



General Assembly

Substitute Bill No. 424

February Session, 2024



AN ACT REDUCING THE BLOOD ALCOHOL LIMITS FOR IMPAIRED DRIVING AND BOATING AND STUDYING METHODS TO DETECT CANNABIS-IMPAIRED DRIVING.

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

1 Section 1. Subsection (a) of section 14-227a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective January*
3 *2, 2025*):

4 (a) No person shall operate a motor vehicle while under the influence
5 of intoxicating liquor or any drug or both. A person commits the offense
6 of operating a motor vehicle while under the influence of intoxicating
7 liquor or any drug or both if such person operates a motor vehicle (1)
8 while under the influence of intoxicating liquor or any drug or both, or
9 (2) while such person has an elevated blood alcohol content. For the
10 purposes of this section, "elevated blood alcohol content" means a ratio
11 of alcohol in the blood of such person that is [~~eight-hundredths~~] five-
12 hundredths of one per cent or more of alcohol, by weight, except that if
13 such person is operating a commercial motor vehicle, "elevated blood
14 alcohol content" means a ratio of alcohol in the blood of such person that
15 is four-hundredths of one per cent or more of alcohol, by weight, and
16 "motor vehicle" includes a snowmobile and all-terrain vehicle, as those
17 terms are defined in section 14-379. For purposes of this section, section
18 14-227b, as amended by this act, and section 14-227c, (A) "advanced

19 roadside impaired driving enforcement" means a program developed
20 by the National Highway Traffic Safety Administration with the
21 International Association of Chiefs of Police and the Technical Advisory
22 Panel, which focuses on impaired driving enforcement education for
23 police officers, or any successor to such program; (B) "drug influence
24 evaluation" means an evaluation developed by the National Highway
25 Traffic Safety Administration and the International Association of
26 Chiefs of Police that is conducted by a drug recognition expert to
27 determine the level of a person's impairment from the use of drugs and
28 the drug category causing such impairment; (C) "drug recognition
29 expert" means a person certified by the International Association of
30 Chiefs of Police as having met all requirements of the International Drug
31 Evaluation and Classification Program; and (D) "nontestimonial portion
32 of a drug influence evaluation" means a drug influence evaluation
33 conducted by a drug recognition expert that does not include a verbal
34 interview with the subject.

35 Sec. 2. Subsection (n) of section 14-227b of the general statutes is
36 repealed and the following is substituted in lieu thereof (*Effective January*
37 *2, 2025*):

38 (n) For the purposes of this section, "elevated blood alcohol content"
39 means (1) a ratio of alcohol in the blood of such person that is [eight-
40 hundredths] five-hundredths of one per cent or more of alcohol, by
41 weight, (2) if such person is operating a commercial motor vehicle, a
42 ratio of alcohol in the blood of such person that is four-hundredths of
43 one per cent or more of alcohol, by weight, or (3) if such person is less
44 than twenty-one years of age, a ratio of alcohol in the blood of such
45 person that is two-hundredths of one per cent or more of alcohol, by
46 weight.

47 Sec. 3. Subsection (a) of section 14-227m of the general statutes is
48 repealed and the following is substituted in lieu thereof (*Effective January*
49 *2, 2025*):

50 (a) No person shall operate a motor vehicle in which a child under

51 eighteen years of age is a passenger while such person (1) is under the
52 influence of intoxicating liquor or any drug or both, or (2) has an
53 elevated blood alcohol content. For the purposes of this section,
54 "elevated blood alcohol content" means a ratio of alcohol in the blood of
55 such person that is [~~eight-hundredths~~] five-hundredths of one per cent
56 or more of alcohol, by weight, except that if such person is operating a
57 commercial motor vehicle, "elevated blood alcohol content" means a
58 ratio of alcohol in the blood of such person that is four-hundredths of
59 one per cent or more of alcohol, by weight, and if such person is under
60 twenty-one years of age, "elevated blood alcohol content" means a ratio
61 of alcohol in the blood of such person that is two-hundredths of one per
62 cent or more of alcohol by weight; and "motor vehicle" includes a
63 snowmobile and all-terrain vehicle, as those terms are defined in section
64 14-379.

65 Sec. 4. Subsection (a) of section 14-227n of the general statutes is
66 repealed and the following is substituted in lieu thereof (*Effective January*
67 *2, 2025*):

68 (a) (1) No person shall operate a school bus, student transportation
69 vehicle or other motor vehicle specially designated for carrying children
70 while such person (A) is under the influence of intoxicating liquor or
71 any drug or both, or (B) has an elevated blood alcohol content.

72 (2) No person shall operate a school bus, student transportation
73 vehicle or other motor vehicle specially designated for carrying children
74 in which a child under eighteen years of age is a passenger while such
75 person (A) is under the influence of intoxicating liquor or any drug or
76 both, or (B) has an elevated blood alcohol content.

77 (3) For the purposes of this section, "motor vehicle specially
78 designated for carrying children" means any motor vehicle, except for a
79 registered school bus or student transportation vehicle as defined in
80 section 14-212, that is designated or used by a person, firm or
81 corporation for the transportation of children to or from any program or
82 activity organized primarily for persons under the age of eighteen years,

83 with or without charge to the individual being transported, but does not
84 include a passenger motor vehicle normally used for personal, family or
85 household purposes that is operated by a person without a public
86 passenger endorsement; and "elevated blood alcohol content" means a
87 ratio of alcohol in the blood of such person that is [eight-hundredths]
88 five-hundredths of one per cent or more of alcohol, by weight, except
89 that if such person is operating a commercial motor vehicle, "elevated
90 blood alcohol content" means a ratio of alcohol in the blood of such
91 person that is four-hundredths of one per cent or more of alcohol, by
92 weight, and if such person is under twenty-one years of age, "elevated
93 blood alcohol content" means a ratio of alcohol in the blood of such
94 person that is two-hundredths of one per cent or more of alcohol, by
95 weight.

96 Sec. 5. Subsection (d) of section 15-133 of the general statutes is
97 repealed and the following is substituted in lieu thereof (*Effective January*
98 *2, 2025*):

99 (d) No person shall operate a vessel: (1) While under the influence of
100 intoxicating liquor or any drug, or both, or (2) while such person has an
101 elevated blood alcohol content. For the purposes of this section and
102 sections 15-140l and 15-140n, "elevated blood alcohol content" means:
103 (A) A ratio of alcohol in the blood of such person that is [eight-
104 hundredths] five-hundredths of one per cent or more of alcohol, by
105 weight, or (B) if such person is under twenty-one years of age, a ratio of
106 alcohol in the blood of such person that is two-hundredths of one per
107 cent or more of alcohol, by weight. For the purposes of this section and
108 sections 15-132a, 15-140l, 15-140n, 15-140o and 15-140q, as amended by
109 this act, "operate" means that the vessel is underway or aground and not
110 moored, anchored or docked.

111 Sec. 6. Subdivision (4) of subsection (g) of section 15-140q of the
112 general statutes is repealed and the following is substituted in lieu
113 thereof (*Effective January 2, 2025*):

114 (4) At a hearing held under this subsection, the results of the test, if

115 administered, shall be sufficient to indicate the ratio of alcohol in the
116 blood of such person at the time of operation, except that if the results
117 of an additional test, administered pursuant to section 15-140r, indicate
118 that the ratio of alcohol in the blood of such person is [eight-hundredths]
119 five-hundredths of one per cent or less of alcohol, by weight, and is
120 higher than the results of the first test, evidence shall be presented that
121 demonstrates that the test results and analysis thereof accurately
122 indicate the blood alcohol content at the time of operation. The fees of
123 any witness summoned to appear at a hearing under this subsection
124 shall be the same as provided in section 52-260.

125 Sec. 7. Subsection (n) of section 15-140q of the general statutes is
126 repealed and the following is substituted in lieu thereof (*Effective January*
127 *2, 2025*):

128 (n) For the purposes of this section, "elevated blood alcohol content"
129 means: (1) A ratio of alcohol in the blood of such person that is [eight-
130 hundredths] five-hundredths of one per cent or more of alcohol, by
131 weight, or (2) if such person is under twenty-one years of age, a ratio of
132 alcohol in the blood of such person that is two-hundredths of one per
133 cent or more of alcohol, by weight.

134 Sec. 8. Section 38a-498c of the general statutes is repealed and the
135 following is substituted in lieu thereof (*Effective January 2, 2025*):

136 No individual health insurance policy providing coverage of the type
137 specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469
138 delivered, issued for delivery, amended, renewed or continued in this
139 state shall deny coverage for health care services rendered to treat any
140 injury sustained by any person when such injury is alleged to have
141 occurred or occurs under circumstances in which (1) such person has an
142 elevated blood alcohol content, or (2) such person has sustained such
143 injury while under the influence of intoxicating liquor or any drug or
144 both. For the purposes of this section, "elevated blood alcohol content"
145 means a ratio of alcohol in the blood of such person that is [eight-
146 hundredths] five-hundredths of one per cent or more of alcohol, by

147 weight.

148 Sec. 9. Section 38a-525c of the general statutes is repealed and the
149 following is substituted in lieu thereof (*Effective January 2, 2025*):

150 No group health insurance policy providing coverage of the type
151 specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469
152 delivered, issued for delivery, amended, renewed or continued in this
153 state shall deny coverage for health care services rendered to treat any
154 injury sustained by any person when such injury is alleged to have
155 occurred or occurs under circumstances in which (1) such person has an
156 elevated blood alcohol content, or (2) such person has sustained such
157 injury while under the influence of intoxicating liquor or any drug or
158 both. For the purposes of this section, "elevated blood alcohol content"
159 means a ratio of alcohol in the blood of such person that is [eight-
160 hundredths] five-hundredths of one per cent or more of alcohol, by
161 weight.

162 Sec. 10. (NEW) (*Effective from passage*) (a) As used in this section, "drug
163 recognition expert" has the same meaning as provided in section 7-
164 294kk of the general statutes and "cannabis" has the same meaning as
165 provided in section 21a-420 of the general statutes.

166 (b) Not later than January 1, 2025, and annually thereafter, the
167 Commissioners of Emergency Services and Public Protection and
168 Transportation shall jointly submit a report, in accordance with the
169 provisions of section 11-4a of the general statutes, to the joint standing
170 committees of the General Assembly having cognizance of matters
171 relating to public safety and security and transportation. Such report
172 shall, at a minimum: (1) note the current number of police officers
173 accredited as drug recognition experts in the state, (2) make
174 recommendations for increasing access to drug recognition expert
175 training for police officers, (3) identify any improvements or
176 technological advancements with regard to roadside screening tests
177 used to detect instances of impaired driving from the use of cannabis,
178 including the use of oral fluid drug testing, and (4) make

179 recommendations for implementing any such tests or other strategies
180 and procedures to reliably and validly detect instances of impaired
181 driving from the use of cannabis.

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

Section 1	<i>January 2, 2025</i>	14-227a(a)
Sec. 2	<i>January 2, 2025</i>	14-227b(n)
Sec. 3	<i>January 2, 2025</i>	14-227m(a)
Sec. 4	<i>January 2, 2025</i>	14-227n(a)
Sec. 5	<i>January 2, 2025</i>	15-133(d)
Sec. 6	<i>January 2, 2025</i>	15-140q(g)(4)
Sec. 7	<i>January 2, 2025</i>	15-140q(n)
Sec. 8	<i>January 2, 2025</i>	38a-498c
Sec. 9	<i>January 2, 2025</i>	38a-525c
Sec. 10	<i>from passage</i>	New section

TRA *Joint Favorable Subst.*