



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2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2002*):

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

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

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

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

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

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

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

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

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

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

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

48 (11) "Commercial motor vehicle" means a vehicle designed or used
49 to transport passengers or property, except a vehicle used within one

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

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

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

68 (14) "Commissioner" includes the Commissioner of Motor Vehicles
69 and any assistant to the Commissioner of Motor Vehicles who is
70 designated and authorized by, and who is acting for, the
71 Commissioner of Motor Vehicles under a designation; except that the
72 Deputy Commissioners of Motor Vehicles and the Attorney General
73 are deemed, unless the Commissioner of Motor Vehicles otherwise
74 provides, to be designated and authorized by, and acting for, the
75 Commissioner of Motor Vehicles under a designation;

76 (15) "Controlled substance" has the same meaning as in section 21a-
77 240 and the federal laws and regulations incorporated in chapter 420b;

78 (16) "Conviction" means an unvacated adjudication of guilt, or a
79 determination that a person has violated or failed to comply with the
80 law in a court of original jurisdiction or an authorized administrative
81 tribunal, an unvacated forfeiture of bail or collateral deposited to

82 secure the person's appearance in court, the payment of a fine or court
83 cost, or violation of a condition of release without bail, regardless of
84 whether or not the penalty is rebated, suspended or probated;

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

90 (18) "Disqualification" means a withdrawal of the privilege to drive
91 a commercial motor vehicle, which occurs as a result of (A) any
92 suspension or revocation by the commissioner of the privilege to
93 operate a motor vehicle; (B) a determination by the Federal Highway
94 Administration, under the rules of practice for motor carrier safety
95 contained in the Code of Federal Regulations Title 49, Part 386, as
96 amended, that a person is no longer qualified to operate a commercial
97 motor vehicle under the standards of the Code of Federal Regulations
98 Title 49, Part 391, as amended; or (C) the loss of qualification which
99 automatically follows any of the convictions specified in section 14-
100 44k;

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

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

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

110 (22) "Employee" means any operator of a commercial motor vehicle,
111 including full-time, regularly employed drivers, casual, intermittent or
112 occasional drivers, drivers under contract and independent, owner-

113 operator contractors, who, while in the course of operating a
114 commercial motor vehicle, are either directly employed by, or are
115 under contract to, an employer;

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

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

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

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

128 (27) "Fuels" means (A) all products commonly or commercially
129 known or sold as gasoline, including casinghead and absorption or
130 natural gasoline, regardless of their classification or uses, (B) any liquid
131 prepared, advertised, offered for sale or sold for use, or commonly and
132 commercially used, as a fuel in internal combustion engines, which,
133 when subjected to distillation in accordance with the standard method
134 of test for distillation of gasoline, naphtha, kerosene and similar
135 petroleum products by "American Society for Testing Materials
136 Method D-86", shows not less than ten per cent distilled (recovered)
137 below 347 Fahrenheit (175 Centigrade) and not less than ninety-five
138 per cent distilled (recovered) below 464 Fahrenheit (240 Centigrade);
139 provided the term "fuels" shall not include commercial solvents or
140 naphthas which distill, by "American Society for Testing Materials
141 Method D-86", not more than nine per cent at 176 Fahrenheit and
142 which have a distillation range of 150 Fahrenheit, or less, or liquefied
143 gases which would not exist as liquids at a temperature of 60
144 Fahrenheit and a pressure of 14.7 pounds per square inch absolute,

145 and (C) any liquid commonly referred to as "gasohol" which is
146 prepared, advertised, offered for sale or sold for use, or commonly and
147 commercially used, as a fuel in internal combustion engines, consisting
148 of a blend of gasoline and a minimum of ten per cent by volume of
149 ethyl or methyl alcohol;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

205 (42) "Minibike" or "minicycle" means any two or three wheel

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

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

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

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

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

232 (47) "Motor vehicle" means any vehicle propelled or drawn by any
233 nonmuscular power, except aircraft, motor boats, road rollers, baggage
234 trucks used about railroad stations or other mass transit facilities,
235 electric battery-operated wheel chairs when operated by physically
236 handicapped persons at speeds not exceeding fifteen miles per hour,
237 golf carts operated on highways solely for the purpose of crossing

238 from one part of the golf course to another, golf cart type vehicles
239 operated on roads or highways on the grounds of state institutions by
240 state employees, agricultural tractors, farm implements, such vehicles
241 as run only on rails or tracks, self-propelled snow plows, snow blowers
242 and lawn mowers, when used for the purposes for which they were
243 designed and operated at speeds not exceeding four miles per hour,
244 whether or not the operator rides on or walks behind such equipment,
245 bicycles with helper motors as defined in section 14-286, special mobile
246 equipment as defined in subsection (i) of section 14-165 and any other
247 vehicle not suitable for operation on a highway;

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

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

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

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

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

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

267 (54) "Operator" means any person who operates a motor vehicle or

268 who steers or directs the course of a motor vehicle being towed by
269 another motor vehicle and includes a driver as defined in subdivision
270 (20) of this section;

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

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

278 (57) "Parked vehicle" means a motor vehicle in a stationary position
279 within the limits of a public highway;

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

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

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

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

298 requires;

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

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

307 (64) "Recreational vehicle" includes the camper, camp trailer and
308 motor home classes of vehicles;

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

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

314 (67) "Resident", for the purpose of registering motor vehicles,
315 includes any person having a [legal] place of residence in this state,
316 occupied by such person for more than six months in a year, or any
317 person, firm or corporation owning or leasing a motor vehicle used or
318 operated in intrastate business in this state, or a firm or corporation
319 having its principal office or place of business in this state;

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

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

328 violation of the same statutory provision;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

383 (86) "United States" means the fifty states and the District of
384 Columbia;

385 (87) "Used motor vehicle" includes any motor vehicle which has

386 been previously separately registered by an ultimate consumer;

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

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

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

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

415 [(91)] (92) "Wrecker" means a vehicle which is registered, designed,
416 equipped and used for the purposes of towing or transporting
417 wrecked or disabled motor vehicles for compensation or for related

418 purposes by a person, firm or corporation licensed in accordance with
419 the provisions of subdivision (D) of part III of this chapter.

420 Sec. 2. Subsection (b) of section 14-44k of the general statutes is
421 repealed and the following is substituted in lieu thereof (*Effective July*
422 *1, 2002*):

423 (b) In addition to any other penalties provided by law, and except as
424 hereinafter provided in subsection (d) of this section, a person is
425 disqualified from operating a commercial motor vehicle (1) for one
426 year if convicted of one violation of ~~[(1)] (A)~~ operating any motor
427 vehicle under the influence of intoxicating liquor or drugs or both
428 under section 14-227a, ~~[(2)] (B)~~ evasion of responsibility, involving a
429 commercial motor vehicle, under section 14-224, or ~~[(3)] (C)~~ using a
430 commercial motor vehicle in the commission of any felony as defined
431 in section 14-1, and (2) for sixty days if convicted of one violation of
432 section 14-249 or 14-250, (3) for one hundred twenty days if convicted
433 of a second violation of section 14-249 or 14-250, and (4) for one year if
434 convicted of a third or subsequent violation of section 14-249 or 14-250
435 during any three-year period.

436 Sec. 3. Section 14-165 of the general statutes, as amended by section
437 163 of public act 01-132, is repealed and the following is substituted in
438 lieu thereof (*Effective July 1, 2002*):

439 Except when the context otherwise requires, as used in this chapter:

440 [(a)] (1) "Dealer" means a person engaged in the business of buying,
441 selling or exchanging vehicles who is licensed under the provisions of
442 chapter 246; [.]

443 [(b)] (2) "Commissioner" means the Commissioner of Motor
444 Vehicles; [.]

445 [(c)] (3) "Identification number" means the [numbers and letters, if
446 any, on a vehicle designated by the commissioner for the purpose of
447 identifying the vehicle.] vehicle identification number of a motor

448 vehicle, as defined in subdivision (91) of subsection (a) of section 14-1,
449 as amended by this act;

450 [(d)] (4) "Implement of husbandry" means a vehicle registered as a
451 farm vehicle or a vehicle designated and adapted exclusively for
452 agricultural, horticultural or livestock-raising operations or for lifting
453 or carrying an implement of husbandry; [.]

454 [(e)] (5) "Lienholder" means a person holding a security interest in a
455 vehicle; [.]

456 [(f)] (6) "Owner" means a person, other than a lienholder, having the
457 property in or title to a vehicle. The term includes a person entitled to
458 the use and possession of a vehicle subject to a security interest in
459 another person, but excludes a lessee under a lease not intended as
460 security; [.]

461 [(g)] (7) "Security agreement" means a "security agreement" as
462 defined in subdivision (78) of subsection (a) of section 42a-9-102; [.]

463 [(h)] (8) "Security interest" means a "security interest" as defined in
464 subdivision (37) of section 42a-1-201; [.]

465 [(i)] (9) "Special mobile equipment" means a vehicle not designed for
466 the transportation of persons or property upon a highway and only
467 incidentally operated or moved over a highway, including, but not
468 limited to, ditch-digging apparatus, well-boring apparatus and road
469 construction and maintenance machinery such as asphalt spreaders,
470 bituminous mixers, bucket loaders, street sweepers, tractors other than
471 truck tractors, ditchers, leveling graders, finishing machines, motor
472 graders, road rollers, scarifiers, earth moving carry-alls and scrapers,
473 power shovels and drag lines, and self-propelled cranes and earth
474 moving equipment. The term does not include house trailers, dump
475 trucks, truck-mounted transit mixers, cranes or shovels, or other
476 vehicles designed for the transportation of persons or property to
477 which machinery has been attached; [.]

478 [(j)] (10) "State" means a state, territory or possession of the United
479 States, the District of Columbia, the Commonwealth of Puerto Rico or
480 a province of the Dominion of Canada; [.]

481 [(k)] (11) "Vehicle" means a motor vehicle as defined by section 14-1;
482 [.]

483 [(l)] (12) "Manufacturer's or importer's certificate of origin" means
484 the original written instrument or document required to be executed
485 and delivered by the manufacturer to the manufacturer's agent or
486 dealer, or a person purchasing direct from the manufacturer, certifying
487 the origin of the vehicle; and

488 (13) "Electronic title file" means the file maintained by the
489 commissioner in an electronic media format for the purpose of
490 recording and storage of the evidence of a lienholder's security interest
491 in a vehicle.

492 Sec. 4. Section 14-172 of the general statutes is repealed and the
493 following is substituted in lieu thereof (*Effective July 1, 2002*):

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

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

507 Sec. 5. Section 14-174 of the general statutes is repealed and the

508 following is substituted in lieu thereof (*Effective July 1, 2002*):

509 (a) Each certificate of title issued by the commissioner shall contain:
510 (1) The date issued; (2) the name and address of the owner; (3) the
511 names and addresses of any lienholders, in the order of priority as
512 shown on the application or, if the application is based on a certificate
513 of title, as shown on the certificate; (4) the title number assigned to the
514 vehicle; (5) a description of the vehicle including, so far as the
515 following data exists, its make, model, identification number, type of
516 body, number of cylinders, whether new or used, and, if a new vehicle,
517 the date of the first sale of the vehicle for use; (6) the mileage reading
518 as shown on the application; and (7) any other data the commissioner
519 prescribes.

520 (b) Unless a bond is filed as provided in subdivision (b) of section
521 14-176, as amended by this act, a distinctive certificate of title shall be
522 issued for a vehicle last previously registered in another state or
523 country the laws of which do not require that lienholders be named on
524 a certificate of title to perfect their security interests. The certificate
525 shall contain the legend "This vehicle may be subject to an undisclosed
526 lien" and may contain any other information the commissioner
527 prescribes. If no notice of a security interest in the vehicle is received
528 by the commissioner within four months from the issuance of the
529 distinctive certificate of title, [he] the commissioner shall, upon
530 application and surrender of the distinctive certificate, issue a
531 certificate of title in ordinary form.

532 (c) The certificate of title shall contain forms for assignment and
533 warranty of title by the owner and for assignment and warranty of title
534 by a dealer, and may contain forms for applications for a certificate of
535 title by a transferee, the naming of a lienholder and the assignment or
536 release of the security interest of a lienholder.

537 (d) A certificate of title issued by the commissioner is prima facie
538 evidence of the facts appearing on it. In any criminal proceeding, a
539 certified copy of a certificate of title shall be prima facie evidence as to

540 the ownership of a motor vehicle.

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

544 (f) The commissioner shall place a legend on any new or duplicate
545 certificate of title in accordance with the requirements of section 14-
546 172, as amended by this act, section 14-178, as amended by this act, or
547 section 14-16c, 14-179 or 42-179. The commissioner shall place a legend
548 on any new or duplicate certificate of title that the commissioner issues
549 concerning the mileage on a motor vehicle in accordance with the
550 requirements of the Federal Odometer Act, Sections 32701 to 32711,
551 inclusive, Title 49, United States Code, and any federal regulation
552 adopted under the authority of said act. The commissioner may adopt
553 regulations, in accordance with the provisions of chapter 54, to provide
554 for the placement of additional legends on any certificate of title,
555 concerning the past or present condition of any motor vehicle or the
556 status of the title to any motor vehicle, including legends to indicate
557 that a motor vehicle has been rebuilt, damaged by flood, or is
558 unrepairable, or that a bond has been posted to obtain the title, as
559 provided in section 14-176, as amended by this act. Such regulations,
560 as may be adopted by the commissioner, shall provide for an
561 opportunity for a hearing, in accordance with the provisions of chapter
562 54, and section 14-194, as amended by this act, for any person
563 aggrieved by any action, omission or decision of the commissioner
564 made pursuant to this subsection.

565 Sec. 6. Section 14-175 of the general statutes is repealed and the
566 following is substituted in lieu thereof (*Effective July 1, 2002*):

567 [The] (a) Except as provided in subsection (b) of this section, the
568 certificate of title shall be presented or mailed to the first lienholder
569 named in it or, if none, to the owner.

570 (b) The commissioner may maintain an electronic title file for the
571 recording and storage of the evidence of any lienholder's security

572 interest. When the first lienholder's security interest is satisfied and
573 released, the commissioner shall present or mail the certificate of title
574 to the owner, unless another security interest has been recorded by the
575 commissioner.

576 Sec. 7. Section 14-176 of the general statutes is repealed and the
577 following is substituted in lieu thereof (*Effective July 1, 2002*):

578 If the commissioner is not satisfied as to the ownership of the
579 vehicle or that there are no undisclosed security interests in it, the
580 commissioner may register the vehicle but shall either: [(a)] (1)
581 Withhold issuance of a certificate of title until the applicant presents
582 documents reasonably sufficient to satisfy the commissioner as to the
583 applicant's ownership of the vehicle and that there are no undisclosed
584 security interests in it; or [(b)] (2) as a condition of issuing a certificate
585 of title, require the applicant to file with the commissioner a bond in
586 the form prescribed by the commissioner and executed by the
587 applicant, and either accompanied by the deposit of cash with the
588 commissioner or also executed by a person authorized to conduct a
589 surety business in this state. The bond shall be in an amount equal to
590 [one and one-half times] twice the value of the vehicle as determined
591 by the commissioner and conditioned to indemnify any prior owner
592 and lienholder and any subsequent purchaser of the vehicle or person
593 acquiring any security interest in it, and their respective successors in
594 interest, against any expense, loss or damage, including reasonable
595 attorney's fees, by reason of the issuance of the certificate of title of the
596 vehicle or on account of any defect in or undisclosed security interest
597 upon the right, title and interest of the applicant in and to the vehicle.
598 Any such interested person has a right of action to recover on the bond
599 for any breach of its conditions, but the aggregate liability of the surety
600 to all persons shall not exceed the amount of the bond. The bond, and
601 any deposit accompanying it, shall be returned at the end of [three]
602 five years or prior thereto if the vehicle is no longer registered in this
603 state and the currently valid certificate of title is surrendered to the
604 commissioner, unless the commissioner has been notified of the
605 pendency of an action to recover on the bond.

606 Sec. 8. Subsection (a) of section 14-178 of the general statutes is
607 repealed and the following is substituted in lieu thereof (*Effective July*
608 *1, 2002*):

609 (a) If a certificate of title is lost, stolen, mutilated or destroyed or
610 becomes illegible, the first lienholder or, if none, the owner or legal
611 representative of the owner named in the certificate, as shown by the
612 records of the commissioner, shall promptly make application for and
613 may obtain a duplicate upon furnishing information, including
614 personal identification acceptable and satisfactory to the
615 commissioner. The duplicate certificate of title shall contain the legend
616 "This is a duplicate certificate and may be subject to the rights of a
617 person under the original certificate." [It] Except as provided in
618 subsection (b) of section 14-175, as amended by this act, the
619 commissioner shall [be presented or mailed] present or mail the
620 duplicate certificate to the first lienholder named in [it] the duplicate
621 certificate or, if none, to the owner.

622 Sec. 9. Subsection (a) of section 14-183 of the general statutes is
623 repealed and the following is substituted in lieu thereof (*Effective July*
624 *1, 2002*):

625 (a) The commissioner, upon receipt of a properly assigned certificate
626 of title, with an application for a new certificate of title, the required fee
627 and any other documents required by law, shall issue a new certificate
628 of title in the name of the transferee as owner and, except as provided
629 in subsection (b) of section 14-175, as amended by this act, present or
630 mail [it] the new certificate of title to the first lienholder named in [it]
631 the new certificate of title or, if none, to the owner.

632 Sec. 10. Subsection (c) of section 14-185 of the general statutes, as
633 amended by section 165 of public act 01-132, is repealed and the
634 following is substituted in lieu thereof (*Effective July 1, 2002*):

635 (c) The rules of priority stated in sections 42a-9-322 to 42a-9-324,
636 inclusive, and the other sections therein referred to, shall, to the extent
637 appropriate, apply to conflicting security interests in a vehicle of a type

638 for which a certificate of title is required. [or in a "previously registered
639 vehicle", as defined in section 14-201.] A security interest perfected
640 under this section [or under section 14-201] is a security interest
641 perfected otherwise than by filing for the purposes of sections 42a-9-
642 322 to 42a-9-324, inclusive.

643 Sec. 11. Subsection (d) of section 14-186 of the general statutes is
644 repealed and the following is substituted in lieu thereof (*Effective July*
645 *1, 2002*):

646 (d) Upon receipt of the certificate of title, the application and the
647 required fee, the commissioner shall either endorse the certificate or
648 issue a new certificate containing the name and address of the new
649 lienholder, and, except as provided in section (b) of section 14-175, as
650 amended by this act, mail the certificate to the first lienholder named
651 in it.

652 Sec. 12. Subsection (b) of section 14-187 of the general statutes is
653 repealed and the following is substituted in lieu thereof (*Effective July*
654 *1, 2002*):

655 (b) The assignee may, but need not to perfect the assignment, have
656 the certificate of title endorsed or issued with the assignee named as
657 lienholder, upon delivering to the commissioner the certificate and an
658 assignment by the lienholder [named in the certificate] of record in the
659 form the commissioner prescribes. If the security interest of the
660 lienholder is maintained in the electronic title file pursuant to
661 subsection (b) of section 14-175, as amended by this act, the lienholder
662 may submit evidence of the assignment of the security interest, in such
663 form and manner as the commissioner directs, and may request the
664 commissioner to issue a certificate of title with the assignee named as
665 lienholder.

666 Sec. 13. Section 14-188 of the general statutes is repealed and the
667 following is substituted in lieu thereof (*Effective July 1, 2002*):

668 (a) Upon the satisfaction of a security interest in a vehicle for which

669 the certificate of title is in the possession of the lienholder, [he] the
670 lienholder shall, within ten days after demand and, in any event,
671 within thirty days, execute a release of [his] the security interest, in the
672 space provided therefor on the certificate or as the commissioner
673 prescribes, and mail or deliver the certificate and release to the next
674 lienholder named therein, or, if none, to the owner or any person who
675 delivers to the lienholder an authorization from the owner to receive
676 the certificate. The owner, other than a dealer holding the vehicle for
677 resale, shall promptly cause the certificate and release to be mailed or
678 delivered to the commissioner, who shall release the lienholder's rights
679 on the certificate or issue a new certificate.

680 (b) If the security interest of the lienholder is maintained in the
681 electronic title file pursuant to subsection (b) of section 14-175, as
682 amended by this act, such lienholder shall, upon the satisfaction of
683 such security interest, notify the commissioner within ten days of such
684 satisfaction. Such notification shall be in such form and manner and
685 shall contain such information necessary to evidence the release of the
686 lien and to identify the motor vehicle and the record of the certificate
687 of title, as the commissioner prescribes. The commissioner shall issue a
688 certificate of title and present or mail such certificate to the owner or to
689 the second lienholder, if any.

690 [(b)] (c) Upon the satisfaction of a security interest in a vehicle for
691 which the certificate of title is in the possession of a prior lienholder,
692 the lienholder whose security interest is satisfied shall within ten days
693 after demand and, in any event, within thirty days execute a release in
694 the form the commissioner prescribes and deliver the release to the
695 owner or any person who delivers to the lienholder an authorization
696 from the owner to receive it. The lienholder in possession of the
697 certificate of title shall either deliver the certificate to the owner, or the
698 person authorized by [him] the owner, for delivery to the
699 commissioner or, upon receipt of the release, mail or deliver it with the
700 certificate to the commissioner, who shall release the subordinate
701 lienholder's rights on the certificate or issue a new certificate.

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

708 Sec. 14. Section 14-189 of the general statutes is repealed and the
709 following is substituted in lieu thereof (*Effective July 1, 2002*):

710 A lienholder named in a certificate of title, or whose security interest
711 is maintained in the electronic title file pursuant to subsection (b) of
712 section 14-175, as amended by this act, shall, upon written request of
713 the owner or of another lienholder named on the certificate or having a
714 recorded interest, disclose any pertinent information as to [his] such
715 lienholder's security agreement and the indebtedness secured by it.

716 Sec. 15. Section 14-192 of the general statutes is repealed and the
717 following is substituted in lieu thereof (*Effective July 1, 2002*):

718 (a) The commissioner shall be paid the following fees: (1) For filing
719 an application for a certificate of title, [twenty dollars, and on and after
720 July 1, 1993,] twenty-five dollars; (2) for each security interest noted
721 upon a certificate of title or maintained in the electronic title file
722 pursuant to subsection (b) of section 14-175, as amended by this act,
723 ten dollars; (3) for each record copy search, [five dollars and seventy-
724 five cents, and on and after July 1, 1993,] seven dollars; (4) for each
725 assignment of a security interest noted upon a certificate of title [, three
726 dollars, and on and after July 1, 1993] or maintained in the electronic
727 title file, three dollars and fifty cents; (5) for an application for a
728 duplicate certificate of title, twenty-five dollars, provided such fee shall
729 not be required for any such duplicate certificate of title (A) which is
730 requested on a form prepared and signed by the assessor in any town
731 for purposes of such proof of ownership of a motor vehicle as may be
732 required in accordance with section 12-71b, or (B) in connection with
733 an application submitted by a licensed dealer in accordance with the

734 provisions of subsection (c) of section 14-12, as amended, or section 14-
735 61, as amended; (6) for an ordinary certificate of title issued upon
736 surrender of a distinctive certificate, [three dollars, and on and after
737 July 1, 1993,] three dollars and fifty cents; (7) for filing a notice of
738 security interest, [three dollars, and on and after July 1, 1993,] three
739 dollars and fifty cents; (8) for a certificate of search of the records of the
740 Department of Motor Vehicles, for each name or identification number
741 searched against, [fourteen dollars, and on and after July 1, 1993,]
742 seventeen dollars and fifty cents; (9) for filing an assignment of
743 security interest, [three dollars, and on and after July 1, 1993,] three
744 dollars and fifty cents; [and] (10) for search of a motor vehicle
745 certificate of title record, requested by a person other than the owner of
746 such motor vehicle, ten dollars; and (11) for a bond filing under section
747 14-176, as amended by this act, twenty-five dollars.

748 (b) If an application, certificate of title or other document required to
749 be mailed or delivered to the commissioner under any provision of this
750 chapter is not delivered to the commissioner within ten days from the
751 time it is required to be mailed or delivered, the commissioner shall
752 collect, as a penalty, an amount equal to the fee required for the
753 transaction.

754 (c) Motor vehicles leased to an agency of this state [on or after June
755 4, 1982,] and motor vehicles owned by the state or an agency of the
756 state shall be exempt from the fees imposed by this section.

757 Sec. 16. Section 14-194 of the general statutes is repealed and the
758 following is substituted in lieu thereof (*Effective July 1, 2002*):

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

762 Sec. 17. Subdivision (40) of subsection (a) of section 14-1 of the
763 general statutes is repealed and the following is substituted in lieu
764 thereof (*Effective October 1, 2002*):

765 (40) "Manufacturer" means (A) a person, whether a resident or
766 nonresident, engaged in the business of constructing or assembling
767 new motor vehicles of a type required to be registered [under section
768 14-12, who offers the motor vehicles] by the commissioner, for
769 operation upon any highway, which are offered for sale in this state, or
770 (B) a person who distributes new motor vehicles to [licensed] new car
771 dealers licensed in this state.

772 Sec. 18. Subsection (a) of section 14-15 of the general statutes is
773 repealed and the following is substituted in lieu thereof (*Effective*
774 *October 1, 2002*):

775 (a) Any person, firm or corporation before engaging in the business
776 of leasing or renting motor vehicles without drivers in this state and
777 any person, firm or corporation which is the lessor of or rents any
778 vehicle required to be registered under the provisions of section 14-15a
779 shall make a sworn application to the Commissioner of Motor Vehicles
780 for a license to engage in such leasing or renting. Each such application
781 and each application for renewal shall be accompanied by a fee of [one
782 hundred fifty dollars and shall be renewed annually on the first day of
783 April] three hundred dollars. Each such license shall be renewed
784 biennially according to renewal schedules established by the
785 commissioner so as to effect staggered renewal of all such licenses. If
786 the adoption of a staggered system results in the expiration of any
787 license more or less than one year from its issuance, the commissioner
788 may charge a prorated amount for such license fee. Not less than forty-
789 five days prior to the date of expiration of each such license, the
790 commissioner shall mail to each licensee an application for renewal.
791 An application for renewal filed with the commissioner after the date
792 of expiration shall be accompanied by a late fee of one hundred dollars
793 provided the commissioner shall not renew any license under this
794 subsection that has expired for more than forty-five days. No such
795 license shall be transferred. Such licensee shall furnish proof of
796 financial responsibility satisfactory to the commissioner, as provided
797 by section 14-112 or 14-129, provided such licensee may furnish such
798 proof separately with respect to each vehicle or each group of vehicles

799 leased to any single lessee. Each application for such license shall
800 contain the name and address of the owner and shall be accompanied
801 by a surety bond as required pursuant to section 14-52, as amended by
802 this act. Each application for registration of a motor vehicle to be
803 leased for a period of more than thirty days shall contain the name and
804 address of the owner and the lessee of such vehicle. The owner of such
805 vehicle shall disclose the name and address of any subsequent lessee of
806 such vehicle to the commissioner in such manner as [he] the
807 commissioner may require. The commissioner shall ensure that such
808 information relative to the lessee is available to the Connecticut on-line
809 law enforcement communications teleprocessing system. Each person,
810 firm or corporation licensed under the provisions of this subsection
811 shall keep such books, records and accounts as the commissioner may
812 require provided each licensee shall retain a copy of each rental or
813 lease contract for a period of three years, which shall be subject to
814 inspection by the commissioner or [his] the commissioner's designee at
815 all reasonable times. The provisions of this subsection shall not apply
816 to any person, firm or corporation which, incidental to the conduct of
817 its principal business, leases or rents any motor vehicle without a
818 driver to other persons, firms or corporations whose principal business
819 is the same as that of the lessor. Violation of any provision of this
820 subsection shall be an infraction.

821 Sec. 19. Subsection (b) of section 14-15a of the general statutes is
822 repealed and the following is substituted in lieu thereof (*Effective*
823 *October 1, 2002*):

824 (b) If the commissioner finds, upon investigation, that any motor
825 vehicle available for lease or rental in this state has been registered in
826 another state for the purpose of evading, or the effect of which is the
827 avoidance of, the motor vehicle laws of this state, for the purposes of
828 paying a lower registration fee or evading the payment of any tax
829 levied by this state or any Connecticut municipality, [he] said
830 commissioner may, in [his] said commissioner's discretion, (1) prohibit
831 the lease or rental of any such motor vehicle in this state, (2) require
832 that such motor vehicle be registered in this state in accordance with

833 the provisions of section 14-12, as amended by this act, (3) suspend or
834 revoke a license to engage in such leasing or renting issued under the
835 provisions of section 14-15, as amended by this act, or (4) require a
836 licensee to furnish a bond in the amount of one thousand dollars for
837 each vehicle registered in another state. If the commissioner finds upon
838 investigation that any licensee has failed to satisfy its obligations for
839 payment of municipal property taxes, the commissioner may, thirty
840 days after the issuance of notice to such licensee, and after notice and
841 an opportunity for a hearing in accordance with the provisions of
842 chapter 54, suspend such license until all such obligations are satisfied.

843 Sec. 20. Subsection (b) of section 14-35 of the general statutes is
844 repealed and the following is substituted in lieu thereof (*Effective July*
845 *1, 2002*):

846 (b) [(1)] The applicant shall, instead of registering each motor
847 vehicle owned by [him] such applicant or temporarily in [his] the
848 applicant's custody, have issued to [him] such applicant by the
849 commissioner a general distinguishing number. Thereupon, each
850 motor vehicle owned by the applicant or temporarily in [his] the
851 applicant's custody shall be regarded as registered under and having
852 assigned to it the distinguishing number. [(2) The commissioner shall
853 charge a fee at the rate of fifty-one dollars per annum for each number
854 plate furnished for use on passenger motor vehicles or house trailers.
855 On and after July 1, 1992, the fee shall be fifty-eight dollars. (3)] The
856 commissioner shall charge a fee at the rate of [one hundred dollars per
857 annum for each number plate furnished for use on trucks or other
858 motor vehicles with a commercial registration. On and after July 1,
859 1992, the fee shall be] one hundred fourteen dollars per annum for
860 each general distinguishing number.

861 Sec. 21. Section 14-51 of the general statutes is repealed and the
862 following is substituted in lieu thereof (*Effective October 1, 2002*):

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

864 (1) "New car dealer" includes any person, firm or corporation

865 engaged in the business of merchandising new motor vehicles under a
866 manufacturer's or importer's contract for each such make of vehicle
867 who may, incidental to such business, sell used motor vehicles and
868 repair motor vehicles. [or cause them to be repaired by qualified
869 persons in his employ. He shall be a person] Such person shall be
870 qualified to conduct such business [and have a suitable and adequate
871 place of business, which shall be determined to be such by the
872 commissioner. A "used car dealer"] in accordance with the
873 requirements of section 14-52a, as amended by this act.

874 (2) "Used car dealer" includes any person, firm or corporation
875 engaged in the business of merchandising motor vehicles other than
876 new who may, incidental to such business, repair motor vehicles. [or
877 cause them to be repaired by qualified persons in his employ. He shall
878 be a person] A used car dealer does not include any person, firm or
879 corporation engaged in the business of leasing or renting motor
880 vehicles that offers for sale or sells used motor vehicles incidental to its
881 primary business, if (A) such person, firm or corporation is licensed in
882 accordance with the provisions of section 14-15, as amended by this
883 act, and (B) the motor vehicles that it offers for sale were formerly the
884 subject of one or more lease agreements to which it was a party and
885 the actual or prospective purchaser is the original lessee pursuant to a
886 purchase option specified in a lease agreement. Such person shall be
887 qualified to conduct such business [and have a suitable and adequate
888 place of business, which shall be determined to be such by the
889 commissioner. A "repairer" includes any qualified person, having a
890 suitable place of business] in accordance with the requirements of
891 section 14-52a, as amended by this act.

892 (3) "Repairer" includes any person, firm or corporation qualified to
893 conduct such business in accordance with the requirements of section
894 14-52a, as amended by this act, having a suitable facility and having
895 adequate equipment, engaged in repairing, overhauling, adjusting,
896 assembling or disassembling any motor vehicle, but shall exclude a
897 person engaged in making repairs to tires, upholstering, glazing,
898 general blacksmithing, welding and machine work on motor vehicle

899 parts when parts involving such work are disassembled or
900 reassembled by a licensed repairer. [A "limited repairer"]

901 (4) "Limited repairer" includes any qualified person, having a
902 suitable place of business and adequate equipment engaged in the
903 business of minor repairs, including repairs and replacement of
904 cooling, electrical, fuel and exhaust systems, brake adjustments,
905 relining and repairs, wheel alignment and balancing, and repair and
906 replacement of shock absorbers. For the purpose of this section, the
907 place of business of a limited repairer shall be deemed to be suitable if
908 the building in which the work of the repairer is performed has space
909 capable of receiving at least one motor vehicle at any one time,
910 exclusive of a grease pit or rack, and has adequate space for an office
911 and for the storage of parts and accessories. A person shall be deemed
912 capable of performing the duties of a limited repairer if he is, in the
913 opinion of the commissioner, a qualified mechanic who has a thorough
914 knowledge of the services to be rendered, or has a certificate of
915 completion of a specialized course from a service school approved by
916 the commissioner, or satisfactory proof of previous employment by a
917 licensed repairer for a period of three years, or has successfully passed
918 an examination given by the Department of Motor Vehicles.

919 (b) The lubricating of motor vehicles, adding or changing of oil or
920 other motor vehicle fluids, changing of tires and tubes, including the
921 balancing of wheels, or installing of batteries or light bulbs, windshield
922 wiper blades [, spark plugs, fan belts or other similar service incidental
923 to the sale of motor vehicle fuels] or drive belts shall not be construed
924 as [constituting the holder of a gasoline pump license in this state a
925 repairer] the repairing of motor vehicles under the provisions of this
926 [subdivision] subpart (D).

927 Sec. 22. Section 14-52 of the general statutes is repealed and the
928 following is substituted in lieu thereof (*Effective October 1, 2002*):

929 (a) No person, firm or corporation may engage in the business of the
930 buying, selling, offering for sale or brokerage of any motor vehicle or

931 the repairing of any motor vehicle without having been issued either a
932 new car dealer's, a used car dealer's, a repairer's or a limited repairer's
933 license. The license fee for each such license, payable to the
934 Commissioner of Motor Vehicles, shall be as follows: (1) New motor
935 vehicle dealer, [five hundred sixty dollars, and on and after July 1,
936 1993,] seven hundred dollars; (2) used motor vehicle dealer, [four
937 hundred fifty dollars, and on and after July 1, 1993,] five hundred sixty
938 dollars; and (3) repairer or limited repairer, [two hundred seventy
939 dollars, and on and after July 1, 1993,] three hundred forty dollars.
940 [Each of said fees shall be paid to the Commissioner of Motor
941 Vehicles.] Each such license shall be renewed biennially according to
942 renewal schedules established by the commissioner so as to effect
943 staggered renewal of all such licenses. If the adoption of a staggered
944 system results in the expiration of any license more or less than one
945 year from its issuance, the commissioner may charge a prorated
946 amount for such license fee. Not less than forty-five days prior to the
947 date of expiration of each such license, the commissioner shall mail to
948 each licensee an application for renewal. Any licensee which has not
949 filed the application for renewal accompanied by the prescribed fee
950 prior to the date of expiration of its license shall cease to engage in
951 business. An application for renewal filed with the commissioner after
952 the date of expiration shall be accompanied by a late fee of one
953 hundred dollars. The commissioner shall not renew any license under
954 this subsection which has expired for more than forty-five days.

955 (b) (1) [Each] Except as provided in subsection (c) of this section,
956 each applicant for a repairer's or a limited repairer's license shall
957 furnish a surety bond in the amount of five thousand dollars.

958 (2) [Each] Except as provided in subsection (c) of this section, each
959 applicant for a new car dealer's or a used car dealer's license shall
960 furnish a surety bond in the amount of twenty thousand dollars.

961 (3) Each applicant for a leasing or rental license issued pursuant to
962 section 14-15, as amended by this act, who is engaged in the leasing or
963 renting of motor vehicles for periods of thirty days or more shall

964 furnish a surety bond in the amount of ten thousand dollars.

965 (4) Each such bond required under subdivisions (1) to (3), inclusive,
966 of this subsection shall be conditioned upon the applicant or licensee
967 complying with the provisions of any state or federal law or regulation
968 relating to the conduct of such business and provided as indemnity for
969 any loss sustained by any person by reason of any acts of the licensee
970 constituting grounds for suspension or revocation of the license or
971 such licensee going out of business. Such bond shall be executed in the
972 name of the state of Connecticut for the benefit of any aggrieved party,
973 but the penalty of the bond shall not be invoked except upon order of
974 the commissioner after a hearing held before [him] said commissioner
975 in accordance with the provisions of chapter 54.

976 (c) The commissioner may request information from any applicant
977 for a repairer's license or used car dealer's license concerning the
978 financial status and ability of such applicant to comply with the
979 requirements of this subpart and the regulations adopted thereunder.
980 The commissioner shall review such information to determine if the
981 applicant has sufficient financial resources to conduct the business in a
982 manner consistent with the reasonable security and protection of its
983 customers in regard to the duties and responsibilities imposed by the
984 provisions of this subpart and the regulations adopted thereunder. The
985 commissioner may refuse to issue a license if the applicant fails to
986 provide any such information requested or, if, after review by the
987 commissioner, the commissioner is not satisfied as to such applicant's
988 financial status. The commissioner may, in any case deemed
989 appropriate, grant a license on condition that the applicant post a
990 surety bond, in accordance with the provisions of subsection (b) of this
991 section, in an amount prescribed by the commissioner that is greater
992 than the minimum amount required by the applicable provisions of
993 said subsection (b). Any applicant aggrieved by any decision of the
994 commissioner made pursuant to this subsection shall be afforded an
995 opportunity for hearing in accordance with the provisions of chapter
996 54. The commissioner may adopt regulations in accordance with
997 chapter 54 to carry out the provisions of this subsection.

998 [(c)] (d) Any person, firm or corporation engaging in the business of
999 the buying, selling, offering for sale or brokerage of any motor vehicle
1000 or of the repairing of any motor vehicle without a license shall be
1001 guilty of a class B misdemeanor.

1002 [(d)] (e) The Commissioner of Motor Vehicles shall transmit to the
1003 Commissioners of Revenue Services and Environmental Protection a
1004 summary of any complaint that [he] the Commissioner of Motor
1005 Vehicles receives alleging that a person, firm or corporation is
1006 engaging in the business of the buying, selling, offering for sale or
1007 brokerage of any motor vehicle or of the repairing of any motor vehicle
1008 without a license.

1009 Sec. 23. Section 14-52a of the general statutes is repealed and the
1010 following is substituted in lieu thereof (*Effective October 1, 2002*):

1011 [(a)] The commissioner may, after notice and hearing, refuse to
1012 grant or renew a license to a person, firm or corporation to engage in
1013 the business of selling or repairing motor vehicles pursuant to the
1014 provisions of section 14-52, as amended by this act, if the applicant for
1015 or holder of such a license, or an officer or major stockholder if the
1016 applicant or licensee is a firm or corporation, has been convicted of a
1017 violation of any provision of laws pertaining to the business of a motor
1018 vehicle dealer or repairer including a motor vehicle recycler, or of any
1019 violation involving fraud, larceny or deprivation or misappropriation
1020 of property, in the courts of the United States or of any state. At the
1021 time of application for or renewal of such a license, each applicant or
1022 licensee shall make full disclosure of any such conviction within the
1023 last five years.

1024 [(b)] The commissioner shall not refuse to grant or renew a repairer's
1025 or limited repairer's license on the ground that (1) any licensed activity
1026 shall be conducted by the licensee on real property on which shall also
1027 be located one or more other businesses, enterprises or activities,
1028 whether or not licensed under section 14-319, owned or operated by
1029 one or more persons, firms or corporations, other than the licensee, or

1030 (2) the licensee shall make use of any common areas or facilities
1031 together with the owner or operator of any such other business,
1032 enterprise or activity.]

1033 Sec. 24. Section 14-52b of the general statutes is repealed and the
1034 following is substituted in lieu thereof (*Effective October 1, 2002*):

1035 (a) In the event a manufacturer licensed in accordance with the
1036 provisions of section 14-67a cancels, terminates or fails to renew any
1037 franchise, as defined in section 42-133r, with a new car dealer, as
1038 defined in section 14-51, as amended by this act, the Commissioner of
1039 Motor Vehicles, upon receipt of written notice of such action by the
1040 manufacturer, shall, unless the dealer holds one or more additional
1041 franchises, demand that such new car dealer surrender [his] such
1042 license to the commissioner. If such action is contested by such dealer
1043 in accordance with the provisions of sections 42-133r to 42-133ee,
1044 inclusive, the commissioner shall not demand surrender of such
1045 license, and no replacement motor vehicle dealer shall be named for
1046 the dealer's point or location, except in accordance with subdivision
1047 (10) of section 42-133cc, until the proceedings to contest such action by
1048 the manufacturer are finally determined after all means of
1049 administrative, judicial and appellate review have been exhausted and
1050 the decision is adverse to the dealer.

1051 (b) No person, firm or corporation licensed as a manufacturer in
1052 accordance with the provisions of section 14-67a may be the holder of a
1053 new or used car dealer license issued in accordance with the
1054 provisions of section 14-52, as amended by this act, except a
1055 manufacturer may operate as a dealer on a temporary basis in
1056 accordance with the provisions of subdivision (8) of section 42-133cc.
1057 The provisions of this subsection shall apply to any firm or corporation
1058 that is owned or controlled by a manufacturer, as determined by the
1059 commissioner. Any applicant for a new or used car dealer license that
1060 is denied a license under the provisions of this subsection shall be
1061 entitled to a hearing in accordance with the provisions of chapter 54.

1062 (c) Notwithstanding the provisions of subsection (b) of this section,
1063 the commissioner may issue a used car dealer's license to a person,
1064 firm or corporation, owned or controlled by a manufacturer, engaged
1065 primarily in the business of rental of motor vehicles and industrial and
1066 construction equipment, provided: (1) Motor vehicles offered for sale
1067 by any such person, firm or corporation are limited to motor vehicles
1068 that have been previously used exclusively and regularly in the
1069 conduct of the business or motor vehicles traded in by purchasers of
1070 such previously used motor vehicles, (2) any warranty repairs
1071 performed by such person, firm or corporation are limited to motor
1072 vehicles that such person, firm or corporation owns, has previously
1073 owned, or has taken in trade, and (3) any retail financing provided or
1074 arranged by such person, firm or corporation is limited to vehicles sold
1075 by such person, firm or corporation.

1076 (d) The commissioner may extend the period of a license issued to a
1077 manufacturer to operate a dealership on a temporary basis, in
1078 accordance with the provisions of subsection (b) of this section and
1079 subdivision (8) of section 42-133cc, as amended by this act, for not
1080 more than one additional year, up to a maximum period of two years,
1081 if the commissioner is satisfied that such manufacturer has made and
1082 is continuing to make bona fide efforts to sell and transfer the
1083 dealership to a person, firm or corporation that is qualified to hold a
1084 new or used dealer's license.

1085 Sec. 25. Section 14-55 of the general statutes is repealed and the
1086 following is substituted in lieu thereof (*Effective October 1, 2002*):

1087 In any town, city or borough the local authorities referred to in
1088 section 14-54 shall, upon receipt of an application for a certificate of
1089 approval referred to in said section, assign the same for hearing within
1090 sixty-five days of the receipt of such application. Notice of the time and
1091 place of such hearing shall be published in a newspaper having a
1092 general circulation in such town, city or borough at least twice, at
1093 intervals of not less than two days, the first not more than fifteen, nor
1094 less than ten days, and the last not less than two days before the date

1095 of such hearing and sent by certified mail to the applicant not less than
1096 fifteen days before the date of such hearing. All decisions on such
1097 certificate of approval shall be rendered within sixty-five days of such
1098 hearing. The applicant may consent to one or more extensions of any
1099 period specified in this section, provided the total extension of any
1100 such period shall not be for longer than the original period as specified
1101 in this section. The reasons for granting or denying such application
1102 shall be stated by the board or official. Notice of the decision shall be
1103 published in a newspaper having a general circulation in such town,
1104 city or borough and sent by certified mail to the applicant within
1105 fifteen days after such decision has been rendered. Such applicant shall
1106 pay a fee of ten dollars, together with the costs of publication and
1107 expenses of such hearing, to the treasurer of such town, city or
1108 borough. No such certificate shall be issued until the application has
1109 been approved and such location has been found suitable for the
1110 business intended, with due consideration to its location in reference to
1111 schools, churches, theaters, traffic conditions, width of highway and
1112 effect on public travel. [In any case in which such approval has been
1113 previously granted for any location, the local authority may, in its
1114 discretion, waive the requirement of a hearing on a subsequent
1115 application. In addition, the local authority may, in its discretion,
1116 waive the requirement of a hearing on an application wherein the
1117 previously approved location of a place of business is to be enlarged to
1118 include adjoining or adjacent property.]

1119 Sec. 26. Section 14-57 of the general statutes is repealed and the
1120 following is substituted in lieu thereof (*Effective October 1, 2002*):

1121 Any person aggrieved by the performance of any act provided for in
1122 this subdivision (D) by such local authority [or by the commissioner]
1123 may take an appeal therefrom to the superior court for the judicial
1124 district within which such town or city is situated, or in accordance
1125 with the provisions of section 4-183. [, except venue for such appeal
1126 shall be in the judicial district of New Britain if such act was performed
1127 by the commissioner.] Any such appeal shall be privileged.

1128 Sec. 27. Section 14-58 of the general statutes is repealed and the
1129 following is substituted in lieu thereof (*Effective October 1, 2002*):

1130 (a) Each new car dealer, used car dealer or repairer before engaging
1131 in such business shall make a separate sworn application to the
1132 commissioner for a license to engage in such business in each place of
1133 business conducted by [him] such dealer. The application shall include
1134 any information that may be required by the commissioner on blanks
1135 to be furnished by [him] said commissioner. Each application shall be
1136 accompanied by a fee of one hundred forty dollars for each place of
1137 business conducted by the applicant, together with the [annual] fee for
1138 the type of license for which [he] the applicant is making application,
1139 and such fee or fees shall not be subject to prorating and shall not be
1140 subject to refund. [On and after July 1, 1985, such application fee shall
1141 be sixty dollars, on and after July 1, 1989, ninety dollars, on and after
1142 July 1, 1991, one hundred thirteen dollars, and on and after July 1,
1143 1993, one hundred forty dollars.] No such license shall be transferable.
1144 When such licensee adds buildings or adjacent land to [his] such
1145 licensee's licensed place of business, [he shall apply to the
1146 commissioner for inclusion of such building or land in his license to
1147 engage in such business. Such additions to an existing license shall be
1148 considered as the same place of business of the licensee and no
1149 additional license fee shall be required by the commissioner] the
1150 commissioner may require the licensee to furnish satisfactory evidence
1151 of compliance with the provisions of sections 14-54 and 14-55, as
1152 amended by this act, or with other applicable provisions of law,
1153 administered by the municipality wherein such business is located,
1154 concerning building or zoning requirements. When a change of officers
1155 of a corporation engaged in such business is made, a notice of the
1156 change shall be sent to the commissioner within a period of fifteen
1157 days from the date of the change. The commissioner may suspend the
1158 license of any corporation, after notice and hearing, when the newly
1159 appointed or elected officers cannot be considered as qualified to
1160 conduct the business as provided in section 14-51, as amended by this
1161 act.

1162 (b) Each such licensee shall, instead of registering each motor
1163 vehicle owned by [him] such licensee or temporarily in [his] such
1164 licensee's custody, make application to the commissioner for a general
1165 distinguishing number and mark, and the commissioner may issue to
1166 the applicant a certificate or certificates of registration containing the
1167 distinguishing number and mark assigned to such applicant, and
1168 made in a form and containing any further information that the
1169 commissioner may determine, and, thereupon, each motor vehicle
1170 owned by the applicant or temporarily in [his] the applicant's custody
1171 shall be regarded as registered under and having assigned to it such
1172 general distinguishing number and mark until sold. For the
1173 registration of all motor vehicles, registered under a general
1174 distinguishing number and mark, the commissioner shall charge a fee
1175 at the rate of [twenty dollars per annum or any part thereof for each
1176 number plate furnished. On and after July 1, 1985, the fee shall be
1177 thirty dollars, on and after July 1, 1989, forty-five dollars, on and after
1178 July 1, 1991, fifty-six dollars, and on and after July 1, 1993,] seventy
1179 dollars per year. No new car dealer may be issued more than one such
1180 registration for each ten sales transactions in a year or no repairer or
1181 limited repairer may be issued more than three registrations in a year,
1182 unless such licensee makes application for an additional registration to
1183 the commissioner, in such form and containing such information as
1184 [he] the commissioner may require to substantiate such request. No
1185 used car dealer may be issued more than three such registrations in a
1186 year, provided an additional registration may be issued for each ten
1187 sales transactions in excess of thirty such transactions upon submission
1188 of such application for an additional registration. The commissioner
1189 may issue to each such licensee such additional registrations as [he] the
1190 commissioner deems necessary. The commissioner may withdraw any
1191 registration previously issued or may limit the number of registrations
1192 which any licensee is eligible to receive or to hold, in any case where
1193 the licensee has been found to be in violation of any of the provisions
1194 of section 14-64, as amended by this act.

1195 (c) Registration certificates issued under the provisions of this

1196 section shall not be required to be carried upon such motor vehicles
1197 when upon the public highways as required under subsection (a) of
1198 section 14-13, except that the licensee shall issue to each person driving
1199 such motor vehicle a document indicating that such person is validly
1200 entrusted with such vehicle which document shall be carried in the
1201 motor vehicle. The commissioner shall determine the form and
1202 contents of this document. Legible photostatic copies of such
1203 registration certificates may be carried in such vehicles as proof of
1204 ownership. The licensee shall furnish financial responsibility
1205 satisfactory to the commissioner as defined in section 14-112, provided
1206 such financial responsibility shall not be required from a licensee when
1207 the commissioner finds that the licensee is of sufficient financial
1208 responsibility to meet such legal liability. The commissioner may issue
1209 such license upon presentation of evidence of such financial
1210 responsibility satisfactory to ~~[him]~~ the commissioner.

1211 Sec. 28. Section 14-63 of the general statutes is repealed and the
1212 following is substituted in lieu thereof (*Effective October 1, 2002*):

1213 (a) The commissioner may make, alter or repeal regulations
1214 governing the administration of all statutes relating to the license and
1215 business of dealers and repairers [after notice and hearing, provided
1216 such regulations shall not require the place of business of a repairer to
1217 have more than two bays] in accordance with the provisions of chapter
1218 54. Each such regulation shall become effective ten days after a copy
1219 thereof has been mailed to all licensees affected thereby.

1220 (b) The Commissioner of Motor Vehicles shall adopt regulations in
1221 accordance with the provisions of chapter 54 establishing (1) a
1222 procedure whereby customers of dealers and repairers may file
1223 complaints with the Department of Motor Vehicles concerning the
1224 operations of and services provided by any such licensees, and (2) a
1225 procedure specifying the circumstances under which a licensee may
1226 stipulate to a complaint and waive ~~[his]~~ such licensee's right to an
1227 administrative hearing. Such regulations shall provide for the
1228 commissioner to contact each licensee that is the subject of a complaint

1229 in order to notify such licensee of the complaint and to relate to such
1230 licensee the particular matters alleged by the complainant. The
1231 commissioner shall attempt to mediate a voluntary resolution of the
1232 complaint acceptable to the complainant and the licensee. Such
1233 regulations shall also provide that, if an acceptable resolution to the
1234 complaint is not achieved, the commissioner shall complete the
1235 commissioner's investigation of the facts and shall, if the commissioner
1236 has reason to believe that the licensee has violated any provision of
1237 section 14-64, as amended by this act, proceed to take any action
1238 authorized under the provisions of section 14-64, as amended by this
1239 act. If, after such an investigation, the commissioner elects not to take
1240 action against the licensee, the commissioner shall notify both the
1241 complainant and the licensee in writing. Such notice shall include a
1242 brief statement of the reasons why the commissioner has taken no
1243 action. The commissioner shall also inform the complainant and the
1244 licensee that an unresolved complaint exists and that, unless the
1245 commissioner has determined that the allegations, even if true, fail to
1246 state a violation of applicable statutory or regulatory standards, the
1247 same shall be recorded in the records of the department pertaining to
1248 such licensee until such time as the licensee submits to the
1249 commissioner satisfactory evidence, signed by the complainant or the
1250 complainant's attorney, that the claim has been resolved by agreement
1251 with the complainant or submits to the department satisfactory
1252 evidence of final adjudication in favor of such licensee. An agreement
1253 between the licensee and the complainant shall not preclude the
1254 commissioner from proceeding to take action if the commissioner has
1255 reason to believe that the licensee has violated any provision of section
1256 14-64, as amended by this act. A decision by the commissioner not to
1257 take action against the licensee shall be without prejudice to the claim
1258 of the customer; and neither the fact that the department has
1259 determined not to proceed nor the notice furnished to the parties, in
1260 accordance with this subsection, shall be admissible in any civil action.

1261 Sec. 29. Section 14-64 of the general statutes is repealed and the
1262 following is substituted in lieu thereof (*Effective October 1, 2002*):

1263 The commissioner may suspend or revoke the license or licenses of
1264 any licensee or impose a civil penalty of not more than one thousand
1265 dollars for each violation on any licensee or both, when, after notice
1266 and hearing, [he] the commissioner finds that the licensee (1) has
1267 [violated] been convicted of a violation of, or has failed to comply with
1268 the terms of a final decision and order of any other state department or
1269 federal agency concerning any provision of any statute or regulation
1270 [of any state or any federal statute or regulation] pertaining to [his] its
1271 business as a licensee; or (2) has failed to maintain such records of
1272 transactions concerning the purchase, sale or repair of motor vehicles
1273 or major component parts, as required by such regulations as shall be
1274 adopted by the commissioner, for a period of two years after such
1275 purchase, sale or repairs, provided the records shall include the vehicle
1276 identification number and the name and address of the person from
1277 whom each vehicle or part was purchased and to whom each vehicle
1278 or part was sold, if a sale occurred; or (3) has failed to allow inspection
1279 of such records by the commissioner or [his] the commissioner's
1280 representative during normal business hours, provided written notice
1281 stating the purpose of the inspection is furnished to the licensee, or has
1282 failed to allow inspection of such records by any representative of the
1283 Division of State Police within the Department of Public Safety or any
1284 organized local police department, which inspection may include
1285 examination of the premises to determine the accuracy of such records;
1286 or (4) has made a false statement as to the condition, prior ownership
1287 or prior use of any motor vehicle sold, exchanged, transferred, offered
1288 for sale or repaired if the licensee knew or should have known that
1289 such statement was false; or (5) is not qualified to conduct the licensed
1290 business, applying the standards of section 14-51, as amended by this
1291 act, and the applicable regulations; or (6) has violated any provision of
1292 sections 42-221 to 42-226, inclusive; or (7) has failed to fully execute or
1293 provide the buyer with (A) an order as described in section 14-62, (B)
1294 the properly assigned certificate of title, or (C) a temporary transfer or
1295 new issue of registration; or (8) has failed to deliver a motor vehicle
1296 free and clear of all liens, unless written notification is given to the
1297 buyer stating such motor vehicle shall be purchased subject to a lien; or

1298 (9) has violated any provision of sections 14-65f to 14-65j, inclusive; [. 1299 Where the commissioner has made such finding, he shall require the 1300 licensee, as a condition to his continued licensure or the reinstatement 1301 of the license following its suspension or revocation, to furnish to the 1302 commissioner a bond satisfactory to him in the amount of one 1303 thousand dollars, conditioned upon compliance with all laws 1304 pertaining to the business of the licensee and the regulations of the 1305 commissioner, which bond may be forfeited for further violation and 1306 the claim arising therefrom shall be settled or compromised subject to 1307 the approval of the commissioner. The commissioner shall return any 1308 bond furnished pursuant to this section if one year has elapsed from 1309 the date the bond was filed with the commissioner and no finding has 1310 been made by him of additional violations and no hearing is pending 1311 which could result in the forfeiture of the bond or if the licensee is no 1312 longer engaged in the business for which he was licensed. The] or (10) 1313 has used registration number plates issued by the commissioner, in 1314 violation of the provisions and standards set forth in sections 14-59 1315 and 14-60 and the applicable regulations. In addition to, or in lieu of 1316 the imposition of any other penalties authorized by this section, the 1317 commissioner may [also] order any such licensee to make restitution to 1318 any aggrieved customer.

1319 Sec. 30. (NEW) (*Effective from passage*) The Commissioner of Motor 1320 Vehicles may permit any motor vehicle dealer who is authorized to 1321 issue temporary registrations, in accordance with the provisions of 1322 subsection (c) of section 14-12 of the general statutes, as amended, and 1323 section 14-61 of the general statutes, as amended, to file the application 1324 for the permanent registration and the certificate of title by electronic 1325 transmission in a format prescribed by the commissioner provided 1326 such dealer complies with procedures established by the commissioner 1327 to ensure the timely payment of all applicable fees and tax remittances.

1328 Sec. 31. Subsection (e) of section 14-73 of the general statutes is 1329 repealed and the following is substituted in lieu thereof (*Effective* 1330 *October 1, 2002*):

1331 (e) The licensee shall be reexamined [prior to the issuance of a
1332 renewal of his instructor's license or at any time during the license
1333 period that an examination would, in the opinion of the commissioner,
1334 be in the interest of public welfare and safety] periodically in
1335 accordance with standards specified in regulations adopted under
1336 section 14-78. Persons licensed for the first time as instructors [after
1337 January 1, 1972,] shall, in the three years following their initial
1338 licensure, attend seminars, annually, in traffic safety sponsored by the
1339 Department of Motor Vehicles or take an advanced instructor course of
1340 not less than forty-five clock hours in traffic safety. The course shall
1341 have been approved by the commissioner. Proof of compliance with
1342 the requirement for attendance at seminars or the taking of instruction
1343 shall be made before license renewals are issued. The seminars shall be
1344 self-sustaining.

1345 Sec. 32. Subsection (a) of section 14-99h of the general statutes is
1346 repealed and the following is substituted in lieu thereof (*Effective from*
1347 *passage*):

1348 (a) Each new car dealer or used car dealer, as defined in section 14-
1349 51, as amended by this act, or lessor licensed under the provisions of
1350 section 14-15 shall offer the purchaser or lessee of a new or used motor
1351 vehicle, at the time of sale or lease, the optional service of etching the
1352 complete identification number of the vehicle on a lower corner of the
1353 windshield and on each side or rear window in such vehicle. Each
1354 such dealer or lessor may etch the complete identification number of a
1355 motor vehicle on any such vehicle in its inventory prior to its sale or
1356 lease provided it specifies the charge for such service separately on the
1357 [label required by the federal Automobile Information Disclosure Act,
1358 15 USC 1231 et seq] order for the sale of the motor vehicle as
1359 prescribed by the provisions of section 14-62.

1360 Sec. 33. Subdivision (8) of section 42-133cc of the general statutes is
1361 repealed and the following is substituted in lieu thereof (*Effective*
1362 *October 1, 2002*):

1363 (8) Unfairly compete with a dealer in the same line make operating
1364 under an agreement or franchise from such manufacturer or
1365 distributor in the relevant market area. A manufacturer or distributor
1366 shall not, however, be deemed to be competing when operating a
1367 dealership for a temporary period not to exceed one year, or such
1368 additional period of time as may be permitted by the Commissioner of
1369 Motor Vehicles, in accordance with the provisions of section 14-52b, as
1370 amended by this act, or in a bona fide retail operation which is for sale
1371 to any qualified person at a fair and reasonable price, or in a bona fide
1372 relationship in which an independent person has made a significant
1373 investment subject to loss in the dealership and can reasonably expect
1374 to acquire full ownership of such dealership on reasonable terms and
1375 conditions.

1376 Sec. 34. (NEW) (*Effective January 1, 2003*) As used in sections 34 to 43,
1377 inclusive, of this act, the following terms and their derivatives shall
1378 have the following meanings:

1379 (1) "Administrative action" means a final determination by a duly
1380 authorized administrative agency that a person has violated laws
1381 related to the operation of a motor vehicle, or that a person is incapable
1382 of safely operating a motor vehicle;

1383 (2) "Citation" means any summons, complaint or other official
1384 document issued to a person by a duly authorized law enforcement
1385 officer or judicial official for any violation relating to conduct to be
1386 reported under the driver license agreement;

1387 (3) "Conviction" shall have the meaning stated in subdivision (16) of
1388 subsection (a) of section 14-1 of the general statutes, as amended by
1389 this act, and shall include a judgment by default, or in absentia;

1390 (4) "Driver control record" means the driving history record
1391 maintained by the jurisdiction of record in accordance with the driver
1392 license agreement;

1393 (5) "Failure to comply" means failure to appear or to answer a

1394 citation in the manner required by law or the failure to pay fines,
1395 penalties or costs related to the disposition of the violation for which
1396 the citation has been issued;

1397 (6) "Jurisdiction" means a state, territory or possession of the United
1398 States, the District of Columbia, a territory or province of Canada or
1399 any state of the Republic of Mexico or the federal district of Mexico;

1400 (7) "Jurisdiction of record" means the jurisdiction that has issued the
1401 last driver's license to a person or if the person has not been issued a
1402 driver's license, the jurisdiction of the person's most current address, as
1403 shown on the citation, or record of conviction or on any associated
1404 report;

1405 (8) "License", "driver's license" or "operator's license" means an
1406 authorization or privilege to operate a motor vehicle in accordance
1407 with the laws of a jurisdiction that is recognized by all member
1408 jurisdictions;

1409 (9) "Licensing authority" means the official organization or entity
1410 responsible for administering the driver licensing laws of a member
1411 jurisdiction, and with reference to this state, means the Commissioner
1412 of Motor Vehicles;

1413 (10) "Member jurisdiction" means a jurisdiction that has entered into
1414 the driver license agreement; and

1415 (11) "Withdrawal" means the suspension, revocation, cancellation or
1416 denial of a license or motor vehicle registration or of the privilege to
1417 operate a motor vehicle or to obtain a license or registration.

1418 Sec. 35. (NEW) (*Effective January 1, 2003*) The Commissioner of
1419 Motor Vehicles may enter into a driver license agreement with any
1420 other state legally joining in such agreement. The commissioner may
1421 exercise the powers and duties conferred by the provisions of sections
1422 34 to 43, inclusive, of this act and may adopt regulations, in accordance
1423 with the provisions of chapter 54 of the general statutes, as necessary

1424 to meet the obligations of membership and to fully participate with
1425 other member states in the driver license agreement.

1426 Sec. 36. (NEW) (*Effective January 1, 2003*) This state and the other
1427 party states to the driver license agreement find and declare that:

1428 (1) Each driver shall have one driver's license issued by a
1429 jurisdiction, that is recognized by all member jurisdictions, and shall
1430 have one driver control record;

1431 (2) All efforts shall be made to strengthen cooperation among
1432 member jurisdictions so that all drivers are required to answer charges
1433 of violation of motor vehicle and traffic laws, and to comply with the
1434 procedures for the disposition of such charges, regardless of the
1435 jurisdiction where any such violation occurs;

1436 (3) Reciprocal recognition of driver's licenses and of motor vehicle
1437 and traffic violations related to highway safety shall be facilitated, for
1438 the benefit of all member jurisdictions;

1439 (4) Compliance by each driver with all provisions of law pertaining
1440 to the safe operation of a motor vehicle shall be required as a condition
1441 to the issuance and to the retention of a driver's license;

1442 (5) Conviction of a driver or owner for any motor vehicle and traffic
1443 violation related to highway safety in any jurisdiction shall be treated
1444 as if the violation had occurred in the jurisdiction of record, for the
1445 purpose of maintaining the driver control record and of imposing
1446 administrative sanctions, as authorized by law;

1447 (6) All drivers shall be allowed to proceed on their way and shall
1448 not be required to appear in person before a court or other tribunal,
1449 regardless of their jurisdiction of record, after having been issued a
1450 citation for certain motor vehicle and traffic violations;

1451 (7) All efforts shall be made to achieve greater uniformity among all
1452 member jurisdictions regarding the exchange of information on
1453 drivers, licenses, and driver control records, including convictions of

1454 violations and license withdrawal actions; and

1455 (8) All member jurisdictions shall act in the best interests of
1456 highway safety and in a spirit of mutual cooperation to attain and
1457 monitor compliance with the driver license agreement and to resolve
1458 any dispute that may arise, at the administrative agency level of
1459 authority and decision-making.

1460 Sec. 37. (NEW) (*Effective January 1, 2003*) (a) Upon application for a
1461 motor vehicle operator's license, the Commissioner of Motor Vehicles
1462 shall determine whether the applicant has ever held, or is the holder
1463 of, a license issued by any other jurisdiction. The commissioner shall
1464 not issue a license to any applicant whose license is withdrawn in any
1465 other member jurisdiction for any conviction or administrative action
1466 required to be reported under the driver license agreement, as
1467 evidenced by the driver control record. The commissioner shall not
1468 issue a license to any applicant who is the subject of a notice of failure
1469 to comply, as reported by any other member jurisdiction. If the
1470 applicant is the holder of any unexpired license issued by another
1471 jurisdiction, the commissioner shall not issue a license unless the
1472 applicant surrenders such license document previously issued by such
1473 jurisdiction.

1474 (b) Notwithstanding the provisions of subsection (a) of this section,
1475 the commissioner may issue a class 1 or class 2 operator's license, or a
1476 motorcycle operator's license, to an applicant who is the subject of a
1477 withdrawal of a commercial driver's license in any other member
1478 jurisdiction if the conduct on which such withdrawal is based would
1479 not have resulted in the withdrawal of the privilege to operate any
1480 motor vehicle other than a commercial motor vehicle.

1481 (c) Notwithstanding the provisions of subsection (a) of this section,
1482 the commissioner may issue a motor vehicle operator's license to (1) an
1483 applicant who is the subject of a withdrawal that occurred five years or
1484 more before the date of application, or (2) an applicant whose license
1485 has been withdrawn for the period of time required by the jurisdiction

1486 of record, but whose license has not been returned or restored by such
1487 jurisdiction due to the failure or the alleged failure to fulfill
1488 reinstatement requirements, pertaining to the filing of proof of
1489 financial responsibility or necessitating personal attendance in such
1490 jurisdiction including, but not limited, to a requirement to complete an
1491 education or treatment program. In exercising the discretion to grant
1492 or deny an application for a license as conferred by the provisions of
1493 this subsection, the commissioner shall review and consider the entire
1494 driver control record of the applicant, and may require additional
1495 information and references from the applicant such as will attest to the
1496 applicant's present fitness and capability to safely operate a motor
1497 vehicle.

1498 Sec. 38. (NEW) (*Effective January 1, 2003*) (a) The Commissioner of
1499 Motor Vehicles shall maintain a driver control record for each person
1500 who has been issued a motor vehicle operator's license, until such time
1501 as the commissioner is notified by another member jurisdiction that
1502 such person has surrendered such license and has been issued a license
1503 by such other jurisdiction.

1504 (b) Upon notification of issuance of a license by another member
1505 jurisdiction, in accordance with subsection (a) of this section, the
1506 commissioner shall transfer the driver control record to the driver
1507 licensing authority of such new jurisdiction of record within thirty
1508 days.

1509 (c) Each driver control record shall contain the information
1510 prescribed by the commissioner, in accordance with the terms of the
1511 driver license agreement and as set forth in regulations adopted by the
1512 commissioner in accordance with the provisions of chapter 54 of the
1513 general statutes.

1514 (d) The commissioner shall maintain a record as to all convictions
1515 and administrative actions for motor vehicle and traffic violations
1516 committed in this state, and for any cases of failure to comply, as
1517 reported to the commissioner in accordance with the provisions of

1518 sections 14-140 and 14-141 of the general statutes, by any person who
1519 has not been issued a motor vehicle or motorcycle operator's license by
1520 the commissioner or by the licensing authority of any other member
1521 jurisdiction, or whose license has expired or been cancelled. The
1522 commissioner shall transmit such record to such licensing authority of
1523 another jurisdiction, upon notification of the issuance of a license to
1524 such person.

1525 Sec. 39. (NEW) (*Effective January 1, 2003*) (a) The Centralized
1526 Infractions Bureau of the Superior Court and each court having
1527 jurisdiction of each case involving a violation of any general statute
1528 relating to motor vehicles shall, in accordance with the provisions of
1529 section 14-141 of the general statutes, continue to report to the
1530 Commissioner of Motor Vehicles the name, operator's license number,
1531 jurisdiction of licensure, and such other information as may be
1532 available concerning each nonresident owner or operator of a motor
1533 vehicle who has been convicted of a violation of any statute relating to
1534 motor vehicles, or has failed to appear for any scheduled court
1535 appearance, or has failed to submit a plea of not guilty by the answer
1536 date, or has not paid the full amount of any fine or additional fee
1537 required by law.

1538 (b) Except as provided in subsection (a) of section 14-140 of the
1539 general statutes, any person who has been charged by any law
1540 enforcement officer of this state with a violation of any provision of
1541 any general statute relating to motor vehicles may be released upon
1542 such person's own recognizance, without posting collateral or bond.

1543 (c) Upon receipt of each report made pursuant to subsection (a) of
1544 this section concerning a nonresident owner or operator of a motor
1545 vehicle, the commissioner shall notify the jurisdiction of record, in
1546 accordance with the procedures of the driver license agreement. Each
1547 notification of a conviction shall be made within thirty days of receipt
1548 by the commissioner. No such notification shall be made pursuant to
1549 this subsection more than six months later than the date of disposition
1550 by the court.

1551 (d) Upon receipt of a notice of failure to comply with a citation
1552 issued by any member jurisdiction, or administrative action taken by
1553 such jurisdiction concerning any person who is licensed to operate a
1554 motor vehicle in this state or who is the owner of a motor vehicle
1555 registered in this state, the commissioner shall proceed to suspend
1556 such person's operator's license and, if authorized or required by any
1557 provision of the general statutes, the registration of any motor vehicle
1558 owned by such person, or the privilege to register any motor vehicle,
1559 until such time as the commissioner is duly notified, in the manner
1560 provided by the procedures of the driver license agreement, that such
1561 person has complied with the terms of such citation.

1562 (e) The provisions of subsections (c) and (d) of this section shall
1563 apply only to citations issued for motor vehicle traffic or safety
1564 violations identified in the code of the driver license agreement, as set
1565 forth in regulations adopted by the commissioner, in accordance with
1566 the provisions of chapter 54 of the general statutes.

1567 Sec. 40. (NEW) (*Effective January 1, 2003*) (a) If the Commissioner of
1568 Motor Vehicles receives a report from any member jurisdiction of the
1569 conviction in such jurisdiction of any person licensed to operate a
1570 motor vehicle in this state, for acts or conduct of the nature described
1571 in subsection (b) of this section, the commissioner shall suspend the
1572 operator's license of such person for the period of time required for a
1573 conviction of the equivalent offense under the provisions of the
1574 general statutes, as listed in subsection (b) of this section, for the same
1575 acts or conduct occurring in this state.

1576 (b) For the purpose of the action required to be taken by the
1577 commissioner in accordance with subsection (a) of this section, the
1578 conviction in another member jurisdiction for an offense involving the
1579 following acts or conduct shall be treated as a conviction under the
1580 following subdivisions:

1581 (1) Manslaughter or assault with a motor vehicle or negligent
1582 homicide with a motor vehicle shall be deemed a conviction of a

1583 violation of section 53a-56b, 53a-60d or 14-222a of the general statutes;

1584 (2) Operation of a motor vehicle while under the influence of
1585 alcohol or drugs, or any combination thereof, shall be deemed a
1586 conviction of a violation of subsection (a) of section 14-227a of the
1587 general statutes;

1588 (3) Leaving the scene of an accident or failure to stop and render aid
1589 in the event of an accident or collision resulting in the death or
1590 personal injury of another shall be deemed a conviction of a violation
1591 of either subsection (a) or (b) of section 14-224 of the general statutes,
1592 depending on the acts or conduct reported and the circumstances as
1593 determined by the commissioner; or

1594 (4) Unsafe, dangerous or reckless operation of a motor vehicle shall
1595 be deemed a conviction of a violation of section 14-222 of the general
1596 statutes.

1597 (c) If the commissioner is notified by a member jurisdiction that a
1598 person who is the holder of a motor vehicle operator's license issued in
1599 this state has been convicted of a felony, in the commission of which a
1600 motor vehicle was used, the commissioner shall, if such person's acts
1601 or conduct would constitute an offense classified as a felony under
1602 section 53a-25 of the general statutes, suspend such person's operator's
1603 license for such period of time as may be determined by the
1604 commissioner.

1605 (d) If the commissioner is notified by a member jurisdiction that a
1606 person who is the holder of a motor vehicle operator's license has been
1607 convicted of driving under the influence of alcohol or drugs, in
1608 accordance with subdivision (2) of subsection (b) of this section, the
1609 commissioner may consider the conviction as a second or subsequent
1610 violation of section 14-227a of the general statutes, as amended by this
1611 act, if such person has been convicted previously of a violation of
1612 section 14-227a of the general statutes, as amended by this act, or has
1613 been convicted previously of a substantially similar offense in a
1614 member jurisdiction, as shown by such person's driver control record,

1615 within the past ten years, and the commissioner may impose the
1616 suspension for the period of time required for a second or subsequent
1617 offense by the provisions of subsection (h) of section 14-227a of the
1618 general statutes. It shall not be a defense to a suspension imposed
1619 pursuant to this subsection, or subdivision (2) of subsection (b) of this
1620 section, that the blood alcohol concentration of the person convicted in
1621 a member jurisdiction, or the blood alcohol concentration required for
1622 conviction of a per se offense in the member jurisdiction in which the
1623 person was convicted, is less than the blood alcohol concentration
1624 required for conviction of a per se offense in this state.

1625 Sec. 41. (NEW) (*Effective January 1, 2003*) (a) Any notice or copy of a
1626 record furnished to the Commissioner of Motor Vehicles by any
1627 member jurisdiction in accordance with the provisions and obligations
1628 of the driver license agreement and sections 34 to 43, inclusive, of this
1629 act, concerning any conviction, administrative action, withdrawal and
1630 the status of issuance of a license or motor vehicle registration may be
1631 transmitted and received by electronic or documentary means. Any
1632 such notice or record shall, when certified, be admissible in any
1633 hearing conducted by the commissioner and in any appeal taken from
1634 a final decision of the commissioner, in accordance with the provisions
1635 of section 4-183 of the general statutes. Any such notice or record so
1636 transmitted and certified shall be accepted as proof of the facts
1637 contained therein, in the absence of evidence to the contrary.

1638 (b) A notice or record as referred to in subsection (a) of this section
1639 may be certified by electronic means in an electronic format and, when
1640 so certified, shall be accepted by the commissioner and by any court of
1641 this state as proof of the facts contained therein, in the absence of
1642 evidence to the contrary. As used in this section, the term "record"
1643 includes, but is not limited to, any paper, document, facsimile
1644 information, micro-photographically stored information or digitized
1645 image maintained, deposited or filed with a member jurisdiction.

1646 Sec. 42. (NEW) (*Effective January 1, 2003*) Any notification, report or
1647 record received from any state that is a member of the driver license

1648 compact may be used by the Commissioner of Motor Vehicles for any
1649 purpose authorized by section 34 to 41, inclusive, of this act in the
1650 same manner and to the same extent as any such notification, report or
1651 record received from any jurisdiction that is a member of the driver
1652 license agreement.

1653 Sec. 43. (NEW) (*Effective January 1, 2003*) Any person aggrieved by
1654 an action of the commissioner taken under the authority of sections 34
1655 to 42, inclusive, of this act to withdraw a license or registration, or the
1656 privilege to operate a motor vehicle or to register a motor vehicle in
1657 this state shall be entitled, upon request, to a hearing conducted in
1658 accordance with the provisions of chapter 54 of the general statutes.

1659 Sec. 44. Subsection (e) of section 14-49 of the general statutes is
1660 repealed and the following is substituted in lieu thereof (*Effective*
1661 *October 1, 2002*):

1662 (e) (1) For the registration of a passenger motor vehicle used in part
1663 for commercial purposes, the commissioner shall charge a biennial fee
1664 of seventy-eight dollars. (2) For the registration of a school bus, the
1665 commissioner shall charge an annual fee of one hundred dollars for a
1666 type I school bus and sixty dollars for a type II school bus. (3) For the
1667 registration of a motor vehicle when used in part for commercial
1668 purposes and as a passenger motor vehicle or of a motor vehicle
1669 having a seating capacity greater than ten and not used for the
1670 conveyance of passengers for hire, the commissioner shall charge a
1671 biennial fee for gross weight as for commercial registration, as outlined
1672 in section 14-47, plus the sum of eight dollars. (4) A motor vehicle used
1673 in part for commercial purposes and used in part for private passenger
1674 purposes and registered pursuant to this section shall be issued a
1675 number plate bearing the word "combination". No vehicle registered as
1676 combination may have a gross vehicle weight [~~exceeding~~] rating in
1677 excess of ten thousand pounds.

1678 Sec. 45. Subsection (a) of section 42-133dd of the general statutes is
1679 repealed and the following is substituted in lieu thereof (*Effective*

1680 October 1, 2002):

1681 (a) In the event that a manufacturer or distributor seeks to enter into
1682 a franchise establishing a new dealer or relocating an existing dealer
1683 within or into a relevant market area where the same line make is then
1684 represented, the manufacturer or distributor shall in writing, by
1685 certified mail, first notify the commissioner and each dealer in such
1686 line make in the relevant market area of its intention to establish a new
1687 dealer or to relocate an existing dealer within or into that market area.
1688 Within twenty days of receiving such notice or within twenty days
1689 after the end of any appeal procedure provided by the manufacturer or
1690 distributor, any such dealer may file with the commissioner a protest
1691 concerning the [establishing or relocating] proposed establishment or
1692 relocation of such new or existing dealer. When such a protest is filed,
1693 the commissioner shall inform the manufacturer or distributor that a
1694 timely protest has been filed, and that the manufacturer or distributor
1695 shall not establish or relocate the proposed dealer until the
1696 commissioner has held a hearing, nor thereafter, if the commissioner
1697 determines that there is good cause for denying the establishment or
1698 relocation of such dealer. In any hearing held pursuant to this section,
1699 the manufacturer or distributor has the burden of proving that good
1700 cause exists for permitting the proposed establishment or relocation.
1701 This section shall not apply to the sale, lease or transfer of ownership
1702 of an active, existing dealer, nor shall any provision of this section
1703 prohibit a manufacturer from entering into a franchise arrangement
1704 with a successor dealer at the same location.

1705 Sec. 46. Section 14-51a of the general statutes is repealed and the
1706 following is substituted in lieu thereof (*Effective July 1, 2002*):

1707 The commissioner may, after notice and hearing, impose a civil
1708 penalty of not more than one thousand dollars on any person, firm or
1709 corporation who violates any provision of sections [14-53] 14-54 to 14-
1710 67a, inclusive, as amended by this act, or of not more than two
1711 thousand dollars on any person, firm or corporation who violates
1712 section 14-52.

1713 Sec. 47. Subsection (b) of section 14-111 of the general statutes is
1714 repealed and the following is substituted in lieu thereof (*Effective July*
1715 *1, 2002*):

1716 (b) (1) Whenever the holder of any motor vehicle operator's license
1717 has been convicted or has forfeited any bond taken or has received a
1718 suspended judgment or sentence for any of the following violations,
1719 the commissioner shall, without hearing, suspend his operator's license
1720 as follows: For a first violation of subsection (a) of section 14-224 or
1721 section 14-110, 14-215 or 53a-119b, for a period of not less than one
1722 year and, for a subsequent violation thereof, for a period of not less
1723 than five years; for a violation of subsection (a) of section 14-222, for a
1724 period of not less than thirty days nor more than ninety days and, for a
1725 subsequent violation thereof, for a period of not less than ninety days;
1726 [for a first violation of section 14-145, for a period of not less than six
1727 months and, for a subsequent violation thereof, for a period of not less
1728 than five years;] for a violation of subsection (b) of section 14-224, for a
1729 period of not less than ninety days; for a first violation of subsection
1730 (b) of section 14-147, for a period of not less than ninety days and, for a
1731 subsequent violation thereof, for a period of not less than five years;
1732 for a first violation of subsection (c) of section 14-147, for a period of
1733 not less than thirty days and, for a subsequent violation thereof, for a
1734 period of not less than one year.

1735 (2) The commissioner may suspend the motor vehicle operator's
1736 license of any person (A) who was arrested for a felony, and (B) for
1737 whom there is an outstanding warrant for rearrest for failing to appear
1738 when legally called with regard to such felony. The suspension shall
1739 terminate no later than the date on which such person appears before
1740 the court with regard to such felony or such failure to appear.

1741 Sec. 48. Subsection (k) of section 14-111 of the general statutes is
1742 repealed and the following is substituted in lieu thereof (*Effective July*
1743 *1, 2002*):

1744 (k) Whenever any person has been convicted of any violation of

1745 section 14-110, [14-145,] 14-147, 14-215, [14-219,] 14-222 [,] or 14-224 [or
1746 14-229 or has had his case nulled or judgment or execution suspended
1747 or has forfeited his bond,] and [his] such person's license has been
1748 suspended [or revoked] by the commissioner, [he] or if such person
1749 has had his or her license suspended in accordance with the provisions
1750 of section 14-111c or section 40 of this act, such person may make
1751 application to the commissioner for the reversal or reduction of the
1752 term of such suspension. [or revocation.] Such application shall be in
1753 writing and shall state specifically the reasons why such applicant
1754 believes that [he] the applicant is entitled to such reversal or reduction.
1755 [If the commissioner determines to grant such hearing, he may require
1756 the applicant to file with him a trial fee, the amount of which shall be
1757 discretionary with the commissioner. Upon the deposit of such trial
1758 fee, the commissioner may make such further investigation as he
1759 deems necessary, may hear evidence presented and may return the
1760 registration certificate or operator's license to the applicant
1761 unconditionally or upon condition. The commissioner is further
1762 empowered to return part or all of such trial fee to such applicant after
1763 an opinion has been rendered by him. The amount of all trial fees not
1764 so returned shall be deposited at least once every three months with
1765 the State Treasurer. The commissioner may require such application,
1766 fee and hearing as a condition precedent to the return of any license
1767 suspended or revoked.] The commissioner shall consider each such
1768 application and the applicant's driver control record, as defined in
1769 section 34 of this act, and may grant a hearing to the applicant in
1770 accordance with the provisions of chapter 54 and section 14-4a.

1771 Sec. 49. Section 14-10 of the general statutes is repealed and the
1772 following is substituted in lieu thereof (*Effective from passage*):

1773 (a) For the purposes of this section:

1774 (1) "Disclose" means to engage in any practice or conduct to make
1775 available and make known, by any means of communication, personal
1776 information or highly restricted personal information contained in a
1777 motor vehicle record pertaining to an individual to any other

1778 individual, organization or entity;

1779 (2) "Motor vehicle record" means any record that pertains to an
1780 operator's license, learner's permit, identity card, registration,
1781 certificate of title or any other document issued by the Department of
1782 Motor Vehicles;

1783 (3) "Personal information" means information that identifies an
1784 individual and includes an individual's photograph or computerized
1785 image, Social Security number, operator's license number, name,
1786 address other than the zip code, telephone number, or medical or
1787 disability information, but does not include information on motor
1788 vehicle accidents or violations, or information relative to the status of
1789 an operator's license, registration or insurance coverage; [and]

1790 (4) "Highly restricted personal information" means an individual's
1791 photograph or computerized image, Social Security number or medical
1792 or disability information; and

1793 ~~[(4)]~~ (5) "Express consent" means an affirmative agreement given by
1794 the individual who is the subject of personal information that
1795 specifically grants permission to the department to release such
1796 information to the requesting party. Such agreement shall (A) be in
1797 writing or such other form as the commissioner may determine in
1798 regulations adopted in accordance with the provisions of chapter 54,
1799 and (B) specify a procedure for the individual to withdraw such
1800 consent, as provided in regulations adopted in accordance with the
1801 provisions of chapter 54.

1802 (b) A number shall be assigned to each motor vehicle registration
1803 and operator's license and a record of all applications for motor vehicle
1804 registrations and operators' licenses issued shall be kept by the
1805 commissioner at the main office of the Department of Motor Vehicles.

1806 (c) (1) All records of the Department of Motor Vehicles pertaining to
1807 the application for registration, and the registration, of motor vehicles
1808 of the current or previous three years shall be maintained by the

1809 commissioner at the main office of the department. Any such records
1810 over three years old may be destroyed at the discretion of the
1811 commissioner. (2) Before disclosing personal information pertaining to
1812 an applicant or registrant from such motor vehicle records or allowing
1813 the inspection of any such record containing such personal information
1814 in the course of any transaction conducted at such main office, the
1815 commissioner shall ascertain whether such disclosure is authorized
1816 under subsection (f) of this section, and require the person or entity
1817 making the request to (A) complete an application that shall be on a
1818 form prescribed by the commissioner, (B) provide two forms of
1819 acceptable identification, and (C) pay a fee of fifteen dollars to the
1820 commissioner in addition to any fee required under section 14-50a. An
1821 attorney-at-law admitted to practice in this state may provide his or
1822 her juris number to the commissioner in lieu of the requirements of
1823 subparagraph (B) of this subdivision. The commissioner may disclose
1824 such personal information or permit the inspection of such record
1825 containing such information only if such disclosure is authorized
1826 under subsection (f) of this section.

1827 (d) The commissioner may disclose personal information from a
1828 motor vehicle record pertaining to an operator's license or a driving
1829 history or permit the inspection or copying of any such record or
1830 history containing such information in the course of any transaction
1831 conducted at the main office of the department only if such disclosure
1832 is authorized under subsection (f) of this section. Any such records
1833 over five years old may be destroyed at the discretion of the
1834 commissioner.

1835 (e) In the event (1) a federal court judge, federal court magistrate or
1836 judge of the Superior Court, Appellate Court or Supreme Court of the
1837 state, (2) a member of a municipal police department or a member of
1838 the Division of State Police within the Department of Public Safety, (3)
1839 an employee of the Department of Correction, (4) an attorney-at-law
1840 who represents or has represented the state in a criminal prosecution,
1841 or (5) a member or employee of the Board of Parole submits a written
1842 request and furnishes such individual's business address to the

1843 commissioner, such business address only shall be disclosed or
1844 available for public inspection to the extent authorized by this section.

1845 (f) The commissioner may disclose personal information from a
1846 motor vehicle record to:

1847 (1) Any federal, state or local government agency in carrying out its
1848 functions or to any individual or entity acting on behalf of any such
1849 agency, or

1850 (2) Any individual, organization or entity that signs and files with
1851 the commissioner, under penalty of false statement as provided in
1852 section 53a-157b, a statement on a form approved by the
1853 commissioner, together with such supporting documentation or
1854 information as the commissioner may require, that such information
1855 will be used for any of the following purposes:

1856 (A) In connection with matters of motor vehicle or driver safety and
1857 theft, motor vehicle emissions, motor vehicle product alterations,
1858 recalls or advisories, performance monitoring of motor vehicles and
1859 dealers by motor vehicle manufacturers and removal of nonowner
1860 records from the original owner records of motor vehicle
1861 manufacturers to implement the provisions of the federal Automobile
1862 Information Disclosure Act, 15 USC 1231 et seq., the Motor Vehicle
1863 Information and Cost Saving Act, 15 USC 1901 et seq., the National
1864 Traffic and Motor Vehicle Safety Act of 1966, 15 USC 1381 et seq., Anti-
1865 Car Theft Act of 1992, 15 USC 2021 et seq., and the Clean Air Act, 42
1866 USC 7401 et seq., as amended from time to time, and any provision of
1867 the general statutes enacted to attain compliance with said federal acts;

1868 (B) In the normal course of business by the requesting party, but
1869 only to confirm the accuracy of personal information submitted by the
1870 individual to the requesting party;

1871 (C) In connection with any civil, criminal, administrative or arbitral
1872 proceeding in any court or government agency or before any self-
1873 regulatory body, including the service of process, an investigation in

1874 anticipation of litigation and the execution or enforcement of
1875 judgments and orders, or pursuant to an order of any court provided
1876 the requesting party is a party in interest to such proceeding;

1877 (D) In connection with matters of motor vehicle or driver safety and
1878 theft, motor vehicle emissions, motor vehicle product alterations,
1879 recalls or advisories, performance monitoring of motor vehicles and
1880 motor vehicle parts and dealers, motor vehicle market research
1881 activities including survey research, motor vehicle product and service
1882 communications, and removal of nonowner records from the original
1883 owner records of motor vehicle manufacturers, provided the personal
1884 information is not published, disclosed or used to contact individuals
1885 except as permitted under subparagraph (A) of this subdivision;

1886 (E) By any insurer or insurance support organization or by a self-
1887 insured entity or its agents, employees or contractors, in connection
1888 with the investigation of claims arising under insurance policies,
1889 antifraud activities, rating or underwriting;

1890 (F) In providing any notice required by law to owners or lienholders
1891 named in the certificate of title of towed, abandoned or impounded
1892 motor vehicles;

1893 (G) By an employer or its agent or insurer to obtain or verify
1894 information relating to a holder of a passenger endorsement or
1895 commercial driver's license required under the federal Commercial
1896 Motor Vehicle Safety Act of 1986, 49 USC 2304 et seq., and sections 14-
1897 44 to 14-44m, inclusive;

1898 (H) In connection with any lawful purpose of a labor organization,
1899 as defined in section 31-77, provided (i) such organization has entered
1900 into a contract with the commissioner, on such terms and conditions as
1901 the commissioner may require, and (ii) the information will be used
1902 only for the purposes specified in the contract other than campaign or
1903 political purposes;

1904 (I) For bulk distribution for surveys, marketing or solicitations

1905 provided the commissioner has obtained the express consent of the
1906 individual to whom such personal information pertains;

1907 (J) For the purpose of preventing fraud by verifying the accuracy of
1908 personal information contained in a motor vehicle record, including an
1909 individual's photograph or computerized image, as submitted by an
1910 individual to a legitimate business or an agent, employee or contractor
1911 of a legitimate business, provided the individual has provided express
1912 consent in accordance with subdivision (4) of subsection (a) of this
1913 section.

1914 (g) Any person receiving personal information from a motor vehicle
1915 record pursuant to subsection (f) of this section shall be entitled to use
1916 such information for any of the purposes set forth in said subsection.

1917 (h) Notwithstanding any provision of this section, the disclosure of
1918 personal information from a motor vehicle record pursuant to
1919 subsection (f) of this section shall be subject to the provisions of section
1920 14-50a concerning (1) the fees that shall be charged for copies of or
1921 information pertaining to motor vehicle records and (2) the authority
1922 of the commissioner to establish fees for information furnished on a
1923 volume basis in accordance with such terms and conditions regarding
1924 the use and distribution of such information as the commissioner may
1925 prescribe.

1926 (i) Notwithstanding any provision of this section that restricts or
1927 prohibits the disclosure of personal information from a motor vehicle
1928 record, the commissioner may disclose personal information contained
1929 in any such record to any individual who is the subject of such
1930 personal information or to any person who certifies under penalty of
1931 false statement that such person has obtained the express consent of
1932 the subject of such personal information.

1933 (j) Notwithstanding any provision of this section that permits the
1934 disclosure of personal information from a motor vehicle record, the
1935 commissioner may disclose highly restricted personal information
1936 contained in any such record only in accordance with the provisions of

1937 18 USC 2721 et seq., as amended.

1938 [(j)] (k) The commissioner may adopt regulations in accordance with
1939 chapter 54 to implement the provisions of this section.

1940 Sec. 50. Subsection (b) of section 14-20 of the general statutes, as
1941 amended by section 2 of public act 01-191, is repealed and the
1942 following is substituted in lieu thereof (*Effective July 1, 2002*):

1943 (b) Notwithstanding the provisions of subsection (a) of this section,
1944 section 14-18 and section 14-21b, the owner of an antique, rare or
1945 special interest motor vehicle may be authorized by the commissioner
1946 to display a number plate originally issued by the Commissioner of
1947 Motor Vehicles corresponding to the year of manufacture of such
1948 antique, rare or special interest motor vehicle. The commissioner shall
1949 issue a certificate of registration, as provided in section 14-12, as
1950 amended by this act. Such registration shall be valid, subject to
1951 renewal, [so] as long as the commissioner permits. Thereafter, the
1952 registration number and number plates, if any, which were assigned to
1953 such motor vehicle before such registration and number plates were
1954 issued under this section, shall be in effect. Each such number plate
1955 authorized for use by the commissioner shall be displayed in a
1956 conspicuous place at the rear of such motor vehicle at all times while
1957 the vehicle is in use or operation upon any public highway. A sticker
1958 shall be affixed to each such number plate to denote the expiration
1959 date of the registration, unless the commissioner authorizes the sticker,
1960 or other evidence of the period of the registration, to be placed
1961 elsewhere or carried in such motor vehicle. Such sticker may contain
1962 the corresponding letters and numbers of the registration and number
1963 plate. The commissioner may adopt regulations, in accordance with
1964 chapter 54, to implement the provisions of this subsection.

1965 Sec. 51. Subsection (q) of section 14-49 of the general statutes is
1966 repealed and the following is substituted in lieu thereof (*Effective July*
1967 *1, 2002*):

1968 (q) The commissioner shall collect a biennial fee of twenty-eight

1969 dollars for the registration of each motor vehicle used exclusively for
1970 farming purposes. No such motor vehicle may be used for the purpose
1971 of transporting goods for hire or taking the on-the-road skills test
1972 portion of the examination for a motor vehicle operator's license. No
1973 farm registration shall be issued to any person operating a farm that
1974 has gross annual sales of less than two thousand five hundred dollars
1975 in the calendar year preceding registration. The commissioner may
1976 issue a farm registration for a passenger motor vehicle under such
1977 conditions as [such] said commissioner shall prescribe in regulations
1978 adopted in accordance with chapter 54. No motor vehicle issued a farm
1979 registration may be used to transport ten or more passengers on any
1980 highway unless such motor vehicle meets the requirements for
1981 equipment and mechanical condition set forth in this chapter, and, in
1982 the case of a vehicle used to transport more than fifteen passengers,
1983 including the driver, the applicable requirements of the Code of
1984 Federal Regulations, as adopted by the commissioner, in accordance
1985 with the provisions of subsection (a) of section 14-163c. The operator of
1986 such motor vehicle used to transport ten or more passengers shall hold
1987 a public transportation permit or endorsement issued in accordance
1988 with the provisions of section 14-44. Any farm registration used
1989 otherwise than as provided by this subsection shall be revoked.

1990 Sec. 52. Subsection (e) of section 14-36 of the general statutes is
1991 repealed and the following is substituted in lieu thereof (*Effective*
1992 *January 1, 2003*):

1993 (e) (1) No motor vehicle operator's license shall be issued until (A)
1994 the applicant signs and files with the commissioner an application
1995 under oath, except that renewals from the year immediately preceding
1996 need not be under oath, stating such information as the commissioner
1997 requires, and (B) the commissioner is satisfied that the applicant is
1998 sixteen years of age or older and is a suitable person to receive the
1999 license. (2) An applicant for a new motor vehicle operator's license
2000 shall, in the discretion of the commissioner, file, with the application, a
2001 copy of his birth certificate or other prima facie evidence of his date of
2002 birth and evidence of identity. (3) Before granting a license to any

2003 applicant who has not previously held a Connecticut motor vehicle
2004 operator's license, or who has not operated a motor vehicle during the
2005 preceding two years, the commissioner shall require the applicant to
2006 demonstrate personally to him, his deputy or a motor vehicle inspector
2007 or an agent of the commissioner, in such manner as the commissioner
2008 directs, that the applicant is a proper person to operate motor vehicles
2009 of the class for which he has applied, has sufficient knowledge of the
2010 mechanism of the motor vehicles to ensure their safe operation by him
2011 and has satisfactory knowledge of the laws concerning motor vehicles
2012 and the rules of the road. If any such applicant has held a license from
2013 a state, territory or possession of the United States where a similar
2014 examination is required, or if any such applicant is a person honorably
2015 separated from the United States armed forces who applies within two
2016 years following the separation and who, prior to the separation, held a
2017 military operator's license for motor vehicles of the same class as that
2018 for which he has applied, the commissioner may waive part or all of
2019 the examination in his discretion. When the commissioner is satisfied
2020 as to the ability and competency of any applicant, he may issue to him
2021 a license, either unlimited or containing such limitations as the
2022 commissioner deems advisable, and specifying the class of motor
2023 vehicles which the licensee is eligible to operate. (4) If any applicant or
2024 operator license holder has any health problem which might affect
2025 such person's ability to operate a motor vehicle safely, the
2026 commissioner may require the applicant or license holder to
2027 demonstrate personally or otherwise establish that, notwithstanding
2028 such problem, he is a proper person to operate a motor vehicle, and he
2029 may further require a certificate of such applicant's condition, signed
2030 by a medical authority designated by him, which certificate shall in all
2031 cases be treated as confidential by the commissioner. A license,
2032 containing such limitation as the commissioner deems advisable, may
2033 be issued or renewed in any case, but nothing in this section shall be
2034 construed to prevent the commissioner from refusing a license, either
2035 limited or unlimited, to any person or suspending a license of a person
2036 whom he determines to be incapable of safely operating a motor
2037 vehicle. Consistent with budgetary allotments, each motor vehicle

2038 operator's license issued to or renewed by a deaf or hearing impaired
2039 person shall, upon the request of such person, indicate such
2040 impairment. Such person shall submit a certificate stating such
2041 impairment, in such form as the commissioner may require and signed
2042 by a licensed health care practitioner. (5) The issuance of a motor
2043 vehicle operator's license to any applicant who is the holder of a
2044 license issued by another state shall be subject to the provisions of
2045 section 14-111c and section 37 of this act.

2046 Sec. 53. Subsection (b) of section 14-171 of the general statutes is
2047 repealed and the following is substituted in lieu thereof (*Effective July*
2048 *1, 2002*):

2049 (b) If the application refers to a vehicle purchased from a dealer, it
2050 shall contain the name and address of any lienholder holding a
2051 security interest created or reserved at the time of the sale and the date
2052 of [his] such security agreement and be signed by the dealer as well as
2053 the owner, and the dealer shall promptly mail or deliver the
2054 application to the commissioner.

2055 Sec. 54. Subsection (a) of section 14-197 of the general statutes is
2056 repealed and the following is substituted in lieu thereof (*Effective July*
2057 *1, 2002*):

2058 (a) A police officer or constable who learns of the theft of a vehicle
2059 not since recovered, or of the recovery of a vehicle [whose] the theft or
2060 conversion [he] of which such officer or constable knows or has reason
2061 to believe has been reported to the commissioner, shall forthwith
2062 report the theft or recovery to the commissioner.

2063 Sec. 55. Subsection (b) of section 14-253a of the general statutes is
2064 repealed and the following is substituted in lieu thereof (*Effective July*
2065 *1, 2002*):

2066 (b) The Commissioner of Motor Vehicles shall accept applications
2067 and renewal applications for special license plates and removable
2068 windshield placards from (1) any person who is blind, as defined in

2069 section 1-1f; (2) any person with disabilities which limit or impair the
2070 ability to walk, as defined in 23 CFR Part 1235.2; (3) any parent or
2071 guardian of any blind person or person with disabilities who is under
2072 eighteen years of age at the time of application; and (4) any
2073 organization which meets criteria established by the commissioner and
2074 which certifies to the commissioner's satisfaction that the vehicle for
2075 which a plate or placard is requested is primarily used to transport
2076 blind persons or persons with disabilities which limit or impair their
2077 ability to walk. Such applications shall be on a form prescribed by the
2078 commissioner and shall include certification of disability from a
2079 licensed physician or of blindness from an ophthalmologist or an
2080 optometrist. In the case of persons with disabilities which limit or
2081 impair the ability to walk, the application shall also include
2082 certification from a licensed physician or a member of the handicapped
2083 driver training unit established pursuant to section 14-11b [.] that the
2084 applicant meets the definition of persons with disabilities which limit
2085 or impair the ability to walk, as defined in 23 CFR Section 1235.2. The
2086 commissioner, in said commissioner's discretion, may accept the
2087 discharge papers of a disabled veteran, as defined in section 14-254, in
2088 lieu of such certification. The commissioner may require additional
2089 certification at the time of the original application or at any time
2090 thereafter. If a person who has been requested to submit additional
2091 certification fails to do so within thirty days of the request, or if such
2092 additional certification is deemed by the commissioner to be
2093 unfavorable to the applicant, the commissioner may refuse to issue or,
2094 if already issued, suspend or revoke such special license plate or
2095 removable windshield placard. The fee for the issuance of a temporary
2096 removable windshield placard shall be five dollars. Any person whose
2097 application has been denied or whose special license plate or
2098 removable windshield placard has been suspended or revoked shall be
2099 afforded an opportunity for a hearing in accordance with the
2100 provisions of chapter 54.

2101 Sec. 56. Subsection (b) of section 14-15 of the general statutes is
2102 repealed and the following is substituted in lieu thereof (*Effective July*

2103 1, 2002):

2104 (b) Each person, firm or corporation licensed under the provisions
2105 of subsection (a) of this section [who] that in the opinion of the
2106 commissioner is qualified and [who] holds a current registration
2107 certificate for a motor vehicle used in connection with its business may
2108 issue a sixty-day temporary transfer of such registration to any other
2109 vehicle used in connection with its business with an official stamp
2110 issued by the commissioner to such licensee. The licensee, within five
2111 days from the issuance of such temporary registration, shall submit to
2112 the commissioner an application together with all necessary
2113 documents for a permanent registration for the vehicle transferred. The
2114 commissioner shall adopt regulations in accordance with the
2115 provisions of chapter 54 to implement the provisions of this
2116 subsection.

2117 Sec. 57. Section 14-103a of the general statutes is repealed and the
2118 following is substituted in lieu thereof (*Effective July 1, 2002*):

2119 Any motor vehicle, composed or assembled from the several parts
2120 of other motor vehicles, or the identification and body contours of
2121 which are so altered that the vehicle no longer bears the characteristics
2122 of any specific make of motor vehicle, or declared a total loss by any
2123 insurance carrier and subsequently rebuilt, shall be inspected by the
2124 commissioner to determine whether the vehicle is properly equipped,
2125 in good mechanical condition and in the possession of its lawful
2126 owner. Such vehicle shall be presented for inspection at any [state]
2127 Department of Motor Vehicles office or any official emissions
2128 inspection station authorized by the Commissioner of Motor Vehicles
2129 to conduct such inspection. The commissioner may require any person
2130 presenting any such reassembled, altered or rebuilt vehicle for
2131 inspection to provide proof of lawful purchase of any major
2132 component parts not part of the vehicle when first sold by the
2133 manufacturer. The fee for such inspection shall be eighty-eight dollars.
2134 The inspection fee shall be in addition to regular registration fees. All
2135 moneys received from the fee imposed pursuant to this section and

2136 collected at an official emissions inspection station shall be deposited
2137 in a separate safety inspection account within the Emissions Inspection
2138 Fund.

2139 Sec. 58. Subsection (g) of section 14-267a of the general statutes is
2140 repealed and the following is substituted in lieu thereof (*Effective July*
2141 *1, 2002*):

2142 (g) For the purpose of enforcing the provisions of this section, any
2143 state police officer, Department of Public Safety employee designated
2144 by the Commissioner of Public Safety, local police officer, Department
2145 of Motor Vehicles inspector, or [state] Department of Transportation
2146 employee designated by the Commissioner of Transportation, may
2147 require the driver to stop and submit to a weighing by means of either
2148 portable or stationary scales and may require that such vehicle be
2149 driven to a scale or safety inspection site.

2150 Sec. 59. Subsection (h) of section 14-267a of the general statutes is
2151 repealed and the following is substituted in lieu thereof (*Effective July*
2152 *1, 2002*):

2153 (h) Whenever signs are displayed on a public highway, indicating
2154 that a scale is in operation and directing the driver of a commercial
2155 vehicle to stop at the weighing area, the driver shall stop and, in
2156 accordance with the directions of any state police officer, Department
2157 of Public Safety employee designated by the Commissioner of Public
2158 Safety, local police officer, Department of Motor Vehicles inspector, or
2159 [state] Department of Transportation employee designated by the
2160 Commissioner of Transportation, allow [his] the vehicle to be weighed
2161 or inspected.

2162 Sec. 60. Subsection (a) of section 14-282 of the general statutes is
2163 repealed and the following is substituted in lieu thereof (*Effective July*
2164 *1, 2002*):

2165 (a) Any person who is the owner or becomes the owner of a motor
2166 vehicle formerly used as a school bus who discontinues the use of such

2167 vehicle for the transportation of school children as stated in sections
2168 14-275 and 14-280 shall cause the same to be painted another color,
2169 readily distinguishable from "National School Bus Chrome". On and
2170 after July 1, 1990, each such motor vehicle ten years old or older shall
2171 be presented for inspection every two years at any [state] Department
2172 of Motor Vehicles office.

2173 Sec. 61. Subsection (b) of section 14-290 of the general statutes is
2174 repealed and the following is substituted in lieu thereof (*Effective July*
2175 *1, 2002*):

2176 (b) The following provisions of the general statutes shall not apply
2177 to operators of maintenance vehicles or equipment of any
2178 governmental agency or agent thereof or to vehicles or equipment of
2179 any governmental agency or agent thereof, so far as such exemption is
2180 necessary, while such operators and equipment are engaged in or are
2181 preparing to engage in or are departing from highway maintenance
2182 operations on any highway, road or street, provided the [state]
2183 Department of Transportation shall not by reason of such exemption
2184 suffer any loss of revenue granted from any agency or department of
2185 the federal government for the federal Interstate Highway System or
2186 any other highway system: Sections 14-216, 14-230 to 14-233, inclusive,
2187 14-235 to 14-242, inclusive, 14-244 to 14-247, inclusive, 14-250a to 14-
2188 252, inclusive, 14-261, 14-262, 14-264 to 14-271, inclusive, as amended
2189 by this act, 14-299, 14-301 to 14-308, inclusive.

2190 Sec. 62. Subsection (a) of section 14-46b of the general statutes is
2191 repealed and the following is substituted in lieu thereof (*Effective*
2192 *October 1, 2002*):

2193 (a) There is established within the department a Motor Vehicle
2194 Operator's License Medical Advisory Board which shall advise the
2195 commissioner on the medical aspects and concerns of licensing
2196 operators of motor vehicles. This board shall consist of not less than
2197 [seven] eight members nor more than fifteen members appointed by
2198 the commissioner from a list of nominees submitted by the

2199 Connecticut State Medical Society and the Connecticut Association of
2200 Optometrists. The Connecticut State Medical Society shall submit
2201 nominees representing the specialties of (1) general medicine or
2202 surgery, (2) internal medicine, (3) cardiovascular medicine, (4)
2203 neurology or neurological surgery, (5) ophthalmology, (6) orthopedics,
2204 and (7) psychiatry. The Connecticut Association of Optometrists shall
2205 submit nominees representing the specialty of optometry.

2206 Sec. 63. Section 14-78 of the general statutes is repealed and the
2207 following is substituted in lieu thereof (*Effective October 1, 2002*):

2208 The commissioner may [make] adopt regulations, in accordance
2209 with chapter 54, for (1) the conduct of drivers' schools, including, but
2210 not limited to, requirements as to the inspection of the vehicles used by
2211 the drivers' schools in the conduct of their business, instructional
2212 standards and [procedure] procedures, including instruction of not
2213 less than fifteen minutes concerning the responsibilities of an operator
2214 of a motor vehicle under subsection (b) of section 14-223 and the
2215 penalty for a violation of the provisions of said subsection (b), the
2216 posting of rates charged for instruction, and the general form in which
2217 records shall be kept concerning persons under instruction and those
2218 who have completed their course of instruction, and (2) the
2219 establishment of requirements for a person to receive a license as an
2220 instructor in accordance with section 14-73, as amended by this act.
2221 The regulations shall require that the commissioner issue a license to
2222 any person who meets the requirements of section 14-73, as amended
2223 by this act, to act as an instructor in a classroom only, and not as an
2224 instructor behind the wheel of a vehicle, provided (A) the person has
2225 sufficient experience, as specified in the regulations, either in public
2226 safety, including, but not limited to, experience as a police officer or
2227 firefighter, or as a teacher, and (B) the person completes instructor
2228 training, as specified in the regulations.

2229 Sec. 64. Subsection (f) of section 14-267a of the general statutes is
2230 repealed and the following is substituted in lieu thereof (*Effective July*
2231 *1, 2002*):

2232 (f) (1) The penalties provided for in this subsection shall be assessed
2233 against the owner of a commercial motor vehicle when the owner, [his]
2234 the owner's agent or employee is the operator, or against the lessee of
2235 such vehicle when the lessee, [his] the lessee's agent or employee is the
2236 operator of a leased or rented commercial motor vehicle.

2237 (2) Any person who violates any provision of this section shall be
2238 subject to the following penalties: (A) For an overweight violation of
2239 not more than five per cent of the gross weight or axle weight limits in
2240 subsection (b) of this section, a fine of three dollars per hundred
2241 pounds or fraction thereof of such excess weight; (B) for an overweight
2242 violation of more than five per cent and not more than ten per cent of
2243 either such weight limit, a fine of five dollars per hundred pounds or
2244 fraction thereof of such excess weight or a minimum fine of fifty
2245 dollars; (C) for an overweight violation of more than ten per cent but
2246 not more than fifteen per cent of either such weight limit, a fine of six
2247 dollars per hundred pounds or fraction thereof of such excess weight
2248 or a minimum fine of one hundred dollars; (D) for an overweight
2249 violation of more than fifteen per cent but not more than twenty per
2250 cent of either such weight limit, a fine of seven dollars per hundred
2251 pounds or fraction thereof of such excess weight or a minimum fine of
2252 two hundred dollars; (E) for an overweight violation of more than
2253 twenty per cent but not more than twenty-five per cent of either such
2254 weight limit, a fine of ten dollars per hundred pounds or fraction
2255 thereof of such excess weight or a minimum fine of three hundred
2256 dollars; (F) for an overweight violation of more than twenty-five per
2257 cent but not more than thirty per cent of either such overweight limit, a
2258 fine of twelve dollars per hundred pounds or fraction thereof of such
2259 excess weight or a minimum fine of five hundred dollars; and (G) for
2260 an overweight violation of more than thirty per cent of either such
2261 overweight limit, a fine of fifteen dollars per one hundred pounds or
2262 fraction thereof of such excess weight or a minimum fine of one
2263 thousand dollars.

2264 (3) The court shall note on the record any conviction [or forfeiture of
2265 a bond for failure to appear] for an overweight violation in excess of

2266 fifteen per cent of the gross weight limits in subsection (b) of this
2267 section with respect to any vehicle with a gross vehicle weight of
2268 eighteen thousand pounds or more and shall cause such information to
2269 be transmitted to the Commissioner of Motor Vehicles. Upon receipt of
2270 such information with respect to a third or subsequent conviction for
2271 such overweight violation in a calendar year, the commissioner may
2272 schedule a hearing, in accordance with the provisions of chapter 54, to
2273 review the record of the motor vehicle registrant and shall notify the
2274 registrant of the hearing. In such cases, the Commissioner of Motor
2275 Vehicles [shall (A) demand of an out-of-state owner or lessee of such
2276 motor vehicle a bond, with sufficient surety, to the state, in the sum of
2277 two thousand dollars, which bond shall be forfeited to the state upon a
2278 second conviction or forfeiture of a bond for failure to appear for such
2279 violation, or (B) fine an in-state owner or lessee of such motor vehicle
2280 two thousand dollars upon a second conviction. In addition, the
2281 commissioner] may review information and evidence presented at the
2282 hearing including, but not limited to, frequency of the registrant's
2283 commercial vehicle operations, the size of the registrant's fleet and the
2284 culpability, if any, of the shipper. After the hearing, the commissioner
2285 may impose a civil penalty on the owner or lessee of such motor
2286 vehicle in the amount of two thousand dollars or revoke the
2287 registration, for a period of thirty days, of any commercial motor
2288 vehicle so operated and may refuse to issue a registration for such
2289 motor vehicle during such further time as the commissioner deems
2290 reasonable. [For any subsequent conviction or forfeiture of a bond for
2291 failure to appear, the commissioner shall revoke the registration for a
2292 period of thirty days. A bond posted pursuant to the provisions of this
2293 subdivision shall be held for a period of not more than one year from
2294 its posting. Where there is no second conviction or forfeiture of a bond
2295 for failure to appear for violation of the limits in subsection (b) of this
2296 section during that time, the bond shall be returned to such owner or
2297 lessee, as the case may be.]

2298 [(4) Upon the third conviction or forfeiture of a bond for failure to
2299 appear for overweight violations of subsection (b) of this section with

2300 respect to a vehicle with a gross vehicle weight of less than eighteen
2301 thousand pounds, the Commissioner of Motor Vehicles shall revoke
2302 the registration, for a period of thirty days, of any commercial motor
2303 vehicle so operated.]

2304 [(5)] (4) An owner or lessee who is assessed penalties pursuant to
2305 this subsection [or forfeits a bond for failure to appear] for an
2306 overweight violation in excess of fifteen per cent of the gross weight
2307 limits in subsection (b) of this section [four] five times during any
2308 calendar year shall be assessed by the court an additional [ten] five
2309 thousand dollars for the [fourth] fifth violation and an additional five
2310 thousand dollars for each subsequent overweight violation in excess of
2311 fifteen per cent of such limits in such calendar year.

2312 [(6)] (5) No more than twenty-five per cent of any fine imposed
2313 pursuant to this subsection may be remitted unless the court
2314 determines that there are mitigating circumstances and specifically
2315 states such circumstances for the record.

2316 Sec. 65. (NEW) (*Effective July 1, 2002*) Notwithstanding the
2317 provisions of section 14-22 of the general statutes and subsection (a) of
2318 section 14-49 of the general statutes concerning the biennial period for
2319 the registration of a passenger motor vehicle, and for the registration of
2320 certain other motor vehicles not used for commercial purposes, the
2321 commissioner may issue a registration for any such motor vehicle that
2322 is owned by a person, firm or corporation licensed in accordance with
2323 the provisions of section 14-15 of the general statutes, as amended by
2324 this act, and that is the subject of a lease agreement, for a period not to
2325 exceed five years, to coincide with the term of such lease agreement.
2326 The fee for any such registration shall be adjusted and prorated on the
2327 basis of the fee prescribed for a biennial registration. The commissioner
2328 may adopt regulations, in accordance with chapter 54 of the general
2329 statutes, to implement the provisions of this section.

2330 Sec. 66. Subsection (d) of section 14-36 of the general statutes is
2331 repealed and the following is substituted in lieu thereof (*Effective July*

2332 1, 2002):

2333 (d) (1) No motor vehicle operator's license shall be issued to any
2334 applicant who is sixteen or seventeen years of age unless the applicant
2335 has held a learner's permit and has satisfied the requirements specified
2336 in this subsection. The applicant shall (A) present to the commissioner
2337 a certificate of the successful completion in a public secondary school,
2338 a state vocational school or a private secondary school of a full course
2339 of study in motor vehicle operation prepared as provided in section 14-
2340 36e or of training of similar nature provided by a licensed drivers'
2341 school approved by the commissioner, including, in each case,
2342 successful completion of not less than eight clock hours of behind-the-
2343 wheel, on-the-road instruction; (B) present to the commissioner a
2344 certificate of the successful completion of a course of not less than five
2345 hours relative to safe driving practices, including a minimum of two
2346 hours on the nature and the medical, biological and physiological
2347 effects of alcohol and drugs and their impact on the operator of a
2348 motor vehicle, the dangers associated with the operation of a motor
2349 vehicle after the consumption of alcohol or drugs by the operator, the
2350 problems of alcohol and drug abuse and the penalties for alcohol and
2351 drug-related motor vehicle violations; and (C) pass an examination
2352 which shall include a comprehensive test as to knowledge of the laws
2353 concerning motor vehicles and the rules of the road and an on-the-road
2354 skills test as prescribed by the commissioner. At the time of application
2355 and examination for a motor vehicle operator's license, an applicant
2356 sixteen or seventeen years of age shall have held a learner's permit for
2357 not less than one hundred eighty days, except that an applicant who
2358 presents a certificate under subparagraph (A) of this subdivision shall
2359 have held a learner's permit for not less than one hundred twenty days
2360 and an applicant who is undergoing training and instruction by the
2361 handicapped driver training unit in accordance with the provisions of
2362 section 14-11b shall have held such permit for the period of time
2363 required by said unit. The Commissioner of Motor Vehicles shall
2364 approve the content of the safe driving instruction at drivers' schools,
2365 high schools and other secondary schools. Such five hours of

2366 instruction may be included as part of or in addition to any existing
2367 instruction programs. Any fee charged for the course required under
2368 subparagraph (B) of this subdivision shall not exceed [twenty-five]
2369 forty dollars. The commissioner may waive any requirement in this
2370 subdivision, except for that in subparagraph (C) of this subdivision, in
2371 the case of an applicant sixteen or seventeen years of age who holds a
2372 valid motor vehicle operator's license issued by any other state,
2373 provided the commissioner is satisfied that the applicant has received
2374 training and instruction of a similar nature. (2) The commissioner may
2375 accept as evidence of sufficient training under subparagraph (A) of
2376 subdivision (1) of this subsection home training as evidenced by a
2377 written statement signed by the spouse of a married minor applicant,
2378 or by a parent, grandparent, foster parent or the legal guardian of an
2379 applicant which states that the applicant has obtained a learner's
2380 permit and has successfully completed a driving course taught by the
2381 person signing the statement and that the signer has had an operator's
2382 license for at least four years preceding the date of the statement or, if
2383 the applicant has no spouse, parent, grandparent, foster parent or
2384 guardian so qualified and available to give the instruction, a statement
2385 signed by the applicant's stepparent, brother, sister, uncle or aunt, by
2386 blood or marriage, provided the person signing the statement is
2387 qualified. (3) If the commissioner requires a written test of any
2388 applicant under this section, the test shall be given in English or
2389 Spanish at the option of the applicant, provided the commissioner
2390 shall require that the applicant shall have sufficient understanding of
2391 English for the interpretation of traffic control signs. (4) The
2392 Commissioner of Motor Vehicles may adopt regulations, in accordance
2393 with the provisions of chapter 54, to implement the purposes of this
2394 subsection concerning the content of safe driving instruction at drivers'
2395 schools, high schools and other secondary schools.

2396 Sec. 67. Subsection (d) of section 14-35 of the general statutes is
2397 repealed and the following is substituted in lieu thereof (*Effective from*
2398 *passage*):

2399 (d) [No] Except as provided herein, no registrant shall rent or allow

2400 or cause to be rented, operate or allow or cause to be operated for hire,
2401 use or cause to be used for the purpose of conveying passengers,
2402 merchandise or freight for hire, or operate as a commercial vehicle
2403 with a load, any motor vehicle registered under a [transportation]
2404 transporter number plate. The number plate shall not be loaned to any
2405 person and shall not be used by its holder for personal purposes. [,
2406 provided the] The holder of a transporter number plate may operate,
2407 or cause to be operated by a bona fide employee, motor vehicles for the
2408 purpose of transportation or repossession of motor vehicles owned by
2409 him or temporarily in his custody. Such number plate may be used for
2410 the movement on a contract or other basis of a storage or office trailer,
2411 house trailer, modular building or similar, nonpower trailing unit
2412 having unitized construction and to which a removable axle assembly
2413 is attached. Any dealer in boats may use, or allow or cause to be used,
2414 any trailer so registered for the purpose of transporting a boat or boats,
2415 together with any necessary equipment, between a demonstration site
2416 and his established place of business.

2417 Sec. 68. Subsection (b) of section 14-145 of the general statutes is
2418 repealed and the following is substituted in lieu thereof (*Effective from*
2419 *passage*):

2420 (b) When such motor vehicle is towed or otherwise removed by a
2421 wrecker licensed under section 14-66, the licensee or operator of the
2422 wrecker shall notify the local police department of the tow or removal
2423 within [twenty-four] two hours. No such licensee or operator may
2424 charge a storage fee for such motor vehicle for the time it is stored
2425 prior to such notification. If the motor vehicle is not claimed by its
2426 owner within the time periods specified in subsection (e) of section 14-
2427 150, the licensee or operator of the wrecker or of the garage where such
2428 motor vehicle is stored may dispose of it in accordance with the
2429 provisions of subsection (e) of section 14-150.

2430 Sec. 69. Subsection (j) of section 14-227a of the general statutes is
2431 repealed and the following is substituted in lieu thereof (*Effective July*
2432 *1, 2002*):

2433 (j) (1) Each court shall report each conviction under subsection (a) of
2434 this section to the Commissioner of Motor Vehicles, in accordance with
2435 the provisions of section 14-141. The commissioner shall suspend the
2436 motor vehicle operator's license or nonresident operating privilege of
2437 the person reported as convicted for the period of time required by
2438 subsection (h) of this section. The commissioner shall determine the
2439 period of time required by said subsection (h) based on the number of
2440 convictions such person has had within the specified time period
2441 according to such person's driving history record, notwithstanding the
2442 sentence imposed by the court for such conviction. (2) The motor
2443 vehicle operator's license or nonresident operating privilege of a
2444 person found guilty under subsection (a) of this section who is under
2445 eighteen years of age shall be suspended by the commissioner for the
2446 period of time set forth in subsection (h) of this section, or until such
2447 person attains the age of eighteen years, whichever period is longer. (3)
2448 The motor vehicle operator's license or nonresident operating privilege
2449 of a person found guilty under subsection (a) of this section who, at the
2450 time of the offense, was operating a motor vehicle in accordance with a
2451 special operator's permit issued pursuant to section 14-37a shall be
2452 suspended by the commissioner for twice the period of time set forth
2453 in subsection (h) of this section. [(4) Whenever the motor vehicle
2454 operator's license of a person is suspended under subsection (h) of this
2455 section for conviction of a violation of subsection (a) of this section, the
2456 operator's license that is returned or reissued to such person by the
2457 Commissioner of Motor Vehicles upon completion of the period of
2458 suspension shall indicate on its reverse side that such person is an at-
2459 risk operator. For purposes of this subdivision, an "at-risk operator" is
2460 a person who has been convicted of a violation of subsection (a) of this
2461 section. (5)] (4) If an appeal of any conviction under subsection (a) of
2462 this section is taken, the suspension of the motor vehicle operator's
2463 license or nonresident operating privilege by the commissioner, in
2464 accordance with this subsection, shall be stayed during the pendency
2465 of such appeal.

2466 Sec. 70. Subdivision (6) of subsection (f) of section 14-12 of the

2467 general statutes is repealed and the following is substituted in lieu
2468 thereof (*Effective July 1, 2002*):

2469 (6) The commissioner shall not register any motor vehicle which is
2470 subject to the federal heavy vehicle use tax imposed under Section
2471 [448] 4481 of the Internal Revenue Code of [1986] 1954, or any
2472 subsequent corresponding internal revenue code of the United States,
2473 as from time to time amended, if the applicant fails to furnish proof of
2474 payment of such tax, in a form prescribed by the Secretary of the
2475 Treasury of the United States.

2476 Sec. 71. Subdivision (5) of subsection (f) of section 14-12 of the
2477 general statutes is repealed and the following is substituted in lieu
2478 thereof (*Effective July 1, 2002*):

2479 (5) On or after October 1, 1984, no motor vehicle registration shall be
2480 issued [or renewed] by the commissioner for any motorcycle unless the
2481 application for registration is accompanied by sufficient proof, as
2482 determined by the commissioner, that the motorcycle is insured for the
2483 amounts required by section 14-289f.

2484 Sec. 72. Subsection (c) of section 14-227b of the general statutes is
2485 repealed and the following is substituted in lieu thereof (*Effective July*
2486 *1, 2002*):

2487 (c) If the person arrested refuses to submit to such test or analysis or
2488 submits to such test or analysis, commenced within two hours of the
2489 time of operation, and the results of such test or analysis indicate that
2490 such person has an elevated blood alcohol content, the police officer,
2491 acting on behalf of the Commissioner of Motor Vehicles, shall
2492 immediately revoke and take possession of the motor vehicle
2493 operator's license or, if such person is a nonresident, suspend the
2494 nonresident operating privilege of such person, for a twenty-four-hour
2495 period. [and shall issue a temporary operator's license or nonresident
2496 operating privilege to such person valid for the period commencing
2497 twenty-four hours after issuance and ending thirty days after the date
2498 such person received notice of such person's arrest by the police

2499 officer.] The police officer shall prepare a written report of the incident
2500 and shall mail the report [together with a copy of the completed
2501 temporary license form, any operator's license taken into possession]
2502 and a copy of the results of any chemical test or analysis to the
2503 Department of Motor Vehicles within three business days. The report
2504 shall be made on a form approved by the Commissioner of Motor
2505 Vehicles and shall be subscribed and sworn to under penalty of false
2506 statement as provided in section 53a-157b by the arresting officer. If
2507 the person arrested refused to submit to such test or analysis, the
2508 report shall be endorsed by a third person who witnessed such refusal.
2509 The report shall set forth the grounds for the officer's belief that there
2510 was probable cause to arrest such person for operating a motor vehicle
2511 while under the influence of intoxicating liquor or any drug or both or
2512 while such person's ability to operate such motor vehicle is impaired
2513 by the consumption of intoxicating liquor, and shall state that such
2514 person had refused to submit to such test or analysis when requested
2515 by such police officer to do so or that such person submitted to such
2516 test or analysis, commenced within two hours of the time of operation,
2517 and the results of such test or analysis indicated that such person had
2518 an elevated blood alcohol content.

2519 Sec. 73. Subsection (d) of section 13b-59 of the general statutes is
2520 repealed and the following is substituted in lieu thereof (*Effective July*
2521 *1, 2002*):

2522 (d) "License, permit and fee revenues" means (1) all fees and other
2523 charges required by, or levied pursuant to sections 12-487, 13b-80 and
2524 13b-97, subsection (b) of section 14-12, sections 14-16a, 14-21c, 14-44h
2525 and 14-44i, subsection (v) of section 14-49, subsections (b) and (f) of
2526 section 14-50, subdivisions (5), (6), (7), (8), (11), (12) and (13) of
2527 subsection (a) of section 14-50a, sections 14-52, [14-53,] 14-58, as
2528 amended by this act, 14-67l and 14-69, subsection (e) of section 14-73,
2529 sections 14-96q and 14-103a, subsection (a) of section 14-164a,
2530 subsection (a) of section 14-192, subsection (d) of section 14-270,
2531 sections 14-319 and 14-320 and sections 13b-410a to 13b-410c, inclusive;
2532 (2) all aeronautics, waterways, and other fees and charges required by,

2533 or levied pursuant to sections 13a-80 and 13a-80a, subsection (b) of
2534 section 13b-42 and subsections (b) and (c) of section 15-13; and (3) all
2535 motor vehicle related fines, penalties or other charges as defined in
2536 subsection (g).

2537 Sec. 74. Subsections (a) to (g), inclusive, of section 13b-76 of the
2538 general statutes are repealed and the following is substituted in lieu
2539 thereof (*Effective July 1, 2002*):

2540 (a) Bonds and bond anticipation notes issued pursuant to sections
2541 13b-74 to 13b-77, inclusive, are hereby determined to be issued for
2542 valid public purposes in exercise of essential governmental functions.
2543 Such bonds and bond anticipation notes shall be special obligations of
2544 the state and shall not be payable from nor charged upon any funds
2545 other than the pledged revenues or other receipts, funds or moneys
2546 pledged therefor as provided in sections 3-21a, 3-27a, 3-27f, 12-458 and
2547 12-458d, subsection (c) of section 13a-80a, sections 13a-175p to 13a-
2548 175u, inclusive, subsection (f) of section 13b-42, sections 13b-59, as
2549 amended by this act, 13b-61, 13b-69, 13b-71, 13b-74 to 13b-77, inclusive,
2550 as amended by this act, 13b-80, subsection (a) of section 13b-97,
2551 subsection (a) of section 14-12, sections 14-15, 14-16a and 14-21c,
2552 subsection (a) of section 14-25a, section 14-28, subsection (b) of section
2553 14-35, subsection (b) of section 14-41, section 14-41a, subsection (a) of
2554 section 14-44, sections 14-47, 14-48b, 14-49 and 14-50, subsection (a) of
2555 section 14-50a, sections 14-52 [, 14-53] and 14-58, as amended by this
2556 act, subsection (c) of section 14-66, subsection (e) of section 14-67,
2557 sections 14-67a, 14-67d, 14-67i and 14-69, subsection (e) of section 14-
2558 73, subsection (c) of section 14-96q, sections 14-103a and 14-160,
2559 subsection (a) of section 14-164a, subsection (a) of section 14-192,
2560 sections 14-319, 14-320 and 14-381, subsection (b) of section 14-382 and
2561 sections 14-383, 15-14 and 16-299, nor shall the state or any political
2562 subdivision thereof be subject to any liability thereon, except to the
2563 extent of such pledged revenues or other receipts, funds or moneys
2564 pledged therefor as provided in said sections. As part of the contract of
2565 the state with the owners of said bonds and bond anticipation notes, all
2566 amounts necessary for punctual payment of the debt service

2567 requirements with respect to such bonds and bond anticipation notes
2568 shall be deemed to be appropriated, but only from the sources pledged
2569 pursuant to said sections, upon the authorization of issuance of such
2570 bonds and bond anticipation notes by the State Bond Commission, or
2571 the filing of a certificate of determination by the Treasurer in
2572 accordance with subsection (c) of this section, and the Treasurer shall
2573 pay such principal and interest as the same shall accrue, but only from
2574 such sources. The issuance of bonds or bond anticipation notes issued
2575 under sections 13b-74 to 13b-77, inclusive, shall not directly or
2576 indirectly or contingently obligate the state or any political subdivision
2577 thereof to levy or to pledge any form of taxation whatever therefor,
2578 except for taxes included in the pledged revenues, or to make any
2579 additional appropriation for their payment. Such bonds and bond
2580 anticipation notes shall not constitute a charge, lien or encumbrance,
2581 legal or equitable, upon any property of the state or of any political
2582 subdivision thereof other than the pledged revenues or other receipts,
2583 funds or moneys pledged therefor as provided in sections 3-21a, 3-27a,
2584 3-27f, 12-458 and 12-458d, subsection (c) of section 13a-80a, sections
2585 13a-175p to 13a-175u, inclusive, subsection (f) of section 13b-42,
2586 sections 13b-59, as amended by this act, 13b-61, 13b-69, 13b-71, 13b-74
2587 to 13b-77, inclusive, 13b-80, subsection (a) of section 13b-97, subsection
2588 (a) of section 14-12, sections 14-15, 14-16a and 14-21c, subsection (a) of
2589 section 14-25a, section 14-28, subsection (b) of section 14-35, subsection
2590 (b) of section 14-41, section 14-41a, subsection (a) of section 14-44,
2591 sections 14-47, 14-48b, 14-49 and 14-50, subsection (a) of section 14-50a,
2592 sections 14-52 [, 14-53] and 14-58, as amended by this act, subsection (c)
2593 of section 14-66, subsection (e) of section 14-67, sections 14-67a, 14-67d,
2594 14-67l and 14-69, subsection (e) of section 14-73, subsection (c) of
2595 section 14-96q, sections 14-103a and 14-160, subsection (a) of section
2596 14-164a, subsection (a) of section 14-192, sections 14-319, 14-320 and 14-
2597 381, subsection (b) of section 14-382 and sections 14-383 and 15-14, and
2598 the substance of such limitation shall be plainly stated on the face of
2599 each such bond and bond anticipation note. Bonds and bond
2600 anticipation notes issued pursuant to sections 13b-74 to 13b-77,
2601 inclusive, shall not be subject to any statutory limitation on the

2602 indebtedness of the state, and, when issued, shall not be included in
2603 computing the aggregate indebtedness of the state in respect to and to
2604 the extent of any such limitation.

2605 (b) Bonds issued pursuant to sections 13b-74 to 13b-77, inclusive, as
2606 amended by this act, may be executed and delivered at such time or
2607 times and shall be dated, bear interest at such rate or rates, including
2608 variable rates to be determined in such manner as set forth in the
2609 proceedings authorizing the issuance of the bonds, provide for
2610 payment of interest on such dates, whether before or at maturity, be
2611 issued at, above or below par, mature at such time or times not
2612 exceeding thirty years from their date, have such rank or priority, be
2613 payable in such medium of payment, be issued in such form, including
2614 without limitation registered or book-entry form, carry such
2615 registration and transfer privileges and be made subject to purchase or
2616 redemption before maturity at such price or prices and under such
2617 terms and conditions, including the condition that such bonds be
2618 subject to purchase or redemption on the demand of the owner
2619 thereof, all as may be provided by the State Bond Commission. The
2620 State Bond Commission shall determine the form of the bonds, the
2621 manner of execution of the bonds, the denomination or denominations
2622 of the bonds and the manner of payment of principal and interest.
2623 Prior to the preparation of definitive bonds, the State Bond
2624 Commission may, under like restrictions, authorize the issuance of
2625 interim receipts or temporary bonds, exchangeable for definitive bonds
2626 when such bonds have been executed and are available for delivery. If
2627 any of the officers whose signatures appear on the bonds cease to be
2628 officers before the delivery of any such bonds, such signatures shall,
2629 nevertheless, be valid and sufficient for all purposes, the same as if
2630 such officers had remained in office until delivery. Nothing herein
2631 shall prevent any series of bonds issued under sections 3-21a, 3-27a, 3-
2632 27f, 12-458 and 12-458d, subsection (c) of section 13a-80a, sections 13a-
2633 175p to 13a-175u, inclusive, subsection (f) of section 13b-42, sections
2634 13b-59, as amended by this act, 13b-61, 13b-69, 13b-71, 13b-74 to 13b-
2635 77, inclusive, as amended by this act, 13b-80, subsection (a) of section

2636 13b-97, subsection (a) of section 14-12, sections 14-15, 14-16a and 14-
2637 21c, subsection (a) of section 14-25a, section 14-28, subsection (b) of
2638 section 14-35, subsection (b) of section 14-41, section 14-41a, subsection
2639 (a) of section 14-44, sections 14-47, 14-48b, 14-49 and 14-50, subsection
2640 (a) of section 14-50a, sections 14-52 [, 14-53] and 14-58, as amended by
2641 this act, subsection (c) of section 14-66, subsection (e) of section 14-67,
2642 sections 14-67a, 14-67d, 14-67i and 14-69, subsection (e) of section 14-
2643 73, subsection (c) of section 14-96q, sections 14-103a and 14-160,
2644 subsection (a) of section 14-164a, subsection (a) of section 14-192,
2645 sections 14-319, 14-320 and 14-381, subsection (b) of section 14-382 and
2646 sections 14-383, 15-14 and 16-299 from being issued in coupon form, in
2647 which case references to the bonds herein also shall refer to the
2648 coupons attached thereto where appropriate, and references to owners
2649 of bonds shall include holders of such bonds where appropriate.

2650 (c) Any bonds issued pursuant to sections 13b-74 to 13b-77,
2651 inclusive, as amended by this act, may be sold at public sale on sealed
2652 proposals or by negotiation in such manner, at such price or prices, at
2653 such time or times and on such other terms and conditions of such
2654 bonds and the issuance and sale thereof as the State Bond Commission
2655 may determine to be in the best interests of the state, or the State Bond
2656 Commission may delegate to the Treasurer all or any part of the
2657 foregoing powers in which event the Treasurer shall exercise such
2658 powers unless the State Bond Commission, by adoption of a resolution
2659 prior to the exercise of such powers by the Treasurer shall elect to
2660 reassume the same. Such powers shall be exercised from time to time
2661 in such manner as the Treasurer shall determine to be in the best
2662 interests of the state and he shall file a certificate of determination
2663 setting forth the details thereof with the secretary of the State Bond
2664 Commission on or before the date of delivery of such bonds, the details
2665 of which were determined by him in accordance with such delegation.

2666 (d) The debt service requirements with respect to any bonds and
2667 bond anticipation notes issued pursuant to sections 13b-74 to 13b-77,
2668 inclusive, as amended by this act, shall be secured by (1) a first call
2669 upon the pledged revenues as they are received by the state and

2670 credited to the Special Transportation Fund established under section
2671 13b-68 and (2) a lien upon any and all amounts held to the credit of
2672 said Special Transportation Fund from time to time, provided said lien
2673 shall not extend to amounts held to the credit of such Special
2674 Transportation Fund which represent (A) amounts borrowed by the
2675 Treasurer in anticipation of state revenues pursuant to section 3-16 or
2676 (B) transportation-related federal revenues of the state. Any obligation
2677 of the state secured by said lien to pay the unrefunded principal of
2678 bond anticipation notes, including for this purpose any obligation of
2679 the state under a reimbursement agreement entered into in connection
2680 with a credit facility providing for payment of the unrefunded
2681 principal of bond anticipation notes, shall be subordinate to any
2682 obligation of the state secured by said lien to pay (i) the debt service
2683 requirements with respect to bonds or (ii) any debt service
2684 requirements with respect to bond anticipation notes other than debt
2685 service requirements relating to unrefunded principal of bond
2686 anticipation notes or to obligations under a credit facility for the
2687 payment of such unrefunded principal. The debt service requirements
2688 with respect to bonds and bond anticipation notes also may be secured
2689 by a pledge of reserves, sinking funds and any other funds and
2690 accounts, including proceeds from investment of any of the foregoing,
2691 established pursuant to sections 3-21a, 3-27a, 3-27f, 12-458 and 12-458d,
2692 subsection (c) of section 13a-80a, sections 13a-175p to 13a-175u,
2693 inclusive, subsection (f) of section 13b-42, sections 13b-59, as amended
2694 by this act, 13b-61, 13b-69, 13b-71, 13b-74 to 13b-77, inclusive, as
2695 amended by this act, 13b-80, subsection (a) of section 13b-97,
2696 subsection (a) of section 14-12, sections 14-15, 14-16a and 14-21c,
2697 subsection (a) of section 14-25a, section 14-28, subsection (b) of section
2698 14-35, subsection (b) of section 14-41, section 14-41a, subsection (a) of
2699 section 14-44, sections 14-47, 14-48b, 14-49 and 14-50, subsection (a) of
2700 section 14-50a, sections 14-52 [, 14-53] and 14-58, as amended by this
2701 act, subsection (c) of section 14-66, subsection (e) of section 14-67,
2702 sections 14-67a, 14-67d, 14-67i and 14-69, subsection (e) of section 14-
2703 73, subsection (c) of section 14-96q, sections 14-103a and 14-160,
2704 subsection (a) of section 14-164a, subsection (a) of section 14-192,

2705 sections 14-319, 14-320 and 14-381, subsection (b) of section 14-382 and
2706 sections 14-383, 15-14 and 16-299 or the proceedings authorizing the
2707 issuance of such bonds, and by moneys paid under a credit facility,
2708 including but not limited to, a letter of credit or policy of bond
2709 insurance, issued by a financial institution pursuant to an agreement
2710 authorized by such proceedings.

2711 (e) The proceedings under which bonds are authorized to be issued
2712 may, subject to the provisions of the general statutes, contain any or all
2713 of the following: (1) Provisions respecting custody of the proceeds
2714 from the sale of the bonds and any bond anticipation notes, including
2715 any requirements that such proceeds be held separate from or not be
2716 commingled with other funds of the state; (2) provisions for the
2717 investment and reinvestment of bond proceeds until used to pay
2718 transportation costs and for the disposition of any excess bond
2719 proceeds or investment earnings thereon; (3) provisions for the
2720 execution of reimbursement agreements or similar agreements in
2721 connection with credit facilities including but not limited to, letters of
2722 credit or policies of bond insurance, remarketing agreements and
2723 agreements for the purpose of moderating interest rate fluctuations,
2724 and of such other agreements entered into pursuant to section 3-20a;
2725 (4) provisions for the collection, custody, investment, reinvestment and
2726 use of the pledged revenues or other receipts, funds or moneys
2727 pledged therefor as provided in sections 3-21a, 3-27a, 3-27f, 12-458 and
2728 12-458d, subsection (c) of section 13a-80a, sections 13a-175p to 13a-
2729 175u, inclusive, subsection (f) of section 13b-42, sections 13b-59, as
2730 amended by this act, 13b-61, 13b-69, 13b-71, 13b-74 to 13b-77, inclusive,
2731 as amended by this act, 13b-80, subsection (a) of section 13b-97,
2732 subsection (a) of section 14-12, sections 14-15, 14-16a and 14-21c,
2733 subsection (a) of section 14-25a, section 14-28, subsection (b) of section
2734 14-35, subsection (b) of section 14-41, section 14-41a, subsection (a) of
2735 section 14-44, sections 14-47, 14-48b, 14-49 and 14-50, subsection (a) of
2736 section 14-50a, sections 14-52 [14-53] and 14-58, as amended by this
2737 act, subsection (c) of section 14-66, subsection (e) of section 14-67,
2738 sections 14-67a, 14-67d, 14-67l and 14-69, subsection (e) of section 14-

2739 73, subsection (c) of section 14-96q, sections 14-103a and 14-160,
2740 subsection (a) of section 14-164a, subsection (a) of section 14-192,
2741 sections 14-319, 14-320 and 14-381, subsection (b) of section 14-382 and
2742 sections 14-383, 15-14 and 16-299; (5) provisions regarding the
2743 establishment and maintenance of reserves, sinking funds and any
2744 other funds and accounts as shall be approved by the State Bond
2745 Commission in such amounts as may be established by the State Bond
2746 Commission, and the regulation and disposition thereof, including
2747 requirements that any such funds and accounts be held separate from
2748 or not be commingled with other funds of the state; (6) covenants for
2749 the establishment of pledged revenue coverage requirements for the
2750 bonds and bond anticipation notes, provided, that no such covenant
2751 shall obligate the state to provide coverage in any year with respect to
2752 any bonds or bond anticipation notes in excess of four times the
2753 aggregate debt service on bonds and bond anticipation notes, as
2754 described in subparagraph (A) of subdivision (3) of section 13b-75,
2755 during such year; (7) covenants for the establishment of maintenance
2756 requirements with respect to state transportation facilities and
2757 properties; (8) provisions for the issuance of additional bonds on a
2758 parity with bonds theretofore issued, including establishment of
2759 coverage requirements with respect thereto as herein provided; (9)
2760 provisions regarding the rights and remedies available in case of a
2761 default to the bondowners, noteowners or any trustee under any
2762 contract, loan agreement, document, instrument or trust indenture,
2763 including the right to appoint a trustee to represent their interests
2764 upon occurrence of an event of default, as defined in said proceedings,
2765 provided that if any bonds or bond anticipation notes shall be secured
2766 by a trust indenture, the respective owners of such bonds or notes shall
2767 have no authority except as set forth in such trust indenture to appoint
2768 a separate trustee to represent them, and (10) provisions or covenants
2769 of like or different character from the foregoing which are consistent
2770 with sections 3-21a, 3-27a, 3-27f, 12-458 and 12-458d, subsection (c) of
2771 section 13a-80a, sections 13a-175p to 13a-175u, inclusive, subsection (f)
2772 of section 13b-42, sections 13b-59, as amended by this act, 13b-61, 13b-
2773 69, 13b-71, 13b-74 to 13b-77, inclusive, as amended by this act, 13b-80,

2774 subsection (a) of section 13b-97, subsection (a) of section 14-12, sections
2775 14-15, 14-16a and 14-21c, subsection (a) of section 14-25a, section 14-28,
2776 subsection (b) of section 14-35, subsection (b) of section 14-41, section
2777 14-41a, subsection (a) of section 14-44, sections 14-47, 14-48b, 14-49 and
2778 14-50, subsection (a) of section 14-50a, sections 14-52 [14-53] and 14-
2779 58, as amended by this act, subsection (c) of section 14-66, subsection
2780 (e) of section 14-67, sections 14-67a, 14-67d, 14-67l and 14-69,
2781 subsection (e) of section 14-73, subsection (c) of section 14-96q, sections
2782 14-103a and 14-160, subsection (a) of section 14-164a, subsection (a) of
2783 section 14-192, sections 14-319, 14-320 and 14-381, subsection (b) of
2784 section 14-382 and sections 14-383, 15-14 and 16-299 and which the
2785 State Bond Commission determines in such proceedings are necessary,
2786 convenient or desirable in order to better secure the bonds or bond
2787 anticipation notes, or will tend to make the bonds or bond anticipation
2788 notes more marketable, and which are in the best interests of the state.
2789 Any provision which may be included in proceedings authorizing the
2790 issuance of bonds hereunder may be included in an indenture of trust
2791 duly approved in accordance with subsection (g) of this section which
2792 secures the bonds and any notes issued in anticipation thereof, and in
2793 such case the provisions of such indenture shall be deemed to be a part
2794 of such proceedings as though they were expressly included therein.

2795 (f) Any pledge made by the state shall be valid and binding from the
2796 time when the pledge is made, and any revenues or other receipts,
2797 funds or moneys so pledged and thereafter received by the state shall
2798 be subject immediately to the lien of such pledge without any physical
2799 delivery thereof or further act. The lien of any such pledge shall be
2800 valid and binding as against all parties having claims of any kind in
2801 tort, contract, or otherwise against the state, irrespective of whether
2802 such parties have notice thereof. Neither the resolution nor any other
2803 instrument by which a pledge is created need be recorded.

2804 (g) In the discretion of the State Bond Commission, bonds issued
2805 pursuant to sections 13b-74 to 13b-77, inclusive, including for this
2806 purpose any bond anticipation notes, may be secured by a trust
2807 indenture by and between the state and a corporate trustee, which may

2808 be any trust company or bank having the powers of a trust company
2809 within or without the state. Such trust indenture may contain such
2810 provisions for protecting and enforcing the rights and remedies of the
2811 bondowners and noteowners as may be reasonable and proper and not
2812 in violation of law, including covenants setting forth the duties of the
2813 state in relation to the exercise of its powers pursuant to sections 3-21a,
2814 3-27a, 3-27f, 12-458 and 12-458d, subsection (c) of section 13a-80a,
2815 sections 13a-175p to 13a-175u, inclusive, subsection (f) of section 13b-
2816 42, sections 13b-59, as amended by this act, 13b-61, 13b-69, 13b-71, 13b-
2817 74 to 13b-77, inclusive, as amended by this act, 13b-80, subsection (a) of
2818 section 13b-97, subsection (a) of section 14-12, sections 14-15, 14-16a
2819 and 14-21c, subsection (a) of section 14-25a, section 14-28, subsection
2820 (b) of section 14-35, subsection (b) of section 14-41, section 14-41a,
2821 subsection (a) of section 14-44, sections 14-47, 14-48b, 14-49 and 14-50,
2822 subsection (a) of section 14-50a, sections 14-52 [, 14-53] and 14-58, as
2823 amended by this act, subsection (c) of section 14-66, subsection (e) of
2824 section 14-67, sections 14-67a, 14-67d, 14-67l and 14-69, subsection (e)
2825 of section 14-73, subsection (c) of section 14-96q, sections 14-103a and
2826 14-160, subsection (a) of section 14-164a, subsection (a) of section 14-
2827 192, sections 14-319, 14-320 and 14-381, subsection (b) of section 14-382
2828 and sections 14-383, 15-14 and 16-299 and the custody, safeguarding
2829 and application of all moneys. The state may provide by such trust
2830 indenture for the payment of the pledged revenues or other receipts,
2831 funds or moneys to the trustee under such trust indenture or to any
2832 other depository, and for the method of disbursement thereof, with
2833 such safeguards and restrictions as it may determine. All expenses
2834 incurred in carrying out such trust indenture may be treated as
2835 transportation costs, as defined in section 13b-75.

2836 Sec. 75. Subsection (c) of section 13b-77 of the general statutes is
2837 repealed and the following is substituted in lieu thereof (*Effective July*
2838 *1, 2002*):

2839 (c) The state covenants with the purchasers and all subsequent
2840 owners and transferees of bonds and bond anticipation notes issued by
2841 the state pursuant to sections 13b-74 to 13b-77, inclusive, as amended

2842 by this act, in consideration of the acceptance of the payment for the
2843 bonds and bond anticipation notes, until such bonds and bond
2844 anticipation notes, together with the interest thereon, with interest on
2845 any unpaid installment of interest and all costs and expenses in
2846 connection with any action or proceeding on behalf of such owners,
2847 are fully met and discharged, or unless expressly permitted or
2848 otherwise authorized by the terms of each contract and agreement
2849 made or entered into by or on behalf of the state with or for the benefit
2850 of such owners, that the state will impose, charge, raise, levy, collect
2851 and apply the pledged revenues and other receipts, funds or moneys
2852 pledged for the payment of debt service requirements as provided in
2853 sections [13b-47] ~~13b-74~~ to 13b-77, inclusive, as amended by this act, in
2854 such amounts as may be necessary to pay such debt service
2855 requirements in each year in which bonds or bond anticipation notes
2856 are outstanding and further, that the state (1) will not limit or alter the
2857 duties imposed on the Treasurer and other officers of the state by
2858 sections 3-21a, 3-27a, 3-27f, 12-458 and 12-458d, subsection (c) of
2859 section 13a-80a, sections 13a-175p to 13a-175u, inclusive, subsection (f)
2860 of section 13b-42, sections 13b-59, as amended by this act, 13b-61, 13b-
2861 69, 13b-71, 13b-74 to 13b-77, inclusive, as amended by this act, 13b-80,
2862 subsection (a) of section 13b-97, subsection (a) of section 14-12, sections
2863 14-15, 14-16a and 14-21c, subsection (a) of section 14-25a, section 14-28,
2864 subsection (b) of section 14-35, subsection (b) of section 14-41, section
2865 14-41a, subsection (a) of section 14-44, sections 14-47, 14-48b, 14-49 and
2866 14-50, subsection (a) of section 14-50a, sections 14-52 [, 14-53] and 14-
2867 58, as amended by this act, subsection (c) of section 14-66, subsection
2868 (e) of section 14-67, sections 14-67a, 14-67d, 14-67l and 14-69,
2869 subsection (e) of section 14-73, subsection (c) of section 14-96q, sections
2870 14-103a and 14-160, subsection (a) of section 14-164a, subsection (a) of
2871 section 14-192, sections 14-319, 14-320 and 14-381, subsection (b) of
2872 section 14-382 and sections 14-383 and 15-14 and by the proceedings
2873 authorizing the issuance of bonds with respect to application of
2874 pledged revenues or other receipts, funds or moneys pledged for the
2875 payment of debt service requirements as provided in said sections; (2)
2876 will not issue any bonds, notes or other evidences of indebtedness,

2877 other than the bonds and bond anticipation notes, having any rights
2878 arising out of said sections or secured by any pledge of or other lien or
2879 charge on the pledged revenues or other receipts, funds or moneys
2880 pledged for the payment of debt service requirements as provided in
2881 said sections; (3) will not create or cause to be created any lien or
2882 charge on such pledged amounts, other than a lien or pledge created
2883 thereon pursuant to said sections, provided nothing in this subsection
2884 shall prevent the state from issuing evidences of indebtedness (A)
2885 which are secured by a pledge or lien which is and shall on the face
2886 thereof be expressly subordinate and junior in all respects to every lien
2887 and pledge created by or pursuant to said sections; or (B) for which the
2888 full faith and credit of the state is pledged and which are not expressly
2889 secured by any specific lien or charge on such pledged amounts or (C)
2890 which are secured by a pledge of or lien on moneys or funds derived
2891 on or after such date as every pledge or lien thereon created by or
2892 pursuant to said sections shall be discharged and satisfied; (4) will
2893 carry out and perform, or cause to be carried out and performed, each
2894 and every promise, covenant, agreement or contract made or entered
2895 into by the state or on its behalf with the owners of any bonds or bond
2896 anticipation notes; (5) will not in any way impair the rights,
2897 exemptions or remedies of such owners; and (6) will not limit, modify,
2898 rescind, repeal or otherwise alter the rights or obligations of the
2899 appropriate officers of the state to impose, maintain, charge or collect
2900 the taxes, fees, charges and other receipts constituting the pledged
2901 revenues as may be necessary to produce sufficient revenues to fulfill
2902 the terms of the proceedings authorizing the issuance of the bonds,
2903 including pledged revenue coverage requirements, and provided
2904 nothing herein shall preclude the state from exercising its power,
2905 through a change in law, to limit, modify, rescind, repeal or otherwise
2906 alter the character or amount of such pledged revenues or to substitute
2907 like or different sources of taxes, fees, charges or other receipts as
2908 pledged revenues if, for the ensuing fiscal year, as evidenced by the
2909 proposed or adopted budget of the state with respect to the Special
2910 Transportation Fund, the projected revenues meet or exceed the
2911 estimated expenses of the Special Transportation Fund including

2912 accumulated deficits, if any, debt service requirements and any
2913 pledged revenue coverage requirement. The State Bond Commission is
2914 authorized to include this covenant of the state in any agreement with
2915 the owner of any such bonds or bond anticipation notes.

2916 Sec. 76. Section 13b-79a of the general statutes is repealed and the
2917 following is substituted in lieu thereof (*Effective July 1, 2002*):

2918 Not later than October 1, 1984, and annually thereafter, the
2919 Commissioner of Transportation shall prepare a report on the current
2920 status and progress of the transportation infrastructure program
2921 authorized pursuant to special act 84-52 and sections 3-21a, 3-27a, 3-
2922 27f, 12-458 and 12-458d, subsection (c) of section 13a-80a, sections 13a-
2923 175p to 13a-175u, inclusive, subsection (f) of section 13b-42, sections
2924 13b-59, as amended by this act, 13b-61, 13b-69, 13b-71, 13b-74 to 13b-
2925 77, inclusive, as amended by this act, 13b-80, subsection (a) of section
2926 13b-97, subsection (a) of section 14-12, sections 14-15, 14-16a and 14-
2927 21c, subsection (a) of section 14-25a, section 14-28, subsection (b) of
2928 section 14-35, subsection (b) of section 14-41, section 14-41a, subsection
2929 (a) of section 14-44, sections 14-47, 14-48b, 14-49 and 14-50, subsection
2930 (a) of section 14-50a, sections 14-52 [14-53] and 14-58, as amended by
2931 this act, subsection (c) of section 14-66, subsection (e) of section 14-67,
2932 sections 14-67a, 14-67d, 14-67i and 14-69, subsection (e) of section 14-
2933 73, subsection (c) of section 14-96q, sections 14-103a and 14-160,
2934 subsection (a) of section 14-164a, subsection (a) of section 14-192,
2935 sections 14-319, 14-320 and 14-381, subsection (b) of section 14-382 and
2936 sections 14-383 and 15-14. Each report shall include, but not be limited
2937 to: Information on the number of lane miles of state and local roadway
2938 repaved, the status of the state and local bridge programs, the status of
2939 intrastate and interstate highway programs and the interstate trade-in
2940 program and mass transportation and aeronautics programs. The
2941 commissioner shall notify the joint standing committees of the General
2942 Assembly having cognizance of matters relating to finance, revenue
2943 and bonding and appropriations and the budgets of state agencies of
2944 the availability of the report. A requesting member of such a
2945 committee shall be sent a written copy or electronic storage media of

2946 the report by the commissioner.

2947 Sec. 77. Section 14-46c of the general statutes is repealed and the
2948 following is substituted in lieu thereof (*Effective October 1, 2002*):

2949 The board shall have the following responsibilities: (1) To advise the
2950 commissioner on health standards relating to the safe operation of
2951 motor vehicles; (2) to recommend to the commissioner procedures and
2952 guidelines for licensing individuals with impaired health; (3) to assist
2953 in developing medically acceptable standardized report forms; (4) to
2954 recommend a training course for motor vehicle examiners on the
2955 medical aspects of operator licensure; (5) to undertake any programs
2956 and activities the commissioner may request relating to the medical
2957 aspects of motor vehicle operator licensure; [,] and (6) to make
2958 recommendations and offer advice on individual health problem cases
2959 referred by the commissioner not later than sixty days from the date of
2960 such reference and to establish guidelines for dealing with such
2961 individual cases. In making such recommendations, the board may
2962 rely on medical or optometric records and reports, personally
2963 interview such individual or require a physical examination of such
2964 individual and a written medical report by a physician or a report by
2965 an optometrist designated by the board who shall not be a member of
2966 the board. Such individual may obtain a medical report by a physician
2967 or a report by an optometrist of his choice, licensed to practice in this
2968 state, which shall be given due consideration by the board in making
2969 any such recommendations.

2970 Sec. 78. Subsection (c) of section 14-100a of the general statutes is
2971 repealed and the following is substituted in lieu thereof (*Effective*
2972 *October 1, 2002*):

2973 (c) (1) The operator of and any front seat passenger in a [private
2974 passenger] motor vehicle [, as defined in subsection (e) of section 38a-
2975 363,] with a gross vehicle weight rating not exceeding ten thousand
2976 pounds or fire fighting apparatus [or a vanpool vehicle] originally
2977 equipped with seat safety belts complying with the provisions of the

2978 Code of Federal Regulations, Title 49, Section 571.209, as amended
2979 from time to time, shall wear such seat safety belt while the vehicle is
2980 being operated on the highways of this state, except that a child under
2981 the age of four years shall be restrained as provided in subsection (d)
2982 of this section. Each operator of such vehicle shall secure or cause to be
2983 secured in a seat safety belt any passenger four years of age or older
2984 and under sixteen years of age.

2985 (2) The provisions of subdivision (1) of this subsection shall not
2986 apply to (A) any person whose physical disability or impairment
2987 would prevent restraint in such safety belt, provided such person
2988 obtains a written statement from a licensed physician containing
2989 reasons for such person's inability to wear such safety belt and
2990 including information concerning the nature and extent of such
2991 condition. Such person shall carry the statement on his or her person
2992 or in the motor vehicle at all times when it is being operated, [.]

2993 [(3) As used in this subsection, "private passenger motor vehicle"
2994 does not mean] or (B) an authorized emergency vehicle, other than fire
2995 fighting apparatus, responding to an emergency call or a motor vehicle
2996 operated [(A)] by a rural letter carrier of the United States postal
2997 service while performing his or her official duties [,] or [(B)] by a
2998 person engaged in the delivery of newspapers.

2999 [(4)] (3) Failure to wear a seat safety belt shall not be considered as
3000 contributory negligence nor shall such failure be admissible evidence
3001 in any civil action.

3002 [(5)] (4) On and after February 1, 1986, any person who violates the
3003 provisions of this subsection shall have committed an infraction and
3004 shall be fined fifteen dollars. Points may not be assessed against the
3005 operator's license of any person convicted of such violation.

3006 Sec. 79. Subsection (e) of section 14-163c of the general statutes is
3007 repealed and the following is substituted in lieu thereof (*Effective*
3008 *October 1, 2002*):

3009 (e) (1) Any person who violates the provisions of this section or any
3010 regulations adopted [hereunder] under this section shall have
3011 committed an infraction. (2) Any person who commits repeated
3012 violations of this section or regulations adopted under this section
3013 shall be assessed a civil penalty of not more than ten thousand dollars.
3014 The commissioner shall adopt regulations in accordance with chapter
3015 54 that specify criteria for the assessment of such penalty, including,
3016 but not limited to, the amount of the penalty depending on the number
3017 of violations.

3018 Sec. 80. Subdivision (5) of section 14-164b of the general statutes is
3019 repealed and the following is substituted in lieu thereof (*Effective from*
3020 *passage*):

3021 (5) "Official emissions inspection station" means an [exhaust]
3022 emissions inspection facility approved by the commissioner, whether
3023 placed in a permanent structure or in a mobile unit for conveyance
3024 among various locations within this state, including any such facility
3025 located on the premises of a licensed dealer or repairer, for the purpose
3026 of conducting [exhaust] emissions inspections of all vehicles required
3027 to be inspected pursuant to this chapter.

3028 Sec. 81. Section 14-164c of the general statutes, as amended by
3029 section 42 of public act 01-9 of the June special session, is repealed and
3030 the following is substituted in lieu thereof (*Effective from passage*):

3031 (a) No person shall fail to maintain in good working order or
3032 remove, dismantle or otherwise cause to be inoperative any equipment
3033 or feature constituting an operational element of the air pollution
3034 control system or mechanism of a motor vehicle required by
3035 regulations of the Commissioner of Environmental Protection to be
3036 maintained or on the vehicle. Any such failure to maintain in good
3037 working order or removal, dismantling or causing of inoperability
3038 shall subject the owner thereof to revocation of registration for such
3039 vehicle by the Commissioner of Motor Vehicles unless all parts and
3040 equipment constituting elements of air pollution control have been

3041 made operable and in good working order within thirty days of notice
3042 by said commissioner of such violation. Any such failure shall be
3043 considered a failure to comply with the periodic inspection
3044 requirements established under subsection (c) of this section. As used
3045 in this section, motor vehicle shall have the same meaning as is
3046 provided in section 14-1.

3047 (b) The Commissioner of Environmental Protection shall consult
3048 with the Commissioner of Motor Vehicles and furnish the
3049 commissioner with technical information, including testing techniques,
3050 standards and instructions for emission control features and
3051 equipment. The Commissioner of Environmental Protection shall
3052 furnish the Commissioner of Motor Vehicles with emission standards
3053 for all motor vehicles [designated as a 1968 or later model] subject to
3054 the inspection and maintenance requirements. Such standards shall be
3055 consistent with provisions of federal law, if any, relating to control of
3056 emissions from the vehicles concerned or any regulations adopted by
3057 the Commissioner of Environmental Protection which implement the
3058 low-emission vehicle and clean fuels regulations adopted by the state
3059 of California, as amended. Such standards shall be periodically
3060 reviewed by the Commissioner of Environmental Protection and
3061 revised, if necessary, to achieve the objectives of the vehicle emission
3062 inspection program.

3063 (c) The commissioner shall adopt regulations, in accordance with
3064 chapter 54, to implement the provisions of this section. Such
3065 regulations shall include provision for a periodic inspection of air
3066 pollution control equipment and compliance with or waiver [with] of
3067 exhaust emission standards or compliance with or waiver [with] of on-
3068 board diagnostic standards or other standards defined by the
3069 Commissioner of Environmental Protection and approved by the
3070 Administrator of the United States Environmental Protection Agency,
3071 compliance with or waiver [with] of, air pollution control system
3072 integrity standards defined by the Commissioner of Environmental
3073 Protection and compliance with or waiver [with] of purge system
3074 standards defined by the Commissioner of Environmental Protection.

3075 Such regulations may provide for an inspection procedure using an
3076 on-board diagnostic information system for all 1996 model year and
3077 newer motor vehicles. Such regulations shall apply to all motor
3078 vehicles registered or which will be registered in this state except: (1)
3079 Vehicles having a gross weight of more than ten thousand pounds; (2)
3080 vehicles powered by electricity; (3) bicycles with motors attached; (4)
3081 motorcycles; (5) vehicles operating with a temporary registration; (6)
3082 vehicles manufactured twenty-five or more years ago; (7) new vehicles
3083 at the time of initial registration; (8) vehicles registered but not
3084 designed primarily for highway use; (9) farm vehicles, as defined in
3085 subsection (q) of section 14-49; (10) antique, rare or special interest
3086 motor vehicles, as defined in section 14-1, as amended by this act; (11)
3087 diesel-powered type II school buses; or (12) a vehicle operated by a
3088 licensed dealer or repairer either to or from a location of the purchase
3089 or sale of such vehicle or for the purpose of obtaining an official
3090 emissions or safety inspection. On and after July 1, 2002, such
3091 regulations shall exempt from the periodic inspection requirement any
3092 vehicle four or less model years of age, beginning with model year
3093 2003 and the previous three model years, provided that such
3094 exemption shall lapse upon a finding by the Administrator of the
3095 United States Environmental Protection Agency or by the Secretary of
3096 the United States Department of Transportation that such exemption
3097 causes the state to violate applicable federal environmental or
3098 transportation planning requirements. Notwithstanding any
3099 provisions of this subsection, the commissioner may require an initial
3100 emissions inspection and compliance or waiver prior to registration of
3101 a new motor vehicle. If the Commissioner of Environmental Protection
3102 finds that it is necessary to inspect motor vehicles which are exempt
3103 under subdivision (1) or (4) of this subsection, or motor vehicles that
3104 are four or less model years of age in order to achieve compliance with
3105 federal law concerning emission reduction requirements, the
3106 Commissioner of Motor Vehicles may adopt regulations, in accordance
3107 with the provisions of chapter 54, to require the inspection of
3108 motorcycles, designated motor vehicles having a gross weight of more
3109 than ten thousand pounds or motor vehicles four or less model years

3110 of age.

3111 (d) No motor vehicle subject to the inspection requirements of this
3112 section shall be operated upon the highways of this state unless such
3113 vehicle has been presented for inspection in accordance with a
3114 schedule for inspection and compliance as established by the
3115 commissioner. The commissioner shall grant waivers from compliance
3116 with standards for vehicles which fail any required inspection and
3117 require an unreasonable cost of repair to bring the vehicle into
3118 compliance. The commissioner may determine compliance of a vehicle
3119 that has failed an emissions retest by means of a complete physical and
3120 functional diagnosis and inspection of the vehicle, in accordance with
3121 the provisions of 40 CFR Part 51.360, showing that no additional
3122 emissions-related repairs are needed. An extension of time, not to
3123 exceed the period of inspection frequency, may be granted to obtain
3124 needed repairs on a vehicle in the case of economic hardship of the
3125 owner. Only one such extension may be granted for any vehicle. The
3126 commissioner may design a sticker to be affixed to the windshield of
3127 each vehicle which shall bear the date of expiration of the assigned
3128 inspection period on both sides. The commissioner may also design a
3129 sticker to be affixed to the windshield of each vehicle that is exempt
3130 from the requirements of this chapter, which sticker shall bear the date,
3131 if any, on which such vehicle is no longer exempt and is required to be
3132 presented for inspection. As used in this section, "unreasonable cost of
3133 repair" means cost of repair in excess of the amounts required to be
3134 expended by Title 40, Part 51.360 of the Code of Federal Regulations,
3135 as amended.

3136 (e) In order to provide for emissions inspection facilities, the
3137 commissioner may enter into a negotiated inspection agreement or
3138 agreements, notwithstanding chapters 50, 58, 59 and 60, with an
3139 independent contractor or contractors, to provide for the leasing,
3140 construction, equipping, maintenance or operation of a system of
3141 official emissions inspection stations in such numbers and locations as
3142 may be required to provide vehicle owners reasonably convenient
3143 access to inspection facilities. The commissioner may employ such

3144 system and the services of such contractor or contractors to conduct
3145 safety inspections as provided by section 14-16a, as amended,
3146 subsection (g) of section 14-12, as amended, and section 14-103a. Such
3147 contractor or contractors, with the approval of the commissioner, may
3148 operate inspection stations at suitable locations owned or operated by
3149 other persons, firms or corporations, including retail business
3150 establishments with adequate facilities to accommodate and to
3151 perform inspections on motor vehicles. The commissioner is
3152 prohibited from entering into an inspection agreement with any
3153 independent contractor who: (1) Is engaged in the business of
3154 maintaining or repairing vehicles in this state, except that the
3155 independent contractor shall not be precluded from maintaining or
3156 repairing any vehicle owned or operated by the independent
3157 contractor; or (2) does not have the capability, resources or technical
3158 and management skill to adequately conduct, equip, operate and
3159 maintain a sufficient number of official emissions inspection stations.
3160 All persons employed by the independent contractor in the
3161 performance of an inspection agreement are deemed to be employees
3162 of the independent contractor and not of this state. The inspection
3163 agreement or agreements authorized by this section shall be subject to
3164 other provisions as follows: (A) Minimum requirements for staff,
3165 equipment, management and hours and place of operation of official
3166 emissions inspection stations including such additional testing
3167 facilities as may be established and operated in accordance with
3168 subsection (g) of this section; (B) reports and documentation
3169 concerning the operation of official emissions inspection stations and
3170 additional testing facilities as the commissioner may require; (C)
3171 surveillance privileges for the commissioner to ensure compliance with
3172 standards, procedures, rules, regulations and laws; and (D) any other
3173 provision deemed necessary by the commissioner for the
3174 administration of the inspection agreement. Nothing in the inspection
3175 agreement shall require the state to purchase any asset or assume any
3176 liability if such agreement is not renewed.

3177 (f) (1) The commissioner may authorize and appoint any motor

3178 vehicle dealer or repairer that is licensed in accordance with [section
3179 14-52] the provisions of subpart (D) of part III of chapter 246 and that
3180 has the qualifications established by the commissioner to conduct
3181 emissions inspections in a designated area of its licensed premises and
3182 to report the results thereof to the Department of Motor Vehicles,
3183 provided such licensee signs a statement that such licensee
3184 understands the provisions of this section and regulations adopted
3185 under authority of this section, understands the necessity to comply
3186 with administrative and technical directives and advisories that the
3187 commissioner issues and understands that any failure by such licensee
3188 to comply with this section, the regulations or the directives or
3189 advisories constitutes grounds for the commissioner to suspend or
3190 revoke the authority for such licensee to conduct inspections.

3191 (2) Each such licensee shall conduct an emissions inspection of any
3192 registered motor vehicle requiring such an inspection at any time
3193 during its normal and posted hours of operation or, at the discretion of
3194 the commissioner, at a predetermined or appointed time, when such
3195 motor vehicle is presented [by its owner] for inspection. No such
3196 licensee shall charge any fee for the inspection except the fee
3197 authorized by subsection [(i)] (k) of this section. The results of each
3198 emissions inspection performed in accordance with this subsection
3199 shall be evidenced by a written vehicle inspection report, containing
3200 such information and certification by the inspecting licensee as the
3201 commissioner shall prescribe. The licensee shall furnish a copy of such
3202 inspection report to the operator of the motor vehicle at the time of
3203 completion of the inspection.

3204 (3) No such licensee may be appointed by the commissioner nor
3205 may any such licensee conduct any inspection unless the licensee has
3206 in its employ one or more certified emissions inspectors and repair
3207 technicians. Such inspectors and technicians shall conduct all
3208 inspections and related emissions repair work, and shall meet the
3209 training and certification requirements in 40 CFR Part 51.367, and of
3210 the regulations adopted by the commissioner in accordance with this
3211 subsection.

3212 (4) The commissioner may suspend or revoke the authority to
3213 conduct emissions inspections by any such licensee that is authorized
3214 to conduct emissions inspections if the licensee fails to comply with the
3215 provisions of this section, regulations adopted under authority of this
3216 section, or administrative or technical directives or advisories that the
3217 commissioner issues.

3218 (5) The commissioner shall adopt regulations, in accordance with
3219 chapter 54, to establish the qualifications for such licensees to be
3220 authorized and appointed to conduct emissions inspections, and to
3221 establish standards and procedures for such inspections, reporting
3222 requirements by such licensees and training and certification
3223 requirements for inspectors and repair technicians.

3224 (g) The independent contractor or contractors retained by the state
3225 in accordance with the provisions of subsection (e) of this section may
3226 conduct emissions inspections at one or more facilities owned or
3227 operated by a motor vehicle dealer or dealers, licensed in accordance
3228 with section 14-52. No such inspection facility located on the premises
3229 of a licensed dealer shall be operated without the prior approval of the
3230 commissioner. The operation of each such facility shall be subject to
3231 such procedures and requirements, to be followed by the contractor
3232 and the licensee, as may be prescribed by the terms and conditions of
3233 the contract entered into in accordance with the provisions of
3234 subsection (e) of this section, and in regulations as may be adopted by
3235 the commissioner in accordance with chapter 54. The state shall not be
3236 a party to, or assume or incur any liability of any kind under any
3237 agreement entered into between the independent contractor and any
3238 dealer, in furtherance of the provisions of this subsection. The contract
3239 or contracts entered into by the state in accordance with the provisions
3240 of subsection (e) of this section shall provide for indemnification of the
3241 state with respect to the operation of any such inspection facility
3242 located at a motor vehicle dealership, in the same manner and to the
3243 same extent as the operation of an official emissions inspection station.

3244 (h) In order to provide for management and oversight of emissions

3245 inspection facilities established in accordance with subsection (e) of
3246 this section and to establish and maintain necessary electronic data
3247 capture and reporting systems for such facilities and for licensed
3248 dealers and repairers who may be authorized to perform inspections in
3249 accordance with the provisions of subsection (f) of this section, the
3250 commissioner may enter into a negotiated personal service agreement
3251 or agreements, in accordance with the provisions of chapter 55a, with
3252 any qualified person, firm or corporation. The responsibilities of any
3253 such contractor retained by the commissioner shall include, but need
3254 not be limited to, the following: (1) Review and analysis of data from
3255 all official emissions inspections performed, and provision to the
3256 commissioner of recommendations to improve the quality and
3257 integrity of such data, (2) provision of program information and
3258 standards to inspection facilities and locations, (3) provision to the
3259 commissioner of regular reports, assessments and recommendations to
3260 maintain or improve the effectiveness, efficiency, quality and integrity
3261 of such inspection operations, and (4) identification of measures to
3262 enhance public convenience, and compliance with the inspection
3263 requirements. No such contractor retained in accordance with the
3264 provisions of this subsection may be licensed as, or have any financial
3265 interest in any firm engaged in the business of selling or repairing
3266 motor vehicles, or may be a provider of emissions inspection
3267 equipment or facilities to the state.

3268 (i) The commissioner may license an owner or operator of a fleet of
3269 motor vehicles which are subject to emissions inspection pursuant to
3270 subsection (c) of this section or section 14-164i, to establish a fleet
3271 emissions inspection station, provided that the fleet owner or operator
3272 conforms with regulations for fleet emissions inspection stations
3273 adopted by the commissioner which shall specify the classes or other
3274 characteristics of vehicles eligible for inspection at such stations.

3275 (j) The commissioner may establish a program for the on-road
3276 testing of motor vehicles subject to this chapter. The program shall test
3277 not less than one-half of one per cent of the subject fleet state-wide or
3278 twenty thousand vehicles, [every] whichever is less, per inspection

3279 cycle under conditions of highway operation in order to provide
3280 information concerning the emission performance of such in-use
3281 vehicles. Testing may be performed by means of remote sensing
3282 devices, or roadside pullovers followed by tailpipe emissions testing
3283 using a suitable, portable device and recording system. Owners of
3284 vehicles that have previously been through scheduled periodic
3285 inspection and passed, and are found by on-road testing to be high
3286 emitters, in accordance with the standards established under
3287 subsection (b) of this section and the regulations adopted under
3288 subsection (c) of this section, [shall] may be notified that their vehicles
3289 are required to pass an out-of-cycle follow-up inspection at an
3290 inspection station. Notification may be made by mailing in the case of
3291 remote sensing on-road testing or through immediate notification if
3292 roadside pullovers are used. The commissioner may use the services of
3293 the independent contractor or contractors to implement the on-road
3294 testing program. If a method of roadside pullovers is used in the
3295 program, such method shall be employed with due regard to traffic
3296 safety considerations and performed with the assistance of inspectors
3297 of the Department of Motor Vehicles or members of state or municipal
3298 police forces.

3299 [(j)] (k) (1) The commissioner, with approval of the Secretary of the
3300 Office of Policy and Management, shall establish, and from time to
3301 time modify, the inspection fees, not to exceed ten dollars per annual
3302 inspection or twenty dollars for each biennial inspection or
3303 reinspection required pursuant to this chapter for inspections
3304 performed at official emissions inspection stations. Such fees shall be
3305 paid in a manner prescribed by the commissioner. If the costs to the
3306 state of the emissions inspection program, including administrative
3307 costs and payments to any independent contractor, exceed the income
3308 from such fees, such excess costs shall be borne by the state. Any
3309 person whose vehicle has been inspected at an official emissions
3310 inspection station shall, if such vehicle is found not to comply with any
3311 required standards, have the vehicle repaired and have the right
3312 within thirty consecutive calendar days to return such vehicle to the

3313 same official emissions inspection station for one reinspection without
3314 charge, provided, where the thirtieth day falls on [any day when the
3315 official emissions inspection station is closed for business] a Sunday,
3316 legal holiday or a day on which the commissioner has established that
3317 special circumstances or conditions exist that have caused emissions
3318 inspection to be impracticable, such person may return such vehicle for
3319 reinspection on the next day. [on which such station is open for
3320 business.] The commissioner shall assess a late fee of twenty dollars for
3321 the emissions inspection of a motor vehicle performed at an official
3322 emissions inspection station later than thirty days after the expiration
3323 date of the assigned inspection period provided the commissioner may
3324 waive such late fee when it is proven to the commissioner's satisfaction
3325 that the failure to have the vehicle inspected within thirty days of the
3326 assigned inspection period was due to exigent circumstances. If
3327 ownership of the motor vehicle has been transferred subsequent to the
3328 expiration date of the assigned inspection period and the new owner
3329 has such motor vehicle inspected within thirty days of the registration
3330 of such motor vehicle, the commissioner shall waive the late fee. If the
3331 thirtieth day falls on [any day when the official emissions inspection
3332 station is closed for business] a Sunday, legal holiday or a day on
3333 which the commissioner has established that special circumstances or
3334 conditions exist that have caused emissions inspection to be
3335 impracticable, such vehicle may be inspected on the next day [on
3336 which such station is open for business] and no late fee shall be
3337 assessed.

3338 (2) If the commissioner authorizes a licensed dealer or repairer to
3339 conduct emissions inspections of 1996 model year and newer vehicles
3340 required by this chapter, the commissioner may authorize such
3341 licensee to charge a fee, not to exceed twenty dollars for each biennial
3342 inspection or reinspection.

3343 (3) Upon the registration of each new motor vehicle subject to the
3344 inspection requirements of this chapter, or of each motor vehicle that is
3345 four or less model years of age that has not been registered previously
3346 in this state, the commissioner shall issue a sticker indicating the

3347 exempt status of such motor vehicle and the date on which the motor
3348 vehicle is scheduled to be presented for inspection. Such sticker shall
3349 be displayed on the motor vehicle in accordance with subsection (d) of
3350 this section. On and after July 1, 2002, the commissioner shall charge a
3351 fee of forty dollars in addition to any other fees required for such
3352 registration. All receipts from the payment of such fee shall be
3353 deposited in the Special Transportation Fund. [Any person whose
3354 vehicle is inspected by a licensed motor vehicle dealer or repairer
3355 appointed by the commissioner in accordance with the provisions of
3356 subsection (f) of this section shall, if such vehicle is found not to
3357 comply with any required standard, have the vehicle repaired and
3358 have the right no later than the thirtieth day following the date of the
3359 inspection to return such vehicle to the same facility for one
3360 reinspection without charge, provided, if the thirtieth day falls on any
3361 day when the inspection facility is closed for business, such person
3362 may return such vehicle for reinspection without charge on the next
3363 day on which such station is open for business.]

3364 [(k)] (l) The commissioner may acquire in the name of the state by
3365 purchase, lease, gift, devise or otherwise any special equipment, tools,
3366 materials or facilities needed to adequately administer, investigate or
3367 enforce the provisions of this chapter.

3368 [(l)] (m) A person shall not in any manner represent any place to be
3369 an official emissions inspection station unless such station has been
3370 established and is operated [under a valid inspection agreement with
3371 the commissioner] in accordance with the provisions of this section.

3372 [(m)] (n) No person, firm or corporation shall operate or allow to be
3373 operated any motor vehicle that has not been inspected and found to
3374 be in compliance with the provisions of subsections (c), (d) and [(h)] (i)
3375 of this section and the regulations adopted by the commissioner.
3376 Operation in violation of said subsections or the regulations adopted
3377 by the commissioner shall be an infraction for each violation, except
3378 that the fine for a first violation shall be thirty-five dollars. The
3379 commissioner may deny the issuance of registration to the owner of a

3380 motor vehicle, or the renewal of registration to any such owner, or
3381 suspend any registration that has been issued, if such motor vehicle is
3382 not in compliance with the inspection requirements of this chapter.

3383 Sec. 82. Subsection (b) of section 13b-61 of the general statutes, as
3384 amended by section 46 of public act 01-9 of the June special session, is
3385 repealed and the following is substituted in lieu thereof (*Effective from*
3386 *passage*):

3387 (b) Notwithstanding any provision of subsection (a) of this section
3388 to the contrary, there shall be paid promptly to the State Treasurer and
3389 thereupon, unless required to be applied by the terms of any lien,
3390 pledge or obligation created by or pursuant to the 1954 declaration,
3391 part III (C) of chapter 240, credited to the Special Transportation Fund:

3392 (1) On and after July 1, 1984, all moneys received or collected by the
3393 state or any officer thereof on account of, or derived from, sections 12-
3394 458 and 12-479, provided the State Comptroller is authorized to record
3395 as revenue to the General Fund for the fiscal year ending June 30, 1984,
3396 the amount of tax levied in accordance with said sections 12-458 and
3397 12-479, on all fuel sold or used prior to the end of said fiscal year and
3398 which tax is received no later than July 31, 1984;

3399 (2) On and after July 1, 1984, all moneys received or collected by the
3400 state or any officer thereof on account of, or derived from, motor
3401 vehicle receipts;

3402 (3) On and after July 1, 1984, all moneys received or collected by the
3403 state or any officer thereof on account of, or derived from, (A)
3404 subsection (a) of section 14-192, and (B) royalty payments for retail
3405 sales of gasoline pursuant to section 13a-80;

3406 (4) On and after July 1, 1985, all moneys received or collected by the
3407 state or any officer thereof on account of, or derived from, license,
3408 permit and fee revenues as defined in section 13b-59, except as
3409 provided under subdivision (3) of this subsection;

3410 (5) On or after July 1, 1989, all moneys received or collected by the
3411 state or any officer thereof on account of, or derived from, section 13b-
3412 70;

3413 (6) On and after July 1, 1984, all transportation-related federal
3414 revenues of the state;

3415 (7) On and after July 1, 1997, all moneys received or collected by the
3416 state or any officer thereof on account of, or derived from, fees for the
3417 relocation of a gasoline station under section 14-320;

3418 (8) On and after July 1, 1997, all moneys received or collected by the
3419 state or any officer thereof on account of, or derived from, section 14-
3420 319;

3421 (9) On and after July 1, 1997, all moneys received or collected by the
3422 state or any officer thereof on account of, or derived from, fees
3423 collected pursuant to section 14-327b for motor fuel quality registration
3424 of distributors;

3425 (10) On and after July 1, 1997, all moneys received or collected by
3426 the state or any officer thereof on account of, or derived from, annual
3427 registration fees for motor fuel dispensers and weighing or measuring
3428 devices pursuant to section 43-3;

3429 (11) On and after July 1, 1997, all moneys received or collected by
3430 the state or any officer thereof on account of, or derived from, fees for
3431 the issuance of identity cards pursuant to section 1-1h;

3432 (12) On and after July 1, 1997, all moneys received or collected by
3433 the state or any officer thereof on account of, or derived from, safety
3434 fees pursuant to subsection (w) of section 14-49;

3435 (13) On and after July 1, 1997, all moneys received or collected by
3436 the state or any officer thereof on account of, or derived from, late fees
3437 for the emissions inspection of motor vehicles pursuant to subsection
3438 [(j)] (k) of section 14-164c, as amended by this act;

3439 (14) On and after July 1, 1997, all moneys received or collected by
3440 the state or any officer thereof on account of, or derived from, the sale
3441 of information by the Commissioner of Motor Vehicles pursuant to
3442 subsection (b) of section 14-50a; and

3443 (15) On and after October 1, 1998, all moneys received by the state
3444 or any officer thereof on account of, or derived from, section 14-212b.

3445 Sec. 83 Section 14-44 of the general statutes, as amended by section 1
3446 of public act 01-175, is repealed and the following is substituted in lieu
3447 thereof (*Effective from passage*):

3448 (a) (1) No person shall operate a commercial motor vehicle used for
3449 passenger transportation on any public highway of this state until he
3450 has obtained a commercial driver's license with a passenger
3451 endorsement from the commissioner, except a nonresident who holds
3452 such license with such endorsement issued by another state. (2) No
3453 person shall operate a school bus until he has obtained a commercial
3454 driver's license with a passenger endorsement and a school
3455 endorsement, except that a person who holds such a license without
3456 such endorsements may operate a school bus without passengers for
3457 the purpose of road testing or moving the vehicle. (3) No person shall
3458 operate a student transportation vehicle, as defined in section 14-212,
3459 taxicab, motor vehicle in livery service, motor bus or service bus until
3460 he has obtained an operator's license bearing an endorsement of the
3461 appropriate type from the commissioner issued in accordance with the
3462 provisions of this section.

3463 (b) No public passenger transportation permit or operator's license
3464 bearing an endorsement shall be issued or renewed in accordance with
3465 the provisions of this section or section 14-36a, until the commissioner,
3466 or his authorized representative, is satisfied that the applicant is a
3467 proper person to receive such a permit or an operator's license bearing
3468 an endorsement, holds a valid motor vehicle operator's license, or, if
3469 necessary for the class of vehicle operated, a commercial driver's
3470 license and is at least eighteen years of age. Each applicant for such a

3471 permit, an operator's license bearing an endorsement or the renewal of
3472 such a license shall furnish the commissioner, or his authorized
3473 representative, with satisfactory evidence, which may be required to
3474 be under oath, to prove that he has no criminal record, that he has not
3475 been convicted of a violation of subsection (a) of section 14-227a within
3476 five years of the date of application, that he has received negative drug
3477 test results in two or more urine tests if any such tests were
3478 administered within one year of such date and that no reason exists for
3479 a refusal to grant or renew such a permit or an operator's license
3480 bearing an endorsement. Each applicant for such a permit, an
3481 operator's license bearing an endorsement, or the renewal of such a
3482 license shall submit with his application proof satisfactory to the
3483 commissioner that he has passed a physical examination which has
3484 been taken within ninety days prior to his application, and which is in
3485 compliance with safety regulations established from time to time by
3486 the United States Department of Transportation. Each applicant for
3487 such a permit or an operator's license bearing an endorsement shall be
3488 fingerprinted before the permit or the license bearing an endorsement
3489 is issued.

3490 (c) The commissioner may issue, withhold, renew, suspend, cancel
3491 or revoke, any passenger or school endorsement. The commissioner
3492 may, in making his decision, consider the age, accident and criminal
3493 record, moral character and physical condition of any such applicant
3494 or permittee and such other matters as the commissioner may
3495 determine. The commissioner may require any such applicant or
3496 permittee to furnish the statements of two or more reputable citizens,
3497 which may be required to be under oath, vouching for the good
3498 character or other qualifications of the applicant or permittee.

3499 (d) Upon the arrest of any person who holds a public passenger
3500 transportation permit or operator's license bearing an endorsement
3501 charged with a felony or class A misdemeanor, the arresting officer or
3502 department, within forty-eight hours, shall cause a report of such
3503 arrest to be made to the commissioner. The report shall contain the
3504 name and motor vehicle operator's license number of the person

3505 placed under arrest and such other information as the commissioner
3506 may prescribe and shall be subscribed and sworn to under penalty of
3507 false statement as provided in section 53a-157b by the arresting officer.
3508 The commissioner may adopt regulations, in accordance with chapter
3509 54, to implement the provisions of this subsection.

3510 [(d)] (e) Prior to issuing an operator's license bearing a school
3511 endorsement, the commissioner shall require each applicant to submit
3512 to state and national criminal history records checks. The criminal
3513 history records checks required pursuant to this subsection shall be
3514 conducted in accordance with section 29-17a. If notice of a state
3515 criminal history record is received, the commissioner may refuse to
3516 issue an operator's license bearing such endorsement and, in such case,
3517 shall immediately notify the applicant, in writing, of such refusal.
3518 Subject to the provisions of section 46a-80, if notice of a national
3519 criminal history record is received, the commissioner may withdraw
3520 the operator's license bearing a school endorsement immediately and,
3521 in such case, shall immediately notify the holder of such license and
3522 the holder's employer, in writing, of such withdrawal.

3523 [(e)] (f) Any applicant who is refused an operator's license bearing
3524 an endorsement or the renewal of such a license, or whose operator's
3525 license bearing an endorsement or the renewal of such a license is
3526 withdrawn or revoked on account of a criminal record shall be entitled
3527 to a hearing, if requested in writing within twenty days. The hearing
3528 shall be conducted in accordance with the requirements of chapter 54
3529 and the applicant may appeal from the final decision rendered therein
3530 in accordance with section 4-183.

3531 [(f)] (g) Violation of any provision of this section shall be an
3532 infraction.

3533 Sec. 84. (Effective July 1, 2002) Sections 14-36c, 14-53 and 14-201 to 14-
3534 209, inclusive, of the general statutes are repealed.

3535 Sec. 85. (Effective on such date the Commissioner of Motor Vehicles files a
3536 notice of joinder to the driver's license agreement established pursuant to

3537 section 35 of this act) Sections 14-111c and 14-111d of the general
 3538 statutes are repealed.

This act shall take effect as follows:	
Section 1	<i>July 1, 2002</i>
Sec. 2	<i>July 1, 2002</i>
Sec. 3	<i>July 1, 2002</i>
Sec. 4	<i>July 1, 2002</i>
Sec. 5	<i>July 1, 2002</i>
Sec. 6	<i>July 1, 2002</i>
Sec. 7	<i>July 1, 2002</i>
Sec. 8	<i>July 1, 2002</i>
Sec. 9	<i>July 1, 2002</i>
Sec. 10	<i>July 1, 2002</i>
Sec. 11	<i>July 1, 2002</i>
Sec. 12	<i>July 1, 2002</i>
Sec. 13	<i>July 1, 2002</i>
Sec. 14	<i>July 1, 2002</i>
Sec. 15	<i>July 1, 2002</i>
Sec. 16	<i>July 1, 2002</i>
Sec. 17	<i>October 1, 2002</i>
Sec. 18	<i>October 1, 2002</i>
Sec. 19	<i>October 1, 2002</i>
Sec. 20	<i>July 1, 2002</i>
Sec. 21	<i>October 1, 2002</i>
Sec. 22	<i>October 1, 2002</i>
Sec. 23	<i>October 1, 2002</i>
Sec. 24	<i>October 1, 2002</i>
Sec. 25	<i>October 1, 2002</i>
Sec. 26	<i>October 1, 2002</i>
Sec. 27	<i>October 1, 2002</i>
Sec. 28	<i>October 1, 2002</i>
Sec. 29	<i>October 1, 2002</i>
Sec. 30	<i>from passage</i>
Sec. 31	<i>October 1, 2002</i>
Sec. 32	<i>from passage</i>
Sec. 33	<i>October 1, 2002</i>
Sec. 34	<i>January 1, 2003</i>
Sec. 35	<i>January 1, 2003</i>

Sec. 36	<i>January 1, 2003</i>
Sec. 37	<i>January 1, 2003</i>
Sec. 38	<i>January 1, 2003</i>
Sec. 39	<i>January 1, 2003</i>
Sec. 40	<i>January 1, 2003</i>
Sec. 41	<i>January 1, 2003</i>
Sec. 42	<i>January 1, 2003</i>
Sec. 43	<i>January 1, 2003</i>
Sec. 44	<i>October 1, 2002</i>
Sec. 45	<i>October 1, 2002</i>
Sec. 46	<i>July 1, 2002</i>
Sec. 47	<i>July 1, 2002</i>
Sec. 48	<i>July 1, 2002</i>
Sec. 49	<i>from passage</i>
Sec. 50	<i>July 1, 2002</i>
Sec. 51	<i>July 1, 2002</i>
Sec. 52	<i>January 1, 2003</i>
Sec. 53	<i>July 1, 2002</i>
Sec. 54	<i>July 1, 2002</i>
Sec. 55	<i>July 1, 2002</i>
Sec. 56	<i>July 1, 2002</i>
Sec. 57	<i>July 1, 2002</i>
Sec. 58	<i>July 1, 2002</i>
Sec. 59	<i>July 1, 2002</i>
Sec. 60	<i>July 1, 2002</i>
Sec. 61	<i>July 1, 2002</i>
Sec. 62	<i>October 1, 2002</i>
Sec. 63	<i>October 1, 2002</i>
Sec. 64	<i>July 1, 2002</i>
Sec. 65	<i>July 1, 2002</i>
Sec. 66	<i>July 1, 2002</i>
Sec. 67	<i>from passage</i>
Sec. 68	<i>from passage</i>
Sec. 69	<i>July 1, 2002</i>
Sec. 70	<i>July 1, 2002</i>
Sec. 71	<i>July 1, 2002</i>
Sec. 72	<i>July 1, 2002</i>
Sec. 73	<i>July 1, 2002</i>
Sec. 74	<i>July 1, 2002</i>
Sec. 75	<i>July 1, 2002</i>

Sec. 76	<i>July 1, 2002</i>
Sec. 77	<i>October 1, 2002</i>
Sec. 78	<i>October 1, 2002</i>
Sec. 79	<i>October 1, 2002</i>
Sec. 80	<i>from passage</i>
Sec. 81	<i>from passage</i>
Sec. 82	<i>from passage</i>
Sec. 83	<i>from passage</i>
Sec. 84	<i>July 1, 2002</i>
Sec. 85	<i>on such date the Commissioner of Motor Vehicles files a notice of joinder to the driver's license agreement established pursuant to section 35 of this act</i>

TRA

Joint Favorable Subst. C/R

JUD