



General Assembly

February Session, 2020

Raised Bill No. 270

LCO No. 1872



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

AN ACT REQUIRING POLICE OFFICERS AND VEHICLES WITH BLUE LIGHTS TO BE STATIONED IN CERTAIN HIGHWAY WORK ZONES.

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

1 Section 1. Section 14-212d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2020*):

3 (a) As used in this section and section 14-212e: (1) "Highway work
4 zone" means an area of a state highway where construction,
5 maintenance or utility work is being performed. Such work zone shall
6 be marked by signs, channeling devices, barriers, pavement markings
7 or work vehicles, and extends from the first warning sign or high-
8 intensity rotating, flashing, oscillating or strobe lights on a vehicle to the
9 "END ROAD WORK" sign or the last temporary traffic control device;
10 and (2) "highway worker" means a person who is required to perform
11 the duties of such person's job on state bridges, state roads or in highway
12 work zones, including: (A) A person who performs maintenance, repair
13 or construction of state bridges, state roads, shoulders, medians and
14 associated rights-of-way in highway work zones; (B) a person who
15 operates a truck, loader or other equipment on state bridges, state roads

16 or in highway work zones; (C) a person who performs any other related
17 maintenance work, as required, on state bridges, state roads or in highway
18 work zones; (D) a state or local public safety officer who enforces work
19 zone-related transportation management and traffic control; (E) a state
20 or local public safety officer who conducts traffic control or enforcement
21 operations on state bridges, state roads, shoulders, medians and
22 associated rights-of-way; and (F) a state or local public safety officer or
23 firefighter, an emergency medical services provider, or any other
24 authorized person, who removes hazards from state bridges, state
25 roadways, shoulders, medians and associated rights-of-way, or who
26 responds to accidents and other incidents on state bridges, state roads,
27 shoulders, medians, associated rights-of-way or in highway work
28 zones.

29 (b) A person shall be deemed to commit the offense of "endangerment
30 of a highway worker" if such person is operating a motor vehicle within
31 a highway work zone, as defined in subsection (a) of this section, and
32 commits any of the following: (1) Exceeding the posted speed limit by
33 fifteen miles per hour or more; (2) failure to obey traffic control devices
34 erected for purposes of controlling the flow of motor vehicles through
35 such zone for any reason other than: (A) An emergency, (B) the
36 avoidance of an obstacle, or (C) the protection of the health and safety
37 of another person; (3) driving through or around such zone in any lane
38 not clearly designated for use by motor vehicles traveling through or
39 around such zone; or (4) physically assaulting, attempting to assault, or
40 threatening to assault a highway worker with a motor vehicle or other
41 instrument.

42 (c) No person shall be cited or convicted for endangerment of a
43 highway worker unless the act or omission constituting the offense
44 occurs when one or more highway workers are in the highway work
45 zone and in proximity to the area where such act or omission occurs.

46 (d) Upon conviction or a plea of guilty for committing the offense of
47 "endangerment of a highway worker", as defined in subsection (b) of
48 this section, a person shall be subject to a fine of not more than five

49 hundred dollars if no physical injury, as defined in section 53a-3, occurs
50 and shall be subject to a fine of not more than one thousand dollars if
51 any such physical injury occurs, in addition to any other penalty
52 authorized by law.

53 (e) A person shall be deemed to commit the offense of "aggravated
54 endangerment of a highway worker" upon conviction or a plea of guilty
55 for any offense set forth in subsection (b) of this section while such
56 person is operating a motor vehicle within a highway work zone, as
57 defined in subsection (a) of this section, and which results in the serious
58 physical injury, as defined in section 53a-3, or death of a highway
59 worker.

60 (f) Upon conviction or a plea of guilty for committing the offense of
61 aggravated endangerment of a highway worker, a person shall be
62 subject to a fine of (1) not more than five thousand dollars if such offense
63 results in serious physical injury to a highway worker, or (2) ten
64 thousand dollars if such offense results in the death of a highway
65 worker, in addition to any other penalty authorized by law.

66 (g) No person shall be cited or convicted for endangerment of a
67 highway worker or aggravated endangerment of a highway worker for
68 any act or omission otherwise constituting an offense under this section
69 if such act or omission results, in whole or in part, from mechanical
70 failure of such person's motor vehicle or from the negligence of a
71 highway worker or other person.

72 (h) When any highway work zone is on a limited access highway and
73 the zone extends into a travel lane of such highway, the Department of
74 Transportation shall ensure that at least one state or local public safety
75 officer and at least one vehicle displaying blue lights is stationed within
76 such zone. The department may not delegate to, or contract with, any
77 other person to fulfill its obligation to ensure that at least one state or
78 local public safety officer and at least one vehicle displaying blue lights
79 is stationed within such zone.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2020</i>	14-212d
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Statement of Purpose:

To require the Department of Transportation to ensure that a state or local public safety officer and a vehicle displaying blue lights are stationed within certain highway work zones.

[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.]