



General Assembly

February Session, 2000

**Amendment**

LCO No. 4365

Offered by:

REP. POWERS, 151<sup>st</sup> Dist.

To: Subst. House Bill No. 5204

File No. 297

Cal. No. 244

***"An Act Revising Certain Transportation Laws."***

1 After line 691, insert the following and renumber the remaining  
2 sections accordingly:

3 "Sec. 36. (NEW) (a) The Commissioner of Motor Vehicles shall  
4 suspend the motor vehicle operator's license or nonresident operating  
5 privilege of any person who is a habitual violator for a period of two  
6 years. For the purposes of this section and section 37 of this act, a  
7 person shall be deemed a habitual violator if, according to such  
8 person's driving history record as maintained by said commissioner,  
9 such person has accumulated the convictions, for separate offenses, as  
10 identified in the following provisions:

11 (1) Three or more convictions within a ten-year period, rising  
12 singularly or in combination, out of separate acts of the following  
13 offenses:

14 (A) A violation of section 53a-56b of the general statutes;

15 (B) A violation of section 53a-60d of the general statutes;

- 16 (C) A violation of section 53a-57 of the general statutes;
- 17 (D) A violation of section 14-222a of the general statutes;
- 18 (E) A violation of subsection (a) of section 14-227a of the general  
19 statutes, as amended;
- 20 (F) A violation of section 14-215 of the general statutes;
- 21 (G) A violation of section 14-110 or 53a-157b of the general statutes;
- 22 (H) A violation of subsection (a), (b) or (c) of section 14-224 of the  
23 general statutes.
- 24 (2) Two or more convictions within a ten-year period, arising out of  
25 separate acts of the offense of reckless driving, in violation of section  
26 14-222 of the general statutes, coupled with one or more of the  
27 convictions identified in subparagraphs (A) to (H), inclusive, of  
28 subdivision (1) of this subsection.
- 29 (3) (A) Ten or more convictions within a three-year period,  
30 singularly or in combination, arising out of separate acts, of any  
31 moving violation, as defined in subsection (a) of section 14-111g of the  
32 general statutes; or (B) ten or more convictions within a ten-year  
33 period, singularly or in combination, arising out of separate acts of any  
34 moving violation, as defined in subsection (a) of section 14-111g of the  
35 general statutes, coupled with two or more convictions identified in  
36 subparagraphs (A) to (H), inclusive, of subdivision (1) of this  
37 subsection.
- 38 (b) The suspension of the operator's license or nonresident operating  
39 privilege to be imposed by the commissioner in accordance with the  
40 provisions of subsection (a) of this section, in addition to any other  
41 suspension required as a result of a conviction for any offense or  
42 offenses, shall be identified in subsection (a) of this section. For the  
43 purposes of this section, "conviction" shall have the same meaning as  
44 in subdivision (16) of subsection (a) of section 14-1 of the general  
45 statutes, as amended, provided the conviction occurred on or after July

46 1, 1998.

47 (c) Any person who is a habitual offender by reason of three  
48 convictions of subsection (a) of section 14-227a of the general statutes,  
49 as amended, notwithstanding the period of time stated in subsection  
50 (a) of this section, shall have such person's motor vehicle operator's  
51 license permanently revoked, as required by the provisions of  
52 subsection (h) of section 14-227a of the general statutes, as amended.

53 (d) Notwithstanding the provisions of section 14-215 of the general  
54 statutes, any person who is a habitual violator and whose license or  
55 nonresident operating privilege has been suspended by the  
56 commissioner, in accordance with the provisions of subsection (a) or  
57 (c) of this section, and who thereafter operates a motor vehicle on a  
58 public highway of this state or on any road of a district organized  
59 under the provisions of chapter 105 of the general statutes, a purpose  
60 of which is the construction and maintenance of roads and sidewalks,  
61 or on any private road on which a speed limit has been established in  
62 accordance with the provisions of section 14-218a of the general  
63 statutes, or in any parking area for ten or more cars or on any school  
64 property, shall be sentenced to imprisonment of not less than ninety  
65 days nor more than one year and one day, and be fined not less than  
66 two thousand dollars nor more than eight thousand dollars.

67 Sec. 37. (NEW) Any person who has been convicted of a violation of  
68 section 53a-56b or 53a-60d of the general statutes shall not have such  
69 conviction erased from such person's motor vehicle operator's record.

70 Sec. 38. Section 14-219 of the general statutes is repealed and the  
71 following is substituted in lieu thereof:

72 (a) No person shall operate any motor vehicle (1) upon any  
73 highway, road or any parking area for ten cars or more, at such a rate  
74 of speed as to endanger the life of any occupant of such motor vehicle,  
75 but not the life of any other person than such an occupant; or (2) at a  
76 rate of speed greater than fifty-five miles per hour upon any highway  
77 other than a highway specified in subsection (b) of section 14-218a for

78 which a speed limit has been established in accordance with the  
79 provisions of said subsection; or (3) at a rate of speed greater than  
80 sixty-five miles per hour upon any highway specified in subsection (b)  
81 of section 14-218a for which a speed limit has been established in  
82 accordance with the provisions of said subsection.

83 (b) Any person who operates a motor vehicle (1) on a multiple lane,  
84 limited access highway other than a highway specified in subsection  
85 (b) of section 14-218a for which a speed limit has been established in  
86 accordance with the provisions of said subsection at a rate of speed  
87 greater than fifty-five miles per hour but not greater than seventy  
88 miles per hour, or (2) on a multiple lane, limited access highway  
89 specified in subsection (b) of section 14-218a for which a speed limit  
90 has been established in accordance with the provisions of said  
91 subsection at a rate of speed greater than sixty-five miles per hour but  
92 not greater than [seventy] eighty miles per hour, or (3) on any other  
93 highway at a rate of speed greater than fifty-five miles per hour but  
94 not greater than sixty miles per hour, shall commit an infraction,  
95 provided any such person operating a truck, as defined in section 14-  
96 260n, shall have committed a violation and shall be fined not less than  
97 one hundred dollars nor more than one hundred fifty dollars.

98 (c) Any person who violates any provision of subdivision (1) of  
99 subsection (a) of this section or who operates a motor vehicle (1) on a  
100 multiple lane, limited access highway, other than a highway for which  
101 a speed limit of sixty-five miles per hour has been established in  
102 accordance with the provisions of subsection (b) of section 14-218a, at a  
103 rate of speed greater than seventy miles per hour but not greater than  
104 eighty-five miles per hour, or (2) on a multiple lane, limited access  
105 highway for which a speed limit of sixty-five miles per hour has been  
106 established in accordance with the provisions of subsection (b) of  
107 section 14-218a, at a rate of speed greater than eighty miles per hour  
108 but not greater than eighty-five miles per hour, or [(2)] (3) on any other  
109 highway at a rate of speed greater than sixty miles per hour but not  
110 greater than eighty-five miles per hour shall be fined not less than one  
111 hundred dollars nor more than one hundred fifty dollars, provided

112 any such person operating a truck, as defined in section 14-260n, shall  
113 be fined not less than one hundred fifty dollars nor more than two  
114 hundred dollars.

115 (d) No person shall be subject to prosecution for a violation of both  
116 subsection (a) of this section and subsection (a) of section 14-222  
117 because of the same offense.

118 (e) Notwithstanding any provision of the general statutes to the  
119 contrary, any person who violates subdivision (1) of subsection (a) of  
120 this section, subdivision (1) or (2) of subsection (b) of this section while  
121 operating a truck, as defined in section 14-260n, or subdivision (1) or  
122 (2) of subsection (c) of this section while operating a motor vehicle or a  
123 truck, as defined in section 14-260n, shall follow the procedures set  
124 forth in section 51-164n."

125 In line 700, strike "36" and insert "39" in lieu thereof