony about the current law and students, young people, I shouldn't say students, people who had their new licenses traveling the first three or four months without an adult in the car with them, was there any testimony to that effect in your Committee? Through you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator Ciotto.

SEN. CIOTTO:

I'm not certain say to Senator Freedman.

THE CHAIR:

Thank you, Senator. Senator Freedman.

SEN. FREEDMAN:

Yes. As I said, Mr. President, I rise in support of the bill, but I'm not sure how this message gets across to the families and to the young drivers.

There have been several incidences of young, brand-new drivers having very serious accidents with no adult in the car with them at the time, and I believe our current law was trying to be specific about that.

And through you, Mr. President, does this law definitely remedy that situation? The adult must be in the car with that child for the first three months of their driving experiences. Through you, Mr. President.

THE CHAIR:

Senator Ciotto.

SEN. CIOTTO:

Yes. And also the law was changed this time to permit both parents to be in the vehicle with the applicant or the driver who is learning to operate a vehicle.

THE CHAIR:

Senator Freedman.

SEN. FREEDMAN:

Thank you, Mr. President, and thank you, Senator Ciotto.

SEN. CIOTTO:

Thank you, Mr. President.

THE CHAIR:

Will you remark further? Senator, Senator Ciotto? Did you wish to remark further?

SEN. CIOTTO:

Not at this point. I see there is other questions, Mr. President. Thank you. I'll cease and desist until the Chamber is finished with me.

THE CHAIR:

You may also want to sit so I don't know you're seeking recognition, Senator. Thank you. Senator Cappiello.

SEN. CAPPIELLO:

Thank you, Mr. President. I simply rise in support of this bill and would like to thank both Senator Ciotto and a Representative from my district, David Scribner, for all of their hard work, because I know this has been an issue that you've been dealing with for the last number of years.

And I'm very happy to see this move even, move forward again this year. So I want to thank you for all of your hard work, as well as Representative Scribner. Thank you, Mr. President.

THE CHAIR:

Thank you. Senator Nickerson.

SEN. NICKERSON:

Yeah. Thank you, Mr. President. I just want to return briefly to the issue that was raised a moment

ago by Senator Newton and others as to the potential for an inappropriate stop.

And I would observe this. First, it has long been the law, as I understand it, that a policeman may always stop any driver on the road, day or night, of any age, if they have probable cause that a violation has occurred.

For example, if they see an unbuckled seatbelt or what they believe is an unbuckled seatbelt, they may stop the car and investigate that question.

So we're not creating anything new in terms of probable cause, and we wouldn't want to.

I mean, if we see someone drinking from a paper cup, we wouldn't want to say to the policeman, you can't stop that person and investigate what's going on.

And to bring this even more clearly to the specific legislation before us, it is the law this afternoon, right now, that if a policeman sees someone he believes to be a teenage driver driving down the road with someone who he believes not to be the person's parent, that is a violation.

Under the law today, for the first three months that a driver gets a license, as a teenager, you can only drive with a parent in the car.

How would we enforce that were we not to allow policemen or responsible law enforcement officers, if they had reason to believe that that was not the case, to stop?

So if you take the argument that probable, that stops may be made inappropriately, that would apply to the law we've already passed regarding teenage driver. It would apply to practically every law that applies to what goes on on the road.

So I recognize that is a concern, but I think that is a concern that applies broadly to so many bills and acts and the current law on teenage driving that that concern should be subordinated to the larger concern of saving teenage lives. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator McKinney.

SEN. MCKINNEY:

Thank you, Mr. President. Mr. President, I rise in support of the bill and just to reiterate my thanks

to the Chairman of the Transportation Committee, Senator Ciotto, for his hard work.

Several years ago, when we passed the first graduated licensing bill, we have seen that improve the safety on our roads and help protect 16- and 17-year-old drivers. This is yet another step in that direction.

I just also wanted to comment, one of the things in this bill that we're also doing is we are increasing the hours required for your driver training from the current number of 8, which is a very limited number of hours, to 20. In fact, many states require much more than that. But this is a significant increase in training behind the wheel which will make 16 and 17 year olds better drivers, safer drivers.

The fact is, Mr. President, we are not going to stop and prevent all accidents from happening. But we have seen so many tragedies in all of our communities where young teenagers are involved in serious or even fatal accidents, and many of them do occur between the hours of midnight and 5:00 a.m.

This is the proper step to take. You know, I had a job washing dishes at a restaurant when I was in

high school, and sometimes you were there after midnight. This allows for those exceptions.

If you're playing sports, if you're doing after-school jobs, things like that, you can still get to those events, but it just doesn't allow someone to go out on a Saturday night, or any night, to have fun and be driving around at 1:00 a.m. if you're 16 years old.

This is a good step in public safety. It will protect 16 and 17 year olds and all people on our roads, and I urge its adoption.

THE CHAIR:

Will you remark further? Will you remark further? Senator Ciotto.

SEN. CIOTTO:

No objection, Mr. President, I'd like to put this on the Consent Calendar.

THE CHAIR:

Hearing no objection, so ordered. Thank you.

SEN. CIOTTO:

Thank you.

THE CHAIR:

Mr. Clerk.

How can it be on the Consent Calendar if you didn't call it? It can't be on the Consent Calendar if you didn't call it.

THE CLERK:

No, it was placed on Consent. I just didn't read it.

THE CHAIR:

I think we're only voting on that which you read, so you're going to have to have another vote on that.

THE CLERK:

Yeah. Well, I missed one on Consent Calendar 2. It's on the Consent Calendar 1, Page 5. 382 didn't get put on there. HB5446

THE CHAIR:

It was the last meeting of the Consent Calendar. If you read it the second time, you're giving notice to people for their last objection. If you don't read it--

THE CLERK:

But I didn't call it though, did I?

UNIDENTIFIED SPEAKER:

It's on the list that's going to be voted on in the computer.

THE CLERK:

You heard me call it?

THE CHAIR:

[Inaudible - microphone not on] call it.

THE CLERK:

You sure?

THE CHAIR:

[Inaudible - microphone not on]

[Gap in testimony - 23 seconds]

THE CHAIR:

The Consent Calendar has been adopted. Didn't we close it already? Sorry. Oh, I was waiting for you? The Clerk will announce the results of the vote.

THE CLERK:

Motion is on adoption of the Consent Calendar No. 1.

Total number voting, 34; necessary for adoption, 18. Those voting "yea", 34; those voting "nay", 0. Those absent and not voting, 2.

THE CHAIR:

The first Consent Calendar is passed. Senator LeBeau.

SEN. LEBEAU:

H-934

CONNECTICUT

GEN. ASSEMBLY

HOUSE

PROCEEDINGS

2005

VOL. 48

PART 8

2187-2426

Those voting Yea 141

Those voting Nay 0

Those absent and not voting 10

DEPUTY SPEAKER KIRKLEY-BEY:

The Consent Calendar passed. Mr. Clerk, will you please call Calendar Number 246.

CLERK:

On Page 8, Calendar Number 246, Substitute for House Bill Number 5446, AN ACT CONCERNING ADDITIONAL TRAINING AND RESTRICTIONS FOR DRIVERS UNDER THE AGE OF 18, Favorable Report of the Committee on Transportation.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Guerrera, you have the floor.

REP. GUERRERA: (29th)

Thank you, Madam Speaker. Madam Speaker, very nice to see you up there. Madam Speaker, I move acceptance of the Joint Committee's Favorable Report and passage of the Bill.

DEPUTY SPEAKER KIRKLEY-BEY:

The question before the Chamber is acceptance of the Joint Committee's Favorable Report and passage of the Bill. Will you remark further, Sir?

REP. GUERRERA: (29th)

Thank you, Madam Speaker. Madam Speaker, this Bill has three important changes to its law governing teen driving.

The first change increases the number of mandatory behind-the-wheel hours that a 16- and 17-year-old must have driven before they are eligible to obtain their driver's license from 8 hours to 20.

The training can be obtained through commercial driving schools, school-based driving education programs, home training, or, importantly, any combination of the three options.

The second amends the current passage restriction laws to apply to 16- and 17-year-olds during the first six months they hold their driver's license by allowing both parents to drive with the child during the first three months.

Current law only permits one person, one person, a parent, legal guardian, or licensed driver instructor, to be in a vehicle with a teenager during this phase.

The final change prohibits 16- and 17-year-olds with driver's licenses from driving between 12:00

o'clock midnight and 5:00 o'clock a.m., unless they are traveling for employment, school, or medical-related reasons.

The nighttime driving restriction, as well as the passenger restriction provisions, would not apply to active members, volunteer fire, ambulance, or emergency medical service members.

In drafting this legislation, Madam Speaker, the Transportation Committee carefully reviewed Connecticut's teen driving law and feels that these three changes will make our roads safer and provide our teens with the necessary resources to become safe, responsible drivers.

At this time, Madam Speaker, I would like to yield to Representative Scribner in regards for his remarks.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Scribner, do you accept the yield?

REP. SCRIBNER: (107th)

Thank you, Madam Speaker. Yes, I do.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Scribner, please remark.

REP. SCRIBNER: (107th)

Thank you. I rise in support of the Bill before us to expand the existing graduated driver license program for our youngest and least experienced drivers here in the State of Connecticut.

As many of you know, two years ago, we passed with strong support the first measure to implement a graduated driver's license program, which included a passenger restriction for the first three and six months that our youngest drivers have their license.

It has long been proposed by those on a national level, including the National Highway Safety Institute, that this should be a three-component program in order for it to be most effective.

And that includes what we see before us today, which is the measure to include a nighttime restriction, which varies from state to state.

What we have before us would restrict nighttime driving for 16- and 17-year-old drivers between the hours of 12:01 o'clock a.m., just beyond midnight, and 5:00 o'clock a.m.

There are also exceptions built into that to address the concerns that have been raised as we

considered how Connecticut would go about further enhancing its program.

Those exceptions include traveling because of employment, school-related activities, or a medical necessity.

And the other component, as Chairman Guerrera pointed out, has to do with an additional requirement of supervised driver training behind the wheel before a 16- or 17-year-old obtains their driver's license.

The current requirement in Connecticut is a total of eight hours. The national recommendation is 30. There are five states that presently require 50. And we understand that taking it from 8 to 20 hours is a significant increase, but we believe it's a significant increase worth doing.

Connecticut is no different than most states throughout this country. The highest cause for death amongst teenagers in this country and in the State of Connecticut is motor vehicle accidents.

It is not our effort in any way, shape or form to provide, to take away the privilege of a 16- or 17-year-old from obtaining their license.

We just want to ensure that when we do, we have taken a responsible approach and tried to provide them with an opportunity for getting the most optimum training in the most risk-free environment. And we believe it's an investment worth making.

You don't need to go far to talk to communities that have been ravaged with the loss and death of sometimes one, sometimes multiple teenagers behind the wheel of a car.

And it isn't always because they're doing something wrong, doing something reckless or irresponsible. In most cases, it's deemed and determined that it is because of a lack of experience behind the wheel, not knowing how to handle certain situations.

And there's certain times of day and certain elements that the statistics have shown encourage those kind of very tragic losses to happen.

Connecticut has benefited from the many other states in this country that have adopted all of the components of a graduated driver's license program and have been able to analyze the statistics and the drop in motor-vehicle fatalities amongst this age group.

And that is what we're trying to achieve here. We had many parents that came before us as individuals and before the Transportation Committee.

We talked about the experience that they had in losing either a child of their own or perhaps a member of their community. And it's an experience that none of us would want to have to go through.

I urge you to consider that this proposal before us is taking a small step but a very significant step to provide a very strong public safety measure, not only for those youngest and least experienced drivers on our roads, but for every single individual that travels them, because very often it's not the driver themselves or even perhaps one of their passengers that is severely injured or loses their life.

It can very much indeed be someone that is a pedestrian or an occupant in another car who loses their life because we perhaps haven't required some additional steps to ensure that they are a more self-confident and more experience driver before they're given full and free reign behind the wheel of a car. And I urge adoption. Thank you.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you, Representative Scribner. You and Representative Guerrera have given some poignant points. Representative Godfrey, you have the floor.

REP. GODFREY: (110th)

Thank you, Madam Speaker. Madam Speaker, hoping to make a very good Bill just a tad bit better. Will the Clerk please call LCO Number 5546 and read it in its entirety, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Will the Clerk please call LCO Number 5546, will be designated House Amendment "A", and read it in its entirety.

CLERK:

LCO Number 5546, House "A" offered by Representative Godfrey. In Line 117, after school, insert or religious.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Godfrey.

REP. GODFREY: (110th)

Madam Speaker, I move adoption of the Amendment.

DEPUTY SPEAKER KIRKLEY-BEY:

The motion before us is on adoption of the Amendment. Representative Godfrey, will you remark further?

REP. GODFREY: (110th)

Thank you, Madam Speaker. Madam Speaker, I certainly join in congratulating Representative Guerrera and Representative Scribner for bringing this Bill forward.

It's been obviously a Bill that has been many years in the making, that has had to deal with a vast number of details. The amount of information that has come in on this on how this additional training and this, in essence, curfew will go a long way to saving the lives of young people.

As they crafted the Bill, they very carefully, and I think very correctly, carved out a couple of important exceptions to the evening curfew, and that was school-related activities, work-related activities, and medical emergencies.

However, as I was growing up, I was certainly aware of there are often religious activities that happen at those hours of the night.

Certainly for those of us who grew up in the Roman Catholic tradition, there's things like midnight masses, there's things like nightlong vigils, there's things like the Easter dawn services that, depending on which side of the daylight saving timeline you're on, could actually require travel within that period.

So I'm hoping in what I believe is a friendly amendment to this, to add that religious exception also. It's hardly the kind of an event where children are going wild, driving around to certainly.

These are, I think it's just a valid additional exception, and I hope my colleagues will join me in supporting this Amendment. Thank you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Will you comment further on the Amendment that is before us? Will you comment further on the Amendment that is before us? Representative Guerrera.

REP. GUERRERA: (29th)

Thank you, Madam Speaker. I urge the adoption of this Amendment. It's a friendly amendment. I think it's a very good one. Thank you.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you, Representative Guerrera. Will you remark further on the Amendment that is before us? If not, let me try your minds. All those in favor please indicate by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER KIRKLEY-BEY:

All those opposed, Nay. The Ayes have it. The Amendment has been adopted. Will you remark further on the Bill as amended? Representative Moukawsher.

REP. MOUKAWSHER: (40th)

Thank you, Madam Speaker. When the original Bill that this is modifying was presented, I opposed it at that time. And I felt that it was an imposition on our younger people.

It restricts their ability to work. It also restricts their parents' ability to have them attend activities without their presence.

And after we passed that Bill, shortly thereafter there was a front-Page article in the *Hartford Courant* which I thought was interesting.

It indicated that the highest rate of accidents in age groups was 18-year-olds in this State. But we

don't, we're not going to regulate them because they can vote, I think. That's one of my problems with this Bill.

We have a high rate of accidents with elderly drivers, but we don't seem to be doing anything to limit their operation on the road. Instead, we continue to limit the opportunities of 16- and 17-year-olds who can't vote.

And I think we've gone too far. So I oppose the original Bill, and I'm going to oppose this, because, again, I don't think this is even the target group.

There are 18-year-olds that have a higher rate of accidents, but we're not going to do anything about them because, again, they're considered adults. Thank you, Madam Chairman.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you, Representative Moukawsher. Representative Giegler, you have the floor, Ma'am.

REP. GIEGLER: (138th)

Thank you, Madam Speaker. I want to rise in support of this Bill, and I thank the Transportation Committee for bringing it out.

As a mother of a 17-year-old driver, I often hear problems with some of the existing bill, and I think this addresses it.

While my son was learning to drive, we were able to go out as a family, but now that he has his license, only one of us can be in the car with him, which presents a problem.

Also having had him go through the driver's ed program and then seeing kids go out to get their license after only eight hours on the road and living down the street from the high school, I can see the number of potential driving accidents that we may have.

When you constantly read the papers and you look at the ages of the kids that have been involved in motor-vehicle accidents, it makes you wonder are we doing enough for them.

I grew up in the State of New York, where we had a junior license and we could not drive after dark. We have not gone that far here in Connecticut.

But I really think we have to consider that we're really doing not only our own children a favor, but

we're also doing a favor to other drivers on the road, and I urge your support of this Bill.

DEPUTY SPEAKER ALTOBELLO:

Representative D'Amelio of the 71st District, you have the floor, Sir.

REP. D'AMELIO: (71st)

Thank you, Mr. Speaker. Mr. Speaker, through you I have a couple of questions to the proponent of the Bill, if I may.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, Sir.

REP. D'AMELIO: (71st)

Thank you, Mr. Speaker. Representative Guerrera, say if your child is at a friend's house and they're watching a movie and it's a Saturday night and they're running a little late and they call home and ask permission if they could stay a little later than the midnight hour. Would that be acceptable through this Bill if the parents say it's okay?

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

Through you, Mr. Speaker, no.

REP. D'AMELIO: (71st)

So it's a strict 12:00 o'clock a.m. curfew. Okay. And also, do you have any idea of what the cost would be for attending driving school with the increase in hours of driving time? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

Through you, Mr. Speaker. Yes, Representative. You're looking at an additional $400 for the additional driving.

Now keep in mind also that you can also have your parents give you the driving training course and they would just have to sign a certificate if you'd rather not pay the extra monies going through a certified driving school.

DEPUTY SPEAKER ALTOBELLO:

Representative D'Amelio.

REP. D'AMELIO: (71st)

So it's $400. Do I understand that right?

REP. GUERRERA: (29th)

Through you, Mr. Speaker, roughly around $400 additional costs.

REP. D'AMELIO: (71st)

Thank you, Representative Guerrera, appreciate that. Mr. Speaker, I rise in opposition to this Bill. You know, as a father of two teenage daughters, I know how scary it is when they get their license. I have an 18-year-old daughter and a 16-year-old daughter who was just recently licensed.

But as a parent, I know the time that I spent behind the wheel with my children. I know that they're good drivers. I know that they're responsible.

And, you know, and every once in awhile, their curfew is before 12:00 o'clock a.m., but every once in awhile there's an occasion where they're together at a friend's house, might be a block over, it might be a couple miles over, and they want to stay a little longer to watch a movie or just to unwind after the week, and I think they should be allowed to do that and be allowed to drive home.

I think as a parent I should make that judgment call. You know, I know the risk that having kids on

the road at a late hour. That's why we have curfews for our children.

You know, and today we live in a day, an age where it's very easy to find out where your child is. I mean, most kids have cell phones, so it's very easy to just dial a number and find out exactly where they are at what time of night.

You know, by passing this legislation, I think what we're doing, we're infringing on parental right. You know, I understand what this legislation is trying to do and I agree with it.

I really don't think it's going to achieve it because the people or the children that are not being supervised will still be out there on the road.

I think it's a Bill that is very difficult for police officers to enforce. I understand that they're not going to just pull over kids randomly.

If there's an infraction that occurs, like a taillight that's out and they find out that the kid is under that age, that's when they'll be issued a ticket.

But, you know, my biggest objection to this is that, as a parent, I should have the right to allow my children to do what I feel they can do responsibly.

And as far as the increase in hours, I agree that eight hours is not enough. That's why I spent hours of my own time behind the wheel with my child. But I want the Chamber to keep in mind that I paid $475 for my child to receive her driving license three months ago.

So with this legislation, it would cost $875 in the City of Waterbury to receive your license through a driving school. I think that's an awful burden to put on families, because every one of us wants our children to go through driving schools.

There's incentives through insurance departments for doing so, but, for them to be properly trained. But for $875, I think that's an awful burden, especially if you have more than one child, which in case I think a lot of people do. So I urge the Chamber to please keep these facts in mind and reject this proposal. Thank you.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative D'Amelio. Representative Mushinsky of the 85th District, you have the floor, Madam.

REP. MUSHINSKY: (84th)

I join Representative Scribner and the other advocates in support of this Bill as a child advocate. The Bill will clearly further reduce fatalities among our young people, particularly because of the increase of time from 8 hours to 20.

I'm teaching a, one of my boys right now. It takes four hours of the eight just to cover parallel parking, never mind all the other things we have to go over.

Part of the training I'm doing with my son is taking him to all the sites in town where young people have died on curves because their speed was not slowed for the curve or they didn't, they had a blind spot and they didn't accommodate it.

And reviewing in each case why a young person died here, what they did wrong, and what my son should do to avoid that happening to him.

So even 20 is not enough to cover all the possible things that could happen to a driver, but it is certainly better than eight.

I do believe it will reduce our fatalities and injuries to our young folks. And I hope you will join me in supporting it.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative. Representative Noujaim of the 74th District, you have the floor, Sir.

REP. NOUJAIM: (74th)

Thank you. I almost said Madam Speaker. Thank you, Mr. Speaker. Through you, Mr. Speaker, I would like to pose a question or two to the proponent of the Bill.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, Sir.

REP. NOUJAIM: (74th)

Thank you. Representative Guerrera, if I may ask you, I am reading the Bill, and in Line 88 talks about the fact now that two parents will be included or will have to be present with the student or with the youngster.

Unfortunately, am I correct on this? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

Thank you, Mr. Speaker. Through you, did you say you have to have two parents?

REP. NOUJAIM: (74th)

That's how I'm--

REP. GUERRERA: (29th)

No. No, it's, I believe, Representative, that you have the option of having both parents.

DEPUTY SPEAKER ALTOBELLO:

Representative Noujaim.

REP. NOUJAIM: (74th)

Thank you, Mr. Speaker. In a case where unfortunately there is a, it's a single-parent household, what would happen in a case like this? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

Through you, Mr. Speaker. Then that single parent would be the only one who would be allowed to be in that vehicle with them, or a legal guardian.

DEPUTY SPEAKER ALTOBELLO:

Representative Noujaim.

REP. NOUJAIM: (74th)

Thank you, Mr. Speaker. Another question, if I may. Representative D'Amelio, my colleague, just talked about the costs themselves associated with this Bill.

$400, is there any other way to probably lessen the impact on parents. As Representative D'Amelio just stated, it costs now about $500, so with $400 more, it will be close to $900 for a student to receive his or her driver's license, added to that the fees to get the license itself.

And this has become really a tremendous impact on a household. Is there any way that could be, this could be amended or change maybe to lessen the financial impact. Though you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

Thank you. Through you, Mr. Speaker. Yes, the driver would have the option of having their legal guardian or their parent use up the hours, the 20 hours, through the parent or the legal guardian and have them sign a certificate which would be valid.

DEPUTY SPEAKER ALTOBELLO:

Representative Noujaim.

REP. NOUJAIM: (74th)

Thank you, Mr. Speaker. As a follow-up, Mr. Speaker, if I may, when I was trying to teach my oldest daughter, Bridget, on how to drive, I became so jittery that I almost killed her on the road with my hands.

And then I had to go to a driving school and have my other children learn through a driving school. So what do we do in a case like this for parents who really get very nervous or maybe are incapable, like myself, to be able to teach their children? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

Well, if the parents are scared, Representative, then unfortunately you better cough up the money. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Noujaim.

REP. NOUJAIM: (74th)

Thank you, Mr. Speaker. Representative Guerrera, have we thought about any additional duties for police officers, where now they will have to almost stop every single vehicle that they see.

Would this add an impact to their workload and perhaps on their time and their cost of doing their job? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

Thank you. Through you, Mr. Speaker. We have met with police chiefs and they have told us there should be no other further impact on them in regards to this Bill.

DEPUTY SPEAKER ALTOBELLO:

Representative Noujaim.

REP. NOUJAIM: (74th)

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Sawyer of the 55th District, you have the floor, Madam.

REP. SAWYER: (55th)

Thank you, Mr. Speaker. I would like to commend the Chairmen and the Ranking Member for all their hard work on this particular Bill.

It has been a number of years in the making and has tried to address a number of problems that have come down from the national level and we have seen also here at the State level for the fatalities.

However, Representative Giegler does have a very valid point that this Bill has, as written, has not been able to address, and that is during the permit process a young person can drive with their family in the car as long as one of the parents has a license.

And suddenly, bang, they get their license, and they can't ride with their family in the car for the first three months.

And the change is a little code on the piece of paper and the little hard license that they get now,

for three months they can't do that, though it's the same group of people.

The intent was to restrict brand-new drivers when they go off on their own from what they call joyriding, perhaps oftentimes on a very distracted basis, with multiple teenagers, multiple friends and family who are distracting them, and their driving does not meet the high standards that are needed to be absolutely safe.

I have had an amendment drawn and I was waiting for it to come back, Mr. Speaker, hopefully to be able to extend those same rights with immediate family so that it lines up with what they can do during the permit process and what they can do during the first three months with just having family in the car, but it has not yet arrived. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative. Representative Witkos of the 17th District, you have the floor, Sir.

REP. WITKOS: (17th)

Thank you, Mr. Speaker. I rise in support of the Bill that's before us. And if Representative Sawyer's

Amendment arrives in time, I will be supporting that as well.

The Bill speaks of three different sections that the Chairman from the Transportation Committee spoke of, and I support all three, an increase from the 8 hours to the 20 hours of behind-the-wheel instruction is so important.

We feel that eight hours is not enough, and we heard that there maybe possibly a $420 increase for the additional instructional hours, and that's only if you go through one of the driving schools.

A question, through you, Mr. Speaker, to the Chairman of the Transportation Committee.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, Sir.

REP. WITKOS: (17th)

Thank you. Do we have any information as to how many students receive their permit through home instruction versus a driving school?

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

Thank you, Mr. Speaker. No, I do not have that number.

DEPUTY SPEAKER ALTOBELLO:

Representative Witkos.

REP. WITKOS: (17th)

Thank you, Mr. Speaker. And if someone were to do home schooling, through you, Mr. Speaker, they would only pay the applicable fee at the Department of Motor Vehicles to enroll in that program and all costs would be just the parents' own time and their teaching of their own student. Is that correct? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

Through you, Mr. Speaker. That is correct. They would only have to pay for the eight-hour training.

DEPUTY SPEAKER ALTOBELLO:

Representative Witkos, further?

REP. WITKOS: (17th)

Yes, thank you, Mr. Speaker. And the Section 2 of the Bill, which now allows both parents to ride in

a vehicle during the first three months is commendable.

I've had some experiences where I had to explain to two parents in the vehicle that only one of them would be allowed in the vehicle at one time. It was rather confusing out on the road to do that.

Now speaking on the Bill itself, I think it's very important because children ages 15 to 20 have seen a 7% nationwide increase in driver's licenses. There are 12.5 million drivers aged 15 to 20 right now in America.

And in 2003, there were close to 3,700 deaths, 308,000 injured drivers. In Connecticut last year, last Session, we implemented a graduated driver's license program.

And the reason why we did this was to phase in young drivers to begin their full driving privileges. It's how they mature and it's how they gain experience.

And some ask is this nighttime driving restriction necessary, and I say it is, because 16-, 17-year-olds are the highest crash risk group out of all teenage drivers, from property damage to personal

injuries to fatalities. They are the highest at-risk age group.

And although only 15% of the times that they drive occur between the hours that we're imposing today, that 15% results in over 40% of the fatalities for that age group.

States that have a nighttime safety hour, and I'm going to call it a safety hour rather than a restriction, because it's been proven to save lives. States that have them have shown a 60% reduction in fatalities during those hours, the safety hours.

We can't put a price on life. It's time that we end the roadside memorials as best as we can as Legislators. Connecticut is the only state in the New England region that does not have some safety hours within their state.

New Jersey, there's no driving between 12:00 o'clock a.m. and 5:00 o'clock a.m. Rhode Island, no driving between 1:00 o'clock a.m. and 5:00 o'clock a.m. unless supervised.

New York, no driving between 9:00 o'clock p.m. and 5:00 o'clock a.m. unless supervised. New

Hampshire, no driving between 1:00 o'clock a.m. and 5:00 o'clock a.m.

Maine, no driving between 12:00 o'clock a.m. and 5:00 o'clock a.m. And Massachusetts, no driving between 12:00 o'clock a.m. and 5:00 o'clock a.m. unless supervised.

We are on the tail end of this growing coalition to help save the lives of our youngsters from getting behind a vehicle that, to be honest with you, they are not adequately ready to go at all hours of the night.

The hours that we're talking about with this curfew are recreational hours. And if they're not, then they're addressed in the Bill. And I ask for passage. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative. Representative Bielawa of the 2nd District, you have the floor, Sir.

REP. BIELAWA: (2nd)

Thank you, Mr. Speaker. I also rise in support of this legislation. As a parent who's been through this period with the children, between that age driving, I know for myself I would have gotten a lot

more sleep during that period if these laws were in existence at that time.

I also feel that these are reasonable recommendations in this legislation, and I urge support for their passage.

And I will also add that I'm glad that there are not at this particular time any restrictions on older drivers, from a personal standpoint. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you for your remarks, Representative. Representative Miner of the 66th District you have the floor, Sir.

REP. MINER: (66th)

Thank you, Mr. Speaker. I'm just going to address a few comments to Section B, which speaks to individuals that are active members of volunteer ambulance service company or emergency medical service organization.

And there's a passage in there that refers to individuals as being active. From time to time I've been classified as an active member of both an ambulance and a fire services.

And it has to do, depending on that fire service, with your level of certification and whether or not you make a certain number of calls. But I don't know if active in this passage has that same meaning.

And my concern is that if an individual considers themselves active by their local designation, they might read this and be of the opinion that they're exempt from all of this stuff.

And I think that's really what it says in Section B, is that if a person is active they don't have to comply with the quantity of individuals in the vehicle, the time that they travel, or anything.

And so I guess, through you, Mr. Speaker, in an effort to try and clarify that, and I don't know if we can do this with legislative intent, is the issue, or the designation of active member meant to mean actually responding to an emergency call in this case? Through you, Mr. Speaker, to the proponent of the Bill.

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

Thank you, Mr. Speaker. No, the language would mean the intent, Representative, during an emergency service.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner.

REP. MINER: (66th)

Thank you, Mr. Speaker. I, like many of us, I think I received a lot of phone calls when we passed that last bill, and I want to be absolutely sure that when I vote in favor of this or against it that I know exactly what I'm doing.

And I apologize for the late hour for this question. It's meant in no way to derail this process or this Bill.

But I'm concerned that if an individual at the age of 17 is out riding around on a Thursday night at 2:00 o'clock a.m., and they pull a card out of their pocket that says they're an active member of the Bantam Fire Department, I think the police wouldn't be able to arrest them for that or prosecute that.

And I don't know if anybody would offer a differing opinion. Would the Chairman, or the

Chairman of the Transportation Committee agree with that or disagree with that? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

Thank you, Mr. Speaker. To the Representative, I would think that if a certain individual was pulled over for that that it would be in the hands of the prosecutor to determine that he was in the event of emergency service. And therefore, the prosecutor would end up ultimately making that decision.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner, further?

REP. MINER: (66th)

Thank you, Mr. Speaker. And so if there were actually, through you, if they were responding to a fire and there were three individuals in the vehicle at 2:00 o'clock a.m., they would have to show cause that they were actually responding to a fire. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

Thank you, Mr. Speaker. Yes, if they were responding to a fire, to an emergency situation, yes.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner.

REP. MINER: (66th)

Thank you, Mr. Speaker. So just by virtue of being designated as active in terms of this paragraph, we're not saying today that if you're an active members of the Ambulance Association you're free to ride around at 2:00 o'clock a.m. for any purpose.

We're just saying that if you're responding to am ambulance call at 2:00 o'clock a.m. and you're under the age, or you're 16 or 17, as required by this, then you're okay. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

Through you, Mr. Speaker. Yes, that's correct.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner.

REP. MINER: (66th)

Thank you, Mr. Speaker. And I thank the gentleman for his answers. Again, I'm not currently

active. I don't get up at 2:00 o'clock a.m. as much as I used to.

But I have to tell you that your heart really starts pounding when the tone goes off. I personally have come concerns about even that exemption in this, that an individual who's active responding at 2:00 o'clock.

But, you know, I think that could be the parents' judgment. I'm not so sure that we should be prosecuting someone who's trying to do the right thing, and I would leave that up to the parents.

So I'm inclined to support the Bill based on the conversation we just had. I just wanted to be sure we didn't create a loophole by which 16- and 17-year-old would be out at 2:00 o'clock a.m. on a Saturday evening, I guess it's Sunday morning, just because they were designated as active. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Sir. Representative Kirkley-Bey of the 5th District, you have the floor, Madam.

REP. KIRKLEY-BEY: (5th)

Thank you, Mr. Speaker. I get up and I'm really

torn on how I should vote on this Bill. And I'm going to try to explain to you as best I can the two sides of the argument that I'm having with myself.

One, I believe that 20 hours is absolutely essential to ensure that we have kids who have sufficient time behind the wheel to become good and better drivers.

I truly believe there's nothing worse than a parent getting a cal in the middle of the night to say that your child was in an accident and that it may be fatal. And I truly do believe that midnight is a good time for kids to be off the road.

The flip side of the argument for me is the median income where I am the executive director of a community center is $6,900 a year.

I can't think of a child in that general neighborhood would could afford $800 worth of driving lessons to get the 20 hours in order to attain the license.

I have a young man who works at the community center for me through a program called Yo, Hartford, and he's about to turn 17 and is absolutely delighted that he has saved enough money to get a car.

He does not have a grown-up who could teach him because he is being raised by his grandmother who is Hispanic and does not speak English and never has the ability to get a driver's license.

So I'm not even sure who he's going to have, or if he's going to try to get driver's ed through school.

But there are a lot of children, and we know that, that are under the direction of the Department of Children and Families who may not have a person who is willing to do this for them because they're not necessarily their child.

I have a lot of kids in my district that fit this profile and I'm really torn as what to say is whether or not I feel they have the right to drive of they don't have the right to drive. I know they cannot afford the lessons, so I cannot think of an alternative.

I hope I'm not putting my colleague, Representative Guerrera, on the line when I ask this question, but are those the only individuals, Representative Guerrera, my question is, and I don't know if you heard me, that I have a lot of kids who

are DCF kids who are being raised by grandmothers, because their parents are either incarcerated or on drugs.

And they don't know how to drive themselves, so I know they can't afford the $800 to take the class. Is there any scholarship or support or anything that you know of?

If there isn't, there isn't. I mean, be candid, because I need to try to determine how I want to support this Bill. Are there any programs that help kids who are trying to get their driver's license?

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

Thank you, Mr. Speaker. To be quite candid with you, Representative, I do not know of any type of programs that could help that.

The only thing I may suggest is that maybe through some type of relative or some type of legal guardian that they're with, that they can help them alleviate that extra $500.

DEPUTY SPEAKER ALTOBELLO:

Representative Kirkley-Bey.

REP. KIRKLEY-BEY: (5th)

Thank you, Mr. Speaker. Through you to Representative Guerrera, what is the fine for driving after midnight?

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

Through you, Mr. Speaker. It's an infraction.

REP. KIRKLEY-BEY: (5th)

It's an infraction. All right. Thank you. As I said, again, I repeat a little bit, I'm not sure how I'm going to vote on this Bill.

I don't even think the kids that I come in contact with that live in that neighborhood own cars that are worth $800, never mind to pay that much to get their driver's license.

And I'm not in any way trying to take away from what I feel is a terrible problem we have with young kids driving.

I mean, I've got four granddaughters that have driver's license, three rather, and I've got four more that are teenagers that are looking to get their driver's licenses.

And I know when Kelly was driving at 16, I was a wreck until she got home. I know what it's like to go without the sleep until you hear the car in the driveway.

So I'm really torn over this, and I hope maybe if there's more debate I can come to a conclusion on how I want to vote on it. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative. The House will stand at ease briefly.

(CHAMBER AT EASE)

DEPUTY SPEAKER ALTOBELLO:

Representative Ward of the 86th District, you have the floor, Sir.

REP. WARD: (86th)

Thank you, Mr. Speaker. Just a couple of questions, if I may, to the proponent of the Bill for purposes of legislative intent.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, Sir.

REP. WARD: (86th)

Through you, Mr. Speaker, to Representative Guerrera. The provision on the curfew where you

cannot drive between midnight and 5:00 o'clock a.m., and in Line 116 it says unless such person is traveling for his or her employment.

I might interpret for employment meaning let's say you're the pizza-delivery guy, and so for your employer you're driving. Is that your intent by the meaning of for, or is for employment broad enough to include driving home from work?

Let's say you worked until midnight and you live 25 minutes away, does driving for your employment include driving home from work? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

Thank you, Mr. Speaker. That is correct, it is to and from and during.

DEPUTY SPEAKER ALTOBELLO:

Representative Ward.

REP. WARD: (86th)

And further question through you, Mr. Speaker. With regard to school activities, does a student,

first of all, do you need to be a student at the school where the activity is held?

And by that to be clear, let's say my kids are at North Branford High School and their friend plays ball at North Haven High School and they're playing Amity High School.

Can they attend the ballgame at somebody else's school and have it qualify as a school activity? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

Through you, Mr. Speaker. Yes.

DEPUTY SPEAKER ALTOBELLO:

Representative Ward.

REP. WARD: (86th)

I thank the gentleman for his answer. Through you, Mr. Speaker. Is there any sort of end time in terms of the school activity?

And by that, for example, the football league that North Branford High School plays in has teams that are probably an hour and a half or more away, and they do sometimes play Friday night games.

And with traffic and the like that perhaps, in fact, I think I saw somebody, I think Representative Willis was once down in North Branford, and my guess is it would take her almost two hours to get home following a Friday night game.

I don't mean to pick on her. I think she's over 18. But let's say she had a child who was under 18 that was making that drive without a parent. Do they have as much time as they need to get home? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

They have a time of direct where it would be from and to the place of origin.

DEPUTY SPEAKER ALTOBELLO:

Representative Ward, further?

REP. WARD: (86th)

Yes. Through you, Mr. Speaker. When we say direct, is there any requirement that they use the most direct route?

For example, I could see a parent, I've said to my kids when they were younger and driving, avoid the

Interstate, that may be the most direct route, but I want you to take the back roads, which may be slower. Would that be permissible under this? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

Yes. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Ward.

REP. WARD: (86th)

I thank the gentleman for his answer. I just wanted some of those matters on the record so there's some understanding. I just have perhaps just really just one more question.

And before asking the question, raise it for this reason. At the moment, my youngest child is now 18 so it wouldn't apply directly to my kids. But some of them at over 18 look quite young for their age.

Through you, Mr. Speaker. Do the police have the authority under this law to stop somebody that they think is under 18 or do they have to have committed

some violation to be stopped? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Guerrera.

REP. GUERRERA: (29th)

They do have the right. There is no exception. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Ward.

REP. WARD: (86th)

I thank the gentleman for his answer. I promised the Ranking Member of the Committee I wouldn't talk too long, I would sort of try to stay out of the debate a bit, so I'll try to honor that.

Firstly, I think there are several parts of the Bill that are very good. I think the additional hours makes a lot of sense. I think we were trying to clean up the language with regard to having a second parent in the car. I think that's a pretty good attempt.

I guess if I wrote it I would have put the stepparent in too. If half of marriages end in divorce, I'm not quite sure why the stepparent can't be in the car if they're driving to or from a family

function, or a sibling if mom or dad can't be in the car. But it's fairly technical and I can live with that.

I continue to think that curfews are for parents, not for government. And I will just share one story. When my kids were, would have been with this law and talking on the sidelines of a ballgame once with another parent who happened to be a state trooper and we were talking about curfews for kids.

And he said, Bob, do you go crazy if the kids are a couple minutes beyond their curfew. And I said I do my best not to.

And he said that he had found that you really need to be somewhat flexible in these matters because teenagers, being teenagers, won't always allow just enough time to get home by the curfew.

And if as a parent you're going to ground them for two weeks because they're three minutes late, they're going to drive like crazy to beat the curfew. They won't necessarily leave 20 minutes sooner. They won't necessarily do that. But, boy, they're going to find a way to beat it.

We have a provision in this Bill that if you get caught twice you lose your license all the way up until age 18. Hopefully that would mean if a kid got caught once, he would leave, or she would leave plenty of time.

I am concerned that when it's a law, not with parents enforcing it, but with fear of arrest, and it's an infraction but still a form of arrest, that you may occasionally encourage the very behavior you're hoping to avoid.

I think the Bill is very well-intended. I think they've attempted to address a lot of the problems with it. I remain of the opinion that parents, not government, should set curfews for their children. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative. Representative Green of the 1st District, you have the floor, Sir.

REP. GREEN: (1st)

Thank you, Mr. Speaker. Mr. Speaker, I rise at this point in support of this Bill. I would just like to say that my concern when we're trying to address driving of 16- and 17-year-olds is that we're

continuing to put restrictions, we're continuing to put various conditions as we see here with the time and how many passengers.

I would hope that the Legislature at some point decide is it appropriate to give 16-year-olds a driver's license.

And I'm one of the opinion that if the trend is that we fear for the safety of our young people, that they possibly should not be driving, then I think we might be more consistent and a little clearer to our young people if we simply just raised the age.

I will support this Bill, but I believe that in a sense we're really just putting all kinds of conditions with the children, the parents, and law enforcement will really not know how to enforce 16- and 17-year-olds driving, as we heard, certain distances, from certain events, at certain times.

And I would hope at some point that we just decide are we going let them drive at that age under very few restrictions, or are we not going to let them drive.

Because at this point, we're adding so many things, to me, if I was a 16- or 17-year-old, I would

be very confused as to when I could drive, who I can drive, where I can drive, and I don't know if that's really what we want to do here. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative. Representative Chapin of the 67th District, you have the floor, Sir.

REP. CHAPIN: (67th)

Thank you, Mr. Speaker. I was hoping to not get up and speak on this particular issue. And I feel compelled to because I'd like to address of the comments in opposition that I've heard here today.

Representative Moukawsher brought up whether or not this should be in the domain of the parents and whether government should be intruding. And I respect his somewhat libertarian viewpoint on that, and encourage it, as a matter of fact.

But when I first got involved in this issue, it was because there were a lot of teen fatalities occurring in my hometown, in New Milford, as well as around the general Danbury area, where Representative Godfrey and Representative Scribner, Representative Giegler are all from, Representative Bielawa.

So it really seemed that there was a disproportionate number of teen fatalities occurring in our area.

And that's how I got involved. As a freshman legislator, feeling like it was somewhat my responsibility as a leader within the community, to convene a task force, which we call STAF, Stop Teen Auto Fatalities.

And it brought together people from the school department, from the administration, from the hospital, from the clergy, from the police department, from the student body, from the youth agency, from the town council.

And we kicked around these issues and what worked best. And certainly, as a Legislator, my particular area that I could address, of course, was legislation. And very early on, I became a believer in graduated driver's licensing.

And people on my side of the aisle, who generally take the position that Representative Moukawsher stated earlier, is why is government getting involved in this and why aren't parents taking the responsibility for this.

It's clear that parents do a pretty good job, but fatalities continue to occur. And if we as a government don't step up to the plate to address some of our role in this, shame on us.

Representative Kirkley-Bey spoke earlier about the affordability of increased driver training, and I can certainly understand that and I can appreciate that.

And if it means that perhaps the 17-year-old might have to work another three months to be able to afford it, my response, as respectfully as I can say this, is so be it.

That makes that person three months older, hopefully three months wiser, hopefully three months more mature, and better able to make responsible decisions.

Representative D'Amelio talked about the added expense. I have a hard time even quantifying that any more, because I would pay anything to send the clocks, the hands of the clock back a year, when my fiancée's son, who lived with me, when my son, my fiancée's son, who lived with me, was out, and it wasn't at night.

He was almost 17. He had driver's training. He has responsible parents. I'd like to think that I was a responsible role model for him.

But I cannot tell you, any person in this Chamber, if anybody else has experienced what I've gone through, I'm not aware of it. And if you have, you have my sincerest condolences, because it is not a fun experience to have somebody show up at your house and say you better get to the accident site.

It's not a fun experience to drive to that accident site, that I have to drive past and his mother has to drive past every single day, and see the flowers and see the crosses, and see the spray paint on the roads and the telephone poles.

It is not a fun experience to watch Life Star land in the field next to the road where you grew up. It is not a fun experience to go into Representative Noujaim and D'Amelio's city to go to the trauma center at St. Mary's Hospital. None of that is fun.

It's not fun to sit around and listen, and to contemplate things like organ donation and things of that nature.

I think what we're doing here is what we're so good at doing. We're picking apart a bill that is so well-meaning and so well-intended when we could be recognizing that whatever we can do we should be doing.

And if it means coming back next year and giving it another little tweak like we do from time to time, as a matter of fact, we do it quite often in this building, if it means fixing these little problems that we've identified here today by way of an amendment upstairs and having this Bill come back down, that would certainly by my preference, because I don't want to see anybody in this Chamber, I don't want to see anybody's constituent have to go through what my fiancée and I have gone through in the last year.

I urge my colleagues please, please to support this. I hope you don't confuse my being emotional on this issue with anger.

I'm not angry at any one of you. I implore you, for those of you who have expressed your concerns in opposition to reconsider. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative. Representative Sawyer of the 55th District, you have the floor, Madam.

REP. SAWYER: (55th)

Thank you, Mr. Speaker. The heartbreak that Representative Chapin experienced is certainly something that brings sadness to the entire Chamber.

And it is that heartbreak that has happened to so many families unfortunately of 16- and 17- and even 18-year-olds that brings us to this point today.

Mr. Speaker, however, I would like to add that I do have an Amendment and I would, as I addressed earlier, would ask the Speaker to please call LCO Number 5564 and I be allowed to summarize.

DEPUTY SPEAKER ALTOBELLO:

Will the Clerk please call LCO Number 5564, which will be designated House "A".

CLERK:

LCO Number 5564, House "A" offered by Representative Sawyer.

DEPUTY SPEAKER ALTOBELLO:

Representative seeks leave of the Chamber to summarize the Amendment. Is there objection to summarization? Is there objection? Hearing none,

Representative Sawyer, you may proceed with summarization.

REP. SAWYER: (55th)

Thank you, Mr. Speaker. What this does is try and craft language to be able to allow a brand-new driver the same ability to drive with their family that they had during the previous months when they had their permit.

It is just for their family. It is just with permission from their parents. It does allow a grandparent to drive with them. But not just the parents, but with their parents' permission the siblings can be there. Mr. Speaker, I move adoption.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative. The question before the Chamber is adoption of House Amendment "A." Will you remark further on House "A"? I stand corrected. House "B". Representative Guerrera.

REP. GUERRERA: (29th)

Thank you, Mr. Speaker. Mr. Speaker, I rise in opposition of this Amendment. The intent of this Amendment was not to allow other passengers.

In here we have statistics that show the more passengers in there, the more increases of accidents occur and the rate of fatalities occur, so therefore I oppose this amendment. Thank you.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative. Representative Sawyer, will you remark further? Representative Farr of the 19th District, you have the floor, Sir.

REP. FARR: (19th)

Yes, thank you, Mr. Speaker. I'm sorry that I, I guess the communications has broken down here in terms of what we're all attempting to achieve.

I don't think Representative Sawyer's Amendment in any way was attempting to water down or diminish the impact of the Bill.

I think what she explained before is that what she's concerned about and what many of us were concerned about in the Bill before today was the fact that if you had a learner's permit, you could drive, you could drive the car with your family.

Your parents presumably would be in the front seat and the rest of your family could be in the vehicle.

The moment you got your license, then you went through a period of time when you could only have one parent in the family and could never drive the car again with the family.

What this attempts to say is that, no, once you get your learner's permit, once you get your driver's license, if the parent is in the car, you can drive the car with the rest of the family there.

I mean, classically, as growing up, I can remember when I got my driver's license or my sisters got theirs, you know, the typical thing was any time the family went somewhere, the new driver always drove.

And that was the way you got the experience. And you were always under the supervision of your parents. You had a driver's license, but you were always under the supervision.

And I think that that's all this Amendment is attempting to do. This Amendment is saying, you know, in our case, I can remember when our children got their driver's license.

We went on vacations. We said that's fine, you don't have, actually it was before they got their

driver's license, when they were learning, we made them drive the vehicle for the whole vacation, because they were under our supervision.

And it's true, other people were in the car, but it was a parent at all times that was sitting next to the kid, you know, the basic role saying slow down, slow down, watch to the left, watch to the right, and to nag the kid for however long the child is driving.

And I think that's all this amendment attempts to do, is to restore the ability of the family to be able to travel with the new driver, provided the parent is in the car and the parent is permitting that to happen.

So I don't think it's in any way inconsistent with the underlying intent. I think it's strengthens it. What this will do is give the child more opportunities to get experience, because if you think about it, the problem is if you don't have this, for that period of time, whenever there are family trips, the new driver is not going to be able to drive.

It's better to have the new driver drive and get the experience as proposed under this. But this doesn't allow the child to go out and drive without

the parent there. It requires the parent to be there. And I would urge adoption of the Amendment.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative. Representative Witkos of the, Representative Sawyer, would you remark further?

REP. SAWYER: (55th)

Yes. Thank you, Mr. Speaker. Representative Farr brings up the point that I tried to make, apparently not as eloquently as I had intended, and that is that under training presently a trainee, a driver with their permit, is able to ride with their parents and their family in the car. They can ride with the grandparent in the car.

But what we did by, I thought by accident, and I've heard numerous complaints from my driving school parents and the driving school instructor that works out of my district, that the problem comes in, you suddenly, the only thing that changes is that that child now gets their license and for the first three months suddenly they can't do what they've been doing for the prior couple of months, during the training.

And it limits it only to one parent. So if they're going off to church and everybody gets in the car, they can't do what they've just been doing for the last three months when they got their license.

I think it was well-intentioned. We all agreed, and I think that still stands, that we don't want them out joyriding. We don't want them out distracted with their friends.

But the key here is is that the parent, or with permission of the parent, the grandparent is in the car, but if the siblings are there they must be with their parents.

They are there to control the siblings. They are there to control the situation and to guide the student who is now the driver, so that the conditions are exactly the same. And I thank the Chamber.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative. Would you remark further? Would you remark further on the Amendment before us? If not, I will try your minds. All those in favor. Representative Carson of the 108th District, you have the floor, Madam.

REP. CARSON: (108th)

Thank you, Mr. Speaker. Not to prolong this, but a number of parents had contacted me in the last couple of years regarding, or last year, regarding this very issue.

Here they had their youngsters who had gone for the training, had gotten the training, whether it was at home or through the driver's ed or whatever, and then the family wants to go on vacation.

And we've got, you know, Suzy and Michael in the car and we can't let the older brother drive, even though the parents are there.

They wanted to give their youngsters the opportunity to learn how to drive on highways and in places that they ordinarily they would not get that type of experience.

And they really complained about the government stepping in and now allowing an entire family to be in the car as long as there was a parent supervising. So I do speak on behalf of this Amendment. Thank you.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative. Will you remark further? Will you remark further on the Bill, on the

Amendment before us? If not, I'll try your minds.

All those in favor please signify by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ALTOBELLO:

Those opposed.

REPRESENTATIVES:

Nay.

DEPUTY SPEAKER ALTOBELLO:

Amendment fails. Would you remark further on the Bill as amended? Will you remark further on the Bill as amended? Representative Witkos of the 17th District, you have the floor, Sir.

REP. WITKOS: (17th)

Thank you, Mr. Speaker. Earlier one of the Representatives spoke regarding one of the sections in Line 126 and beyond, whereas the children that are 16 and 17 years of age that are members of a volunteer fire department, cadet program or ambulance association, they would be exempt under the current language, even if they weren't responding to their calls.

And I think it's vitally important that we continue to allow children that want to volunteer their time to provide such necessary services to their communities, that we need to clarify that language in the Bill.

And I'd ask that the Clerk call LCO Number 5562 and I be allowed to summarize.

DEPUTY SPEAKER ALTOBELLO:

Will the Clerk please call LCO Number 5562, which will be designated House Amendment Schedule "C".

CLERK:

LCO Number 5562, House "C" offered by Representative Witkos.

DEPUTY SPEAKER ALTOBELLO:

Representative seeks leave of the Chamber to summarize the Amendment. Is there objection to summarization? Is there objection? Hearing none, Representative Witkos, you may proceed with summarization.

REP. WITKOS: (17th)

Thank you, Mr. Speaker. What this Amendment does is put in the caveat in the Bill that the members of such associations have to be either in route or doing

part of the duties of that specific organization to be exempt from the law. And I ask for its adoption. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative. The question before the Chamber is on adoption of House Amendment "C". Will you remark on the Amendment? Representative Guerrera.

REP. GUERRERA: (29th)

Thank you, Mr. Speaker. I urge adoption of this Amendment.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative. Will you remark further on this Amendment? Representative Miller of the 122nd District, you have the floor, Sir. Representative Miller declines.

Will you remark further? Will you remark further on the Amendment before us? If not, I'll try your minds. All those in favor please signify by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ALTOBELLO:

All those opposed. The Ayes have it and the Amendment is adopted. Will you remark further on the Bill as amended? Representative Miller of the 122nd District, you have the floor, Sir.

REP. MILLER: (122nd)

Thank you, Mr. Speaker. I was involved in this issue about four years ago with David, and I got involved because we had eight teenagers in my district who were killed in single-car accidents.

In Stratford, there was two incidents, both with one car. Sometimes I think the conditions of the road might have helped these boys. They were going a little too fast and they got hit into a tree or a pole or whatever, but five in Stratford were killed.

In Shelton, I have three. One of the accidents may have been due to the weather conditions of the road. But in any event, there were three there, so that's a total of eight in my district.

And I mean no disrespect to anybody in this Chamber, but I always felt that I should spend as much time as I can my kids behind the wheel before they got their license.

And I always made it a point to spend almost a year with these kids. Not every single day, but whenever I had to pick them up, I'd let them drive home. I'd let them drive in the rain. I'd let them park the car. At times I'd let them drive out of state.

But in any event, they turned out to be great drivers, and the reason they're good drivers, I spent the time. And that's what I think a lot of problems occur. As parents, we don't spend the proper time with these kids.

We're giving them a big machine that weighs about 2,000 to 3,000 pounds that could kill you at any time. So I think it's important that we pass this Bill.

This Bill sets up guidelines that we as parents should follow and listen to. And I think it's critical that we do this because I think Representative Witkos gave us some statistics that weren't pleasant. So I urge the Assembly to support this Bill. Thank you.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative. Will you remark further on the Bill as amended? Will you remark further on the Bill as amended?

If not, will staff and guests please come to the Well of the House. Will the Members please take their seats. The machine will be opened.

CLERK:

The House of Representatives is voting by Roll Call. Members to the Chamber. The House is voting by Roll Call. Members to the Chamber.

DEPUTY SPEAKER ALTOBELLO:

The machine is now reopened. Have all the Members voted? Have all the Members voted? Will the Members please check the board to determine if your vote is properly cast.

Please recheck the board to make sure your vote is properly cast. If all the Members have voted, the machine will be locked and the Clerk will take a tally. The Clerk please announce the tally.

CLERK:

House Bill Number 5446, as amended by House Amendment Schedules "A" and "C".

Total Number Voting 141

Necessary for Passage	71
Those voting Yea	118
Those voting Nay	23
Those absent and not voting	10

DEPUTY SPEAKER ALTOBELLO:

The Bill as amended is passed. Are there announcements or points of personal privilege? Are there announcements or points of personal privilege? Are there announcements or points of personal privilege?

Representative Hewett of the 44th District, you have the floor, Sir. Let's try Representative Piscopo of the 76th District, you have the floor, Sir. Representative Piscopo of the 76th District, you have the floor.

REP. PISCOPO: (76th)

Yes, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, Sir.

REP. PISCOPO: (76th)

Oh, I'm sorry. I inadvertently pressed my mic.

DEPUTY SPEAKER ALTOBELLO:

JOINT
STANDING
COMMITTEE
HEARINGS

TRANSPORTATION
PART2
264-614

2005

So were going to move right to the public right now and the first on our list is Connie Jascowski.

SEN. CIOTTO: Good afternoon, Ms. Jascowski. It's good to have you before us.

CONNIE JASCOWSKI: Good afternoon, Senator.

SEN. CIOTTO: We appreciate you coming here to testify today.

CONNIE JASCOWSKI: I'd like to thank all the Members of the Transportation Committee for allowing me to speak here and testify. It's in regards to the teenage graduated driver's license laws.

There are eight bills that I'm going to speaking on. There are several of them are combination bills and duplicates of some of the things.

The gentlemen that went before, obviously you're going to be hearing some of the same information from me.

My name is Connie Jascowski. I live in Newington. I'm also President an organization called MPACT. That stands for Mourning Parents Act. The reason that organization was formed was because in December of 2002, there were five teenagers killed in three unrelated accidents.

It boggles my mind. We came here today to hopefully testify on bills that would strengthen the law by adding stricter regulations. It wasn't until I researched the bills set before us today that I realized, in most cases, that was not the fact.

I hadn't planned on defending the laws that we have already put in place in an effort to save our teens. In regards to H.B. 52, H.B. 152, H.B. 825, H.B. 5446, in support of having both parents in the car, I strongly disagree.

The reason for that is that with each additional passenger that is in that car, it causes a deadly distraction for that driver. In case scenario, the kid does something that the parent, that one parent disagrees with. They start a conversation, possibly an argument. That's a deadly distraction for that kid.

Another scenario, what if they get into an accident? This is a possibility of disabling both the parents, possibly killing both the parents.

In regards to H.B. 5053, H.B. 5168, H.B. 5446 in support of night time restriction, fully agree but with no different times but with different times but with no exceptions.

Teenagers 16 and 17 years old that are working by law cannot work past 10:00

o'clock. There is no reason why they should be on the road after that.

If teens are allowed to have special permissions to drive to and from late night school activities, it increases the possibility that they will be carrying other passengers, which increases their chances of having an accident, especially, pumped up or depressed due to the event.

Disagree with the fact of them being able to drive in an emergency situation, putting a teen behind the wheel in an emergency situation only increases their reason for speeding. Dangerous, not to mention the fact that they could be possibly very emotionally upset due to the case of the emergency.

According to statistics from the Insurance for Highway Safety, National Highway Safety Administration, and other national organizations, the majority of nighttime crashes occur in the hours before midnight.

This is the time when more young people are out on the roads. Therefore, nighttime driving restrictions should begin several hours before midnight.

In regards to H.B. 5446, H.B. 5467, H.B. 5869 in support of passengers, whether it be parents, family members, multi-passengers not family specific even with an adult present.

H.B. 5869, the reason behind that was to provide more supervision. I strongly disagree, for the reasons stated earlier. With an additional passenger, it increases the risk of an accident. If you know you want to have more supervision, that should be provided during the probationary period.

Recently there has been much interest in brain development among teens. This is pertinent to what I am going to be saying next.

Newspaper articles have been written, television programs have been aired, you can look it up on the internet from the National Institute of Mental Health, the AHRP, and the copy that I am quoting, which is from the Southern Juvenile Defenders Center.

According to the SJDC, the brains maturation process continues through adolescence and is not complete until the early 20's. The area not fully refined and focused in the adolescent mind is called the pre-frontal cortex.

The pre-frontal cortex is the largest section of the brain, slowest to development and undergoes the most drastic changes during adolescence.

The pre-frontal cortex is responsible for complex thinking. It allows the mind to organize, perform abstract thinking,

prioritize, anticipate consequences and control impulses and conform behavior accordingly.

To compensate for the underdevelopment of the pre-frontal cortex, the adolescent brain relies heavily on another area of the brain called the, I hope I'm saying this right, the medulla obbligato, which creates a tendency to react on instincts.

Biologically, adolescents do not have the same abilities as adults to control their actions and make sound decisions.

In closing, I would just like to add, we spend our lives protecting our children from the moment we start nurturing them in the womb to taking the first step, riding a bike and such, why are we letting it end now?

Before we make any decisions on any of these bills, I would just like you to ask yourself one question. What is more inconvenient, carting your kid around for another year, six months, whatever the case maybe, or planning a funeral? Thank you.

SEN. CIOTTO: Thank you. Are there any questions? Thank you very much, Connie.

REP. GUERRERA: Thank you, Connie. Representative Minor in? Senator Crisco.

SEN. CIOTTO: Good afternoon, Senator Crisco.

SEN. CRISCO: Good afternoon, Mr. Chairman. Mr. Chairman, Members of the Committee, my name is Senator Joe Crisco, the 17th District. First I want to thank you for hearing the Proposed H.B. 52, an age concerning restrictions on motor vehicle operators 16 or 17 years of age during the first 3 months following the licensure.

I appreciate the time and very quickly, I would appreciate your support of this issue, which basically changes the restriction during the first 3 months of licensure for 16 or 17 olds from transporting 1 parent to allow them to allow them to transport 2 parents.

The facts are obvious and I appreciate you consideration. Thank you.

REP. GUERRERA: Any questions for the Senator?

SEN. CIOTTO: Thank you, and let me compliment you on your brevity and testimonies we'll receive this morning and this afternoon, Senator.

SEN. CRISCO: Thank you, Senator.

REP. GUERRERA: Next, Sherry Chapman.

SHERRY CHAPMAN: Good morning, Chairman Ciotto, Guerrera, Senators and Representatives. My name is Sherry Chapman of Coventry, Connecticut. I'm here to comment on a number of bills before you, as both a

SB52
SB152
SB825
HB5053
HB5168
HB5446
HB5467
HB5862
HB5869

bereaved parent, and as Co-Founder, Director and Vice President of Mourning Parents Act, Inc.

MPACT, the mission of MPACT is to eliminate tragedies caused by inexperienced drivers through awareness, education and legislation.

Twenty-six months ago today, my son Ryan was killed when the car in which he was riding as a passenger crashed in Hebron, Connecticut. The 18-year-old driver faced multiple charges, including manslaughter and last April was sentenced to 8 years in prison, suspended after 5.

I will share more with you at a later date when I come before you in support of Ryan's Bill being introduced by Senator Chairman Ciotto.

There are a number of initiatives on today's agenda addressing teen driving, some of which were to expand and enhance Connecticut's graduated licensing law, some of which were to erode it, and some that are headed in the right direction but just do not go far enough. Connecticut's most valuable resource is its children.

According to the National Highway Transportation and Safety Administration, automobile accidents are the leading cause of death of young people age 15 through 20.

Causing over one-third of all fatalities in this age group.

Though they make up only 7% of the driving population, they are involved in 14% of all traffic fatalities. Why? Inexperience, maybe immaturity, a high tolerance for risk.

New drivers are by definition inexperienced, particularly in a state like Connecticut that requires only eight hours of driver training as compared to California, Colorado, Florida, each of which require fifty.

Colorado, California, Florida, 50 hours. Connecticut, eight, eight hours. We do a disservice to our youth and community placing everyone at significant risk by not requiring sufficient hours of driver training.

Adolescents are by nature highly risk tolerant, impulsive, have a sense of invincibility, are easily subject to peer pressure, risk-taking and thrill-seeking behavior results in poor driving judgment and risky driving behaviors, such as inattentiveness, no seatbelt use, speeding.

Graduated driver licensing programs also referred to as GDL's do reduce teen deaths. There are three stages of an effective graduated licensing law, a supervised learning period, followed by a provisional license, which allows unsupervised driving

with certain restrictions, followed by a full privileges license.

According to the Insurance Information Institute, Florida was the first state to adopt a GDL law in 1996. Since its inception, there has been a 21% decrease, 21% decrease in teen driver deaths in that state.

In South Carolina where the GDL law went into effect in 1998, the percentage of teenagers involved in crashes fell from 14% in 1998 to 13% in 1999.

In Ohio, which also adopted a GDL law in 1998, crashes involving 16 year olds fell 36.8%.

According to the Insurance Institute for Highway Safety as of August, 2004, 40 states and the District of Columbia had enacted all three stages of GDL laws, but the systems they vary in strength.

Connecticut has one of the weakest programs. Kudos in part to the authors of H.B. 5862, Representative Giegler, and H.B. 5446, Representatives Scriber, Scribner, excuse me, for working towards strengthening Connecticut's GDL law.

Both bills propose increasing the number of hours behind the wheel in driver training instruction to 20. That heads us in the right direction, but is that enough?

We've seen California, Colorado, and Florida require 50 hours. D.C. requires 40. Even Maine, 35. We need to lengthen behind the wheel driver training instruction time, but is 20 hours enough?

And shouldn't we require a certain number of nighttime and defensive driving instruction hours as many other states do? Please consider these issues as you weigh the merits of these proposed bills.

I commend, in part, the authors of H.B. 5053, Representative Witkos, and H.B. 5168, Representative Chapin, both of whom, along with Representative Scribner made proposals to restrict the nighttime driving of 16 and 17 year olds.

Unfortunately, none of these bills goes far enough to be effective in saving lives. For the reasons stated in Ms. Jascowski's previous testimony, we recommend nighttime driving restrictions from 11:00 p.m. to 5:00 a.m. with no exceptions.

Imagine a young driver rushing to a hospital in a medical emergency, which was one proposed exception. Would you like to him or her on the road at 2:00 in the morning? H.B. 52, H.B. 152, H.B. 825, H.B. 5467, and H.B. 5446, in part, proposed that certain graduated licensing provisions adopted in 2003 be reversed.

They propose both parents and or an unlimited number of immediate family members be permitted to accompany newly licensed 16- or 17-year-old motor vehicle operators in the first 3 months following licensure.

MPACT opposes these initiatives for the reasons provided in the testimony of Ms. Jascowski and we urge the Committee take no action on those proposals. These bills will serve to erode Connecticut's already weak graduated licensing laws.

As you ponder these bills, please consider expanding the current GLD law to include additional graduated licensing elements. Consider the raising the age of licensing for teens to 17.

Consider reviewing the licensing permit laws to make them fit more snuggly with the GLD laws-- [Gap in testimony. Changing from Tape 1B to Tape 2A].

--is less restrictive in Connecticut than a new license issued to a 16- or 17-year-old driver. Consider bringing driver training back into the school systems. Consider defensive and hazardous driving instruction mandates.

Consider automatic suspension for first offense traffic violations. We need a zero tolerance law. Consider restricting cell phone use, I know there's a more general proposal if that's not adopted it should be

considered as a part of the graduated licensing provisions.

Consider extending the graduated licensing concept to age 21. Please we owe it to our kids and we owe it to the people who share the roads with them. Thank you.

SEN. CIOTTO: Thank you. Are there any questions? Representative Scribner.

REP. SCRIBNER: Good afternoon. First, I want to thank you for being here and taking the time to share your significant message and first hand experience, not only with the legislators that sit on this Committee but to the general public.

Because I believe that you have, through first-hand and extremely unfortunate, experience, done something very productive to help and to prevent future unnecessary loss of our young lives.

And I think that your message is very powerful to those that need to hear it and so I thank both you and Mrs. Jascowski for being with us today and sharing that message, and I've heard you loud and clear and I hope many others have too. Thank you.

SHERRY CHAPMAN: Thank you very much.

SEN. CIOTTO: Thank you, Representative. Any further questions? Thank you very much.

JOINT
STANDING
COMMITTEE
HEARINGS

TRANS-
PORTATION
PART3
615-869

2005

American
Academy of
Pediatrics

OFFICERS

President
Robert W. Zavoski, M.D.
Hartford, CT

President-Elect/Secretary
Ronald Angoff, M.D.
New Haven, CT

Treasurer
Leo J. DiStefano, M.D.
West Hartford, CT

Immediate Past President
Jeanne M. Marconi, M.D.
Norwalk, CT

MEMBERS-AT-LARGE
John W. Blanton, M.D.
New Haven, CT

Sandra Carbonari, M.D.
Waterbury, CT

Nicholas Condulis, M.D.
Essex, CT

James E. O'Connor, M.D.
Cheshire, CT

Leonard I. Banco, M.D.
Hartford, CT

Elsa L. Stone, M.D.
North Haven, CT

GOVERNMENT RELATIONS-LOBBYIST
Judith A. Blei, J.D.

EXECUTIVE DIRECTOR
Jillian G. Wood

000781

HEZEKIAH BEARDSLEY CONNECTICUT CHAPTER
104 HUNG[illegible] S[illegible]T [illegible]TFORD, CT 1[illegible] • TEL. [illegible] 5[illegible]5-[illegible] • FAX ([illegible] 0) 727-9863

February 7, 2005

Good afternoon. I am Dr. Robert Zavoski, M.D., President of the Connecticut Chapter of the American Academy of Pediatrics and Medical Director of Community Health Services, a community health center here in Hartford. I am here to voice the Academy's support of the bills concerning the graduation of licensing for new adolescent drivers.

Each year, injuries kill almost twice as many Connecticut children and adolescents as all other causes of death combined. The vast majority of the victims are kids 15 to 19 years of age, and the majority of these are hurt in motor vehicles, driven either by themselves or their friends. Research by the Connecticut Childhood Injury Prevention Center found that each year one of every nine sixteen year old drivers and one of every thirteen seventeen year old drivers causes a crash where there is either loss of life, serious injury or significant property damage. Injury and fatality rates among new drivers are 3 times those of adult drivers. Furthermore, teen crashes more often involve driver error, reckless driving, and more passengers than crashes involving adult drivers. When teen drivers come to the hospital, they bring their friends with them.

In 1996, the Connecticut General Assembly, mandated a learner's permit for new teen drivers. It required 4 - 6 months of supervised practice before teens could get a full driver's license. The learner's permit was a big step in protecting teen drivers while they learn to drive, as well as others on the road and in the car with them. In its first year, the law resulted in 364 fewer crashes among 16 year old drivers, a 22% decrease. Today there are many young adults and teens who are alive today who wouldn't have been without this law. Last year under the leadership of Senator Ciotto, the General Assembly strengthened the law by limiting the numbers of passengers new teen drivers can carry in the car with them. This law will same many more lives, unfortunately it inadvertently disallowed both parents being in the car with their new teen driver. We hope the Committee will support removing this oversight.

In addition, the Academy of Pediatrics strongly urges the Committee's consideration of stronger penalties for violation of the graduated licensure laws. The current fine deters few teen drivers from driving recklessly. In contrast, knowing that they will lose their provisional license entirely until they are 18, if caught driving dangerously or violating the law in other ways, will change their driving behaviors. I know that it changed my behavior in New York, which had such a law when I was learning to drive30 years ago.

Finally, the Academy urges passage of HB 5450 concerning the use of seat belts in the back seats of cars. This too is an oversight left in the last passenger restraint law in 1994 and should be removed.

Connecticut's pediatricians again wish to thank this Committee for its leadership in the protection of new teen aged drivers, as well as those who are on Connecticut's roads with them. This Committee's work in recent years has saved many lives. We pledge to work with you to help save many more. I thank you for your kind attention.