



General Assembly

February Session, 2000

Amendment

LCO No. 4375

Offered by:

REP. CARDIN, 53rd Dist.

To: Subst. House Bill No. 5624

File No. 373

Cal. No. 306

"An Act Concerning The Administration Of Child Care Programs Under The Department Of Social Services."

1 After line 135, insert the following and renumber the remaining
2 section accordingly:

3 "Sec. 4. Subsection (a) of section 14-41 of the general statutes, as
4 amended by section 7 of public act 99-287, is repealed and the
5 following is substituted in lieu thereof:

6 (a) Except as provided in section 14-41a, each motor vehicle or
7 motorcycle operator's license shall be renewed quadrennially on the
8 date of the operator's birthday. On and after July 1, 2001, the
9 Commissioner of Motor Vehicles shall screen the vision of each motor
10 vehicle operator prior to every other renewal of [his] such operator's
11 license in accordance with a schedule adopted by the commissioner.
12 Such screening requirement shall apply to every other renewal
13 following the initial screening. In lieu of the vision screening by the
14 commissioner, such operator may submit the results of a vision
15 screening conducted by a licensed health care professional qualified to
16 conduct such screening on a form prescribed by the commissioner

17 during the twelve months preceding such renewal. No motor vehicle
18 operator's license may be renewed unless the operator passes such
19 vision screening. The commissioner shall adopt regulations in
20 accordance with the provisions of chapter 54 to implement the
21 provisions of this subsection relative to the administration of vision
22 screening. On and after July 1, 2000, the Commissioner of Motor
23 Vehicles shall, within available appropriations, request a criminal
24 history records check for each motor vehicle operator prior to every
25 renewal of such operator's license. When the initial criminal history
26 records check is requested, the commissioner shall require such
27 operator to furnish to the commissioner a digital image to enable a
28 criminal history records check to be conducted. The commissioner
29 shall submit the digital image to the State Police Bureau of
30 Identification. The State Police Bureau of Identification is authorized to
31 submit the digital image to the Federal Bureau of Investigation for a
32 national criminal history records check. A fee shall be charged by the
33 commissioner for each such national criminal history records check
34 which shall be equal to the fee charged by the Federal Bureau of
35 Investigation for performing such check. The commissioner may enter
36 into a contract for the production of digital images. The commissioner
37 may disclose any digital image collected pursuant to this subsection to
38 any federal, state or local government agency, upon request.

39 Sec. 5. Section 14-10 of the general statutes, as amended by section 2
40 of public act 99-77, section 1 of public act 99-232 and section 28 of
41 public act 99-268, is repealed and the following is substituted in lieu
42 thereof:

43 (a) For the purposes of this section:

44 (1) "Disclose" means to engage in any practice or conduct to make
45 available and make known, by any means of communication, personal
46 information contained in a motor vehicle record pertaining to an
47 individual to any other individual, organization or entity;

48 (2) "Motor vehicle record" means any record that pertains to an

49 operator's license, learner's permit, identity card, registration,
50 certificate of title or any other document issued by the Department of
51 Motor Vehicles;

52 (3) "Personal information" means information that identifies an
53 individual and includes an individual's photograph, [or] computerized
54 or digital image, Social Security number, operator's license number,
55 name, address other than the zip code, telephone number, or medical
56 or disability information, but does not include information on motor
57 vehicle accidents or violations, or information relative to the status of
58 an operator's license, registration or insurance coverage; and

59 (4) "Consent" means a written authorization signed by the
60 individual who is the subject of personal information that specifically
61 grants permission to the department to release such information to the
62 requesting party.

63 (b) A number shall be assigned to each motor vehicle registration
64 and operator's license and a record of all applications for motor vehicle
65 registrations and operators' licenses issued shall be kept by the
66 commissioner at the main office of the Department of Motor Vehicles.

67 (c) (1) All records of the Department of Motor Vehicles pertaining to
68 the application for registration, and the registration, of motor vehicles
69 of the current or previous three years shall be maintained by the
70 commissioner at the main office of the department. Any such records
71 over three years old may be destroyed at the discretion of the
72 commissioner. (2) Before disclosing personal information pertaining to
73 an applicant or registrant from such motor vehicle records or allowing
74 the inspection of any such record containing such personal information
75 in the course of any transaction conducted at such main office, the
76 commissioner shall ascertain whether such disclosure is authorized
77 under subsection (f) of this section, and require the person or entity
78 making the request to (A) complete an application that shall be on a
79 form prescribed by the commissioner, (B) provide two forms of
80 acceptable identification and (C) pay a fee of fifteen dollars to the

81 commissioner in addition to any fee required under section 14-50a. An
82 attorney-at-law admitted to practice in this state may provide juris
83 number to the commissioner in lieu of the requirements of
84 subparagraph (B) of this subdivision. The commissioner may disclose
85 such personal information or permit the inspection of such record
86 containing such information only if such disclosure is authorized
87 under subsection (f) of this section.

88 (d) The commissioner may disclose personal information from a
89 motor vehicle record pertaining to an operator's license or a driving
90 history or permit the inspection or copying of any such record or
91 history containing such information in the course of any transaction
92 conducted at the main office of the department only if such disclosure
93 is authorized under subsection (f) of this section. Any such records
94 over five years old may be destroyed at the discretion of the
95 commissioner.

96 (e) In the event (1) a federal court judge, federal court magistrate or
97 judge of the Superior Court, Appellate Court or Supreme Court of the
98 state, (2) a member of a municipal police department or a member of
99 the Division of State Police within the Department of Public Safety, (3)
100 an employee of the Department of Correction, (4) an attorney-at-law
101 who represents or has represented the state in a criminal prosecution,
102 or (5) a member or employee of the Board of Parole submits a written
103 request and furnishes such individual's business address to the
104 commissioner, such business address only shall be disclosed or
105 available for public inspection to the extent authorized by this section.

106 (f) The commissioner may disclose personal information from a
107 motor vehicle record to (1) any federal, state or local government
108 agency in carrying out its functions or to any individual or entity
109 acting on behalf of any such agency, or (2) any individual, organization
110 or entity that signs and files with the commissioner, under penalty of
111 false statement as provided in section 53a-157b, a statement on a form
112 approved by the commissioner, together with such supporting
113 documentation or information as the commissioner may require, that

114 such information will be used for any of the following purposes:

115 (A) In connection with matters of motor vehicle or driver safety and
116 theft, motor vehicle emissions, motor vehicle product alterations,
117 recalls or advisories, performance monitoring of motor vehicles and
118 dealers by motor vehicle manufacturers and removal of nonowner
119 records from the original owner records of motor vehicle
120 manufacturers to implement the provisions of the federal Automobile
121 Information Disclosure Act, 15 USC 1231 et seq., the Motor Vehicle
122 Information and Cost Saving Act, 15 USC 1901 et seq., the National
123 Traffic and Motor Vehicle Safety Act of 1966, 15 USC 1381 et seq., Anti-
124 Car Theft Act of 1992, 15 USC 2021 et seq., and the Clean Air Act, 42
125 USC 7401 et seq., as amended from time to time, and any provision of
126 the general statutes enacted to attain compliance with said federal acts;

127 (B) In the normal course of business by the requesting party, but
128 only to confirm the accuracy of personal information submitted by the
129 individual to the requesting party;

130 (C) In connection with any civil, criminal, administrative or arbitral
131 proceeding in any court or government agency or before any self-
132 regulatory body, including the service of process, an investigation in
133 anticipation of litigation and the execution or enforcement of
134 judgments and orders, or pursuant to an order of any court provided
135 the requesting party is a party in interest to such proceeding;

136 (D) In connection with matters of motor vehicle or driver safety and
137 theft, motor vehicle emissions, motor vehicle product alterations,
138 recalls or advisories, performance monitoring of motor vehicles and
139 motor vehicle parts and dealers, motor vehicle market research
140 activities including survey research, motor vehicle product and service
141 communications, and removal of nonowner records from the original
142 owner records of motor vehicle manufacturers, provided the personal
143 information is not published, disclosed or used to contact individuals
144 except as permitted under subparagraph (A) of this subdivision;

145 (E) By any insurer or insurance support organization or by a self-

146 insured entity or its agents, employees or contractors, in connection
147 with the investigation of claims arising under insurance policies,
148 antifraud activities, rating or underwriting;

149 (F) In providing any notice required by law to owners or lienholders
150 named in the certificate of title of towed, abandoned or impounded
151 motor vehicles;

152 (G) By an employer or its agent or insurer to obtain or verify
153 information relating to a holder of a passenger endorsement or
154 commercial driver's license required under the federal Commercial
155 Motor Vehicle Safety Act of 1986, 49 USC 2304 et seq., and sections 14-
156 44 to 14-44m, inclusive;

157 (H) In connection with any lawful purpose of a labor organization,
158 as defined in section 31-77, provided (i) such organization has entered
159 into a contract with the commissioner, on such terms and conditions as
160 the commissioner may require, and (ii) the information will be used
161 only for the purposes specified in the contract other than campaign or
162 political purposes;

163 (I) For bulk distribution for surveys, marketing or solicitations
164 provided the commissioner has entered into a contract with the
165 requesting individual, organization or entity under the provisions of
166 subsection (b) of section 14-50a and the Department of Motor Vehicles
167 has implemented methods and procedures that ensure that (i)
168 individuals are provided an opportunity, in a clear and conspicuous
169 manner, to prohibit such uses, and (ii) the information will be used
170 only for the purposes specified in the contract, and such surveys,
171 marketing and solicitations will not be directed to any individual who
172 has requested in a timely manner that such material not be directed to
173 such individual.

174 (g) Any person receiving personal information from a motor vehicle
175 record pursuant to subsection (f) of this section shall be entitled to use
176 such information for any of the purposes set forth in said subsection.

177 (h) Notwithstanding any provision of this section, the disclosure of
178 personal information from a motor vehicle record pursuant to
179 subsection (f) of this section shall be subject to the provisions of section
180 14-50a concerning (1) the fees that shall be charged for copies of or
181 information pertaining to motor vehicle records and (2) the authority
182 of the commissioner to establish fees for information furnished on a
183 volume basis in accordance with such terms and conditions regarding
184 the use and distribution of such information as the commissioner may
185 prescribe.

186 (i) Notwithstanding the provisions of this section, (1) the
187 commissioner shall not, on or before June 30, 2000, offer for sale or sell
188 individual photographs or computerized images collected for the
189 purpose of producing motor vehicle operator licenses, and (2) the
190 commissioner shall not offer for sale or sell individual digital images
191 collected pursuant to subsection (a) of section 14-41 of the general
192 statutes, as amended by this act.

193 (j) Notwithstanding any provision of this section that restricts or
194 prohibits the disclosure of personal information from a motor vehicle
195 record, the commissioner may disclose personal information contained
196 in any such record to any individual who is the subject of such
197 personal information or to any person who certifies under penalty of
198 false statement that such person has obtained the consent of the subject
199 of such personal information.

200 (k) The commissioner may adopt regulations in accordance with
201 chapter 54 to implement the provisions of this section."