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Bill Number: 5262

Senate Pages: 4186-4196, 4266-4268 **14**

House Pages: 3895-3917 **23**

Committee: Transportation: 1584-1590, **24**
1592, 1600-1602, 1613-1618,
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THE CHAIR:

The motion is on the floor to place item on the consent calendar. Without objection, so ordered, sir.

Mr. Clerk?

THE CLERK:

Calendar page 17, Calender Number 660 follows number 400, and 965, Substitute for House Bill 5262, as amended by House Amendment Schedule A (inaudible) before the Committee on Transportation and Judiciary.

THE CHAIR:

Senator DeFronzo?

SENATOR DEFRONZO:

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

THE CHAIR:

Acting on acceptance and approval, sir, would you like to remark further?

SENATOR DEFRONZO:

I would, Mr. President. Mr. President, this is a bill that had its genesis in some unfortunate circumstances in Hartford with a severe rash of street racing creating damage, inconvenience and injury to many people in the Hartford area. In fact, though,

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this is a problem throughout the state of Connecticut. Senator Fonfara and the Hartford delegation sponsored the bill, and it moved through the committee process. It was passed in the House of Representatives by 139 to a zero margin.

The bill in addition to existing penalties for street racing would now give the court the authority to impound the vehicle for up to 30 days if the operator of the vehicle was the owner of the vehicle, and if the vehicle is being operated by someone other than the owner, the operator would be fined up to \$2,000 for a first offense and \$3,000 for subsequent offenses.

Mr. President, this is a good bill which will give local police enforcement authorities stronger power to enforce and protect our public, and I urge the chamber's approval.

THE CHAIR:

Remark further on the bill before us? Senator Boucher?

SENATOR BOUCHER:

Thank you, Mr. President. Mr. President, I rise to further support this bill. It's a good bill. It has widespread support and, hopefully, it gets

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unanimous approval by this chamber. Thank you.

THE CHAIR:

Thank you, ma'am. Remark further? Senator
Fonfara?

SENATOR FONFARA:

Thank you very much, Mr. President. Good
afternoon.

THE CHAIR:

Good afternoon, sir.

SENATOR FONFARA:

Mr. President, I rise in support of this bill. I
want to thank very much Senator DeFronzo for his
support in moving this bill through the process and,
in particular, Representative Robles. In his initial
year here in the Legislature, he has made this bill a
priority for his District, which is also mine, and for
the City of Hartford where street racing,
unfortunately, has become a significant problem in
many of the neighborhoods throughout Hartford and,
unfortunately, it's become an organized sport in many
regards, a very sophisticated process in which these
people engage in, and one that our already over-taxed
police department has found it very difficult to
manage, and this bill will, I believe and I hope, will

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go a long way in providing the disincentives to those who would want to engage in street racing where they might lose their vehicle and be hit in the wallet significantly that they think twice or maybe a third time before they would engage in this.

And, I want to again thank Senator DeFronzo for his support with this. Thank you, Mr. President.

THE CHAIR:

Thank you, sir. Will you remark further on the bill? Senator Frantz?

SENATOR FRANTZ:

Thanks, Mr. President. I'd also like to commend Senator DeFronzo in his efforts, and these have been extensive. It's never easy to take a simple concept and turn it into a bill and have it be passed on both floors and signed into law. It's a very good law.

I just have one question, which I don't think I was around for either or the honor later on for Senator DeFronzo through you.

THE CHAIR:

Senator DeFronzo.

SENATOR FRANTZ:

The definition of street racing, does that mean it has to have been contemplated before the two cars

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or multiple cars start to race on a street, or is this something that can happen on I-91, for example, between two cars that haven't talked to each other or the two drivers haven't talked to each other, but they end up getting into what essentially amounts to a little bit of a road rage situation which turns into a street race?

THE CHAIR:

Senator DeFronzo?

SENATOR DEFRONZO:

Mr. President, I'm just checking the bill for a -- I don't -- I don't see a specific definition in the statute here, Mr. President, so I would -- you know, I remember in our testimony there was no discussion about any preconditions, pre-agreements about speed racing. It was just the actual occurrence of a race, so I'll give you my personal opinion. I don't stand this behind any legal -- I do not recall any precondition other than the fact that a race took place and was conducted in a reckless and endangering manner. Through Mr. President.

THE CHAIR:

Senator Frantz?

SENATOR FRANTZ:

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Thank you. Would it be fair to say that for legislative intent purposes, that any kind of racing that takes place that's so egregious that it does cause an accident and is well over the speed limit on that particular road is the kind of street racing that you're talking about? Through you, Mr. President.

THE CHAIR:

Senator DeFronzo?

SENATOR DEFRONZO:

Through you, Mr. President. I believe that's an appropriate interpretation. Through you, Mr. President.

THE CHAIR:

Senator Frantz?

SENATOR FRANTZ:

That makes it an even better bill. Thank you very much. I stand very much in favor of it. Thank you, Senator DeFronzo. Thank you (inaudible).

THE CHAIR:

Anything further on the bill? Senator Kissel?

SENATOR KISSEL:

Thank you very much, Mr. President. I rise in strong support of the bill. You know, it's funny. The more things change, the more they seem to stay the

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same, and I'm completely sympathetic to the affliction that has befallen Senator Fonfara and Senator Coleman's town, the City of Hartford.

There's an excellent article about this in The Hartford Courant not too long ago, and up in our neck of the woods, I was just listening to the radio over the last couple of days, and apparently the same thing is occurring in the Springfield area and Holyoke, so it doesn't seem to be something just specific to the City of Hartford.

But, when I say the more things change, the more they stay the same, is, you know, when you think about drag racing and things like that, you go back to, you know, happy days, and it all seems like fun and games, but it really isn't. And, in fact, one of the most startling portions of a movie that one can go back -- if you were lucky enough to see that classic, Rebel Without a Cause -- remember that classic scene where Natalie Wood drops her scarf and off they go, and it's James Dean racing that other guy, and for the life of me, I know that there's a Buzz in the old serial show, Dark Shadows, but I think that guy's name was Buzz, too, and there they go, racing down, and the whole idea is to race those cars to a cliff and jump out of

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those cars. Not the exact same situation, but the guy James Dean is running a race against gets his leather jacket caught on the inside of the car, and off the cliff he goes, and as someone who has studied a little bit of cinematography, that's actually one of the first times you actually zoom in on someone's face as they're about to die if it's a young person like that, and that kind of innocent situation.

And, for the time, it seems like really soft stuff right now, but for the time, that was a dramatic, dramatic moment where that guy went off the cliff, so imagine now. I don't believe these drag racers are dragged against or racing against cliffs, but wherever they are, there's a chance of running into pedestrians, innocent bystanders, innocent drivers that happen to be lost or maybe are driving down there and, you know, someone's going to die.

And, if we can do anything to help some innocent individual or even one of these young people -- and they tend to be young people -- save themselves for another day, then we've done something good. And, unfortunately, sometimes it takes a tragedy, and I want to commend the advocates of this legislation because we're not waiting for a horrific tragedy to

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take place.

So, as much as it may not seem like it's necessary, again, things bubble up, they tend to be prevalent in the fifties and the sixties, and then down they go for whatever reason, but now for whatever reasons, it's back in the spotlight, and this legislation, I think, will go a long way to eliminating it from our roads, getting people to behave in a sensible fashion, and, hopefully, making sure that that accident that could happen down the road never happens, so I strongly support the bill.

Thank you, Mr. President.

THE CHAIR:

Senator Witkos?

SENATOR WITKOS:

Thank you, Mr. President. I also rise in support of the bill that's before us, and I'll probably be one of the few members of the chamber in a circle that will be enforcing it, and with that, I do have one question I'd like answered, if I may, through you, Mr. President.

THE CHAIR:

Senator Witkos?

SENATOR WITKOS:

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Thank you, Mr. President. Through you, subsection C states no person shall operate a motor vehicle on any public highway for a wager or for any race or for the purpose of making a speed record.

Many communities have automatic speed detection devices, what are commonly known as radar trailers, and sometimes kids continue to drive past that to see how fast they can have their speeds recorded on that device, you know, how high up they can get it, and oftentimes they're stopped by the police and asked what are you doing, and they tell you: I want to see how fast I can get up on the machine.

And, through you, Mr. President, would that fall under the definition of racing with the language that I just stated earlier?

THE CHAIR:

Senator DeFronzo?

SENATOR DEFRONZO:

Through you, Mr. President. The language in existing statute is fairly broad. Actually, you read it a moment ago. It says for any wager or for any race or for any purpose of making a speed record, and I would think if the situation is as you just put it, that an individual was to say I wanted to see how fast

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I was going or if I could beat last week's record, I would think that would fall into the broad parameters of that definition. Through you, Mr. President.

THE CHAIR:

Senator Witkos?

SENATOR WITKOS:

Thank you, Mr. President. I thank the gentleman for his answers, and I urge the chamber's support.

THE CHAIR:

Remark further on the bill? Senator DeFronzo?

SENATOR DEFRONZO:

Mr. President, if there's no further discussion of this measure, I would ask that it be placed in the consent calendar.

THE CHAIR:

There's a motion to place the item on the consent calendar. Seeing no objection, so ordered. Mr.

Clerk?

THE CLERK:

Calendar 664, File 370, House Bill 5894, AN ACT ESTABLISHING A MOVE-OVER LAW IN CONNECTICUT, favorable report of the Committee on Judiciary and Transportation.

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THE CHAIR:

Senator Meyer requests that this item be put on consent. Seeing no objection, so ordered. Mr. Clerk?

THE CLERK:

Mr. President, that completes those items previously marked go.

THE CHAIR:

Senator Looney?

SENATOR LOONEY:

Thank you, Mr. President. If the Clerk might now call the first consent calendar?

THE CHAIR:

Mr. Clerk, please call the first consent calendar, and the machine will be open. Excuse me. Please call the consent calendar.

THE CLERK:

Immediate roll call has been ordered in the Senate on the consent calendar. Will all Senators please return to the chamber? Immediate roll call has been ordered in the Senate on the consent calendar. Will all Senators please return to the chamber?

Mr. President, those items placed on the first consent calendar begin on calendar page 6, Calendar 486, substitute for Senate Bill 650. Calendar page

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17, Calendar Number 660, substitute for House Bill 5262.

Calendar 664, House Bill 5894, calendar page 23.
Calendar Number 202, Senate Bill 74. Calendar page
24, Calendar 220, substitute for Senate Bill 866.

Calendar 227, substitute for Senate Bill 920.
Calendar 238, House Bill 5222. Calendar 243, House
Bill 6501. Calendar page 29, Calendar Number 357,
substitute for Senate Bill 995.

Calendar page 33, Calendar 471, Senate Bill 1128.
Calendar 481, substitute for Senate Bill 533.
Calendar 499, Senate Bill 1099, and calendar page 37,
Calendar 321, Senate Bill 271.

Mr. President, that completes those items placed
on the first consent calendar.

THE CHAIR:

Please call the consent calendar. The machine
will be open.

THE CLERK:

The Senate is now voting by roll call on the
consent calendar. Will all Senators please return to
the chamber? The Senate is now voting by roll call on
the consent calendar. Will all Senators please return
to the chamber?

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THE CHAIR:

Have all Senators voted? If all Senators have voted, please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion is adoption of Consent Calendar Number 1.

Total number voting 35

Those voting yea 35

Those voting nay 0

Those absent and not voting 1

THE CHAIR:

Consent Calendar Number 1 passes. Senator
Looney?

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, I would move for suspension for immediate transmittal to the House of Representatives of all items acted upon today requiring action in that chamber.

THE CHAIR:

There's a motion on the floor for suspension of the rules for immediate transmittal. Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, I would

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THE CLERK:

On page 35, Calendar 281, Substitute for House Bill Number 5262, an Act Concerning the Impoundment of Vehicles Used for Illegal Street Racing, favorable report of the Committee on Judiciary.

SPEAKER DONOVAN:

Representative Hector Robles.

REP. ROBLES (6th):

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

SPEAKER DONOVAN:

The question's on acceptance of the Joint Committee's favorable report and passage of the bill.

Will you remark, sir?

REP. ROBLES (6th):

Yes, Mr. Speaker. Mr. Speaker, basically, this bill is -- is here just to address the -- the racing issue problems that many municipalities in the state are going through currently, and, hopefully, this will be a tool in order for law enforcement to combat the illegal street racing problems in our municipalities.

Mr. Speaker, the Clerk has an amendment, LCO 7023. I would ask the Clerk to please call the amendment, and that I be granted leave of the chamber

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to summarize.

SPEAKER DONOVAN:

Will the Clerk please call LCO 7023, which will be designated House Amendment Schedule A.

THE CLERK:

LCO Number 7023, House A, offered by Representative Robles.

SPEAKER DONOVAN:

The Representative seeks leave of the chamber to summarize the amendment. Is there objection to summarization? Representative Robles, you may proceed with summarization.

REP. ROBLES (6th):

Thank you, Mr. Speaker. Mr. Speaker, this amendment basically what it does that in order to combat the illegal street racing problem, if a person is caught illegally street racing and the vehicle is registered to such person that the court could impound the vehicle for not more than 30 days and then the person will be responsible for any fees and costs resulting from such impoundment.

And, secondly, if a person is convicted of illegally street racing and the vehicle is not registered to -- to that person, then the court may impose a fine of no more than \$2,000 for their first

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offense and no more than -- wait, hold on. The court may fine such person not more than \$2,000 and for any subsequent offense made by such person not more than \$3,000. So, basically, this bill is, I believe, is -- this amendment is stolen-car friendly, taken-without-owner's-permission-vehicle friendly and also rental-car friendly as well. I move passage. So I move adoption, Mr. Speaker.

SPEAKER DONOVAN:

The question before the chamber is adoption of House Amendment Schedule A. Remark on the amendment? Remark on the amendment?

Representative Scribner.

REP. SCRIBNER (107th):

Thank you, Mr. Speaker. Through you, a question to the proponent of the amendment.

SPEAKER DONOVAN:

Please proceed, sir.

REP. SCRIBNER (107th):

Thank you, sir. Just out of curiosity, could you please explain to me what the origination of this amendment was? Part of my concern is, as this was reported out of the Transportation Committee, I don't recall there being and there is not indication to me that there was a question or concern about this, and

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I'm wondering if this was something that originated out of the Judiciary Committee as opposed to transportation?

SPEAKER DONOVAN:

Representative Robles.

REP. ROBLES (6th):

Not at all. The concern was of vehicles that -- that would have been taken without owner's permission and if that person would have been out there racing a car and -- for instance, give you a hypothetical. If the parents are sleeping and a young -- young person takes a car and goes out racing, then that was the issue that was brought up so that's why the amendment came out. It was just to address the -- the issue that if -- if a person took a car without the owner's permission then that car would be exempt.

SPEAKER DONOVAN:

Representative Scribner.

REP. SCRIBNER (107th):

Thank you, Mr. Speaker. Then, I am to interpret that this was a revision -- or a proposed revision to the original language that would protect the owner of the subject vehicle from someone other than he or she being the driver. Would that be correct? Through you, Mr. Speaker.

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SPEAKER DONOVAN:

Representative Robles.

REP. ROBLES (6th):

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

SPEAKER DONOVAN:

Representative Scribner.

REP. SCRIBNER (107th):

Thank you.

SPEAKER DONOVAN:

Remark further on the amendment before us?

Representative's Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. Question through you to the proponent of the amendment.

SPEAKER DONOVAN:

Please proceed, sir.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. Through you, representative Robles, I understand you're back and forth with Representative Scribner. I guess my question would be how does this amendment change the underlying bill? In other words, in the hypothetical you gave, if someone takes their parent's car and goes street racing, under the underlying bill, how would that individual be treated and how would they be

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treated with -- if we adopt this amendment, the difference? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Robles.

REP. ROBLES (6th):

Through you, Mr. Speaker, to the Minority Leader. Thank you for your question. Bas -- the original bill would have taken the -- the motor vehicle right at the scene for 30 days. Under this bill, the vehicle will be -- get -- you know, the person will be able to take the vehicle back after we confirm that the vehicle is not stolen or if it was taken out, you know, without the re -- the parent's permission, then the vehi -- this vehicle's going to go back to the registered owner. It's only after the conviction of racing that the impoundment will occur. So, under the original bill, impoundment would occur right there at the scene once you are stopped for illegally street racing. Under the amendment, it's going to go after conviction.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. Through you, Mr. Speaker. So in either case, Representative Robles, the vehicle is

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impounded. The difference being when it's impounded. If it's owner-operated -- or the underlying bill said it would happen at the scene. If the person racing is not the person who owns it, the vehicle will be impounded but only upon conviction. Is that correct? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Robles.

REP. ROBLES (6th):

No, it's not. The -- the -- if -- if a person is convicted of illegally street racing and the vehicle is not registered to that person, then they're going to facing a fine of up to \$2,000 for the first offense and \$3,000 for any subsequent offense. But if the vehicle is registered to the peop -- person who's actually racing, then the court may impose a 30-day impoundment on the vehicle. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. The -- well, now I'm confused a little bit. Through you, Mr. Speaker. In the -- when a vehicle is impounded, no matter who's driving it, will it always be impounded after conviction, as opposed to on the scene. Through you,

Mr. Speaker.

SPEAKER DONOVAN:

Representative Robles.

REP. ROBLES (6th):

Through you, Mr. Speaker. The vehicle will be impounded if the vehicle is registered to the person who's been found convicted of racing. So if the -- if -- for example, if I'm racing and the vehicle is registered to me, then the court could im -- could impound my vehicle for 30 days.

The other situation, if I'm racing and the vehicle is not registered to me, then, no. The car is not I -- the car is not going to face impoundment -- me, as the operator, will be facing a fine. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. I thank the gentleman for his answer and clarification.

SPEAKER DONOVAN:

Thank you, Representative.

Remark further on the amendment? Remark further on the amendment? Representative O'Neill.

REP. O'NEILL (69th):

Yes, thank you, Mr. Speaker. As -- as I look at the underlying bill to which the amendment -- in the key piece of which the amendment would basically replace, the underlying bill calls for the impoundment of the vehicle at the time of arrest. And at that point in time, obviously, when someone's been arrested for street racing, the vehicle, presumably, is present. The police have custody of the individual and of the vehicle and they can pretty swiftly deal with that situation.

Could I just ask, through you, Mr. Speaker, why is this change being made so that it then has to be done by the court presumably weeks or, perhaps, months after the incident in question? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Robles.

REP. ROBLES (6th):

Yes, through you, Mr. Speaker. I know that LCO did -- that had a concern about the due process and following the constitution. So that's why this amendment came out -- came to exist.

SPEAKER DONOVAN:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. Is -- is there an LCO note attached to the file indicating that they doubt the constitutionality of the bill that's before us in final copy? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Robles.

REP. ROBLES (6th):

Through you, Mr. Speaker. No, there is not.

SPEAKER DONOVAN:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. Because the normal custom we've had some discussion of it this year. In other contexts is when a bill is brought forward that it -- it -- when it gets in to file copy is the point and time at which LCO raises issues about constitutionality and so this bill has been in file copy for some time now and there's -- there's no note attached.

Could I ask the member how the information from LCO was communicated to him? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Robles.

REP. ROBLES (6th):

Through you, Mr. Speaker. I did not receive a -- a letter from LCO -- from the attorneys from LCO telling me, you know, about the due process concern they had about impounding the vehicle from the beginning which basically -- the way my -- the bill was originally written was, basically, you were saying that the -- a law enforcement officer was the judge, jury and executioner right from the beginning, and they have some due process concern and they would have liked to see the impounding come after conviction, after a person has gone through the due process through the court system.

SPEAKER DONOVAN:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. I wasn't quite sure. Did -- did the proponent of the amendment state that he received a letter from LCO stating that they had doubts about the constitutionality of the bill? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Robles.

REP. ROBLES (6th):

I'm sorry. Could -- could the Representative just repeat his question, please?

SPEAKER DONOVAN:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. I'd be happy to. Did the proponent of the amendment receive a letter from LCO stating that they had questions or doubts about the constitutionality of the underlying bill? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Robles.

REP. ROBLES (6th):

Yes, I did. Through you, Mr. Speaker. In terms -- of memorandum from LCO, which I have right here in my hand.

SPEAKER DONOVAN:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. And I thank the gentleman for that explanation.

And if I could just ask, at what point in time did LCO communicate that? Is there a date on that document? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Robles.

REP. ROBLES (6th):

It was given to me back in April 3, 2009.
Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. I appreciate that information.

I cannot remember when it -- this bill appeared before the Judiciary Committee. I -- I do know that it was reported favorably by the Judiciary Committee, and I suppose one of the reasons why bills are sent to Judiciary is for a review of the process and penalties that are to be imposed on people, and I guess it's somewhat embarrassing that we did not propose an amendment or correction or make note of this as we were handling the bill. But -- but because I -- I do not, in fact, remember that being raised as an issue in the Judiciary Committee at the time that it was presented to us.

One of the concerns I have is that once the street racing is done and -- and this as I understand was originally a bill proposed by the proponent of the amendment -- I guess I should ask that question.

Mr. Speaker, was this originally the bill proposed -- the bill originally proposed by the

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proponent of the amendment. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Robles.

REP. ROBLES (6th):

Through you, Mr. Speaker. Yes, it is.

REP. O'NEILL (69th):

And --

SPEAKER DONOVAN:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you. And so my impression is then that this is an issue that the member has some familiarity with or has been brought to his attention by his constituents and -- and that sort of thing. I'm assuming that the people who do the street racing are not necessarily the most upstanding members of the community who are -- are going to necessarily stay in place so that they -- can have their vehicles impounded and that sort of thing. It does -- would -- does the proponent of the amendment have information about the average age, for example, or typical ages of the people involved in street racing? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Robles.

REP. ROBLES (6th):

Through you, Mr. Speaker. Typical age -- I, myself, am a member of the Hartford Police Department for the past 15 years, and I've dealt firsthand with this issue. Age range is anywhere from 17 all the way up into their mid 30s. They come from everywhere from New York, from Massachusetts, Rhode Island -- come all over and come to the -- to this great city here in Hartford and to other parts of this state to do their street racing. So that -- their -- the range in age is -- it's very wide.

SPEAKER DONOVAN:

Representative O'Neill.

REP. O'NEILL (69th):

Well, thank you. And I -- I do thank the gentleman for his explanation because I had a suspicion that the people who were going to be doing this were not necessarily homeowners, people with steady jobs working in Hartford or the immediate vicinity or next door that sort of folks who one would count on to stay in place and -- and show up in court six months later with the -- vehicle available so that it could be impounded when the day of conviction finally arrived but rather these are folks who are probably going to go back to their home state, New

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York or Massachusetts or some other place, and are going to be really kind of far beyond the jurisdiction or the property is going to be somewhat beyond the jurisdiction of the court. . And it just seems to me that while the amendment of -- offers some possibility that some people who engage in street racing are going to see their vehicles impounded. I -- I -- I have to say that I suspect that it's going to be a whole lot less than the original bill would have called for, and I'm not sure that we're going to actually see anybody get their vehicle impounded once the word gets out that if you street race with your brother's vehicle, since it's not registered in your name, they'll never impound that vehicle. And so even if the person was living in Hartford or West Hartford or East Hartford that their vehicle -- when this amendment -- if this amendment goes through, that also what he has to do is make sure that they do their street racing with a car registered in somebody else's name and not their own name, and the vehicle will never be impounded. And so I -- I -- I understand that the member is being pushed in this direction by LCO and the concerns about constitutionality, but I fear that the objective -- and it sounds like a very worthy objective of the original bill that the member brought forward -- maybe

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seriously frustrated by this -- by this amendment.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Remark further on the amendment? On the amendment?

Representative Scribner, on the amendment?

REP. SCRIBNER (107th):

Thank you, Mr. Speaker.

Just a quick question as a follow up. As I am listening to the continued debate and taking a closer look at the amendment, which I saw for the first time today, through you, Mr. Speaker, a question to the proponent.

SPEAKER DONOVAN:

Please proceed, sir.

REP. SCRIBNER (107th):

Looking at the language that is before us in the amendment which addresses the violation being made by the driver of the vehicle, was it considered, for instance, in regard to the impoundment process and the time frame of it, if, for instance, if the vehicle was owned by the parent, guardian or a family member of -- of the vehicle, would that potentially change the ability for the law enforcement to impound the vehicle at the time of the arrest?

SPEAKER DONOVAN:

Representative Robles.

REP. ROBLES (6th):

Through you, Mr. Speaker. Right now, I -- I mean, basically right now, our policies and procedures -- if -- if the police department wants to go ahead and -- and hold the vehicle for evidence for -- for such purposes, we can't. But, basically, it, you know, as the bill is written, it's -- we're hoping to get the impoundment after conviction but the option for pola -- law enforcement at the scene at the time of being stopped, we could hold the vehicle as evidence if the police department wished to do so.

SPEAKER DONOVAN:

Representative Scribner.

REP. SCRIBNER (107th):

Thank you, Mr. Speaker. I -- I think that that might be an important aspect of the legislative intent that we may revisit beyond our -- our debate here today because I think it does circumstantially change the environment of what the law enforcement officers faced with and -- and maybe beyond the passage of this amendment and potentially the bill, we would consider including additional language as a point of legislative intent. Thank you.

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SPEAKER DONOVAN:

Thank you, Representative.

Remark further on the amendment? Remark further on the amendment? If not, let me try your minds.

All those in favor of the amendment, please signify by saying aye.

All those opposed nay. The ayes have it. The amendment is adopted.

Remark further on the bill as amended?

Representative Nicastro.

REP. NICASTRO (79th)

Thank you, Mr. Speaker. I str -- I rise in strong support of the bill as amended. I'd be the first to admit that the amendment takes some of the teeth out of the bill as it was originally proposed, but I'd like to commend my colleague on bringing this bill forward and the committees that saw it through.

We have too many lives being lost today and too many young people -- and, actually, people of all ages being injured through, you know, street racing and dragging. This is a step in the right direction. It's not the perfect cure all but at least we get something on the books to start protecting innocent people who are being hurt by so many of these races that are going on. I know some of the inner cities

are having a much greater problem on this, and it's been brought to my attention. And, again, I feel that what we're here today -- assuming we can get this bill passed -- we've taken a step in the right direction. We heard every -- we heard the testimony. We saw it and, quite frankly and honestly, I strongly feel that something like this will send a message that if you want to do this there's consequences for your actions and that we're not going to tolerate this. Tough times require tough action and this bill puts it forward. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative. Representative Scribner.

REP. SCRIBNER (107th):

Thank you, Mr. Speaker. I rise in support of the bill as amended that's before us. It did indeed pass out of the Transportation Committee unanimously and had support from the Governor's office as well as the Connecticut Police Chiefs Association.

I'd also like to further thank the proponent for bringing this measure forward to the Transportation Committee and lending his real life experience as a law enforcement officer to the process which I think is always very helpful. Thank you.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Roldan.

REP. ROLDAN (4th):

Thank you, Mr. Speaker. I rise in support of the bill as well. The majority of street racing that occurs in City of Hartford actually occurs in my district. There have been significant accidents to the point that lives have been put in significant danger. I thank the proponent of the bill for all of his work. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Guerrero.

REP. GUERRERA (29th):

Thank you, Mr. Speaker. I just want to thank Representative Robles for his commitment to this bill and through the Transportation Committee and through the public hearings, we heard many testimonies in regard to the street racings and the problems in the south end of Hartford in which people have been killed and people that have been terrorized in those neighborhoods and I want to commend Representative Robles for that and I want to also thank Representative Scribner for his help on this in

regards to that, as he stated, that maybe in the future we may need to look at this in regards to add a little more teeth to this bill. So thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Will you remark further on the bill as amended? Remark further on the bill as amended? If not, staff and guests come to the well of the House. Members take their seats. The machine will be opened.

THE 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.

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? Members please check the board and make sure your vote was properly cast. If all the members have voted, the machine will be locked and the Clerk will please take a tally.

Will the Clerk please announce the tally?

THE CLERK:

House Bill 5262 is amended by House A.

Total number voting 139

Necessary for passage 70

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Those voting Yea	139
Those voting Nay	0
Those absent and not voting	12

SPEAKER DONOVAN:

The bill, as amended, passes.

Are there any announcement or introductions?

Representative Orange.

REP. ORANGE (48th):

Thank you, Mr. Speaker. For a point of personal privilege, sir.

SPEAKER DONOVAN:

Please proceed, madam.

REP. ORANGE (48th):

Ladies and gentlemen of the chamber, I would like to introduce to you our park and recreation director from the Town of Colchester, Jason Cohen, and I believe that many of your parks and rec directors are around the building today since it is Park and Rec Day. So if you could join me in giving a warm welcome to Jason. Thank you.

SPEAKER DONOVAN:

Thank you, Representative.

Welcome.

Will the Clerk please call Calendar 608.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**TRANSPORTATION
PART 6
1554 - 1854**

2009

you face and many disabled people who try to get -- try to do the right thing, want to get to the stores, get to the doctor's appointment, and be independent, as you said. And it's must be very, very frustrating, on your part, when you see cars that are parked that shouldn't be parking and there's really no way for you to have them ticketed or even get them towed because they're on private parking lots and it's just very frustrating.

DAVID HICKS: Well, there isn't any current enforcement is almost zero, as you know, but I know, that the members of this committee are well aware of the problems, and I appreciate all of your help on this.

REP. GUERRERA: Well, we want to thank you, too, for all of your help.

DAVID HICKS: Thank you.

REP. GUERRERA: Thank you.

Chief Daryl Roberts, followed by Chief Salvatore.

CHIEF DARYL ROBERTS: Senator DeFronzo, Representative Guerrero and members of the Transportation Committee, and all those I came up with, good morning. My name is Daryl K. Roberts. I am the chief of Hartford Police Department. I am a 27-year vet of that department. I've been the chief for the past three years. I want to thank for this opportunity to offer testimony in support of Bill, 5262, impoundment of the street racers' vehicles. I support the bill for a number of reasons.

First and foremost, human life is paramount. There's been some situations, street racers

where they result in fatalities. Secondly, it removes unsafe vehicles from our streets. It's another tool that we can use to send a strong message that we will not tolerate this type of activity, which adversely affects the quality of life in the City of Hartford. So I offer testimony on behalf of the citizens and residents of the City of Hartford, the Mayor, and the Court of Common Council.

Street racers normally destroy the quality of life in our community, not to mention the immense property damage that it has caused and what it's costs in dollars and cents to our city to our taxpayers. The main problem with the street racing is they have no regard for human life and no regard for their own safety. So I'm in strong support of this bill.

I firmly believe that this will give us a further tool and ammunition to eradicate this type of activity. So I'm in strong support of the bill because it does a number of things in addition to destroying human life it's also a burden on the taxpayers, not to mention it destroys our community. And the individuals that are involved in this activity are getting more and more brazen.

Just recently, over the past weekend, we had a situation on (inaudible) Avenue, where the individual actually stopped two citizens on the way home and advised them to take an alternate route. When then the citizen resisted, the individual pulled out a firearm and fired eight rounds into the air and that we cannot tolerate in any community but, especially, in the city of Hartford.

It further erodes the quality of life and individuals who do the right thing are now in fear of their safety. It is increasing problem

that happens every year when the good weather is upon us. And we have to find a way to get these individuals to comply with the law.

REP. GUERRERA: Thank you, Chief.

Any questions? Representative Sawyer.

REP. SAWYER: Thank you, Chief, for testifying this morning with or without a big voice. My question for you is in looking at this bill, is it your -- is it your desire to have all the vehicles, all motor vehicles whether it's motorcycles, pocket bikes, cars, be considered under this.

CHIEF DARYL ROBERTS: Yes, ma'am, especially motorcycles because we had an accident, I believe three years ago. A street racer and a motorcycle resulted in a fatality of two people, with one being beheaded.

REP. SAWYER: I appreciate that. Do you think that we should -- under your opinion, and please feel free to decline an answer if you wish, but do think we should go a step further with the impoundment of the vehicle that the licensed be suspended for 30 days to go along with the impounding.

CHIEF DARYL ROBERTS: I would support that.

REP. SAWYER: Thank you very much.

REP. GUERRERA: Thank you.

Chief, how -- let me ask you, for the City of Hartford, how many -- I guess, how many incidents do you see per week in regards to this illegal racing out there? Because I know that were you just talking about Warmarwe Avenue?

CHIEF DARYL ROBERTS: In the warm weather, Representative Guerrero, it happens every weekend.

REP. GUERRERA: Right.

CHIEF DARYL ROBERTS: When the weather gets nice and they have an elaborate communication system. They communicate via email. They go to different areas. They actually go and scope out an area. It happens at North Meadows, Warmarwe Avenue and also in the surrounding towns.

REP. GUERRERA: So -- because I know I, as you know, I have a business on Ledyard Street in Hartford, Connecticut, and I know that Monday through Friday, I'm pretty much at my business but then on a week -- when I come back on a Monday, I notice there's sometimes car parts and so forth, because they're racing down the street and they get into accidents. And I think you've had some fatalities even -- correct me if I'm wrong, because of illegal street racing. Not only with the motor vehicles but with motorcycles, too. Correct?

CHIEF DARYL ROBERTS: We've had, I believe, three fatalities in the last two years.

REP. GUERRERA: Okay.

CHIEF DARYL ROBERTS: And this weekend we had a situation where the street racer actually pulled a fire arm and fired into the air to warn off the citizen who actually challenged the person who was just on their way home from work. So it is a serious problem in our city.

REP. GUERRERA: Any other comments for the Chief? Seeing none, thank you, Chief.

CHIEF DARYL ROBERTS: Thank you very much.

REP. GUERRERA: Chief Salvatore with Chief Ciozzi from West Hartford. Correct?

CHIEF JIM CIOZZI: Morning, Senator, Representative, members of the committee. I'm Jim Ciozzi, police chief from West Hartford, Tony Salvatore, police chief from Cromwell we're speaking for the Connecticut Police Chiefs Association on three of your bills, all in favor.

SB 1095
HB 5262

First is 151, use of ignition interlock devices. We like this because it's preventive and restorative measure rather than a punitive one. It would give the option for people convicted of a first offense to get into the II program. And that means it's really their second offense because their first always go through the education program. They've already gotten the second bite at the apple.

The beauty of this is that it actually will keep people from driving drunk. Right now, all we have is suspension for them and that is a piece of paper. There are plenty of folks out there driving under suspension and that piece of paper does not protect a single citizen from the degradations from of the drunk driver. The ignition interlock will because it will have to blow into to get into their and drive. It will also has the benefit to the offender of allowing them to get back into their normal lifetime routine again, driving to work, driving their kids to school, going to whatever programs they need to get to, especially if they don't have any public transportation or other alternatives available. So it's a win for them; it's a win for the public.

We also like 150, which is requiring the fines to be doubled for -- actually, I put the wrong number here -- it's 1095, requiring the fines to be doubled for the violation in the construction work zones. This would extend to the municipal roads the protections that we already have on state roads. We testified in favor in that when that came up. And we'd like to see the opportunity for work zones on our municipal streets to be protected in a similar way. Not that we want to really to double people fines but we can posts those signs and warn folks if there's a work zone that the fine could doubled. It will give people the heads up that they have to behave themselves. The people who are apt to drive carelessly in a work zone will at least be alerted to it and can drive better. Those that would take advantage and drive aggressively will at least have the warning that may deter them from a dangerous violation.

Like the construction workers, our police officers are in mortal peril when they work on the road. There's very little between them and thousands of pounds of careening steel and that's -- that's one danger that a bulletproof vest will not stop. And we appreciate what ever you can do for our officers in the street.

Last we're in favor of 5262, which Chief Roberts just testified on, on impounding vehicles for street racing. A lot of times we don't really know when there's a race going on. What we get is a crash scene. It may be superfluous to impound the car that's already trashed but there are occasions when we will be able to intercept two cars racing or two bikes racing or a car versus the clock. And we want to send a very strong message that this is not tolerable.

That behavior imperils not only the people in the car and the bystanders but any member of the general public that may happen to be sharing the road with them. And these are again on public streets. Those straightaways off in the dark industrial corners or even fairly populated areas in front of schools. If they're straight and flat enough they attract the drag racers. The impoundment is not as big an inconvenience to the driver, the offender, as his behavior is to the public. But we think it's a good first step.

Chief Salvatore.

CHIEF SALVATORE: I concur with my friend.

CHIEF CIOZZI: We'll be happy to answer questions.

REP. GUERRERA: You guys are like a double team over there. Never contradict each other, I like that.

CHIEF CIOZZI: That's my wingman, you know, pulling for me.

REP. GUERRERA: Chiefs, let me ask you about the interlock advice -- device, excuse me. Some of the arguments that we have been told is that even though you may have the device what's that to stop someone else into blowing into that device and then that person using that vehicle. Now, I've heard there are some devices out there that says you have to blow in it every five minutes or -- I mean, do know anything about some of the mechanism of these devices and how there?

CHIEF CIOZZI: I know they can be defeated if you're a clever enough drunk to think of this ahead of time and have somebody blow into it for you, yes, perhaps you can get around it. It won't

SB151

CHIEF CIOZZI: We expect we'll hear from the MADD folks who will probably have chapter and verse on that.

SENATOR DEFRONZO: Okay. Good. I did want to ask you one question about the impoundment of vehicles for street racing and the process of impoundment. Is that a -- we've dealt with impoundment procedure of vehicles in the past and I recall some concern being raised about the process involved of actually having to move a vehicle off the road and take possession of the vehicle. Is that a real concern or is --

HB 5262

CHIEF CIOZZI: We take vehicles off the road all the time for, you know, accidents, for unregistered or other documentation violations. They've -- we used to do this sort of thing for (inaudible.)

SENATOR DEFRONZO: Yes. I think I remember in the context of the teenage driving bill last year, where we were dealing with the license suspension, immediate license suspension so it's somewhat a different scenario but --

CHIEF CIOZZI: Correct.

SENATOR DEFRONZO: So you don't find that impoundment of a vehicle as identified or pronounced in this bill, would be a particular physical problem or difficulty at all.

CHIEF CIOZZI: No. For the most part municipalities will have either impounds lots or they'll have towing contractors with secure areas that they put the vehicles in.

SENATOR DEFRONZO: Okay. Good. Thank you very much, appreciate it.

REP. GUERRERA: For all your hard work you've been doing on this.

Representative Hector Robles.

REP. ROBLES: Senator DeFronzo, Representative Guerrero and members of the Transportation Committee, my name is Hector Robles, State Representative of the 6th District, South Meadows, Hartford. I am here today in support of HB 5262, an act concerning the impoundment of vehicles used for illegal street racing.

For the past 15 years, I have been a sworn member of the Hartford Police Department; 11 years as Community Service Officer; and for the past five years, I've been the community service officer for the South Meadows Neighborhood.

Over the past several years, the Hartford Police Department has been battling the problem of illegal street racing. Typically, over the weekend, hundreds of people begin to gather on our streets to watch drivers make wagers and do quarter-mile racing. Wagers could be for stereo system, rims, tires, car engines and even money. This causes police officers to be tied up on bogus crime. For example, many racers that wager a stereo system or their rims, and they lose the race, a couple hours later they go to Police Department and report such items as stolen, which creates insurance fraud problem.

The South Meadows Neighborhood is in an industrial area. During the workweek, crime is at the minimal, but, once the weekend arises, we get calls for shots fired, street robberies, carjackings and assault. During the mornings of the weekends, business owners are calling the police department to report property

damages in attempted burglaries onto their property.

On Murphy Road in Hartford, we have an ambulance company that is located there. Ambulances have a problem -- or have had problems exiting their driveways because the spectators in the races actually block the driveway of the ambulance. So it's slowing down their response time for the ambulance to go to an emergency.

Illegal street racing is not only occurring in the South Meadows but also in other parts of the city. Other cities with racing problems in Connecticut are New Haven, Bridgeport, Waterbury, and (inaudible.) Spectators from all over Connecticut and from other states come to the races in Hartford. And you could actually watch it online, if you go to YouTube and just put in there in the search engine, illegal street racing in Connecticut. And you'll get the most updated videos of this past weekend of the racing.

Other state's with problems are California, Massachusetts, New York, Arizona, Ohio, and Florida, just to name a few. In California -- in California, San Diego was the first place to pass an impoundment ordinance but today California has it as state law. And when they enacted that in San Diego, they actually saw 70 percent drop in illegal street racing. And other states have followed California's leadership.

This bill will be an additional tool for law enforcement that could have an impact on street racing. The bill will require that the vehicle be impounded for 30 days and then the registered owner could pick up the vehicle after paying the 30-day storage fee. I ask for

your support on this legislation. Thank you.

REP. GUERRERA: Thank you, Representative.

Any comments?

SENATOR DEFRONZO: I just want to recognize your leadership on this issue and Senator Fonfara and you, I know, have worked very hard on this issue and were -- if it were not for a phone call from the two of you last week, this bill probably wouldn't be heard today. So, again, congratulations to you, and we will take a serious look at this as we go forward.

REP. ROBLES: Thank you, Mr. Chairman.

REP. GUERRERA: Thank you.

REP. ROBLES: Thank you.

REP. GUERRERA: Peter Sillman? Peter Sillman, am I saying it right? Stallman? Steelman?

PETER SIELMAN: Thank you. Now can you hear me? Representative Guerrero, Senator DeFronzo, Representative Jutila, who is a terrific representative, members --

REP. GUERRERA: Thank you for sharing that with us.

PETER SIELMAN: For the record, my name is Peter Sielman, and I am submitting testimony in support of Proposed Bill Number 6076, which would provide the Route 11, Greenway Authority Commission with the ability to purchase land options.

This bill costs the State nothing, but it will allow us to use the monies that have previously been allocated to the Greenway Commission in a way that will help it.

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sg/ckd

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TRANSPORTATION COMMITTEE 10:00 A.M.

CLAYTON FAGAN: Okay.

REP. GUERRERA: Thank you, gentleman, for your testimony.

CLAYTON FAGAN: Thank you.

REP. GUERRERA: Is Senator Fonfara here? Yes, he is.

Good morning, Senator.

SENATOR FONFARA: Good morning, Representative Guerrero, Senator DeFonzo. I want to thank you both for allowing me to testify at this time, as well as for taking the extraordinary action to amend your agenda to add this bill. I greatly appreciate it and on behalf of my constituents.

I know you've had testimony from Chief Roberts and from the key sponsor of this legislation Representative Robles, who has educated me on this issue. I'm speaking on House Bill 6 -- 5262, an act of concerning the impoundment of vehicles used for illegal street racing. And, in addition to the testimony you heard from those two gentlemen, I can tell you based on conversations that my aide has had with constituents, who've called unfortunately, sometimes in the middle of some of these races. And, in particular, a constituent on Wawarme Street in the South End of Hartford, where this woman's daughter comes home at 3:00 a.m. -- 3:00 a.m. from work only to encounter a drag racing situation happening on her street. And where the flag men -- the flag men who start the race will not stop the racing or the crowds in order for her to get to her home. Envision that folks at anytime in your neighborhood.

A second situation involving, actually the

daughter of a denmother of mine, Daphne Falkner on Chandler Street, Flatbush Avenue, who has called for several weeks in a row during this past summer -- drag racing going on that street and keeping the neighborhood awake.

You've heard the testimony regarding the sophistication of these people where they're able to communicate well in advance of the police department arriving to calls. It is something that cries out for help in this regard that would discourage this kind of activity from happening.

And, lastly, I would just like to say the actual issue at hand here, although I'm grateful for the Transportation Committee, is truly a legal matter as whether or not we ought to have as a matter of law the ability to impound these vehicles. I would hope that you would put your weight behind this issue so that if it does make it out of this committee and moves to the Judiciary Committee that it has the support of all of you and the Chairs to move it through the committee as well. I thank you for your support and allowing us to have this be heard.

REP. GUERRERA: Thank you, Senator Fonfara. Thank you for, you know, getting this bill up to us and testifying in regards to the concerns out there, especially in the South End of Hartford in regards to what's going on with this illegal street racing.

Senator Boucher has a question.

SENATOR BOUCHER: Thank you, Mr. Chairman.

And thank you for your testimony. No question that this speaks very directly to the quality of life in our cities and whatever we can do in

some measure to improve that is very valuable. There was one question posed to me and that is, if a vehicle happens to be a vehicle that has been rented, would you be open to facilitating the retrieval of that impound vehicle in a way that would make it a little easier for those companies that are doing the renting?

SENATOR FONFARA: That's an easy answer, Senator. I think that anything that gives us the tools we need to fight this type of activity, but, you know, if there are extenuating circumstances, such as you've raised, absolutely. There's no question that language that would address that and anything else of that nature would be fine.

REP. GUERRERA: Senator DeFronzo.

SENATOR DEFRONZO: Just quickly, Senator Fonfara, I just want to recognize your leadership on this. As I said to Representative Robles earlier, this bill would not even be on our agenda, were not a call from the two of you late last week asking for us to place it on the agenda and we've done that. And I think we've learned a lot about the issue this morning. These are sometimes -- these localized issues open our eyes to a bigger problem throughout the state of Connecticut. So, again, I applaud your leadership on this and look forward to working with you on it.

SENATOR FONFARA: Actually, Senator, it's your leadership and Representative Guerrera's for, you know, we make a lot of request's of committee chairs but you both went out of your way to give us this opportunity, and we're very grateful.

I'd just like to say that from my own experience, I can tell you that on many nights in the middle of summer, from where I live, I

hear this racing going on from my home, which is far from these two, relatively speaking, in the city of Hartford, which is a small city. But still not a couple of blocks away from where this happens and I hear it, 1:00, 2:00, 3:00 in the morning on a regular basis in the middle of summer. I can only imagine, and I haven't had the opportunity yet to go to the location because I don't know in advance where they're going to be. Although, they certainly know where they're going to be, it's, as I understand a very, very sophisticated operation. One that requires more sophisticated tools to combat. Thank you very much.

REP. GUERRERA: Thank you, Senator. And just to touch upon, I know you -- like you said, in the South End. As you know, I have a place of business in the South End on Ledyard Street and we have seen that many times, and they are very sophisticated. In fact, they will have just a few cars during a certain night knowing that police will be going to that certain area while the real racing is going on another street. And it's incredible how this network really works. And, you know, anything we can do to try stop this because, as we said that, you know, not only on the streets on the South End but what happens that they dart into the mainstream, such as Airport Road, and cause major accidents and sometimes fatalities. So thank you.

And Senator Boucher has -- oh, I'm sorry.
Representative Morin.

REP. MORIN: Thank you, Mr. Chairman.

Good morning, Senator.

SENATOR FONFARA: Good morning, Representative

Morin.

REP. MORIN: I think you and Representative Robles makes some very good points, and I will support this bill coming out of committee. It's actually a societal problem. If you live in the north end of Wethersfield and happen to live close enough to 5 and 15 at night, you'll hear it. I was on Franklin Avenue Saturday morning and two motorcyclist were riding on -- straddling the center, what is it red, white, and green lines that are there?

SENATOR FONFARA: Uh-huh.

REP. MORIN: That should -- racing, well, yeah, I was trying to get the --

REP. GUERRERA: Thinking of Saint Patrick's Day, everybody. That's is the Italian flag out there.

REP. MORIN: Oh, thank you, Senator -- I mean Representative.

REP. GUERRERA: It changes color weekly.

REP. MORIN: But, Senator, one of the really concerns for me is just those specific nights, as your talking about -- but, in the middle of broad daylight, when families are out and walking and people are out just trying to conduct their business and you have people driving recklessly. And the people I know that work on Franklin Avenue and live in that area are very concerned about their safety, and I think it's a huge problem. And I'm sorry I didn't get to be here with the chief of police because I think they really need to step up and help the folks enjoy a better quality of life in that issue.

SENATOR FONFARA: If I could just say lastly, Mr. Chairman. The reason I was tardy in being here. I was hopeful of getting Lieutenant Ed Daly, who is the district commander in the South End who has told me time and again the situation that Representative Morin just spoke about that the network extends beyond the South End of Hartford. It's where we experience most but it is. It happens on 5 and 15 and other areas in the suburbs as well. And it's a problem that's going to continue to spread as more people find this so-called entertainment something of interest and, as they say, you may find it in your neighborhood before -- unfortunately before long. And, hopefully, we can try to deal with it before it does so. Thank you again.

REP. GUERRERA: Thank you, Senator.

Maury Johnson from AARP. And, again, if people would like to come up with Maury in regards to Senate Bill 1093, to try to expedite, by all means, we will allow you to do that.

MAURY JOHNSON: Ranking members Boucher and Scribner and members of the Transportation Committee. My name is Maury Johnson, and I live in Stratford, Connecticut. I'm here as a Representative of AARP to support Senate Bill 1093, an act providing funds for a municipal matching grants for demand responsive transportation for elderly persons and persons with disabilities. AARP is a nonprofit, nonpartisan membership organization for people 50 age and over. We've got more than 40 million members nationwide and over 629,000 here in Connecticut.

Transportation remains a high priority for AARP this year because mobility options are essential for seniors to remain independent and

miss you, too.

FRAN BAKER: Because they've been very good to me

SENATOR DEFRONZO: Any questions?

FRAN BAKER: So thanks for listening.

SENATOR DEFRONZO: All right. Well, see if there's any questions for you, though, before you step down? Any questions?

FRAN BAKER: No.

SENATOR DEFRONZO: Any comments? Thank you very much for coming today

FRAN BAKER: Okay. Thanks a lot.

SENATOR DEFRONZO: Mike Bzdyra.

MIKE BZDYRA: Good afternoon, Senator DeFronzo, Representative Guerrera, Representative Scribner and Senator Boucher. My name is Mike Bzdyra, and I'm the government relation liaison for the Connecticut Resources Recovery Authority, and I'm here to testify in support of House Bill 5262, an act concerning the impoundment of vehicles used for illegal street racing. The bill will increase the penalties for street racing by impounding the participant's vehicle for 30 days.

We support this bill because it will be helpful in preventing this currently illegal activity. Right now, illegal street racing occurs on Murphy Road in Hartford where one of CRRA's facilities is located. We have a regional recycling center there, as well an educational facility that teaches recycling to about 25,000 people per year, mostly kids.

This issue of illegal street racing has been a persistent problem on Murphy Road and some of the surrounding neighborhoods in the South End of Hartford. It creates many safety issues, as well increased crime activity. The Authority has had several issues in the last few years with vandalism and break-ins at our facility on Murphy Road, and we think this proposed change in the law will be another method or another tool for the Hartford Police to help combat street racing in this area.

The impoundment of vehicles would impose a greater financial and social penalty on these street-racing participants. And, for those reasons, we support House Bill 5262, and thank you for the opportunity to testify today.

REP. GUERRERA: Thank you, Mike. I'll tell you this bill has gotten quite a response in regards to some of the street racing that's going on around the South End, and Senator Fonfara spoke before not just in the Hartford area but all over.

MIKE BZDYRA: Right, right.

REP. GUERRERA: And we understand that, and I think I think it's something that the committee will look at heavily to try to -- get out of our committee. There's a couple of things we need to look at in regards to rental vehicles, and so forth, but I think we can work that out.

MIKE BZDYRA: That's great.

REP. GUERRERA: And that's something that I think we can see it move forward.

MIKE BZDYRA: Well, we appreciate that, and we strongly support it and we try to work with our communities. And this is a big issue for some

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TRANSPORTATION COMMITTEE

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of the folks in neighborhoods in our area

REP. GUERRERA: I understand.

MIKE BZDYRA: And look forward to trying to help out if we can.

REP. GUERRERA: Any comments? Thank you, Mike.

MIKE BZDYRA: Thank you.

REP. GUERRERA: Donna Hamzy? Followed by Joe Piscotelli.

DONNA HAMZY: Good evening Representative Guerrero, Senator DeFronzo, and other members of the transportation committee. My name is Donna Hamzy, and I'm here representing the Connecticut of Municipalities. I appreciate the opportunity to testify before you this evening in favor of two important bills before you, House Bill 5037 and Senate Bill 1093.

House Bill 5037 would increase the minimum appropriations for TAR funding by \$10 million. As you all know, TAR funding is very important to our cities and towns. Municipalities own and maintain 17,115 road miles, more than four times the road miles owned and maintained by the State of Connecticut. Town Aid Road helps construction, improvement, and maintenance of the local roads and bridges. This money is also used for a variety of programs related to roads, traffic, and parking.

Municipalities depend on TAR. When TAR is cut the long-term costs and repair increase increase and in difficult fiscal times, infrastructure investment is even more important.

Senate Bill 1093 would appropriate, as I said,

**JOINT
STANDING
COMMITTEE
HEARINGS**

**TRANSPORTATION
PART 7
1855 - 2081**

2009



M. Jodi Rell
GOVERNOR
STATE OF CONNECTICUT

**Testimony of
Governor M. Jodi Rell**

Presented to the Transportation Committee

**In support of:
Committee Bill # 5262: AN ACT CONCERNING THE
IMPOUNDMENT OF VEHICLES USED FOR ILLEGAL STREET
RACING**

Wednesday, March 11, 2009

Senator DeFronzo, Representative Guerrero, Senator Boucher, Representative Scribner and honorable Committee members, thank you for the opportunity to submit testimony in support of Committee Bill #5262.

Enhancing public safety has been paramount in my administration. Illegal street racing endangers pedestrians and drivers and we all remember the hit and run tragedy in New Haven this summer that resulted in the death of a spectator of an illegal race.

In Committee Bill #5262 I see a creative means of increasing the safety of Connecticut roads. This bill seeks to reduce incidents of street racing by hitting the reckless driver where it hurts - in the pocket. A combination of motor vehicle violation fees and storage fees that result from impounding the car, not to mention the loss of the car for 30 days, have proven effective deterrents to illegal street racing in other areas and for that reason I am supporting the bill.

I thank Representative Robles for initially proposing this bill, the Committee for having the wisdom to raise it as a Committee Bill and for affording it a public hearing today.



State of Connecticut
HOUSE OF REPRESENTATIVES
 STATE CAPITOL
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 EXECUTIVE AND LEGISLATIVE NOMINATIONS
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 GENERAL LAW COMMITTEE
 PUBLIC SAFETY AND SECURITY COMMITTEE

Senator Defronzo, Representative Guerrero, and members of the Transportation Committee.

My name is Hector Robles, State Representative of the 6th General Assembly District covering the South end of Hartford. I am here today in support of H.B. 5262, An Act Concerning the Impoundment of vehicles used for Illegal Street Racing.

For the past fifteen years I have been a sworn member of the Hartford Police Department, eleven years as community service officer. For the past five years I've been the community service officer for the South Meadows neighborhood.

Over the past several years, the Hartford Police Department has been battling the problem of illegal street racing. Typically over the weekend, hundreds of people begin to gather on our city streets, to watch drivers make a wager and do quarter mile racing. Wagers could be for stereo systems, rims, car engines and money.

This causes police officers to be tied up on bogus crimes. For example, many racers that wager a stereo system or rims, and that person loses the race, they report such items as stolen a couple of hours later, to claim it on their insurance policy.

The South Meadows neighborhood is an industrial area. During the work week, crime is at a minimal, but once the weekend arrives, we get calls for shots fired, street robberies, car-jackings and assaults. During the mornings of the weekend, business owners are calling the police department to report property damages and burglaries.

On Murphy Road in Hartford, we have an ambulance company that is located there. Ambulances have had problems exiting their driveway because the spectators and the racers block the driveway, slowing down the response time of the ambulance to go to an emergency.

Illegal street racing is not only occurring in the South Meadows, but also in other parts of the city. Other cities with the racing problem in Connecticut are New Haven, Bridgeport, and Waterbury. Spectators from all over CT and from other states come to the races in Hartford. You could watch it online on YouTube and search for Illegal Street racing in CT. Other states with the problem are California, Massachusetts, New York, Arizona, Ohio and Florida to name a few.

In California, San Diego was the first place to pass an impoundment ordinance, but today California has it as a state law. San Diego has seen a 70% drop in illegal street racing and other states have followed California.

This bill will be an additional tool for law enforcement that could have a impact on the street racing. The bill will require that the vehicle be impounded for 30 days, and then the registered owner could pick it up after paying the thirty day storage fee.

I ask for your support on this legislation.

Thank you



Hector Kobles



CONNECTICUT POLICE CHIEFS ASSOCIATION

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Testimony to the Committee on Transportation

March 11, 2009 by

Chiefs Anthony Salvatore and James Strillacci, Connecticut Police Chiefs Association

SB #151, AAC Use of Ignition Interlock Devices, would raise the license suspension for a first DUI conviction from a year to 18 months, with the proviso that the motorist could reduce the suspension to 6 months by agreeing to install an IID.

The advantage to the driver is that he'd be allowed to drive sooner—as long as he's sober—get back to work sooner, and contribute to the economy sooner. The advantage to public safety is that an IID actually prevents a motorist from driving drunk, while a suspended license merely makes driving illegal, drunk or sober. We support this bill.

SB #150, AAC Requiring fines to be Doubled for certain Violations in Construction Work Zones would extend to municipal roads the protections already afforded to state roads, namely, doubled fines for hazardous violations in work zones.

Police officers as well as construction workers labor in constant peril from passing vehicles. This measure will provide warning to motorists, which should avert careless operation and deter intentional violations. We approve.

SB 5262, AAC Impoundment of Vehicles for Street Racing, will discourage illegal street racing by allowing a motor vehicle participating in such a race to be impounded for thirty days.

The excessive speeds attained by street racers poses a mortal danger to the participants, spectators, and any innocent citizens who happen to be sharing the road.

Impoundment will put some teeth into existing law. The inconvenience to the offender may not be commensurate with the danger to the public, but the measure will surely prevent repeat offenses. We hope you'll approve it.

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