



Senate

General Assembly

File No. 364

January Session, 2001

Substitute Senate Bill No. 284

Senate, April 19, 2001

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 (a) of section 14-1 of the general statutes is
2 repealed and the following is substituted in lieu thereof:

3 (a) Terms used in this chapter shall be construed as follows, unless
4 another construction is clearly apparent from the language or context
5 in which the term is used or unless the construction is inconsistent
6 with the manifest intention of the General Assembly:

7 (1) "Agricultural tractor" means a tractor or other form of
8 nonmuscular motive power used for transporting, hauling, plowing,
9 cultivating, planting, harvesting, reaping or other agricultural
10 purposes on any farm or other private property, or used for the
11 purpose of transporting, from one farm to another, agricultural
12 implements and farm products, provided the agricultural tractor is not
13 used on any highway for transporting a pay load or for some other

14 commercial purpose;

15 (2) "Antique, rare or special interest motor vehicle" means a motor
16 vehicle twenty-five years old or older which is being preserved
17 because of historic interest and which is not altered or modified from
18 the original manufacturer's specifications;

19 (3) "Apparent candle power" means an illumination equal to the
20 normal illumination in foot candles produced by any lamp or lamps,
21 divided by the square of the distance in feet between the lamp or
22 lamps and the point at which the measurement is made;

23 (4) "Authorized emergency vehicle" means (A) a fire department
24 vehicle, (B) a police vehicle, or (C) a public service company or
25 municipal department ambulance or emergency vehicle designated or
26 authorized for use as an authorized emergency vehicle by the
27 commissioner;

28 (5) "Auxiliary driving lamp" means an additional lighting device on
29 a motor vehicle used primarily to supplement the general illumination
30 in front of a motor vehicle provided by the motor vehicle's head lamps;

31 (6) "Bulb" means a light source consisting of a glass bulb containing
32 a filament or substance capable of being electrically maintained at
33 incandescence;

34 (7) "Camp trailer" includes any trailer designed and used
35 exclusively for camping or recreational purposes;

36 (8) "Camper" means any motor vehicle designed or permanently
37 altered in such a way as to provide temporary living quarters for
38 travel, camping or recreational purposes;

39 (9) "Combination registration" means the type of registration issued
40 to a motor vehicle used for both private passenger and commercial
41 purposes if such vehicle does not have a gross vehicle weight in excess

42 of ten thousand pounds;

43 (10) "Commercial driver's license" or "CDL" means a license issued
44 to an individual in accordance with the provisions of sections 14-44a to
45 14-44m, inclusive, which authorizes such individual to drive a
46 commercial motor vehicle;

47 (11) "Commercial motor vehicle" means a vehicle designed or used
48 to transport passengers or property, except a vehicle used within one
49 hundred fifty miles of a farm in connection with the operation of such
50 farm, fire fighting apparatus or other authorized emergency vehicles,
51 or a recreational vehicle in private use, which (A) has a gross vehicle
52 weight rating of twenty-six thousand and one pounds or more; (B) is
53 designed to transport sixteen or more passengers, including the driver,
54 or is designed to transport more than ten passengers, including the
55 driver, and is used to transport students under the age of twenty-one
56 years to and from school; or (C) is transporting hazardous materials
57 and is required to be placarded in accordance with the Code of Federal
58 Regulations Title 49, Part 172, Subpart F, as amended;

59 (12) "Commercial registration" means the type of registration
60 required for any motor vehicle designed or used to transport
61 merchandise, freight or persons in connection with any business
62 enterprise, unless a more specific type of registration is authorized and
63 issued by the commissioner for such class of vehicle;

64 (13) "Commercial trailer" means a trailer used in the conduct of a
65 business to transport freight, materials or equipment whether or not
66 permanently affixed to the bed of the trailer;

67 (14) "Commissioner" includes the Commissioner of Motor Vehicles
68 and any assistant to the Commissioner of Motor Vehicles who is
69 designated and authorized by, and who is acting for, the
70 Commissioner of Motor Vehicles under a designation; except that the
71 Deputy Commissioners of Motor Vehicles and the Attorney General

72 are deemed, unless the Commissioner of Motor Vehicles otherwise
73 provides, to be designated and authorized by, and acting for, the
74 Commissioner of Motor Vehicles under a designation;

75 (15) "Controlled substance" has the same meaning as in section 21a-
76 240 and the federal laws and regulations incorporated in chapter 420b;

77 (16) "Conviction" means an unvacated adjudication of guilt, or a
78 determination that a person has violated or failed to comply with the
79 law in a court of original jurisdiction or an authorized administrative
80 tribunal, an unvacated forfeiture of bail or collateral deposited to
81 secure the person's appearance in court, the payment of a fine or court
82 cost, or violation of a condition of release without bail, regardless of
83 whether or not the penalty is rebated, suspended or probated;

84 (17) "Dealer" includes any person actively engaged in buying,
85 selling or exchanging motor vehicles or trailers who has an established
86 place of business in this state and who may, incidental to such
87 business, repair motor vehicles or trailers, or cause them to be repaired
88 by persons in his or her employ;

89 (18) "Disqualification" means a withdrawal of the privilege to drive
90 a commercial motor vehicle, which occurs as a result of (A) any
91 suspension or revocation by the commissioner of the privilege to
92 operate a motor vehicle; (B) a determination by the Federal Highway
93 Administration, under the rules of practice for motor carrier safety
94 contained in the Code of Federal Regulations Title 49, Part 386, as
95 amended, that a person is no longer qualified to operate a commercial
96 motor vehicle under the standards of the Code of Federal Regulations
97 Title 49, Part 391, as amended; or (C) the loss of qualification which
98 automatically follows any of the convictions specified in section 14-
99 44k;

100 (19) "Drive" means to drive, operate or be in physical control of a
101 motor vehicle, including a motor vehicle being towed by another;

102 (20) "Driver" means any person who drives, operates or is in
103 physical control of a commercial motor vehicle, or who is required to
104 hold a commercial driver's license;

105 (21) "Driver's license" or "operator's license" means a valid
106 Connecticut motor vehicle operator's license or a license issued by
107 another state or foreign jurisdiction authorizing the holder thereof to
108 operate a motor vehicle on the highways;

109 (22) "Employee" means any operator of a commercial motor vehicle,
110 including full-time, regularly employed drivers, casual, intermittent or
111 occasional drivers, drivers under contract and independent, owner-
112 operator contractors, who, while in the course of operating a
113 commercial motor vehicle, are either directly employed by, or are
114 under contract to, an employer;

115 (23) "Employer" means any person, including the United States, a
116 state or any political subdivision thereof, who owns or leases a
117 commercial motor vehicle, or assigns a person to drive a commercial
118 motor vehicle;

119 (24) "Farm implement" means a vehicle designed and adapted
120 exclusively for agricultural, horticultural or livestock-raising
121 operations and which is not operated on a highway for transporting a
122 pay load or for any other commercial purpose;

123 (25) "Felony" means any offense as defined in section 53a-25 and
124 includes any offense designated as a felony under federal law;

125 (26) "Foreign jurisdiction" means any jurisdiction other than a state
126 of the United States;

127 (27) "Fuels" means (A) all products commonly or commercially
128 known or sold as gasoline, including casinghead and absorption or
129 natural gasoline, regardless of their classification or uses, (B) any liquid
130 prepared, advertised, offered for sale or sold for use, or commonly and

131 commercially used, as a fuel in internal combustion engines, which,
132 when subjected to distillation in accordance with the standard method
133 of test for distillation of gasoline, naphtha, kerosene and similar
134 petroleum products by "American Society for Testing Materials
135 Method D-86", shows not less than ten per cent distilled (recovered)
136 below 347 Fahrenheit (175 Centigrade) and not less than ninety-five
137 per cent distilled (recovered) below 464 Fahrenheit (240 Centigrade);
138 provided the term "fuels" shall not include commercial solvents or
139 naphthas which distill, by "American Society for Testing Materials
140 Method D-86", not more than nine per cent at 176 Fahrenheit and
141 which have a distillation range of 150 Fahrenheit, or less, or liquefied
142 gases which would not exist as liquids at a temperature of 60
143 Fahrenheit and a pressure of 14.7 pounds per square inch absolute,
144 and (C) any liquid commonly referred to as "gasohol" which is
145 prepared, advertised, offered for sale or sold for use, or commonly and
146 commercially used, as a fuel in internal combustion engines, consisting
147 of a blend of gasoline and a minimum of ten per cent by volume of
148 ethyl or methyl alcohol;

149 (28) "Garage" includes every place of business where motor vehicles
150 are, for compensation, received for housing, storage or repair;

151 (29) "Gross vehicle weight rating" or "GVWR" means the value
152 specified by the manufacturer as the maximum loaded weight of a
153 single or a combination (articulated) vehicle, or its registered gross
154 weight, whichever is greater. The GVWR of a combination (articulated)
155 vehicle commonly referred to as the "gross combination weight rating"
156 or GCWR is the GVWR of the power unit plus the GVWR of the towed
157 unit or units;

158 (30) "Gross weight" means the light weight of a vehicle plus the
159 weight of any load on the vehicle, provided, in the case of a tractor-
160 trailer unit, "gross weight" means the light weight of the tractor plus
161 the light weight of the trailer or semitrailer plus the weight of the load

162 on the vehicle;

163 (31) "Hazardous materials" has the same meaning as in Section 103
164 of the Hazardous Materials Transportation Act, Section 1801 et seq.,
165 Title 49, United States Code;

166 (32) "Head lamp" means a lighting device affixed to the front of a
167 motor vehicle projecting a high intensity beam which lights the road in
168 front of the vehicle so that it can proceed safely during the hours of
169 darkness;

170 (33) "High-mileage vehicle" means a motor vehicle having the
171 following characteristics: (A) Not less than three wheels in contact with
172 the ground; (B) a completely enclosed seat on which the driver sits; (C)
173 a single or two cylinder, gasoline or diesel engine or an electric-
174 powered engine; and (D) efficient fuel consumption;

175 (34) "Highway" includes any state or other public highway, road,
176 street, avenue, alley, driveway, parkway or place, under the control of
177 the state or any political subdivision of the state, dedicated,
178 appropriated or opened to public travel or other use;

179 (35) "Intersecting highway" includes any public highway which
180 joins another at an angle whether or not it crosses the other;

181 (36) "Light weight" means the weight of an unloaded motor vehicle
182 as ordinarily equipped and ready for use, exclusive of the weight of
183 the operator of the motor vehicle;

184 (37) "Limited access highway" means a state highway so designated
185 under the provisions of section 13b-27;

186 (38) "Local authorities" includes the board of aldermen, common
187 council, chief of police, warden and burgesses, board of selectmen or
188 other officials having authority for the enactment or enforcement of
189 traffic regulations within their respective towns, cities or boroughs;

190 (39) "Maintenance vehicle" means any vehicle in use by the state or
191 by any town, city, borough or district, any state bridge or parkway
192 authority or any public service company, as defined in section 16-1, in
193 the maintenance of public highways or bridges and facilities located
194 within the limits of public highways or bridges;

195 (40) "Manufacturer" means (A) a person, whether a resident or
196 nonresident, engaged in the business of constructing or assembling
197 motor vehicles of a type required to be registered under section 14-12,
198 as amended by this act, who offers the motor vehicles for sale in this
199 state, or (B) a person who distributes new motor vehicles to licensed
200 new car dealers in this state;

201 (41) "Median divider" means an intervening space or physical
202 barrier or clearly indicated dividing section separating traffic lanes
203 provided for vehicles proceeding in opposite directions;

204 (42) "Minibike" or "minicycle" means any two or three wheel
205 motorcycle having one or more of the following characteristics: (A)
206 Ten inches (254 mm) or less nominal wheel rim diameter; (B) forty
207 inches or less wheel base; (C) twenty-five inches or less seat height
208 measured at the lowest point on the top of the seat cushion without
209 rider; (D) a propelling engine having a piston displacement of 50 c.c. or
210 less;

211 (43) "Modified antique motor vehicle" means a motor vehicle
212 twenty-five years old or older which has been modified for safe road
213 use, including but not limited to, modifications to the drive train,
214 suspension, braking system and safety or comfort apparatus;

215 (44) "Motor bus" includes any motor vehicle, except a taxicab, as
216 defined in section 13b-95, operated in whole or in part on any street or
217 highway in a manner affording a means of transportation by
218 indiscriminately receiving or discharging passengers, or running on a
219 regular route or over any portion of a regular route or between fixed

220 termini;

221 (45) "Motor home" means a vehicular unit designed to provide
222 living quarters and necessary amenities which are built into an integral
223 part of, or permanently attached to, a truck or van chassis;

224 (46) "Motorcycle" means a motor vehicle, with or without a side car,
225 having not more than three wheels in contact with the ground and a
226 saddle or seat on which the rider sits or a platform on which the rider
227 stands and includes bicycles having a motor attached, except bicycles
228 propelled by means of a helper motor as defined in section 14-286, but
229 does not include a vehicle having or designed to have a completely
230 enclosed driver's seat and a motor which is not in the enclosed area;

231 (47) "Motor vehicle" means any vehicle propelled or drawn by any
232 nonmuscular power, except aircraft, motor boats, road rollers, baggage
233 trucks used about railroad stations or other mass transit facilities,
234 electric battery-operated wheel chairs when operated by physically
235 handicapped persons at speeds not exceeding fifteen miles per hour,
236 golf carts operated on highways solely for the purpose of crossing
237 from one part of the golf course to another, golf cart type vehicles
238 operated on roads or highways on the grounds of state institutions by
239 state employees, agricultural tractors, farm implements, such vehicles
240 as run only on rails or tracks, self-propelled snow plows, snow blowers
241 and lawn mowers, when used for the purposes for which they were
242 designed and operated at speeds not exceeding four miles per hour,
243 whether or not the operator rides on or walks behind such equipment,
244 bicycles with helper motors as defined in section 14-286, special mobile
245 equipment as defined in subsection (i) of section 14-165 and any other
246 vehicle not suitable for operation on a highway;

247 (48) "New motor vehicle" means a motor vehicle, the equitable or
248 legal title to which has never been transferred by a manufacturer,
249 distributor or dealer to an ultimate consumer;

250 (49) "Nonresident" means any person whose legal residence is in a
251 state other than Connecticut or in a foreign country;

252 (50) "Nonresident commercial driver's license" or "nonresident CDL"
253 means a commercial driver's license issued by a state to an individual
254 who resides in a foreign jurisdiction;

255 (51) "Nonskid device" means any device applied to the tires, wheels,
256 axles or frame of a motor vehicle for the purpose of increasing the
257 traction of the motor vehicle;

258 (52) "Number plate" means any sign or marker furnished by the
259 commissioner on which is displayed the registration number assigned
260 to a motor vehicle by the commissioner;

261 (53) "Officer" includes any constable, state marshal, inspector of
262 motor vehicles, state policeman or other official authorized to make
263 arrests or to serve process, provided the officer is in uniform or
264 displays [his] the officer's badge of office in a conspicuous place when
265 making an arrest;

266 (54) "Operator" means any person who operates a motor vehicle or
267 who steers or directs the course of a motor vehicle being towed by
268 another motor vehicle and includes a driver as defined in subdivision
269 (20) of this section;

270 (55) "Out-of-service order" means a temporary prohibition against
271 driving a commercial motor vehicle or any other vehicle subject to the
272 federal motor carrier safety regulations enforced by the commissioner
273 pursuant to [his] the commissioner's authority under section 14-8;

274 (56) "Owner" means any person holding title to a motor vehicle, or
275 having the legal right to register the same, including purchasers under
276 conditional bills of sale;

277 (57) "Parked vehicle" means a motor vehicle in a stationary position

278 within the limits of a public highway;

279 (58) "Passenger and commercial motor vehicle" means a motor
280 vehicle used for private passenger and commercial purposes which is
281 eligible for combination registration;

282 (59) "Passenger motor vehicle" means a motor vehicle used for the
283 private transportation of persons and their personal belongings,
284 designed to carry occupants in comfort and safety, with not less than
285 fifty per cent of the total area enclosed by the outermost body contour
286 lines, excluding the area enclosing the engine, as seen in a plan view,
287 utilized for designated seating positions and necessary legroom with a
288 capacity of carrying not more than ten passengers including the
289 operator thereof;

290 (60) "Passenger registration" means the type of registration issued to
291 a passenger motor vehicle unless a more specific type of registration is
292 authorized and issued by the commissioner for such class of vehicle;

293 (61) "Person" includes any individual, corporation, limited liability
294 company, association, copartnership, company, firm, business trust or
295 other aggregation of individuals but does not include the state or any
296 political subdivision thereof, unless the context clearly states or
297 requires;

298 (62) "Pneumatic tires" means tires inflated or inflatable with air;

299 (63) "Pole trailer" means a trailer which is (A) intended for
300 transporting long or irregularly shaped loads such as poles, logs, pipes
301 or structural members, which loads are capable of sustaining
302 themselves as beams between supporting connections, and (B)
303 designed to be drawn by a motor vehicle and attached or secured
304 directly to the motor vehicle by any means including a reach, pole or
305 boom;

306 (64) "Recreational vehicle" includes the camper, camp trailer and

307 motor home classes of vehicles;

308 (65) "Registration" includes the certificate of motor vehicle
309 registration and the number plate or plates used in connection with
310 such registration;

311 (66) "Registration number" means the identifying number or letters,
312 or both, assigned by the commissioner to a motor vehicle;

313 (67) "Resident", for the purpose of registering motor vehicles,
314 includes any person having a legal residence in this state, or any
315 person, firm or corporation owning or leasing a motor vehicle used or
316 operated in intrastate business in this state, or a firm or corporation
317 having its principal office or place of business in this state;

318 (68) "School bus" means any school bus, as defined in section 14-275;

319 (69) "Second" violation or "subsequent" violation means an offense
320 committed not more than three years after the date of an arrest which
321 resulted in a previous conviction for a violation of the same statutory
322 provision, except in the case of a violation of section 14-215 or 14-224
323 or subsection (a) of section 14-227a, "second" violation or "subsequent"
324 violation means an offense committed not more than ten years after
325 the date of an arrest which resulted in a previous conviction for a
326 violation of the same statutory provision;

327 (70) "Semitrailer" means any trailer type vehicle designed and used
328 in conjunction with a motor vehicle so that some part of its own weight
329 and load rests on or is carried by another vehicle;

330 (71) "Serious traffic violation" means a conviction, when operating a
331 commercial motor vehicle, of any violation (A) of section 14-218a or 14-
332 219, if the speed was fifteen miles per hour or more over the posted
333 speed limit, (B) of section 14-222, (C) of section 14-240 or 14-240a, (D)
334 of section 14-236, or (E) arising in connection with an accident related
335 to the operation of a commercial motor vehicle and which resulted in

336 the death of any person;

337 (72) "Service bus" includes any vehicle except a vanpool vehicle or a
338 school bus designed and regularly used to carry ten or more
339 passengers when used in private service for the transportation of
340 persons without charge to the individual;

341 (73) "Service car" means any motor vehicle used by a manufacturer,
342 dealer or repairer for emergency motor vehicle repairs on the
343 highways of this state, for towing or for the transportation of necessary
344 persons, tools and materials to and from the scene of such emergency
345 repairs or towing;

346 (74) "Shoulder" means that portion of a highway immediately
347 adjacent and contiguous to the travel lanes or main traveled portion of
348 the roadway;

349 (75) "Solid tires" means tires of rubber, or other elastic material
350 approved by the Commissioner of Transportation, which do not
351 depend on confined air for the support of the load;

352 (76) "Spot lamp" or "spot light" means a lighting device projecting a
353 high intensity beam, the direction of which can be readily controlled
354 for special or emergency lighting as distinguished from ordinary road
355 illumination;

356 (77) "State" means any state of the United States and the District of
357 Columbia unless the context indicates a more specific reference to the
358 state of Connecticut;

359 (78) "Stop" means complete cessation of movement;

360 (79) "Tail lamp" means a lighting device affixed to the rear of a
361 motor vehicle showing a red light to the rear and indicating the
362 presence of the motor vehicle when viewed from behind;

363 (80) "Tank vehicle" means any commercial motor vehicle designed
364 to transport any liquid or gaseous material within a tank that is either
365 permanently or temporarily attached to the vehicle or its chassis which
366 shall include, but not be limited to, a cargo tank and portable tank, as
367 defined in the Code of Federal Regulations Title 49, Section 383.5, as
368 amended, provided it shall not include a portable tank with a rated
369 capacity not to exceed one thousand gallons;

370 (81) "Tractor" or "truck tractor" means a motor vehicle designed and
371 used for drawing a semitrailer;

372 (82) "Tractor-trailer unit" means a combination of a tractor and a
373 trailer or a combination of a tractor and a semitrailer;

374 (83) "Trailer" means any rubber-tired vehicle without motive power
375 drawn or propelled by a motor vehicle;

376 (84) "Truck" means a motor vehicle designed, used or maintained
377 primarily for the transportation of property;

378 (85) "Ultimate consumer" means, with respect to a motor vehicle, the
379 first person, other than a dealer, who in good faith purchases the
380 motor vehicle for purposes other than resale;

381 (86) "United States" means the fifty states and the District of
382 Columbia;

383 (87) "Used motor vehicle" includes any motor vehicle which has
384 been previously separately registered by an ultimate consumer;

385 (88) "Utility trailer" means a trailer designed and used to transport
386 personal property, materials or equipment, whether or not
387 permanently affixed to the bed of the trailer, with a manufacturer's
388 GVWR of ten thousand pounds or less;

389 (89) "Vanpool vehicle" includes all motor vehicles, the primary

390 purpose of which is the daily transportation, on a prearranged
391 nonprofit basis, of individuals between home and work, and which:
392 (A) If owned by or leased to a person, or to an employee of the person,
393 or to an employee of a local, state or federal government unit or agency
394 located in Connecticut, are manufactured and equipped in such
395 manner as to provide a seating capacity of at least seven but not more
396 than fifteen individuals, or (B) if owned by or leased to a regional ride-
397 sharing organization in the state recognized by the Commissioner of
398 Transportation, are manufactured and equipped in such manner as to
399 provide a seating capacity of at least six but not more than nineteen
400 individuals;

401 (90) "Vehicle" includes any device suitable for the conveyance,
402 drawing or other transportation of persons or property, whether
403 operated on wheels, runners, a cushion of air or by any other means.
404 The term does not include devices propelled or drawn by human
405 power or devices used exclusively on tracks;

406 (91) "Vehicle identification number" or "VIN" means a series of
407 Arabic numbers and Roman letters that is assigned to each new motor
408 vehicle that is manufactured within or imported into the United States,
409 in accordance with the provisions of the Code of Federal Regulations,
410 Title 49, Part 565, unless another sequence of numbers and letters has
411 been assigned to a motor vehicle by the commissioner, in accordance
412 with the provisions of section 14-149;

413 [(91)] (92) "Wrecker" means a vehicle which is registered, designed,
414 equipped and used for the purposes of towing or transporting
415 wrecked or disabled motor vehicles for compensation or for related
416 purposes by a person, firm or corporation licensed in accordance with
417 the provisions of subdivision (D) of part III of this chapter.

418 Sec. 2. Subsection (g) of section 14-66 of the general statutes is
419 repealed and the following is substituted in lieu thereof:

420 (g) For the purposes of this section, "nonconsensual towing or
421 transporting" means the towing or transporting of a motor vehicle in
422 accordance with the provisions of section 14-145 or for which
423 arrangements are made by order of a law enforcement officer or traffic
424 authority, as defined in section 14-297, if the operator of the motor
425 vehicle is not present at the time such arrangements are made, and
426 does not designate the person, firm or corporation performing the
427 towing or wrecker service.

428 Sec. 3. Subsection (c) of section 14-165 of the general statutes is
429 repealed and the following is substituted in lieu thereof:

430 (c) "Identification number" means [the numbers and letters, if any,
431 on a vehicle designated by the commissioner for the purpose of
432 identifying the vehicle] the vehicle identification number of a motor
433 vehicle, as defined in subdivision (91) of subsection (a) of section 14-1,
434 as amended by this act.

435 Sec. 4. Section 14-172 of the general statutes is repealed and the
436 following is substituted in lieu thereof:

437 (a) The commissioner, upon receiving application for a first
438 certificate of title, shall check the identification number of the vehicle
439 shown in the application against the records of vehicles required to be
440 maintained by section 14-173 and against the record of stolen and
441 converted vehicles required to be maintained by section 14-197.

442 (b) The commissioner may participate in the National Motor Vehicle
443 Title Information System, established in accordance with the
444 provisions of Sections 30501 to 30503, inclusive, Title 49, United States
445 Code, and may rely on the information contained in such system as
446 prima facie evidence of the facts upon which the commissioner grants
447 or denies such application for a certificate of title that may be issued, in
448 accordance with the provisions of section 14-174, as amended by this
449 act.

450 Sec. 5. Section 14-174 of the general statutes is repealed and the
451 following is substituted in lieu thereof:

452 (a) Each certificate of title issued by the commissioner shall contain:
453 (1) The date issued; (2) the name and address of the owner; (3) the
454 names and addresses of any lienholders, in the order of priority as
455 shown on the application or, if the application is based on a certificate
456 of title, as shown on the certificate; (4) the title number assigned to the
457 vehicle; (5) a description of the vehicle including, so far as the
458 following data exists, its make, model, identification number, type of
459 body, number of cylinders, whether new or used, and, if a new vehicle,
460 the date of the first sale of the vehicle for use; (6) the mileage reading
461 as shown on the application; and (7) any other data the commissioner
462 prescribes.

463 (b) Unless a bond is filed as provided in subdivision (b) of section
464 14-176, as amended by this act, a distinctive certificate of title shall be
465 issued for a vehicle last previously registered in another state or
466 country the laws of which do not require that lienholders be named on
467 a certificate of title to perfect their security interests. The certificate
468 shall contain the legend "This vehicle may be subject to an undisclosed
469 lien" and may contain any other information the commissioner
470 prescribes. If no notice of a security interest in the vehicle is received
471 by the commissioner within four months from the issuance of the
472 distinctive certificate of title, [he] the commissioner shall, upon
473 application and surrender of the distinctive certificate, issue a
474 certificate of title in ordinary form.

475 (c) The certificate of title shall contain forms for assignment and
476 warranty of title by the owner and for assignment and warranty of title
477 by a dealer, and may contain forms for applications for a certificate of
478 title by a transferee, the naming of a lienholder and the assignment or
479 release of the security interest of a lienholder.

480 (d) A certificate of title issued by the commissioner is prima facie

481 evidence of the facts appearing on it. In any criminal proceeding, a
482 certified copy of a certificate of title shall be prima facie evidence as to
483 the ownership of a motor vehicle.

484 (e) A certificate of title for a vehicle is not subject to garnishment,
485 attachment, execution or other judicial process, but this subsection
486 does not prevent a lawful levy upon the vehicle.

487 (f) The commissioner shall place a legend on any new or duplicate
488 certificate of title in accordance with the requirements of section 14-
489 172, as amended by this act, section 14-178, as amended by this act, or
490 section 14-16c, 14-179 or 42-179. The commissioner shall place a legend
491 on any new or duplicate certificate of title that the commissioner issues
492 concerning the mileage on a motor vehicle in accordance with the
493 requirements of the Federal Odometer Act, Sections 32701 to 32711,
494 inclusive, Title 49, United States Code, and any federal regulation
495 adopted under the authority of said act. The commissioner may adopt
496 regulations, in accordance with the provisions of chapter 54, to provide
497 for the placement of additional legends on any certificate of title,
498 concerning the past or present condition of any motor vehicle or the
499 status of the title to any motor vehicle, including legends to indicate
500 that a motor vehicle has been rebuilt, damaged by flood, or is
501 unrepairable, or that a bond has been posted to obtain the title, as
502 provided in section 14-176, as amended by this act. Such regulations,
503 as may be adopted by the commissioner, shall provide for an
504 opportunity for a hearing, in accordance with the provisions of chapter
505 54, and section 14-194, as amended by this act, for any person
506 aggrieved by any action, omission or decision of the commissioner
507 made pursuant to this subsection.

508 Sec. 6. Section 14-175 of the general statutes is repealed and the
509 following is substituted in lieu thereof:

510 [The] (a) Except as provided in subsection (b) of this section, the
511 certificate of title shall be presented or mailed to the first lienholder

512 named in it or, if none, to the owner.

513 (b) The commissioner may enter into an agreement with any first
514 lienholder to a motor vehicle to provide for the electronic recording
515 and storage of the evidence of such lienholder's security interest. Any
516 such agreement may provide that (1) the commissioner shall not issue
517 the certificate of title unless requested by the lienholder, and (2) when
518 the security interest is satisfied and released, the commissioner shall
519 present or mail the certificate of title to the owner, unless another
520 security interest has been recorded by the commissioner.

521 Sec. 7. Section 14-176 of the general statutes is repealed and the
522 following is substituted in lieu thereof:

523 If the commissioner is not satisfied as to the ownership of the
524 vehicle or that there are no undisclosed security interests in it, the
525 commissioner may register the vehicle but shall either: [(a)] (1)
526 Withhold issuance of a certificate of title until the applicant presents
527 documents reasonably sufficient to satisfy the commissioner as to the
528 applicant's ownership of the vehicle and that there are no undisclosed
529 security interests in it; or [(b)] (2) as a condition of issuing a certificate
530 of title, require the applicant to file with the commissioner a bond in
531 the form prescribed by the commissioner and executed by the
532 applicant, and either accompanied by the deposit of cash with the
533 commissioner or also executed by a person authorized to conduct a
534 surety business in this state. The bond shall be in an amount equal to
535 [one and one-half times] twice the value of the vehicle as determined
536 by the commissioner and conditioned to indemnify any prior owner
537 and lienholder and any subsequent purchaser of the vehicle or person
538 acquiring any security interest in it, and their respective successors in
539 interest, against any expense, loss or damage, including reasonable
540 attorney's fees, by reason of the issuance of the certificate of title of the
541 vehicle or on account of any defect in or undisclosed security interest
542 upon the right, title and interest of the applicant in and to the vehicle.

543 Any such interested person has a right of action to recover on the bond
544 for any breach of its conditions, but the aggregate liability of the surety
545 to all persons shall not exceed the amount of the bond. The bond, and
546 any deposit accompanying it, shall be returned at the end of [three]
547 five years or prior thereto if the vehicle is no longer registered in this
548 state and the currently valid certificate of title is surrendered to the
549 commissioner, unless the commissioner has been notified of the
550 pendency of an action to recover on the bond.

551 Sec. 8. Subsection (a) of section 14-178 of the general statutes is
552 repealed and the following is substituted in lieu thereof:

553 (a) If a certificate of title is lost, stolen, mutilated or destroyed or
554 becomes illegible, the first lienholder or, if none, the owner or legal
555 representative of the owner named in the certificate, as shown by the
556 records of the commissioner, shall promptly make application for and
557 may obtain a duplicate upon furnishing information, including
558 personal identification acceptable and satisfactory to the
559 commissioner. The duplicate certificate of title shall contain the legend
560 "This is a duplicate certificate and may be subject to the rights of a
561 person under the original certificate." [It] Except as provided in
562 subsection (b) of section 14-175, as amended by this act, the
563 commissioner shall [be presented or mailed] present or mail the
564 duplicate certificate to the first lienholder named in [it] the duplicate
565 certificate or, if none, to the owner.

566 Sec. 9. Subsection (a) of section 14-183 of the general statutes is
567 repealed and the following is substituted in lieu thereof:

568 (a) The commissioner, upon receipt of a properly assigned certificate
569 of title, with an application for a new certificate of title, the required fee
570 and any other documents required by law, shall issue a new certificate
571 of title in the name of the transferee as owner and, except as provided
572 in subsection (b) of section 14-175, as amended by this act, present or
573 mail [it] the new certificate of title to the first lienholder named in [it]

574 the new certificate of title or, if none, to the owner.

575 Sec. 10. Subsection (c) of section 14-185 of the general statutes is
576 repealed and the following is substituted in lieu thereof:

577 (c) The rules of priority stated in section 42a-9-312, and the other
578 sections therein referred to, shall, to the extent appropriate, apply to
579 conflicting security interests in a vehicle of a type for which a
580 certificate of title is required. [or in a "previously registered vehicle", as
581 defined in section 14-201.] A security interest perfected under this
582 section [or under section 14-201] is a security interest perfected
583 otherwise than by filing for the purposes of section 42a-9-312.

584 Sec. 11. Subsection (d) of section 14-186 of the general statutes is
585 repealed and the following is substituted in lieu thereof:

586 (d) Upon receipt of the certificate of title, the application and the
587 required fee, the commissioner shall either endorse the certificate or
588 issue a new certificate containing the name and address of the new
589 lienholder, and, except as provided in section (b) of section 14-175, as
590 amended by this act, mail the certificate to the first lienholder named
591 in it.

592 Sec. 12. Subsection (b) of section 14-187 of the general statutes is
593 repealed and the following is substituted in lieu thereof:

594 (b) The assignee may, but need not to perfect the assignment, have
595 the certificate of title endorsed or issued with the assignee named as
596 lienholder, upon delivering to the commissioner the certificate and an
597 assignment by the lienholder [named in the certificate] of record in the
598 form the commissioner prescribes. If the lienholder has entered into an
599 agreement with the commissioner pursuant to subsection (b) of section
600 14-175, as amended by this act, the lienholder may submit evidence of
601 the assignment of the security interest, in such form and manner as the
602 commissioner directs, and may request the commissioner to issue a

603 certificate of title with the assignee or, if the assignee also has entered
604 into an agreement with the commissioner to provide for the electronic
605 filing and recording of its security interest, request the commissioner
606 to make the appropriate modifications to the record of the title.

607 Sec. 13. Section 14-188 of the general statutes is repealed and the
608 following is substituted in lieu thereof:

609 (a) Upon the satisfaction of a security interest in a vehicle for which
610 the certificate of title is in the possession of the lienholder, [he] the
611 lienholder shall, within ten days after demand and, in any event,
612 within thirty days, execute a release of [his] the security interest, in the
613 space provided therefor on the certificate or as the commissioner
614 prescribes, and mail or deliver the certificate and release to the next
615 lienholder named therein, or, if none, to the owner or any person who
616 delivers to the lienholder an authorization from the owner to receive
617 the certificate. The owner, other than a dealer holding the vehicle for
618 resale, shall promptly cause the certificate and release to be mailed or
619 delivered to the commissioner, who shall release the lienholder's rights
620 on the certificate or issue a new certificate.

621 (b) If the lienholder has entered into an agreement with the
622 commissioner in accordance with the provisions of subsection (b) of
623 section 14-175, as amended by this act, such lienholder shall, upon the
624 satisfaction of such lienholder's security interest, notify the
625 commissioner within ten days of such satisfaction of security interest.
626 Such notification shall be in such form and manner and shall contain
627 such information necessary to evidence the release of the lien, and to
628 identify the motor vehicle and the title record, as the commissioner
629 prescribes. The commissioner shall issue a certificate of title and
630 present or mail such certificate to the owner, or to the second
631 lienholder, if any. The provisions of this subsection shall apply to each
632 second or subsequent lienholder that has entered into an agreement
633 with the commissioner in accordance with subsection (b) of section 14-

634 175, as amended by this act.

635 [(b)] (c) Upon the satisfaction of a security interest in a vehicle for
636 which the certificate of title is in the possession of a prior lienholder,
637 the lienholder whose security interest is satisfied shall within ten days
638 after demand and, in any event, within thirty days execute a release in
639 the form the commissioner prescribes and deliver the release to the
640 owner or any person who delivers to the lienholder an authorization
641 from the owner to receive it. The lienholder in possession of the
642 certificate of title shall either deliver the certificate to the owner, or the
643 person authorized by [him] the owner, for delivery to the
644 commissioner or, upon receipt of the release, mail or deliver it with the
645 certificate to the commissioner, who shall release the subordinate
646 lienholder's rights on the certificate or issue a new certificate.

647 [(c)] (d) A lienholder who does not comply with subsection [(b)] (c)
648 of this section and who has disappeared and cannot be located by the
649 debtor shall be deemed for purposes of this section only to have
650 released such security interest, if evidence satisfactory to the
651 commissioner is filed concerning the disappearance of the lienholder,
652 and the commissioner shall so note on the records of the department.

653 Sec. 14. Section 14-189 of the general statutes is repealed and the
654 following is substituted in lieu thereof:

655 A lienholder named in a certificate of title, or whose security interest
656 is recorded in the electronic title file maintained by the commissioner,
657 shall, upon written request of the owner or of another lienholder
658 named on the certificate or having a recorded interest, disclose any
659 pertinent information as to [his] such lienholder's security agreement
660 and the indebtedness secured by it.

661 Sec. 15. Section 14-192 of the general statutes is repealed and the
662 following is substituted in lieu thereof:

663 (a) The commissioner shall be paid the following fees: (1) For filing
664 an application for a certificate of title, [twenty dollars, and on and after
665 July 1, 1993,] twenty-five dollars; (2) for each security interest noted
666 upon a certificate of title, or recorded in the electronic title file
667 maintained by the commissioner, ten dollars; (3) for each record copy
668 search, [five dollars and seventy-five cents, and on and after July 1,
669 1993,] seven dollars; (4) for each assignment of a security interest noted
670 upon a certificate of title, [three dollars, and on and after July 1, 1993]
671 or recorded in the electronic title file, three dollars and fifty cents; (5)
672 for an application for a duplicate certificate of title, twenty-five dollars,
673 provided such fee shall not be required for any such duplicate
674 certificate of title (A) which is requested on a form prepared and
675 signed by the assessor in any town for purposes of such proof of
676 ownership of a motor vehicle as may be required in accordance with
677 section 12-71b, or (B) in connection with an application submitted by a
678 licensed dealer in accordance with the provisions of subsection (c) of
679 section 14-12, as amended by this act, or section 14-61, as amended by
680 this act; (6) for an ordinary certificate of title issued upon surrender of
681 a distinctive certificate, [three dollars, and on and after July 1, 1993,]
682 three dollars and fifty cents; (7) for filing a notice of security interest,
683 [three dollars, and on and after July 1, 1993,] three dollars and fifty
684 cents; (8) for a certificate of search of the records of the Department of
685 Motor Vehicles, for each name or identification number searched
686 against, [fourteen dollars, and on and after July 1, 1993,] seventeen
687 dollars and fifty cents; (9) for filing an assignment of security interest,
688 [three dollars, and on and after July 1, 1993,] three dollars and fifty
689 cents; [and] (10) for search of a motor vehicle certificate of title record,
690 requested by a person other than the owner of such motor vehicle, ten
691 dollars; and (11) for a bond filing under section 14-176, as amended by
692 this act, twenty-five dollars.

693 (b) If an application, certificate of title or other document required to
694 be mailed or delivered to the commissioner under any provision of this
695 chapter is not delivered to the commissioner within ten days from the

696 time it is required to be mailed or delivered, the commissioner shall
697 collect, as a penalty, an amount equal to the fee required for the
698 transaction.

699 (c) Motor vehicles leased to an agency of this state [on or after June
700 4, 1982,] and motor vehicles owned by the state or an agency of the
701 state shall be exempt from the fees imposed by this section.

702 Sec. 16. Section 14-194 of the general statutes is repealed and the
703 following is substituted in lieu thereof:

704 A person aggrieved by an act or omission to act of the commissioner
705 under this chapter is entitled, upon request, to a hearing in accordance
706 with [subsection (e) of section 14-111] the provisions of chapter 54.

707 Sec. 17. Subsection (a) of section 14-12b of the general statutes is
708 repealed and the following is substituted in lieu thereof:

709 (a) No motor vehicle registration shall be issued by the
710 commissioner for any [private passenger] motor vehicle, as defined in
711 subsection (e) of section 38a-363, as amended by this act, [or a vehicle
712 with a commercial registration, as defined in subdivision (12) of
713 section 14-1,] unless (1) the application for registration is accompanied
714 by a current automobile insurance identification card or a copy of a
715 current insurance policy or endorsement issued by a company licensed
716 to issue such insurance in this state or an approved self-insurer or
717 issued pursuant to the plan established under section 38a-329,
718 verifying that the applicant has the required security coverage, and (2)
719 the applicant signs and files with the commissioner, under penalty of
720 false statement as provided for in section 53a-157b, a statement on a
721 form approved by the commissioner that the owner of the vehicle has
722 provided and will continuously maintain throughout the registration
723 period the minimum security required by section 38a-371, as amended
724 by this act. In the case of an owner with a vehicle located outside of the
725 United States or Canada, the commissioner may accept in lieu of the

726 insurance identification card required to be presented for issuance of
727 the registration, an affidavit, in such form as the commissioner shall
728 require, executed by the owner and stating that the vehicle will not be
729 operated in the United States or Canada. In the case of a motor vehicle
730 that is leased for a term of more than one year, the commissioner may
731 accept an insurance identification card issued in the name of the lessee.
732 The commissioner may require an applicant for renewal of a motor
733 vehicle registration for any [private passenger motor vehicle or vehicle
734 with a commercial registration] such motor vehicle to sign and file
735 with the commissioner, under penalty of false statement as provided
736 for in section 53a-157b, a statement on a form approved by the
737 commissioner that the owner of the vehicle will continuously maintain
738 throughout the registration period the minimum security required by
739 said section 38a-371, as amended by this act. Such form shall call for
740 and contain the name of the applicant's insurance company and policy
741 number.

742 Sec. 18. Section 14-12c of the general statutes is repealed and the
743 following is substituted in lieu thereof:

744 The commissioner may at any time require any owner of a [private
745 passenger motor vehicle or a vehicle with a commercial registration, as
746 defined in subdivision (12) of section 14-1] motor vehicle, as defined in
747 subsection (e) of section 38a-363, as amended by this act, to submit
748 further information to verify the required security coverage within the
749 time specified by the commissioner. If the commissioner is unable to
750 verify the insurance information furnished, the commissioner shall,
751 unless such registrant has been reported as cancelled in accordance
752 with sections 38a-343, as amended by this act, 38a-343a, as amended by
753 this act, 14-12c, as amended by this act, and 14-12f to 14-12i, inclusive,
754 as amended by this act, afford such owner an opportunity for a
755 hearing in accordance with chapter 54 to determine whether such
756 owner's application for registration contains a material false statement
757 or whether [he] the owner has failed to continuously maintain the

758 security required under section 38a-371, as amended by this act. If the
759 commissioner finds that the owner did not have the required security
760 in effect on the date of registration, or that such owner presented a
761 false or fraudulent insurance identification card to the commissioner,
762 the application for registration shall be deemed to contain a material
763 false statement. Any registration issued as a result of such application
764 shall be void from the date of issue and the registration number plates
765 shall be surrendered to the commissioner or shall be subject to
766 confiscation in accordance with the provisions of section 14-12h. If the
767 commissioner finds that the owner had the required security in effect
768 at the time such application was submitted but failed to maintain it
769 continuously during the registration period, [he] the commissioner
770 shall cancel any registration issued as a result of such application and
771 the registration number plates shall be surrendered to the
772 commissioner or shall be subject to confiscation in accordance with the
773 provisions of section 14-12h. No new registration for any motor
774 vehicle, the registration of which has been cancelled under this section,
775 may be obtained except as provided by section 14-12h.

776 Sec. 19. Section 14-12f of the general statutes is repealed and the
777 following is substituted in lieu thereof:

778 The provisions of sections 14-12b, as amended by this act, 14-12c, as
779 amended by this act, 14-213b, as amended by this act, and 38a-364, as
780 amended by this act, shall not apply to any [private passenger] motor
781 vehicle registered to the federal government or any state or
782 municipality or any such vehicle bearing dealer, repairer,
783 manufacturer, transporter, experimental or junk number plates.

784 Sec. 20. Subsection (a) of section 14-12g of the general statutes is
785 repealed and the following is substituted in lieu thereof:

786 (a) When a [private passenger] motor vehicle liability insurance
787 policy has been cancelled and the Commissioner of Motor Vehicles

788 determines that the owner of a registered motor vehicle is in violation
789 of the mandatory security requirements of sections 14-12c, as amended
790 by this act, and 38a-371, as amended by this act, the commissioner
791 shall issue to such owner a notice of cancellation of the registration
792 involved. The notice shall contain a statement, in not less than
793 fourteen-point type, that (1) after such cancellation of registration is
794 final and effective such motor vehicle shall be subject to seizure,
795 impoundment and potential forfeiture if observed being operated
796 upon the public highway or if observed parked in any parking area, as
797 defined in section 14-212, and (2) the owner may return the number
798 plate or plates and registration certificate for such vehicle to avoid
799 potential impoundment and suspension of the owner's motor vehicle
800 operator's license pursuant to subsection (c) of this section. Such
801 cancellation shall be final and effective fourteen days from the date of
802 mailing of such notice. If a registered owner to whom such notice of
803 cancellation was issued contends that, notwithstanding the
804 determination of the Commissioner of Motor Vehicles, [he] the owner
805 has continuously maintained required coverage throughout the period
806 of [his] the owner's registration, such owner may contact the
807 Department of Motor Vehicles by telephone at a special number to be
808 provided, not less than two days before the effective date of the
809 cancellation of the registration to request an administrative hearing to
810 be conducted in accordance with the provisions of chapter 54. Upon
811 such request, the cancellation of the registration shall be stayed
812 pending the final decision. The hearing shall be scheduled promptly
813 and shall be strictly limited to the issues of (A) whether the respondent
814 is the registered owner of the motor vehicle or vehicles subject to the
815 mandatory security requirements, and (B) whether the respondent has
816 failed to continuously maintain the required insurance coverage
817 throughout the registration period. Unless the Commissioner of Motor
818 Vehicles or [his] the commissioner's designated hearing officer finds in
819 the negative on one of the hearing issues, the cancellation of the
820 registration shall be affirmed. The Commissioner of Motor Vehicles

821 shall render a final decision and shall mail such decision to the
822 respondent not more than thirty days after the conclusion of the
823 hearing. The cancellation of registration shall be effective three days
824 after the date of the mailing of the final decision.

825 Sec. 21. Section 14-14 of the general statutes is repealed and the
826 following is substituted in lieu thereof:

827 The commissioner shall not register any motor vehicle owned by
828 any person under sixteen years of age and shall not register any motor
829 vehicle owned by any person between sixteen and eighteen years of
830 age unless such person files proof of financial responsibility in
831 accordance with the provisions of section 14-112, together with a
832 certificate signed by the spouse, being eighteen years of age, of a
833 married minor applicant, or by either or both of the parents, as the
834 commissioner may require, or the legal guardian of such person,
835 approving or requesting the registration of such vehicle, except that no
836 proof of financial responsibility shall be required for the registration of
837 a [private passenger] motor vehicle, as defined in subsection (e) of
838 section 38a-363, as amended by this act, owned by any such person.

839 Sec. 22. Subsection (b) of section 14-15b of the general statutes is
840 repealed and the following is substituted in lieu thereof:

841 (b) "Rental motor vehicle" means a [private passenger] motor
842 vehicle, as defined in subsection (e) of section 38a-363, as amended by
843 this act, [which] that is not the subject of a lease with the option to
844 purchase where the lessee has the right to possession.

845 Sec. 23. Subsection (a) of section 14-68 of the general statutes is
846 repealed and the following is substituted in lieu thereof:

847 (a) "Drivers' school" means the business of giving instruction, for
848 compensation, in the driving of [private passenger] motor vehicles and
849 does not include training of professional drivers of motor vehicles

850 other than [private passenger] motor vehicles.

851 Sec. 24. Subsection (c) of section 14-100a of the general statutes is
852 repealed and the following is substituted in lieu thereof:

853 (c) (1) The operator of and any front seat passenger in a [private
854 passenger] motor vehicle, as defined in subsection (e) of section 38a-
855 363, as amended by this act, fire fighting apparatus or a vanpool
856 vehicle equipped with seat safety belts complying with the provisions
857 of the Code of Federal Regulations, Title 49, Section 571.209, as
858 amended from time to time, shall wear such seat safety belt while the
859 vehicle is being operated on the highways of this state, except that a
860 child under the age of four years shall be restrained as provided in
861 subsection (d) of this section. Each operator of such vehicle shall secure
862 or cause to be secured in a seat safety belt any passenger four years of
863 age or older and under sixteen years of age.

864 (2) The provisions of subdivision (1) of this subsection shall not
865 apply to any person whose physical disability or impairment would
866 prevent restraint in such safety belt, provided such person obtains a
867 written statement from a licensed physician containing reasons for
868 such person's inability to wear such safety belt and including
869 information concerning the nature and extent of such condition. Such
870 person shall carry the statement on his person or in the motor vehicle
871 at all times when it is being operated.

872 (3) As used in this subsection, ["private passenger motor vehicle"]
873 "motor vehicle" does not mean an authorized emergency vehicle, other
874 than fire fighting apparatus, responding to an emergency call or a
875 motor vehicle operated (A) by a rural letter carrier of the United States
876 postal service while performing [his] such letter carrier's official duties,
877 or (B) by a person engaged in the delivery of newspapers.

878 (4) Failure to wear a seat safety belt shall not be considered as
879 contributory negligence nor shall such failure be admissible evidence

880 in any civil action.

881 (5) On and after February 1, 1986, any person who violates the
882 provisions of this subsection shall have committed an infraction and
883 shall be fined fifteen dollars. Points may not be assessed against the
884 operator's license of any person convicted of such violation.

885 Sec. 25. Section 14-213b of the general statutes is repealed and the
886 following is substituted in lieu thereof:

887 (a) No owner of any [private passenger motor vehicle or a vehicle
888 with a combination or commercial registration, as defined in section
889 14-1] motor vehicle, as defined in subsection (e) of section 38a-363, as
890 amended by this act, registered or required to be registered in this state
891 may operate or permit the operation of such vehicle without the
892 security required by section 38a-371, as amended by this act, or with
893 security insufficient to meet the minimum requirements of said
894 section. Failure of the operator to produce an insurance identification
895 card as required by section 14-217 shall constitute prima facie evidence
896 that the owner has not maintained the security required by section 38a-
897 371, as amended by this act, and this section.

898 (b) Any person convicted of violating any provision of subsection
899 (a) of this section shall be fined not less than one hundred dollars nor
900 more than one thousand dollars.

901 (c) The Commissioner of Motor Vehicles shall suspend the
902 registration, and the operator's license, if any, of an owner, for a first
903 conviction of violating the provisions of subsection (a) of this section
904 for a period of one month and for a second or subsequent conviction
905 for a period of six months. No new registration shall be issued or
906 restored for any [private passenger motor vehicle or a vehicle with a
907 combination or commercial registration, as defined in section 14-1]
908 motor vehicle, as defined in subsection (e) of section 38a-363, as
909 amended by this act, the registration for which has been suspended

910 pursuant to this subsection until the owner has filed proof of financial
911 responsibility in accordance with section 14-112. Any financial
912 responsibility filing shall be maintained for a period of three years
913 unless waived by the commissioner after one year has elapsed, or
914 unless such registration for such motor vehicle has been cancelled or
915 the commissioner is satisfied that a transfer of the [private passenger]
916 motor vehicle has been made in good faith and not for the purpose of
917 or with the effect of circumventing the intention of sections 14-12b, as
918 amended by this act, and 14-12c, as amended by this act. No operator's
919 license [which] that has been suspended pursuant to this subsection
920 shall be restored until the owner has provided evidence to the
921 commissioner that [he] the owner maintains the security required by
922 section 38a-371, as amended by this act, for each motor vehicle
923 registered in [his] the owner's name.

924 Sec. 26. Subsection (c) of section 23-26 of the general statutes is
925 repealed and the following is substituted in lieu thereof:

926 (c) The commissioner shall issue to any resident of the state, upon
927 payment of a fee established by said commissioner, a nontransferable
928 Connecticut [private passenger] motor vehicle pass which permits free
929 parking throughout the calendar year at any state park, forest, boat
930 launch or other state recreational facility provided the commissioner
931 shall not be required to issue such a pass to any park, forest or facility
932 which is wholly managed by a private concessionaire and may require
933 payment of fees for special events.

934 Sec. 27. Subsection (b) of section 38a-9 of the general statutes is
935 repealed and the following is substituted in lieu thereof:

936 (b) (1) The Division of Consumer Affairs shall provide an
937 independent arbitration procedure for the settlement of disputes
938 between claimants and insurance companies concerning automobile
939 physical damage and automobile property damage liability claims in

940 which liability and coverage are not in dispute. Such procedure shall
941 apply only to disputes involving [private passenger] motor vehicles as
942 defined in subsection (e) of section 38a-363, as amended by this act.
943 Any company licensed to write [private passenger] automobile
944 insurance, including collision, comprehensive and theft, in this state
945 shall participate in the arbitration procedure. The commissioner shall
946 appoint an administrator for such procedure. Only those disputes in
947 which attempts at mediation by the Division of Consumer Affairs have
948 failed shall be accepted as arbitrable. The referral of the complaint to
949 arbitration shall be made by the Insurance Department examiner who
950 investigated the complaint. Each party to the dispute shall pay a filing
951 fee of twenty dollars. The insurance company shall pay the consumer
952 the undisputed amount of the claim upon written notification from the
953 department that the complaint has been referred to arbitration. Such
954 payment shall not affect any right of the consumer to pursue the
955 disputed amount of the claim.

956 (2) The commissioner shall prepare a list of at least ten persons, who
957 have not been employed by the department or an insurance company
958 during the preceding twelve months, to serve as arbitrators in the
959 settlement of such disputes. The arbitrators shall be members of any
960 dispute resolution organization approved by the commissioner. One
961 arbitrator shall be appointed to hear and decide each complaint.
962 Appointment shall be based solely on the order of the list. If an
963 arbitrator is unable to serve on a given day, or if either party objects to
964 the arbitrator, then the next arbitrator on the list will be selected. The
965 department shall schedule arbitration hearings as often, and in such
966 locations, as it deems necessary. Parties to the dispute shall be
967 provided written notice of the hearing, at least ten days prior to the
968 hearing date. The commissioner may issue subpoenas on behalf of the
969 arbitrator to compel the attendance of witnesses and the production of
970 documents, papers and records relevant to the dispute. Decisions shall
971 be made on the basis of the evidence presented at the arbitration

972 hearing. Where the arbitrator believes that technical expertise is
973 necessary to decide a case, [he] the arbitrator may consult with an
974 independent expert recommended by the commissioner. The arbitrator
975 and any independent technical expert shall be paid by the department
976 on a per dispute basis as established by the commissioner. The
977 arbitrator, as expeditiously as possible, but not later than fifteen days
978 after the arbitration hearing, shall render a written decision based on
979 the information gathered and disclose the findings and the reasons to
980 the parties involved. The arbitrator shall award filing fees to the
981 prevailing party. If the decision favors the consumer the decision shall
982 provide specific and appropriate remedies including interest at the rate
983 of ten per cent on the arbitration award concerning the disputed
984 amount of the claim, retroactive to the date of payment for the
985 undisputed amount of the claim. The decision may include costs for
986 loss of use and storage of the motor vehicle and shall specify a date for
987 performance and completion of all awarded remedies.
988 Notwithstanding any provision of the general statutes or any
989 regulation to the contrary, the Insurance Department shall not amend,
990 reverse, rescind, or revoke any decision or action of any arbitrator. The
991 department shall contact the consumer within ten working days after
992 the date for performance, to determine whether performance has
993 occurred. Either party may make application to the superior court for
994 the judicial district in which one of the parties resides or, when the
995 court is not in session, any judge thereof for an order confirming,
996 vacating, modifying or correcting any award, in accordance with the
997 provisions of sections 52-417, 52-418, 52-419 and 52-420. If it is
998 determined by the court that either party's position after review has
999 been improved by at least ten per cent over that party's position after
1000 arbitration, the court, in its discretion, may grant to that party its costs
1001 and reasonable attorney's fees. No evidence, testimony, findings, or
1002 decision from the department arbitration procedure shall be
1003 admissible in any civil proceeding, except judicial review of the
1004 arbitrator's decision as contemplated by this subsection.

1005 (3) The department shall maintain records of each dispute,
1006 including names of parties to the arbitration, the decision of the
1007 arbitrator, compliance, the appeal, if any, and the decision of the court.
1008 The department shall annually compile such statistics and send a copy
1009 to the committee of the General Assembly having cognizance of
1010 matters relating to insurance. The report shall be considered a public
1011 document.

1012 Sec. 28. Subsection (a) of section 38a-334 of the general statutes is
1013 repealed and the following is substituted in lieu thereof:

1014 (a) The Insurance Commissioner shall adopt regulations with
1015 respect to minimum provisions to be included in automobile liability
1016 insurance policies issued after the effective date of such regulations
1017 and covering [private passenger motor vehicles, as defined in
1018 subsection (e) of section 38a-363, motor vehicles with a commercial
1019 registration, as defined in section 14-1] motor vehicles, as defined in
1020 subsection (e) of section 38a-363, as amended by this act, motorcycles,
1021 as defined in section 14-1, as amended by this act, motor vehicles used
1022 to transport passengers for hire, motor vehicles in livery service, as
1023 defined in section 13b-101, and vanpool vehicles, as defined in section
1024 14-1, as amended by this act, registered or principally garaged in this
1025 state. Such regulations shall relate to the insuring agreements,
1026 exclusions, conditions and other terms applicable to the bodily injury
1027 liability, property damage liability, medical payments and uninsured
1028 motorists coverages under such policies, shall make mandatory the
1029 inclusion of bodily injury liability, property damage liability and
1030 uninsured motorists coverages and shall include a provision that the
1031 insurer shall, upon request of the named insured, issue or arrange for
1032 the issuance of a bond which shall not exceed the aggregate limit of
1033 bodily injury coverage for the purpose of obtaining release of an
1034 attachment.

1035 Sec. 29. Subsection (b) of section 38a-335 of the general statutes is

1036 repealed and the following is substituted in lieu thereof:

1037 (b) Each automobile liability insurance policy issued, renewed,
1038 amended or endorsed on or after October 1, 1988, and covering a
1039 [private passenger] motor vehicle as defined in subsection (e) of
1040 section 38a-363, as amended by this act, shall contain or have attached
1041 thereto a conspicuous statement specifying whether the policy
1042 provides liability, collision or comprehensive coverage for damage to a
1043 rented [private passenger] motor vehicle and, where the policy
1044 provides such coverage, the limit of coverage provided and whether
1045 any deductible amount applies.

1046 Sec. 30. Subsection (b) of section 38a-343 of the general statutes is
1047 repealed and the following is substituted in lieu thereof:

1048 (b) Where a [private passenger] motor vehicle liability insurance
1049 company sends a notice of cancellation under subsection (a) of this
1050 section to the named insured of a [private passenger] motor vehicle
1051 liability insurance policy, such company shall provide with such notice
1052 a warning, in a form approved by the Commissioner of Motor Vehicles
1053 and the Insurance Commissioner, which informs the named insured
1054 that (1) the cancellation will be reported to the Commissioner of Motor
1055 Vehicles; (2) the named insured will be receiving one or more mail
1056 inquiries from the Commissioner of Motor Vehicles, concerning
1057 whether or not required insurance coverage is being maintained, and
1058 that the named insured must respond to these inquiries; (3) if the
1059 required insurance coverage lapses at any time, the Commissioner of
1060 Motor Vehicles will cancel the registration or registrations for the
1061 vehicle or vehicles under the policy and the number plates will be
1062 subject to confiscation and any person operating any such vehicle will
1063 be subject to legal penalties for the operation of an unregistered motor
1064 vehicle; (4) the named insured will not be able to obtain a new
1065 registration, or any other registration or renewal in [his] the insured's
1066 name, except upon (i) payment of the registration and number plate

1067 fees, as required by section 14-49, (ii) payment of a restoration fee, as
1068 required by section 14-50b₂ and (iii) the posting of a special certificate
1069 of financial responsibility for a period of one year; and (5) if the
1070 number plates have been confiscated, the payment of an additional
1071 confiscation fee of fifty dollars shall be imposed.

1072 Sec. 31. Section 38a-343a of the general statutes is repealed and the
1073 following is substituted in lieu thereof:

1074 (a) Each insurance company [which] that issues [private passenger]
1075 motor vehicle liability insurance policies in this state shall, each month,
1076 on a date specified by the commissioner, notify the Commissioner of
1077 Motor Vehicles of the cancellation by the insurance company of all
1078 such policies which occurred during the preceding month, provided,
1079 no such notification shall be made for any cancellation of any policy of
1080 commercial insurance. The notice required shall include the name of
1081 the named insured in the policy, the policy number, the vehicle
1082 identification number of each automobile covered by the policy and
1083 the effective date of the policy's cancellation. The commissioner shall
1084 specify an acceptable method of notification. The method of
1085 notification specified may include computer tapes or electronic
1086 transmission. The failure of an insurance company to comply with the
1087 requirements of this section shall not affect the cancellation of any
1088 [private passenger] motor vehicle liability insurance policy.

1089 (b) The Commissioner of Motor Vehicles shall receive or accept all
1090 notices of policy cancellation from [private passenger] motor vehicle
1091 liability insurance companies, as required pursuant to subsection (a) of
1092 this section. The commissioner shall review and analyze the
1093 cancellation data submitted, together with such other information as
1094 [he] the commissioner may obtain from the [private passenger] motor
1095 vehicle liability insurance companies, from the records of the
1096 Department of Motor Vehicles, or from any other public or private
1097 agency or firm in possession of relevant information, for the purpose

1098 of determining whether any registered owner identified in any such
1099 notice has failed to continuously maintain insurance coverage in
1100 violation of sections 14-12c, as amended by this act, and 38a-371, as
1101 amended by this act. In conducting such an inquiry to determine
1102 insured status, the commissioner may contact registered vehicle
1103 owners by mail and require that such mail inquiries be answered in
1104 not less than thirty days, in a satisfactory manner containing such
1105 information and verification of insurance coverage as the
1106 commissioner shall deem necessary and acceptable.

1107 Sec. 32. Subsection (a) of section 38a-355 of the general statutes is
1108 repealed and the following is substituted in lieu thereof:

1109 (a) (1) Whenever repairs are necessary to the visible exterior sheet
1110 metal or plastic parts of a damaged [private passenger] motor vehicle,
1111 as defined in section 38a-363, as amended by this act, any insurer or
1112 repairer, as defined in section 14-51, preparing a written estimate of
1113 the cost of such repairs shall clearly identify in such estimate each
1114 major replacement part to be used which is not manufactured by the
1115 original manufacturer of the damaged part in such motor vehicle. For
1116 the purposes of this section, "parts" means motor vehicle replacement
1117 parts of sheet metal or plastic, which constitute the visible exterior of
1118 the vehicle, including inner and outer panels, and which are generally
1119 repaired or replaced as the result of a collision.

1120 (2) Attached to any such estimate shall be the following notice,
1121 printed in no less than ten-point type:

1122 NOTICE

1123 This repair estimate is based in part on the use of replacement parts
1124 which are not made by the original manufacturer of the damaged parts
1125 in your motor vehicle.

1126 (3) The insurer or repairer, as the case may be, shall give a copy of

1127 such estimate and notice to the person requesting such estimate.

1128 Sec. 33. Section 38a-363 of the general statutes is repealed and the
1129 following is substituted in lieu thereof:

1130 As used in sections 38a-19 and 38a-363 to 38a-388, inclusive, as
1131 amended by this act:

1132 (a) "Injury" means bodily injury, sickness or disease, including death
1133 resulting therefrom, accidentally caused and arising out of the
1134 ownership, maintenance or use of a [private passenger] motor vehicle
1135 or a vehicle with a commercial registration, as defined in subdivision
1136 (12) of subsection (a) of section 14-1, as amended by this act.

1137 (b) "Insurer" includes a self-insurer and a person having the rights
1138 and obligations of an insurer under sections 38a-19 and 38a-363 to 38a-
1139 388, inclusive, as amended by this act, as provided by section 38a-371,
1140 as amended by this act.

1141 (c) "Occupying" a vehicle means to be in or upon or entering into or
1142 alighting from the vehicle.

1143 (d) "Owner" of a [private passenger] motor vehicle means the
1144 person who owns the legal title thereto, except where the motor
1145 vehicle is the subject of a security agreement or lease with option to
1146 purchase with the debtor or lessee having the right to possession, in
1147 which event "owner" means the debtor or lessee.

1148 [(e) "Private passenger motor vehicle" means a: (1) Private passenger
1149 type automobile; (2) station-wagon-type automobile; (3) camper-type
1150 motor vehicle; (4) high-mileage-type motor vehicle, as defined in
1151 section 14-1; (5) truck-type motor vehicle with a load capacity of fifteen
1152 hundred pounds or less, registered as a passenger motor vehicle, as
1153 defined in said section, or as a passenger and commercial motor
1154 vehicle, as defined in said section, or used for farming purposes; or (6)

1155 a vehicle with a commercial registration, as defined in subdivision (12)
1156 of said section. It does not include a motorcycle or motor vehicle used
1157 as a public or livery conveyance.]

1158 (e) "Motor vehicle" means "motor vehicle", as defined in section 14-
1159 1, as amended by this act, except that it does not include any motor
1160 vehicle (1) used as a public or livery conveyance, (2) owned by the
1161 federal government, state or any municipality, (3) operated under a
1162 general distinguishing number plate issued by the Commissioner of
1163 Motor Vehicles to any licensed dealer, repairer, manufacturer or
1164 recycler, (4) operated with a wrecker registration by a licensed dealer
1165 or repairer, (5) operated with transporter or experimental number
1166 plates issued by the Commissioner of Motor Vehicles, or (6) any
1167 motorcycle, the owner of which is in compliance with the provisions of
1168 section 14-289f.

1169 (f) "Relative" of a person means one who is related to the person by
1170 blood, marriage or adoption.

1171 (g) "Use" of a motor vehicle includes the loading or unloading
1172 thereof.

1173 (h) "Pedestrian" means any person not occupying a vehicle of any
1174 type other than a vehicle designed to be drawn or driven by muscular
1175 power.

1176 Sec. 34. Section 38a-364 of the general statutes is repealed and the
1177 following is substituted in lieu thereof:

1178 (a) For the purposes of sections 14-12b, as amended by this act, and
1179 14-12c, as amended by this act, subsection (a) of section 14-13, sections
1180 14-213b, as amended by this act, and 14-217 and this section, ["private
1181 passenger motor vehicle" shall have the same meaning as] "motor
1182 vehicle" means "motor vehicle", as defined in subsection (e) of section
1183 38a-363, as amended by this act.

1184 (b) Each insurance company which issues [private passenger] motor
1185 vehicle liability insurance providing the security required by sections
1186 38a-19 and 38a-363 to 38a-388, inclusive, as amended by this act, shall
1187 issue annually to each such insured an automobile insurance
1188 identification card, in duplicate, for each insured vehicle, one of which
1189 shall be presented to the commissioner as provided in section 14-12b,
1190 as amended by this act, and the other carried in the vehicle as
1191 provided in section 14-12f, as amended by this act. Except as provided
1192 in subsection (c), such card shall be effective for a period of one year
1193 and shall include the name of the insured and insurer, the policy
1194 number, the effective date of coverage, the year, make or model and
1195 vehicle identification number of the insured vehicle and an
1196 appropriate space wherein the insured may set forth the year, make or
1197 model and vehicle identification number of any [private passenger]
1198 motor vehicle that becomes covered as a result of a change in the
1199 covered vehicle during the effective period of the identification card.
1200 When an insured has five or more [private passenger] motor vehicles
1201 registered in this state, the insurer may use the designation "all owned
1202 vehicles" on each card in lieu of a specific vehicle description.

1203 (c) Whenever a binder for such insurance is issued by an agent, the
1204 agent shall also issue a temporary identification card, in duplicate, for
1205 each covered vehicle effective for a period of sixty days from the date
1206 on which the binder becomes effective. Such temporary cards shall
1207 include the name of the insured and insurer, the printed name and
1208 signature of the agent or authorized representative, the effective date
1209 of the binder, the policy number or, if such number is not available, the
1210 agent's code number and the year, make or model and vehicle
1211 identification number of the insured vehicle.

1212 (d) The provisions of this section shall apply [only to private
1213 passenger] to motor vehicles registered in this state.

1214 Sec. 35. Subsection (a) of section 38a-370 of the general statutes is

1215 repealed and the following is substituted in lieu thereof:

1216 (a) Under residual liability insurance the insurer is liable to pay, on
1217 behalf of the owner or other persons insured, sums which the owner or
1218 insured is legally obligated to pay as damages because of bodily injury
1219 and property damage arising out of the ownership, maintenance or use
1220 of a [private passenger] motor vehicle as a motor vehicle if the injury
1221 or damage occurs within the United States of America, its territories or
1222 possessions or Canada.

1223 Sec. 36. Section 38a-371 of the general statutes is repealed and the
1224 following is substituted in lieu thereof:

1225 (a) (1) The owner of a [private passenger] motor vehicle required to
1226 be registered in this state shall provide and continuously maintain
1227 throughout the registration period security in accordance with sections
1228 38a-334 to 38a-343, inclusive, as amended by this act. (2) The owner of
1229 a [private passenger] motor vehicle not required to be registered in this
1230 state shall maintain security in accordance with this section, in effect
1231 continuously throughout the period of its operation, maintenance or
1232 use as a motor vehicle within this state with respect to accidents
1233 occurring in this state.

1234 (b) The security required by this section, may be provided by a
1235 policy of insurance complying with this section issued by or on behalf
1236 of an insurer licensed to transact business in this state or, if the vehicle
1237 is registered in another state, by a policy of insurance issued by or on
1238 behalf of an insurer licensed to transact business in either this state or
1239 the state in which the vehicle is registered.

1240 (c) Subject to approval of the Insurance Commissioner the security
1241 required by this section, may be provided by self-insurance by filing
1242 with the commissioner in satisfactory form: (1) A continuing
1243 undertaking by the owner or other appropriate person to perform all
1244 obligations imposed by this section; (2) evidence that appropriate

1245 provision exists for the prompt and efficient administration of all
1246 claims, benefits, and obligations provided by this section; and (3)
1247 evidence that reliable financial arrangements, deposits or
1248 commitments exist providing assurance for payment of all obligations
1249 imposed by this section substantially equivalent to those afforded by a
1250 policy of insurance that would comply with this section. A person who
1251 provides security under this subsection is a self-insurer. A
1252 municipality may provide the security required under this section by
1253 filing with the commissioner a notice that it is a self-insurer.

1254 (d) The owner of any [private passenger] motor vehicle required to
1255 be registered in this state who operates it or permits it to be operated
1256 in this state is guilty of a class C misdemeanor if [he] the owner fails to
1257 provide the security required by this section.

1258 (e) An owner of a [private passenger] motor vehicle with respect to
1259 which security is required who fails to have such security in effect at
1260 the time of an accident shall have all of the rights and obligations of an
1261 insurer under sections 38a-363 to 38a-388, inclusive, as amended by
1262 this act, and shall remain subject to all the obligations of the Financial
1263 Responsibility Law, sections 14-112 to 14-133, inclusive, as amended by
1264 this act.

1265 (f) Upon receipt of a signed written request for suspension from the
1266 owner of a registered motor vehicle stating that such vehicle will not
1267 be operated upon any highway during a period of not less than thirty
1268 consecutive days, the insurer of such vehicle shall suspend, to the
1269 extent requested by the owner, insurance coverage afforded under the
1270 policy providing the security required by sections 38a-363 to 38a-388,
1271 inclusive, as amended by this act, for such vehicle until notified by the
1272 owner that the coverage should be reinstated. During the period of
1273 suspension only, the provisions of subsections (a) to (e), inclusive, of
1274 this section shall not apply with respect to such vehicle, provided, if
1275 such vehicle is operated upon any highway by or with the permission

1276 of the owner during the period of suspension, the provisions of said
1277 subsections (a) to (e), inclusive, of this section, shall thereupon become
1278 applicable. As used in this subsection, "highway" shall be defined as in
1279 section 14-1, as amended by this act. This subsection shall not apply to
1280 a motor vehicle for which proof of financial responsibility is required
1281 under the provisions of sections 14-112 to 14-133, inclusive, as
1282 amended by this act.

1283 Sec. 37. Section 38a-372 of the general statutes is repealed and the
1284 following is substituted in lieu thereof:

1285 Every insurance company authorized to transact the business of
1286 [private passenger] motor vehicle liability insurance in this state shall
1287 file with the Insurance Commissioner as a condition of its continued
1288 transaction of such business within this state a form approved by the
1289 commissioner declaring that its policies shall be deemed to provide the
1290 security required by section 38a-371, as amended by this act. Any
1291 nonadmitted insurer may file such a form.

1292 Sec. 38. Subsection (b) of section 38a-389 of the general statutes is
1293 repealed and the following is substituted in lieu thereof:

1294 (b) Each insurer licensed to sell [private passenger] automobile
1295 insurance in this state shall refile, with the Insurance Commissioner, its
1296 base rates for such coverages to reflect the elimination of mandatory
1297 basic and added reparations benefits pursuant to public act 93-297*
1298 and any additional premium savings attributable to said act. Such rates
1299 shall be refiled, as soon as practicable, for use with policies effective on
1300 or after January 1, 1994.

1301 Sec. 39. Subsection (a) of section 52-195b of the general statutes is
1302 repealed and the following is substituted in lieu thereof:

1303 (a) In any civil action arising out of the ownership, maintenance or
1304 use of a [private passenger] motor vehicle the parties may agree to

1305 refer the dispute to an alternative dispute resolution program. Such
1306 referral shall be made within sixty days of the return date. The
1307 duration of the referral shall not exceed ninety days unless the court,
1308 for good cause shown, extends the time period. The court shall stay the
1309 time periods within which all further pleadings, motions, requests,
1310 discovery and other procedures must be filed or undertaken until (1)
1311 such time as the alternative dispute resolution process is completed, or
1312 (2) the time period set by the court for the referral has elapsed,
1313 whichever occurs first.

1314 Sec. 40. Section 54-33m of the general statutes is repealed and the
1315 following is substituted in lieu thereof:

1316 The failure of an operator of, or front seat passenger in, a [private
1317 passenger] motor vehicle or vanpool vehicle to wear a seat safety belt
1318 as required by section 14-100a, as amended by this act, shall not
1319 constitute probable cause for a law enforcement official to conduct a
1320 search of such vehicle and its contents.

1321 Sec. 41. Subdivision (5) of subsection (a) of section 38a-799 of the
1322 general statutes is repealed and the following is substituted in lieu
1323 thereof:

1324 (5) "Vehicle" means a [private passenger] motor vehicle, including,
1325 but not limited to, passenger vans, minivans, sport utility and pickup
1326 trucks or a cargo type of motor vehicle, including, but not limited to,
1327 cargo vans and trucks with a gross vehicle weight up to and including
1328 twenty-six thousand pounds which do not require the operator to
1329 possess a commercial driver's license.

1330 Sec. 42. Subdivision (40) of subsection (a) of section 14-1 of the
1331 general statutes is repealed and the following is substituted in lieu
1332 thereof:

1333 (40) "Manufacturer" means (A) a person, whether a resident or

1334 nonresident, engaged in the business of constructing or assembling
1335 new motor vehicles of a type required to be registered [under section
1336 14-12, who offers the motor vehicles] by the commissioner, for
1337 operation upon any highway, which are offered for sale in this state, or
1338 (B) a person who distributes new motor vehicles to [licensed] new car
1339 dealers licensed in this state.

1340 Sec. 43. Subsection (a) of section 14-15 of the general statutes is
1341 repealed and the following is substituted in lieu thereof:

1342 (a) Any person, firm or corporation before engaging in the business
1343 of leasing or renting motor vehicles without drivers in this state and
1344 any person, firm or corporation which is the lessor of or rents any
1345 vehicle required to be registered under the provisions of section 14-15a
1346 shall make a sworn application to the Commissioner of Motor Vehicles
1347 for a license to engage in such leasing or renting. Each such application
1348 and each application for renewal shall be accompanied by a fee of [one
1349 hundred fifty dollars and shall be renewed annually on the first day of
1350 April] three hundred dollars. Each such license shall be renewed
1351 biennially according to renewal schedules established by the
1352 commissioner so as to effect staggered renewal of all such licenses. If
1353 the adoption of a staggered system results in the expiration of any
1354 license more or less than one year from its issuance, the commissioner
1355 may charge a prorated amount for such license fee. Not less than forty-
1356 five days prior to the date of expiration of each such license, the
1357 commissioner shall mail to each licensee an application for renewal.
1358 Any licensee which has not filed the application for renewal
1359 accompanied by the prescribed fee prior to the date of expiration of its
1360 license shall cease to engage in business. An application for renewal
1361 filed with the commissioner after the date of expiration shall be
1362 accompanied by a late fee of one hundred dollars. The commissioner
1363 shall not renew any license under this subsection that has expired for
1364 more than forty-five days. No such license shall be transferred. Such
1365 licensee shall furnish proof of financial responsibility satisfactory to

1366 the commissioner, as provided by section 14-112 or 14-129, provided
1367 such licensee may furnish such proof separately with respect to each
1368 vehicle or each group of vehicles leased to any single lessee. Each
1369 application for such license shall contain the name and address of the
1370 owner and shall be accompanied by a surety bond as required
1371 pursuant to section 14-52, as amended by this act. Each application for
1372 registration of a motor vehicle to be leased for a period of more than
1373 thirty days shall contain the name and address of the owner and the
1374 lessee of such vehicle. The owner of such vehicle shall disclose the
1375 name and address of any subsequent lessee of such vehicle to the
1376 commissioner in such manner as [he] the commissioner may require.
1377 The commissioner shall ensure that such information relative to the
1378 lessee is available to the Connecticut on-line law enforcement
1379 communications teleprocessing system. Each person, firm or
1380 corporation licensed under the provisions of this subsection shall keep
1381 such books, records and accounts as the commissioner may require
1382 provided each licensee shall retain a copy of each rental or lease
1383 contract for a period of three years, which shall be subject to inspection
1384 by the commissioner or [his] the commissioner's designee at all
1385 reasonable times. The provisions of this subsection shall not apply to
1386 any person, firm or corporation which, incidental to the conduct of its
1387 principal business, leases or rents any motor vehicle without a driver
1388 to other persons, firms or corporations whose principal business is the
1389 same as that of the lessor. Violation of any provision of this subsection
1390 shall be an infraction.

1391 Sec. 44. Subsection (b) of section 14-15a of the general statutes is
1392 repealed and the following is substituted in lieu thereof:

1393 (b) If the commissioner finds, upon investigation, that any motor
1394 vehicle available for lease or rental in this state has been registered in
1395 another state for the purpose of evading, or the effect of which is the
1396 avoidance of, the motor vehicle laws of this state, for the purposes of
1397 paying a lower registration fee or evading the payment of any tax

1398 levied by this state or any Connecticut municipality, [he] said
1399 commissioner may, in [his] said commissioner's discretion, (1) prohibit
1400 the lease or rental of any such motor vehicle in this state, (2) require
1401 that such motor vehicle be registered in this state in accordance with
1402 the provisions of section 14-12, as amended by this act, (3) suspend or
1403 revoke a license to engage in such leasing or renting issued under the
1404 provisions of section 14-15, as amended by this act, or (4) require a
1405 licensee to furnish a bond in the amount of one thousand dollars for
1406 each vehicle registered in another state. If the commissioner finds upon
1407 investigation that any licensee has failed to satisfy its obligations for
1408 payment of municipal property taxes, the commissioner may, thirty
1409 days after the issuance of notice to such licensee, and after notice and
1410 an opportunity for a hearing in accordance with the provisions of
1411 chapter 54, suspend such license until all such obligations are satisfied.

1412 Sec. 45. Subsection (b) of section 14-35 of the general statutes is
1413 repealed and the following is substituted in lieu thereof:

1414 (b) [(1)] The applicant shall, instead of registering each motor
1415 vehicle owned by [him] such applicant or temporarily in [his] the
1416 applicant's custody, have issued to [him] such applicant by the
1417 commissioner a general distinguishing number. Thereupon, each
1418 motor vehicle owned by the applicant or temporarily in [his] the
1419 applicant's custody shall be regarded as registered under and having
1420 assigned to it the distinguishing number. [(2) The commissioner shall
1421 charge a fee at the rate of fifty-one dollars per annum for each number
1422 plate furnished for use on passenger motor vehicles or house trailers.
1423 On and after July 1, 1992, the fee shall be fifty-eight dollars. (3)] The
1424 commissioner shall charge a fee at the rate of [one hundred dollars per
1425 annum for each number plate furnished for use on trucks or other
1426 motor vehicles with a commercial registration. On and after July 1,
1427 1992, the fee shall be] one hundred fourteen dollars per annum.

1428 Sec. 46. Section 14-51 of the general statutes is repealed and the

1429 following is substituted in lieu thereof:

1430 [A "new car dealer"] As used in this subpart (D):

1431 (1) "New car dealer" includes any person, firm or corporation
1432 engaged in the business of merchandising new motor vehicles under a
1433 manufacturer's or importer's contract for each such make of vehicle
1434 who may, incidental to such business, sell used motor vehicles and
1435 repair motor vehicles. [or cause them to be repaired by qualified
1436 persons in his employ. He shall be a person] Such person shall be
1437 qualified to conduct such business [and have a suitable and adequate
1438 place of business, which shall be determined to be such by the
1439 commissioner. A "used car dealer"] in accordance with the
1440 requirements of section 14-52a, as amended by this act, and additional
1441 standards in regulations that shall be adopted by the commissioner, in
1442 accordance with chapter 54.

1443 (2) "Used car dealer" includes any person, firm or corporation
1444 engaged in the business of merchandising motor vehicles other than
1445 new who may, incidental to such business, repair motor vehicles. [or
1446 cause them to be repaired by qualified persons in his employ. He shall
1447 be a person] A used car dealer does not include any person, firm or
1448 corporation engaged in the business of leasing or renting motor
1449 vehicles that sells used motor vehicles incidental to its primary
1450 business, if (A) such person, firm or corporation is licensed in
1451 accordance with the provisions of section 14-15, (B) the motor vehicles
1452 that it offers for sale were formerly the subject of one or more lease or
1453 rental agreements, to which it was a party, and (C) the motor vehicles
1454 are not offered or advertised for sale directly to the public. Such person
1455 shall be qualified to conduct such business [and have a suitable and
1456 adequate place of business, which shall be determined to be such by
1457 the commissioner. A "repairer" includes any qualified person, having a
1458 suitable place of business] in accordance with the requirements of
1459 section 14-52a, as amended by this act, and additional standards in

1460 regulations that shall be adopted by the commissioner, in accordance
1461 with chapter 54.

1462 (3) "Repairer" includes any person, firm or corporation qualified to
1463 conduct such business in accordance with the requirements of section
1464 14-52a, as amended by this act, and additional standards in regulations
1465 that shall be adopted by the commissioner, in accordance with chapter
1466 54, having a suitable facility and having adequate equipment, engaged
1467 in repairing, overhauling, adjusting, assembling or disassembling any
1468 motor vehicle, but shall exclude a person engaged in making repairs to
1469 tires, upholstering, glazing, general blacksmithing, welding and
1470 machine work on motor vehicle parts when parts involving such work
1471 are disassembled or reassembled by a licensed repairer. [A "limited
1472 repairer" includes any qualified person, having a suitable place of
1473 business and adequate equipment engaged in the business of minor
1474 repairs, including repairs and replacement of cooling, electrical, fuel
1475 and exhaust systems, brake adjustments, relining and repairs, wheel
1476 alignment and balancing, and repair and replacement of shock
1477 absorbers. For the purpose of this section, the place of business of a
1478 limited repairer shall be deemed to be suitable if the building in which
1479 the work of the repairer is performed has space capable of receiving at
1480 least one motor vehicle at any one time, exclusive of a grease pit or
1481 rack, and has adequate space for an office and for the storage of parts
1482 and accessories. A person shall be deemed capable of performing the
1483 duties of a limited repairer if he is, in the opinion of the commissioner,
1484 a qualified mechanic who has a thorough knowledge of the services to
1485 be rendered, or has a certificate of completion of a specialized course
1486 from a service school approved by the commissioner, or satisfactory
1487 proof of previous employment by a licensed repairer for a period of
1488 three years, or has successfully passed an examination given by the
1489 Department of Motor Vehicles.] The lubricating of motor vehicles,
1490 changing of tires and tubes, including the balancing of wheels, or
1491 installing of batteries or light bulbs, windshield wiper blades, [spark
1492 plugs, fan] drive belts or other similar service incidental to the sale of

1493 motor vehicle fuels or to oil change services shall not be construed as
1494 [constituting the holder of a gasoline pump license in this state a
1495 repairer] the repairing of motor vehicles under the provisions of this
1496 [subdivision] subpart (D).

1497 Sec. 47. Section 14-52 of the general statutes is repealed and the
1498 following is substituted in lieu thereof:

1499 (a) No person, firm or corporation may engage in the business of the
1500 buying, selling, offering for sale or brokerage of any motor vehicle or
1501 the repairing of any motor vehicle without having been issued either a
1502 new car dealer's, a used car dealer's [,] or a repairer's [or a limited
1503 repairer's] license. The license fee for each such license, payable to the
1504 Commissioner of Motor Vehicles, shall be as follows: (1) New motor
1505 vehicle dealer, [five hundred sixty dollars, and on and after July 1,
1506 1993,] seven hundred dollars; (2) used motor vehicle dealer, [four
1507 hundred fifty dollars, and on and after July 1, 1993,] five hundred sixty
1508 dollars; and (3) repairer, [or limited repairer, two hundred seventy
1509 dollars, and on and after July 1, 1993,] three hundred forty dollars.
1510 [Each of said fees shall be paid to the Commissioner of Motor
1511 Vehicles.] Each such license shall be renewed biennially according to
1512 renewal schedules established by the commissioner so as to effect
1513 staggered renewal of all such licenses. If the adoption of a staggered
1514 system results in the expiration of any license more or less than one
1515 year from its issuance, the commissioner may charge a prorated
1516 amount for such license fee. Not less than forty-five days prior to the
1517 date of expiration of each such license, the commissioner shall mail to
1518 each licensee an application for renewal. Any licensee which has not
1519 filed the application for renewal accompanied by the prescribed fee
1520 prior to the date of expiration of its license shall cease to engage in
1521 business. An application for renewal filed with the commissioner after
1522 the date of expiration shall be accompanied by a late fee of one
1523 hundred dollars. The commissioner shall not renew any license under
1524 this subsection which has expired for more than forty-five days.

1525 (b) (1) Each applicant for a repairer's [or a limited repairer's] license
1526 shall furnish a surety bond in the amount of five thousand dollars.

1527 (2) Each applicant for a new car dealer's or a used car dealer's
1528 license shall furnish a surety bond in the amount of twenty thousand
1529 dollars.

1530 (3) Each applicant for a leasing or rental license issued pursuant to
1531 section 14-15, as amended by this act, who is engaged in the leasing or
1532 renting of motor vehicles for periods of thirty days or more shall
1533 furnish a surety bond in the amount of ten thousand dollars.

1534 (4) Each such bond required under subdivisions (1) to (3), inclusive,
1535 of this subsection shall be conditioned upon the applicant or licensee
1536 complying with the provisions of any state or federal law or regulation
1537 relating to the conduct of such business and provided as indemnity for
1538 any loss sustained by any person by reason of any acts of the licensee
1539 constituting grounds for suspension or revocation of the license or
1540 such licensee going out of business. Such bond shall be executed in the
1541 name of the state of Connecticut for the benefit of any aggrieved party,
1542 but the penalty of the bond shall not be invoked except upon order of
1543 the commissioner after a hearing held before [him] said commissioner
1544 in accordance with the provisions of chapter 54.

1545 (c) Any person, firm or corporation engaging in the business of the
1546 buying, selling, offering for sale or brokerage of any motor vehicle or
1547 of the repairing of any motor vehicle without a license shall be guilty
1548 of a class B misdemeanor.

1549 (d) The Commissioner of Motor Vehicles shall transmit to the
1550 Commissioners of Revenue Services and Environmental Protection a
1551 summary of any complaint that [he] the Commissioner of Motor
1552 Vehicles receives alleging that a person, firm or corporation is
1553 engaging in the business of the buying, selling, offering for sale or
1554 brokerage of any motor vehicle or of the repairing of any motor vehicle

1555 without a license.

1556 Sec. 48. Section 14-52a of the general statutes is repealed and the
1557 following is substituted in lieu thereof:

1558 [(a)] The commissioner may, after notice and hearing, refuse to
1559 grant or renew a license to a person, firm or corporation to engage in
1560 the business of selling or repairing motor vehicles pursuant to the
1561 provisions of section 14-52, as amended by this act, if the applicant for
1562 or holder of such a license, or an officer or major stockholder if the
1563 applicant or licensee is a firm or corporation, has been convicted of a
1564 violation of any provision of laws pertaining to the business of a motor
1565 vehicle dealer or repairer including a motor vehicle recycler, or of any
1566 violation involving fraud, larceny or deprivation or misappropriation
1567 of property, in the courts of the United States or of any state. At the
1568 time of application for or renewal of such a license, each applicant or
1569 licensee shall make full disclosure of any such conviction within the
1570 last five years.

1571 [(b) The commissioner shall not refuse to grant or renew a repairer's
1572 or limited repairer's license on the ground that (1) any licensed activity
1573 shall be conducted by the licensee on real property on which shall also
1574 be located one or more other businesses, enterprises or activities,
1575 whether or not licensed under section 14-319, owned or operated by
1576 one or more persons, firms or corporations, other than the licensee, or
1577 (2) the licensee shall make use of any common areas or facilities
1578 together with the owner or operator of any such other business,
1579 enterprise or activity.]

1580 Sec. 49. Section 14-52b of the general statutes is repealed and the
1581 following is substituted in lieu thereof:

1582 (a) In the event a manufacturer licensed in accordance with the
1583 provisions of section 14-67a cancels, terminates or fails to renew any
1584 franchise, as defined in section 42-133r, with a new car dealer, as

1585 defined in section 14-51, as amended by this act, the Commissioner of
1586 Motor Vehicles, upon receipt of written notice of such action by the
1587 manufacturer, shall, unless the dealer holds one or more additional
1588 franchises, demand that such new car dealer surrender [his] such
1589 license to the commissioner. If such action is contested by such dealer
1590 in accordance with the provisions of sections 42-133r to 42-133ee,
1591 inclusive, the commissioner shall not demand surrender of such
1592 license, and no replacement motor vehicle dealer shall be named for
1593 the dealer's point or location, except in accordance with subdivision
1594 (10) of section 42-133cc, until the proceedings to contest such action by
1595 the manufacturer are finally determined after all means of
1596 administrative, judicial and appellate review have been exhausted and
1597 the decision is adverse to the dealer.

1598 (b) No person, firm or corporation licensed as a manufacturer in
1599 accordance with the provisions of section 14-67a may be the holder of a
1600 new or used car dealer license issued in accordance with the
1601 provisions of section 14-52, as amended by this act, except that a
1602 manufacturer may operate as a dealer on a temporary basis in
1603 accordance with the provisions of subdivision (8) of section 42-133cc.
1604 The provisions of this subsection shall apply to any firm or corporation
1605 that is owned or controlled by a manufacturer, as determined by the
1606 commissioner. Any applicant for a new or used car dealer license that
1607 is denied a license under the provisions of this subsection shall be
1608 entitled to an administrative hearing in accordance with the provisions
1609 of chapter 54.

1610 (c) Notwithstanding the provisions of subsection (b) of this section,
1611 the commissioner may issue a used car dealer's license to a person,
1612 firm or corporation engaged primarily in the business of rental of
1613 motor vehicles and industrial and construction equipment, provided:
1614 (1) Motor vehicles offered for sale by any such person, firm or
1615 corporation are limited to motor vehicles that have been previously
1616 used exclusively and regularly in the conduct of the business or motor

1617 vehicles traded in by purchasers of such previously used motor
1618 vehicles, (2) any warranty repairs performed by such person, firm or
1619 corporation are limited to motor vehicles that such person, firm or
1620 corporation owns, has previously owned, or has taken in trade, and (3)
1621 any retail financing provided or arranged by such person, firm or
1622 corporation is limited to vehicles sold by such person, firm or
1623 corporation.

1624 (d) The commissioner may extend the period of a license issued to a
1625 manufacturer to operate a dealership on a temporary basis, in
1626 accordance with the provisions of subsection (b) of this section and
1627 subdivision (8) of section 42-133cc, for not more than one additional
1628 year, up to a maximum period of two years, if the commissioner is
1629 satisfied that such manufacturer has made and is continuing to make
1630 bona fide efforts to sell and transfer the dealership to a person, firm or
1631 corporation that is qualified to hold a new or used dealer's license.

1632 Sec. 50. Section 14-55 of the general statutes is repealed and the
1633 following is substituted in lieu thereof:

1634 In any town, city or borough the local authorities referred to in
1635 section 14-54 shall, upon receipt of an application for a certificate of
1636 approval referred to in said section, assign the same for hearing within
1637 sixty-five days of the receipt of such application. Notice of the time and
1638 place of such hearing shall be published in a newspaper having a
1639 general circulation in such town, city or borough at least twice, at
1640 intervals of not less than two days, the first not more than fifteen, nor
1641 less than ten days, and the last not less than two days before the date
1642 of such hearing and sent by certified mail to the applicant not less than
1643 fifteen days before the date of such hearing. All decisions on such
1644 certificate of approval shall be rendered within sixty-five days of such
1645 hearing. The applicant may consent to one or more extensions of any
1646 period specified in this section, provided the total extension of any
1647 such period shall not be for longer than the original period as specified

1648 in this section. The reasons for granting or denying such application
1649 shall be stated by the board or official. Notice of the decision shall be
1650 published in a newspaper having a general circulation in such town,
1651 city or borough and sent by certified mail to the applicant within
1652 fifteen days after such decision has been rendered. Such applicant shall
1653 pay a fee of ten dollars, together with the costs of publication and
1654 expenses of such hearing, to the treasurer of such town, city or
1655 borough. No such certificate shall be issued until the application has
1656 been approved and such location has been found suitable for the
1657 business intended, with due consideration to its location in reference to
1658 schools, churches, theaters, traffic conditions, width of highway and
1659 effect on public travel. [In any case in which such approval has been
1660 previously granted for any location, the local authority may, in its
1661 discretion, waive the requirement of a hearing on a subsequent
1662 application. In addition, the local authority may, in its discretion,
1663 waive the requirement of a hearing on an application wherein the
1664 previously approved location of a place of business is to be enlarged to
1665 include adjoining or adjacent property.]

1666 Sec. 51. Section 14-57 of the general statutes is repealed and the
1667 following is substituted in lieu thereof:

1668 Any person aggrieved by the performance of any act provided for in
1669 this subdivision (D) by such local authority [or by the commissioner]
1670 may take an appeal therefrom to the superior court for the judicial
1671 district within which such town or city is situated, or in accordance
1672 with the provisions of section 4-183. [, except venue for such appeal
1673 shall be in the judicial district of New Britain if such act was performed
1674 by the commissioner.] Any such appeal shall be privileged.

1675 Sec. 52. Section 14-58 of the general statutes is repealed and the
1676 following is substituted in lieu thereof:

1677 (a) Each new car dealer, used car dealer or repairer before engaging
1678 in such business shall make a separate sworn application to the

1679 commissioner for a license to engage in such business in each place of
1680 business conducted by [him] such dealer. The application shall include
1681 any information that may be required by the commissioner on blanks
1682 to be furnished by [him] said commissioner. Each application shall be
1683 accompanied by a fee of one hundred forty dollars for each place of
1684 business conducted by the applicant, together with the [annual] fee for
1685 the type of license for which [he] the applicant is making application,
1686 and such fee or fees shall not be subject to prorating and shall not be
1687 subject to refund. [On and after July 1, 1985, such application fee shall
1688 be sixty dollars, on and after July 1, 1989, ninety dollars, on and after
1689 July 1, 1991, one hundred thirteen dollars, and on and after July 1,
1690 1993, one hundred forty dollars.] No such license shall be transferable.
1691 [When such licensee adds buildings or adjacent land to his licensed
1692 place of business, he shall apply to the commissioner for inclusion of
1693 such building or land in his license to engage in such business. Such
1694 additions to an existing license shall be considered as the same place of
1695 business of the licensee and no additional license fee shall be required
1696 by the commissioner.] When a change of officers of a corporation
1697 engaged in such business is made, a notice of the change shall be sent
1698 to the commissioner within a period of fifteen days from the date of
1699 the change. The commissioner may suspend the license of any
1700 corporation, after notice and hearing, when the newly appointed or
1701 elected officers cannot be considered as qualified to conduct the
1702 business as provided in section [14-51] 14-52a, as amended by this act,
1703 or in regulations adopted by the commissioner pursuant to section 14-
1704 51, as amended by this act.

1705 (b) Each such licensee shall, instead of registering each motor
1706 vehicle owned by [him] the licensee or temporarily in [his] the
1707 licensee's custody, make application to the commissioner for a general
1708 distinguishing number and mark, and the commissioner may issue to
1709 the applicant a certificate or certificates of registration containing the
1710 distinguishing number and mark assigned to such applicant, and
1711 made in a form and containing any further information that the

1712 commissioner may determine, and, thereupon, each motor vehicle
1713 owned by the applicant or temporarily in [his] such applicant's
1714 custody shall be regarded as registered under and having assigned to
1715 it such general distinguishing number and mark until sold. For the
1716 registration of all motor vehicles, registered under a general
1717 distinguishing number and mark, the commissioner shall charge a fee
1718 at the rate of [twenty dollars per annum or any part thereof for each
1719 number plate furnished. On and after July 1, 1985, the fee shall be
1720 thirty dollars, on and after July 1, 1989, forty-five dollars, on and after
1721 July 1, 1991, fifty-six dollars, and on and after July 1, 1993,] seventy
1722 dollars per year. No new car dealer may be issued more than one such
1723 registration for each ten sales transactions in a year or no repairer or
1724 limited repairer may be issued more than three registrations in a year,
1725 unless such licensee makes application for an additional registration to
1726 the commissioner, in such form and containing such information as
1727 [he] said commissioner may require to substantiate such request. No
1728 used car dealer may be issued more than three such registrations in a
1729 year, provided an additional registration may be issued for each ten
1730 sales transactions in excess of thirty such transactions upon submission
1731 of such application for an additional registration. The commissioner
1732 may withdraw any registration previously issued, or may limit the
1733 number of registrations which any licensee is eligible to receive or to
1734 hold, in any case where the licensee has been found to be in violation
1735 of any of the provisions of section 14-64, as amended by this act. The
1736 commissioner may issue to each such licensee such additional
1737 registrations as [he] the commissioner deems necessary. Registration
1738 certificates issued under the provisions of this section shall not be
1739 required to be carried upon such motor vehicles when upon the public
1740 highways as required under subsection (a) of section 14-13, except that
1741 the licensee shall issue to each person driving such motor vehicle a
1742 document indicating that such person is validly entrusted with such
1743 vehicle which document shall be carried in the motor vehicle. The
1744 commissioner shall determine the form and contents of this document.

1745 Legible photostatic copies of such registration certificates may be
1746 carried in such vehicles as proof of ownership. The licensee shall
1747 furnish financial responsibility satisfactory to the commissioner, as
1748 defined in section 14-112, provided such financial responsibility shall
1749 not be required from a licensee when the commissioner finds that the
1750 licensee is of sufficient financial responsibility to meet such legal
1751 liability. The commissioner may issue such license upon presentation
1752 of evidence of such financial responsibility satisfactory to [him] said
1753 commissioner.

1754 Sec. 53. Section 14-63 of the general statutes is repealed and the
1755 following is substituted in lieu thereof:

1756 (a) The commissioner may make, alter or repeal regulations
1757 governing the administration of all statutes relating to the license and
1758 business of dealers and repairers [after notice and hearing, provided
1759 such regulations shall not require the place of business of a repairer to
1760 have more than two bays] in accordance with the provisions of chapter
1761 54. Each such regulation shall become effective ten days after a copy
1762 thereof has been mailed to all licensees affected thereby.

1763 (b) The Commissioner of Motor Vehicles shall adopt regulations in
1764 accordance with the provisions of chapter 54 establishing (1) a
1765 procedure whereby customers of dealers and repairers may file
1766 complaints with the Department of Motor Vehicles concerning the
1767 operations of and services provided by any such licensees, and (2) a
1768 procedure specifying the circumstances under which a licensee may
1769 stipulate to a complaint and waive [his] such licensee's right to an
1770 administrative hearing. Such regulations shall provide for the
1771 commissioner to contact each licensee that is the subject of a complaint
1772 in order to notify such licensee of the complaint and to relate to such
1773 licensee the particular matters alleged by the complainant. The
1774 commissioner shall attempt to mediate a voluntary resolution of the
1775 complaint acceptable to the complainant and the licensee. Such

1776 regulations shall also provide that, if an acceptable resolution to the
1777 complaint is not achieved, the commissioner shall complete the
1778 commissioner's investigation of the facts and shall, if the commissioner
1779 has reason to believe that the licensee has violated any provision of
1780 section 14-64, proceed to take any action authorized under the
1781 provisions of section 14-64. If, after such an investigation, the
1782 commissioner elects not to take action against the licensee, the
1783 commissioner shall notify both the complainant and the licensee in
1784 writing. Such notice shall include a brief statement of the reasons why
1785 the commissioner has taken no action. The commissioner shall also
1786 inform the complainant and the licensee that an unresolved complaint
1787 exists and that, unless the commissioner has determined that the
1788 allegations, even if true, fail to state a violation of applicable statutory
1789 or regulatory standards, the same shall be recorded in the records of
1790 the department pertaining to such licensee until such time as the
1791 licensee submits to the commissioner satisfactory evidence, signed by
1792 the complainant or the complainant's attorney, that the claim has been
1793 resolved by agreement with the complainant or submits to the
1794 department satisfactory evidence of final adjudication in favor of such
1795 licensee. An agreement between the licensee and the complainant shall
1796 not preclude the commissioner from proceeding to take action if the
1797 commissioner has reason to believe that the licensee has violated any
1798 provision of section 14-64. A decision by the commissioner not to take
1799 action against the licensee shall be without prejudice to the claim of the
1800 customer; and neither the fact that the department has determined not
1801 to proceed nor the notice furnished to the parties, in accordance with
1802 this subsection, shall be admissible in any civil action.

1803 Sec. 54. Section 14-64 of the general statutes is repealed and the
1804 following is substituted in lieu thereof:

1805 The commissioner may suspend or revoke the license or licenses of
1806 any licensee or impose a civil penalty of not more than one thousand
1807 dollars for each violation on any licensee or both, when, after notice

1808 and hearing, [he] the commissioner finds that the licensee (1) has
1809 [violated] been convicted of a violation of, or has failed to comply with
1810 the terms of a final decision and order of any other state department or
1811 federal agency concerning any provision of any statute or regulation
1812 [of any state or any federal statute or regulation] pertaining to [his] its
1813 business as a licensee; or (2) has failed to maintain such records of
1814 transactions concerning the purchase, sale or repair of motor vehicles
1815 or major component parts, as required by such regulations as shall be
1816 adopted by the commissioner, for a period of two years after such
1817 purchase, sale or repairs, provided the records shall include the vehicle
1818 identification number and the name and address of the person from
1819 whom each vehicle or part was purchased and to whom each vehicle
1820 or part was sold, if a sale occurred; or (3) has failed to allow inspection
1821 of such records by the commissioner or [his] the commissioner's
1822 representative during normal business hours, provided written notice
1823 stating the purpose of the inspection is furnished to the licensee, or has
1824 failed to allow inspection of such records by any representative of the
1825 Division of State Police within the Department of Public Safety or any
1826 organized local police department, which inspection may include
1827 examination of the premises to determine the accuracy of such records;
1828 or (4) has made a false statement as to the condition, prior ownership
1829 or prior use of any motor vehicle sold, exchanged, transferred, offered
1830 for sale or repaired if the licensee knew or should have known that
1831 such statement was false; or (5) is not qualified to conduct the licensed
1832 business, applying the standards of section 14-51, as amended by this
1833 act, and the applicable regulations; or (6) has violated any provision of
1834 sections 42-221 to 42-226, inclusive; or (7) has failed to fully execute or
1835 provide the buyer with (A) an order as described in section 14-62, (B)
1836 the properly assigned certificate of title, or (C) a temporary transfer or
1837 new issue of registration; or (8) has failed to deliver a motor vehicle
1838 free and clear of all liens, unless written notification is given to the
1839 buyer stating such motor vehicle shall be purchased subject to a lien; or
1840 (9) has violated any provision of sections 14-65f to 14-65j, inclusive; [.

1841 Where the commissioner has made such finding, he shall require the
1842 licensee, as a condition to his continued licensure or the reinstatement
1843 of the license following its suspension or revocation, to furnish to the
1844 commissioner a bond satisfactory to him in the amount of one
1845 thousand dollars, conditioned upon compliance with all laws
1846 pertaining to the business of the licensee and the regulations of the
1847 commissioner, which bond may be forfeited for further violation and
1848 the claim arising therefrom shall be settled or compromised subject to
1849 the approval of the commissioner. The commissioner shall return any
1850 bond furnished pursuant to this section if one year has elapsed from
1851 the date the bond was filed with the commissioner and no finding has
1852 been made by him of additional violations and no hearing is pending
1853 which could result in the forfeiture of the bond or if the licensee is no
1854 longer engaged in the business for which he was licensed. The] or (10)
1855 has used registration number plates issued by the commissioner, in
1856 violation of the provisions and standards set forth in sections 14-59
1857 and 14-60 and the applicable regulations. In addition to, or in lieu of
1858 the imposition of any other penalties authorized by this section, the
1859 commissioner may [also] order any such licensee to make restitution to
1860 any aggrieved customer.

1861 Sec. 55. (NEW) The Commissioner of Motor Vehicles may permit
1862 any motor vehicle dealer who is authorized to issue temporary
1863 registrations, in accordance with the provisions of subsection (c) of
1864 section 14-12 of the general statutes, as amended by this act, and
1865 section 14-61 of the general statutes, as amended by this act, to file the
1866 application for the permanent registration and the certificate of title by
1867 means of an electronic transmission of an electronic record, connected
1868 to the system of registration and title records maintained by the
1869 commissioner. Such permission, as may be granted by the
1870 commissioner to any dealer, shall be subject to adherence by such
1871 dealer with procedures to ensure the timely payment of all applicable
1872 fees and tax remittances.

1873 Sec. 56. Subsection (e) of section 14-73 of the general statutes is
1874 repealed and the following is substituted in lieu thereof:

1875 (e) The licensee shall be reexamined [prior to the issuance of a
1876 renewal of his instructor's license or at any time during the license
1877 period that an examination would, in the opinion of the commissioner,
1878 be in the interest of public welfare and safety] periodically in
1879 accordance with standards contained in regulations adopted under
1880 section 14-78. Persons licensed for the first time as instructors [after
1881 January 1, 1972,] shall, in the three years following their initial
1882 licensure, attend seminars, annually, in traffic safety sponsored by the
1883 Department of Motor Vehicles or take an advanced instructor course of
1884 not less than forty-five clock hours in traffic safety. The course shall
1885 have been approved by the commissioner. Proof of compliance with
1886 the requirement for attendance at seminars or the taking of instruction
1887 shall be made before license renewals are issued. The seminars shall be
1888 self-sustaining.

1889 Sec. 57. Subsection (a) of section 14-99h of the general statutes is
1890 repealed and the following is substituted in lieu thereof:

1891 (a) Each new car dealer or used car dealer, as defined in section 14-
1892 51, or lessor licensed under the provisions of section 14-15 shall offer
1893 the purchaser or lessee of a new or used motor vehicle, at the time of
1894 sale or lease, the optional service of etching the complete identification
1895 number of the vehicle on a lower corner of the windshield and on each
1896 side or rear window in such vehicle. Each such dealer or lessor may
1897 etch the complete identification number of a motor vehicle on any such
1898 vehicle in its inventory prior to its sale or lease provided it specifies the
1899 charge for such service separately on the [label required by the federal
1900 Automobile Information Disclosure Act, 15 USC 1231 et seq] order and
1901 invoice for the sale of the motor vehicle as prescribed by the provisions
1902 of section 14-62.

1903 Sec. 58. Subdivision (8) of section 42-133cc of the general statutes is

1904 repealed and the following is substituted in lieu thereof:

1905 (8) Unfairly compete with a dealer in the same line make operating
1906 under an agreement or franchise from such manufacturer or
1907 distributor in the relevant market area. A manufacturer or distributor
1908 shall not, however, be deemed to be competing when operating a
1909 dealership for a temporary period not to exceed one year, or such
1910 additional period of time as may be permitted by the Commissioner of
1911 Motor Vehicles, in accordance with the provisions of section 14-52b, as
1912 amended by this act or in a bona fide retail operation which is for sale
1913 to any qualified person at a fair and reasonable price, or in a bona fide
1914 relationship in which an independent person has made a significant
1915 investment subject to loss in the dealership and can reasonably expect
1916 to acquire full ownership of such dealership on reasonable terms and
1917 conditions.

1918 Sec. 59. (NEW) As used in sections 59 to 67, inclusive, of this act, the
1919 following terms and their derivatives shall have the following
1920 meanings:

1921 (1) "Administrative action" means a final determination by a duly
1922 authorized administrative agency that a person has violated laws
1923 related to the operation of a motor vehicle, or that a person is incapable
1924 of safely operating a motor vehicle;

1925 (2) "Citation" means any summons, complaint or other official
1926 document issued to a person by a duly authorized law enforcement
1927 officer or judicial official for any violation relating to conduct to be
1928 reported under the driver license agreement;

1929 (3) "Conviction" shall have the meaning stated in subdivision (16) of
1930 subsection (a) of section 14-1 of the general statutes, as amended by
1931 this act, and shall include a judgment by default, or in absentia;

1932 (4) "Driver control record" means the driving history record

1933 maintained by the jurisdiction of record in accordance with the driver
1934 license agreement;

1935 (5) "Failure to comply" means failure to appear or to answer a
1936 citation in the manner required by law or the failure to pay fines,
1937 penalties or costs related to the disposition of the violation for which
1938 the citation has been issued;

1939 (6) "Jurisdiction" means a state, territory or possession of the United
1940 States, the District of Columbia, a territory or province of Canada or
1941 any state of the Republic of Mexico or the federal district of Mexico;

1942 (7) "Jurisdiction of record" means the jurisdiction that has issued the
1943 last driver's license to a person or if the person has not been issued a
1944 driver's license, the jurisdiction of the person's most current address, as
1945 shown on the citation, or record of conviction or on any associated
1946 report;

1947 (8) "License", "driver's license" or "operator's license" means an
1948 authorization or privilege to operate a motor vehicle in accordance
1949 with the laws of a jurisdiction that is recognized by all member
1950 jurisdictions;

1951 (9) "Licensing authority" means the official organization or entity
1952 responsible for administering the driver licensing laws of a member
1953 jurisdiction, and with reference to this state, means the Commissioner
1954 of Motor Vehicles;

1955 (10) "Member jurisdiction" means a jurisdiction that has entered into
1956 the driver license agreement; and

1957 (11) "Withdrawal" means the suspension, revocation, cancellation or
1958 denial of a license or motor vehicle registration or of the privilege to
1959 operate a motor vehicle or to obtain a license or registration.

1960 Sec. 60. (NEW) The Commissioner of Motor Vehicles may enter into

1961 a driver license agreement with any and all of the other states legally
1962 joining in such agreement. The commissioner may exercise the powers
1963 and duties conferred by the provisions of sections 59 to 67, inclusive, of
1964 this act and may adopt regulations, in accordance with the provisions
1965 of chapter 54 of the general statutes, as necessary to meet the
1966 obligations of membership and to fully participate with other member
1967 states in the driver license agreement.

1968 Sec. 61. (NEW) This state and the other party states to the driver
1969 license agreement find and declare that:

1970 (1) Each driver shall have one driver's license issued by a
1971 jurisdiction, that is recognized by all member jurisdictions, and shall
1972 have one driver control record;

1973 (2) All efforts shall be made to strengthen cooperation among
1974 member jurisdictions so that all drivers are required to answer charges
1975 of violation of motor vehicle and traffic laws, and to comply with the
1976 procedures for the disposition of such charges, regardless of the
1977 jurisdiction where any such violation occurs;

1978 (3) Reciprocal recognition of driver's licenses and of motor vehicle
1979 and traffic violations related to highway safety shall be facilitated, for
1980 the benefit of all member jurisdictions;

1981 (4) Compliance by each driver with all provisions of law pertaining
1982 to the safe operation of a motor vehicle shall be required as a condition
1983 to the issuance and to the retention of a driver's license;

1984 (5) Conviction of a driver or owner for any motor vehicle and traffic
1985 violation related to highway safety in any jurisdiction shall be treated
1986 as if the violation had occurred in the jurisdiction of record, for the
1987 purpose of maintaining the driver control record and of imposing
1988 administrative sanctions, as authorized by law;

1989 (6) All drivers shall be allowed to proceed on their way and shall

1990 not be required to appear in person before a court or other tribunal,
1991 regardless of their jurisdiction of record, after having been issued a
1992 citation for certain motor vehicle and traffic violations;

1993 (7) All efforts shall be made to achieve greater uniformity among all
1994 member jurisdictions regarding the exchange of information on
1995 drivers, licenses, and driver control records, including convictions of
1996 violations and license withdrawal actions; and

1997 (8) All member jurisdictions shall act in the best interests of
1998 highway safety and in a spirit of mutual cooperation to attain and
1999 monitor compliance with the driver license agreement and to resolve
2000 any dispute that may arise, at the administrative agency level of
2001 authority and decision-making.

2002 Sec. 62. (NEW) (a) Upon application for a motor vehicle operator's
2003 license, the Commissioner of Motor Vehicles shall determine whether
2004 the applicant has ever held, or is the holder of, a license issued by any
2005 other jurisdiction. The commissioner shall not issue a license to any
2006 applicant whose license is withdrawn in any other member jurisdiction
2007 for any conviction or administrative action required to be reported
2008 under the driver license agreement, as evidenced by the driver control
2009 record. The commissioner shall not issue a license to any applicant
2010 who is the subject of a notice of failure to comply, as reported by any
2011 other member jurisdiction. If the applicant is the holder of any
2012 unexpired license issued by another jurisdiction, the commissioner
2013 shall not issue a license unless the applicant surrenders such license
2014 document previously issued by such jurisdiction.

2015 (b) Notwithstanding the provisions of subsection (a) of this section,
2016 the commissioner may issue a class 1 or class 2 operator's license, or a
2017 motorcycle operator's license, to an applicant who is the subject of a
2018 withdrawal of a commercial driver's license in any other member
2019 jurisdiction if the conduct on which such withdrawal is based would
2020 not have resulted in the withdrawal of the privilege to operate any

2021 motor vehicle other than a commercial motor vehicle.

2022 (c) Notwithstanding the provisions of subsection (a) of this section,
2023 the commissioner may issue a motor vehicle operator's license to (1) an
2024 applicant who is the subject of a withdrawal that occurred five years or
2025 more before the date of application, or (2) an applicant whose license
2026 has been withdrawn for the period of time required by the jurisdiction
2027 of record, but whose license has not been returned or restored by such
2028 jurisdiction due to the failure or the alleged failure to fulfill
2029 reinstatement requirements, pertaining to the filing of proof of
2030 financial responsibility or necessitating personal attendance in such
2031 jurisdiction including, but not limited, to a requirement to complete an
2032 education or treatment program. In exercising the discretion to grant
2033 or deny an application for a license as conferred by the provisions of
2034 this subsection, the commissioner shall review and consider the entire
2035 driver control record of the applicant, and may require additional
2036 information and references from the applicant such as will attest to the
2037 applicant's present fitness and capability to safely operate a motor
2038 vehicle.

2039 Sec. 63. (NEW) (a) The Commissioner of Motor Vehicles shall
2040 maintain a driver control record for each person who has been issued a
2041 motor vehicle operator's license, until such time as the commissioner is
2042 notified by another member jurisdiction that such person has
2043 surrendered such license and has been issued a license by such other
2044 jurisdiction.

2045 (b) Upon notification of issuance of a license by another member
2046 jurisdiction, in accordance with subsection (a) of this section, the
2047 commissioner shall transfer the driver control record to the driver
2048 licensing authority of such new jurisdiction of record within thirty
2049 days.

2050 (c) Each driver control record shall contain the information
2051 prescribed by the commissioner, in accordance with the terms of the

2052 driver license agreement and as set forth in regulations adopted by the
2053 commissioner in accordance with the provisions of chapter 54 of the
2054 general statutes.

2055 (d) The commissioner shall maintain a record as to all convictions
2056 and administrative actions for motor vehicle and traffic violations
2057 committed in this state, and for any cases of failure to comply, as
2058 reported to the commissioner in accordance with the provisions of
2059 section 14-141 of the general statutes, by any person who has not been
2060 issued a motor vehicle or motorcycle operator's license by the
2061 commissioner or by the licensing authority of any other member
2062 jurisdiction, or whose license has expired or been cancelled. The
2063 commissioner shall transmit such record to such licensing authority of
2064 another jurisdiction, upon notification of the issuance of a license to
2065 such person.

2066 Sec. 64. (NEW) (a) The Centralized Infractions Bureau of the
2067 Superior Court and each court having jurisdiction of each case
2068 involving a violation of any general statute relating to motor vehicles
2069 shall, in accordance with the provisions of section 14-141 of the general
2070 statutes, continue to report to the Commissioner of Motor Vehicles the
2071 name, operator's license number, jurisdiction of licensure, and such
2072 other information as may be available concerning each nonresident
2073 owner or operator of a motor vehicle who has failed to appear for any
2074 scheduled court appearance, or has failed to submit a plea of not guilty
2075 by the answer date, or has not paid the full amount of any fine or
2076 additional fee required by law.

2077 (b) Except as provided in subsection (a) of section 14-140 of the
2078 general statutes, any person who has been charged by any law
2079 enforcement officer of this state with a violation of any provision of
2080 any general statute relating to motor vehicles may be released upon
2081 such person's own recognizance, without posting collateral or bond.

2082 (c) Upon receipt of each report made pursuant to subsection (a) of

2083 this section concerning a nonresident owner or operator of a motor
2084 vehicle, the commissioner shall notify the jurisdiction of record, in
2085 accordance with the procedures of the driver license agreement. No
2086 notification shall be made pursuant to this subsection more than six
2087 months later than the date of disposition by the court.

2088 (d) Upon receipt of a notice of failure to comply with a citation
2089 issued by any member jurisdiction, or administrative action taken by
2090 such jurisdiction concerning any person who is licensed to operate a
2091 motor vehicle in this state or who is the owner of a motor vehicle
2092 registered in this state, the commissioner shall proceed to suspend
2093 such person's operator's license and, if authorized or required by any
2094 provision of the general statutes, the registration of any motor vehicle
2095 owned by such person, or the privilege to register any motor vehicle,
2096 until such time as the commissioner is duly notified, in the manner
2097 provided by the procedures of the driver license agreement, that such
2098 person has complied with the terms of such citation.

2099 (e) The provisions of subsections (c) and (d) of this section shall
2100 apply only to citations issued for motor vehicle traffic or safety
2101 violations identified in the code of the driver license agreement, as set
2102 forth in regulations adopted by the commissioner, in accordance with
2103 the provisions of chapter 54 of the general statutes.

2104 Sec. 65. (NEW) (a) If the Commissioner of Motor Vehicles receives a
2105 report from any member jurisdiction of the conviction in such
2106 jurisdiction of any person licensed to operate a motor vehicle in this
2107 state, for acts or conduct of the nature described in subsection (b) of
2108 this section, the commissioner shall suspend the operator's license of
2109 such person for the period of time required for a conviction of the
2110 equivalent offense under the provisions of the general statutes, as
2111 listed in subsection (b) of this section, for the same acts of conduct
2112 occurring in this state.

2113 (b) For the purpose of the action required to be taken by the

2114 commissioner in accordance with subsection (a) of this section, the
2115 conviction in another member jurisdiction for an offense involving the
2116 following acts or conduct shall be treated as a conviction under the
2117 following subdivisions:

2118 (1) Manslaughter or assault with a motor vehicle or negligent
2119 homicide with a motor vehicle shall be deemed a conviction of a
2120 violation of section 53a-56b, 53a-60d or 14-222a of the general statutes;

2121 (2) Operation of a motor vehicle while under the influence of
2122 alcohol or drugs, or any combination thereof, shall be deemed a
2123 conviction of a violation of subsection (a) of section 14-227a of the
2124 general statutes;

2125 (3) Leaving the scene of an accident or failure to stop and render aid
2126 in the event of an accident or collision resulting in the death or
2127 personal injury of another shall be deemed a conviction of a violation
2128 of either subsection (a) or (b) of section 14-224 of the general statutes,
2129 depending on the acts or conduct reported and the circumstances as
2130 determined by the commissioner; or

2131 (4) Unsafe, dangerous or reckless operation of a motor vehicle shall
2132 be deemed a conviction of a violation of section 14-222 of the general
2133 statutes.

2134 (c) If the commissioner is notified by a member jurisdiction that a
2135 person who is the holder of a motor vehicle operator's license issued in
2136 this state has been convicted of a felony, in the commission of which a
2137 motor vehicle was used, the commissioner shall, if such person's acts
2138 or conduct would constitute an offense classified as a felony under
2139 section 53a-25 of the general statutes, suspend such person's operator's
2140 license for such period of time as may be determined by the
2141 commissioner.

2142 (d) If the commissioner is notified by a member jurisdiction that a

2143 person who is the holder of a motor vehicle operator's license has been
2144 convicted of driving under the influence of alcohol or drugs, in
2145 accordance with subdivision (2) of subsection (b) of this section, the
2146 commissioner may consider the conviction as a second or subsequent
2147 violation of section 14-227a of the general statutes, if such person has
2148 been convicted previously of a violation of section 14-227a of the
2149 general statutes, or has been convicted previously of a substantially
2150 similar offense in a member jurisdiction, as shown by such person's
2151 driver control record, within the past ten years, and the commissioner
2152 may impose the suspension for the period of time required for a
2153 second or subsequent offense by the provisions of subsection (h) of
2154 section 14-227a of the general statutes. It shall not be a defense to a
2155 suspension imposed pursuant to this subsection, or subdivision (2) of
2156 subsection (b) of this section, that the blood alcohol concentration of
2157 the person convicted in a member jurisdiction, or the blood alcohol
2158 concentration required for conviction of a per se offense in the member
2159 jurisdiction in which the person was convicted, is less than the blood
2160 alcohol concentration required for conviction of a per se offense in this
2161 state.

2162 Sec. 66. (NEW) (a) Any notice or copy of a record furnished to the
2163 Commissioner of Motor Vehicles by any member jurisdiction in
2164 accordance with the provisions and obligations of the driver license
2165 agreement and sections 60 to 67, inclusive, of this act, concerning any
2166 conviction, administrative action, withdrawal and the status of
2167 issuance of a license or motor vehicle registration may be transmitted
2168 and received by electronic or documentary means. Any such notice or
2169 record shall, when certified, be admissible in any hearing conducted
2170 by the commissioner and in any appeal taken from a final decision of
2171 the commissioner, in accordance with the provisions of section 4-183 of
2172 the general statutes. Any such notice or record so transmitted and
2173 certified shall be accepted as proof of the facts contained therein, in the
2174 absence of evidence to the contrary.

2175 (b) A notice or record as referred to in subsection (a) of this section
2176 may be certified by electronic means in an electronic format and, when
2177 so certified, shall be accepted by the commissioner and by any court of
2178 this state as proof of the facts contained therein, in the absence of
2179 evidence to the contrary. As used in this section, the term "record"
2180 includes, but is not limited to, any paper, document, facsimile
2181 information, micro-photographically stored information or digitized
2182 image maintained, deposited or filed with a member jurisdiction.

2183 Sec. 67. (NEW) Any person aggrieved by an action of the
2184 commissioner taken under the authority of this act to withdraw a
2185 license or registration, or the privilege to operate a motor vehicle or to
2186 register a motor vehicle in this state shall be entitled, upon request, to
2187 an administrative hearing conducted in accordance with the provisions
2188 of chapter 54 of the general statutes.

2189 Sec. 68. Subsection (c) of section 14-12 of the general statutes is
2190 repealed and the following is substituted in lieu thereof:

2191 (c) The commissioner may, for the more efficient administration of
2192 the commissioner's duties, appoint licensed dealers meeting
2193 qualifications established by the commissioner pursuant to regulations
2194 adopted in accordance with the provisions of chapter 54, to issue new
2195 registrations for passenger motor vehicles and motorcycles, campers,
2196 camp trailers or trucks with a gross vehicle weight up to and including
2197 twenty-six thousand pounds when they are sold. The commissioner
2198 shall charge such dealer a fee of ten dollars for each [book of twenty-
2199 five new dealer issue forms] new dealer issue form furnished for the
2200 purposes of this subsection. A person purchasing a motor vehicle or
2201 motorcycle from a dealer so appointed and registering the motor
2202 vehicle or motorcycle pursuant to this section shall file an application
2203 with the dealer and pay, to the dealer, a fee in accordance with the
2204 provisions of subsection (a) or (b) of section 14-49. The commissioner
2205 shall prescribe the time and manner in which the application and fee

2206 shall be transmitted to the commissioner.

2207 Sec. 69. Section 14-61 of the general statutes is repealed and the
2208 following is substituted in lieu thereof:

2209 (a) Any dealer licensed under the provisions of this subdivision (D)
2210 who in the opinion of the commissioner is qualified and sells or trades
2211 a passenger motor vehicle, motorcycle, camper, camp trailer or truck
2212 with a gross vehicle weight up to and including twenty-six thousand
2213 pounds to a transferee who holds a current registration certificate for a
2214 passenger motor vehicle, motorcycle, camper, camp trailer or truck
2215 with a gross vehicle weight up to and including twenty-six thousand
2216 pounds registered in this state may issue a sixty-day temporary
2217 transfer of such registration to the vehicle transferred with an official
2218 stamp issued by the commissioner, under regulations adopted by the
2219 commissioner, to such dealer. The commissioner shall charge such
2220 dealer a fee of [five] ten dollars for each [book of twenty-five] new
2221 temporary dealer transfer [forms] form furnished for the purposes of
2222 this section. No dealer may make such temporary transfer of a
2223 registration unless the transferee surrenders the current registration
2224 certificate to the dealer indicating the disposition of the vehicle
2225 described thereon in the space provided on the reverse side of such
2226 certificate and unless the transferee is eighteen years of age or older.
2227 The dealer shall, within five days from the issuance of such temporary
2228 registration, submit to the commissioner an application together with
2229 all necessary documents for a permanent registration for the vehicle
2230 transferred. No such temporary registration may be issued if the
2231 transferred passenger motor vehicle, motorcycle, camper, camp trailer
2232 or truck with a gross vehicle weight up to and including twenty-six
2233 thousand pounds is used and was not previously registered in this
2234 state unless the inspection requirements of section 14-12, as amended
2235 by this act, have been met or, if such motor vehicle is ten or more years
2236 old, unless the inspection requirements of section 14-16a have been
2237 met, or if such motor vehicle has been declared a total loss by an

2238 insurance company, unless the inspection requirements of section 14-
2239 103a have been met.

2240 (b) The commissioner may require any dealer who is authorized to
2241 issue a temporary transfer of registration in accordance with
2242 subsection (a) of this section or a new registration in accordance with
2243 subsection (c) of section 14-12, as amended by this act, to file each
2244 application for a permanent registration by electronic transmission of
2245 an electronic record if the commissioner determines that the dealer
2246 files, on average, twenty-five or more such applications for permanent
2247 registration each month with the Department of Motor Vehicles. The
2248 provisions of this subsection do not preclude any such dealer from
2249 filing an application for a permanent registration in person at any
2250 branch office of the department.

2251 Sec. 70. Section 14-12l of the general statutes is repealed and the
2252 following is substituted in lieu thereof:

2253 (a) After [October 1, 2001] July 1, 2003, the Department of Motor
2254 Vehicles, as part of any procedure for issuing any motor vehicle
2255 registration, shall require each person making application for a motor
2256 vehicle registration to provide the owner's federal Social Security
2257 account number or federal employer identification number, or both, if
2258 available, to said department or where such number or numbers are
2259 unavailable, the reason or reasons for the unavailability. The number
2260 or reason shall be obtained by said department as part of the
2261 administration of taxes administered by the Commissioner of Revenue
2262 Services for the purpose of establishing the identification of persons
2263 affected by such taxes.

2264 (b) The Department of Motor Vehicles shall, on or before February
2265 1, [2002] 2004, and February first, annually thereafter, furnish to the
2266 Commissioner of Revenue Services on a compatible magnetic tape file
2267 or in some other form which is acceptable to said commissioner, a list
2268 of all persons to whom motor vehicle registrations were issued by said

2269 department during the preceding calendar year.

2270 (c) Each list provided to the Commissioner of Revenue Services
2271 pursuant to this section shall contain the name, address and federal
2272 Social Security account number or federal employer identification
2273 number or both, of each person named on such list, if available to such
2274 agency or the reason for the unavailability.

2275 Sec. 71. Section 14-41 of the general statutes is repealed and the
2276 following is substituted in lieu thereof:

2277 (a) Except as provided in section 14-41a, as amended by this act,
2278 each motor vehicle or motorcycle operator's license shall be renewed
2279 [quadrennially] every six years on the date of the operator's birthday.
2280 On and after July 1, 2001, the Commissioner of Motor Vehicles shall
2281 screen the vision of each motor vehicle operator prior to every other
2282 renewal of [his] the operator's license of such operator in accordance
2283 with a schedule adopted by the commissioner. Such screening
2284 requirement shall apply to every other renewal following the initial
2285 screening. In lieu of the vision screening by the commissioner, such
2286 operator may submit the results of a vision screening conducted by a
2287 licensed health care professional qualified to conduct such screening
2288 on a form prescribed by the commissioner during the twelve months
2289 preceding such renewal. No motor vehicle operator's license may be
2290 renewed unless the operator passes such vision screening. The
2291 commissioner shall adopt regulations in accordance with the
2292 provisions of chapter 54 to implement the provisions of this subsection
2293 relative to the administration of vision screening.

2294 (b) An original operator's license shall expire within a period not
2295 exceeding [four] six years following the date of the operator's next
2296 birthday. The fee for such original license shall be computed at the rate
2297 of seventy-five cents per month except that the fee shall not exceed
2298 three dollars and fifty cents for any six-month period, plus the sum of
2299 three dollars; and on and after July 1, 1992, one dollar per month

2300 except that the fee shall not exceed four dollars for any six-month
2301 period plus the sum of [three dollars and fifty] five dollars and twenty-
2302 five cents.

2303 (c) If a change is made in the records of the Department of Motor
2304 Vehicles affecting the date of birth of an operator after the original
2305 issuance or renewal of an operator's license, the expiration date shall
2306 remain as originally issued or renewed until the license expires. The
2307 operator shall then be issued a renewal license to expire on the date of
2308 the operator's birthday. No renewal license shall be issued for a period
2309 of less than twenty-four months or more than [forty-eight] seventy-two
2310 months depending on the year of the operator's birth. The fee for such
2311 renewal license shall be computed at the rate of forty-five cents per
2312 month from the last day of the month in which such license expired
2313 except that the fee shall not exceed two dollars and fifty cents for any
2314 six-month period, plus the sum of one dollar.

2315 (d) The commissioner shall, at least fifteen days before the date on
2316 which each motor vehicle or motorcycle operator's license expires,
2317 notify the operator of the expiration date. Any previously licensed
2318 operator who operates a motor vehicle within sixty days after the
2319 expiration date of [his] the operator's license without obtaining a
2320 renewal of [his] the license shall be deemed to have failed to renew a
2321 motor vehicle operator's license and shall be fined in accordance with
2322 the amount designated for the infraction of failure to renew a motor
2323 vehicle operator's license. Any operator so charged shall not be
2324 prosecuted under section 14-36 or 14-40a for the same act constituting
2325 a violation under this section but sections 14-36 and 14-40a shall apply
2326 after the sixty-day period.

2327 (e) Notwithstanding the provisions of section 1-3a, if the expiration
2328 date of any motor vehicle or motorcycle operator's license or any
2329 public passenger transportation permit falls on any day when offices
2330 of the commissioner are closed for business or are open for less than a

2331 full business day, the license or permit shall be deemed valid until
2332 midnight of the next day on which offices of the commissioner are
2333 open for a full day of business.

2334 Sec. 72. Section 14-41a of the general statutes is repealed and the
2335 following is substituted in lieu thereof:

2336 (a) An individual sixty-five years of age or older may renew a motor
2337 vehicle or motorcycle operator's license for either a two-year period or
2338 a [four-year] six-year period. The fee for any license issued for a two-
2339 year period shall be seventeen dollars. On and after July 1, 1992, the fee
2340 shall be nineteen dollars.

2341 (b) Notwithstanding the provisions of subsection (a) of section 14-
2342 36d, the Commissioner of Motor Vehicles may waive the requirement
2343 that a motor vehicle or motorcycle operator's license issued for either a
2344 two-year period or a [four-year] six-year period to an operator sixty-
2345 five years of age or older bear a photograph of the operator upon
2346 written application by such operator and a showing of hardship,
2347 which shall include, but not be limited to, the proximity of such
2348 operator's residence to a Department of Motor Vehicles branch office
2349 providing license renewal services.

2350 Sec. 73. Section 14-44h of the general statutes is repealed and the
2351 following is substituted in lieu thereof:

2352 (a) Each commercial driver's license shall be renewed
2353 [quadrennially] every six years on the date of the operator's birthday.

2354 (b) A commercial driver's license shall expire within a period not
2355 exceeding [four] six years following the date of the operator's next
2356 birthday. The fee for such original license shall be computed at the rate
2357 of [one dollar per month except that the fee shall not exceed five
2358 dollars for any six-month period, plus the sum of five dollars; and on
2359 and after July 1, 1992,] one dollar and twenty-five cents per month

2360 except that the fee shall not exceed five dollars and fifty cents for any
2361 six-month period plus the sum of [~~six~~] nine dollars.

2362 (c) If a change is made in the records of the Department of Motor
2363 Vehicles affecting the date of birth of an operator after the original
2364 issuance or renewal of a commercial driver's license, the expiration
2365 date shall remain as originally issued or renewed until the license
2366 expires. The operator shall then be issued a renewal license to expire
2367 on the date of the operator's birthday. No renewal license shall be
2368 issued for a period of less than twenty-four months or more than
2369 [~~forty-eight~~] seventy-two months depending on the year of the
2370 operator's birth. The fee for such renewal license shall be computed at
2371 the rate of one dollar per month from the last day of the month in
2372 which such license expired except that the fee shall not exceed five
2373 dollars for any six-month period, plus the sum of four dollars.

2374 (d) The commissioner shall, at least fifteen days before the date on
2375 which each commercial driver's license expires, notify the operator of
2376 the expiration date. Any previously licensed operator who operates a
2377 commercial motor vehicle within sixty days after the expiration date of
2378 [~~his~~] such operator license without obtaining a renewal of [~~his~~] such
2379 license shall be deemed to have failed to renew a motor vehicle
2380 operator's license and shall be fined in accordance with the amount
2381 designated for the infraction of failure to renew a motor vehicle
2382 operator's license. Any operator so charged shall not be prosecuted
2383 under section 14-36 or 14-40a for the same act constituting a violation
2384 under this section but said sections 14-36 and 14-40a shall apply after
2385 the sixty-day period.

2386 (e) Notwithstanding the provisions of section 1-3a, if the expiration
2387 date of any commercial driver's license falls on any day when offices of
2388 the commissioner are closed for business or are open for less than a full
2389 business day, the license shall be deemed valid until midnight of the
2390 next day on which offices of the commissioner are open for a full day

2391 of business.

2392 [(f) If the holder of a valid public service or class 1 or class 2 license
2393 issued pursuant to section 14-36a or 14-44 applies for and is issued,
2394 prior to July 1, 1991, a commercial driver's license, the commissioner is
2395 authorized to prorate and apply a portion of the fee paid for the
2396 unexpired public service or class 1 or class 2 license to the fee paid for
2397 the commercial driver's license.]

2398 Sec. 74. Subsection (a) of section 14-44i of the general statutes is
2399 repealed and the following is substituted in lieu thereof:

2400 (a) Subject to the provisions of subsection (c) of section 14-44h, as
2401 amended by this act, there shall be charged a fee of [forty-four]
2402 seventy-five dollars for each renewal of a commercial driver's license.
2403 [On and after July 1, 1992, such renewal fee shall be fifty dollars.]

2404 Sec. 75. Subsection (a) of section 14-50 of the general statutes is
2405 repealed and the following is substituted in lieu thereof:

2406 (a) Subject to the provisions of subsection (c) of section 14-41, there
2407 shall be charged a fee of [thirty-five dollars and fifty] fifty-three dollars
2408 and twenty-five cents for each renewal of a motor vehicle operator's
2409 license and an additional fee of nine dollars for each year for each
2410 passenger endorsement. There shall be charged a fee of [thirty-seven
2411 dollars] fifty-five dollars and fifty cents for each renewal of a
2412 motorcycle operator's license; except that a person who holds a motor
2413 vehicle operator's license shall not be charged a fee for the renewal of a
2414 motorcycle operator's license if [he] such person renews said motor
2415 vehicle operator's license.

2416 Sec. 76. Section 14-12 of the general statutes is repealed and the
2417 following is substituted in lieu thereof:

2418 (a) No motor vehicle shall be operated or towed on any highway,
2419 except as otherwise expressly provided, unless it is registered with the

2420 commissioner, provided any motor vehicle may be towed for repairs
2421 or necessary work if it bears the markers of a licensed and registered
2422 dealer, manufacturer or repairer and provided any motor vehicle
2423 which is validly registered in another state may, for a period of sixty
2424 days following establishment by the owner of residence in this state, be
2425 operated on any highway without first being registered with the
2426 commissioner. Except as otherwise provided in this subsection (1) a
2427 person commits an infraction if [he] the person registers a motor
2428 vehicle [he] that the person does not own or if [he] the person operates,
2429 or allows the operation of, an unregistered motor vehicle on a public
2430 highway, or (2) a resident of this state who operates a motor vehicle
2431 [he] that the resident owns with marker plates issued by another state
2432 shall be fined not less than one hundred fifty dollars nor more than
2433 three hundred dollars. If the owner of a motor vehicle previously
2434 registered on an annual or biennial basis, the registration of which
2435 expired not more than thirty days previously, operates or allows the
2436 operation of such a motor vehicle, [he] the owner shall be fined the
2437 amount designated for the infraction of failure to renew a registration,
2438 but [his] the owner's right to retain [his] an operator's license shall not
2439 be affected. No operator other than the owner shall be subject to
2440 penalty for the operation of such a previously registered motor vehicle.

2441 (b) To obtain a motor vehicle registration, except as provided in
2442 subsection (c) of this section, the owner shall file in the office of the
2443 commissioner an application signed by [him] the owner and
2444 containing such information and proof of ownership as the
2445 commissioner may require. The application shall be made on blanks
2446 furnished by the commissioner. The blanks shall be in such form and
2447 contain such provisions and information as the commissioner may
2448 determine.

2449 (c) The commissioner may, for the more efficient administration of
2450 the commissioner's duties, appoint licensed dealers meeting
2451 qualifications established by the commissioner pursuant to regulations

2452 adopted in accordance with the provisions of chapter 54, to issue new
2453 registrations for passenger motor vehicles and motorcycles, campers,
2454 camp trailers or trucks with a gross vehicle weight up to and including
2455 twenty-six thousand pounds when they are sold. The commissioner
2456 shall charge such dealer a fee of ten dollars for each book of twenty-
2457 five new dealer issue forms furnished for the purposes of this
2458 subsection. A person purchasing a motor vehicle or motorcycle from a
2459 dealer so appointed and registering the motor vehicle or motorcycle
2460 pursuant to this section shall file an application with the dealer and
2461 pay, to the dealer, a fee in accordance with the provisions of subsection
2462 (a) or (b) of section 14-49. The commissioner shall prescribe the time
2463 and manner in which the application and fee shall be transmitted to
2464 the commissioner.

2465 (d) A motor vehicle registration certificate issued upon an
2466 application containing any material false statement is void from the
2467 date of its issue and shall be surrendered, upon demand, with any
2468 number plate or plates, to the commissioner. Any money paid for the
2469 registration certificate shall be forfeited to the state. No person shall
2470 obtain or attempt to obtain any registration for another by
2471 misrepresentation or impersonation and any registration so obtained
2472 shall be void. Any person who violates any provision of this
2473 subsection and any person who fails to surrender a falsely obtained
2474 motor vehicle registration or number plate or plates upon the demand
2475 of the commissioner shall be fined not more than two hundred dollars.

2476 (e) The commissioner may register any motor vehicle under the
2477 provisions of this chapter, may assign a distinguishing registration
2478 number to the registered motor vehicle and may then issue a certificate
2479 of registration to the owner. A certificate of registration shall contain
2480 the registration number assigned to the motor vehicle and its vehicle
2481 identification number and shall be in such form and contain such
2482 further information as the commissioner determines.

2483 (f) (1) The commissioner may refuse to register or issue a certificate
2484 of title for a motor vehicle or class of motor vehicles if [he] the
2485 commissioner determines that the characteristics of the motor vehicle
2486 or class of motor vehicles make it unsafe for highway operation.

2487 (2) The commissioner shall not register a motor vehicle if [he] the
2488 commissioner knows that the motor vehicle's equipment fails to
2489 comply with the provisions of this chapter, provided nothing
2490 contained in this section shall preclude the commissioner from issuing
2491 one or more temporary registrations for a motor vehicle not previously
2492 registered in this state or from issuing a temporary registration for a
2493 motor vehicle under a trade name without a certified copy of the notice
2494 required by section 35-1.

2495 (3) The commissioner shall not register any motor vehicle, except a
2496 platform truck the motive power of which is electricity, or a tractor
2497 equipped with solid tires, if it is not equipped with lighting devices as
2498 prescribed by this chapter. The registration of any motor vehicle which
2499 is not equipped with such prescribed lighting devices is void and
2500 money paid for the registration shall be forfeited to the state. Nothing
2501 in this subdivision shall prevent the commissioner, at [his] the
2502 commissioner's discretion, from registering a motor vehicle not
2503 equipped with certain lighting devices if the operation of the vehicle is
2504 restricted to daylight use.

2505 (4) The commissioner shall not register any motor vehicle or a
2506 combination of a motor vehicle and a trailer or semitrailer which
2507 exceeds the limits specified in section 14-267a.

2508 (5) On or after October 1, 1984, no motor vehicle registration shall be
2509 issued or renewed by the commissioner for any motorcycle unless the
2510 application for registration is accompanied by sufficient proof, as
2511 determined by the commissioner, that the motorcycle is insured for the
2512 amounts required by section 14-289f.

2513 (6) The commissioner shall not register any motor vehicle which is
2514 subject to the federal heavy vehicle use tax imposed under Section 448
2515 of the Internal Revenue Code of 1986, or any subsequent
2516 corresponding internal revenue code of the United States, as from time
2517 to time amended, if the applicant fails to furnish proof of payment of
2518 such tax, in a form prescribed by the Secretary of the Treasury of the
2519 United States.

2520 (g) The commissioner shall not register any motor vehicle which is
2521 ten or more model years old and which has not been previously
2522 registered in this state until the same has been presented, as directed
2523 by the commissioner, at the main office or a branch office of the
2524 Department of Motor Vehicles or to any designated official emissions
2525 inspection station or other business or firm, except a licensee of the
2526 department, authorized by the Commissioner of Motor Vehicles to
2527 conduct safety inspections, and has passed the inspection as to its
2528 safety features as required by the commissioner. When a motor vehicle
2529 owned by a resident of this state is garaged in another jurisdiction and
2530 cannot be conveniently presented at an office of the Department of
2531 Motor Vehicles, an authorized emissions inspection station or other
2532 facility, the commissioner may accept an inspection made by
2533 authorities in such other jurisdiction or by appropriate military
2534 authorities, provided the commissioner determines that such
2535 inspection is comparable to that conducted by the Department of
2536 Motor Vehicles. If the commissioner authorizes the contractor that
2537 operates the system of official emissions inspection stations or other
2538 business or firm to conduct the safety inspections required by this
2539 subsection, the commissioner may authorize the contractor or other
2540 business or firm to charge a fee, not to exceed fifteen dollars, for each
2541 such inspection. The commissioner may authorize any motor vehicle
2542 dealer or repairer, licensed in accordance with section 14-52 and
2543 meeting qualifications established by the commissioner, to make
2544 repairs to any motor vehicle that has failed an initial safety inspection
2545 and to certify to the commissioner that the motor vehicle is in

2546 compliance with the safety and equipment standards for registration.
2547 No such authorized dealer or repairer shall charge any additional fee
2548 to make such certification to the commissioner. The provisions of this
2549 section shall not preclude the commissioner from issuing a temporary
2550 registration or more than one such registration for a period not to
2551 exceed ten days for each such temporary registration for any motor
2552 vehicle without regard to the inspection requirements of the general
2553 statutes.

2554 (h) The commissioner shall not register any motor vehicle unless it
2555 meets the equipment related registration requirements contained in
2556 sections 14-80, 14-100, as amended by this act, 14-100a, 14-100b, 14-
2557 106a and 14-275.

2558 (i) The commissioner may issue a temporary registration to the
2559 owner of a motor vehicle. The application for a temporary registration
2560 shall conform to the provisions of this section. The commissioner may
2561 require a deposit from the applicant equal to the cost of registering the
2562 motor vehicle. The deposit, minus the proper fee or fees, shall be
2563 returned to the applicant upon the surrender of the registration and
2564 any temporary plate or plates issued for the vehicle. A temporary
2565 registration may be renewed from time to time at the discretion of the
2566 commissioner.

2567 (j) The commissioner may issue a special use registration to the
2568 owner of a motor vehicle for a period not to exceed thirty days for the
2569 sole purpose of driving such vehicle to another state in which the
2570 vehicle is to be registered and exclusively used. The application for
2571 such registration shall conform to the provisions of subsection (b) of
2572 this section. The commissioner may issue special use certificates and
2573 plates in such form as [he] the commissioner may determine. The
2574 special use certificate shall state such limitation on the operation of
2575 such vehicle and shall be carried in the vehicle at all times when it is
2576 being operated on any highway.

2577 (k) Notwithstanding the provisions of subsections (a), (b) and (e) of
2578 this section, the commissioner shall issue to a municipality, as defined
2579 in section 7-245, or a regional solid waste authority comprised of
2580 several municipalities, upon receipt of an application by the
2581 municipality or regional solid waste authority, a general
2582 distinguishing number plate for use on a motor vehicle owned or
2583 leased by such municipality or regional solid waste authority.

2584 Sec. 77. Subsection (d) of section 13b-59 of the general statutes is
2585 repealed and the following is substituted in lieu thereof:

2586 (d) "License, permit and fee revenues" means (1) all fees and other
2587 charges required by, or levied pursuant to sections 12-487, 13b-80 and
2588 13b-97, subsection (b) of section 14-12, sections [14-16a,] 14-21c, 14-44h
2589 and 14-44i, subsection (v) of section 14-49, subsections (b) and (f) of
2590 section 14-50, subdivisions (5), (6), (7), (8), (11), (12) and (13) of
2591 subsection (a) of section 14-50a, sections 14-52, as amended by this act,
2592 [14-53,] 14-58, as amended by this act, 14-67l and 14-69, subsection (e)
2593 of section 14-73, as amended by this act, sections 14-96q and 14-103a,
2594 subsection (a) of section 14-164a, subsection (a) of section 14-192, as
2595 amended by this act, subsection (d) of section 14-270, sections 14-319
2596 and 14-320 and sections 13b-410a to 13b-410c, inclusive; (2) all
2597 aeronautics, waterways, and other fees and charges required by, or
2598 levied pursuant to sections 13a-80 and 13a-80a, subsection (b) of
2599 section 13b-42 and subsections (b) and (c) of section 15-13; and (3) all
2600 motor vehicle related fines, penalties or other charges, as defined in
2601 subsection (g) of this section.

2602 Sec. 78. Subsections (a) to (g), inclusive, of section 13b-76 of the
2603 general statutes are repealed and the following is substituted in lieu
2604 thereof:

2605 (a) Bonds and bond anticipation notes issued pursuant to sections
2606 13b-74 to 13b-77, inclusive, as amended by this act, are hereby
2607 determined to be issued for valid public purposes in exercise of

2608 essential governmental functions. Such bonds and bond anticipation
2609 notes shall be special obligations of the state and shall not be payable
2610 from nor charged upon any funds other than the pledged revenues or
2611 other receipts, funds or moneys pledged therefor as provided in
2612 sections 3-21a, 3-27a, 3-27f, 12-458 and 12-458d, subsection (c) of
2613 section 13a-80a, sections 13a-175p to 13a-175u, inclusive, subsection (f)
2614 of section 13b-42, sections 13b-59, as amended by this act, 13b-61, 13b-
2615 69, 13b-71, 13b-74 to 13b-77, inclusive, as amended by this act, 13b-80,
2616 subsection (a) of section 13b-97, subsection (a) of section 14-12, as
2617 amended by this act, sections 14-15 [, 14-16a] and 14-21c, subsection (a)
2618 of section 14-25a, section 14-28, subsection (b) of section 14-35, as
2619 amended by this act, subsection (b) of section 14-41, as amended by
2620 this act, section 14-41a, as amended by this act, subsection (a) of section
2621 14-44, sections 14-47, 14-48b, 14-49 and 14-50, subsection (a) of section
2622 14-50a, sections 14-52, as amended by this act, [14-53] and 14-58,
2623 subsection (c) of section 14-66, subsection (e) of section 14-67, sections
2624 14-67a, 14-67d, 14-67l and 14-69, subsection (e) of section 14-73, as
2625 amended by this act, subsection (c) of section 14-96q, sections 14-103a
2626 and 14-160, subsection (a) of section 14-164a, subsection (a) of section
2627 14-192, as amended by this act, sections 14-319, 14-320 and 14-381,
2628 subsection (b) of section 14-382 and sections 14-383, 15-14 and 16-299,
2629 nor shall the state or any political subdivision thereof be subject to any
2630 liability thereon, except to the extent of such pledged revenues or other
2631 receipts, funds or moneys pledged therefor as provided in said
2632 sections. As part of the contract of the state with the owners of said
2633 bonds and bond anticipation notes, all amounts necessary for punctual
2634 payment of the debt service requirements with respect to such bonds
2635 and bond anticipation notes shall be deemed to be appropriated, but
2636 only from the sources pledged pursuant to said sections, upon the
2637 authorization of issuance of such bonds and bond anticipation notes by
2638 the State Bond Commission, or the filing of a certificate of
2639 determination by the Treasurer in accordance with subsection (c) of
2640 this section, and the Treasurer shall pay such principal and interest as

2641 the same shall accrue, but only from such sources. The issuance of
2642 bonds or bond anticipation notes issued under sections 13b-74 to 13b-
2643 77, inclusive, as amended by this act, shall not directly or indirectly or
2644 contingently obligate the state or any political subdivision thereof to
2645 levy or to pledge any form of taxation whatever therefor, except for
2646 taxes included in the pledged revenues, or to make any additional
2647 appropriation for their payment. Such bonds and bond anticipation
2648 notes shall not constitute a charge, lien or encumbrance, legal or
2649 equitable, upon any property of the state or of any political subdivision
2650 thereof other than the pledged revenues or other receipts, funds or
2651 moneys pledged therefor as provided in sections 3-21a, 3-27a, 3-27f, 12-
2652 458 and 12-458d, subsection (c) of section 13a-80a, sections 13a-175p to
2653 13a-175u, inclusive, subsection (f) of section 13b-42, sections 13b-59, as
2654 amended by this act, 13b-61, 13b-69, 13b-71, 13b-74 to 13b-77, inclusive,
2655 as amended by this act, 13b-80, subsection (a) of section 13b-97,
2656 subsection (a) of section 14-12, as amended by this act, sections 14-15,
2657 as amended by this act, [14-16a] and 14-21c, subsection (a) of section
2658 14-25a, section 14-28, subsection (b) of section 14-35, as amended by
2659 this act, subsection (b) of section 14-41, as amended by this act, section
2660 14-41a, as amended by this act, subsection (a) of section 14-44, sections
2661 14-47, 14-48b, 14-49 and 14-50, subsection (a) of section 14-50a, sections
2662 14-52, as amended by this act, [14-53] and 14-58, as amended by this
2663 act, subsection (c) of section 14-66, subsection (e) of section 14-67,
2664 sections 14-67a, 14-67d, 14-67i and 14-69, subsection (e) of section 14-
2665 73, as amended by this act, subsection (c) of section 14-96q, sections 14-
2666 103a and 14-160, subsection (a) of section 14-164a, subsection (a) of
2667 section 14-192, as amended by this act, sections 14-319, 14-320 and 14-
2668 381, subsection (b) of section 14-382 and sections 14-383 and 15-14, and
2669 the substance of such limitation shall be plainly stated on the face of
2670 each such bond and bond anticipation note. Bonds and bond
2671 anticipation notes issued pursuant to sections 13b-74 to 13b-77,
2672 inclusive, as amended by this act, shall not be subject to any statutory
2673 limitation on the indebtedness of the state, and, when issued, shall not

2674 be included in computing the aggregate indebtedness of the state in
2675 respect to and to the extent of any such limitation.

2676 (b) Bonds issued pursuant to sections 13b-74 to 13b-77, inclusive,
2677 may be executed and delivered at such time or times and shall be
2678 dated, bear interest at such rate or rates, including variable rates to be
2679 determined in such manner as set forth in the proceedings authorizing
2680 the issuance of the bonds, provide for payment of interest on such
2681 dates, whether before or at maturity, be issued at, above or below par,
2682 mature at such time or times not exceeding thirty years from their
2683 date, have such rank or priority, be payable in such medium of
2684 payment, be issued in such form, including without limitation
2685 registered or book-entry form, carry such registration and transfer
2686 privileges and be made subject to purchase or redemption before
2687 maturity at such price or prices and under such terms and conditions,
2688 including the condition that such bonds be subject to purchase or
2689 redemption on the demand of the owner thereof, all as may be
2690 provided by the State Bond Commission. The State Bond Commission
2691 shall determine the form of the bonds, the manner of execution of the
2692 bonds, the denomination or denominations of the bonds and the
2693 manner of payment of principal and interest. Prior to the preparation
2694 of definitive bonds, the State Bond Commission may, under like
2695 restrictions, authorize the issuance of interim receipts or temporary
2696 bonds, exchangeable for definitive bonds when such bonds have been
2697 executed and are available for delivery. If any of the officers whose
2698 signatures appear on the bonds cease to be officers before the delivery
2699 of any such bonds, such signatures shall, nevertheless, be valid and
2700 sufficient for all purposes, the same as if such officers had remained in
2701 office until delivery. Nothing herein shall prevent any series of bonds
2702 issued under sections 3-21a, 3-27a, 3-27f, 12-458 and 12-458d,
2703 subsection (c) of section 13a-80a, sections 13a-175p to 13a-175u,
2704 inclusive, subsection (f) of section 13b-42, sections 13b-59, as amended
2705 by this act, 13b-61, 13b-69, 13b-71, 13b-74 to 13b-77, inclusive, as
2706 amended by this act, 13b-80, subsection (a) of section 13b-97,

2707 subsection (a) of section 14-12, as amended by this act, sections 14-15,
2708 as amended by this act, [14-16a] and 14-21c, as amended by this act,
2709 subsection (a) of section 14-25a, section 14-28, subsection (b) of section
2710 14-35, as amended by this act, subsection (b) of section 14-41, as
2711 amended by this act, section 14-41a, as amended by this act, subsection
2712 (a) of section 14-44, sections 14-47, 14-48b, 14-49 and 14-50, subsection
2713 (a) of section 14-50a, sections 14-52, as amended by this act, [14-53] and
2714 14-58, as amended by this act, subsection (c) of section 14-66,
2715 subsection (e) of section 14-67, sections 14-67a, 14-67d, 14-67l and 14-
2716 69, subsection (e) of section 14-73, as amended by this act, subsection
2717 (c) of section 14-96q, sections 14-103a and 14-160, subsection (a) of
2718 section 14-164a, subsection (a) of section 14-192, as amended by this
2719 act, sections 14-319, 14-320 and 14-381, subsection (b) of section 14-382
2720 and sections 14-383, 15-14 and 16-299 from being issued in coupon
2721 form, in which case references to the bonds herein also shall refer to
2722 the coupons attached thereto where appropriate, and references to
2723 owners of bonds shall include holders of such bonds where
2724 appropriate.

2725 (c) Any bonds issued pursuant to sections 13b-74 to 13b-77,
2726 inclusive, as amended by this act, may be sold at public sale on sealed
2727 proposals or by negotiation in such manner, at such price or prices, at
2728 such time or times and on such other terms and conditions of such
2729 bonds and the issuance and sale thereof as the State Bond Commission
2730 may determine to be in the best interests of the state, or the State Bond
2731 Commission may delegate to the Treasurer all or any part of the
2732 foregoing powers in which event the Treasurer shall exercise such
2733 powers unless the State Bond Commission, by adoption of a resolution
2734 prior to the exercise of such powers by the Treasurer shall elect to
2735 reassume the same. Such powers shall be exercised from time to time
2736 in such manner as the Treasurer shall determine to be in the best
2737 interests of the state and [he] the Treasurer shall file a certificate of
2738 determination setting forth the details thereof with the secretary of the
2739 State Bond Commission on or before the date of delivery of such

2740 bonds, the details of which were determined by [him] the Treasurer in
2741 accordance with such delegation.

2742 (d) The debt service requirements with respect to any bonds and
2743 bond anticipation notes issued pursuant to sections 13b-74 to 13b-77,
2744 inclusive, as amended by this act, shall be secured by (1) a first call
2745 upon the pledged revenues as they are received by the state and
2746 credited to the Special Transportation Fund established under section
2747 13b-68₂ and (2) a lien upon any and all amounts held to the credit of
2748 said Special Transportation Fund from time to time, provided said lien
2749 shall not extend to amounts held to the credit of such Special
2750 Transportation Fund which represent (A) amounts borrowed by the
2751 Treasurer in anticipation of state revenues pursuant to section 3-16₂ or
2752 (B) transportation-related federal revenues of the state. Any obligation
2753 of the state secured by said lien to pay the unrefunded principal of
2754 bond anticipation notes, including for this purpose any obligation of
2755 the state under a reimbursement agreement entered into in connection
2756 with a credit facility providing for payment of the unrefunded
2757 principal of bond anticipation notes, shall be subordinate to any
2758 obligation of the state secured by said lien to pay (i) the debt service
2759 requirements with respect to bonds₂ or (ii) any debt service
2760 requirements with respect to bond anticipation notes other than debt
2761 service requirements relating to unrefunded principal of bond
2762 anticipation notes or to obligations under a credit facility for the
2763 payment of such unrefunded principal. The debt service requirements
2764 with respect to bonds and bond anticipation notes also may be secured
2765 by a pledge of reserves, sinking funds and any other funds and
2766 accounts, including proceeds from investment of any of the foregoing,
2767 established pursuant to sections 3-21a, 3-27a, 3-27f, 12-458 and 12-458d,
2768 subsection (c) of section 13a-80a, sections 13a-175p to 13a-175u,
2769 inclusive, subsection (f) of section 13b-42, sections 13b-59, as amended
2770 by this act, 13b-61, 13b-69, 13b-71, 13b-74 to 13b-77, inclusive, as
2771 amended by this act, 13b-80, subsection (a) of section 13b-97,
2772 subsection (a) of section 14-12, as amended by this act, sections 14-15,

2773 as amended by this act, [14-16a] and 14-21c, as amended by this act,
2774 subsection (a) of section 14-25a, section 14-28, subsection (b) of section
2775 14-35, as amended by this act, subsection (b) of section 14-41, as
2776 amended by this act, section 14-41a, as amended by this act, subsection
2777 (a) of section 14-44, sections 14-47, 14-48b, 14-49 and 14-50, subsection
2778 (a) of section 14-50a, sections 14-52, as amended by this act, [14-53] and
2779 14-58, as amended by this act, subsection (c) of section 14-66,
2780 subsection (e) of section 14-67, sections 14-67a, 14-67d, 14-67l and 14-
2781 69, subsection (e) of section 14-73, as amended by this act, subsection
2782 (c) of section 14-96q, sections 14-103a and 14-160, subsection (a) of
2783 section 14-164a, subsection (a) of section 14-192, as amended by this
2784 act, sections 14-319, 14-320 and 14-381, subsection (b) of section 14-382
2785 and sections 14-383, 15-14 and 16-299 or the proceedings authorizing
2786 the issuance of such bonds, and by moneys paid under a credit facility,
2787 including but not limited to, a letter of credit or policy of bond
2788 insurance, issued by a financial institution pursuant to an agreement
2789 authorized by such proceedings.

2790 (e) The proceedings under which bonds are authorized to be issued
2791 may, subject to the provisions of the general statutes, contain any or all
2792 of the following: (1) Provisions respecting custody of the proceeds
2793 from the sale of the bonds and any bond anticipation notes, including
2794 any requirements that such proceeds be held separate from or not be
2795 commingled with other funds of the state; (2) provisions for the
2796 investment and reinvestment of bond proceeds until used to pay
2797 transportation costs and for the disposition of any excess bond
2798 proceeds or investment earnings thereon; (3) provisions for the
2799 execution of reimbursement agreements or similar agreements in
2800 connection with credit facilities including but not limited to, letters of
2801 credit or policies of bond insurance, remarketing agreements and
2802 agreements for the purpose of moderating interest rate fluctuations,
2803 and of such other agreements entered into pursuant to section 3-20a;
2804 (4) provisions for the collection, custody, investment, reinvestment and
2805 use of the pledged revenues or other receipts, funds or moneys

2806 pledged therefor as provided in sections 3-21a, 3-27a, 3-27f, 12-458 and
2807 12-458d, subsection (c) of section 13a-80a, sections 13a-175p to 13a-
2808 175u, inclusive, subsection (f) of section 13b-42, sections 13b-59, as
2809 amended by this act, 13b-61, 13b-69, 13b-71, 13b-74 to 13b-77, inclusive,
2810 as amended by this act, 13b-80, subsection (a) of section 13b-97,
2811 subsection (a) of section 14-12, as amended by this act, sections 14-15,
2812 as amended by this act, [14-16a] and 14-21c, as amended by this act,
2813 subsection (a) of section 14-25a, section 14-28, subsection (b) of section
2814 14-35, as amended by this act, subsection (b) of section 14-41, as
2815 amended by this act, section 14-41a, as amended by this act, subsection
2816 (a) of section 14-44, sections 14-47, 14-48b, 14-49 and 14-50, subsection
2817 (a) of section 14-50a, sections 14-52, as amended by this act, [14-53] and
2818 14-58, as amended by this act, subsection (c) of section 14-66,
2819 subsection (e) of section 14-67, sections 14-67a, 14-67d, 14-67l and 14-
2820 69, subsection (e) of section 14-73, as amended by this act, subsection
2821 (c) of section 14-96q, sections 14-103a and 14-160, subsection (a) of
2822 section 14-164a, subsection (a) of section 14-192, as amended by this
2823 act, sections 14-319, 14-320 and 14-381, subsection (b) of section 14-382
2824 and sections 14-383, 15-14 and 16-299; (5) provisions regarding the
2825 establishment and maintenance of reserves, sinking funds and any
2826 other funds and accounts as shall be approved by the State Bond
2827 Commission in such amounts as may be established by the State Bond
2828 Commission, and the regulation and disposition thereof, including
2829 requirements that any such funds and accounts be held separate from
2830 or not be commingled with other funds of the state; (6) covenants for
2831 the establishment of pledged revenue coverage requirements for the
2832 bonds and bond anticipation notes, provided, that no such covenant
2833 shall obligate the state to provide coverage in any year with respect to
2834 any bonds or bond anticipation notes in excess of four times the
2835 aggregate debt service on bonds and bond anticipation notes, as
2836 described in subparagraph (A) of subdivision (3) of section 13b-75,
2837 during such year; (7) covenants for the establishment of maintenance
2838 requirements with respect to state transportation facilities and

2839 properties; (8) provisions for the issuance of additional bonds on a
2840 parity with bonds theretofore issued, including establishment of
2841 coverage requirements with respect thereto as herein provided; (9)
2842 provisions regarding the rights and remedies available in case of a
2843 default to the bondowners, noteowners or any trustee under any
2844 contract, loan agreement, document, instrument or trust indenture,
2845 including the right to appoint a trustee to represent their interests
2846 upon occurrence of an event of default, as defined in said proceedings,
2847 provided that if any bonds or bond anticipation notes shall be secured
2848 by a trust indenture, the respective owners of such bonds or notes shall
2849 have no authority except as set forth in such trust indenture to appoint
2850 a separate trustee to represent them; and (10) provisions or covenants
2851 of like or different character from the foregoing which are consistent
2852 with sections 3-21a, 3-27a, 3-27f, 12-458 and 12-458d, subsection (c) of
2853 section 13a-80a, sections 13a-175p to 13a-175u, inclusive, subsection (f)
2854 of section 13b-42, sections 13b-59, as amended by this act, 13b-61, 13b-
2855 69, 13b-71, 13b-74 to 13b-77, inclusive, as amended by this act, 13b-80,
2856 subsection (a) of section 13b-97, subsection (a) of section 14-12, as
2857 amended by this act, sections 14-15, as amended by this act, [14-16a]
2858 and 14-21c, as amended by this act, subsection (a) of section 14-25a,
2859 section 14-28, subsection (b) of section 14-35, as amended by this act,
2860 subsection (b) of section 14-41, as amended by this act, section 14-41a,
2861 as amended by this act, subsection (a) of section 14-44, sections 14-47,
2862 14-48b, 14-49 and 14-50, subsection (a) of section 14-50a, sections 14-52,
2863 as amended by this act, [14-53] and 14-58, as amended by this act,
2864 subsection (c) of section 14-66, subsection (e) of section 14-67, sections
2865 14-67a, 14-67d, 14-67l and 14-69, subsection (e) of section 14-73, as
2866 amended by this act, subsection (c) of section 14-96q, sections 14-103a
2867 and 14-160, subsection (a) of section 14-164a, subsection (a) of section
2868 14-192, as amended by this act, sections 14-319, 14-320 and 14-381,
2869 subsection (b) of section 14-382 and sections 14-383, 15-14 and 16-299
2870 and which the State Bond Commission determines in such proceedings
2871 are necessary, convenient or desirable in order to better secure the

2872 bonds or bond anticipation notes, or will tend to make the bonds or
2873 bond anticipation notes more marketable, and which are in the best
2874 interests of the state. Any provision which may be included in
2875 proceedings authorizing the issuance of bonds hereunder may be
2876 included in an indenture of trust duly approved in accordance with
2877 subsection (g) of this section which secures the bonds and any notes
2878 issued in anticipation thereof, and in such case the provisions of such
2879 indenture shall be deemed to be a part of such proceedings as though
2880 they were expressly included therein.

2881 (f) Any pledge made by the state shall be valid and binding from the
2882 time when the pledge is made, and any revenues or other receipts,
2883 funds or moneys so pledged and thereafter received by the state shall
2884 be subject immediately to the lien of such pledge without any physical
2885 delivery thereof or further act. The lien of any such pledge shall be
2886 valid and binding as against all parties having claims of any kind in
2887 tort, contract, or otherwise against the state, irrespective of whether
2888 such parties have notice thereof. Neither the resolution nor any other
2889 instrument by which a pledge is created need be recorded.

2890 (g) In the discretion of the State Bond Commission, bonds issued
2891 pursuant to sections 13b-74 to 13b-77, inclusive, as amended by this
2892 act, including for this purpose any bond anticipation notes, may be
2893 secured by a trust indenture by and between the state and a corporate
2894 trustee, which may be any trust company or bank having the powers
2895 of a trust company within or without the state. Such trust indenture
2896 may contain such provisions for protecting and enforcing the rights
2897 and remedies of the bondowners and noteowners as may be
2898 reasonable and proper and not in violation of law, including covenants
2899 setting forth the duties of the state in relation to the exercise of its
2900 powers pursuant to sections 3-21a, 3-27a, 3-27f, 12-458 and 12-458d,
2901 subsection (c) of section 13a-80a, sections 13a-175p to 13a-175u,
2902 inclusive, subsection (f) of section 13b-42, sections 13b-59, as amended
2903 by this act, 13b-61, 13b-69, 13b-71, 13b-74 to 13b-77, inclusive, as

2904 amended by this act, 13b-80, subsection (a) of section 13b-97,
2905 subsection (a) of section 14-12, as amended by this act, sections 14-15,
2906 as amended by this act, [14-16a] and 14-21c, subsection (a) of section
2907 14-25a, section 14-28, subsection (b) of section 14-35, subsection (b) of
2908 section 14-41, as amended by this act, section 14-41a, as amended by
2909 this act, subsection (a) of section 14-44, sections 14-47, 14-48b, 14-49
2910 and 14-50, subsection (a) of section 14-50a, sections 14-52, as amended
2911 by this act, [14-53] and 14-58, as amended by this act, subsection (c) of
2912 section 14-66, subsection (e) of section 14-67, sections 14-67a, 14-67d,
2913 14-67l and 14-69, subsection (e) of section 14-73, as amended by this
2914 act, subsection (c) of section 14-96q, sections 14-103a and 14-160,
2915 subsection (a) of section 14-164a, subsection (a) of section 14-192, as
2916 amended by this act, sections 14-319, 14-320 and 14-381, subsection (b)
2917 of section 14-382 and sections 14-383, 15-14 and 16-299 and the
2918 custody, safeguarding and application of all moneys. The state may
2919 provide by such trust indenture for the payment of the pledged
2920 revenues or other receipts, funds or moneys to the trustee under such
2921 trust indenture or to any other depository, and for the method of
2922 disbursement thereof, with such safeguards and restrictions as it may
2923 determine. All expenses incurred in carrying out such trust indenture
2924 may be treated as transportation costs, as defined in section 13b-75.

2925 Sec. 79. Subsection (c) of section 13b-77 of the general statutes is
2926 repealed and the following is substituted in lieu thereof:

2927 (c) The state covenants with the purchasers and all subsequent
2928 owners and transferees of bonds and bond anticipation notes issued by
2929 the state pursuant to sections 13b-74 to 13b-77, inclusive, as amended
2930 by this act, in consideration of the acceptance of the payment for the
2931 bonds and bond anticipation notes, until such bonds and bond
2932 anticipation notes, together with the interest thereon, with interest on
2933 any unpaid installment of interest and all costs and expenses in
2934 connection with any action or proceeding on behalf of such owners,
2935 are fully met and discharged, or unless expressly permitted or

2936 otherwise authorized by the terms of each contract and agreement
2937 made or entered into by or on behalf of the state with or for the benefit
2938 of such owners, that the state will impose, charge, raise, levy, collect
2939 and apply the pledged revenues and other receipts, funds or moneys
2940 pledged for the payment of debt service requirements as provided in
2941 sections 13b-47 to 13b-77, inclusive, as amended by this act, in such
2942 amounts as may be necessary to pay such debt service requirements in
2943 each year in which bonds or bond anticipation notes are outstanding
2944 and further, that the state (1) will not limit or alter the duties imposed
2945 on the Treasurer and other officers of the state by sections 3-21a, 3-27a,
2946 3-27f, 12-458 and 12-458d, subsection (c) of section 13a-80a, sections
2947 13a-175p to 13a-175u, inclusive, subsection (f) of section 13b-42,
2948 sections 13b-59, as amended by this act, 13b-61, 13b-69, 13b-71, 13b-74
2949 to 13b-77, inclusive, 13b-80, subsection (a) of section 13b-97, subsection
2950 (a) of section 14-12, as amended by this act, sections 14-15, as amended
2951 by this act, [14-16a] and 14-21c, subsection (a) of section 14-25a, section
2952 14-28, subsection (b) of section 14-35, subsection (b) of section 14-41, as
2953 amended by this act, section 14-41a, as amended by this act, subsection
2954 (a) of section 14-44, sections 14-47, 14-48b, 14-49 and 14-50, subsection
2955 (a) of section 14-50a, sections 14-52, as amended by this act, [14-53] and
2956 14-58, as amended by this act, subsection (c) of section 14-66,
2957 subsection (e) of section 14-67, sections 14-67a, 14-67d, 14-67l and 14-
2958 69, subsection (e) of section 14-73, as amended by this act, subsection
2959 (c) of section 14-96q, sections 14-103a and 14-160, subsection (a) of
2960 section 14-164a, subsection (a) of section 14-192, as amended by this
2961 act, sections 14-319, 14-320 and 14-381, subsection (b) of section 14-382
2962 and sections 14-383 and 15-14 and by the proceedings authorizing the
2963 issuance of bonds with respect to application of pledged revenues or
2964 other receipts, funds or moneys pledged for the payment of debt
2965 service requirements as provided in said sections; (2) will not issue any
2966 bonds, notes or other evidences of indebtedness, other than the bonds
2967 and bond anticipation notes, having any rights arising out of said
2968 sections or secured by any pledge of or other lien or charge on the

2969 pledged revenues or other receipts, funds or moneys pledged for the
2970 payment of debt service requirements as provided in said sections; (3)
2971 will not create or cause to be created any lien or charge on such
2972 pledged amounts, other than a lien or pledge created thereon pursuant
2973 to said sections, provided nothing in this subsection shall prevent the
2974 state from issuing evidences of indebtedness (A) which are secured by
2975 a pledge or lien which is and shall on the face thereof be expressly
2976 subordinate and junior in all respects to every lien and pledge created
2977 by or pursuant to said sections; or (B) for which the full faith and credit
2978 of the state is pledged and which are not expressly secured by any
2979 specific lien or charge on such pledged amounts; or (C) which are
2980 secured by a pledge of or lien on moneys or funds derived on or after
2981 such date as every pledge or lien thereon created by or pursuant to
2982 said sections shall be discharged and satisfied; (4) will carry out and
2983 perform, or cause to be carried out and performed, each and every
2984 promise, covenant, agreement or contract made or entered into by the
2985 state or on its behalf with the owners of any bonds or bond
2986 anticipation notes; (5) will not in any way impair the rights,
2987 exemptions or remedies of such owners; and (6) will not limit, modify,
2988 rescind, repeal or otherwise alter the rights or obligations of the
2989 appropriate officers of the state to impose, maintain, charge or collect
2990 the taxes, fees, charges and other receipts constituting the pledged
2991 revenues as may be necessary to produce sufficient revenues to fulfill
2992 the terms of the proceedings authorizing the issuance of the bonds,
2993 including pledged revenue coverage requirements, and provided
2994 nothing herein shall preclude the state from exercising its power,
2995 through a change in law, to limit, modify, rescind, repeal or otherwise
2996 alter the character or amount of such pledged revenues or to substitute
2997 like or different sources of taxes, fees, charges or other receipts as
2998 pledged revenues if, for the ensuing fiscal year, as evidenced by the
2999 proposed or adopted budget of the state with respect to the Special
3000 Transportation Fund, the projected revenues meet or exceed the
3001 estimated expenses of the Special Transportation Fund including

3002 accumulated deficits, if any, debt service requirements and any
3003 pledged revenue coverage requirement. The State Bond Commission is
3004 authorized to include this covenant of the state in any agreement with
3005 the owner of any such bonds or bond anticipation notes.

3006 Sec. 80. Section 13b-79a of the general statutes is repealed and the
3007 following is substituted in lieu thereof:

3008 Not later than October 1, 1984, and annually thereafter, the
3009 Commissioner of Transportation shall prepare a report on the current
3010 status and progress of the transportation infrastructure program
3011 authorized pursuant to special act 84-52 and sections 3-21a, 3-27a, 3-
3012 27f, 12-458 and 12-458d, subsection (c) of section 13a-80a, sections 13a-
3013 175p to 13a-175u, inclusive, subsection (f) of section 13b-42, sections
3014 13b-59, 13b-61, 13b-69, 13b-71, 13b-74 to 13b-77, inclusive, as amended
3015 by this act, 13b-80, subsection (a) of section 13b-97, subsection (a) of
3016 section 14-12, as amended by this act, sections 14-15, as amended by
3017 this act, [14-16a] and 14-21c, subsection (a) of section 14-25a, section 14-
3018 28, subsection (b) of section 14-35, subsection (b) of section 14-41, as
3019 amended by this act, section 14-41a, as amended by this act, subsection
3020 (a) of section 14-44, sections 14-47, 14-48b, 14-49 and 14-50, subsection
3021 (a) of section 14-50a, sections 14-52, as amended by this act, [14-53] and
3022 14-58, as amended by this act, subsection (c) of section 14-66,
3023 subsection (e) of section 14-67, sections 14-67a, 14-67d, 14-67l and 14-
3024 69, subsection (e) of section 14-73, as amended by this act, subsection
3025 (c) of section 14-96q, sections 14-103a and 14-160, subsection (a) of
3026 section 14-164a, subsection (a) of section 14-192, as amended by this
3027 act, sections 14-319, 14-320 and 14-381, subsection (b) of section 14-382
3028 and sections 14-383 and 15-14. Each report shall include, but not be
3029 limited to: Information on the number of lane miles of state and local
3030 roadway repaved, the status of the state and local bridge programs, the
3031 status of intrastate and interstate highway programs and the interstate
3032 trade-in program and mass transportation and aeronautics programs.
3033 The commissioner shall notify the joint standing committees of the

3034 General Assembly having cognizance of matters relating to finance,
3035 revenue and bonding and appropriations and the budgets of state
3036 agencies of the availability of the report. A requesting member of such
3037 a committee shall be sent a written copy or electronic storage media of
3038 the report by the commissioner.

3039 Sec. 81. Section 14-12r of the general statutes is repealed and the
3040 following is substituted in lieu thereof:

3041 Before issuing registration for any motor vehicle that has not been
3042 previously registered in this state, except a new motor vehicle, the
3043 Commissioner of Motor Vehicles may require an inspection of the
3044 manufacturer's vehicle identification number. Such an inspection may
3045 be performed at any designated official emissions inspection station
3046 [or by any other business or firm authorized by the commissioner to
3047 perform safety inspections in accordance with sections 14-12 and 14-
3048 16a] or by any motor vehicle dealer or repairer, licensed in accordance
3049 with section 14-52, as amended by this act, and meeting qualifications
3050 established by the commissioner. If the inspection is performed by a
3051 licensed dealer or repairer, an affidavit shall be furnished to the
3052 commissioner in accordance with the provisions of subsection (c) of
3053 section 14-99h.

3054 Sec. 82. Section 14-12s of the general statutes is repealed and the
3055 following is substituted in lieu thereof:

3056 For the registration of each motor vehicle [that has passed an
3057 inspection in accordance with the requirements of subsection (g) of
3058 section 14-12 or section 14-16a or] that has passed an inspection of its
3059 manufacturer's vehicle identification number, the commissioner shall
3060 charge an administrative fee of ten dollars, in addition to the fee or fees
3061 prescribed for such registration.

3062 Sec. 83. Section 14-12t of the general statutes is repealed and the
3063 following is substituted in lieu thereof:

3064 The commissioner may adopt regulations in accordance with the
3065 provisions of chapter 54 to implement the provisions of subsection (g)
3066 of section 13b-59, as amended by this act, subsection (g) of section 14-
3067 12, sections 14-12r, as amended by this act, and 14-12s, as amended by
3068 this act, [and 14-16a] and subsection (a) of section 14-41, as amended
3069 by this act. The regulations shall include the qualifications to be met by
3070 any dealer or repairer authorized by the commissioner to conduct
3071 inspections in accordance with subsection (g) of section 14-12 [and
3072 sections] and section 14-12r, as amended by this act. [and 14-16a.]

3073 Sec. 84. Subsection (f) of section 14-16 of the general statutes is
3074 repealed and the following is substituted in lieu thereof:

3075 (f) Any person who sells any motor vehicle, other than a new motor
3076 vehicle, for which a certificate of title has not been issued and which is
3077 not registered under the provisions of subsections (e) or (g) of section
3078 14-12, as amended by this act, shall, within forty-eight hours of the
3079 sale, certify under oath to the commissioner, on blanks provided by
3080 [him] the commissioner, such information as the commissioner may
3081 require. Until the commissioner receives the certification under oath
3082 required by this subsection, [he] the commissioner shall not issue a
3083 registration other than for a new motor vehicle and shall not renew a
3084 registration other than for the same owner.

3085 Sec. 85. Subsection (c) of section 14-34a of the general statutes is
3086 repealed and the following is substituted in lieu thereof:

3087 (c) Notwithstanding any such agreement or plan, (1) any such
3088 commercial vehicle garaged at any fixed location or which leaves from
3089 and returns to one or more points within this state in the normal
3090 course of operations, shall be taxable in this state as personal property
3091 in the town where such vehicle is garaged; (2) registration shall be
3092 denied any such vehicle if any personal property taxes are unpaid with
3093 respect to such vehicle, as provided in section 14-33; (3) any such
3094 vehicle based in this state shall be subject to the provisions of sections

3095 14-12, as amended by this act, 14-15, as amended by this act, and 14-
3096 15a, as amended by this act, [14-16a] and chapter 247.

3097 Sec. 86. Section 14-61 of the general statutes is repealed and the
3098 following is substituted in lieu thereof:

3099 Any dealer licensed under the provisions of this subdivision (D)
3100 who in the opinion of the commissioner is qualified and sells or trades
3101 a passenger motor vehicle, motorcycle, camper, camp trailer or truck
3102 with a gross vehicle weight up to and including twenty-six thousand
3103 pounds to a transferee who holds a current registration certificate for a
3104 passenger motor vehicle, motorcycle, camper, camp trailer or truck
3105 with a gross vehicle weight up to and including twenty-six thousand
3106 pounds registered in this state may issue a sixty-day temporary
3107 transfer of such registration to the vehicle transferred with an official
3108 stamp issued by the commissioner, under regulations adopted by the
3109 commissioner, to such dealer. The commissioner shall charge such
3110 dealer a fee of five dollars for each book of twenty-five new temporary
3111 dealer transfer forms furnished for the purposes of this section. No
3112 dealer may make such temporary transfer of a registration unless the
3113 transferee surrenders the current registration certificate to the dealer
3114 indicating the disposition of the vehicle described thereon in the space
3115 provided on the reverse side of such certificate and unless the
3116 transferee is eighteen years of age or older. The dealer shall, within
3117 five days from the issuance of such temporary registration, submit to
3118 the commissioner an application together with all necessary
3119 documents for a permanent registration for the vehicle transferred. No
3120 such temporary registration may be issued if the transferred passenger
3121 motor vehicle, motorcycle, camper, camp trailer or truck with a gross
3122 vehicle weight up to and including twenty-six thousand pounds is
3123 used and was not previously registered in this state unless the
3124 inspection requirements of section 14-12, as amended by this act, have
3125 been met or, [if such motor vehicle is ten or more years old, unless the
3126 inspection requirements of section 14-16a have been met, or] if such

3127 motor vehicle has been declared a total loss by an insurance company,
3128 unless the inspection requirements of section 14-103a have been met.

3129 Sec. 87. Subsection (e) of section 14-164c of the general statutes is
3130 repealed and the following is substituted in lieu thereof:

3131 (e) In order to provide for emissions inspection facilities, the
3132 commissioner shall enter into a negotiated inspection agreement or
3133 agreements, notwithstanding chapters 50, 58, 59 and 60, with an
3134 independent contractor or contractors, to provide for the leasing,
3135 construction, equipping, maintenance or operation of a system of
3136 official emissions inspection stations in such numbers and locations as
3137 may be required to provide vehicle owners reasonably convenient
3138 access to inspection facilities. The commissioner may employ such
3139 system and the services of such contractor or contractors to conduct
3140 safety inspections as provided [by section 14-16a,] in subsection (g) of
3141 section 14-12 and section 14-103a. The commissioner is prohibited from
3142 entering into an inspection agreement with any independent
3143 contractor who: (1) Is engaged in the business of maintaining or
3144 repairing vehicles in this state, except that the independent contractor
3145 shall not be precluded from maintaining or repairing any vehicle
3146 owned or operated by the independent contractor; or (2) does not have
3147 the capability, resources or technical and management skill to
3148 adequately conduct, equip, operate and maintain a sufficient number
3149 of official emissions inspection stations. All persons employed by the
3150 independent contractor in the performance of an inspection agreement
3151 are deemed to be employees of the independent contractor and not of
3152 this state. The inspection agreement or agreements authorized by this
3153 section shall be subject to other provisions as follows: (A) Minimum
3154 requirements for staff, equipment, management and hours and place
3155 of operation of official emissions inspection stations; (B) reports and
3156 documentation concerning the operation of official emissions
3157 inspection stations as the commissioner may require; (C) surveillance
3158 privileges for the commissioner to ensure compliance with standards,

3159 procedures, rules, regulations and laws; and (D) any other provision
3160 deemed necessary by the commissioner for the administration of the
3161 inspection agreement. Nothing in the inspection agreement shall
3162 require the state to purchase any asset or assume any liability if such
3163 agreement is not renewed.

3164 Sec. 88. Subsection (g) of section 14-12 of the general statutes is
3165 repealed and the following is substituted in lieu thereof:

3166 (g) (1) The commissioner shall not register any motor vehicle which
3167 is ten or more model years old and which has not been previously
3168 registered in this state until the same has been presented, as directed
3169 by the commissioner, at the main office or a branch office of the
3170 Department of Motor Vehicles or to any designated official emissions
3171 inspection station or other business or firm, except a licensee of the
3172 department, authorized by the Commissioner of Motor Vehicles to
3173 conduct safety inspections, and has passed the inspection as to its
3174 safety features as required by the commissioner. (2) Notwithstanding
3175 the provisions of subdivision (1) of this subsection, the commissioner
3176 may authorize a licensee of the department that has expertise in the
3177 repair of commercial motor vehicles to conduct safety inspections of
3178 motor vehicles, as provided in said subdivision (1), that are
3179 commercial motor vehicles. When a motor vehicle owned by a resident
3180 of this state is garaged in another jurisdiction and cannot be
3181 conveniently presented at an office of the Department of Motor
3182 Vehicles, an authorized emissions inspection station or other facility,
3183 the commissioner may accept an inspection made by authorities in
3184 such other jurisdiction or by appropriate military authorities, provided
3185 the commissioner determines that such inspection is comparable to
3186 that conducted by the Department of Motor Vehicles. (3) If the
3187 commissioner authorizes the contractor that operates the system of
3188 official emissions inspection stations or other business or firm to
3189 conduct the safety inspections required by this subsection, the
3190 commissioner may authorize the contractor or other business or firm

3191 to charge a fee, not to exceed fifteen dollars, for each such inspection.
3192 (4) The commissioner may authorize any motor vehicle dealer or
3193 repairer, licensed in accordance with section 14-52, as amended by this
3194 act, and meeting qualifications established by the commissioner, to
3195 make repairs to any motor vehicle that has failed an initial safety
3196 inspection and to certify to the commissioner that the motor vehicle is
3197 in compliance with the safety and equipment standards for
3198 registration. No such authorized dealer or repairer shall charge any
3199 additional fee to make such certification to the commissioner. (5) The
3200 provisions of this section shall not preclude the commissioner from
3201 issuing a temporary registration or more than one such registration for
3202 a period not to exceed ten days for each such temporary registration
3203 for any motor vehicle without regard to the inspection requirements of
3204 the general statutes.

3205 Sec. 89. Subdivision (9) of subsection (a) of section 14-1 of the
3206 general statutes is repealed and the following is substituted in lieu
3207 thereof:

3208 (9) "Combination registration" means the type of registration issued
3209 to a motor vehicle used for both private passenger and commercial
3210 purposes if such vehicle does not have a gross vehicle weight rating in
3211 excess of ten thousand pounds.

3212 Sec. 90. Subsection (e) of section 14-49 of the general statutes is
3213 repealed and the following is substituted in lieu thereof:

3214 (e) (1) For the registration of a passenger motor vehicle used in part
3215 for commercial purposes, the commissioner shall charge a biennial fee
3216 of seventy-eight dollars. (2) For the registration of a school bus, the
3217 commissioner shall charge an annual fee of one hundred dollars for a
3218 type I school bus and sixty dollars for a type II school bus. (3) For the
3219 registration of a motor vehicle when used in part for commercial
3220 purposes and as a passenger motor vehicle or of a motor vehicle
3221 having a seating capacity greater than ten and not used for the

3222 conveyance of passengers for hire, the commissioner shall charge a
3223 biennial fee for gross weight as for commercial registration, as outlined
3224 in section 14-47, plus the sum of eight dollars. (4) A motor vehicle used
3225 in part for commercial purposes and used in part for private passenger
3226 purposes and registered pursuant to this section shall be issued a
3227 number plate bearing the word "combination". No vehicle registered as
3228 combination may have a gross weight exceeding ten thousand pounds.
3229 On and after July 1, 2001, the commissioner shall not issue a new
3230 combination registration for any motor vehicle with a gross vehicle
3231 weight rating in excess of ten thousand pounds.

3232 Sec. 91. Subsection (a) of section 42-133dd of the general statutes is
3233 repealed and the following is substituted in lieu thereof:

3234 (a) In the event that a manufacturer or distributor seeks to enter into
3235 a franchise establishing a new dealer or relocating an existing dealer
3236 within or into a relevant market area where the same line make is then
3237 represented, the manufacturer or distributor shall in writing, by
3238 certified mail, first notify the commissioner and each dealer in such
3239 line make in the relevant market area of its intention to establish a new
3240 dealer or to relocate an existing dealer within or into that market area.
3241 Within twenty days of receiving such notice or within twenty days
3242 after the end of any appeal procedure provided by the manufacturer or
3243 distributor, any such dealer may file with the commissioner a protest
3244 concerning the [establishing or relocating] proposed establishment or
3245 relocation of such new or existing dealer. When such a protest is filed,
3246 the commissioner shall inform the manufacturer or distributor that a
3247 timely protest has been filed, and that the manufacturer or distributor
3248 shall not establish or relocate the proposed dealer until the
3249 commissioner has held a hearing, nor thereafter, if the commissioner
3250 determines that there is good cause for denying the establishment or
3251 relocation of such dealer. In any hearing held pursuant to this section,
3252 the manufacturer or distributor has the burden of proving that good
3253 cause exists for permitting the proposed establishment or relocation.

3254 This section shall not apply to the sale, lease or transfer of ownership
3255 of an active, existing dealer, nor shall any provision of this section
3256 prohibit a manufacturer from entering into a franchise arrangement
3257 with a successor dealer at the same location.

3258 Sec. 92. Section 14-51a of the general statutes is repealed and the
3259 following is substituted in lieu thereof:

3260 The commissioner may, after notice and hearing, impose a civil
3261 penalty of not more than one thousand dollars on any person, firm or
3262 corporation who violates any provision of sections [14-53] 14-54 to 14-
3263 67a, inclusive, or of not more than two thousand dollars on any
3264 person, firm or corporation who violates section 14-52.

3265 Sec. 93. Subsection (b) of section 14-111 of the general statutes is
3266 repealed and the following is substituted in lieu thereof:

3267 (b) (1) Whenever the holder of any motor vehicle operator's license
3268 has been convicted or has forfeited any bond taken or has received a
3269 suspended judgment or sentence for any of the following violations,
3270 the commissioner shall, without hearing, suspend his operator's license
3271 as follows: For a first violation of subsection (a) of section 14-224 or
3272 section 14-110, 14-215 or 53a-119b, for a period of not less than one
3273 year and, for a subsequent violation thereof, for a period of not less
3274 than five years; for a violation of subsection (a) of section 14-222, for a
3275 period of not less than thirty days nor more than ninety days and, for a
3276 subsequent violation thereof, for a period of not less than ninety days;
3277 [for a first violation of section 14-145, for a period of not less than six
3278 months and, for a subsequent violation thereof, for a period of not less
3279 than five years;] for a violation of subsection (b) of section 14-224, for a
3280 period of not less than ninety days; for a first violation of subsection
3281 (b) of section 14-147, for a period of not less than ninety days and, for a
3282 subsequent violation thereof, for a period of not less than five years;
3283 for a first violation of subsection (c) of section 14-147, for a period of
3284 not less than thirty days and, for a subsequent violation thereof, for a

3285 period of not less than one year.

3286 (2) The commissioner may suspend the motor vehicle operator's
3287 license of any person (A) who was arrested for a felony, and (B) for
3288 whom there is an outstanding warrant for rearrest for failing to appear
3289 when legally called with regard to such felony. The suspension shall
3290 terminate no later than the date on which such person appears before
3291 the court with regard to such felony or such failure to appear.

3292 Sec. 94. Subsection (k) of section 14-111 of the general statutes is
3293 repealed and the following is substituted in lieu thereof:

3294 (k) Whenever any person has been convicted of any violation of
3295 section 14-110, [14-145,] 14-147, 14-215, [14-219,] 14-222 [,] or 14-224 [or
3296 14-229 or has had his case nolleed or judgment or execution suspended
3297 or has forfeited his bond,] and [his] such person's license has been
3298 suspended [or revoked] by the commissioner, [he] or if such person
3299 has had his or her license suspended in accordance with the provisions
3300 of section 14-111c or section 65 of this act, such person may make
3301 application to the commissioner for the reversal or reduction of the
3302 term of such suspension. [or revocation.] Such application shall be in
3303 writing and shall state specifically the reasons why such applicant
3304 believes that [he] the applicant is entitled to such reversal or reduction.
3305 [If the commissioner determines to grant such hearing, he may require
3306 the applicant to file with him a trial fee, the amount of which shall be
3307 discretionary with the commissioner. Upon the deposit of such trial
3308 fee, the commissioner may make such further investigation as he
3309 deems necessary, may hear evidence presented and may return the
3310 registration certificate or operator's license to the applicant
3311 unconditionally or upon condition. The commissioner is further
3312 empowered to return part or all of such trial fee to such applicant after
3313 an opinion has been rendered by him. The amount of all trial fees not
3314 so returned shall be deposited at least once every three months with
3315 the State Treasurer. The commissioner may require such application,

3316 fee and hearing as a condition precedent to the return of any license
3317 suspended or revoked.] The commissioner shall consider each such
3318 application and the applicant's driver control record, as defined in
3319 section 59 of this act, and may grant a hearing to the applicant in
3320 accordance with the provisions of chapter 54 and section 14-4a.

3321 Sec. 95. Subsection (c) of section 14-10 of the general statutes is
3322 repealed and the following is substituted in lieu thereof:

3323 (c) (1) All records of the Department of Motor Vehicles pertaining to
3324 the application for registration, and the registration, of motor vehicles
3325 of the current or previous three years shall be maintained by the
3326 commissioner at the main office of the department. Any such records
3327 over three years old may be destroyed at the discretion of the
3328 commissioner. (2) Before disclosing personal information pertaining to
3329 an applicant or registrant from such motor vehicle records or allowing
3330 the inspection of any such record containing such personal information
3331 in the course of any transaction conducted at such main office, the
3332 commissioner shall ascertain whether such disclosure is authorized
3333 under subsection (f) of this section, and require the person or entity
3334 making the request to (A) complete an application that shall be on a
3335 form prescribed by the commissioner, (B) provide two forms of
3336 acceptable identification, and (C) pay a fee of fifteen dollars to the
3337 commissioner in addition to any fee required under section 14-50a. An
3338 attorney-at-law admitted to practice in this state may provide such
3339 attorney's juris number to the commissioner in lieu of the requirements
3340 of subparagraph (B) of this subdivision. The commissioner may
3341 disclose such personal information or permit the inspection of such
3342 record containing such information only if such disclosure is
3343 authorized under subsection (f) of this section.

3344 Sec. 96. Subsection (b) of section 14-20 of the general statutes is
3345 repealed and the following is substituted in lieu thereof:

3346 (b) Notwithstanding the provisions of subsection (a) of this section,

3347 section 14-18 and section 14-21b, the owner of an antique, rare or
3348 special interest motor vehicle may be authorized by the commissioner
3349 to display a number plate originally issued by the Commissioner of
3350 Motor Vehicles corresponding to the year of manufacture of such
3351 antique, rare or special interest motor vehicle. The commissioner shall
3352 issue a certificate of registration, as provided in section 14-12, as
3353 amended by this act. Such registration shall be valid, subject to
3354 renewal, [so] as long as the commissioner permits. Thereafter, the
3355 registration number and number plates, if any, which were assigned to
3356 such motor vehicle before such registration and number plates were
3357 issued under this section, shall be in effect. Each such number plate
3358 authorized for use by the commissioner shall be displayed in a
3359 conspicuous place at the rear of such motor vehicle at all times while
3360 the vehicle is in use or operation upon any public highway. A sticker
3361 shall be affixed to each such number plate to denote the expiration
3362 date of the registration, unless the commissioner authorizes the sticker,
3363 or other evidence of the period of the registration, to be placed
3364 elsewhere or carried in such motor vehicle. The commissioner may
3365 adopt regulations, in accordance with chapter 54, to implement the
3366 provisions of this subsection.

3367 Sec. 97. Subsection (q) of section 14-49 of the general statutes is
3368 repealed and the following is substituted in lieu thereof:

3369 (q) The commissioner shall collect a biennial fee of twenty-eight
3370 dollars for the registration of each motor vehicle used exclusively for
3371 farming purposes. No such motor vehicle may be used for the purpose
3372 of transporting goods for hire or taking the on-the-road skills test
3373 portion of the examination for a motor vehicle operator's license. No
3374 farm registration shall be issued to any person operating a farm that
3375 has gross annual sales of less than two thousand five hundred dollars
3376 in the calendar year preceding registration. The commissioner may
3377 issue a farm registration for a passenger motor vehicle under such
3378 conditions as [such] said commissioner shall prescribe in regulations

3379 adopted in accordance with chapter 54. No motor vehicle issued a farm
3380 registration may be used to transport ten or more passengers on any
3381 highway unless such motor vehicle meets the requirements for
3382 equipment and mechanical condition set forth in this chapter, and, in
3383 the case of a vehicle used to transport more than fifteen passengers,
3384 including the driver, the applicable requirements of the Code of
3385 Federal Regulations, as adopted by the commissioner, in accordance
3386 with the provisions of subsection (a) of section 14-163c. The operator of
3387 such motor vehicle used to transport ten or more passengers shall hold
3388 a public transportation permit or endorsement issued in accordance
3389 with the provisions of section 14-44. Any farm registration used
3390 otherwise than as provided by this subsection shall be revoked.

3391 Sec. 98. Subsection (c) of section 14-164c of the general statutes is
3392 repealed and the following is substituted in lieu thereof:

3393 (c) The commissioner shall adopt regulations in accordance with
3394 chapter 54 to implement the provisions of this section. Such
3395 regulations shall include provision for a periodic inspection of air
3396 pollution control equipment and compliance with or waiver [with] of
3397 exhaust emission standards or compliance with or waiver [with] of on-
3398 board diagnostic standards or other standards defined by the
3399 Commissioner of Environmental Protection and approved by the
3400 Administrator of the United States Environmental Protection Agency,
3401 compliance with or waiver [with,] of air pollution control system
3402 integrity standards defined by the Commissioner of Environmental
3403 Protection and compliance with or waiver [with] of purge system
3404 standards defined by the Commissioner of Environmental Protection.
3405 Such regulations shall apply to all motor vehicles registered or which
3406 will be registered in this state except: (1) Vehicles having a gross
3407 weight of more than ten thousand pounds; (2) vehicles powered by
3408 electricity; (3) bicycles with motors attached; (4) motorcycles; (5)
3409 vehicles operating with a temporary registration; (6) vehicles
3410 manufactured twenty-five or more years ago; (7) new vehicles at the

3411 time of initial registration; (8) vehicles registered but not designed
3412 primarily for highway use; (9) farm vehicles, as defined in subsection
3413 (q) of section 14-49; (10) antique, rare or special interest motor vehicles,
3414 as defined in section 14-1, as amended by this act; (11) diesel-powered
3415 type II school buses; or (12) a vehicle operated by a licensed dealer or
3416 repairer either to or from a location of the purchase or sale of such
3417 vehicle or for the purpose of obtaining an official emissions or safety
3418 inspection. Not later than October 1, 2002, such regulations shall
3419 exempt from the periodic inspection requirement any vehicle
3420 manufactured four or less years ago, provided that such exemption
3421 shall lapse upon a finding by the Administrator of the United States
3422 Environmental Protection Agency or by the Secretary of the United
3423 States Department of Transportation that such exemption causes the
3424 state to violate applicable federal environmental or transportation
3425 planning requirements. Notwithstanding any provisions of this
3426 subsection, the commissioner may require an initial emissions
3427 inspection and compliance or waiver prior to registration of a new
3428 motor vehicle. If the Commissioner of Environmental Protection finds
3429 that it is necessary to inspect motor vehicles which are exempt under
3430 subdivision (1) or (4) of this subsection, or motor vehicles that are four
3431 or less model years of age in order to achieve compliance with federal
3432 law concerning emission reduction requirements, the Commissioner of
3433 Motor Vehicles may adopt regulations, in accordance with the
3434 provisions of chapter 54, to require the inspection of motorcycles,
3435 designated motor vehicles having a gross weight of more than ten
3436 thousand pounds or motor vehicles four or less model years of age.

3437 Sec. 99. Subsection (b) of section 14-171 of the general statutes is
3438 repealed and the following is substituted in lieu thereof:

3439 (b) If the application refers to a vehicle purchased from a dealer, it
3440 shall contain the name and address of any lienholder holding a
3441 security interest created or reserved at the time of the sale and the date
3442 of [his] such security agreement and be signed by the dealer as well as

3443 the owner, and the dealer shall promptly mail or deliver the
3444 application to the commissioner.

3445 Sec. 100. Subsection (a) of section 14-197 of the general statutes is
3446 repealed and the following is substituted in lieu thereof:

3447 (a) A police officer or constable who learns of the theft of a vehicle
3448 not since recovered, or of the recovery of a vehicle [whose] the theft or
3449 conversion [he] of which such officer or constable knows or has reason
3450 to believe has been reported to the commissioner, shall forthwith
3451 report the theft or recovery to the commissioner.

3452 Sec. 101. Subsection (b) of section 14-253a of the general statutes is
3453 repealed and the following is substituted in lieu thereof:

3454 (b) The Commissioner of Motor Vehicles shall accept applications
3455 and renewal applications for special license plates and removable
3456 windshield placards from (1) any person who is blind, as defined in
3457 section 1-1f; (2) any person with disabilities which limit or impair the
3458 ability to walk, as defined in 23 CFR Part 1235.2; (3) any parent or
3459 guardian of any blind person or person with disabilities who is under
3460 eighteen years of age at the time of application; and (4) any
3461 organization which meets criteria established by the commissioner and
3462 which certifies to the commissioner's satisfaction that the vehicle for
3463 which a plate or placard is requested is primarily used to transport
3464 blind persons or persons with disabilities which limit or impair their
3465 ability to walk. Such applications shall be on a form prescribed by the
3466 commissioner and shall include certification of disability from a
3467 licensed physician or of blindness from an ophthalmologist or an
3468 optometrist. In the case of persons with disabilities which limit or
3469 impair the ability to walk, the application shall also include
3470 certification from a licensed physician or a member of the handicapped
3471 driver training unit established pursuant to section 14-11b [.] that the
3472 applicant meets the definition of persons with disabilities which limit
3473 or impair the ability to walk, as defined in 23 CFR Section 1235.2. The

3474 commissioner, in said commissioner's discretion, may accept the
3475 discharge papers of a disabled veteran, as defined in section 14-254, in
3476 lieu of such certification. The commissioner may require additional
3477 certification at the time of the original application or at any time
3478 thereafter. If a person who has been requested to submit additional
3479 certification fails to do so within thirty days of the request, or if such
3480 additional certification is deemed by the commissioner to be
3481 unfavorable to the applicant, the commissioner may refuse to issue or,
3482 if already issued, suspend or revoke such special license plate or
3483 removable windshield placard. The fee for the issuance of a temporary
3484 removable windshield placard shall be five dollars. Any person whose
3485 application has been denied or whose special license plate or
3486 removable windshield placard has been suspended or revoked shall be
3487 afforded an opportunity for a hearing in accordance with the
3488 provisions of chapter 54.

3489 Sec. 102. Subsection (b) of section 14-15 of the general statutes is
3490 repealed and the following is substituted in lieu thereof:

3491 (b) Each person, firm or corporation licensed under the provisions
3492 of subsection (a) of this section [who] that in the opinion of the
3493 commissioner is qualified and [who] holds a current registration
3494 certificate for a motor vehicle used in connection with its business may
3495 issue a sixty-day temporary transfer of such registration to any other
3496 vehicle used in connection with its business with an official stamp
3497 issued by the commissioner to such licensee. The licensee, within five
3498 days from the issuance of such temporary registration, shall submit to
3499 the commissioner an application together with all necessary
3500 documents for a permanent registration for the vehicle transferred. The
3501 commissioner shall adopt regulations in accordance with the
3502 provisions of chapter 54 to implement the provisions of this
3503 subsection.

3504 Sec. 103. Section 14-103a of the general statutes is repealed and the

3505 following is substituted in lieu thereof:

3506 Any motor vehicle, composed or assembled from the several parts
3507 of other motor vehicles, or the identification and body contours of
3508 which are so altered that the vehicle no longer bears the characteristics
3509 of any specific make of motor vehicle, or declared a total loss by any
3510 insurance carrier and subsequently rebuilt, shall be inspected by the
3511 commissioner to determine whether the vehicle is properly equipped,
3512 in good mechanical condition and in the possession of its lawful
3513 owner. Such vehicle shall be presented for inspection at any [state]
3514 Department of Motor Vehicles office or any official emissions
3515 inspection station authorized by the Commissioner of Motor Vehicles
3516 to conduct such inspection. The commissioner may require any person
3517 presenting any such reassembled, altered or rebuilt vehicle for
3518 inspection to provide proof of lawful purchase of any major
3519 component parts not part of the vehicle when first sold by the
3520 manufacturer. The fee for such inspection shall be eighty-eight dollars.
3521 The inspection fee shall be in addition to regular registration fees. All
3522 moneys received from the fee imposed pursuant to this section and
3523 collected at an official emissions inspection station shall be deposited
3524 in a separate safety inspection account within the Emissions Inspection
3525 Fund.

3526 Sec. 104. Subsection (g) of section 14-267a of the general statutes is
3527 repealed and the following is substituted in lieu thereof:

3528 (g) For the purpose of enforcing the provisions of this section, any
3529 state police officer, Department of Public Safety employee designated
3530 by the Commissioner of Public Safety, local police officer, Department
3531 of Motor Vehicles inspector, or [state] Department of Transportation
3532 employee designated by the Commissioner of Transportation, may
3533 require the driver to stop and submit to a weighing by means of either
3534 portable or stationary scales and may require that such vehicle be
3535 driven to a scale or safety inspection site.

3536 Sec. 105. Subsection (h) of section 14-267a of the general statutes is
3537 repealed and the following is substituted in lieu thereof:

3538 (h) Whenever signs are displayed on a public highway, indicating
3539 that a scale is in operation and directing the driver of a commercial
3540 vehicle to stop at the weighing area, the driver shall stop and, in
3541 accordance with the directions of any state police officer, Department
3542 of Public Safety employee designated by the Commissioner of Public
3543 Safety, local police officer, Department of Motor Vehicles inspector, or
3544 [state] Department of Transportation employee designated by the
3545 Commissioner of Transportation, allow [his] the vehicle to be weighed
3546 or inspected.

3547 Sec. 106. Subsection (a) of section 14-282 of the general statutes is
3548 repealed and the following is substituted in lieu thereof:

3549 (a) Any person who is the owner or becomes the owner of a motor
3550 vehicle formerly used as a school bus who discontinues the use of such
3551 vehicle for the transportation of school children as stated in sections
3552 14-275 and 14-280 shall cause the same to be painted another color,
3553 readily distinguishable from "National School Bus Chrome". On and
3554 after July 1, 1990, each such motor vehicle ten years old or older shall
3555 be presented for inspection every two years at any [state] Department
3556 of Motor Vehicles office.

3557 Sec. 107. Subsection (b) of section 14-290 of the general statutes is
3558 repealed and the following is substituted in lieu thereof:

3559 (b) The following provisions of the general statutes shall not apply
3560 to operators of maintenance vehicles or equipment of any
3561 governmental agency or agent thereof or to vehicles or equipment of
3562 any governmental agency or agent thereof, so far as such exemption is
3563 necessary, while such operators and equipment are engaged in or are
3564 preparing to engage in or are departing from highway maintenance
3565 operations on any highway, road or street, provided the [state]

3566 Department of Transportation shall not by reason of such exemption
3567 suffer any loss of revenue granted from any agency or department of
3568 the federal government for the federal Interstate Highway System or
3569 any other highway system: Sections 14-216, 14-230 to 14-233, inclusive,
3570 14-235 to 14-242, inclusive, 14-244 to 14-247, inclusive, 14-250a to 14-
3571 252, inclusive, 14-261, 14-262, 14-264 to 14-271, inclusive, as amended
3572 by this act, 14-299, 14-301 to 14-308, inclusive.

3573 Sec. 108. Subsection (a) of section 14-46b of the general statutes is
3574 repealed and the following is substituted in lieu thereof:

3575 (a) There is established within the department a Motor Vehicle
3576 Operator's License Medical Advisory Board which shall advise the
3577 commissioner on the medical aspects and concerns of licensing
3578 operators of motor vehicles. This board shall consist of not less than
3579 [seven] eight members nor more than fifteen members appointed by
3580 the commissioner from a list of nominees submitted by the
3581 Connecticut State Medical Society and the Connecticut Association of
3582 Optometrists. The Connecticut State Medical Society shall submit
3583 nominees representing the specialties of (1) general medicine or
3584 surgery, (2) internal medicine, (3) cardiovascular medicine, (4)
3585 neurology or neurological surgery, (5) ophthalmology, (6) orthopedics,
3586 and (7) psychiatry. The Connecticut Association of Optometrists shall
3587 submit nominees representing the specialty of optometry.

3588 Sec. 109. Section 14-78 of the general statutes is repealed and the
3589 following is substituted in lieu thereof:

3590 The commissioner may [make] adopt regulations, in accordance
3591 with chapter 54, for (1) the conduct of drivers' schools, including, but
3592 not limited to, requirements as to the inspection of the vehicles used by
3593 the drivers' schools in the conduct of their business, instructional
3594 standards and [procedure] procedures, including instruction of not
3595 less than fifteen minutes concerning the responsibilities of an operator
3596 of a motor vehicle under subsection (b) of section 14-223 and the

3597 penalty for a violation of the provisions of said subsection (b), the
3598 posting of rates charged for instruction, and the general form in which
3599 records shall be kept concerning persons under instruction and those
3600 who have completed their course of instruction, and (2) the
3601 requirements for a person to receive a license as an instructor in
3602 accordance with section 14-73, as amended by this act. The regulations
3603 shall require that the commissioner issue a license to any person who
3604 meets the requirements of section 14-73, as amended by this act, to act
3605 as an instructor in a classroom only, and not as an instructor behind
3606 the wheel of a vehicle, if the person has sufficient experience, as
3607 specified in the regulations, either in public safety, including, but not
3608 limited to, experience as a police officer or firefighter, or as a teacher,
3609 and if the person completes instructor training, as specified in the
3610 regulations.

3611 Sec. 110. Subdivision (3) of subsection (f) of section 14-267a of the
3612 general statutes is repealed and the following is substituted in lieu
3613 thereof:

3614 (3) (A) The court shall note on the record any conviction [or
3615 forfeiture of a bond for failure to appear] for an overweight violation
3616 in excess of fifteen per cent of the gross weight limits in subsection (b)
3617 of this section with respect to any vehicle with a gross vehicle weight
3618 of eighteen thousand pounds or more [. In such cases, the
3619 Commissioner of Motor Vehicles shall (A) demand of an out-of-state
3620 owner or lessee of such motor vehicle a bond, with sufficient surety, to
3621 the state, in the sum of two thousand dollars, which bond shall be
3622 forfeited to the state upon a second conviction or forfeiture of a bond
3623 for failure to appear for such violation, or (B) fine an in-state owner or
3624 lessee of such motor vehicle two thousand dollars upon a second
3625 conviction. In addition, the commissioner may revoke the registration,
3626 for a period of thirty days, of any commercial motor vehicle so
3627 operated and may refuse to issue a registration for such motor vehicle
3628 during such further time as the commissioner deems reasonable. For

3629 any subsequent conviction or forfeiture of a bond for failure to appear,
3630 the commissioner shall revoke the registration for a period of thirty
3631 days. A bond posted pursuant to the provisions of this subdivision
3632 shall be held for a period of not more than one year from its posting.
3633 Where there is no second conviction or forfeiture of a bond for failure
3634 to appear for violation of the limits in subsection (b) of this section
3635 during that time, the bond shall be returned to such owner or lessee, as
3636 the case may be] and shall cause such information to be transmitted to
3637 the Commissioner of Motor Vehicles. Upon receipt of such
3638 information, the commissioner shall notify the registrant of the motor
3639 vehicle that the registrant shall be subject to the penalties provided in
3640 this subsection upon a second or subsequent conviction for an
3641 overweight violation in excess of fifteen per cent of the gross weight
3642 limits in subsection (b) of this section with respect to any vehicle with a
3643 gross vehicle weight of eighteen thousand pounds or more. (B) Upon
3644 receipt of information of a second conviction for such overweight
3645 violation, the commissioner shall, after notice and opportunity for a
3646 hearing, in accordance with the provisions of chapter 54, impose a civil
3647 penalty of two thousand dollars upon such registrant. If the penalty is
3648 not paid within thirty days, the commissioner shall suspend the
3649 registration of the motor vehicle or, if the vehicle is not registered in
3650 this state, shall suspend the privilege of such registrant to operate any
3651 motor vehicle on the highways of this state, until payment of the
3652 penalty and of the suspension restoration fee, as provided in section
3653 14-50b, is received by the commissioner. (C) Upon receipt of
3654 information of a third or subsequent conviction for such overweight
3655 violation, the commissioner shall, after notice and opportunity for a
3656 hearing, in accordance with the provisions of chapter 54, impose a civil
3657 penalty of five thousand dollars upon such registrant. If the penalty is
3658 not paid within thirty days, the commissioner shall suspend the
3659 registrations of all motor vehicles registered in the name of the
3660 registrant, and shall suspend the privilege of such registrant to operate
3661 any motor vehicle on the highways of this state, until payment of the

3662 penalty and of the suspension restoration fee, as provided in section
3663 14-50b, is received by the commissioner.

3664 Sec. 111. Subsection (f) of section 14-267a of the general statutes is
3665 repealed and the following is substituted in lieu thereof:

3666 (f) (1) The penalties provided for in this subsection shall be assessed
3667 against the owner of a commercial motor vehicle when the owner, [his]
3668 the owner's agent or employee is the operator, or against the lessee of
3669 such vehicle when the lessee, [his] the lessee's agent or employee is the
3670 operator of a leased or rented commercial motor vehicle.

3671 (2) Any person who violates any provision of this section shall be
3672 subject to the following penalties: (A) For an overweight violation of
3673 not more than five per cent of the gross weight or axle weight limits in
3674 subsection (b) of this section, a fine of three dollars per hundred
3675 pounds or fraction thereof of such excess weight; (B) for an overweight
3676 violation of more than five per cent and not more than ten per cent of
3677 either such weight limit, a fine of five dollars per hundred pounds or
3678 fraction thereof of such excess weight or a minimum fine of fifty
3679 dollars; (C) for an overweight violation of more than ten per cent but
3680 not more than fifteen per cent of either such weight limit, a fine of six
3681 dollars per hundred pounds or fraction thereof of such excess weight
3682 or a minimum fine of one hundred dollars; (D) for an overweight
3683 violation of more than fifteen per cent but not more than twenty per
3684 cent of either such weight limit, a fine of seven dollars per hundred
3685 pounds or fraction thereof of such excess weight or a minimum fine of
3686 two hundred dollars; (E) for an overweight violation of more than
3687 twenty per cent but not more than twenty-five per cent of either such
3688 weight limit, a fine of ten dollars per hundred pounds or fraction
3689 thereof of such excess weight or a minimum fine of three hundred
3690 dollars; (F) for an overweight violation of more than twenty-five per
3691 cent but not more than thirty per cent of either such overweight limit, a
3692 fine of twelve dollars per hundred pounds or fraction thereof of such

3693 excess weight or a minimum fine of five hundred dollars; and (G) for
3694 an overweight violation of more than thirty per cent of either such
3695 overweight limit, a fine of fifteen dollars per one hundred pounds or
3696 fraction thereof of such excess weight or a minimum fine of one
3697 thousand dollars.

3698 (3) The court shall note on the record any conviction or forfeiture of
3699 a bond for failure to appear for an overweight violation in excess of
3700 fifteen per cent of the gross weight limits in subsection (b) of this
3701 section with respect to any vehicle with a gross vehicle weight of
3702 eighteen thousand pounds or more. In such cases, the Commissioner
3703 of Motor Vehicles shall (A) demand of an out-of-state owner or lessee
3704 of such motor vehicle a bond, with sufficient surety, to the state, in the
3705 sum of two thousand dollars, which bond shall be forfeited to the state
3706 upon a second conviction or forfeiture of a bond for failure to appear
3707 for such violation, or (B) fine an in-state owner or lessee of such motor
3708 vehicle two thousand dollars upon a second conviction. In addition,
3709 the commissioner may revoke the registration, for a period of thirty
3710 days, of any commercial motor vehicle so operated and may refuse to
3711 issue a registration for such motor vehicle during such further time as
3712 the commissioner deems reasonable. For any subsequent conviction or
3713 forfeiture of a bond for failure to appear, the commissioner shall
3714 revoke the registration for a period of thirty days. A bond posted
3715 pursuant to the provisions of this subdivision shall be held for a period
3716 of not more than one year from its posting. Where there is no second
3717 conviction or forfeiture of a bond for failure to appear for violation of
3718 the limits in subsection (b) of this section during that time, the bond
3719 shall be returned to such owner or lessee, as the case may be.

3720 [(4) Upon the third conviction or forfeiture of a bond for failure to
3721 appear for overweight violations of subsection (b) of this section with
3722 respect to a vehicle with a gross vehicle weight of less than eighteen
3723 thousand pounds, the Commissioner of Motor Vehicles shall revoke
3724 the registration, for a period of thirty days, of any commercial motor

3725 vehicle so operated.]

3726 [(5)] (4) An owner or lessee who is assessed penalties pursuant to
3727 this subsection or forfeits a bond for failure to appear for an
3728 overweight violation in excess of fifteen per cent of the gross weight
3729 limits in subsection (b) of this section four times during any calendar
3730 year shall be assessed by the court an additional ten thousand dollars
3731 for the fourth violation and an additional five thousand dollars for
3732 each subsequent overweight violation in excess of fifteen per cent of
3733 such limits in such calendar year.

3734 [(6)] (5) No more than twenty-five per cent of any fine imposed
3735 pursuant to this subsection may be remitted unless the court
3736 determines that there are mitigating circumstances and specifically
3737 states such circumstances for the record.

3738 Sec. 112. Sections 14-16a, 14-36c, 14-53, 14-201 to 14-209, inclusive, of
3739 the general statutes are repealed.

3740 Sec. 113. Sections 14-111c and 14-111d of the general statutes are
3741 repealed.

3742 Sec. 114. This act shall take effect from its passage, except that
3743 sections 68, 69 and 71 to 87, inclusive, shall take effect July 1, 2001,
3744 sections 17 to 58, inclusive, and 95 to 111, inclusive, shall take effect
3745 October 1, 2001, sections 59 to 67, inclusive, shall take effect January 1,
3746 2002, and section 113 shall take effect on such date the Commissioner
3747 of Motor Vehicles files a notice of joinder to the driver's license
3748 agreement established pursuant to section 60 of this act.

TRA *JOINT FAVORABLE SUBST.*

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: Workload Increase, Costs (Can Be Absorbed), Potential Revenue Gain, Bill to Implement the Budget

Affected Agencies: Departments of Motor Vehicles and Insurance, Attorney General’s Office

Municipal Impact: Potential Revenue Gain

Explanation

State and Municipal Impact:

This bill consists of 114 sections. Sections with some fiscal impacts are described below. Sections not mentioned are assumed to have no fiscal impact.

Sections 1 - 16. Changes in these sections will update Connecticut statutes governing motor vehicle titles. Since the changes are discretionary, there will not be a significant impact on the Department of Motor Vehicles (DMV).

Sections 17 - 41. Compulsory minimum insurance coverage requirements are extended, with limited exceptions, to all motor vehicles. The definition of a private passenger motor vehicle includes: 1) private passenger, 2) station wagon, 3) camper, 4) high mileage vehicle, 5) trucks with a load capacity of 1,500 pounds or less

registered as passenger, "combination" passenger and commercial or farm vehicle, or 6) vehicles with commercial registrations. Motorcycles and motor vehicles as a public or livery conveyance are excluded from the definition. There could be a potential increase in revenues from fines and penalties and from the increase of the application fee from \$150 to \$300. Less than 5% of vehicles in Connecticut are technically not required to hold liability insurance, although most vehicles already do. There could be a workload increase for the Department of Insurance if new automobile policies have to be examined. This workload increase can be handled within anticipated budgetary resources.

Sections 42 - 58 deal with licensing businesses such as dealers, repairers, manufacturers, leasing companies, transporters. The following sections in this category have fiscal impacts.

Section 44 allows the commissioner to suspend a dealer's or leasing company's license for failure to pay property taxes. This could result in a potential tax revenue gain for municipalities.

Section 45 eliminates the passenger transporter plate. (The plate is solely used for commercial purposes). There are approximately 750 passenger transporter plates (at \$58 annually). These plates will need to be switched to commercial plates (\$114 annually). The anticipated revenue gain is \$42,000.

Section 54. This section has a potential revenue gain from the collection of fines for the misuse of dealer plates.

Sections 59 - 67. These sections concerns Driver License Agreement (DLA) provisions. This agreement will enable the state to participate in a national reciprocity agreement, replacing the two Driver License Compacts (known as the DLC and the Non-Resident Violator Compact) that are currently in place. By adopting this new standard, the exchange of driver licensing information and the identification of

drivers who fail to appear in court to answer citations for motor vehicle offenses will be facilitated. These sections could result in a potential revenue gain through better enforcement of Connecticut citations issued to out-of-state motorists (payable to the Central Infractions Bureau). Indeterminate costs are anticipated for the modification of DMV's data systems. These could be handled within available resources.

Sections 68 - 69. HB 6736, AA Increasing Fees for Temporary and Transfer Registrations Issued by Dealerships. (Bill to Implement the Budget). The dealer on-line system has been available for seven years but participation has been low. Since currently there is a minimal charge to use the manual dealer system, most dealers opt to use the system. The \$10 fee will be imposed on dealers who are not on line. This fee is competitive with the fees charged by the Ct. Auto Trade Association. The agency could receive additional revenues of approximately \$2.2 million in FY 02 and \$1.2 million in FY 03. It is anticipated, however, that as a result of the legislation most dealers will go on-line and the additional revenues will not be realized.

Section 70 - SB 1164 - AAC the Collection of Social Security and Federal Employer Identification Numbers on New and Renewal Registrations -(Bill to Implement the Budget) - This section delays from 10/1/01 to 7/01/03 the requirement that the DMV collect Social Security Numbers (SSNs) and/or Federal Employer Identification Numbers (FEINs) prior to issuing a new or renewal registration, and delays the requirement that the DMV provide the Department of Revenue Services with this information from 2/1/02 to 2/1/03.

This mandate requires the DMV to modify the current registration and lockbox system to accept SSNs and/or FEINs and to verify these numbers prior to issuing a registration. As a result, costs estimated at \$633,775 for FY 02 and \$576,808 for FY 03 have been eliminated from the 2001-2003 biennial budget and will be deferred to FY 04.

Sections 71 - 75. SB 1165, AA Extending the Driver's License Renewal Period from Four Years to Six Years - (Bill to Implement the Budget) - These sections would change the current licensing term from four to six years. The fee for a non-commercial license will increase from \$35.50 to \$53.25, and the fee for a commercial driving license will increase from \$44 to \$75. The change to a six-year license will generate over \$20.1 million in revenue acceleration over the first four years (FY 02 - FY 05). Savings of \$1.1 million for Personal Services (including the elimination of 16 positions), fringe benefits and Other Expenses can be anticipated in the fifth year and subsequently thereafter.

Sections 76 - 88 - SB 1167, AA Eliminating the Safety Inspection of Older Vehicles Upon transfer of Ownership - (Bill to Implement the Budget) - This change eliminates the current safety inspection of ten-year old motor vehicles at the time of transfer of ownership, but maintains inspection requirements for composite vehicles, vehicles that are totaled and subsequently rebuilt for sale or use, and vehicles ten years old or older brought in from other states and registered in Connecticut for the first time. Since Envirotest was conducting safety inspections on passenger motor vehicles and the \$15 payment was made directly to Envirotest by each individual, no fiscal impact is anticipated. The DMV will continue conducting safety inspections on composites, rebuilt motor vehicles, etc.

Sections 89 - 90. The bill changes the basis for the registration to a gross weight rating that does not exceed 10,000 pounds. Currently, a vehicle can get a "combination" registration if it is used for both passenger and commercial purposes and its gross weight (the vehicle's empty weight combined with the weight of any load for which it registers and pays the appropriate fee). The bill also prohibits the commissioner from issuing a new combination registration for any vehicle with a gross weight rating exceeding 10,000 pounds, effective July 1, 2001. The revenue impact as a result of these changes cannot presently be determined.

Sections 110 - 111 - Increases the additional penalties that apply for a third or subsequent conviction for operating a truck at more than 15% above its applicable gross weight maximum and revises the process for assessing these additional sanctions for any repeat offender. By requiring civil penalties to be levied, the bill could increase the number of appeals and enforcement actions handled by the Attorney General. It is anticipated that the Attorney General could accommodate the potential workload increase within anticipated budgetary resources. There would be an indeterminate revenue gain from the collection of civil penalties and from the restoration of licenses, which could be suspended.

OLR BILL ANALYSIS

sSB 284

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

This bill:

1. with limited exceptions, extends compulsory minimum insurance coverage requirements to all motor vehicles;
2. replaces current laws enabling the commissioner of the Department of Motor Vehicles (DMV) to participate in the interstate Driver License Compact (DLC) with more extensive requirements enabling his participation in a successor interstate compact known as the Driver License Agreement (DLA);
3. makes motorcycle and motor vehicle operators licenses valid for six rather than four years, but maintains the current option for people age 65 or older to request a two-year license or the longer six-year license, increases license fees by amounts proportionate with the longer license periods, and makes associated changes;
4. eliminates the requirement that motor vehicles 10 years old or older have a safety inspection prior to registration when they a change owners, but maintains inspection requirements for composite vehicles (assembled from parts of other vehicles), vehicles that are totaled and subsequently rebuilt for sale or use, and vehicles 10 years old or older brought in from other states and registered in Connecticut for the first time;
5. allows the commissioner to authorize a DMV-licensed repairer with expertise in commercial vehicle repair to conduct the required safety inspections of commercial vehicles 10 years old or older brought into Connecticut for first-time registration;

6. modifies the title laws to, among other things, provide for agreements with lienholders for electronic lien filing and recording, authorize the commissioner to participate in the National Motor Vehicle Title Information System, and require the commissioner to place legends or “brands” on titles to convey certain information on its history;
7. makes numerous changes in laws governing licensure and regulation of motor vehicle dealers, repairers, manufacturers, and car rental or leasing companies and prohibits the issuance of transporter plates for use on passenger vehicles;
8. delays, from October 1, 2001 to July 1, 2003, the requirement that the commissioner begin collecting social security numbers or federal employer identification numbers before issuing new or renewal vehicle registrations and delays, from February 1, 2002 to February 1, 2004 the related requirement that he forward this information to the Department of Revenue Services;
9. revises the basis for issuing a “combination” registration and thus appears potentially to reduce the number of vehicles that qualify for the classification;
10. requires that, in DMV hearings held on proposed establishment or relocation of motor vehicle franchises, the burden of proof to show that good cause exists for permitting it rests with the manufacturer or distributor;
11. eliminates the requirement that DMV certify that the location of a dealer or repairer business does not imperil public safety, thus leaving location approval during the licensing process entirely with local officials;
12. increases the minimum membership of the Motor Vehicle Operator’s License Medical Advisory Board from seven to eight (the maximum allowed is 15) and requires the Connecticut Association of Optometrists to submit to the commissioner a list of nominees representing the specialty of optometry;
13. requires the DMV regulations for commercial driving schools to

include requirements for a classroom-only instructor's license and for issuing such a license to those with public safety or teaching experience sufficient to met the requirements;

14. increases the additional penalties for a third or subsequent conviction for operating a truck at more than 15% above its applicable maximum gross weight and revises the process for assessing the additional sanctions for repeat offenses;
15. authorizes the commissioner to require motor vehicle dealers who file an average of 25 or more new registration or transfer registration applications with DMV each month to do so electronically and increases the transaction fees for filing these registration transactions manually; and
16. specifies in the definition of "nonconsensual towing or transporting" (for which DMV may regulate rates) that towing arrangements made by order of police or traffic authorities are considered nonconsensual if the vehicle operator is not present when the arrangements are made and does not designate anyone to perform the towing service.

EFFECTIVE DATE: Upon passage, except that (1) the provisions on the fee increase and related changes for dealer-issued temporary and transfer registrations, drivers licenses going from four-to six-year terms, and the technical and conforming changes relating to the elimination of safety inspections on 10 year-old and older vehicles are effective on July 1, 2001 (the safety inspection elimination itself is effective upon passage); (2) the provisions relating to compulsory insurance requirements, DMV-licensed businesses, the Motor Vehicle Medical Advisory Board membership, the classroom-only driving instructor license, and the sanctions for habitually overweight trucks are effective October 1, 2001; (3) the provisions relating to the DLA are effective on January 1, 2002; and (4) the repeal of the enabling laws for the DLC is effective when the commissioner files notice of joinder to the DLA.

COMPULSORY INSURANCE REQUIREMENTS

The bill extends compulsory liability insurance coverage requirements

to all motor vehicles registered in Connecticut. Currently, vehicles that insurance laws define as private passenger motor vehicles must maintain minimum insurance coverage levels continuously during the registration period. A private passenger motor vehicle for this purpose is a: (1) private-passenger-type automobile; (2) station-wagon-type automobile; (3) camper-type motor vehicle; (4) high mileage vehicle; (5) truck-type vehicle with a load capacity of 1,500 pounds or less registered as a passenger, "combination" passenger and commercial, or farm vehicle; or (6) vehicle with a commercial registration. Motorcycles and motor vehicles as a public or livery conveyance are excluded.

Under Connecticut motor vehicle laws, a motor vehicle is any vehicle propelled or drawn by any nonmuscular power unless the statute specifically excludes it (for example, aircraft, boats, battery-operated wheelchairs, agricultural tractors, snow blowers and lawn mowers when used for their designed purposes, among other things).

The bill adopts the latter, broader definition of a motor vehicle as the basis for compulsory insurance requirements with exceptions for vehicles: (1) used as a public or livery conveyance; (2) owned by the federal government, the state, or any municipality; (3) operated under a motor vehicle dealer, repairer, recycler, or manufacturer plate; (4) operated by a dealer or repairer as a registered wrecker; (5) operated with transporter or experimental number plates issued by DMV; or (6) motorcycles if the owners have complied with statutory coverage requirements specifically applicable to them. (By law, a motorcycle owner must maintain coverage meeting state minimums with an exclusion in personal injury coverage for passengers.) Thus, unless a vehicle falls within one of these six exceptions or one of the exclusions in the general motor vehicle definition, it will fall under the compulsory insurance requirements.

By law, minimum coverage requirements are \$20,000 for death or injury to any one person, \$40,000 for death or injury to more than one person in a single accident, and \$10,000 for damage to property.

The bill allows the motor vehicle commissioner to accept an insurance identification card issued in the name of the lessee of a vehicle that is leased for more than one year as evidence at time of registration that

the leased vehicle has proper insurance coverage.

DRIVERS LICENSE AGREEMENT

The bill replaces current laws allowing DMV to participate in the DLC with new ones allowing him to participate in its successor, the DLA. Both the DLC and the DLA are promoted and administered by the American Association of Motor Vehicle Administrators. The bill authorizes DMV to enter the DLA.

Under the DLA, all participating states must have one driver's license that is recognized by all other member states and maintain one driver control record (a driver history). A conviction for any motor vehicle or traffic violation in any jurisdiction must be treated as if it occurred in the violator's home state for purposes of maintaining a driver history and imposing administrative sanctions. A driver must be allowed to proceed on his way and cannot be required to appear in a court or other tribunal after having been issued a citation for the violation.

Requirements for Licensure

Under the DLA, when someone applies for a driver's license, the commissioner must determine if he has ever held or presently holds a license issued by another jurisdiction. The commissioner cannot issue a license to any applicant whose license has been withdrawn (i.e., has been subject to an "administrative action") by another member jurisdiction for a violation required to be reported under the DLA or who is subject to a notice of failure to comply under the compact. The commissioner must take an applicant's unexpired out-of-state license before issuing a Connecticut license.

The commissioner may issue certain classes of Connecticut license (Class 1 or 2 driver's or a motorcycle) to an applicant who is subject to withdrawal of a commercial driver's license in another jurisdiction if the conduct would not have disqualified him from operating a motor vehicle other than a commercial motor vehicle.

The commissioner may, at his discretion, issue a license to an applicant (1) who is the subject of a license withdrawal occurring five or more years before the application date or (2) whose license has been

withdrawn for the time period required by the jurisdiction of record but has not been restored due to a failure or alleged failure to fulfill reinstatement requirements, such as a financial responsibility filing or personal attendance requirement (for example, completion of an education or treatment program). In exercising this discretion, the commissioner must review and consider the applicant's entire driver control record and can require additional information and references from the applicant that attest to his fitness to safely drive a vehicle.

Driver Control Record

The commissioner must maintain a driver control record for each person issued a license until another member jurisdiction notifies him that the person has surrendered his Connecticut license and been relicensed in the other jurisdiction. When so notified, the commissioner must transfer the person's driver control record to the new licensing jurisdiction. The record must contain the information the DLA requires, which must be set out in DMV regulations.

The commissioner must maintain a record of all convictions and administrative actions for motor vehicle and traffic violations committed in Connecticut, as well as for any relevant offenses the court notes in the record and reports to DMV involving a person who has not been issued a license or whose license has expired or been cancelled.

Incident Reporting

The Centralized Infractions Bureau and any court with jurisdiction over a motor-vehicle-related violation must continue to report to the commissioner the name, license number, license jurisdiction, and other available information concerning a nonresident vehicle owner or operator who fails to appear in court, fails to submit a not-guilty plea by the court answer date, or fails to pay the full amount due for the violation. When he receives such a court report, the commissioner must notify the jurisdiction of record, according to DLA procedures, no later than six months from the date of the court's disposition of the matter.

When he receives notice of a failure to comply with a citation issued by

a member jurisdiction or an administrative action taken against a Connecticut licensee or vehicle owner, the commissioner must proceed with a license suspension and, if state law requires or authorizes it, a registration suspension until he is notified according to the requirements of the DLA that the person has complied with the member jurisdiction's citation. These requirements apply only to citations identified in the DLA, which must be set forth in DMV regulations.

Administrative Action

If the commissioner receives a report from another member jurisdiction of a Connecticut resident's conviction for an offense covered by the DLA, he must suspend the resident's license for the period Connecticut law requires for the same act. The offenses covered under this provision are manslaughter or assault with a motor vehicle; negligent homicide with a motor vehicle; operating under the influence of alcohol, drugs, or both; evading responsibility after an accident; and reckless driving. The current DLC provisions cover manslaughter or negligent homicide with a vehicle, driving under the influence, using a motor vehicle in commission of a felony, and evading responsibility after an accident.

When notified of a conviction for driving under the influence in another member jurisdiction, the commissioner may consider it a second or subsequent violation under Connecticut law and impose the appropriate penalty for the repeat offense. The resident cannot use the fact that the out-of-state conviction was based on a blood-alcohol level that is less than Connecticut's level of .10% as a defense against the repeat offense sanction.

If the commissioner is notified that a Connecticut resident has been convicted of a felony in another member jurisdiction and a motor vehicle was used in the crime, he must, if the person's acts would constitute a felony under Connecticut law, suspend the resident's license for a period he determines.

Notices or copies of any records a member jurisdiction furnishes to the commissioner as required by the agreement or the bill with respect to conviction, administrative action, license withdrawal and status, or

vehicle registration may be certified, transmitted, and received electronically or by document. When certified, they are admissible in any hearing or court appeal of a final decision and must be accepted as proof of the facts they describe in the absence of contrary evidence.

The bill revises the current law allowing anyone suspended for certain specified offenses to apply to the commissioner for reversal of the suspension to accommodate suspensions that occur in accordance with the provisions of the DLA. It also expands this process to include petitions for reductions in suspension periods as well as complete reversal. It requires the commissioner to consider the person's driver control record when considering the petition and eliminates his authority to require a petitioner to file a trial fee before a petition can be considered.

Anyone aggrieved by the commissioner's action under these provisions can request and must be given an administrative hearing conducted in accordance with the Uniform Administrative Procedure Act.

MOTOR VEHICLE TITLES

The bill authorizes the commissioner to participate in the National Motor Vehicle Title Information System (authorized under 49 USC § 30501-03) and to rely on the information in the system as prima facie evidence of the facts for granting or denying a title certificate application. The bill also adopts a formal statutory definition of a vehicle identification number (VIN) as it is specified under federal law.

It requires the commissioner to put a legend on any new or duplicate title certificate. He must place a legend on the title certificate regarding the vehicle's mileage in accordance with the Federal Odometer Act (49 USC § 32701-11). He may adopt regulations to provide for additional legends on titles that concern its past or present condition or the status of its title. This can include legends that it has been rebuilt, flood damaged, is unrepairable, or that bond has been posted to obtain the title (an option under state law when the commissioner is not satisfied as to the vehicle's ownership or if there are no undisclosed security interests in it). The regulations must provide for a hearing opportunity for anyone aggrieved by the

commissioner's act, omission, or decision.

By law, as noted above, if the commissioner is not satisfied as to a vehicle's ownership or if there are no undisclosed security interests in it, he can either withhold issuing the title until the applicant produces additional documents that satisfy the commissioner or require the applicant to post a bond as a condition of issuing the title. The purpose of the bond is to indemnify those with a former or future interest in the vehicle from any loss, damages, or expenses that might arise from the title's being issued. Currently, any required bond must be for 150% of the value of the vehicle as determined by the commissioner. The bill increases this to 200% of the vehicle's value and requires a \$25 filing fee. It also requires the commissioner hold the bond for five rather than three years.

The bill allows the commissioner to make an agreement with any first lienholder on a vehicle to provide for electronic recording and storage of the evidence of the lienholder's security interest. An agreement may provide (1) that the commissioner not issue a title unless the lienholder requests it and (2) when the security interest is satisfied and released, the commissioner must present or mail the title to the owner, unless the commissioner has recorded another security interest on the vehicle. The bill revises several of the other laws governing titles to accommodate this electronic recording and storage option and applies the current fees for various title documents and filings to similar electronically based transactions.

When a lienholder has an agreement with the commissioner for electronic lien filing and recording, it must, upon satisfaction of its security interest, notify the commissioner within 10 days. This must be done in the form and manner, and with the information necessary to release the lien and identify the vehicle and the title record that the commissioner requires.

The bill specifically identifies acceptable personal identification as information the commissioner may require to be furnished when issuing a duplicate or replacement title.

DEALER, REPAIRER, MANUFACTURER, AND LEASING COMPANY LICENSES

The bill changes various aspects of the laws governing motor vehicle manufacturers, dealers, repairers, leasing companies, and activities associated with these businesses. It also establishes a procedure for the commissioner to notify dealers and repairers of complaints lodged against them and to mediate unresolved complaints.

Motor Vehicle Rental and Leasing Businesses

Anyone in Connecticut engaged in the business of renting or leasing motor vehicles without drivers must be licensed by DMV. The bill makes the licensing process for motor vehicle leasing businesses similar to the process for dealers and repairers by (1) moving to a two-year rather than an annual licensing cycle and (2) adopting many of the same requirements that apply to these other licenses. Specifically, this includes: a staggered license renewal schedule, written notice by DMV of license expiration at least 45 days in advance, imposition of a \$100 late fee for renewal applications filed after the expiration date, a prohibition on renewing licenses that have been expired for more than 45 days, and a requirement that a leasing business cease operations if it has not filed a renewal application and paid the renewal fee by its current license expiration date.

The bill also allows the commissioner to suspend a rental or leasing company's license if he finds that it has failed to pay its municipal property taxes. The suspension can occur 30 days after the business was given notice of the suspension and after opportunity for a hearing. The suspension can run until the tax obligations are satisfied.

The bill excludes vehicle rental or leasing businesses that sell vehicles incidental to their primary business from being considered used car dealers as long as (1) the business is properly licensed as a leasing business, (2) the vehicles it sells were formerly subject to at least one lease with the business, and (3) the vehicles are not offered or advertised for sale directly to the public.

Motor Vehicle Repairers

The bill eliminates the license classification of "limited repairer." Currently, someone may be licensed as either a limited repairer or a

general repairer. The limited repairer may conduct minor repairs, including repairing and replacing cooling, electrical, fuel and exhaust systems; performing brake adjustments, relining, and repairs; doing wheel alignment and balancing; and repairing and replacing shock absorbers. The bill also allows someone to balance wheels, install batteries, change belts other than fan belts, and change oil without a repairer's license, but not to change spark plugs.

Motor Vehicle Manufacturers

The bill explicitly prohibits motor vehicle manufacturers from selling new vehicles directly to the public.

The bill clarifies several aspects of the law prohibiting a motor vehicle manufacturer from holding a dealer's license. It allows a manufacturer to operate as a dealer on a temporary basis (up to one year) when it is acting in accordance with the exception provisions of the motor vehicle franchise laws. It allows the commissioner to determine when any business is owned or controlled by a manufacturer and thus subject to the restrictions and entitles an applicant denied a license under these requirements to an administrative hearing. The bill allows the commissioner to extend the temporary license issued to a manufacturer under these conditions for up to one additional year, to a maximum of two years total, if he believes the manufacturer has made and continues to make bona fide efforts to sell or transfer the dealership to someone qualified to hold a dealer's license.

As an exception to these limitations, the bill authorizes the commissioner to issue a used car dealer's license to someone engaged primarily in the business of renting vehicles and industrial and construction equipment if (1) the vehicles offered for sale are limited to those previously used exclusively and regularly to conduct the business or were traded in by purchasers of the previously used vehicles, (2) any warranty repairs the person performs are limited to vehicles the previously owned or taken in trade, and (3) any retail financing provided or arranged for is limited to vehicles the person sells.

Motor Vehicle Dealers

The bill allows the commissioner to authorize dealers he has qualified to issue temporary new and transfer registrations to also file permanent registration applications and certificates of title with the DMV through electronic means connected to DMV's record systems. Dealer must adhere to DMV procedures for ensuring timely payment of applicable fees and taxes in order to remain eligible for electronic filing.

The bill eliminates a municipality's authority to waive the requirement for conducting a site location hearing for a new or used car dealer approval certificates for an application made subsequent to a previously approved one or when a previously approved business location is being enlarged to include adjacent property.

Matters Relating to Dealer and Repairer Licensing and Regulation

The bill allows the commissioner to refuse to grant or renew a dealer or repairer license if the applicant, an officer, or a major stockholder of the business has been convicted of any federal or state law violation involving fraud, larceny, or deprivation or misappropriation of property. It also eliminates a restriction on the commissioner that prevented him from denying a repairer license on the grounds that the repairer's licensed activities are conducted on property that also includes another business or activity owned or operated by someone else or that the licensee makes use of any common area or facilities with another business or activity.

When a dealer or repairer adds buildings or adjacent land to his licensed place of business, the bill subjects this addition to a separate license application process. Currently, when this occurs the licensee must apply to DMV for inclusion of the additions in his existing licensed business location, it must be considered as the same business location, and the commissioner cannot charge an additional license.

The bill eliminates the requirement that a dealer or repairer licensee submit a performance bond of up to \$1,000 as a condition of continued licensure or reinstatement following a license suspension or revocation for committing any of the prohibited acts and allows the commissioner to order the licensee to make restitution to an aggrieved customer in lieu of the other authorized penalties.

The bill authorizes the commissioner to withdraw all or limit the number of dealer or repairer plates a licensee has been issued, or is by law eligible to receive, when he finds the licensee has committed any prohibited acts. It also makes misuse of dealer or repairer plates one of the prohibited acts that can result in suspension or revocation of the dealer or repairer license, imposition of a civil penalty of up to \$1,000, or both.

Dealer and Repairer Complaint Procedure

The bill requires the commissioner to notify a dealer or repairer licensee of a complaint made against him and allows the commissioner to attempt to mediate voluntary settlements of unresolved complaints. DMV regulations must provide for the notification and a description of the particular matters alleged in the complaint and the mediation process. The commissioner must attempt to mediate a mutually acceptable voluntary resolution, but if this is not achievable, he must complete his factual investigation. If he feels the licensee has violated applicable laws or regulations, he may take further action against the licensee. If he elects not to take such action, he must notify both the licensee and complainant in writing and provide a brief explanation of why no action has been taken.

The commissioner must also inform the parties that an unresolved complaint exists and, unless he determines that, even if true, the allegations fail to establish a violation of applicable statutory or regulatory requirements, that the status of the matter will be maintained in the licensee's DMV records until the licensee submits to DMV satisfactory evidence either (1) signed by the complainant or his attorney that the claim has been resolved by agreement or (2) showing that the matter has been finally adjudicated in favor of the licensee.

A resolution agreement does not preclude the commissioner from taking further action if he believes the licensee has violated the laws and regulations applicable to his business. The commissioner's decision not to take action must be without prejudice to the customer's claim. Neither the commissioner's decision not to proceed nor the required notice to both parties is admissible in a civil action.

Window Etching Price Disclosure

By law, new and used car dealers and rental or leasing companies must offer someone buying or leasing a vehicle the optional service of etching the vehicle identification number on its windshield and windows. They may charge reasonable fees for the service and must file their schedule of charges with the commissioner.

The bill allows these businesses to specify their charges for the etching services, as the law requires, on the sale order and invoice instead of on the price disclosure sticker required by federal law to be fixed to the vehicle's window. This sticker, commonly known as the "Morony Sticker," discloses certain information about the vehicle including its cost, standard and optional equipment, transportation and other fees added to the base vehicle cost, and the cost of options and additional services.

It is not clear how this requirement applies when the transaction involves a lease rather than a purchase.

Transporter Plates

The bill conforms the law to DMV's current practice of not issuing transporter plates for use on passenger motor vehicles. It also increases the fee from \$58 to \$114 for transporter plates for use on house trailers, thus making it the same as for other vehicles.

COMBINATION REGISTRATION

Currently, a vehicle can get a "combination" registration if it is used for both passenger and commercial purposes and its gross weight (the vehicle's empty weight combined with the weight of any load for which it registers and pays the appropriate fee) does not exceed 10,000 pounds. The bill changes the basis for the registration to a gross weight rating that does not exceed 10,000 pounds. By law, a vehicle's gross weight rating is the larger of its manufacturer-specified maximum loaded weight or the registered gross weight.

The bill prohibits the commissioner, as of July 1, 2001, from issuing a new combination registration for any vehicle with a gross weight

rating exceeding 10,000 pounds. The effect of the change appears to be to potentially reduce the number of vehicles that may qualify for the combination registration since a vehicle rated for more than 10,000 pounds, but registered for 10,000 pounds or less gross weight could no longer qualify as a combination vehicle.

HABITUALLY OVERWEIGHT TRUCKS

Currently, the court must note on the record any conviction or bond forfeiture involving an overweight violation of more than 15% above a truck's applicable gross weight limit. In addition to the fine that might already have otherwise been paid for the violation, the commissioner must demand an out-of-state owner or lessee of such a truck to post a \$2,000 bond with the DMV subject to forfeiture for a second such violation. An in-state owner or operator is subject to an additional civil fine of \$2,000 for a second such overweight violation. The commissioner may revoke the vehicle's registration for 30 days. The bill revises this sanction process and increases the penalties for third and subsequent violations of a similar nature.

It requires the court to both note any such conviction, but not a bond forfeiture for nonappearance, and transmit the information to the DMV. Upon its receipt, the commissioner must notify the vehicle registrant that he is subject to the additional penalty for a second or subsequent conviction of being more than 15% overweight. When he receives information on a second such conviction, the commissioner must, after notice and opportunity for a hearing, impose a civil penalty of \$2,000 on the registrant. If the penalty is not paid within 30 days, he must suspend the vehicle's registration, or if it is registered in another state, its privilege to operate in Connecticut, until both the penalty and a \$100 restoration fee are paid.

Upon notice of a third or subsequent such conviction, the commissioner must impose a civil penalty of \$5,000 and, if it is not paid in 30 days, suspend the registrations for all motor vehicles registered in the registrant's name or, if applicable, his nonresident right to operate any vehicles in Connecticut until such time as he pays the penalty and restoration fee.

**DEALER-ISSUED TEMPORARY AND TRANSFER
REGISTRATIONS**

By law, the commissioner can appoint any motor vehicle dealers he deems qualified to issue temporary new or transfer registrations for certain passenger vehicles, motorcycles, campers, camp trailers, and trucks up to 26,000 pounds gross weight. Currently, these dealers must pay \$10 for a book of 25 new registration forms and \$5 for each book of 25 temporary transfer forms. The bill increases these fees to \$10 and \$5 respectively for each individual form. It allows the commissioner to require any dealer approved to issue these types of registrations to file each application for a permanent registration by electronic transmission of an electronic record if he determines that the dealer, on average, files 25 or more such applications a month. Any such dealer may still file the permanent registration application in person at a DMV branch office, but would be paying more to do so due to the bill's higher fee for the application documents.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 28 Nay 0