



Public Protection and Safety Standing Committee of the RTM
Meeting Minutes, August 14th 2024

1.) Called Meeting to order at 1831

3.) Roll Call- Present- Gauthier, Condon, Dembek
Absent- Monahan, Mullen Kohl

Others Present: RTM Member Driscoll, Chief Balestracci

4.) Public Comment- None

5.) To consider and act upon the February 20th 2024 meeting minutes
Motion to accept by Gauthier, second by Dembek
Motion passed 3-0

6.) To consider and act upon an appointment to the Fire Service Review Special
Committee
Gauthier nominated Timothy Condon, Second by Dembek,
Vote 2-0-1 (Condon abstained)

7.) Consider and possible action on items referred to committee:

A.) Open Burn Ordinance, RTC 12/04/23

Committee held brief discussion but will request the Fire Marshall to join us for our next meeting. No action taken.

B.) ATV and Dirt Bike Ordinance Consideration, RTC 10/02/23

Committee reviewed the request from the Police Department. Floor turned over to Chief Balestracci. Chief gave committee other community's ordinances dealing with the same issue. Chief requested that the committee look these over as templates for possible ordinance creation. Committee briefly reviewed the documents and will as a matter of general consensus send the Town of Guilford's ordinance to the Town Attorney for review and modification. Chairman Condon will reach out to the Town Attorney with questions posed by committee and to advise where the committee would like to start based on the Chiefs recommendations. No action taken.

C.) Review of ordinance 2.36 and HB-5279 for legal review and recommendation of assigned duties to the Director of Fire Services, RTC 06/03/24
Chairperson Condon gave brief overview of the purpose of the HB-5279 and now Public Act 24-16. Committee looked over ordinance 2.36 Fire Services. Chairperson Condon

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ATTEST: *David J. Condon*
TOWN CLERK

recommended adding language under duties of the Director of Fire Services to include these new responsibilities and perhaps craft language that may future proof the ordinance to recognize the Director as the Fire Chief for purposes of state statutes. Committee had general consensus and will return next meeting with possible language. Chairperson Condon did express the need to be expedient as this issue must be addressed by October 1st 2024.

8.) Adjournment- Motion by Dembek, Second by Gauthier, meeting adjourned at 1925

Respectfully submitted,

Timothy Condon



**WATERFORD POLICE DEPARTMENT
41 AVERY LANE
WATERFORD, CT 06385-2819**



**Marc Balestracci
Police Chief**

**(860) 442-9451 TEL
mbalestracci@waterfordct.org**

To: Paul Goldstein- Moderator of the RTM
Cc: David Campo-Town Clerk
From: Marc Balestracci, Chief of Police
Date: August 15, 2023
Re: All-terrain vehicle ordinance consideration

Moderator Goldstein,

In the State of Connecticut, including New London County, police departments have been challenged by the illegal operation of dirt bikes and ATVs on public roads. Oftentimes, large groups of individuals coordinate efforts to illegally use public roadways with these vehicles, which create extremely dangerous and confusing situations.

As the laws in Connecticut restrict some of the abilities of police to combat these street takeovers, departments in southeast Connecticut have coordinated efforts recently in hopes of better preparing for and potentially seeking arrest warrants for those found involved.

During the discussions with other police departments, the City of New London ordinance referencing these activities was mentioned as being yet another potential coordinated effort to combat this dangerous activity.

Therefore, I am respectfully requesting that the Representative Town Meeting have a committee review the City of New London ordinance, which is attached, in consideration of drafting a similar ordinance in Waterford. I would also request that I speak with the committee, if assigned, as there may be certain areas of the ordinance that may be different than the one provided by the City of New London.

Thank you for any consideration,

Marc Balestracci
Chief of Police
Waterford Police Department

ARTICLE VI. - POCKET BIKES, MINIBIKES, DIRT BIKES, ALL-TERRAIN VEHICLES, ETC.

Sec. 29-131. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section:

All-terrain vehicle means a self-propelled vehicle designed to travel over unimproved terrain as defined in Conn. Gen. Stat. § 14-379 and which has been determined by the commissioner of motor vehicles to be unsuitable for operation on the public highways.

Dirt bike means a two-wheeled motorized recreational vehicle designed to travel over unimproved terrain and not designed for travel on a highway, as defined in Conn. Gen. Stat. § 14-1. "Dirt bike" does not include an all-terrain vehicle, as defined in Conn. Gen. Stat. § 14-379, or a motor-driven cycle, as defined in Conn. Gen. Stat. § 14-1.

EPAMD shall mean any electric personal assistive mobility device (hereinafter "EPAMD") that is self-balancing, has two (2) non-tandem wheels, is designed to transport one (1) person, and has an electric propulsion system that produces an average power output of no more than 750 watts.

Mini cycle means pocket bikes, miniature (hereafter "mini") bikes, mini cycles, mini sport bikes, mini motorcycles, chopper scooters, and any other similar wheeled vehicle designed to transport one (1) or more persons that is powered by any type of motor.

Motor-driven cycle means any motorcycle, motor scooter, or bicycle with an attached motor, with a seat height of not less than twenty-six (26) inches, and a motor having a capacity of less than fifty (50) cubic centimeters of piston displacement.

Motorized recreational vehicle shall mean a wheeled vehicle, with a motor, intended to be rode by one (1) or more persons and shall include "all-terrain vehicle," "minibike," "dirt bike," "motor-driven cycle," "snow mobile," and "mini-cycle," all as defined herein.

Motorized recreational vehicle shall not be deemed to include any of the following:

- (1) Any registered "motorcycle" as defined in the Conn. Gen. Stat. § 14-1(59);
- (2) Any registered "motor vehicle" as defined in Conn. Gen. Stat. § 14-1(58);
- (3) Any moped that meets Federal Department of Transportation guidelines for use on streets and is approved by the State of Connecticut Department of Motor Vehicles for use on streets, provided, however, the moped is operated pursuant to all applicable state laws, rules, and regulations and all City of New Haven ordinances;
- (4)

Any wheelchair or similar mobility assisting device utilized by a person with a physical disability or whose ambulatory mobility has been impaired due to age or physical ailment;

- (5) Any self-propelled snowplow, snow blower, or lawn mower when used for the purpose for which it was designed and operated at a speed not to exceed four (4) miles per hour;
- (6) Any vehicle owned or leased by the City of New Haven;
- (7) Any EPAMD as defined herein;
- (8) Any bicycle or trail bike without a motor;
- (9) Any golf cart;
- (10) Any agricultural equipment such as tractors and farm implements;
- (11) Any construction machinery; and
- (12) Any vehicle that is used solely for amusement, or as a novelty display item, and is operated during a parade or any other special event that is properly permitted and approved by the City of New Haven.

Motorized recreational vehicle dealer means any person engaged in the business of manufacturing or selling any motorized recreational vehicles, having an established place of business for the manufacture, sale, trade, and display of such vehicles.

Snowmobile means a vehicle with a motor, with runners in the front and caterpillar tracks in the rear, intended to be used by one (1) or more persons for travelling over ice and snow.

(Ord. No. 1374, 5-2-05; Ord. No. 1721, §§ 2, 3, 9-16-13; Ord. No. 1902, 12-7-20)

Sec. 29-132. - Operations prohibited.

- (a) It shall be unlawful for any person to operate a motorized recreational vehicle or for any owner of a motorized recreational vehicle to knowingly permit the operation of such vehicle on any street or sidewalk in the City of New Haven or on any public property, including but not limited to school property, playgrounds, and parks within the City of New Haven.
- (b) It shall be unlawful for any person to ride as a passenger on a motorized recreational vehicle or for any owner of a motorized recreational vehicle to knowingly permit any person to ride as a passenger on such vehicle operated in violation of subsection (a) above.
- (c) It shall be unlawful for any person to operate a motorized recreational vehicle, ride as a passenger on a motorized recreational vehicle, or for any owner of a motorized recreational vehicle to knowingly permit its operation on any private property within the City of New Haven without first obtaining the written permission of the property owner, if the property is not owned by the operator, passenger, or owner of such vehicle.
- (d)

It shall be unlawful for any person allowed to operate a motorized recreational vehicle by a private property owner to operate that vehicle on private property in violation of the City of New Haven noise ordinance as defined in section 18-75 et seq. of this Code of General Ordinances.

- (e) It shall be unlawful for any person to operate an EPAMD or for any owner of an EPAMD to knowingly permit the operation of an EPAMD on any street in the City of New Haven, except as provided herein. An EPAMD may be operated on any designated bike line or sidewalk and/or crosswalk. Such operator must adhere to the regulations of such travel lane as defined by the Traffic Commission and in no instance shall the speed of operations exceed five (5) miles per hour on any sidewalk. Where no such bike lane or sidewalk exists, an EPAMD may be legally operated on the far-right side of the street. An operator of an EPAMD shall yield to pedestrians and any wheelchair or similar mobility assisting device as defined in subsection 29-131 above and shall comply with any applicable State of Connecticut laws or regulations.

(Ord. No. 1374, 5-2-05; Ord. No. 1721, § 4, 9-16-13; Ord. No. 1902, 12-7-20)

Sec. 29-133. - Penalty.

- (a) Any person who operates any motorized recreational vehicle in violation of subsection 29-132(a) or 29-132(c) above, or any owner of any motorized recreational vehicle who knowingly permits its operation in violation of subsection 29-132(a) or 29-132(c) above, shall be fined one thousand dollars (\$1,000.00) for a first violation, shall be fined one thousand five hundred dollars (\$1,500.00) for a second violation, and shall be fined two thousand dollars (\$2,000.00) for a third or subsequent violation.
- (b) Any person age sixteen (16) or older who rides as a passenger on any motorized recreational vehicle in violation of subsection 29-132(c) above or any owner of a motorized recreational vehicle who knowingly permits a passenger to ride on his/her motorized recreational vehicle in violation of Subsection 29-132(b), shall be fined two hundred fifty dollars (\$250.00).
- (c) Any person in violation of this ordinance may be detained by a police officer for purposes of enforcing the provisions of this ordinance. Any motorized recreational vehicle used in violation of this ordinance shall be seized by any police officer and shall be forfeited to the city, subject to any bona fide lien, lease, or security interest in the motorized recreational vehicle, including, but not limited to, a lien under Conn. Gen. Stat. § 14-66c.
- (d) Any person who operates an EPAMD in violation of subsection 29-132(d) above or is the owner of an EPAMD who knowingly permits its operation in violation of subsection 29-132(d) above that has been previously issued one (1) warning as the result of a previous violation of subsection 29-132(e) above, shall be fined two hundred fifty dollars (\$250.00).

(Ord. No. 1374, 5-2-05; Ord. No. 1721, § 5, 9-16-13; Ord. No. 1902, 12-7-20)

Sec. 29-134. - Seizure of motorized recreational vehicles; disposal.

- (a) Any person who operates a motorized recreational vehicle in violation of subsection 29-132(a) above or is the owner of any such vehicle who knowingly permits its operation in violation of subsection 29-132(a) above will be subject to seizure of said vehicle(s) pursuant to Conn. Gen. Stat. § 54-33g, which allows for seizure of property. A police officer who observes any motorized recreational vehicle being operated in violation of subsection 29-132(a), (b), (c), or (d) above may detain such person for purposes of enforcing the provisions of this article and may remove or tow such motorized recreational vehicle to a secure location for impoundment. Before the owner of any such impounded property may remove the vehicle from a vehicle pound, he/she shall furnish to the operator of such pound or such other person as the chief of police shall designate evidence of registration and ownership, shall sign a receipt for such property, and shall pay the cost of towing, plus the cost of storage for each day or portion of a day that such property is stored in excess of the first twenty-four (24) hours after seizure. The operator of such pound shall refuse the release of any such property lawfully seized that the chief of police has authorized to hold as evidence in a criminal investigation or proceeding. Such operator shall obtain written permission from the chief of police on any form or document prescribed by the chief of police prior to the release of such property held for evidence.
- (b) Any such motorized recreational vehicle that is not claimed by its owner under the terms of this section for a period of forty-five (45) days after seizure or in the case of a vehicle being held as evidence not claimed by its owner within forty-five (45) days of the cessation of such investigation or disposition of such criminal proceeding, whichever is later, may be disposed of at the direction of the chief of police after serving notice in the same manner as that required for the disposal of abandoned vehicles under Conn. Gen. Stat. § 14-150(e), except in the case that a vehicle that is not registered, such notice shall not require mailing to persons whose names are registered with the state department of motor vehicles.

(Ord. No. 1902, 12-7-20)

Sec. 29-134.1. - Hearing prior to forfeiture of motorized recreational vehicle.

- (a) A hearing officer shall be appointed by the mayor subject to the approval of the board of alders to conduct hearings authorized by this section. Such hearing officer shall work with the chief of police in the scheduling of hearings held pursuant to this chapter. The chief of police or his or her designee shall represent the police department at such hearing. A sworn police incident report shall be considered prima facie proof of the violation. The owner or lienholder may cross examine any witness and present evidence and argument in opposition to the city's claim. After the hearing as provided by this section, the hearing officer may order the forfeiture of any motorized recreational vehicle that has been seized upon proof of conduct

amounting to probable cause for a violation of section 29-132 or any other city ordinance or state law pursuant to the process provided herein. Written notice advising the recipient of the right of the owner or lienholder of the motorized recreational vehicle to a hearing prior to the disposal of the motorized recreational vehicle will be delivered on a form approved by corporation counsel and board of alders to any lienholder and to the owner of the motorized recreational vehicle, or if no owner can be identified, to the rider, within thirty (30) days of the seizure. A written request for a hearing before a hearing officer, must be received, by hand delivery or certified mail, return receipt requested, to Hearing Officer, in care of the Chief of Police, New Haven Police Department, 1 Union Avenue, New Haven, Connecticut 06519 within thirty (30) days of receipt of the notice. Said request for a hearing by an owner must be submitted with proof of ownership or by a lienholder with proof of lien or other security interest in the motorized recreational vehicle.

- (b) Said hearing shall be conducted by the hearing officer and shall be held not more than thirty (30) days after the receipt of the written request, except that written requests for an extension of time may be granted for good cause shown. Notice of the date and time of said hearing shall be provided to the owner or lienholder no later than ten (10) days before the date of the hearing by electronic delivery and/or by certified mail, return receipt requested, at the email or residential address provided by the owner or lienholder in the written request for a hearing.
- (c) Any party to the hearing may, at his/her expense, record the hearing. Any party to the hearing may be represented by counsel.
- (d) A motorized recreational vehicle may be ordered forfeited upon a finding of any, but not limited to, of the following:
 - (1) There is probable cause to believe that the motorized recreational vehicle was possessed, controlled, or designed for use, or is or has been or is intended to be used, to violate, or in violation of any city ordinance or the motor vehicle or criminal laws of this state; or
 - (2) There is probable cause to believe that the motorized recreational vehicle was operated with reckless and wanton disregard for the welfare or property of others.
- (e) Following the hearing, the hearing officer who conducted the hearing, shall issue a written decision ordering the forfeiture of the motorized recreational vehicle or ordering the return of the motorized recreational vehicle to its owner, except that the hearing officer who conducted the hearing, shall not order the release of any motorized motor vehicle that is required to be kept as evidence in any investigation or legal proceeding related to any criminal or motor vehicle offense.
- (f) Any motorized recreational vehicle that is subject to a bona fide mortgage, assignment of lease or rent, lien, or security interest shall not be ordered forfeited in violation of the rights of the holder of such mortgage, assignment of lease or rent, lien, or security interest.

- (g) Any motorized recreational vehicle ordered forfeited shall be disposed of consistent with applicable law.
- (h) If within thirty (30) days of the delivery of the notice of the right to a hearing under this section, no owner or lienholder of the motorized recreational vehicle has requested a hearing, the vehicle will be considered abandoned and disposed of under applicable law.

(Ord. No. 1902, 12-7-20)

Sec. 29-135. - Posting by motorized recreational vehicle dealer.

Each motorized recreational vehicle dealer offering for sale, lease, or rental any motorized recreational vehicle shall post this article in a prominent location at the motorized recreational vehicle dealer's place of business.

Any such motorized recreational vehicle dealer who violates any provision of this section shall have committed an infraction. For a first violation, the chief of police or his/her authorized agent shall issue a written warning providing notice of the specific violation and the time period within which it shall be corrected. If the dealer receiving the written warning fails to correct the violation within the time period specified in the warning, the chief of police or his or her authorized agent shall issue a fine of one hundred dollars (\$100.00). Any continuing violation that is discovered during any subsequent reinspection shall result in a fine of one hundred dollars (\$100.00). Each reinspection at which a violation is discovered shall constitute a separate violation.

(Ord. No. 1902, 12-7-20)

Sec. 29-136. - Sale of gasoline for illegal purposes.

- (a) No owner or employee of any retail dealer of gasoline shall sell, offer for sale, or attempt to sell any article or product represented as gasoline for use in any motorized recreational vehicle as defined in this article, unless that vehicle is conveyed to and from the retailer's premises by a registered motor vehicle, as defined in Conn. Gen. Stat. § 14-1, as may be amended, and no individual shall purchase or attempt to purchase gasoline for use in any motorized recreational vehicle as defined in this article.
- (b) Signs with the words "FUELING OF ALL-TERRAIN VEHICLES, MINI-CYCLES, DIRT BIKES, OR OTHER UNAUTHORIZED VEHICLES PROHIBITED" in English and "PROHIBIDO DESPACHAR GASOLINA A ALL-TERRAIN VEHICLES, MINI-CYCLES O DIRT BIKES O A OTROS VEHICULOS NO AUTORIZADOS" in Spanish at least one (1) inch in height with a contrasting margin shall be posted at all dispensing locations. The location of warning signs shall be based on local conditions but shall be visible and legible from all gas pumps.

(c)

Any owner or employee of any retail dealer of gasoline who violates any provision of subsections (a) or (b) of this section who owns or is employed by a retail dealer that has been previously issued one (1) warning as the result of a previous violation of subsections (a) or (b) of this section shall be fined one hundred dollars (\$100.00) per occurrence. Each motorized recreational vehicle as to which an owner or employee of any retail dealer of gasoline sells, offers for sale, or attempts to sell gasoline shall be considered a separate violation of subsection (a) above.

(Ord. No. 1902, 12-7-20)

Guilford

**AN ORDINANCE TO REGULATE
ALL-TERRAIN VEHICLES AND OTHER MOTORIZED RECREATIONAL VEHICLES**

1. Purpose:

The purpose of this ordinance is to regulate the operation and use of pocket bikes, minibikes, dirt bikes, all-terrain vehicles and any other similar vehicle on all public property and private property within the Town of Guilford, as authorized by C.G.S. Section 14-390(a). This ordinance is intended to regulate the operation and use of such vehicles in a manner not inconsistent with the provisions of Sections 14-379 to 14-390 of the Connecticut General Statutes, inclusive, or any regulations adopted pursuant thereto.

2. Definitions

As used in this ordinance, the following terms shall have the meanings indicated:

All-terrain vehicle: means a self-propelled vehicle designed to travel over unimproved terrain as defined in Conn. Gen. Statutes §14-379 and which has been determined by the commissioner of motor vehicles to be unsuitable for operation on the public highways.

Dirt bike: means a two-wheeled motorized recreational vehicle designed to travel over unimproved terrain and not designed for travel on a highway, as defined in Conn. Gen. Statutes §14-390m. "Dirt Bike" does not include an all-terrain vehicle, as defined in Conn. Gen. Statutes §14-379, or a motor-driven cycle, as defined in Conn. Gen. Statutes §14-1.

EPAMD: means any electric personal assistive mobility device (hereinafter "EPAMD") that is self-balancing, has two (2) non-tandem wheels, is designed to transport one (1) person, and has an electric propulsion system that produces an average power output of no more than 750 watts.

Mini cycle: means pocket bikes, miniature (hereinafter "mini") bikes, mini cycles, mini sport bikes, mini motorcycles, chopper scooters, and any other similar wheeled vehicle designed to transport one (1) or more persons that is powered by any type of motor.

Motor-driven cycle: means any motorcycle, motor scooter, or bicycle with an attached motor, with a seat height of not less than twenty-six (26) inches, and a motor having a capacity of less than fifty (50) cubic centimeters of piston displacement.

Motorized recreational vehicle: shall mean a wheeled vehicle, with a motor, intended to be ~~ride~~ ridden by one (1) or more persons and shall include "all-terrain vehicle," "minibike," "dirt bike," "motor-driven cycle," "snow mobile," and "mini-cycle," all as defined herein.

Motorized recreational vehicle shall not be deemed to include any of the following:

- A. Any registered "motorcycle" as defined in the Conn. Gen. Stat. §14-1. (59);
- B. Any registered "motor vehicle" as defined in Conn. Gen. Stat. §14-1. (58);

- C. Any moped that meets Federal Department of Transportation guidelines for use on streets and is approved by the State of Connecticut Department of Motor Vehicles for use on streets, provided, however, the moped is operated pursuant to all applicable state laws, rules, and regulations and all Town of Guilford ordinances;
- D. Any wheelchair or similar mobility assisting device utilized by a person with a physical disability or whose ambulatory mobility has been impaired due to age or physical ailment;
- E. Any self-propelled snowplow, snow blower, or lawn mower when used for the purpose for which it was designed and operated at a speed not to exceed four (4) miles per hour;
- F. Any vehicle owned or leased by the Town of Guilford;
- G. Any EPAMD as defined herein;
- H. Any bicycle or trail bike without a motor;
- I. Any golf cart;
- J. Any agricultural equipment such as tractors and farm implements;
- K. Any construction machinery; and
- L. Any vehicle that is used solely for amusement, or as a novelty display item, and is operated during a parade or any other special event that is properly permitted and approved by the Town of Guilford.

Motorized recreational vehicle dealer: means any person engaged in the business of manufacturing or selling any motorized recreational vehicles, having an established place of business for the manufacture, sale, trade and display of such vehicles.

Public Property: shall include all public property, including but not limited to sidewalks, streets, roads, public rights of way, playgrounds, parks, fields, property owned by a land trust, municipal land, and educational facilities.

Snowmobile: means a vehicle with a motor, with runners in the front and caterpillar tracks in the rear, intended to be used by one (1) or more persons for travelling over ice and snow.

3. Operation Prohibited

- (a) Public Property. No person shall operate or cause to be operated any motorized recreational vehicle upon or with the limits of any public property within the Town of Guilford.
- (b) Passenger. No person shall ride as a passenger on a motorized recreational vehicle, nor shall the owner of such vehicle knowingly permit a person to ride as a passenger on such vehicle upon or within the limits of any public property within the Town of Guilford.

- (c) Private Property. No person shall operate or cause to be operated any motorized recreational vehicle upon or within the limits of any private property within the Town of Guilford, without first obtaining the written permission of the property owner or owners. Written permission shall not be required if the operator, passenger or owner of the motorized recreational vehicle in use is also the owner of the real property upon which such vehicle is being used.
- (d) EPAMD. No person shall operate or cause to be operated an EPAMD upon or within the limits of any public property with the Town of Guilford, except as provided herein. An EPAMD may be operated on any designated bike lane or sidewalk and/or crosswalk. Such operator must adhere to the regulations of such travel lane as defined by the State Traffic Commission and in no instance shall the speed of operation exceed five (5) miles per hour on any sidewalk. Where no such bike lane or sidewalk exists, EPAMD may be legally operated on the far-right side of the street. An operator of an EPAMD shall yield to pedestrians and any wheelchair or similar mobility assisting device as defined in Conn. Gen. Stat. §42-330(1)(A) and shall comply with any applicable State of Connecticut laws or regulations.
- (e) Noise. No person shall operate or cause to be operated a motorized recreational vehicle in violation of Chapter 208 of the Guilford Town Ordinances – Noise.

4. Penalty

Violation of any section of this ordinance shall result in the following penalties.

- a. Any person who operates a motorized recreational vehicle or an owner of such vehicle who knowingly permits such operation, shall be fined:
 - 1. First Offense: \$1,000.00
 - 2. Second Offense: \$1,500.00
 - 3. Third and subsequent offenses: \$2,000.00
- b. Any person aged sixteen (16) or older who rides as a passenger in violation of this ordinance shall be fined two hundred fifty dollars (\$250.00).
- c. Any person in violation of this ordinance may be detained by a police officer for purposes of enforcing the provisions of this ordinance.
- d. Any person who operates an EPAMD in violation of subsection ~~29-132~~ 3(d) above or is the owner of an EPAMD who knowingly permits its operation in violation of subsection ~~29-132~~ 3(d) above that has been previously issued one (1) warning as a result of a previous violation of subsection 3(d) above, shall be fined two hundred fifty dollars (\$250.00).

5. Notice and hearing procedures for citations.

Any person issued a citation shall be entitled to a hearing to contest the citation. The procedures for notice, hearing, disposition, appeal and enforcement shall be as set forth in the Connecticut General Statutes Section 7-152c, Hearing Procedures for Citations, as the same may be amended from time to time by the General Assembly.

6. Seizure of motorized recreational vehicles; disposal

a. In accordance with the authority granted by Section 14-390(a)(2) and Section 14-390m(a)(2), any person who operates a motorized recreational vehicle in violation of this ordinance or is the owner of any such vehicle who knowingly permits its operation in violation of this ordinance will be subject to seizure and forfeiture of said vehicle(s). A police officer who observes any motorized recreational vehicle being operated in violation of this ordinance may detain such person for purposes of enforcing the provisions of this article and may remove or tow such motorized recreational vehicle to a secure location for impoundment. Before the owner of any such impounded property may remove the vehicle from a vehicle pound, he/she shall furnish to the operator of such pound or such other person as the chief of police shall designate, evidence of registration and ownership, shall sign a receipt for such property, and shall pay the cost of towing, plus the cost of storage for each day or portion of a day that such property is stored in excess of the first twenty-four (24) hours after seizure. The operator of such pound shall refuse the release of any such property lawfully seized that the chief of police has authorized to hold as evidence in a criminal investigation or proceeding. Such operator shall obtain written permission from the chief of police on any form or document prescribed by the chief of police prior to the release of such property held for evidence.

b. Any such motorized recreational vehicle that is not claimed by its owner under the terms of this section for a period of forty-five (45) days after seizure or in the case of a vehicle being held as evidence not claimed by its owner within forty-five (45) days of the cessation of such investigation or disposition of such criminal proceedings, whichever is later, may be disposed of at the direction of the chief of police after serving notice in the same manner as that required for the disposal of abandoned vehicles under Conn. Gen. Stat. §14-150(e), except in the case that a vehicle that is not registered, such notice shall not require mailing to persons whose names are registered with the state department of motor vehicles.

7. Hearing prior to forfeiture of motorized recreational vehicle.

- a. A hearing officer shall be appointed by the First Selectman subject to the approval of Board of Selectmen to conduct hearings authorized by this section. Such hearing officer shall work with the chief of police in the scheduling of hearings held pursuant to this chapter. The chief of police or his designee shall represent the police department at such hearing. A sworn police incident report shall be considered prima facie evidence and proof of the violation. The owner or lienholder may cross examine any witness and present evidence and argument in opposition to the Town's claim. After the hearing as provided by this section, the hearing officer may order the forfeiture of any motorized recreational vehicle that has been seized upon proof of conduct amounting to probable cause for a violation of this ordinance or any other Town ordinance or state law pursuant to the process provided herein. Written notice advising the recipient of the right of the owner or lienholder of the motorized recreational vehicle to a hearing prior to the disposal of the motorized recreational vehicle will be delivered on a form approved by town counsel and board of Police Commissioners to any lien holder and to the owner of the motorized recreational vehicle, or if no owner can be identified, to the rider, within thirty (30) days of the seizure. A written request for a hearing before a hearing officer, must be received, by hand delivery or certified mail, return receipt requested, to Hearing Officer, in care of the Chief of Police, Guilford Police Department, 400 Church Street, Guilford, Connecticut, 06437 within thirty (30) days of receipt of the notice. Said request for a hearing by an owner must be

submitted with proof of ownership or by a lienholder with proof of lien or other security interest in the motorized recreational vehicle.

- b. Said hearing shall be conducted by the hearing officer and shall be held not more than thirty (30) days after the receipt of the written request, except that written requests for an extension of time may be granted for good cause shown. Notice of the date and time of said hearing shall be provided to the owner or lienholder no later than ten (10) days before the date of the hearing by electronic delivery and/or by certified mail, return receipt requested, at the email or residential address provided by the owner or lienholder in the written request for a hearing.
- c. Any party to the hearing may, at his/her expense, record the hearing. Any party to the hearing may be represented by counsel.
- d. A motorized recreational vehicle may be ordered forfeited upon a finding of any, but not limited to, any of the following:
 - 1. There is probable cause to believe that the motorized recreational vehicle was possessed, controlled, or designed for use, or is or has been or is intended to be used, to violate, or in violation of any town ordinance or state statute; or
 - 2. There is probable cause to believe that the motorized recreational vehicle was operated with reckless and wanton disregard for the welfare or property of others.
- e. Following the hearing, the hearing officer who conducted the hearing, shall issue a written decision ordering the forfeiture of the motorized recreational vehicle or ordering the return of the motorized recreational vehicle to its owner, except that the hearing officer who conducted the hearing, shall not order the release of any motorized recreational vehicle that is required to be kept as evidence in any investigation or legal proceeding related to any criminal or motor vehicle offense.
- f. Any motorized recreational vehicle that is subject to a bona fide mortgage, assignment of lease or rent, lien, or security interest shall not be ordered forfeited in violation of the rights of the holder of such mortgage, assignment of lease or rent, lien, or security interest.
- g. Any motorized recreational vehicle ordered forfeited shall be disposed of consistent with applicable law.
- h. If within thirty (30) days of the delivery of the notice of the right to a hearing under this section, no owner or lienholder of the motorized recreational vehicle has requested a hearing, the vehicle will be considered abandoned and disposed of under applicable law.

8. Posting by motorized recreational vehicle dealer.

- a. Each motorized recreational vehicle dealer offering for sale, lease, or rental any motorized recreational vehicle in the Town of Guilford shall post this ordinance in a prominent location at the motorized recreational vehicle dealer's place of business.

- b. Any such motorized recreational vehicle dealer who violates any provision of this section shall have committed an infraction. For a first violation, the chief of police or his/her authorized agent shall issue a written warning providing notice of the specific violation and the time period within which it shall be corrected. If the dealer receiving the written warning fails to correct the violation within the time period specified in the warning, the chief of police or his or her authorized agent shall issue a fine of one hundred dollars (\$100.00). Any continuing violation that is discovered during any subsequent reinspection shall result in a fine of one hundred dollars (\$100.00). Each reinspection at which a violation is discovered shall constitute a separate violation.

9.8. Sale of gasoline for illegal purposes.

- a. No owner or employee of any retail dealer of gasoline in the Town of Guilford shall sell, offer for sale, or attempt to sell any article or product represented as gasoline for use in any motorized recreational vehicle as defined in this article, unless that vehicle is conveyed to and from the retailer's premises by a registered motor vehicle as defined in Conn. Gen. Stat. §14-1, as may be amended, and no individual shall purchase or attempt to purchase gasoline for use in any motorized recreational vehicle unless said vehicle is similarly conveyed.
- b. Signs with the words "FUELING OF ALL-TERRAIN VEHICLES, MINI-CYCLES, DIRT BIKES, OR OTHER UNAUTHORIZED VEHICLES PROHIBITED" in English and "PROHIBIDO DESPACHAR GASOLINA A ALL-TERRAIN VEHICLES, MINI-CYCLES OR DIRT BIKES O A OTROS VEHICULOS NO AUTORIZADOS" in Spanish at least one (1) inch in height with a contrasting margin shall be posted at all dispensing locations. The location of warning signs shall be based on local conditions but shall be visible and legible from all gas pumps.
- c. Any owner or employee of any retail dealer of gasoline who violates any provision of subsections (a) or (b) of this section who has been previously issued one (1) warning as the result of a previous violation of subsections (a) or (b) of this section shall be fined one hundred dollars (\$100.00) per occurrence. Each motorized recreational vehicle as to which an owner or employee of any retail dealer of gasoline sells, offers for sale, or attempts to sell gasoline shall be considered a separate violation of subsection (a) above.
- d. Any individual who purchases or attempts to purchase gasoline for use in any motorized recreational vehicle in violation of subsection (a) of this section shall be fined one hundred dollars (\$100) per occurrence.

10. No conflict with state statutes, rules or regulations.

This ordinance shall not be construed to conflict with any state statute, rule or regulation. If a provision of this ordinance is inconsistent with any state statute, rule or regulation, the provision of the state statute, rule or regulation shall govern.

11. Severability.

If any provision, paragraph, sentence, word or part of this ordinance or its application to any person or circumstances is held to be invalid, the invalidity does not affect other provisions or applications of this

ordinance, which can be given effect without the invalid provision, paragraph, sentence, word, part or application, and to this end the provisions of this ordinance shall be severable.

Sec. 20-11. All-terrain vehicles, mini bikes, mini motorcycles and dirt bikes on streets and public property prohibited.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section:

All-terrain vehicle means a self-propelled vehicle designed to travel over unimproved terrain and which has been determined by the commissioner of motor vehicles to be unsuitable for operation on the public highways and also defined as any three (3) or more wheeled motorized vehicle, generally characterized by large, low-pressure tires, a seat designed to be straddled by the operator and handlebars for steering, which is intended for off-road uses by an individual rider on various types of non-paved terrain. Such vehicles do not include trail bikes, golf carts, agricultural tractors, farm implements and construction machines.

All-terrain vehicle dealer means any person engaged in the business of manufacturing, selling, leasing or renting all-terrain vehicles, mini bikes, as defined by this section, mini-motorcycles, as defined by this section, or dirt bikes, as defined by this section, at retail having a regular and established place of business within the city.

Dirt bike shall mean a two-wheeled motorized recreational vehicle designed to travel over unimproved terrain and not designed for travel on a highway, and also defined pursuant to General Statute § 14-390m(d) as may be amended.

Mini-motorcycle shall mean a vehicle that has not more than three (3) wheels in contact with the ground, has a manufactured seat height of less than twenty-six (26) inches measured at the lowest point on top of the seat cushion without the rider, and is propelled by an engine having a piston displacement of less than fifty (50) c.c.

Pocket bikes, mini bikes, mini sport bikes, mini dirt bikes, chopper scooters, motor scooters, bicycles with helper motors, and any other similar vehicle (hereinafter collectively "mini bikes") shall mean any wheeled vehicle designed to transport one (1) or more persons that is powered by any type of motor.

As used in this section, "all-terrain vehicle", "mini bike", "mini motorcycle" and "dirt bike" shall not include the following:

- (1) Any registered "motorcycle" as defined in General Statute § 14-1(46);
- (2) Any registered "motor vehicle" as defined in General Statute § 14-1(47);
- (3) Any moped that meets Federal Department of Transportation guidelines for use on streets and is approved by the State of Connecticut Department of Motor Vehicles for use on streets, provided, however, the moped is operated pursuant to all applicable state laws, rules, and regulations and all city ordinances;
- (4) Any wheelchair or similar mobility assisting device utilized by a person with a physical disability or whose ambulatory mobility has been impaired due to age or physical ailment;
- (5) Any self-propelled snow plow, snow blower or lawn mower when used for the purpose for which it was designed and operated at a speed not to exceed four (4) miles per hour;
- (6) Any vehicle owned or leased by the city; and
- (7) Any electronic assistive mobility device as defined by the City Code.

- (b) *Operations prohibited.*

- (1) It shall be unlawful for any person to operate an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike and/or for any owner of an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike to knowingly permit the operation of his/her all-terrain vehicle, mini bike, mini motorcycle, or dirt bike on any street

or sidewalk in the city or on any public property, including but not limited to school property, playgrounds and parks, within the city.

- (2) It shall be unlawful for any person to ride as a passenger on an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike and/or for any owner of an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike to knowingly permit any person to ride as a passenger on his/her all-terrain vehicle, mini bike, mini motorcycle, or dirt bike operated in violation of subsection (1) above.
- (3) It shall be unlawful for any person to operate an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike, ride as a passenger on an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike, and/or for any owner of an all-terrain vehicle or mini cycle to knowingly permit its operation on any private property, within the city, without first obtaining the written permission of the property owner if the property is not owned by the operator, passenger, and/or owner of the all-terrain vehicle, mini bike, mini motorcycle, or dirt bike.
- (4) This section shall not be applicable to any dirt bike being operated upon any road or highway provided that, (i) said dirt bike is properly and validly registered with the Connecticut Department of Motor Vehicles and (ii) is being operated in compliance with all applicable motor vehicle laws of the state.

(c) *Penalty.*

- (1) Any person who operates an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike in violation of subsection (b)(1) and/or (b)(3) above, or is the owner of an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike who knowingly permits its operation in violation of subsection (b)(1) and/or (b)(3) above, shall be fined up to one thousand dollars (\$1,000.00) for a first violation, shall be fined up to one thousand five hundred dollars (\$1,500.00) for a second violation, and shall be fined up to two thousand dollars (\$2,000.00) for a third or subsequent violation.
- (2) Any person who rides as a passenger on an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike in violation of subsection (b)(1) above, or is the owner of an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike who knowingly permits a passenger to ride on his/her all-terrain vehicle, mini bike, mini motorcycle, or dirt bike in violation of subsection (b)(2), shall be issued a citation.
- (3) Any police officer that observes any person in violation of this section may detain such person for purposes of enforcing the provisions of this section. Any all-terrain vehicle, mini bike, mini motorcycle, or dirt bike used in violation of this section shall be seized by any police officer and shall be forfeited to the city, subject to any bona fide lien, lease or security interest in the all-terrain vehicle, mini bike, mini motorcycle, or dirt bike, including, but not limited to, a lien under General Statute § 14-66c.
- (4) Any all-terrain vehicle, mini bike, mini motorcycle, or dirt bike ordered forfeited pursuant to this section shall be either (i) sold at public auction conducted by the city, with the proceeds of such sale being paid to the treasurer of the city who shall deposit such proceeds into the general fund of the municipality, or (ii) be destroyed by the city.

(d) *Posting by all-terrain vehicle dealer.* Each all-terrain vehicle dealer offering for sale, lease or rental any all-terrain vehicle, mini bike, mini motorcycle, or dirt bike shall post this section in a prominent location at said all-terrain vehicle dealer's place of business. Any all-terrain vehicle dealer who violates any provision of this section shall be fined one hundred dollars (\$100.00).

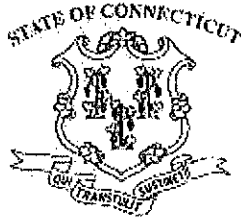
(e) *Sale of gasoline for illegal purposes.*

- (1) No retail dealer of gasoline shall sell, offer for sale, or attempt to sell, any article or product represented as gasoline for use in an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike as defined in this section, unless that vehicle is conveyed to and from the retailer's premises by a registered motor vehicle, as defined in General Statute § 14-1, as may be amended, and no individual shall purchase or attempt to purchase gasoline for this purpose.

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- (2) Signs with the words "FUELING OF UNAUTHORIZED VEHICLES PROHIBITED" in English and "PROHIBIDO DESPACHAR GASOLINA A VEHICULOS NO AUTORIZADOS" in Spanish at least one (1) inch in height with a contrasting margin shall be posted at all dispensing locations. The location of warning signs shall be based on local conditions but shall be visible and legible from all gas pumps.
 - (3) An individual or retail dealer of gasoline who violates any provision of subsections (1) and/or (2) of this section shall be fined one hundred dollars (\$100.00).

(Ord. No. 06-18-18-3, § 1)

Editor's note(s)—Ord. No. 06-18-18-3, § 1, did not specify manner of inclusion; hence, inclusion as section 20-11 is at the discretion of the editor.



House Bill

General Assembly

Raised Bill No. 5413

February Session, 2024

LCO No. 2445



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

**AN ACT CONCERNING THE ILLEGAL USE OF CERTAIN VEHICLES
AND STREET TAKEOVERS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. Section 14-390 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2024*):
- 3 (a) Any municipality may, by ordinance, regulate the operation and
4 use, including hours and zones of use, of snowmobiles and all-terrain
5 vehicles in a manner not inconsistent with the provisions of this section
6 and sections 14-379 to 14-389, inclusive, or any regulations adopted
7 pursuant thereto, and may (1) prescribe a penalty for violation of such
8 ordinance in an amount not to exceed one thousand dollars for a first
9 violation, in an amount not to exceed one thousand five hundred dollars
10 for a second violation, and in an amount not to exceed two thousand
11 dollars for a third or subsequent violation, and (2) provide for the
12 seizure and forfeiture to the municipality of such all-terrain vehicle for
13 a violation of such ordinance, subject to any bona fide lien, lease or
14 security interest in the all-terrain vehicle, including, but not limited to,
15 a lien under section 14-66c.

16 (b) No all-terrain vehicle shall be forfeited under an ordinance
 17 adopted pursuant to this section to the extent of the interest of an owner
 18 or lienholder by reason of any act or omission committed by another
 19 person if such owner or lienholder did not know and could not have
 20 reasonably known that such all-terrain vehicle was being used or was
 21 intended to be used in violation of a municipal ordinance, and such
 22 owner or lienholder collects such all-terrain vehicle not later than thirty
 23 days after the date the municipality mails such lienholder a written
 24 notice indicating that such all-terrain vehicle shall be forfeited if not
 25 collected within such thirty-day period.

26 (c) Any all-terrain vehicle ordered forfeited pursuant to such an
 27 ordinance shall be sold at public auction conducted by the municipality
 28 or destroyed by the municipality. The proceeds of any such sale shall be
 29 paid to the treasurer of the municipality, who shall deposit such
 30 proceeds into the general fund of the municipality.

31 Sec. 2. Section 14-390m of the general statutes is repealed and the
 32 following is substituted in lieu thereof (*Effective from passage*):

33 (a) Any municipality that adopts an ordinance pursuant to section 7-
 34 148 to regulate the operation and use on public property, including
 35 hours of use, of dirt bikes or mini-motorcycles may prescribe a penalty
 36 for violation of such ordinance (1) in an amount not to exceed one
 37 thousand dollars for a first violation, in an amount not to exceed one
 38 thousand five hundred dollars for a second violation and in an amount
 39 not to exceed two thousand dollars for a third or subsequent violation,
 40 and (2) in the case of a municipality with a population of twenty
 41 thousand or more, to provide for the seizure and forfeiture to the
 42 municipality of such dirt bike or mini-motorcycle for violation of such
 43 ordinance, subject to any bona fide lien, lease or security interest in the
 44 dirt bike or mini-motorcycle, including, but not limited to, a lien under
 45 section 14-66c.

46 (b) No dirt bike or mini-motorcycle shall be forfeited under an
 47 ordinance adopted pursuant to this section to the extent of the interest

48 of an owner or lienholder by reason of any act or omission committed
 49 by another person if such owner or lienholder did not know and could
 50 not have reasonably known that such dirt bike or mini-motorcycle was
 51 being used or was intended to be used in violation of a municipal
 52 ordinance, and such owner or lienholder collects such dirt bike or mini-
 53 motorcycle not later than thirty days after the date the municipality
 54 mails such lienholder a written notice indicating that such dirt bike or
 55 mini-motorcycle shall be forfeited if not collected within such thirty-day
 56 period.

57 (c) Any dirt bike or mini-motorcycle ordered forfeited pursuant to
 58 such an ordinance shall be sold at public auction conducted by the
 59 municipality or destroyed by the municipality. The proceeds of any
 60 such sale shall be paid to the treasurer of the municipality, who shall
 61 deposit such proceeds into the general fund of the municipality.

62 (d) For the purposes of this section and section 7-148, (1) "dirt bike"
 63 means a two-wheeled motorized recreational vehicle designed to travel
 64 over unimproved terrain and not designed for travel on a highway, as
 65 defined in section 14-1. "Dirt bike" does not include an all-terrain
 66 vehicle, as defined in section 14-379, or a motor-driven cycle, as defined
 67 in section 14-1, and (2) "mini-motorcycle" has the same meaning as
 68 provided in section 14-289j.

69 Sec. 3. (NEW) (*Effective October 1, 2024*) (a) For purposes of this
 70 section, "street takeover" has the same meaning as provided in section
 71 14-224 of the general statutes.

72 (b) Any municipality may, by ordinance, prohibit a person from
 73 organizing, participating in or gathering with intent to observe and
 74 actually observing a street takeover in a manner not inconsistent with
 75 the provisions of this section and sections 14-379 to 14-390m, inclusive,
 76 of the general statutes, as amended by this act, or any regulations
 77 adopted pursuant thereto, and may (1) prescribe a penalty for violation
 78 of such ordinance in an amount not to exceed one thousand dollars for
 79 a first violation, in an amount not to exceed one thousand five hundred

80 dollars for a second violation and in an amount not to exceed two
 81 thousand dollars for a third or subsequent violation, and (2) provide for
 82 the impoundment of any vehicle used in violation of this section until
 83 any fine imposed pursuant to subdivision (1) of this section is paid, any
 84 related charges, including, but not limited to, towing fees, are paid and
 85 any overdue property taxes on such vehicle imposed pursuant to
 86 chapter 203 of the general statutes are paid.

87 Sec. 4. Subsection (b) of section 14-111 of the 2024 supplement to the
 88 general statutes is repealed and the following is substituted in lieu
 89 thereof (*Effective October 1, 2024*):

90 (b) (1) Except as provided in subdivision (2) or (3) of this subsection,
 91 whenever the holder of any motor vehicle operator's license has been
 92 convicted or has forfeited any bond taken or has received a suspended
 93 judgment or sentence for any of the following violations, the
 94 commissioner shall, without hearing, suspend such person's operator's
 95 license or privilege to operate a motor vehicle in this state as follows:
 96 For a first violation of subsection (a) or subdivision (1) of subsection (b)
 97 of section 14-224 or section 14-110, 14-215, as amended by this act, or
 98 53a-119b, for a period of not less than one year and, for a subsequent
 99 violation thereof, for a period of not less than two years; for a violation
 100 of subsection (a) of section 14-222, [or subsection (c) of section 14-224,]
 101 for a period of not less than thirty days or more than ninety days and,
 102 for a subsequent violation thereof, for a period of not less than ninety
 103 days; for a violation of subdivision (2) or (3) of subsection (b) of section
 104 14-224, for a period of not less than ninety days and for a subsequent
 105 violation thereof, for a period of not less than one year; for a violation of
 106 subsection (c) of section 14-224, for a period of forty-five days, provided
 107 the commissioner shall permanently revoke such person's operator's
 108 license or privilege for a third violation thereof; for a first violation of
 109 subsection (b), (d) or (e) of section 14-147, for a period of not less than
 110 ninety days and, for a subsequent violation thereof, for a period of not
 111 less than five years; for a first violation of subsection (c) of section 14-
 112 147, for a period of not less than thirty days and, for a subsequent
 113 violation thereof, for a period of not less than one year.

114 (2) Notwithstanding the provisions of section 14-111b and except as
 115 provided in subdivision (3) of this subsection, whenever the holder of
 116 any motor vehicle operator's license or youth instruction permit who is
 117 less than eighteen years of age or whenever a person who does not hold
 118 an operator's license who is less than eighteen years of age has been
 119 convicted or has forfeited any bond taken or has received a suspended
 120 judgment or sentence for any of the following violations, the
 121 commissioner shall suspend such person's operator's license or
 122 privilege to obtain an operator's license as follows: For a first violation
 123 of subdivision (4) of subsection (a) of section 14-219 or subdivision (4)
 124 of subsection (b) of section 14-219, for a period of sixty days and, for a
 125 second violation thereof, for a period of ninety days and, for a third or
 126 subsequent violation thereof, for a period of six months; for a first
 127 violation of subsection (a) of section 14-222, for a period of six months
 128 and, for a subsequent violation thereof, for a period of one year; for a
 129 violation of subsection (c) of section 14-224, for a period of six months
 130 and, for a subsequent violation thereof, for a period of one year; for a
 131 first violation of section 14-296aa, for a period of thirty days and, for a
 132 second violation thereof, for a period of ninety days and, for a third or
 133 subsequent violation thereof, for a period of six months.

134 (3) The commissioner shall suspend the motor vehicle operator's
 135 license of any youth adjudged a youthful offender for a violation of
 136 section 14-215, as amended by this act, or 14-222, subsection (b) of
 137 section 14-223 or subdivision (2) or (3) of subsection (b) or subsection (c)
 138 of section 14-224 for six months for a first offense and one year for a
 139 second or subsequent offense.

140 (4) Whenever any person who has not been issued a motor vehicle
 141 operator's license under section 14-36 is convicted of a second or
 142 subsequent violation of subsection (a) of section 14-36: (A) The
 143 commissioner shall suspend such person's privilege to operate a motor
 144 vehicle, (B) such suspension shall remain in effect for a period of ninety
 145 days, and (C) the commissioner shall not issue an operator's license to
 146 such person under section 14-36 until such period of suspension has
 147 expired and all applicable requirements for such license have been

148 satisfied by such person.

149 Sec. 5. Subsection (c) of section 14-215 of the 2024 supplement to the
150 general statutes is repealed and the following is substituted in lieu
151 thereof (*Effective October 1, 2024*):

152 (c) (1) Any person who operates any motor vehicle during the period
153 such person's operator's license or right to operate a motor vehicle in
154 this state is under suspension or revocation on account of a violation of
155 subsection (c) of section 14-224, section 14-227a or 14-227m, subdivision
156 (1) or (2) of subsection (a) of section 14-227n or section 53a-56b or 53a-
157 60d or pursuant to section 14-227b, or in violation of a restriction or
158 limitation placed on such person's operator's license or right to operate
159 a motor vehicle in this state by the Commissioner of Motor Vehicles
160 pursuant to subsection (i) of section 14-227a or pursuant to an order of
161 the court under subsection (b) of section 14-227j, shall be fined not less
162 than five hundred dollars or more than one thousand dollars and
163 imprisoned not more than one year, and, in the absence of any
164 mitigating circumstances as determined by the court, thirty consecutive
165 days of the sentence imposed may not be suspended or reduced in any
166 manner.

167 (2) Any person who operates any motor vehicle during the period
168 such person's operator's license or right to operate a motor vehicle in
169 this state is under suspension or revocation on account of a second
170 violation of subsection (c) of section 14-224, section 14-227a or 14-227m,
171 subdivision (1) or (2) of subsection (a) of section 14-227n or section 53a-
172 56b or 53a-60d or for the second time pursuant to section 14-227b, or in
173 violation of a restriction or limitation placed for the second time on such
174 person's operator's license or right to operate a motor vehicle in this state
175 by the Commissioner of Motor Vehicles pursuant to subsection (i) of
176 section 14-227a or pursuant to an order of the court under subsection (b)
177 of section 14-227j, shall be fined not less than five hundred dollars or
178 more than one thousand dollars and imprisoned not more than two
179 years, and, in the absence of any mitigating circumstances as
180 determined by the court, one hundred twenty consecutive days of the

181 sentence imposed may not be suspended or reduced in any manner.

182 (3) Any person who operates any motor vehicle during the period
 183 such person's operator's license or right to operate a motor vehicle in
 184 this state is under suspension or revocation on account of a third or
 185 subsequent violation of subsection (c) of section 14-224, section 14-227a
 186 or 14-227m, subdivision (1) or (2) of subsection (a) of section 14-227n or
 187 section 53a-56b or 53a-60d or for the third or subsequent time pursuant
 188 to section 14-227b, or in violation of a restriction placed for the third or
 189 subsequent time on such person's operator's license or right to operate
 190 a motor vehicle in this state by the Commissioner of Motor Vehicles
 191 pursuant to subsection (i) of section 14-227a or pursuant to an order of
 192 the court under subsection (b) of section 14-227j, shall be fined not less
 193 than five hundred dollars or more than one thousand dollars and
 194 imprisoned not more than three years, and, in the absence of any
 195 mitigating circumstances as determined by the court, one year of the
 196 sentence imposed may not be suspended or reduced in any manner.

197 (4) The court shall specifically state in writing for the record the
 198 mitigating circumstances, or the absence thereof.

199 Sec. 6. Subsection (b) of section 51-164n of the 2024 supplement to the
 200 general statutes is repealed and the following is substituted in lieu
 201 thereof (*Effective October 1, 2024*):

202 (b) Notwithstanding any provision of the general statutes, any person
 203 who is alleged to have committed (1) a violation under the provisions of
 204 section 1-9, 1-10, 1-11, 2-71h, 4b-13, 7-13, 7-14, 7-35 or 7-41, subsection (c)
 205 of section 7-66, section 7-83, 7-147h, 7-148, 7-283, 7-325, 7-393, 8-12, 8-25,
 206 8-27, 9-63, 9-322, 9-350, 10-185, 10-193, 10-197, 10-198, 10-230, 10-251, 10-
 207 254, 10a-35, 12-52, 12-54, 12-129b or 12-170aa, subdivision (3) of
 208 subsection (e) of section 12-286, section 12-286a, 12-292, 12-314b or 12-
 209 326g, subdivision (4) of section 12-408, subdivision (3), (5) or (6) of
 210 section 12-411, section 12-435c, 12-476a, 12-476b, 12-476c, 12-487, 13a-
 211 266, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-
 212 124, 13a-139, 13a-140, 13a-143b, 13a-253, 13a-263 or 13b-39f, subsection

213 (f) of section 13b-42, section 13b-90 or 13b-100, subsection (a) of section
 214 13b-108, section 13b-221 or 13b-292, subsection (a) or (b) of section 13b-
 215 324, section 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c,
 216 subsection (a), (b) or (c) of section 13b-412, section 13b-414 or 14-4,
 217 subdivision (2) of subsection (a) of section 14-12, subsection (d) of
 218 section 14-12, subsection (f) of section 14-12a, subsection (a) of section
 219 14-15a, section 14-16c, 14-20a or 14-27a, subsection (f) of section 14-34a,
 220 subsection (d) of section 14-35, section 14-43, 14-44j, 14-49, 14-50a, 14-58
 221 or 14-62a, subsection (b) of section 14-66, section 14-66a or 14-67a,
 222 subsection (g) of section 14-80, subsection (f) or (i) of section 14-80h,
 223 section 14-97a or 14-98, subsection (a), (b) or (d) of section 14-100a,
 224 section 14-100b, 14-103a, 14-106a, 14-106c, 14-145a, 14-146, 14-152, 14-
 225 153, 14-161 or 14-163b, subsection (f) of section 14-164i, section 14-213b
 226 or 14-219, subdivision (1) of section 14-223a, subsection (d) of section 14-
 227 224, section 14-240, 14-250, 14-253a, 14-261a, 14-262, 14-264, 14-266, 14-
 228 267a, 14-269, 14-270, 14-272b, 14-274, 14-275 or 14-275a, subsection (c) of
 229 section 14-275c, section 14-276, subsection (a) or (b) of section 14-277,
 230 section 14-278, 14-279 or 14-280, subsection (b), (e) or (h) of section 14-
 231 283, section 14-283d, 14-283e, 14-283f, 14-283g, 14-291, 14-293b, 14-296aa,
 232 14-298a, 14-300, 14-300d, 14-300f, 14-319, 14-320, 14-321, 14-325a, 14-326,
 233 14-330 or 14-332a, subdivision (1), (2) or (3) of section 14-386a, section
 234 15-15e, 15-25 or 15-33, subdivision (1) of section 15-97, subsection (a) of
 235 section 15-115, section 16-15, 16-16, 16-44, 16-256e, 16-278 or 16a-15,
 236 subsection (a) of section 16a-21, section 16a-22, subsection (a) or (b) of
 237 section 16a-22h, section 16a-106, 17a-24, 17a-145, 17a-149 or 17a-152,
 238 subsection (b) of section 17a-227, section 17a-465, subsection (c) of
 239 section 17a-488, section 17b-124, 17b-131, 17b-137, 19a-33, 19a-39 or 19a-
 240 87, subsection (b) of section 19a-87a, section 19a-91, 19a-102a, 19a-102b,
 241 19a-105, 19a-107, 19a-113, 19a-215, 19a-216a, 19a-219, 19a-222, 19a-224,
 242 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338,
 243 19a-339, 19a-340, 19a-425, 19a-442, 19a-502, 19a-565, 20-7a, 20-14, 20-
 244 153a, 20-158, 20-231, 20-233, 20-249, 20-257, 20-265, 20-324e, 20-329c or
 245 20-329g, subsection (b) of section 20-334, section 20-341l, 20-366, 20-482,
 246 20-597, 20-608, 20-610, 20-623, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48 or
 247 21-63, subsection (d) of section 21-71, section 21-76a or 21-100,

248 subsection (c) of section 21a-2, subdivision (1) of section 21a-19, section
 249 21a-20 or 21a-21, subdivision (1) of subsection (b) of section 21a-25,
 250 section 21a-26 or 21a-30, subsection (a) of section 21a-37, section 21a-46,
 251 21a-61, 21a-63, 21a-70b or 21a-77, subsection (b) or (c) of section 21a-79,
 252 section 21a-85 or 21a-154, subdivision (1) of subsection (a) of section 21a-
 253 159, section 21a-278b, subsection (c), (d) or (e) of section 21a-279a,
 254 section 21a-421eee, 21a-421fff, 21a-421hhh, subsection (a) of section 21a-
 255 430, section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-30, 22-34, 22-35,
 256 22-36, 22-38, 22-39, 22-39f, 22-49, 22-54, 22-61j or 22-61l, subdivision (1)
 257 of subsection (n) of section 22-61l, subsection (f) of section 22-61m,
 258 subdivision (1) of subsection (f) of section 22-61m, section 22-84, 22-89,
 259 22-90, 22-96, 22-98, 22-99, 22-100 or 22-111o, subsection (d) of section 22-
 260 118l, section 22-167, subsection (c) of section 22-277, section 22-278, 22-
 261 279, 22-280a, 22-318a, 22-320h, 22-324a or 22-326, subsection (b),
 262 subdivision (1) or (2) of subsection (e) or subsection (g) of section 22-344,
 263 subsection (a) or (b) of section 22-344b, subsection (d) of section 22-344d,
 264 section 22-344f, 22-350a, 22-354, 22-359, 22-366, 22-391, 22-413, 22-414,
 265 22-415, 22-415c, 22a-66a or 22a-246, subsection (a) of section 22a-250,
 266 section 22a-256g, subsection (e) of section 22a-256h, section 22a-363 or
 267 22a-381d, subsections (c) and (d) of section 22a-381e, section 22a-449,
 268 22a-450, 22a-461, 23-4b, 23-38, 23-45, 23-46 or 23-61b, subsection (a) or
 269 subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40,
 270 subsection (a) of section 25-43, section 25-43d, 25-135, 26-18, 26-19, 26-
 271 21, 26-31, 26-40, 26-40a, 26-42, 26-43, 26-49, 26-54, 26-55, 26-56, 26-58 or
 272 26-59, subdivision (1) of subsection (d) of section 26-61, section 26-64,
 273 subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94,
 274 26-97, 26-98, 26-104, 26-105, 26-107, 26-114a, 26-117, subsection (b) of
 275 section 26-127, 26-128, 26-128a, 26-131, 26-132, 26-138, 26-139 or 26-141,
 276 subdivision (1) of section 26-186, section 26-207, 26-215, 26-217 or 26-
 277 224a, subdivision (1) of section 26-226, section 26-227, 26-230, 26-231, 26-
 278 232, 26-244, 26-257a, 26-260, 26-276, 26-280, 26-284, 26-285, 26-286, 26-
 279 287, 26-288, 26-290, 26-291a, 26-292, 26-294, 27-107, 28-13, 29-6a, 29-16,
 280 29-17, 29-25, 29-143o, 29-143z or 29-156a, subsection (b), (d), (e), (g) or
 281 (h) of section 29-161q, section 29-161y or 29-161z, subdivision (1) of
 282 section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of section

283 29-291c, section 29-316 or 29-318, subsection (b) of section 29-335a,
 284 section 29-381, 30-19f, 30-48a or 30-86a, subsection (b) of section 30-89,
 285 subsection (c) or (d) of section 30-117, section 31-3, 31-10, 31-11, 31-12,
 286 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-36, 31-47 or
 287 31-48, subsection (b) of section 31-48b, section 31-51, 31-51g, 31-52, 31-
 288 52a, 31-53 or 31-54, subsection (a) or (c) of section 31-69, section 31-70,
 289 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i) of section 31-
 290 273, section 31-288, 31-348, 33-624, 33-1017, 34-13d or 34-412,
 291 subdivision (1) of section 35-20, subsection (a) of section 36a-57,
 292 subsection (b) of section 36a-665, section 36a-699, 36a-739, 36a-787, 38a-
 293 2 or 38a-140, subsection (a) or (b) of section 38a-278, section 38a-479qq,
 294 38a-479rr, 38a-506, 38a-548, 38a-626, 38a-680, 38a-713, 38a-733, 38a-764,
 295 38a-786, 38a-828, 38a-829, 38a-885, 42-133hh, 42-230, 42-470 or 42-480,
 296 subsection (a) or (c) of section 43-16q, section 45a-283, 45a-450, 45a-634
 297 or 45a-658, subdivision (13) or (14) of section 46a-54, section 46a-59, 46a-
 298 81b, 46b-22, 46b-24, 46b-34, 46b-38d, 47-34a, 47-47 or 47-53, subsection
 299 (i) of section 47a-21, subdivision (1) of subsection (k) of section 47a-21,
 300 section 49-2a, 49-8a, 49-16, 52-143 or 52-289, subsection (j) of section 52-
 301 362, section 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-
 302 290a, 53-302a, 53-303e, 53-311a, 53-314, 53-321, 53-322, 53-323 or 53-331,
 303 subsection (b) of section 53-343a, section 53-344, subsection (b) or (c) of
 304 section 53-344b, subsection (b) of section 53-345a, section 53-377, 53-422
 305 or 53-450 or subsection (i) of section 54-36a, or (2) a violation under the
 306 provisions of chapter 268, or (3) a violation of any regulation adopted in
 307 accordance with the provisions of section 12-484, 12-487 or 13b-410, [or]
 308 (4) a violation of any ordinance, regulation or bylaw of any town, city or
 309 borough, except violations of building codes, [and] the health code or
 310 an ordinance described in subdivision (5) of this subsection, for which
 311 the penalty exceeds ninety dollars but does not exceed two hundred
 312 fifty dollars, unless such town, city or borough has established a
 313 payment and hearing procedure for such violation pursuant to section
 314 7-152c, or (5) a violation of an ordinance adopted by a town, city or
 315 borough pursuant to section 14-390, as amended by this act, section 14-
 316 390m, as amended by this act, or section 3 of this act for which the
 317 penalty does not exceed two thousand dollars, unless such town, city or

318 borough has established a payment and hearing procedure for such
 319 violation pursuant to section 7-152c, shall follow the procedures set
 320 forth in this section.

321 Sec. 7. (NEW) (*Effective from passage*) (a) For the fiscal year ending June
 322 30, 2025, and each fiscal year thereafter, the Office of Policy and
 323 Management shall, within available appropriations, administer a
 324 program to provide grants to municipalities to support enforcement of
 325 laws relating to street takeovers, as defined in section 14-224 of the
 326 general statutes, and illegal dirt bike and all-terrain vehicle operation,
 327 including enforcement of the provisions of subsection (c) of section 14-
 328 224 of the general statutes and ordinances adopted pursuant to section
 329 14-390 of the general statutes, as amended by this act, section 14-390m
 330 of the general statutes, as amended by this act, and section 3 of this act.
 331 Such grants shall be in an amount of not less than five hundred
 332 thousand dollars and shall be used by municipalities for law
 333 enforcement overtime costs associated with enforcement of such laws,
 334 acquiring equipment to enhance enforcement of such laws and any
 335 other expenses related to such enforcement.

336 (b) Not later than October 1, 2024, the office shall develop eligibility
 337 criteria to be used in selecting among applicants for such grants,
 338 develop application forms and deadlines and post in a conspicuous
 339 location on the office's Internet web site a description of the grant
 340 program that includes, but is not limited to, such criteria, forms and
 341 deadlines.

342 (c) Not later than January 1, 2026, and annually thereafter, the office
 343 shall submit a report, in accordance with the provisions of section 11-4a
 344 of the general statutes, to the joint standing committee of the General
 345 Assembly having cognizance of matters relating to public safety and
 346 security. Such report shall include information for the preceding
 347 calendar year on the number of applications for grants that were
 348 received, the number of grants that were awarded and a list of the
 349 municipalities that received grants and the amount of such grants.

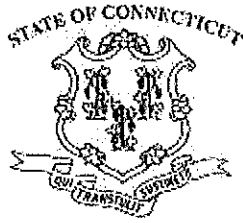
This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2024</i>	14-390
Sec. 2	<i>from passage</i>	14-390m
Sec. 3	<i>October 1, 2024</i>	New section
Sec. 4	<i>October 1, 2024</i>	14-111(b)
Sec. 5	<i>October 1, 2024</i>	14-215(c)
Sec. 6	<i>October 1, 2024</i>	51-164n(b)
Sec. 7	<i>from passage</i>	New section

Statement of Purpose:

To (1) revise provisions regarding forfeiture of certain illegally used vehicles, (2) authorize municipalities to adopt an ordinance related to street takeovers, (3) establish penalties for driving while a person's license is suspended or revoked due to a violation related to a street takeover, and (4) establish a grant program to provide funds to municipalities to enforce laws related to street takeovers and the illegal use of certain vehicles.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]



Senate Bill

General Assembly

Raised Bill No. 337

February Session, 2024

LCO No. 2066

Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

**AN ACT CONCERNING STREET TAKEOVERS AND THE ILLEGAL
USE OF CERTAIN VEHICLES.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

- 1 Section 1. Section 14-390 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2024*):
- 3 (a) Any municipality may, by ordinance, regulate the operation and
4 use, including hours and zones of use, of snowmobiles and all-terrain
5 vehicles in a manner not inconsistent with the provisions of this section
6 and sections 14-379 to 14-389, inclusive, or any regulations adopted
7 pursuant thereto, and may (1) prescribe a penalty for violation of such
8 ordinance in an amount not to exceed one thousand dollars for a first
9 violation, in an amount not to exceed one thousand five hundred dollars
10 for a second violation, and in an amount not to exceed two thousand
11 dollars for a third or subsequent violation, and (2) provide for the
12 seizure and forfeiture to the municipality of such all-terrain vehicle for
13 a violation of such ordinance, subject to any bona fide lien, lease or
14 security interest in the all-terrain vehicle, including, but not limited to,
15 a lien under section 14-66c.

16 (b) No all-terrain vehicle shall be forfeited under an ordinance
 17 adopted pursuant to this section to the extent of the interest of an owner
 18 or lienholder by reason of any act or omission committed by another
 19 person if such owner or lienholder did not know and could not have
 20 reasonably known that such all-terrain vehicle was being used or was
 21 intended to be used in violation of a municipal ordinance, and such
 22 owner or lienholder collects such all-terrain vehicle not later than thirty
 23 days after the date the municipality mails such lienholder a written
 24 notice indicating that such all-terrain vehicle shall be forfeited if not
 25 collected within such thirty-day period.

26 (c) Any all-terrain vehicle ordered forfeited pursuant to such an
 27 ordinance shall be sold at public auction conducted by the municipality
 28 or destroyed by the municipality. The proceeds of any such sale shall be
 29 paid to the treasurer of the municipality, who shall deposit such
 30 proceeds into the general fund of the municipality.

31 Sec. 2. Section 14-390m of the general statutes is repealed and the
 32 following is substituted in lieu thereof (*Effective from passage*):

33 (a) Any municipality that adopts an ordinance pursuant to section 7-
 34 148 to regulate the operation and use on public property, including
 35 hours of use, of dirt bikes or mini-motorcycles may prescribe a penalty
 36 for violation of such ordinance (1) in an amount not to exceed one
 37 thousand dollars for a first violation, in an amount not to exceed one
 38 thousand five hundred dollars for a second violation and in an amount
 39 not to exceed two thousand dollars for a third or subsequent violation,
 40 and (2) in the case of a municipality with a population of twenty
 41 thousand or more, to provide for the seizure and forfeiture to the
 42 municipality of such dirt bike or mini-motorcycle for violation of such
 43 ordinance, subject to any bona fide lien, lease or security interest in the
 44 dirt bike or mini-motorcycle, including, but not limited to, a lien under
 45 section 14-66c.

46 (b) No dirt bike or mini-motorcycle shall be forfeited under an
 47 ordinance adopted pursuant to this section to the extent of the interest

48 of an owner or lienholder by reason of any act or omission committed
 49 by another person if such owner or lienholder did not know and could
 50 not have reasonably known that such dirt bike or mini-motorcycle was
 51 being used or was intended to be used in violation of a municipal
 52 ordinance, and such owner or lienholder collects such dirt bike or mini-
 53 motorcycle not later than thirty days after the date the municipality
 54 mails such lienholder a written notice indicating that such dirt bike or
 55 mini-motorcycle shall be forfeited if not collected within such thirty-day
 56 period.

57 (c) Any dirt bike or mini-motorcycle ordered forfeited pursuant to
 58 such an ordinance shall be sold at public auction conducted by the
 59 municipality or destroyed by the municipality. The proceeds of any
 60 such sale shall be paid to the treasurer of the municipality, who shall
 61 deposit such proceeds into the general fund of the municipality.

62 (d) For the purposes of this section and section 7-148, (1) "dirt bike"
 63 means a two-wheeled motorized recreational vehicle designed to travel
 64 over unimproved terrain and not designed for travel on a highway, as
 65 defined in section 14-1. "Dirt bike" does not include an all-terrain
 66 vehicle, as defined in section 14-379, or a motor-driven cycle, as defined
 67 in section 14-1, and (2) "mini-motorcycle" has the same meaning as
 68 provided in section 14-289j.

69 Sec. 3. (NEW) (*Effective October 1, 2024*) (a) For purposes of this
 70 section, "street takeover" has the same meaning as provided in section
 71 14-224 of the general statutes.

72 (b) Any municipality may, by ordinance, prohibit a person from
 73 organizing, participating in or gathering with intent to observe and
 74 actually observing a street takeover in a manner not inconsistent with
 75 the provisions of this section and sections 14-379 to 14-390m, inclusive,
 76 of the general statutes, as amended by this act, or any regulations
 77 adopted pursuant thereto, and may (1) prescribe a penalty for violation
 78 of such ordinance in an amount not to exceed one thousand dollars for
 79 a first violation, in an amount not to exceed one thousand five hundred

80 dollars for a second violation and in an amount not to exceed two
 81 thousand dollars for a third or subsequent violation, and (2) provide for
 82 the impoundment of any vehicle used in violation of this section until
 83 any fine imposed pursuant to subdivision (1) of this section is paid, any
 84 related charges, including, but not limited to, towing fees, are paid and
 85 any overdue property taxes on such vehicle imposed pursuant to
 86 chapter 203 of the general statutes are paid.

87 Sec. 4. Subsection (b) of section 14-111 of the 2024 supplement to the
 88 general statutes is repealed and the following is substituted in lieu
 89 thereof (*Effective October 1, 2024*):

90 (b) (1) Except as provided in subdivision (2) or (3) of this subsection,
 91 whenever the holder of any motor vehicle operator's license has been
 92 convicted or has forfeited any bond taken or has received a suspended
 93 judgment or sentence for any of the following violations, the
 94 commissioner shall, without hearing, suspend such person's operator's
 95 license or privilege to operate a motor vehicle in this state as follows:
 96 For a first violation of subsection (a) or subdivision (1) of subsection (b)
 97 of section 14-224 or section 14-110, 14-215, as amended by this act, or
 98 53a-119b, for a period of not less than one year and, for a subsequent
 99 violation thereof, for a period of not less than two years; for a violation
 100 of subsection (a) of section 14-222, [or subsection (c) of section 14-224,]
 101 for a period of not less than thirty days or more than ninety days and,
 102 for a subsequent violation thereof, for a period of not less than ninety
 103 days; for a violation of subdivision (2) or (3) of subsection (b) of section
 104 14-224, for a period of not less than ninety days and for a subsequent
 105 violation thereof, for a period of not less than one year; for a violation of
 106 subsection (c) of section 14-224, for a period of forty-five days, provided
 107 the commissioner shall permanently revoke such person's operator's
 108 license or privilege for a third violation thereof; for a first violation of
 109 subsection (b), (d) or (e) of section 14-147, for a period of not less than
 110 ninety days and, for a subsequent violation thereof, for a period of not
 111 less than five years; for a first violation of subsection (c) of section 14-
 112 147, for a period of not less than thirty days and, for a subsequent
 113 violation thereof, for a period of not less than one year.

114 (2) Notwithstanding the provisions of section 14-111b and except as
 115 provided in subdivision (3) of this subsection, whenever the holder of
 116 any motor vehicle operator's license or youth instruction permit who is
 117 less than eighteen years of age or whenever a person who does not hold
 118 an operator's license who is less than eighteen years of age has been
 119 convicted or has forfeited any bond taken or has received a suspended
 120 judgment or sentence for any of the following violations, the
 121 commissioner shall suspend such person's operator's license or
 122 privilege to obtain an operator's license as follows: For a first violation
 123 of subdivision (4) of subsection (a) of section 14-219 or subdivision (4)
 124 of subsection (b) of section 14-219, for a period of sixty days and, for a
 125 second violation thereof, for a period of ninety days and, for a third or
 126 subsequent violation thereof, for a period of six months; for a first
 127 violation of subsection (a) of section 14-222, for a period of six months
 128 and, for a subsequent violation thereof, for a period of one year; for a
 129 violation of subsection (c) of section 14-224, for a period of six months
 130 and, for a subsequent violation thereof, for a period of one year; for a
 131 first violation of section 14-296aa, for a period of thirty days and, for a
 132 second violation thereof, for a period of ninety days and, for a third or
 133 subsequent violation thereof, for a period of six months.

134 (3) The commissioner shall suspend the motor vehicle operator's
 135 license of any youth adjudged a youthful offender for a violation of
 136 section 14-215, as amended by this act, or 14-222, subsection (b) of
 137 section 14-223 or subdivision (2) or (3) of subsection (b) or subsection (c)
 138 of section 14-224 for six months for a first offense and one year for a
 139 second or subsequent offense.

140 (4) Whenever any person who has not been issued a motor vehicle
 141 operator's license under section 14-36 is convicted of a second or
 142 subsequent violation of subsection (a) of section 14-36: (A) The
 143 commissioner shall suspend such person's privilege to operate a motor
 144 vehicle, (B) such suspension shall remain in effect for a period of ninety
 145 days, and (C) the commissioner shall not issue an operator's license to
 146 such person under section 14-36 until such period of suspension has
 147 expired and all applicable requirements for such license have been

148 satisfied by such person.

149 Sec. 5. Subsection (c) of section 14-215 of the 2024 supplement to the
150 general statutes is repealed and the following is substituted in lieu
151 thereof (*Effective October 1, 2024*):

152 (c) (1) Any person who operates any motor vehicle during the period
153 such person's operator's license or right to operate a motor vehicle in
154 this state is under suspension or revocation on account of a violation of
155 subsection (c) of section 14-224, section 14-227a or 14-227m, subdivision
156 (1) or (2) of subsection (a) of section 14-227n or section 53a-56b or 53a-
157 60d or pursuant to section 14-227b, or in violation of a restriction or
158 limitation placed on such person's operator's license or right to operate
159 a motor vehicle in this state by the Commissioner of Motor Vehicles
160 pursuant to subsection (i) of section 14-227a or pursuant to an order of
161 the court under subsection (b) of section 14-227j, shall be fined not less
162 than five hundred dollars or more than one thousand dollars and
163 imprisoned not more than one year, and, in the absence of any
164 mitigating circumstances as determined by the court, thirty consecutive
165 days of the sentence imposed may not be suspended or reduced in any
166 manner.

167 (2) Any person who operates any motor vehicle during the period
168 such person's operator's license or right to operate a motor vehicle in
169 this state is under suspension or revocation on account of a second
170 violation of subsection (c) of section 14-224, section 14-227a or 14-227m,
171 subdivision (1) or (2) of subsection (a) of section 14-227n or section 53a-
172 56b or 53a-60d or for the second time pursuant to section 14-227b, or in
173 violation of a restriction or limitation placed for the second time on such
174 person's operator's license or right to operate a motor vehicle in this state
175 by the Commissioner of Motor Vehicles pursuant to subsection (i) of
176 section 14-227a or pursuant to an order of the court under subsection (b)
177 of section 14-227j, shall be fined not less than five hundred dollars or
178 more than one thousand dollars and imprisoned not more than two
179 years, and, in the absence of any mitigating circumstances as
180 determined by the court, one hundred twenty consecutive days of the

181 sentence imposed may not be suspended or reduced in any manner.

182 (3) Any person who operates any motor vehicle during the period
 183 such person's operator's license or right to operate a motor vehicle in
 184 this state is under suspension or revocation on account of a third or
 185 subsequent violation of subsection (c) of section 14-224, section 14-227a
 186 or 14-227m, subdivision (1) or (2) of subsection (a) of section 14-227n or
 187 section 53a-56b or 53a-60d or for the third or subsequent time pursuant
 188 to section 14-227b, or in violation of a restriction placed for the third or
 189 subsequent time on such person's operator's license or right to operate
 190 a motor vehicle in this state by the Commissioner of Motor Vehicles
 191 pursuant to subsection (i) of section 14-227a or pursuant to an order of
 192 the court under subsection (b) of section 14-227j, shall be fined not less
 193 than five hundred dollars or more than one thousand dollars and
 194 imprisoned not more than three years, and, in the absence of any
 195 mitigating circumstances as determined by the court, one year of the
 196 sentence imposed may not be suspended or reduced in any manner.

197 (4) The court shall specifically state in writing for the record the
 198 mitigating circumstances, or the absence thereof.

199 Sec. 6. Subsection (b) of section 51-164n of the 2024 supplement to the
 200 general statutes is repealed and the following is substituted in lieu
 201 thereof (*Effective October 1, 2024*):

202 (b) Notwithstanding any provision of the general statutes, any person
 203 who is alleged to have committed (1) a violation under the provisions of
 204 section 1-9, 1-10, 1-11, 2-71h, 4b-13, 7-13, 7-14, 7-35 or 7-41, subsection (c)
 205 of section 7-66, section 7-83, 7-147h, 7-148, 7-283, 7-325, 7-393, 8-12, 8-25,
 206 8-27, 9-63, 9-322, 9-350, 10-185, 10-193, 10-197, 10-198, 10-230, 10-251, 10-
 207 254, 10a-35, 12-52, 12-54, 12-129b or 12-170aa, subdivision (3) of
 208 subsection (e) of section 12-286, section 12-286a, 12-292, 12-314b or 12-
 209 326g, subdivision (4) of section 12-408, subdivision (3), (5) or (6) of
 210 section 12-411, section 12-435c, 12-476a, 12-476b, 12-476c, 12-487, 13a-
 211 266, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-
 212 124, 13a-139, 13a-140, 13a-143b, 13a-253, 13a-263 or 13b-39f, subsection

213 (f) of section 13b-42, section 13b-90 or 13b-100, subsection (a) of section
 214 13b-108, section 13b-221 or 13b-292, subsection (a) or (b) of section 13b-
 215 324, section 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c,
 216 subsection (a), (b) or (c) of section 13b-412, section 13b-414 or 14-4,
 217 subdivision (2) of subsection (a) of section 14-12, subsection (d) of
 218 section 14-12, subsection (f) of section 14-12a, subsection (a) of section
 219 14-15a, section 14-16c, 14-20a or 14-27a, subsection (f) of section 14-34a,
 220 subsection (d) of section 14-35, section 14-43, 14-44j, 14-49, 14-50a, 14-58
 221 or 14-62a, subsection (b) of section 14-66, section 14-66a or 14-67a,
 222 subsection (g) of section 14-80, subsection (f) or (i) of section 14-80h,
 223 section 14-97a or 14-98, subsection (a), (b) or (d) of section 14-100a,
 224 section 14-100b, 14-103a, 14-106a, 14-106c, 14-145a, 14-146, 14-152, 14-
 225 153, 14-161 or 14-163b, subsection (f) of section 14-164i, section 14-213b
 226 or 14-219, subdivision (1) of section 14-223a, subsection (d) of section 14-
 227 224, section 14-240, 14-250, 14-253a, 14-261a, 14-262, 14-264, 14-266, 14-
 228 267a, 14-269, 14-270, 14-272b, 14-274, 14-275 or 14-275a, subsection (c) of
 229 section 14-275c, section 14-276, subsection (a) or (b) of section 14-277,
 230 section 14-278, 14-279 or 14-280, subsection (b), (e) or (h) of section 14-
 231 283, section 14-283d, 14-283e, 14-283f, 14-283g, 14-291, 14-293b, 14-296aa,
 232 14-298a, 14-300, 14-300d, 14-300f, 14-319, 14-320, 14-321, 14-325a, 14-326,
 233 14-330 or 14-332a, subdivision (1), (2) or (3) of section 14-386a, section
 234 15-15e, 15-25 or 15-33, subdivision (1) of section 15-97, subsection (a) of
 235 section 15-115, section 16-15, 16-16, 16-44, 16-256e, 16-278 or 16a-15,
 236 subsection (a) of section 16a-21, section 16a-22, subsection (a) or (b) of
 237 section 16a-22h, section 16a-106, 17a-24, 17a-145, 17a-149 or 17a-152,
 238 subsection (b) of section 17a-227, section 17a-465, subsection (c) of
 239 section 17a-488, section 17b-124, 17b-131, 17b-137, 19a-33, 19a-39 or 19a-
 240 87, subsection (b) of section 19a-87a, section 19a-91, 19a-102a, 19a-102b,
 241 19a-105, 19a-107, 19a-113, 19a-215, 19a-216a, 19a-219, 19a-222, 19a-224,
 242 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338,
 243 19a-339, 19a-340, 19a-425, 19a-442, 19a-502, 19a-565, 20-7a, 20-14, 20-
 244 153a, 20-158, 20-231, 20-233, 20-249, 20-257, 20-265, 20-324e, 20-329c or
 245 20-329g, subsection (b) of section 20-334, section 20-341l, 20-366, 20-482,
 246 20-597, 20-608, 20-610, 20-623, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48 or
 247 21-63, subsection (d) of section 21-71, section 21-76a or 21-100,

248 subsection (c) of section 21a-2, subdivision (1) of section 21a-19, section
 249 21a-20 or 21a-21, subdivision (1) of subsection (b) of section 21a-25,
 250 section 21a-26 or 21a-30, subsection (a) of section 21a-37, section 21a-46,
 251 21a-61, 21a-63, 21a-70b or 21a-77, subsection (b) or (c) of section 21a-79,
 252 section 21a-85 or 21a-154, subdivision (1) of subsection (a) of section 21a-
 253 159, section 21a-278b, subsection (c), (d) or (e) of section 21a-279a,
 254 section 21a-421eee, 21a-421fff, 21a-421hhh, subsection (a) of section 21a-
 255 430, section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-30, 22-34, 22-35,
 256 22-36, 22-38, 22-39, 22-39f, 22-49, 22-54, 22-61j or 22-61l, subdivision (1)
 257 of subsection (n) of section 22-61l, subsection (f) of section 22-61m,
 258 subdivision (1) of subsection (f) of section 22-61m, section 22-84, 22-89,
 259 22-90, 22-96, 22-98, 22-99, 22-100 or 22-111o, subsection (d) of section 22-
 260 118l, section 22-167, subsection (c) of section 22-277, section 22-278, 22-
 261 279, 22-280a, 22-318a, 22-320h, 22-324a or 22-326, subsection (b),
 262 subdivision (1) or (2) of subsection (e) or subsection (g) of section 22-344,
 263 subsection (a) or (b) of section 22-344b, subsection (d) of section 22-344d,
 264 section 22-344f, 22-350a, 22-354, 22-359, 22-366, 22-391, 22-413, 22-414,
 265 22-415, 22-415c, 22a-66a or 22a-246, subsection (a) of section 22a-250,
 266 section 22a-256g, subsection (e) of section 22a-256h, section 22a-363 or
 267 22a-381d, subsections (c) and (d) of section 22a-381e, section 22a-449,
 268 22a-450, 22a-461, 23-4b, 23-38, 23-45, 23-46 or 23-61b, subsection (a) or
 269 subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40,
 270 subsection (a) of section 25-43, section 25-43d, 25-135, 26-18, 26-19, 26-
 271 21, 26-31, 26-40, 26-40a, 26-42, 26-43, 26-49, 26-54, 26-55, 26-56, 26-58 or
 272 26-59, subdivision (1) of subsection (d) of section 26-61, section 26-64,
 273 subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94,
 274 26-97, 26-98, 26-104, 26-105, 26-107, 26-114a, 26-117, subsection (b) of
 275 section 26-127, 26-128, 26-128a, 26-131, 26-132, 26-138, 26-139 or 26-141,
 276 subdivision (1) of section 26-186, section 26-207, 26-215, 26-217 or 26-
 277 224a, subdivision (1) of section 26-226, section 26-227, 26-230, 26-231, 26-
 278 232, 26-244, 26-257a, 26-260, 26-276, 26-280, 26-284, 26-285, 26-286, 26-
 279 287, 26-288, 26-290, 26-291a, 26-292, 26-294, 27-107, 28-13, 29-6a, 29-16,
 280 29-17, 29-25, 29-143o, 29-143z or 29-156a, subsection (b), (d), (e), (g) or
 281 (h) of section 29-161q, section 29-161y or 29-161z, subdivision (1) of
 282 section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of section

283 29-291c, section 29-316 or 29-318, subsection (b) of section 29-335a,
 284 section 29-381, 30-19f, 30-48a or 30-86a, subsection (b) of section 30-89,
 285 subsection (c) or (d) of section 30-117, section 31-3, 31-10, 31-11, 31-12,
 286 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-36, 31-47 or
 287 31-48, subsection (b) of section 31-48b, section 31-51, 31-51g, 31-52, 31-
 288 52a, 31-53 or 31-54, subsection (a) or (c) of section 31-69, section 31-70,
 289 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i) of section 31-
 290 273, section 31-288, 31-348, 33-624, 33-1017, 34-13d or 34-412,
 291 subdivision (1) of section 35-20, subsection (a) of section 36a-57,
 292 subsection (b) of section 36a-665, section 36a-699, 36a-739, 36a-787, 38a-
 293 2 or 38a-140, subsection (a) or (b) of section 38a-278, section 38a-479qq,
 294 38a-479rr, 38a-506, 38a-548, 38a-626, 38a-680, 38a-713, 38a-733, 38a-764,
 295 38a-786, 38a-828, 38a-829, 38a-885, 42-133hh, 42-230, 42-470 or 42-480,
 296 subsection (a) or (c) of section 43-16q, section 45a-283, 45a-450, 45a-634
 297 or 45a-658, subdivision (13) or (14) of section 46a-54, section 46a-59, 46a-
 298 81b, 46b-22, 46b-24, 46b-34, 46b-38d, 47-34a, 47-47 or 47-53, subsection
 299 (i) of section 47a-21, subdivision (1) of subsection (k) of section 47a-21,
 300 section 49-2a, 49-8a, 49-16, 52-143 or 52-289, subsection (j) of section 52-
 301 362, section 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-
 302 290a, 53-302a, 53-303e, 53-311a, 53-314, 53-321, 53-322, 53-323 or 53-331,
 303 subsection (b) of section 53-343a, section 53-344, subsection (b) or (c) of
 304 section 53-344b, subsection (b) of section 53-345a, section 53-377, 53-422
 305 or 53-450 or subsection (i) of section 54-36a, or (2) a violation under the
 306 provisions of chapter 268, or (3) a violation of any regulation adopted in
 307 accordance with the provisions of section 12-484, 12-487 or 13b-410, [or]
 308 (4) a violation of any ordinance, regulation or bylaw of any town, city or
 309 borough, except violations of building codes, [and] the health code or
 310 an ordinance described in subdivision (5) of this subsection, for which
 311 the penalty exceeds ninety dollars but does not exceed two hundred
 312 fifty dollars, unless such town, city or borough has established a
 313 payment and hearing procedure for such violation pursuant to section
 314 7-152c, or (5) a violation of an ordinance adopted by a town, city or
 315 borough pursuant to section 14-390, as amended by this act, section 14-
 316 390m, as amended by this act, or section 3 of this act for which the
 317 penalty does not exceed two thousand dollars, unless such town, city or

318 borough has established a payment and hearing procedure for such
 319 violation pursuant to section 7-152c, shall follow the procedures set
 320 forth in this section.

321 Sec. 7. (NEW) (*Effective from passage*) (a) For the fiscal year ending June
 322 30, 2025, and each fiscal year thereafter, the Office of Policy and
 323 Management shall, within available appropriations, administer a
 324 program to provide grants to municipalities to support enforcement of
 325 laws relating to street takeovers, as defined in section 14-224 of the
 326 general statutes, and illegal dirt bike and all-terrain vehicle operation,
 327 including enforcement of the provisions of subsection (c) of section 14-
 328 224 of the general statutes and ordinances adopted pursuant to section
 329 14-390 of the general statutes, as amended by this act, section 14-390m
 330 of the general statutes, as amended by this act, and section 3 of this act.
 331 Such grants shall be in an amount of not less than five hundred
 332 thousand dollars and shall be used by municipalities for law
 333 enforcement overtime costs associated with enforcement of such laws,
 334 acquiring equipment to enhance enforcement of such laws and any
 335 other expenses related to such enforcement.

336 (b) Not later than October 1, 2024, the office shall develop eligibility
 337 criteria to be used in selecting among applicants for such grants,
 338 develop application forms and deadlines and post in a conspicuous
 339 location on the office's Internet web site a description of the grant
 340 program that includes, but is not limited to, such criteria, forms and
 341 deadlines.

342 (c) Not later than January 1, 2026, and annually thereafter, the office
 343 shall submit a report, in accordance with the provisions of section 11-4a
 344 of the general statutes, to the joint standing committee of the General
 345 Assembly having cognizance of matters relating to public safety and
 346 security. Such report shall include information for the preceding
 347 calendar year on the number of applications for grants that were
 348 received, the number of grants that were awarded and a list of the
 349 municipalities that received grants and the amount of such grants.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2024</i>	14-390
Sec. 2	<i>from passage</i>	14-390m
Sec. 3	<i>October 1, 2024</i>	New section
Sec. 4	<i>October 1, 2024</i>	14-111(b)
Sec. 5	<i>October 1, 2024</i>	14-215(c)
Sec. 6	<i>October 1, 2024</i>	51-164n(b)
Sec. 7	<i>from passage</i>	New section

Statement of Purpose:

To (1) revise provisions regarding forfeiture of certain illegally used vehicles, (2) authorize municipalities to adopt an ordinance related to street takeovers, (3) establish penalties for driving while a person's license is suspended or revoked due to a violation related to a street takeover, and (4) establish a grant program to provide funds to municipalities to enforce laws related to street takeovers and the illegal use of certain vehicles.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]