

PA13-102

HB6253

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

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SPEAKER SHARKEY:

The bill is passed.

Will the Clerk please call Calendar Number 239.

THE CLERK:

Calendar Number 239, Favorable Report of the
joint standing Committee on Transportation,
Substituted House Bill 6253, AN ACT CONCERNING THE
PENALTY FOR FAILURE TO REMOVE ICE OR SNOW FROM A MOTOR
VEHICLE.

SPEAKER SHARKEY:

Representative Guerrero.

REP. GUERRERA (29th):

Thank you, Mr. Speaker; nice to see you.

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

SPEAKER SHARKEY:

The question is on acceptance of the joint
committee's Favorable Report and passage of the bill.
You have the floor, sir.

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

A few years back, through the help of the
Minority Leader, Representative Cafero and my Ranking
Member, Representative Scribner, we passed the bill in

regards to removing ice and snow from motor vehicles. But today, through -- through our committee, we have found that -- that we would like to change the violation that was on the bill to an infraction, which will allow people to pay by mail or on-line, rather than being in-person at court.

And this was brought up, Mr. Speaker, through one of our members, Representative Verrengia, who brought this to our attention in the Transportation Committee. So, therefore, all this bill does is allows individuals to pay the fine on-line or by mail, so I move adoption.

SPEAKER SHARKEY:

Thank you, sir.

The question before the Chamber is adoption.

Representative Scribner, of the 107th.

REP. SCRIBNER (107th):

Thank you, Mr. Speaker.

I rise in support of the bill before us. I think that what it does is really remind us of the good piece of legislation that the Minority Leader brought to us a couple of years ago. And something that might make him even happier today is that we are now streamlining the process to allow the payment of the

infraction to be simplified and take the process out of our court system and -- and allow it to really be more adhered to and enforced.

I would like to take the time to thank Representative Verrengia, in particular, for bringing this before the Transportation Committee who supported it unanimously. And I urge its passage.

Thank you.

SPEAKER SHARKEY:

Thank you, sir.

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

Representative Cafero.

A VOICE:

(Inaudible.)

SPEAKER SHARKEY:

Come on, yeah?

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Ladies and gentlemen, I just want to say not all bills, not all bills are a waste. There's some gems in here and this happens to be one of them. I urge passage.

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, very much, Representative Cafero.

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

If not, staff and guests to the Well of the House. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will members return to the Chamber, immediately.

SPEAKER SHARKEY:

Have all the members voted? Have all the members voted?

If all the members have voted, the machine will be locked. And the Clerk will take a tally.

And will the Clerk please announce the tally.

THE CLERK:

Bill 624 -- 53.

Total Number Voting	142
Necessary for Passage	72
Those voting Yea	142
Those voting Nay	0
Absent, not voting	9

SPEAKER SHARKEY:

Amazingly, the bill is passed unanimously.

Will the Clerk please call Calendar 163.

THE CLERK:

House Calendar 163, Favorable Report of the joint standing Committee on Planning and Development, Substitute Bill 6481, AN ACT CONCERNING ENFORCEMENT PROTECTION FOR NONCONFORMING STRUCTURES.

SPEAKER SHARKEY:

Representative Rojas, of the 9th District.

REP. ROJAS (9th):

Thank you, Mr. Speaker.

I move acceptance of the joint favor -- the joint committee's Favorable Report and passage of the bill.

SPEAKER SHARKEY:

Question is on acceptance of the joint committee's Favorable Report and passage of the bill. You have the floor, sir.

REP. ROJAS (9th):

Thank you, Mr. Speaker.

This bill seeks to offer the same protections to structures that are currently given to buildings. Under current law, buildings that have been sited on a smaller lot than are -- is allowed under local zoning

**JOINT
STANDING
COMMITTEE
HEARINGS**

**JUDICIARY
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2013



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE

H.B. NO. 6387: AN ACT CONCERNING COURT OPERATIONS

JOINT COMMITTEE ON JUDICIARY
March 4, 2013

The Division of Criminal Justice supports the concept of Section 8 of H.B. No. 6387, An Act Concerning Court Operations. The Division would note that this same issue is addressed through slightly different language in H.B. No. 6253, An Act Concerning the Penalty for Failure to Remove Snow or Ice from a Motor Vehicle, which is before the Transportation Committee. Following is the testimony the Division submitted in support of H.B. No. 6253 to the Transportation Committee on February 4, 2013:

TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE

IN SUPPORT OF:

H.B. NO. 6253: AN ACT CONCERNING THE PENALTY FOR FAILURE TO REMOVE ICE OR SNOW FROM A MOTOR VEHICLE

JOINT COMMITTEE ON TRANSPORTATION
FEBRUARY 4, 2013

The Division of Criminal Justice respectfully recommends the Committee's Joint Favorable Report for H.B. No. 6253, An Act Concerning the Penalty for Failure to Remove Ice or Snow from a Motor Vehicle. The purpose of this bill is to allow motorists who receive a traffic ticket pursuant to subsections (a) or (c) of Section 14-252a of the General Statutes to pay the \$75 fine provided for in that section to pay the fine online or by mail.

Section 14-252a is the codification of Public Act 10-182 as amended by section 19 of Public Act 11-256. These acts provide that as of October 1, 2011, the operator of any noncommercial motor vehicle must remove accumulated snow and ice from the vehicle so that the snow or ice does not pose a threat to persons or property. Failure to do so is punishable by a \$75 fine. The same provisions will be extended to commercial motor vehicles effective at the end of this year, December 31, 2013.

In most other cases fines such as this \$75 penalty are already payable through the Centralized Infractions Bureau (CIB) in the Judicial Branch. Motorists can either mail in their payment or pay online through the Judicial Branch website. It would appear to be an oversight that the same option is not available for a ticket issued pursuant to Section 14-252a (a) or 14-25a (c). The maximum fine is still \$75 – less than that for many other

Infractions that can be paid by mail or online – but the violator in these cases must go to court. This is not fair to the motorist or an efficient use of state resources.

The Division of Criminal Justice recommends amending Section 51-164n of the General Statutes, Procedure upon summons for infraction or certain violation, to add Section 14-252a (a) and Section 14-252a (c) to the list of infractions payable through the Centralized Infractions Bureau. The Division has been in contact with the Judicial Branch and it is our understanding that the Branch is in support of this amendment. Adding subsections (a) and (c) to section 51-164n would allow those who choose to do so to pay the fine by mail or online without going to court while permitting those who wish to contest the ticket to plead not guilty online or through the mail and then proceed on to court.

We must stress that our recommendation applies solely to subsections (a) and (c) of Section 14-252a, which involve accumulated snow or ice that does not dislodge and result in personal injury or property damage. Subsections (b) and (d) of Section 14-252a provide for greater penalties for violations involving personal injury or property damage. A motorist who receives a ticket under such circumstances would still be required to appear in court, which the Division believes is appropriate given the more severe nature of the incidents involved.

In conclusion, the Division of Criminal Justice wishes to express its appreciation to the Committee for allowing us to provide input on this matter. The Division would be happy to provide any additional information or to answer any questions the Committee might have.



Connecticut Podiatric Medical Association | 342 North Main Street, West Hartford, CT 06117 2507 | 860 586 7512 | Fax 860 586 7550 | www.CPMA.org

Connecticut Podiatric Medical Association
House Bill 6445
Judiciary Committee
March 4, 2013

The Connecticut Podiatric Medical Association urges your support for House Bill 6445, An Act Concerning Services That May Be Provided By Professional Corporations.

This legislation will permit a licensed Podiatrist to form an LLC or professional services corporation with a licensed physician.

The current statute delineates the professions who may do this. They include:

- Ophthalmologists and Optometrists;
- Physicians and Physician Assistants or Advanced Practice Registered Nurses or both; and,
- Physicians and Chiropractors.

House Bill 6445 will add Physicians and Podiatrists to this list. They will be able to co-own a medical practice through a professional corporation or LLC.

Podiatrists practice within multi-specialty and orthopedic groups around the country as co-owners of an LLC. A number of our members, licensed Doctors of Podiatric Medicine, practice jointly with a licensed physician but are not permitted to enter into an LLC arrangement with them. Doing so will provide both professionals with another option for organizing the practice.

Thank you.

~~DR TREADWELL~~
DAVID BOOMER

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

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And Calendar 347, House Bill 6547, also on Calendar
Page 6.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Mr. Clerk.

THE CLERK:

On Page 7, Calendar 356, House Bill Number 6253, AN
ACT CONCERNING THE PENALTY FOR FAILURE TO REMOVE ICE
OR SNOW FROM A MOTOR VEHICLE, Favorable Report of the
Committee on TRANSPORTATION. There are Amendments.

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD.

Yes. Thank you, Mr. President.

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

THE CHAIR:

On acceptance and passage.

Will you remark?

SENATOR MAYNARD:

Yes. Thank you.

Mr. President, this bill changes slightly an existing
statute on the books that would -- it sets a fine for
\$75 for motorists who fail to remove accumulated snow
or ice from a motor vehicle. It applies to both
commercial and noncommercial vehicles. It already
applies to noncommercial vehicles. Previously, it
required a court appearance. This bill changes that

payment procedure. Makes the offense an infraction and therefore able for out-of-state vehicles to simply mail in payment.

THE CHAIR:

Thank you, Senator.

Will you remark further on the bill?

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President, I rise as ranking Member of the Transportation Committee at this particular bill. And this is an issue that has been brought before the Transportation Committee on multiple occasions and multiple sessions in an effort to improve safety on our roads, because we know that these flying ice projectiles coming off of our -- particularly our trucks, and often cars as well, have been a very dangerous exercise for many of us that are on the road during this time.

Was certainly an issue that Representative Cafero has brought to our attention multiple times and to Transportation as well. However, it also speaks to being able to practically enforce and also to be able to get the payments that we need, so that it is more workable here in the State.

And it is a good, simple bill and should be supported.

Thank you.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

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

THE CHAIR:

Please proceed, sir.

SENATOR WITKOS:

Thank you.

Through you to Senator Maynard.

If the operator makes an attempt to remove the snow or ice as best as they can. Maybe they're challenged by their height that they can't get. So you'll see a clearance all the way around, except for the dead center of the roof. Then they would not be held to this standard, I'm hoping.

Through you, Mr. President.

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

Yes. Thank you, Mr. President.

Through you.

There is no distinction made for height differentials on operators of vehicles, I'm afraid, but I think the intent is to certainly provide for safe operation of vehicles on the roadway. I think there's probably some discretion involved, in terms of the officer. I think he'd be familiar with those types of procedures, but the bill doesn't address specifically a best effort. It's intended to require that all people operate vehicles that are free of snow and ice.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

I thank Senator Maynard for his answer and I just wanted to get something on the record, based on my past experience that if somebody has made a good-faith attempt to clear as much of the snow and ice as they can. They've walked around. They've had an extended snow shovel, if you will, and they just can't get that little last piece off, they -- I would hope that if they're stopped that they're not subject to the fine. The officer or the trooper use his good common sense and realizes that they did the best job that they could.

I want to thank you.

And I'm standing in support of the bill.

Thank you.

THE CHAIR:

Thank you, Senator.

Will you remark further on the bill?

Senator Maynard.

SENATOR MAYNARD:

Thank you, Mr. President.

If there's not objection, I would like to ask that it be placed on the Consent Calendar.

THE CHAIR:

Without objection, so ordered.

Mr. Clerk.

THE CLERK:

Oh -- I apologize.

SENATOR LOONEY:

On the Consent Calendar.

THE CHAIR:

If there's no objection, it will be placed on the
Consent Calendar.

I apologize.

Senator Looney.

SENATOR LOONEY:

Yes, Madam President.

Madam President, if the Clerk would now list the items
on the Second Consent Calendar so that we might move
to a vote on that Second Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 5, Calendar 275, Senate Bill 299.

On Page 7, Calendar 356, House Bill 6253.

Page 15, Calendar 518, House Bill 6316.

And Page 18, Calendar 555, House Bill 5836.

On Page 21, Calendar 579, House Bill 6358.

Page 40, Calendar 265, Senate Bill 191.✓

Page 41, Calendar 305, Senate Bill 1081.

And on Page 43, Calendar 388, Senate Bill 1096.

And Page 45, Calendar 553, House Bill 5250.

THE CHAIR:

Mr. Clerk, please call for a roll call vote. The machine will be open for this Second Consent Calendar.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Senators please return to the Chamber. Immediate roll call on today's Second Consent Calendar has been ordered in the Senate.

THE CHAIR:

Do me a favor. Call it one more time now, so we can get them in here faster. Thank you.

THE CLERK:

Immediate roll call ordered in the Senate on the Second Consent Calendar of the day. Senators please return to the Chamber. Immediate roll call in the Senate.

THE CHAIR:

All members have voted, all members have voted, the machine will be closed.

Mr. Clerk will you call the last tally of the night.

THE CLERK:

On the Second Consent Calendar of the day.

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

THE CHAIR:

Consent Calendar passes.

Senator Looney, do you have some good news for us, sir?

SENATOR LOONEY:

Madam President, just before moving for adjournment, we have a couple of other just Calendar items. One item on the foot of the Calendar.

Madam President, Calendar Page 49, Calendar 240, Senate Bill 849. I would move to remove that item from the foot and just mark it passed, retaining its place on the Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

And also, Madam President, other item on the foot of the Calendar, Calendar 182, Senate Bill 1000. Would move to remove that item from the foot and to mark it passed, retaining its place on the Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you.

Madam President, the other items previously marked go for this evening, should now be marked passed, retaining their place on the Calendar. We hope to begin with those items early tomorrow.

And I would yield the floor now for Members for announcements of Committee Meetings or other Points of Personal Privilege.

THE CHAIR: