



## ***Transportation Committee - Board of Representatives***

Robert "Gabe" DeLuca, Co-Chair    Rodney Pratt, Co-Chair

# **Committee Report**

**Date:** Thursday, August 31, 2017  
**Time:** 7:00 p.m.  
**Place:** Republican Caucus Room, 4<sup>th</sup> Floor, Government Center, 888 Washington Boulevard

The Transportation Committee met at the above time and place. In attendance were Co-Chair Pratt and Committee Member Reps. Di Costanzo, Franzetti, Giordano and Patterson. Absent or excused were Co-Chair DeLuca and Committee Member Rep. Moore. Also present were Reps. de la Cruz, McMullen, Savage and Zelinsky; Mike Toma, Legal Department; and several members of the public.

Co-Chair Pratt called the meeting to order at 7:06

<b>Item No.</b>	<b>Description</b>	<b>Invitee(s) or Designee(s)</b>
1. <a href="#">T29.073</a>	ORDINANCE <u>for publication</u> ; Prohibition of Pedestrians crossing the street while using mobile electronic devices. 08/09/17 – Submitted by Reps. Zelinsky, Mitchell, de la Cruz, Savage, Summerville, Liebson, Silver, Nabel, Coleman, Fedeli, Ryan, Heaphy and Di Costanzo.	K. Emmett J. Fontneau J. Travers

The [memo from Transportation Bureau Chief Jim Travers](#) was read into the record and the [memo from Representative Jacobson](#) was read into the record.

Mr. Toma explained the proposed ordinance with the Committee as follows:

- The ordinance is based on the Honolulu ordinance and would be legal under Connecticut State law
- The first two changes proposed by Rep. Jacobson would be legal, but he believes the 3<sup>rd</sup> proposed change, the insertion of a "clear and convincing" standard is not appropriate for the police. It would be more appropriate to have the individual demonstrate that the number called is an emergency number.

Committee members and discussed this ordinance as follows:

- The goal of this proposed ordinance is to save lives
- The Committee does not have any data as to whether the pedestrians who have died were using cellphones
- There may be other ways to address the situation, as raised by Mr. Travers, but this would be an additional tool
- It would be overbroad to prevent talking on a phone while crossing the street, as people do cross the street while having conversations

- The Citation Hearing procedures of Chapter 97 would apply to this ordinance
- The ordinance applies to all roads, even if closed off, such as during a parade, but a police officer would not enforce it then
- Cyclists should be included in this ordinance
- Mobile electronic device is a very broad definition
- It would be helpful to know how many pedestrian violations there were in 2016 and if there is data in support of this ordinance
- Is it appropriate to penalize someone who is crossing legally in the crosswalk
- Constituents don't view this as a pressing problem, although it doesn't require a capital expense
- The police department needs to weigh in on the enforceability of this ordinance
- The Transportation Bureau Chief has asked that this ordinance not be enacted
- These citations would only be issued by police officers
- The City does not keep track of near misses
- Mr. Travers and the Police Chief need to address this ordinance

A motion to approve this ordinance for publication was made, seconded and approved by a vote of 3-1-1 (Reps. Di Costanzo, Giordano and Patterson in favor; Rep. Franzetti opposed and Rep. Pratt abstaining).

Co-Chair Pratt adjourned the meeting at 8:10 p.m.

Respectfully submitted,  
Rodney Pratt, Co-Chair

This meeting is on [video](#).