



Senate

General Assembly

File No. 253

February Session, 2000

Substitute Senate Bill No. 98

Senate, March 28, 2000

The Committee on Transportation reported through SEN. CIOTTO of the 9th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

An Act Revising Certain Motor Vehicle Laws.

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

1 Section 1. Subsection (c) of section 14-12 of the general statutes is
2 repealed and the following is substituted in lieu thereof:

3 (c) The commissioner may, for the more efficient administration of
4 [his] the commissioner's duties, appoint licensed dealers meeting
5 qualifications established by the commissioner pursuant to regulations
6 adopted in accordance with the provisions of chapter 54, to issue new
7 registrations for passenger motor vehicles and motorcycles, campers,
8 camp trailers or trucks with a gross vehicle weight up to and including
9 twenty-six thousand pounds when they are sold. The commissioner
10 shall charge such dealer a fee of ten dollars for each book of twenty-
11 five new dealer issue forms furnished for the purposes of this
12 subsection. A person purchasing a motor vehicle [or motorcycle] from
13 a dealer so appointed and registering the motor vehicle or motorcycle
14 pursuant to this section shall file an application with the dealer and

15 pay, to the dealer, a fee in accordance with the provisions of subsection
16 (a) or (b) of section 14-49. The commissioner shall prescribe the time
17 and manner in which the application and fee shall be transmitted to
18 [him] the commissioner.

19 Sec. 2. Section 14-61 of the general statutes is repealed and the
20 following is substituted in lieu thereof:

21 Any dealer licensed under the provisions of this subdivision (D)
22 who in the opinion of the commissioner is qualified and sells or trades
23 a passenger motor vehicle, motorcycle, camper, camp trailer or truck
24 with a gross vehicle weight up to and including twenty-six thousand
25 pounds to a transferee who holds a current registration certificate for a
26 passenger motor vehicle, motorcycle, camper, camp trailer or truck
27 with a gross vehicle weight up to and including twenty-six thousand
28 pounds registered in this state may issue a [forty-five-day] sixty-day
29 temporary transfer of such registration to the vehicle transferred with
30 an official stamp issued by the commissioner, under regulations
31 adopted by [him] the commissioner, to such dealer. The commissioner
32 shall charge such dealer a fee of five dollars for each book of twenty-
33 five new temporary dealer transfer forms furnished for the purposes of
34 this section. No dealer may make such temporary transfer of a
35 registration unless the transferee surrenders the current registration
36 certificate to the dealer indicating the disposition of the vehicle
37 described thereon in the space provided on the reverse side of such
38 certificate and unless the transferee is eighteen years of age or older.
39 The dealer shall, within [seven] five days from the issuance of such
40 temporary registration, submit to the commissioner an application
41 together with all necessary documents for a permanent registration for
42 the vehicle transferred. No such temporary registration may be issued
43 if the transferred passenger motor vehicle, motorcycle, camper, camp
44 trailer or truck with a gross vehicle weight up to and including twenty-
45 six thousand pounds is used and was not previously registered in this
46 state unless the inspection requirements of section 14-12, as amended

47 by this act, have been met or, if such motor vehicle is ten or more years
48 old, unless the inspection requirements of section 14-16a, as amended
49 by this act, have been met, or if such motor vehicle has been declared a
50 total loss by an insurance company, unless the inspection requirements
51 of section 14-103a have been met.

52 Sec. 3. Subsection (b) of section 14-15 of the general statutes is
53 repealed and the following is substituted in lieu thereof:

54 (b) Each person, firm or corporation licensed under the provisions
55 of subsection (a) of this section who in the opinion of the commissioner
56 is qualified and who holds a current registration certificate for a motor
57 vehicle used in connection with its business may issue a [forty-five-
58 day] sixty-day temporary transfer of such registration to any other
59 vehicle used in connection with its business with an official stamp
60 issued by the commissioner to such licensee. The licensee, within
61 [seven] five days from the issuance of such temporary registration,
62 shall submit to the commissioner an application together with all
63 necessary documents for a permanent registration for the vehicle
64 transferred. The commissioner shall adopt regulations in accordance
65 with the provisions of chapter 54 to implement the provisions of this
66 subsection.

67 Sec. 4. Subsection (q) of section 14-49 of the general statutes is
68 repealed and the following is substituted in lieu thereof:

69 (q) The commissioner shall collect a biennial fee of twenty-eight
70 dollars for the registration of each motor vehicle used exclusively for
71 farming purposes. No such motor vehicle may be used for the purpose
72 of (1) transporting goods for hire; (2) transporting passengers in a
73 motor vehicle designed to carry ten or more passengers; or (3) taking
74 the on-the-road skills test portion of the examination for a motor
75 vehicle operator's license. No farm registration shall be issued to any
76 person operating a farm that has gross annual sales of less than two
77 thousand five hundred dollars in the calendar year preceding

78 registration. The commissioner may issue a farm registration for a
79 passenger motor vehicle under such conditions as [he] the
80 commissioner shall prescribe in regulations adopted in accordance
81 with chapter 54. Any farm registration used otherwise than as
82 provided by this subsection shall be revoked.

83 Sec. 5. Section 14-81b of the general statutes is repealed and the
84 following is substituted in lieu thereof:

85 The term "brake drum", as used in this section, means the individual
86 cupped metal drums to which motor vehicle wheels are each attached
87 and against whose interior surface, brake shoe pressure is applied to
88 effect stopping, holding or control of forward or backward vehicle
89 movement. The term "brake disc" as used in this section, means the
90 parallel faced circular rotational member to which motor vehicle
91 wheels are each attached and against whose exterior surface, brake
92 lining pressure is applied to effect stopping, holding or control of
93 forward or backward movement. No person, firm or corporation shall
94 service, turn, grind, install, sell, give or offer for sale for passenger or
95 commercial motor vehicle use any used brake drum [, the interior
96 braking surface diameter of which exceeds sixty-thousandths of one
97 inch maximum oversize] or disc which exceeds wear limits established
98 in accordance with regulations adopted by the commissioner. Any
99 person, firm or corporation which performs or permits any violation of
100 this section shall be subject to the penalties provided in subsection (b)
101 of section 14-222.

102 Sec. 6. Section 14-105 of the general statutes is repealed and the
103 following is substituted in lieu thereof:

104 No television screen or other device of a similar nature, except a
105 video display unit utilized for instrumentation purposes or a closed
106 video monitor for backing, provided such monitor screen is disabled
107 blank whenever the transmission of a vehicle so equipped is shifted
108 out of reverse, shall be installed or used in this state in any position or

109 location in a motor vehicle where it may be visible to the driver or
110 where it may in any other manner interfere with the safe operation and
111 control of the vehicle. Violation of any provision of this section shall be
112 an infraction.

113 Sec. 7. Subsection (a) of section 14-163c of the general statutes is
114 repealed and the following is substituted in lieu thereof:

115 (a) The Commissioner of Motor Vehicles may adopt regulations in
116 accordance with the provisions of chapter 54 which incorporate by
117 reference the standards set forth in the Code of Federal Regulations,
118 Title 49, Parts 382, 383 and 385 through 397, as amended. Such
119 regulations, adopted by reference to the provisions of the Code of
120 Federal Regulations, Title 49, Parts 382, 383 and 385 through 397, as
121 amended, may be made applicable to any motor vehicle or motor
122 carrier, as defined in 49 CFR 390, which (1) is in intrastate commerce
123 and has a gross vehicle weight rating or gross combination weight
124 rating of eighteen thousand one or more pounds; or (2) is in interstate
125 commerce and has a gross vehicle weight rating or gross combination
126 weight rating of ten thousand one or more pounds; or (3) is designed
127 to transport more than fifteen passengers, including the driver; or (4) is
128 used in the transportation of hazardous materials in a quantity
129 requiring placarding under the Hazardous Materials Transportation
130 Act, 49 USC App. 1801-1813, unless exempted under the provisions of
131 the code or the provisions of subsection (b) of this section.

132 Sec. 8. Subsection (d) of section 14-163c of the general statutes is
133 repealed and the following is substituted in lieu thereof:

134 (d) Any state or municipal police officer or motor vehicle inspector
135 may (1) inspect any motor vehicle specified in subsection (a) of this
136 section in operation and examine its operator to determine compliance
137 with the provisions of the Code of Federal Regulations, Title 49, Parts
138 382, 383 and 385 through 397, as amended, (2) enter upon the premises
139 of any motor carrier, as defined in the Code of Federal Regulations,

140 Title 49, Section 390.5, as amended, for the purpose of inspecting
141 records maintained by such carrier, (3) conduct a safety rating
142 procedure, in accordance with the provisions of the Code of Federal
143 Regulations, Title 49, Part 385, as amended, for any motor carrier that
144 owns or operates any motor vehicle identified in subsection (a) of this
145 section, (4) declare a motor vehicle or its operator out of service as
146 provided in the Code of Federal Regulations, Title 49, Sections 395.13
147 and 396.9, as amended, or [(4)] (5) issue an infractions complaint under
148 the provisions of this section, provided such officer or inspector meets
149 the standards established by the commissioner, in consultation with
150 the Commissioner of Public Safety, in regulations adopted in
151 accordance with the provisions of chapter 54.

152 Sec. 9. Section 14-275 of the general statutes is repealed and the
153 following is substituted in lieu thereof:

154 (a) The term "school bus" means any motor bus, painted,
155 constructed, equipped and registered as hereinafter provided, which is
156 regularly used for transporting school children to and from school or
157 school activities whether or not for compensation or under contract to
158 provide such service. No vehicle shall be registered as a school bus
159 unless it complies with all requirements of sections 14-275 to 14-281,
160 inclusive, as amended by this act, as to color, markings, equipment and
161 inspection, and each such vehicle shall be inspected prior to such
162 registration in accordance with regulations prescribed by the
163 Commissioner of Motor Vehicles. The commissioner or [his] the
164 commissioner's designee may also conduct random, unannounced
165 inspections of any registered school bus. The provisions of said
166 sections requiring other vehicles to stop at the signal of the operator of
167 a registered school bus shall not apply to a signal by the operator of
168 any vehicle not registered as a school bus and not complying with all
169 requirements for such registration.

170 (b) Each school bus shall be painted a uniform yellow color known

171 as ["National School Bus Chrome"] "National School Bus Glossy
172 Yellow", except for the fenders and trim which may be painted black
173 and the roof which may be painted white, and shall have
174 conspicuously painted on the rear and on the front thereof, in black
175 lettering of a size to be determined by the Commissioner of Motor
176 Vehicles, the words "School Bus-Stop on Signal", except that each
177 school bus equipped with an eight-light warning system shall have the
178 words "School Bus" painted on the rear and on the front thereof in
179 such lettering. The sides of such vehicles may be inscribed with the
180 words "School Bus", the school name or such other legend or device as
181 may be necessary for purposes of identification or safety.

182 (c) Each school bus shall be equipped with special automatic,
183 electrically-operated flashing stop signals, which shall be independent
184 and separate from the braking, stop and tail lights of standard
185 equipment. Such flashing lights may include automatic traffic
186 signalling devices showing red and amber lights and shall be so
187 located that adequate warning will be afforded to both oncoming and
188 overtaking traffic, except that each school bus manufactured on and
189 after October 1, 1984, and registered for use in this state shall be
190 equipped with an eight-light warning system, showing two red
191 flashing stop signals and two amber flashing warning signals on the
192 front and rear of the bus, and a stop semaphore. The commissioner
193 may adopt standards for an eight-light warning system and standards
194 and specifications for the construction of school buses and for
195 equipment to be maintained on school buses consistent with the
196 provisions of sections 14-275 to 14-281, inclusive, as amended by this
197 act. [except that the commissioner shall not adopt or enforce any
198 standard or specification which requires a seating arrangement based
199 on a minimum seating width for each child.] Both public and private
200 owners of school buses shall maintain a record of such kinds of repairs
201 made to such buses as the commissioner may require and such work
202 record shall be available at all times to the commissioner and [his] the
203 commissioner's designated assistants. All such maintenance records

204 shall be retained for a period of two years. Each school bus shall be
205 equipped with emergency lighting equipment as provided by section
206 14-97a, with a defrosting device as provided by section 14-97, with a
207 system of mirrors as provided in the Code of Federal Regulations Title
208 49, Section 571.111, as amended, or with an outside mirror as provided
209 by section 14-99 and a system of crossover mirrors designed and
210 mounted so as to give the driver a view of the road from the front
211 bumper forward to a point where direct observation is possible and
212 along the left and right sides of the bus, with a signalling device as
213 provided by section 14-101, and with chain nonskid devices for
214 immediate use on at least one outside or inside rear tire on each side or
215 tires designed to prevent skidding on all rear wheels when weather
216 and highway conditions require such use. Commencing February 1,
217 1974, each new school bus with a vehicle air brake system shall be so
218 equipped that the brake system is operated from a separate air
219 reservoir tank other than the air reservoir tank used to operate any
220 other compressed air or vacuum operated devices with which the
221 school bus may be equipped. The seating requirements of section 14-
222 273 shall be observed. Notwithstanding the provisions of section 14-98,
223 school buses may be equipped with tires incorporating a metal
224 nonskid device during the period from October fifteenth to April
225 thirtieth, inclusive.

226 (d) Any person who violates any provision of this section shall, for a
227 first offense, be deemed to have committed an infraction, and for each
228 subsequent offense shall be fined not less than one hundred dollars nor
229 more than five hundred dollars.

230 Sec. 10. Section 14-275c of the general statutes is amended by adding
231 subsection (c) as follows:

232 (NEW) (c) Any person who violates any provision of any regulation
233 adopted pursuant to this section shall, for a first offense, be deemed to
234 have committed an infraction, and for each subsequent offense shall be

235 fined not less than one hundred dollars nor more than five hundred
236 dollars.

237 Sec. 11. Subsection (a) of section 14-283 of the general statutes is
238 repealed and the following is substituted in lieu thereof:

239 (a) "Emergency vehicle", as used in this section, means any
240 ambulance or emergency medical service organization vehicle
241 responding to an emergency call, any vehicle used by a fire
242 department or by any officer of a fire department while on the way to
243 a fire or while responding to an emergency call but not while returning
244 from a fire or emergency call, or any state or local police vehicle
245 operated by a police officer or inspector of the Department of Motor
246 Vehicles answering an emergency call or in the pursuit of fleeing law
247 violators.

248 Sec. 12. Subsection (c) of section 14-270 of the general statutes is
249 repealed and the following is substituted in lieu thereof:

250 (c) Any permit issued under this section or a legible copy or
251 facsimile shall be retained in the possession of the operator of the
252 vehicle or combination of vehicles or vehicle and trailer for which such
253 permit was issued, except that a telegraphic confirmation of the
254 existence of such permit or the use of the special number plates
255 described in section 14-24 and any regulations adopted thereunder
256 shall be sufficient to fulfill the requirements of this section.

257 Sec. 13. Subsection (c) of section 14-164i of the general statutes, as
258 amended by section 21 of public act 99-268, is repealed and the
259 following is substituted in lieu thereof:

260 (c) [The owner of a] Any person, as defined in subsection (g) of
261 section 14-164i, as amended by this act, whose vehicle [which] fails to
262 pass an inspection under subsection (b) of this section shall have the
263 vehicle repaired and, within forty-five consecutive calendar days,

264 present proof of emissions-related repairs of such vehicle in such form
265 as the commissioner shall require. The commissioner shall issue a two-
266 year intrastate waiver from compliance with emissions standards to
267 any such vehicle failing to meet such standards but complying with
268 the minimum repair requirements. For purposes of this section, the
269 minimum repair requirements for diesel-powered commercial motor
270 vehicles shall be the expenditure of one thousand dollars towards
271 emissions-related repairs of such vehicle. The Commissioner of Motor
272 Vehicles shall suspend the commercial registration, issued pursuant to
273 the provisions of this chapter, of any vehicle for which no proof of
274 emissions-related repairs has been submitted within such
275 forty-five-day period.

276 Sec. 14. Subsection (g) of section 14-164i of the general statutes, as
277 amended by section 21 of public act 99-268, is repealed and the
278 following is substituted in lieu thereof:

279 (g) For the purposes of this section, (1) "commercial motor vehicle"
280 shall not be construed to include a school bus, and (2) "person" shall
281 mean the person holding title to the vehicle or having legal right to
282 register the same, including [purchasers under conditional bills of sale]
283 a purchaser under a conditional bill of sale and a lessee for a term of
284 more than thirty days.

285 Sec. 15. Section 14-96s of the general statutes is repealed and the
286 following is substituted in lieu thereof:

287 (a) Any motor vehicle may be equipped with not more than two
288 side cowl or fender lamps which shall emit an amber or white light
289 without glare.

290 [(b) Any motor vehicle may be equipped with not more than one
291 running-board courtesy lamp on each side thereof which shall emit a
292 white or amber light without glare.]

293 [(c)] (b) Any motor vehicle may be equipped with one or more
294 backup lamps either separately or in combination with other lamps,
295 but any such backup lamp or lamps shall not be lighted when the
296 motor vehicle is in forward motion.

297 [(d)] (c) Any vehicle eighty inches or more in overall width, if not
298 otherwise required by section 14-96f, may be equipped with not more
299 than three identification lamps showing to the front which shall emit
300 an amber light without glare and not more than three identification
301 lamps showing to the rear which shall emit a red light without glare.
302 Such lamps shall be mounted as specified in subdivision (f) of said
303 section.

304 [(e)] (d) Operating a motor vehicle with fenders, running boards,
305 backup and identification lamps, except as authorized by this section
306 shall be an infraction.

307 Sec. 16. Section 14-171 of the general statutes is repealed and the
308 following is substituted in lieu thereof:

309 (a) The application for a certificate of title of a vehicle in this state
310 shall be made by the owner [to the commissioner on the form he] on a
311 form the commissioner prescribes and shall contain: (1) The name,
312 residence and mail address of the owner; (2) a description of the
313 vehicle including, so far as the following data exists, its make, model,
314 identification number, type of body, the number of cylinders and
315 whether new or used; (3) the mileage reading at the time of
316 application; (4) the date of purchase by the applicant, the name and
317 address of the person from whom the vehicle was acquired and the
318 names and addresses of any lienholders in the order of their priority
319 and the dates of their security agreements and, if a new vehicle, the
320 application shall be accompanied by a manufacturer's or importer's
321 certificate of origin; and (5) any further information the commissioner
322 reasonably requires to identify the vehicle and to enable [him] the
323 commissioner to determine whether the owner is entitled to a

324 certificate of title and the existence or nonexistence of security interests
325 in the vehicle. Such application shall be accompanied by the most
326 recent Connecticut certificate of title for such vehicle, if any, unless the
327 owner submits a statement on a form prescribed by the commissioner,
328 that the title is lost or destroyed or, despite reasonable efforts cannot
329 be located or obtained from the person or firm last known to have
330 possession of such certificate or title.

331 (b) If the application refers to a vehicle purchased from a dealer, it
332 shall contain the name and address of any lienholder holding a
333 security interest created or reserved at the time of the sale and the date
334 of his security agreement and be signed by the dealer as well as the
335 owner, and the dealer shall promptly mail or deliver the application to
336 the commissioner.

337 (c) If the application refers to a vehicle last previously registered in
338 another state or country, the application shall contain or be
339 accompanied by: (1) Any certificate of title issued by the other state or
340 country; (2) any other information and documents the commissioner
341 reasonably requires to establish the ownership of the vehicle and the
342 existence or nonexistence of security interests in it; and (3) [the
343 certificate of a person authorized by the commissioner that the
344 identification number of the vehicle has been inspected and found to
345 conform to the description given in the application, or any other proof
346 of the identity of the vehicle the commissioner reasonably requires]
347 evidence that the manufacturer's identification number of the vehicle
348 was inspected at the time of registration, or inspected by a licensed
349 dealer in accordance with subsection (c) of section 14-99h.

350 Sec. 17. Section 14-180 of the general statutes is repealed and the
351 following is substituted in lieu thereof:

352 If a dealer buys a vehicle and holds it for resale and procures the
353 certificate of title from the owner or the lienholder [within ten days
354 after delivery to him of the vehicle, he] or submits a statement on a

355 form prescribed by the commissioner in accordance with subsection (a)
356 of section 14-171, as amended by this act, the dealer need not send the
357 certificate to the commissioner but, upon transferring the vehicle to
358 another person other than by the creation of a security interest, shall
359 promptly execute the assignment and warranty of title by a dealer,
360 showing the names and addresses of the transferee and of any
361 lienholder holding a security interest created or reserved at the time of
362 the resale and the date of [his] such lienholder's security agreement, in
363 the spaces provided therefor on the certificate or as the commissioner
364 prescribes, and mail or deliver the certificate or statement to the
365 commissioner with the transferee's application for a new certificate.

366 Sec. 18. Subdivision (2) of subsection (a) of section 14-253a of the
367 general statutes is repealed and the following is substituted in lieu
368 thereof:

369 (2) "Removable windshield placard" means a two-sided, hanger-
370 style placard [which is valid for a five-year period from the date of its
371 issuance and] which bears on both of its sides: (A) The international
372 symbol of access in a height of three inches or more centered on such
373 placard and colored white on a blue background; (B) a unique
374 identification number; (C) a date of expiration; and (D) a statement
375 indicating that the Connecticut Department of Motor Vehicles issued
376 such placard.

377 Sec. 19. Subsection (b) of section 14-253a of the general statutes, as
378 amended by section 24 of public act 99-268, is repealed and the
379 following is substituted in lieu thereof:

380 (b) The Commissioner of Motor Vehicles shall accept applications
381 and renewal applications for special license plates and removable
382 windshield placards [upon receipt of a fee of five dollars] from (1) any
383 person who is blind, as defined in section 1-1f; (2) any person with
384 disabilities which limit or impair the ability to walk, as defined in 23
385 CFR Part 1235.2; (3) any parent or guardian of any blind person or

386 person with disabilities who is under eighteen years of age at the time
387 of application; and (4) any organization which meets criteria
388 established by the commissioner and which certifies to the
389 commissioner's satisfaction that the vehicle for which a plate or
390 placard is requested is primarily used to transport blind persons or
391 persons with disabilities which limit or impair their ability to walk.
392 Such applications shall be on a form prescribed by the commissioner
393 and shall include certification of disability from a licensed physician or
394 of blindness from an ophthalmologist or an optometrist. In the case of
395 persons with disabilities which limit or impair the ability to walk, the
396 application shall also include certification from a licensed physician or
397 a member of the handicapped driver training unit established
398 pursuant to section 14-11b, that the applicant meets the definition of
399 persons with disabilities which limit or impair the ability to walk, as
400 defined in 23 CFR Section 1235.2. The commissioner, in said
401 commissioner's discretion, may accept the discharge papers of a
402 disabled veteran, as defined in section 14-254, in lieu of such
403 certification. The commissioner may require additional certification at
404 the time of the original application or at any time thereafter. If a person
405 who has been requested to submit additional certification fails to do so
406 within thirty days of the request, or if such additional certification is
407 deemed by the commissioner to be unfavorable to the applicant, the
408 commissioner may refuse to issue or, if already issued, suspend or
409 revoke such special license plate or removable windshield placard. The
410 fee for the issuance of a temporary removable windshield placard shall
411 be five dollars. Any person whose application has been denied or
412 whose special license plate or removable windshield placard has been
413 suspended or revoked shall be afforded an opportunity for a hearing
414 in accordance with the provisions of chapter 54.

415 Sec. 20. Section 14-67n of the general statutes is repealed and the
416 following is substituted in lieu thereof:

417 (a) No motor vehicle recycler licensee shall rent or allow or cause to

418 be rented, or operate or allow or cause to be operated for hire, or use or
419 allow or cause to be used for the purpose of conveying passengers or
420 merchandise or freight for hire, any motor vehicle registered under a
421 general distinguishing number or mark. Such plates as are issued to a
422 licensee may be used in connection with [his] such licensee's business
423 for the purpose of towing vehicles to [his] such licensee's place of
424 business, for use on the vehicle being towed, for use on commercial
425 vehicles carrying motor vehicles or parts thereof to [his] such licensee's
426 place of business for the purpose of dismantling, and for carrying parts
427 of motor vehicles or motor vehicle scrap from such place of business to
428 the place of sale or disposition. The licensee may use such plates for
429 [his] personal use on vehicles owned by [him] such licensee.

430 (b) A motor vehicle recycler licensee may apply to the commissioner
431 for a general distinguishing number and number plate for the purpose
432 of displaying such number plate on a motor vehicle being towed in
433 connection with such licensee's business. The commissioner shall
434 charge a fee to cover the cost of the issuance and renewal of such
435 number plates.

436 Sec. 21. Section 14-20 of the general statutes is repealed and the
437 following is substituted in lieu thereof:

438 (a) The commissioner may issue special number plates for antique,
439 rare or special interest motor vehicles, such special number plates to be
440 issued on a permanent basis. The commissioner shall charge a fee for
441 such plates which shall cover the entire cost of making the same. An
442 owner of an antique, rare or special interest motor vehicle may use
443 [his] such owner's own porcelain number plate in place of the plates
444 issued by the commissioner provided (1) such plate was originally
445 issued by the department, and (2) such owner files with the
446 commissioner a description and the number of such plate and any
447 additional information the commissioner may require.

448 (b) Notwithstanding the provisions of subsection (a) of this section,

449 section 14-18, as amended, and section 14-21b, as amended, the owner
450 of an antique, rare or special interest motor vehicle may be authorized
451 by the commissioner to display a number plate originally issued by the
452 Commissioner of Motor Vehicles corresponding to the year of
453 manufacture of such antique, rare or special interest motor vehicle. The
454 commissioner shall issue a certificate of registration, as provided in
455 section 14-12, as amended by this act. Such registration shall be valid,
456 subject to renewal, so long as the commissioner permits. Thereafter,
457 the registration number and number plates, if any, which were
458 assigned to such motor vehicle before such registration and number
459 plates were issued under this section, shall be in effect. Each such
460 number plate authorized for use by the commissioner shall be
461 displayed in a conspicuous place at the rear of such motor vehicle at all
462 times while the vehicle is in use or operation upon any public
463 highway. A sticker shall be affixed to each such number plate to
464 denote the expiration date of the registration, unless the commissioner
465 authorizes the sticker, or other evidence of the period of the
466 registration, to be placed elsewhere or carried in such motor vehicle.
467 The commissioner may adopt regulations, in accordance with chapter
468 54, to implement the provisions of this subsection.

469 Sec. 22. Section 46 of public act 99-268 is repealed and the following
470 is substituted in lieu thereof:

471 [This act] Public act 99-268 shall take effect from its passage, except
472 that sections 21, 31 and 32 shall take effect July 1, 1999, sections 1 to 13,
473 inclusive, [15 to 30] 15 to 20, inclusive, 22 to 30, inclusive, 33 to 37,
474 inclusive, 44 and 45 shall take effect October 1, 1999, and sections 14
475 and 39 to 43, inclusive, shall take effect January 1, 2000.

476 Sec. 23. Subdivision (74) of section 12-81 of the general statutes, as
477 amended by section 1 of public act 99-280, is repealed and the
478 following is substituted in lieu thereof:

479 (74) (A) (i) For a period not to exceed five assessment years

480 following the assessment year in which it is first registered, any new
481 commercial truck, truck tractor, tractor and semitrailer, and vehicle
482 used in combination therewith, which is used exclusively to transport
483 freight for hire and: Is either subject to the jurisdiction of the United
484 States Department of Transportation pursuant to Chapter 135 of Title
485 49, United States Code, or any successor thereto, or would otherwise
486 be subject to said jurisdiction except for the fact that the vehicle is used
487 exclusively in intrastate commerce; has a gross vehicle weight rating in
488 excess of twenty-six thousand pounds; and prior to August 1, 1996,
489 was not registered in this state or in any other jurisdiction but was
490 registered in this state on or after said date. (ii) For a period not to
491 exceed five assessment years following the assessment year in which it
492 is first registered, any new commercial truck, truck tractor, tractor and
493 semitrailer, and vehicle used in combination therewith, not eligible
494 under [(i)] subparagraph (A) (i) of this subdivision, that has a gross
495 vehicle weight rating in excess of fifty-five thousand pounds and was
496 not registered in this state or in any other jurisdiction but was
497 registered in this state on or after August 1, 1999. As used in this
498 subdivision, "gross vehicle weight rating" shall have the same meaning
499 as in section 14-1, as amended;

500 (B) Any person who on October first in any year holds title to or is
501 the registrant of a vehicle for which he intends to claim the exemption
502 provided in this subdivision shall file with the assessor or board of
503 assessors in the municipality in which the vehicle is subject to property
504 taxation, on or before the first day of November in such year, a written
505 application claiming such exemption on a form prescribed by the
506 Secretary of the Office of Policy and Management. Such person shall
507 include information as to the make, model, year and vehicle
508 identification number of each such vehicle, and any appurtenances
509 attached thereto, in such application. The person holding title to or the
510 registrant of such vehicle for which exemption is claimed shall furnish
511 the assessor or board of assessors with such supporting documentation
512 as said secretary may require, including, but not limited to, evidence of

513 vehicle use, acquisition cost and registration. With respect to any
514 vehicle for which the exemption under this subdivision has previously
515 been claimed, the person shall also include information as to any
516 modifications made to the vehicle subsequent to the assessment date
517 with respect to which said exemption was previously claimed. Failure
518 to file such application in this manner and form within the time limit
519 prescribed shall constitute a waiver of the right to such exemption for
520 such assessment year, unless an extension of time is allowed as
521 provided in section 12-81k;

522 (C) With respect to any vehicle which is not registered on the first
523 day of October in any assessment year and which is registered
524 subsequent to said first day of October but prior to the first day of
525 August in such assessment year, the value of such vehicle for property
526 tax exemption purposes shall be a pro rata portion of the value
527 determined in accordance with subparagraph (D) of this subdivision,
528 to be determined by a ratio, the numerator of which shall be the
529 number of months from the date of such registration, including the
530 month in which registration occurs, to the first day of October next
531 succeeding and the denominator of which shall be twelve. For
532 purposes of this subdivision the term "assessment year" means the
533 period of twelve full months commencing with October first each year;

534 (D) Notwithstanding the provisions of section 12-71d, the assessor
535 or board of assessors shall determine the value for each vehicle with
536 respect to which a claim for exemption under this subdivision is
537 approved, based on the vehicle's cost of acquisition, including costs
538 related to the modification of such vehicle, adjusted for depreciation in
539 accordance with the schedule set forth in section 12-94c.

540 Sec. 24. Subsection (b) of section 14-16a of the general statutes, as
541 amended by section 2 of public act 99-287, is repealed and the
542 following is substituted in lieu thereof:

543 (b) The following vehicles, upon transfer of ownership, shall be

544 presented for inspection, as directed by the commissioner, at any state
545 Department of Motor Vehicles office or any official emissions
546 inspection station authorized by the Commissioner of Motor Vehicles
547 to conduct such inspection: (1) All motor vehicles ten model years old
548 or older which are registered in this state and which were originally
549 used or designed as fire apparatus and which are of historical or
550 special interest as determined by the commissioner, (2) all antique, rare
551 or special interest motor vehicles, and (3) all modified antique motor
552 vehicles. Any such vehicle shall be inspected to determine whether it is
553 in good mechanical condition before registration can be issued to the
554 new owner of such vehicle. The determination of the mechanical
555 condition of a vehicle described in subdivisions (1) and (2) of this
556 subsection shall be made by inspecting only the vehicle's original
557 equipment and parts or the functional reproductions of the original
558 equipment and parts. The mechanical condition of modified antique
559 motor vehicles shall be determined by inspecting the original
560 equipment and any functioning replacements of such equipment. If the
561 commissioner authorizes the contractor that operates the system of
562 official emissions inspection stations or other business or firm, except a
563 licensee of the department, to conduct the safety inspections required
564 by this subsection, the commissioner may authorize the contractor or
565 other business or firm to charge a fee, not to exceed fifteen dollars, for
566 each such inspection. The commissioner may authorize any motor
567 vehicle dealer or repairer, licensed in accordance with section 14-52
568 and meeting qualifications established by the commissioner, to make
569 repairs to any motor vehicle that has failed an initial safety inspection
570 and to certify to the commissioner that the motor vehicle is in
571 compliance with the safety and equipment standards for registration.
572 No such authorized dealer or repairer shall charge any additional fee
573 to make such certification to the commissioner.

574 Sec. 25. Subsection (c) of section 14-65 of the general statutes, as
575 amended by section 16 of public act 99-268, is repealed and the
576 following is substituted in lieu thereof:

577 (c) The provisions of this section shall not apply to a sale by a sheriff
578 or such sheriff's deputy or to a private auction sale of motor vehicles,
579 used by the seller, who is not a used car dealer as defined in section
580 14-51, in the operation of [his] such seller's business or for [his]
581 personal use.

582 Sec. 26. Subsection (o) of section 14-49 of the general statutes, as
583 amended by public act 99-118, is repealed and the following is
584 substituted in lieu thereof:

585 (o) No registration fee or operator's license fee shall be charged in
586 respect to any motor vehicle owned by a municipality, as defined in
587 section 7-245, any other governmental agency or a military agency and
588 used exclusively for the conduct of official business. No registration fee
589 shall be charged for any motor vehicle owned by or leased to a transit
590 district and used exclusively to provide public transportation. No fee
591 shall be charged for the registration of ambulances owned by hospitals
592 or any nonprofit civic organization approved by the commissioner, but
593 a fee of twenty dollars shall be charged for the inspection of any such
594 ambulance. No fee shall be charged for the registration of fire
595 department apparatus as provided by section 14-19. No registration fee
596 shall be charged to a disabled veteran, as defined in section 14-254,
597 residing in this state for the registration of three passenger, [motor
598 vehicle,] camper or passenger and commercial motor [vehicle] vehicles
599 leased or owned by such veteran in any registration year, provided
600 such [vehicle] vehicles shall not be used for hire. No registration fee
601 shall be charged for any motor vehicle leased to an agency of this state
602 on or after June 4, 1982.

TRA Committee Vote: Yea 23 Nay 1 JFS

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

- State Impact:** Minimal Fiscal Impacts
- Affected Agencies:** Department of Motor Vehicles, Judicial Department, Department of Public Safety, Department of Education
- Municipal Impact:** Potential Costs, Potential Minimal Workload Increase

Explanation

State Impact:

It is anticipated that passage of this bill will not have any significant fiscal impacts. Most sections will have no fiscal impact. The revenue impacts are expected to be minimal, other sections will have administrative efficiencies or workload increases which can be performed by existing staff without the need for additional budgetary resources.

Municipal Impact:

Section 10 of the bill could result in a potential cost to local and regional school districts due to the possible imposition of fines associated with CGS 14-275c. The cost would be dependent upon the number of fines and the size of the fines, both of which are unknown.

Any motor carrier safety ratings conducted by municipal police

officers can be handled within normal resources.

OLR Bill Analysis

sSB 98

AN ACT REVISING CERTAIN MOTOR VEHICLE LAWS.**SUMMARY:**

This bill:

1. increases the period that registration credentials issued by qualified motor vehicle dealers remain valid, shortens the amount of time dealers have to submit the required documents to the Department of Motor Vehicles (DMV) for processing, and allows dealers to issue new registrations for all of the same classes of vehicles for which they may already issue temporary registrations;
2. classifies vehicles driven by DMV inspectors answering emergency calls or pursuing motor vehicle law violators as emergency vehicles, thus affording them the same rights and protections from obstruction provided to police, fire, and emergency medical vehicles responding to calls;
3. eliminates the \$5 fee for handicapped parking permit placards issued to people with permanent qualifying disabilities and the five-year renewal requirement, thus making them permanent once issued;
4. modifies several motor vehicle title procedure requirements, including allowing an applicant to submit a statement on a DMV form in lieu of the vehicle's last known title certificate attesting that the prior title is lost or destroyed or cannot be reasonably located or obtained from the person who last had it;
5. allows the DMV commissioner to issue special plates licensed auto recycling businesses may use on vehicles they may be towing in connection with their business and which have no other valid plates;

6. allows antique, rare, or special interest motor vehicles to legally display license plates originally issued in Connecticut in the year the vehicles were manufactured instead of the registration plates currently assigned to them;
7. makes several changes to school bus laws, including (a) eliminating the current prohibition on the DMV commissioner establishing and enforcing bus seating requirements based on a minimum seating width for each child, (b) establishing penalties for violating DMV regulations governing school buses and vehicles used to transport special education students and their drivers, (c) revising the uniform bus color standard to conform to the newer federally defined standard, and (d) establishing a two-year retention period for school bus maintenance records;
8. prohibits use of a farm registration plate on a vehicle that is designed to carry 10 or more people and is transporting passengers;
9. modifies the current prohibition on television screens or similar displays in motor vehicles that are visible to the driver, except for those used for instrumentation purposes, to allow a closed video monitor for backing as long as it is disabled whenever the vehicle's transmission is shifted out of reverse gear;
10. allows state and municipal police officers and DMV inspectors to conduct motor carrier safety ratings according to the procedures designated for carriers operating vehicles subject to federal motor carrier safety regulations;
11. makes it clear that the federal safety regulations that have been adopted by reference as state requirements apply both to vehicles and to the carriers who own them;
12. makes a copy or facsimile of a Department of Transportation oversize or overweight permit in the vehicle, in lieu of the actual permit, a valid demonstration of its authority to operate;
13. updates DMV's authority to regulate the installation, repair, servicing, and sale of used brake drums to include similar

authority over brake discs (used in many new cars instead of brake drums), defines the term, and extends the commissioner's authority to brake equipment for commercial as well as passenger vehicles;

14. makes it clear that, beside vehicle owners, those who lease for more than 30 days diesel-powered commercial vehicles subject to Connecticut emissions inspection requirements are similarly responsible for compliance with the standards;
15. eliminates a state requirement regarding lighting on vehicle running boards, thus deferring to more recent federal standards; and
16. makes several technical and corrective changes to existing laws.

EFFECTIVE DATE: October 1, 2000

FURTHER EXPLANATION

New Registrations and Registration Transfers Done by Dealers

By law, the motor vehicles commissioner may delegate to licensed motor vehicle dealers he deems qualified the authority to issue new or transfer existing motor vehicle registrations. The bill increases the period temporary registration transfers issued by dealers remain valid from 45 to 60 days. It also decreases, from seven to five days from issuance of the temporary registration, the time dealers have to submit registration transfer applications and supporting documents to the DMV for processing.

Currently, the law allows dealers to be authorized to issue new registrations for passenger motor vehicles and motorcycles and transfer registrations for passenger vehicles, motorcycles, campers, camp trailers, and trucks of up to 26,000 pounds gross weight. The bill makes the two laws consistent by expanding the authorization for new registrations to include the same vehicle types as for registration transfers.

Handicapped Parking Permit Placards

The bill makes handicapped parking permits issued to people with permanent qualifying disabilities permanent credentials instead of requiring their renewal every five years. It eliminates the \$5 fee DMV currently charges for both initial and renewed permits for people with permanent qualifying disabilities (see BACKGROUND).

The bill retains the \$5 fee for the placards issued to people with temporary qualifying disabilities.

Title Documents

When applying for a new certificate of title for a motor vehicle, current law requires the applicant to submit the most recent Connecticut title certificate along with the application. The bill allows someone applying for a title certificate for a vehicle for which the current title is not available to submit a statement on a DMV-prescribed affidavit form in lieu of the title certificate. The statement must say that the title is lost or destroyed, or despite reasonable efforts cannot be located or obtained from the person or firm last known to have it.

The bill makes the title statute reflect a 1998 change in the law allowing motor vehicle dealers qualified by the commissioner to inspect and verify vehicle identification numbers by affidavit. It allows dealer verified identification numbers to be accepted in the titling process.

The bill also eliminates the current 10-day period during which a dealer buying a vehicle for resale must get the title certificate from a lienholder. It also allows a dealer to satisfy the law's requirements through the statement in lieu of the title certificate described above.

Recycler Towing Plates

The bill allows DMV-licensed motor vehicle recycling businesses to apply for, and authorizes DMV to issue, special plates that may be displayed on a vehicle being towed in connection with the recycler's business when the vehicle has no other valid registration plate. The special vehicle-in-tow plate must carry the general distinguishing number and mark DMV assigns to the business. The commissioner must charge a fee to cover the costs of issuing and renewing the plates.

Antique Plates

The bill allows the commissioner to authorize the owner of an antique, rare, or special interest motor vehicle to display a Connecticut number plate originally issued in the year the vehicle was manufactured instead of plates normally required for the vehicle. The commissioner must issue a registration certificate for the special plate, which remains valid, subject to renewal, for as long as he permits. When the auxiliary year-of-manufacture plate is no longer valid, the registration number and plates originally assigned to the vehicle are in effect.

The special plate is subject to the same display and registration validation sticker requirements as normal license plates.

The commissioner must adopt implementing regulations.

The law defines an antique, rare, or special interest vehicle as one that is 25 or more years old, is being preserved because of historic interest, and is not altered or modified from the original manufacturer's specifications. These vehicles may already get a special distinctively designed porcelain license plate instead of regular license plates.

Penalties for Violating DMV Regulations Governing School Buses

The law authorizes the commissioner to adopt regulations governing (1) the inspection, registration, operation, and maintenance of school buses and vehicles used to transport special education students and (2) the licensing of their drivers, but it specifies no penalties for violating the regulations. The bill designates a first violation of any of these regulations as an infraction; any subsequent offense is punishable by a fine of \$100 to \$500.

BACKGROUND**Federal Court Case on Fees for Handicapped Parking Permits**

In *Duprey v. State of Connecticut, Department of Motor Vehicles* (28 Fed. Supp. 2nd, 702 (1998)), the federal district court found that the \$5 fee

charged to those people with permanent qualifying disabilities for the parking permits constituted a discriminatory surcharge and thus was prohibited by federal regulation promulgated pursuant to the Americans with Disabilities Act (ADA).

DMV has interpreted the *Duprey* decision to apply only to the permanent permits it issues, concluding that the impairments for which it issues temporary permits do not constitute the types of disabilities covered by ADA.

Infractions

Infractions are punishable by fines, usually set by Superior Court judges, of between \$35 and \$90, plus additional fees, surcharges, and costs. Some infractions increase when committed in designated construction, utility work, and school zones. This means some violators could have to pay \$361, although most have to pay less than that and many pay less than \$100. An infraction is not a crime; thus, violators do not have criminal records and can pay the fine by mail without making a court appearance.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 23 Nay 1