Act Number:	09-121	
Bill Number:	5894	
Senate Pages:	4196-4203, 4266-4268	**11**
House Pages:	4638-4650	**13**
Committee:	Transportation: 619-634, 658-660, 679, 692-694, 716, 718, 721-723, 725-727	**31**
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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 calender. 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.

THE CHAIR:

Senator DeFronzo?

SENATOR DEFRONZO:

Thank you, Mr. President. Again, I move for 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:

Thank you, Mr. President. Mr. President, this bill was proposed by Representative Mioli in the House at the request of the Department of Public Safety to address the very real dangers that our emergency personnel face every day on our highways. The bill requires two simple things: One, that a motorist would slow down when approaching stationary emergency vehicles located in the travel lane or around the break-down lane or shoulder of the highway. The language says to slow down to a reasonable speed and secondarily, if the motorist is traveling in an adjacent lane, they would be required to move over one additional lane to provide a buffer of safety for those emergency personnel.

The bill further creates a violation, an initial

violation with no injuries vis-a-vis the infraction; however, if the violation results in a severe injury to a member of the emergency staff, the fine can be $2,500 or up to $10,000 in the event of the death of a individual.

Mr. President, in 2008, there were 248 such accidents that resulted in either damage to vehicles or individuals. Fourteen State Troopers have died during the course of the 105 years of the State Trooper service as a result of highway accidents, and this bill will go a long way to complement the measures we passed last year in highway safety for highway workers, and I would urge the chamber's support of this measure.

Thank you, Mr. President.

THE CHAIR:

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

SENATOR BOUCHER:

Mr. President, I rise to support this bill. It's actually a bill that should have been passed some time ago. There's no question that our law enforcement officers and our emergency personnel put themselves at risk when they respond to any emergency, but it

certainly would be a tragedy if they themselves were harmed during such an occurrence, so this is a bill that I think we all support and look forward to having it be passed and, hopefully, possibly being put on the consent engine. Thank you.

THE CHAIR:

Remark further? Senator Debicella?

SENATOR DEBICELLA:

Thank you, Mr. President. Mr. President, I stand in support of this, and I want to thank Senator DeFronzo and Senator Boucher for bringing it out of the Transportation Committee. I had introduced a very similar bill earlier this year and am co-sponsoring this.

I think Senator DeFronzo quite accurately laid out some of the compelling public safety reasons to have a move-over law in Connecticut to preserve our emergency workers and maintenance workers' lives. There's also a secondary reason for it as well, which is traffic, and I am sure that everybody has been on the roads when some inconsiderate driver wants to try to stay in the lane that is clearly being blocked off for an accident up until the absolute lateness point, and not only is that dangerous for the workers who are

right there, trying to clear an accident or do maintenance on our roads, but it causes massive traffic back-ups because of a few people's inconsideration.

Creating this infraction will, hopefully, change behaviors out there that will not only save lives, but improve the flow of traffic on our highways.

Thank you, Mr. President.

THE CHAIR:

Senator Frantz?

SENATOR FRANTZ:

Thanks, Mr. President. Mr. President, to me it's kind of a shame that we have to pass a bill like this. It is in my judgment just plain common sense that when you see an accident, when you see cones up, when you see flashing red and yellow and other lights, slow down and pull over -- move over, rather, as you're going by and give the rescue workers or the victims as much room as you possibly can.

But, the reality is we do have to pass laws or bills like this and put them into law because we need them to be institutionalized, and we need to, unfortunately, bear a stick or carry a stick sometimes to make sure that there is 100 percent compliance or

as close to 100 percent as possible.

So, this bill -- this idea has been introduced by numerous people over the past few years. It's a shame it does take so long to get these laws on the books, and I know that there are at least three or four other people around this circle who have tried to get something similar to this if, in fact, not the exact same concept into law over the past few years.

I would urge the Department of Motor Vehicles to make sure that this law is promoted, that we understand as drivers, especially younger drivers getting their license for the first time, that this is, in fact, a problem that has taken so many lives, and it should be part of the regular curriculum of driver's education.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir. Remark further on the bill? Senator Stillman?

SENATOR STILLMAN:

Thank you, Mr. President. I also rise in support of the bill. When this issue came to the Public Safety Committee as well this year, and it was determined that we would use the bill that was before

the Transportation Committee, it's very similar to a bill that Public Safety passed unanimously. The Commissioner I thought was -- or made an excellent case, one that I think we all really didn't need to see, but seeing the video and understanding the danger that our law enforcement people and folks who are responding to emergencies can be in was most surprising because I don't think we understand what going so fast feels like when you're out on the highway, and so I thank Senator DeFronzo and the Committee for moving this forward -- no pun intended -- and that hopefully we will see fewer accidents.

I'm just -- the only thing that I'm sorry about is that the effective date couldn't be sooner, but I do understand that these things take some time to put into place, so with that, I rise in support of the bill. I believe the public safety community will, in turn, be safer as well as other folks on the road. Thank you.

THE CHAIR:

Thank you, ma'am. Remark further on the bill? Senator DeFronzo?

SENATOR DEFRONZO:

Thank you, Mr. President. Mr. President, if

there is no further discussion of this bill, I ask that it be placed on the consent calendar.

THE CHAIR:

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

SENATOR DEFRONZO:

Thank you.

THE CLERK:

Calendar page 23, Calendar Number 202, File Number 177, Senate Bill 74, An Act Prohibiting Differential Payment Rates to Help Care Providers Based on Site of Service. Favorably reported by the Committee on Insurance and Public Health. Clerk is in possession of amendments.

THE CHAIR:

Senator Crisco?

SENATOR CRISCO:

Thank you, Mr. President. Mr. President, I move for acceptance of (inaudible).

THE CHAIR:

Acting on acceptance and approval of the bill, would you like to remark further?

SENATOR CRISCO:

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

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?

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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call board to make sure your vote has been 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:

Senate Bill Number 964 in concurrence with the Senate.

Total Number Voting	133
Necessary for Passage	67
Those voting Yea	133
Those voting Nay	0
Those absent and not voting	18

SPEAKER DONOVAN:

The bill passes.

Will the Clerk please call Calendar Number 264.

THE CLERK:

On Page 35, Calendar Number 264, House Bill Number 5894 AN ACT ESTABLISHING A "MOVE OVER" LAW IN CONNECTICUT. Favorable Report of the Committee on Judiciary.

SPEAKER DONOVAN:

Representative Tony Guerrera.

REP. GUERRERA (29th):

Good morning, Mr. Speaker.

SPEAKER DONOVAN:

Good morning, Representative.

REP. GUERRERA (29th):

Mr. Speaker, I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

SPEAKER DONOVAN:

The question is on acceptance of the Joint Committee's Favorable Report and passage of the bill. You may proceed, sir.

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

Mr. Speaker, what this bill requires is that a motorist approaching one or more stationery emergency vehicles located on a travel lane, or a breakdown lane, or a shoulder of a highway, that they immediately slows down or if that if they have the passage to move over to the opposite lane to do so.

There has been numerous accidents from the public testimony that we have heard through the Transportation Committee, and in 2008 there was over 48 accidents with State Troopers, and that is why we are proposing this bill to help in regards to our public safety individuals and the emergency

responders.

So with that, Mr. Speaker, I'd like to move the bill.

SPEAKER DONOVAN:

Thank you, Representative.

Will you remark further? Representative Scribner of the 107th.

REP. SCRIBNER: (107th)

Good morning, Mr. Speaker.

I rise in support of the bill before us as it originated in Transportation and had a public hearing. We had extensive public testimony, including the Commissioner of Public Safety and as Representative Guerrera pointed out, in the 105-year-history of the Connecticut State Police, we have lost 14 State Troopers in automobile accidents while they were in the line of duty.

One of them happened about 45 years ago on a stretch of state road within my district and we have memorialized that stretch of highway in honor of that slain State Trooper in the line of duty.

They've also had 248 accidents involving State Troopers, and that really is a lot of the intent behind this legislation, to provide an increased level

of safety measure to protect those that serve us so well.

So I urge all Members of the Chamber to support this important piece of legislation. Thank you.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Pam Sawyer.

REP. SAWYER: (55th)

Thank you, Mr. Speaker.

I had the call from a constituent who said would I please support a move-over piece of legislation. Would I put it in?

Her husband had been out on a call and had had not one, not two, but five near misses. Then I had another constituent call, a wife of another firefighter and she was the wife of the fire chief. She, too, had many stories.

The fear of the spouse when her husband goes out or her other goes out on a call because of the danger it puts them in.

So thank you, Mr. Speaker, and thank you to the Chamber.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

I, too, rise in support of the bill. It's been a couple of years that I've actually put in some legislation myself, suggesting that perhaps we in Connecticut should have this bill, just as other states across the nation have.

I am familiar with a number of incidents with the Connecticut State Police, where State Troopers have either been seriously injured, or in some cases lost their life and to be quite honest, a number of years ago I had a garage and operated a wrecker, and you've never had a thrill like somebody going by you at about 60 miles an hour when you're standing beside a truck.

It's far less than exciting, but I'll tell you, it's a very serious situation, and I thank the gentleman and the Members of the Committee for raising the bill this year, and I would urge support as well.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Perillo.

REP. PERILLO (113th):

Mr. Speaker, thank you. This is a Bill that my

predecessor in the 113th, Representative Belden had advocated for a very long time, and due to the hour, I wish only at this time to thank the Transportation Committee for bringing this out and giving it the opportunity that it so deserves.

Thank you very much.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Mioli.

REP. MIOLI (136th):

Thank you, Mr. Speaker.

Mr. Speaker, my Deputy Chief got a call and came to testify on this bill and he was hit twice during his career by cars tumbling over. And he called me one day two years ago, Representative Morin put a bill like this, it didn't go anywhere.

So with his help we put it through and Chairman Guerrera and the Transportation Committee and is here now, and of course I strongly support this bill and I wish all our colleagues to do it unanimously.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Noujaim.

REP. NOUJAIM: (74th)

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Good morning.

REP. NOUJAIM: (74th)

Good morning, Mr. Speaker.

It's about ten to one in the morning, Mr. Speaker, after midnight for anybody who's watching.

But, Mr. Speaker, unless I misunderstood, and I think to me it's logical that if I am driving on the left lane and I see that a State Trooper is coming behind me, I will move to the right lane or the extreme right lane to allow the Trooper to go by. Is that, through you, Mr. Speaker, to Representative Guerrera. Is that what this bill is saying, that if you see a Trooper you just move out of the way?

SPEAKER DONOVAN:

Representative Guerrera.

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

I apologize.

I could not understand Representative Noujaim.

SPEAKER DONOVAN:

Representative Noujaim, could you please repeat

your question for Representative Guerrera.

REP. NOUJAIM: (74th)

Thank you, Mr. Speaker.

Is Representative Guerrera not understanding me because of his Italian accent or because of my Lebanese accent, or because it is 1:00 o'clock in the morning, Mr. Speaker?

Through you, which is which?

SPEAKER DONOVAN:

Representative Guerrera.

REP. GUERRERA (29th):

Through you, Mr. Speaker, it's just too loud, Representative.

REP. NOUJAIM: (74th)

Thank you.

SPEAKER DONOVAN:

Representative Noujaim.

REP. NOUJAIM: (74th)

Thank you, Mr. Speaker.

Mr. Speaker, if I may repeat the question. It is logical for me that if I am driving on the left lane and I see a Trooper coming behind me, that I immediately move to the right or to the extreme right as the opportunity presents itself.

Is this what this bill is saying?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Guerrera.

REP. GUERRERA (29th):

Thank you, Mr. Speaker, well first of all I don't know why the Representative would be driving in the left lane, but nevertheless, again, this is common sense in regards to an emergency vehicle. A wrecker has pulled over for an emergency response. If you should see that the left lane is open and you're able to pass through that lane, you do so.

If not, the bill asks you to immediately slow down.

SPEAKER DONOVAN:

Representative Noujaim.

REP. NOUJAIM: (74th)

Thank you, Mr. Speaker.

Mr. Speaker, through you, it seems to me that everyone, when my colleagues who have already spoken, favor this bill and recited some precedence on why do we need this bill.

But isn't it common sense that where there's an emergency vehicle approaching behind we just slow down

and move?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Guerrera.

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

Again, this is not necessarily approaching from behind, it's moving toward the left side of the vehicle or the right side of the vehicle, and unfortunately there have been times when the people don't allow enough distance between the emergency vehicles and their vehicle, which causes these accidents.

SPEAKER DONOVAN:

Representative Noujaim.

REP. NOUJAIM: (74th)

Thank you, Mr. Speaker, and I thank Representative Guerrera for his answers.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Frank Nicastro.

REP. NICASTRO: (79th)

Thank you, Mr. Speaker, and good morning to you, sir.

SPEAKER DONOVAN:

Good morning.

REP. NICASTRO: (79th)

I'd like to begin by saying I'd like to thank the Chairs of the Transportation Committee and the Chairs of the Judiciary Committee for seeing that this bill came out.

Mr. Speaker, this bill is long overdue. In the past I've have the very sad, and I say very sad, responsibility for having to play taps at a couple of State Police Officers who were killed in the line of duty on the highway by reckless drivers who weren't paying attention until those officers pulled over.

I've also had the responsibility of playing taps for a couple of state workers who also were not police officers, who gave their lives in the line of duty.

This Bill goes a long way in saving lives. It's a start, and I truly believe that we've made a great step forward by having a Bill like this, and again, I'd like to commend our Chairs for bringing these forward and I know our colleagues are going to support this bill.

It's a Bill that needs to be supported, long overdue. Thank you, Mr. Chairman.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Carson.

REP. CARSON: (108th)

Thank you, Mr. Speaker.

I also rise in support of this bill and thank the Transportation Committee for bringing it forward. It was a Bill I had also requested on behalf of the fire police, not only in my hometown but in our neighboring towns.

They thought this was a very important issue, you know. They're affected by this pretty much all the time that they're out on our roads.

So I thank the Committee and I also urge support.

SPEAKER DONOVAN:

Thank you, Representative.

Will you remark further on the bill before us? Will you remark further on the bill before us?

If not, staff and guests move 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?

Please check the roll call board to make sure your vote has been properly cast.

If all 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 Number	5894
Total Number Voting	133
Necessary for Passage	67
Those voting Yea	133
Those voting Nay	0
Those absent and not voting	18

SPEAKER DONOVAN:

The bill passed.

Will the Clerk please call Emergency Certified Bill Number 6718.

THE CLERK:

House Bill Number 6718 AN ACT CONCERNING STATE

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day.

But, that's pretty much it's all a policy issue; it's not a technology issue. It's pretty much a policy issue as to what it is that -- and how you want to assess, you know, a usage tax for vehicles coming in and out of the city or out of the state in this case.

REP. MIOLI: Thank you, Mr. (inaudible). Thank you, Mr. Chairman.

REP. GUERRERA: Thank you, Representative Mioli. Any other questions? Thank you very much, Jerry.

JERRY BASEEL: Thank you, Representative.

REP. GUERRERA: If you could possibly get those -- some of the answers that Senator LeBeau asked, that would be quite helpful in regard to collection rates. I mean, that was especially some of the concerns that we have in regard to how we go about it if we took pictures of plates, would we put liens on your -- you know, going through the DMV to their states, and so forth, so that's something we would like to see.

JERRY BASEEL: Absolutely. I'll get that information back to you.

REP. GUERRERA: Thank you very much. Next on our list is Steven Rief, Steve Rief. How about Steve Ball? Steve Ball? David Kooris? Dale Call? David Call? Okay.

DALE E. CALL: Good afternoon.

REP. GUERRERA: Good afternoon.

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DALE E. CALL: Senator DeFronzo, Representative

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Guerrera, members of the Transportation Committee, my name is Deputy Chief Dale E. Call, and I'm representing the Westport Police Department, and I'm here to testify in support of proposed bill, House Bill 5894, An Act Establishing a Move Over Law in Connecticut.

Seventeen law enforcement officers were struck and killed by motor vehicles in 2008. That's one officer killed for every 10.5 seconds that I've been given to speak today. As Commissioner Danaher pointed out, since 1997 150 law enforcement officers have been killed by a moving car. Actually, the statistics for the last two years have just come out within the last two weeks, and that number has climbed to more than 180 law enforcement officers. Many more have been injured in that time, and not only police officers are affected, in a five-year period from 1998 to 2003, 34 firefighters and EMT's were killed in the same manner and over 80 injured.

These aren't merely numbers. They're fathers, they're mothers, they're husbands, wives, sons and daughters, and this is not merely a highway issue on the Interstates. No agency is immune from this problem. In 2001 a motorist failed to move over and struck the rear of a Westport police car with its emergency lights activated on the side of the road. Fortunately, our officer was only slightly injured, the car somewhat more so. Two days before Christmas of this past year, another one of our officers was injured after a dump truck failed to move over to safely pass his fully marked, fully lit police car. Once again, the officer was lucky. He only suffered minor injuries.

We've had countless officers injured, some minor, some not. A traffic officer this past

summer had to have reconstructive surgery on his shoulder after he was struck by a car directing traffic at a scene. Damaged cars can be fixed easily. Injured police officers cannot.

We've been lucky, but good luck only goes so far. We can no longer bet on the lives of emergency responders with nothing more than luck on our side. The National Traffic Management Coalition, which is made up of many groups including the American Automobile Association,the International Association of Chiefs of Police, and the International Association of Fire Chiefs, among several others support move over laws as a means of protecting our emergency responders. Forty-four states have some kind of move over law on the books today. Forty-four states, but not Connecticut.

Two years ago, (inaudible) of this bill had been introduced, and it died before it ever left committee. Most police officers across the state are a little confused about how come a bill that is out there to save lives of emergency responders did not make it into law.

Education can only go so far. We have a seat belt law which saves lives, which is education coupled with law enforcement. We have a cell phone law in effect which saves lives coupled with education and enforcement. Education can only go so far. We need this legislation to back up an education effort and to protect our emergency responders. The move over law will save lives. It's education right now without the enforcement. It's the carrot without the stick. Law enforcement officers need to have some tool that they can bring out that's going to back up the education effort.

I urge the members of this Committee to support House Bill 5894. I promised to keep this on point and on time so I thank you for your consideration in this matter.

SENATOR DeFRONZO: Thank you for your testimony, Chief Call. Are there any questions? Senator Frantz?

SENATOR FRANTZ: Thanks, Mr. Chairman. Thank you for that testimony, and thanks for coming up today.

I asked this question before of the Commissioner of Public Safety. Maybe you have an idea that may be slightly different. Are there pieces of equipment that could accomplish this? I think it's a great proposal, great law. I think it's going to sail through, but what I'm primarily concerned about is preventing any sort of injury or death that can be easily prevented.

Are there any pieces of equipment that you are aware of that you could use immediately to prevent something like this whether it's large array of lights or something like that that really gets your attention?

DALE E. CALL: Well, the nature of the beast in which we work, most of the times when we have lights on our cars in an immediate situation, you have what's on your car. As far as large pieces of equipment, there's nothing I'm aware of that can be deployed right away, and the Commissioner alluded to the fact that there are lots of studies out on emergency lighting. Five years ago, I actually was part of a committee in my own department looking at that, and there's a lot of physiological reasons why lights work or don't work.

One of the things that we have done since that study is to put onto our police cars is reflective striping on the back of the bumper, which looks like a barricade. Moving lights maybe people don't always notice, moving lights on top of the car. Maybe people don't notice that the car is stationery. Most people recognize what a barricade looks like and, hopefully, move.

The car that was struck two days before Christmas, however, had that reflective chevron pattern on the rear bumper, and it still didn't work, so I don't know of one.

SENATOR FRANTZ: I remember seeing years ago -- I can't remember what state it was, but they had a collapsible ring of lights on top of the car. Do those work?

DALE E. CALL: New York City, their highway patrol might be what you're talking about, and they have a very large roof-mounted array of emergency lights that raises up probably about ten feet off of the car. How well they work or don't work, that I don't know.

SENATOR FRANTZ: You don't know, okay. Thank you very much, and thank you, Mr. Chairman.

SENATOR DeFRONZO: Thank you, Senator. Any other questions? Representative Mioli?

REP. MIOLI: Thank you, Senator DeFronzo. For your knowledge, I've known Chief Call since he was a Major, and he's one of the best officers. I can't give you enough praise.

And, for his credit and the Westport police department's credit, they enforce our laws. The Westport Police Department has two officers on active duty, and they consider the

cost. They enforce the seat belt law, the cell phone law, and all the stuff. And, Westport is just personal. There have been close calls in (inaudible) in an accident personally.

DALE E. CALL: Personally?

REP. MIOLI: You get scared like anybody else would get scared.

DALE E. CALL: Personally, there have been many close calls. Fifteen years ago, I was hit by a car, slight injuries, with a fully marked police car with all my lights going for an object in the roadway. I saw the car coming. I was almost as quick as the car but not quite, and the interesting part of that was the response of the operator who saw the police car, didn't slow down and wanted to know what I was doing standing in the roadway, so personally, yes, I've been involved in one of these.

REP. MIOLI: Thank you, Dale. Thank you.

SENATOR DeFRONZO: Thank you, Representative. Any other questions? Thank you for your testimony.

DALE E. CALL: Thank you.

SENATOR DeFRONZO: Steve Rief?

STEVEN RIEF: Good afternoon, Chairman DeFronzo, and distinguished members of the Transportation Committee. My name is Steven Rief. I'm the President of the Connecticut State Police Union. I'm here to speak in favor of all the move over laws that you're contemplating today, specifically 741, 5261, 5643, 5894, 6071 and 6225.

I'm not new to testifying before your Committee, but in short, I'll tell you that I'm a State Trooper. I represent 1,160 Troopers, state employees, that aggregate as Troopers, Sergeants and Master Sergeants in our agency.

The Connecticut State Police as well as the rest of Connecticut's law enforcement have the primary responsibility of ensuring our citizens and visitors in Connecticut are safe. This safety includes on the highways for the motoring public as well as secondary roadways as well as the highway workers, police officers, public safety professionals that work on our roadways.

Each year, our roadways become more and more dangerous. Public safety and highway maintenance personnel as well as those tasked to assist the aforementioned personnel such as tow truck drivers and the like are struck by vehicles on our highways frequently. They're confronted with these risks daily as part of their employment responsibilities, and 2008 was no exception.

A number of our Troopers were struck while performing their duties in 2008. There were some high profile cases as examples along with many more that weren't as significant but nonetheless important.

In May, Trooper Messenger was struck while in his vehicle in the breakdown lane of I-84 eastbound in Southington. He had stopped a motorist for a traffic violation, and while issuing the summons, he was struck while in his vehicle. He had suffered serious head injuries, and his full capacity to return to work is yet in question.

Two weeks later, Trooper Degali out of the same barracks, which is the Southbury barracks, was struck while stopped in the travel lanes of I-84 eastbound in the area of Watertown for a vehicle that had spun out in the roadway in the rain. He was also in his vehicle when the tractor trailer truck had run over the complete vehicle itself. He was lucky to escape with his life.

In July, two months later, Troopers LaPlante and Dowe were investigating a traffic accident on I-84 in downtown Hartford. They were struck by a passing motorist and dragged by the vehicle and pinned against a Jersey barrier. Trooper Dowe has returned to work. Trooper LaPlante most likely will not return to work and will have to be retired on disability.

We must do more to protect our personnel on the highways. Since 1976 to present, six of the last seven Troopers killed in the line of duty were from motor vehicles or motor vehicle accidents. Last year this Committee made a commitment to highway workers and the motoring public by passing a highway work zone safety law. It is time to establish a move over law in Connecticut. Such a law will increase the safety of personnel and motorists on our highways and reduce the frequency of accidents, injuries and fatalities.

I'm a little differing. I found 43 states that had a move-over law in some capacity. Our Troopers, public safety and highway workers appreciate your continued commitment in this area.

And, I'll close by answering any questions you may have.

SENATOR DeFRONZO: Thank you, Steve. Thank you for your support of the work zone safety bill last year, and I share Senator Franz' optimism that we hopefully will move this bill through quickly this year, but with that, I'll open the floor to questions. Representative Sawyer?

REP. SAWYER: Hi, Steve. Do you have a gut feeling for what kind of enforcement you would like to see to go along with this, what kind of penalty, what kind of ticket, what would give it some punch or some teeth?

STEVEN RIEF: Absolutely. This is actually a two-fold question in my response. A move-over law is very subjective in its nature, and what I mean by that is there's most oftentimes an occasion whether the operator had the ability to perceive the threat or the situation and move over in time. It's relative to other roadway conditions, traffic, weather, et cetera.

It seems appropriate that an infraction would be more in line with this type of law as similarly situated in other states. However, the second answer I will tell you is that one of the things our Union specifically is interested in is adding strength to the move-over -- I'm sorry -- to the highway safety laws that were passed last year, and looking at trying to improve and be more of an aggressive stance, i.e., making people consciously aware of the inherent dangers that are out there.

Now, that would start out with a public safety campaign -- I'm sorry -- public service announcement campaign that would have to be at the root of any type of initiative in this

effort. We have to change the culture of inattentive driving, the disregard whether consciously or subconsciously when we're traveling on our roadways. We're talking on cell phones, we're doing all those other things, and multi-tasking, but what we fail to realize is sometimes consciously, sometimes subconsciously, the dangers on the highways. When they see a flashing light, whether it be a tow truck operator or maintenance vehicle from our DOT, a public safety professional on the side of the roadway, they need to slow down. They need to take some other course of action other than what they are doing as if it wasn't there at all, and right now it seems to be the reality as well as the perception that that does not happen.

And so I think a concerted effort in the PSA's, the public service announcements, is at the root of this, but also there should be something more substantial when you actually strike somebody on the highway that's out there doing their job. When an ambulance is pulled over to the side of the road to help a sick or injured person, police officer, whether it be a disabled motorist, an accident, or some other occurrence on the side of the highway, a maintenance person performing their jobs, it's all the same, and people don't realize the speed they're traveling on and how quickly they approach the hazards above or in front of them.

So, I would say two-fold: One, an infraction for the move-over law such as indicated by yourselves and others, and secondly, if we're looking at something more aggressive down the road, I would say that the highway safety law should be looked at so that it would be something maybe of a violation or to the extent maybe a penal code violation for

certainly striking or injuring or killing a highway worker.

That presently isn't in the law. If you recall, last year it allowed the State's Attorney's Office to assess a fine to the highway safety violations. It's a secondary offense. Law enforcement cannot issue the fines that are attached with the work zone safety as it reads presently today.

REP. SAWYER: Earlier I had a chance to speak with the Commissioner, and he is very, very concerned about the safety of his officers, and he said it makes him very uncomfortable that he has too many doctors' phone numbers already in his phone book, but he did say that he saw something recently in another state, and it was emergency -- he saw a pink sign, he said, that was one of those unfold signs that you would put further away from a stop, and it was emergency action ahead, emergency vehicle action ahead, or something like that, so particularly in the case of eastern Connecticut where we have many non-straight roads where you could put something out there in the case of extra coverage for road maintenance or something like that, to give people warnings far enough in advance, certainly not for a stop, but for some of these others to give people more of an awareness sooner, because I think -- and I recognize your anxiety and your frustration when there is a strike -- but the people who have done it usually in almost all cases haven't done it intentionally. It absolutely comes from recklessness or accident for some reason, inattentiveness, and they carry it with them for the rest of their lives. There's no question about that either.

So, I do like your idea of the PSA's. I love

the idea of finding ways to educate the non-new drivers. The new drivers are going to learn about it in driver's ed if this gets passed, and I hope it does, but we've got to find a way and I'd love to work with you on that.

Thank you very much.

STEVEN RIEF: Thank you.

SENATOR DeFRONZO: Thank you, Representative. Any other questions? Representative Giegler?

REP. GEIGLER: Thank you very much, Mr. Chair, and thank you for coming before us.

I just have one question, you know. Being a constant driver on 84 coming up here, one of the situations that a number of us have observed are wide loads, and they're not in the travel lane, they're in the passing lane, and last year, I saw almost a DOT worker killed because one of them went off the side of the road, you know, into the shoulder and swung back on.

What can we do or do you have any ideas about what we are able to do with these wide loads? They travel 84 all the time. They, you know, take over two lanes. A lot of times they're driving in the middle of two lanes when there's a three-lane highway, but they're in the second and third lane, not the first lane. But, you know, all the time we see accidents on 84, and all the time we see DOT workers on 84, and the wide loads contribute to a big problem for us on there, and I think it also is the safety of officers and also DOT workers.

I don't know if you have any thoughts on that.

STEVEN RIEF: Just to add that's one of the importance of having both the DMV inspectors and our State Troopers and the truck squad out there is to make sure that the wide load vehicles and over-size, over-weight vehicles are following our permitted standards. They have to receive a permit from the State of Connecticut Department of Transportation to travel through the state. That permit will outline when they can travel, what roads to travel on, and other requirements. Oftentimes, they have to have an escort vehicle. If they move out in the left lane, it's normally because there's some type of hazard that they have to avoid because of the fact that they're over-size loads.

Nonetheless, there needs to be enforcement or maintained enforcement in those areas, and I would offer that that first enforcement level is the truck squad and the commercial motor vehicle inspectors that are out there right now.

Certainly, it's a concern. Those of us who work on the highways regularly recognize the dangerousness and how fast things happen, and any measures in the efforts of increasing safety to the extent possible are warranted.

One other thing that was mentioned about highway safety, there is a Highway Safety Advisory Council, of which I have a seat on, and we're meeting again this week on Wednesday, and that was because of the work that this Committee did last year with highway work zone safety. That was one of the statutory requirements, so it will be our second meeting on Wednesday, and one of the tasks of that Advisory Council is to look at the very things you're speaking of right now.

And, so, we'll continue in our efforts, and we're hoping that in the future we can make recommendations on best practices not only for Connecticut, but that are being conducted throughout the country in this regard.

REP. GEIGLER: I thank you very much for your answer. Thank you, Mr. Chair.

SENATOR DeFRONZO: Thank you very much. Any other questions? Thank you, Steve. We appreciate it.

STEVEN RIEF: Thank you.

SENATOR DeFRONZO: I'm sorry. Representative Perone has a question. I'm sorry.

REP. PERONE: Okay. I just got here. I'm shuttling between this and Finance. Thank you, Mr. Chair. Thank you for your testimony.

To Representative Sawyer's earlier point, I think that these are events that really happen suddenly to people. They obviously are generally well-intentioned, but I think that you really raised the issue of it being really a matter of awareness. I think that people -- and while I think that enforcement is critical to this -- I think before even leaving their homes, people are more aware of this, you know, provided the law goes on, and I support those. I think it's a great idea.

I'm trying to get a better sense of how for the work zone campaign that went out what kind of impact that has had. Has that been able to change behavior, because that's really what we're trying to do here, and what kind of impact that has made, and if there's some way to -- if it's been successful, a follow-up

format. I just wondered if you have any thoughts on that.

STEVEN RIEF: I don't have any particular numbers with you. One of the points, as I stated earlier, was that the only way presently in statute to take action as a secondary offense when you commit aggravated endangerment or danger to a highway worker is that that has to be attached at the court level, and so one of the thoughts that we had was to -- when I say we, our Union membership -- was to move that to something that would be enforceable. There's certain violations such as reckless driving, under the influence of liquor, and some other violations that are court-mandated. You have to go to court; you can't mail in the fine. And, so, looking at something like that would be maybe the next step to move, and then certainly if you strike somebody, that's an altogether different set of circumstances.

Again, the goal would not be to write tickets. It's actually when everything else has failed. It's not to imprison people. It's to get enough awareness to the problem so that it doesn't happen, because when it goes bad, it goes bad quickly, and it has disastrous consequences, and so -- I was prepared earlier this session to move on some of that. I would offer that in moving this through, I suppose there's an opportunity maybe to look at some of those things but also recognizing the seriousness of the economic crisis in the state, recognizing that there must be priorities.

REP. PERONE: Okay. Thank you very much, and I agree that, you know, given the fact that it's a public safety issue and a hazard to our law enforcement that certainly given the financial situation and the cost of just running media

campaigns, you know, work with our local press and certainly cover this issue as it goes along just so people become more aware of it. Thank you very much.

STEVEN RIEF: Thank you.

SENATOR DeFRONZO: Thank you. Any other questions? Thank you, Steve.

STEVEN RIEF: Thank you.

SENATOR DeFRONZO: Steve Ball? Steve Ball? Okay. David Kooris?

(Inaudible.)

DAVID KOORIS: I'm David Kooris. I'm the Director of the Regional Plan Association, and I'm here to comment in support of Senate Bill 445, and more broadly in support for the concept of road pricing.

In reference to the final report of electronic tolls and congestion pricing study, this concept of road pricing can only be viewed within the context of broader goals for mobility within the state. Any road pricing regime needs to be part of an integrated mobility strategy that aims to meet the transportation needs of the state while minimizing negative environment, economic and social impacts.

Our policies need to enable long-term prosperity, limit the magnitude of global warming, evenly distribute the burden of maintaining the state's transportation system in a state of good repair, and investing in only those expansion projects that better position our state for challenges which will face us in the decades to come.

NICOLE I. GRANADOS: We could support. You know, we would have to obviously review the bill, but we could support something that was more in line with what the National Funeral Directors Association is suggesting.

REP. GUERRERA: All right. Thank you, Nicole.

NICOLE I. GRANADOS: You're welcome.

REP. GUERRERA: Thank you for waiting all this time. Are there any other questions? Thank you very much.

NICOLE I. GRANADOS: You're welcome.

REP. GUERRERA: Paul Rapanault? Good afternoon.

PAUL RAPANAULT: Senator DeFronzo, Representative Guerrera and members of the Transportation Committee, my name is Paul Rapanault. I'm the Legislative Director of the Uniformed Professional Fire Fighters.

Our 4,000 members serve in 50 communities around the state of Connecticut, and I'm here this afternoon to support in concept the idea of a move over law which, Representative, just for the record, I'm speaking on behalf of S.B.741, H.B. 5261, 5643, 5894, 6071 and 6225.

The number of fire fighters struck and killed by motor vehicles nationally has seen a dramatic increase over the past 15 years. During one 5-year period, between 1995 and 1999, 17 fire fighters were struck and killed by motorists. That represented an 89 percent increase in the number of line-of-duty deaths over the previous 5-year period of 1990 to 1994 when 9 fire fighters were struck and killed by motor vehicles.

These incidents demonstrate the hazards to fire fighters are not limited to structural and wild land fires, but encompass a growing number of incident types that fire fighters respond to on a daily basis. Motorists accustomed to a clear unobstructed roadway may not recognize and avoid closed lanes or emergency workers on or near the roadway. In some cases, conditions and other drivers can reduce a motorist's ability to see and avoid fire fighters and apparatus. Weather, time of day, scene lighting, traffic speed and volume, road configurations and rubber-necking can all contribute to drivers approaching dangerously close to emergency personnel.

These hazards are not limited to fire services alone. As other witnesses have attested to today, law enforcement officers, emergency medical technicians and vehicle recovery personnel are also exposed to these hazards. Reflective striping and chevrons, high visibility paint, built-in passive light and other reflectors have been studied to increase the public's awareness of the presence of emergency vehicles and personnel, but in the long run, the only thing that's going to protect fire fighters and other emergency personnel on the roadways is for Connecticut to pass an effective move over law.

Massachusetts is the last -- is the most recent of the states that have passed such a law. They passed it in 2008, in December of 2008, and to my knowledge, I think it's going to go into effect next month, March. Unfortunately, Connecticut joins Rhode Island, Maryland, New Jersey, Nebraska and Hawaii as the only states that don't have this legislation.

We highly encourage you to consider all the

bills in front of you and put together an effective law which would help protect the emergency service personnel on the highway.

And, I appreciate your time today.

REP. GUERRERA: Thank you for your testimony. Any questions? Thank you. Ryan Lynch followed by Robert Barrett or Bero?

RYAN LYNCH: Good afternoon, Chairman Guerrera, Chairman DeFronzo, distinguished members of the Transportation Committee, thank you for the opportunity to testify today.

My name is Ryan Lynch. I'm the senior planner and Connecticut coordinator for the Tri-State Transportation Campaign. We're a non-profit organization that works toward a more balanced, transit-friendly and socially equitable transportation and development systems in Connecticut, New York, and New Jersey.

I write to urge the Transportation Committee to support either Senate Bill Number 445 or House Bill 6269. Both would implement congestion pricing on certain Connecticut roadways.

Tri-State has long supported congestion pricing as a way to reduce congestion and generate revenue, and we're asking Connecticut's residents and elected officials to give the concept a chance.

Here are a few reasons why: Congestion on the state's roads causes the economy to lose close to $500 million a year in excess fuel consumption, loss of productivity and delays. This number is staggering considering our current economic downturn and the fact that it

Good afternoon, Chairman DeFronzo, Chairman Guerrera and Distinguished Members of the Transportation Committee.

My name is Steven Rief, and I am President of the Connecticut State Police Union.

I appreciate the opportunity to speak before you today. I am here to speak in **FAVOR** of:

PROPOSED BILLS NO. 741, 5261, 5643, 5894, 6071 and 6225

ACTS CONCERNING "MOVE OVER" LAWS

I would like to start my testimony by stating that I am a Connecticut State Trooper. I have served the state in this capacity for nearly 20 years. As Union President I represent approximately 1160 State Troopers, Sergeants and Master Sergeants.

The Connecticut State Police have the primary responsibility of ensuring that the citizens and visitors of Connecticut are safe. This includes safety of the motoring public on our highways and secondary roads, as well as highway workers, police officers and other public safety personnel who work on our roads. Each year our roadways become more and more congested. There is increased frequency of inattentive, unsafe and reckless driving. Traffic accidents and fatalities continue to plague our communities. As a society I think we all recognize how dangerous our roadways have become.

Public safety and highway maintenance personnel, as well as those tasked to assist the aforementioned personnel, are struck by vehicles on our highways frequently. They are confronted with these risks daily as part of their employment responsibilities, and 2008 was no exception.

A number of our Troopers were struck while performing their duties. There were some high profile cases as examples, along with many that were not as significant: In May Trooper Messenger was struck while in his vehicle in the breakdown lane of I-84 eastbound in Southington while issuing a traffic ticket, two weeks later Trooper Degali was struck while stopped in the travel lanes of I-84 eastbound in Watertown for a vehicle stopped in the roadway. In July Troopers LaPlante and Dowe were investigation an accident on I-84 westbound in Hartford when they were struck and dragged by a vehicle. We must do more to protect our personnel on our highways.

Last year this Committee made a commitment to highway workers and the motoring public by passing a highway work zone safety law. It is time to establish a "Move Over" law in Connecticut. Such a law will increase the safety of personnel and motorists on our highways, reducing the frequency of accidents, injuries and fatalities. Forty three states already have such a law. Our Troopers, public safety and highway workers appreciate your continued commitment in this area.

I would like to close by thanking this committee for your attention to this important issue and I would be happy to answer questions and provide you with any further information.

February 23, 2009

CONNECTICUT STATE POLICE UNION
Steven Rief, President

Written Testimony of Deputy Chief Dale E. Call, Westport Police Department
In support of H.B. 5894

Senator DeFronzo, Representative Guerrera, Members of the Transportation Committee – my name is Deputy Chief Dale E. Call, representing the Westport Police Department, and I am here to testify in support of House Bill 5894, an Act Establishing a "Move Over" Law in Connecticut.

17 law enforcement officers were struck and killed by motor vehicles in 2008. That is one officer killed for every 10.5 seconds I have been given to speak. Since 1997, more than 180 officers have been killed by a moving car. Many more have been injured. Not only police officers are affected – in a five-year period from 1998 to 2003, 34 firefighters and EMT's were killed in the same manner and over 80 injured.

No agency is immune. In 2001, a motorist failed to move over and struck the rear of a Westport police car with its emergency lights activated. Fortunately, the officer was only slightly injured. Two days before Christmas this past year one of our officers was injured after when a truck failed to move over to safely pass his fully marked, fully lit police car. Once again, the officer was lucky – he only suffered minor injuries. We have had countless officers injured – some minor, some not – after being hit standing outside their patrol car. Damaged cars can be fixed easily. Injured police officers cannot. We've been lucky, but good luck only goes so far. We can no longer bet on the lives of emergency responders with nothing more than luck on our side.

The National Traffic Incident Management Coalition, made up of many groups including the Automobile club of America, the International Association of Chiefs of Police and the International Association of Fire Chiefs, supports "Move Over" laws as a means of protecting our responders. 44 states have some kind of "Move Over" law on the books. 44 states, but not Connecticut. Education can only go so far – we need this legislation to back up any education effort, and to protect our emergency responders.

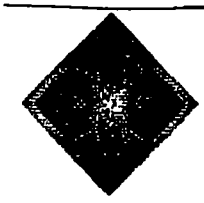
I have followed previous attempts to pass similar legislation in the past. I am aware that arguments have been raised that "move over" laws would be difficult to enforce. I have been a police officer for more than 25 years, and I have seen laws passed that are full of good intentions but are difficult, if not impossible, to enforce. This is not one of them.

We currently have seat belt laws in Connecticut to protect occupants of motor vehicles. Opponents of that law argued it would be difficult to enforce. It has not been difficult to enforce and in fact has led to increased use of seat belts. That in turn has led to fewer fatalities on our roads.

The cell phone law was passed in response to many studies that have shown their use to be dangerous to everyone on the road due to distracted driving. Law enforcement officers have had no difficulty enforcing this law, either. Legislators now have an opportunity to pass a law that will serve to protect emergency responders on our streets and highways. I am certain that a "move over" law will work.

Educating the public to pay attention to emergency vehicles and their occupants on the road can only go so far. There will always be those who will disregard any information we put out to them, no matter how well-intentioned. This is the reason we have a seat belt law, it is the reason we have a cell phone law, and it is the very reason we need a "move over" law.

Every day law enforcement officers across Connecticut support the actions this body takes by enforcing the laws you have passed. This is an opportunity to support those same law enforcement officers, indeed all emergency responders, through your actions here. I urge the members of this committee to pass House Bill 5894.



Association of Connecticut Ambulance Providers

Aetna Ambulance -:- Ambulance Service of Manchester -:- American Ambulance Service
American Medial Response -:-Campion Ambulance Service -:- Hunter's Ambulance Service

February 23, 2009

Senator DeFronzo, Representative Guerrera, distinguished members of the Transportation Committee, my name is David Lowell and I am president of the Association of Connecticut Ambulance Providers (ACAP). ACAP is comprised of the six largest commercial ambulance companies who provide emergency and non-emergency ambulance and medical transportation services throughout the state of Connecticut.

I would like to thank you for raising this very important issue on behalf of all ambulance providers in the state. I offer this testimony in support of Proposed Bill(s) 5261, 5894, and 6225.

These bills all focus on the same common theme of emergency responder safety and the duty of the public to yield to emergency vehicles operating on the scene of emergencies where their emergency vehicles may be positioned in the travel lane or shoulder of such roadways.

Emergency scenes by their nature pose significant risks to emergency responders given the number of variables that may exist with the emergency alone, never mind the added risks of motorists who travel at unsafe speeds, who are too close to the emergency responders, and who are typically distracted by their curiosity of the emergency.

Passage of a bill that requires motorists to yield to emergency responders operating in the travel lane or shoulder of a roadway is responsible and will promote safety for the emergency responders.

We urge your support of a bill that requires motorists to move over, slow down, and stop if necessary to allow for the safe operations of emergency scenes by the emergency responders. We remain available for any questions you may have.

Respectfully submitted,

David D. Lowell
President

Phone 203.514.5111 450 West Main Street, Meriden, CT 06451 Fax 203.514.5122

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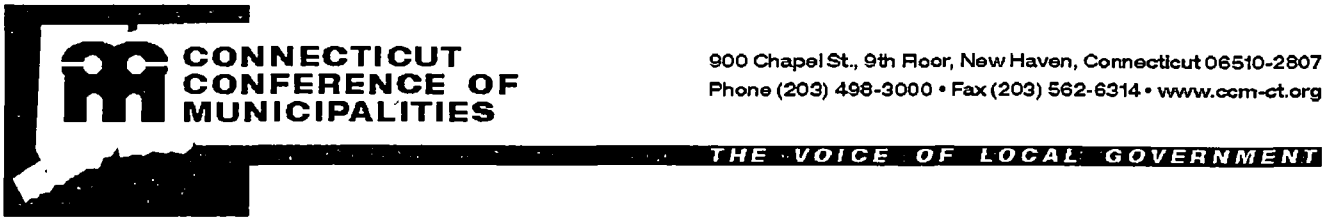
CONNECTICUT STATE POLICE UNION
Steven Rief, President

February 23, 2009



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TESTIMONY

of the

CONNECTICUT CONFERENCE OF MUNICIPALITIES

to the

TRANSPORTATION COMMITTEE

February 23, 2009

CCM is Connecticut's statewide association of towns and cities and the voice of local governments - your partners in governing Connecticut. Our members represent over 93% of Connecticut's population. We appreciate this opportunity to testify before you on issues of concern to towns and cities.

CCM supports the following bills:

- **S.B 741** ***"An Act Providing a "Move Over" Law for Connecticut."***
- **H.B 5261** ***"An Act Requiring Motor Vehicle Operators to Change Lanes When Approaching an Emergency Vehicle with its Flashing Lights in Operation that is Stopped on the Shoulder or in the Lane of a Highway."***
- **H.B 5643** ***"An Act Requiring Motor Vehicles to "Move Over."***
- **H.B 5894** ***"An Act Establishing a "Move Over" Law in Connecticut."***
- **H.B 6071** ***"An Act Requiring a "Move Over" Law in Connecticut."***
- **H.B 6225** ***"An Act Establishing a "Move Over" Law for Motor Vehicles."***

The aforementioned bills would establish a "Move Over" Law in Connecticut. Requiring motor vehicle operators to move over one lane, if possible, if an emergency vehicle with flashing lights is parked on the shoulder or in the lane of a highway.

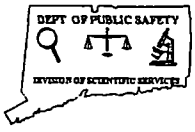
CCM supports any proposal that seeks to protect those Police, Fire and Ambulance men and women responding to an emergency on Connecticut's highways.

CCM urges the Committee to ***favorably report*** on the aforementioned bills.

##

If you have any questions, please contact Donna Hamzy, Legislative Analyst
via email dhamzy@ccm-ct.org or via phone (203) 498-3000.

STATE OF CONNECTICUT



DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE COMMISSIONER

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Commissioner

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Chief of Staff

Rep. Antonio Guerrera, Co-Chairman
Sen. Donald J. DeFronzo, Co-Chairman
Transportation Committee
Legislative Office Building
Hartford, CT 06106

February 23, 2009

The Department of Public Safety supports adoption of a "move over" law in Connecticut.

Senate Bill 741 and House Bills 5261, 5643, 5894, 6071 and 6225 all propose adoption of a "move over" law in Connecticut. The Department of Public Safety has an agency proposal for a "move over" law that will be heard in the Public Safety and Security Committee tomorrow. The language of that bill, HB 6453, AN ACT CONCERNING THE DUTY OF MOTOR VEHICLES WHEN APPROACHING STATIONARY EMERGENCY VEHICLES, has been reviewed and approved by the Commissioner of Transportation and representatives of the state's trucking industry.

A "Move Over" law is designed to protect emergency responders, including Police, Fire, EMS, DOT Workers, and Wrecker Operators while working at incident scenes along our busiest highways. Connecticut is one of only six states in the nation that does not have a move over law. Enactment of a "Move Over" law will afford an opportunity for public safety professionals to educate motorists about the dangers of approaching emergency responders along our limited access highways.

Nationally, since 1997, over 150 law enforcement officers have been struck and killed by passing traffic. In the one hundred and five year history of the Connecticut State Police, fourteen troopers have been struck and killed by passing motorists, leaving behind spouses and children to suffer the painful loss of a loved one.

In 2008, the department had a total of 248 accidents. The majority of these accidents were the result of careless and negligent operation by motorists who strike state police cruisers. On 1/28/09, during inclement weather conditions (snow), five department accidents were recorded in 24 hour period in which motorists slid into the rear end of state police cruisers.

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While the safety of our troopers and other emergency responders is the primary reason to enact a "move over law" in Connecticut, it should be pointed out that passage of such a bill would also likely provide savings to the state in reducing workmen's compensation claims, funds allocated to repair and replace damaged state police cruisers, and overtime costs replacing injured troopers. When a Connecticut State Police cruiser is completely "totaled" in a motor vehicle crash, it costs the agency $43,000.00 to replace the vehicle and equipment inside the vehicle. Since 2002, the Department of Public Safety has expended 6.3 million in Workmen's Compensation claims as a result of motor vehicle accidents. In 2008, the department spent $396,709 .00 to fix and repair motor vehicles involved in crashes.

This law, if enacted, would help emergency responders on our highways, police, fire, EMS, DOT construction workers, and wrecker operators. We have an ethical responsibility to ensure that our emergency responders are afforded the safest possible working environment. I am confident that enacting this piece of legislation will save lives and prevent needless injuries.

Sincerely,

John A. Danaher III
COMMISSIONER

UNIFORMED PROFESSIONAL FIRE FIGHTERS ASSOCIATION OF CONNECTICUT
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February 23, 2009

Dear Senator DeFronzo, Representative Guerrera and members of the Transportation Committee,

My name is Paul J. Rapanault. I am the Director of Legislative and Political Affairs for the Uniformed Professional Fire Fighters Association of Connecticut. Our 4,000 members serve in 50 fire departments throughout the state.

I am addressing you today in **SUPPORT** of the aims of the following bills: **S.B. 741 AA PROVIDING A "MOVE OVER" LAW FOR CONNECTICUT, H.B. 5261 AA REQUIRING MOTOR VEHICLE OPERATORS TO CHANGE LANES WHEN APPROACHING AN EMERGENCY VEHICLE WITH ITS FLASHING LIGHTS IN OPERATION THAT IS STOPPED ON THE SHOULDER OR IN THE LANE OF A HIGHWAY, H.B. 5643 AA REQURING MOTOR VEHICLES TO "MOVE OVER", H.B. 5894 AA ESTABLISHING A "MOVE OVER" LAW IN CONNECTICUT, H.B. 6071 AA REQUIRING A "MOVE OVER" LAW IN CONNECTICUT AND H.B. 6225 AA ESTABLISHING A "MOVE OVER" LAW FOR MOTOR VEHICLES.** The Uniformed Professional Fire Fighters Association urges your committee's SUPPORT of the general objectives of these bills.

The number of fire fighters struck and killed by motor vehicles nationally has dramatically increased over the past 15 years. During one 5-year period between 1995 and 1999, 17 fire fighters were struck and killed by motorists. That represented an 89% increase in the number of line-of-duty deaths over the previous 5-year period between 1990 and 1994, when 9 fire fighters were struck and killed by motor vehicles. These incidents demonstrate that hazards to fire fighters are not limited to structural or wild land fires but encompass a growing number of incident types that fire departments respond to.

Motorists accustomed to a clear, unobstructed roadway may not recognize and avoid closed lanes or emergency workers on or near the roadway. In some cases, conditions and other drivers can reduce a motorist's ability to see and avoid fire fighters and apparatus. Weather, time of day, scene lighting, traffic speed and volume, road configuration and rubber-necking can all contribute to drivers approaching dangerously close to emergency personnel. These hazards are not limited to the fire service alone. Other emergency service providers such as law enforcement officers, Emergency Medical Technicians, and vehicle recovery personnel are also exposed to these hazards.

Areas such as reflective striping and chevrons, high-visibility paint, built-in passive light, and other reflectors have been studied to increase the public's awareness of the presence of emergency vehicles and personnel. But, to help safeguard fire fighters, law enforcement officers and emergency responders, Connecticut needs to pass a "Move Over Law."

The law should require drivers to shift lanes or slow down in order to provide a "safety zone" for fire apparatus, a police cruiser, ambulance or tow truck that is stopped on the side of a road with its warning lights flashing.

Drivers should be given two options for creating a safety zone:

1. If the road has more than one directional lane, like the Interstate, and you can switch lanes safely, drivers should be required to move over to vacate the lane closest to the emergency or other vehicle with its lights flashing.
2. If the road has a single directional lane or you can't safely move over, drivers should be required to reduce their speed.

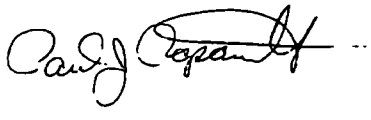
Failure of motorists to move over is one of the reasons that motor vehicle crashes kill more law enforcement officers on duty than any other cause.

Massachusetts just passed their Move Over law in December 2008 which will go into effect in March 2009. Massachusetts is the 44th state to pass such legislation.

The list of states that continue to be without Move Over Laws – Rhode Island, Maryland, New Jersey, Nebraska, Hawaii AND UNFORTUNATELY, Connecticut. It is long overdue and time to pass this legislation.

Professional Fire Fighters urge your support for "Move Over" legislation.

Thank you for your consideration.



Paul J Rapanault
Legislative/Political Affairs

CONNECTICUT STATE FIREFIGHTERS ASSOCIATION, INC.

February 23, 2009

Senator Donald DeFronzo, Co-Chair Transportation Committee
Representative Antonio Guerrera, Co-Chair Transportation Committee

My name is Ted Schroll, Legislative Representative for the Connecticut State Firefighters Association. Our Association represents approximately 28,000 career and volunteer firefighters in Connecticut.

The Connecticut State Firefighters Association wishes to go on record in support of the concept provided by several of the bills on today's agenda.

The Fire Service of the State of Connecticut is very much in favor of so called "MOVE OVER" legislation. It is apparent that this committee is cognizant of the dangers posed to highway workers by the passage of Public Act #08-114 at the 2008 Connecticut General Assembly. We realize that this legislation was passed in the final days of the 2008 session, but are concerned that the language of this public act limits the legislation to **STATE** highways and does not include **LOCAL** or **MUNICIPAL** roads. We would suggest that this concern be addressed in this legislation.

It would appear that **Proposed Bills #741, #5261, #5894, #6071, & #6225** are similar enough in nature that we would **SUPPORT** this legislation. We would only suggest that the term **"authorized emergency vehicle"** be used in the text of the language. In the case where some of our members are volunteer firefighters, certain personal vehicles could be designated as emergency vehicles. And, once again, we must mention that any language that refers to roads or highways, include state AND municipal roads.

Of the six (6) bills on the agenda pertaining to "move over", we would be opposed to **H.B. #5643**. This bill seems to specify "police cars" only. We would be opposed to this provision. We feel that this type of legislation should apply to all emergency services.

We thank you for the opportunity to provide this testimony.

Respectfully Submitted,

Ted Schroll, Legislative Representative
Connecticut State Firefighters Association

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