



Senate

General Assembly

File No. 303

January Session, 2003

Substitute Senate Bill No. 812

Senate, April 10, 2003

The Committee on Planning and Development reported through SEN. FONFARA of the 1st Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE VOLUNTARY PROGRAM TO FACILITATE THE PAYMENT OF FINES FOR PARKING VIOLATIONS.

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

1 Section 1. Section 14-33 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) If any property tax, or any installment thereof, laid by any city,
4 town, borough or other taxing district upon a registered motor vehicle
5 or snowmobile remains unpaid, the tax collector of such city, town,
6 borough or other taxing district shall notify the Commissioner of
7 Motor Vehicles of such delinquency in accordance with listings and
8 schedules of dates established by the commissioner and on forms
9 prescribed and furnished by him, specifying the name and address of
10 the person against whom such tax has been assessed, the date when
11 such tax was due and the registration number, if known to the
12 collector. The commissioner shall not issue registration for such motor

13 vehicle or snowmobile for the next registration period if, according to
14 his records, it is then owned by the person against whom such tax has
15 been assessed or by any person to whom such vehicle has not been
16 transferred by bona fide sale. Unless notice has been received by the
17 commissioner under the provisions of section 14-33a, no such
18 registration shall be issued until a receipt evidencing the payment of
19 such tax or certificate of abatement of such tax or other satisfactory
20 evidence that the tax obligation has been legally discharged has been
21 presented to the commissioner; nor shall the commissioner register any
22 other motor vehicle or snowmobile in the name of such person until a
23 receipt evidencing the payment of such tax or a certificate of abatement
24 of such tax or other satisfactory evidence that the tax obligation has
25 been legally discharged has been presented to the commissioner,
26 except that the commissioner may continue to register other vehicles
27 owned by a leasing or rental firm licensed pursuant to section 14-15, if
28 he is satisfied that arrangements have been made to discharge such tax
29 obligation, and may issue such registration to any private owner of
30 three or more paratransit vehicles in direct proportion to the
31 percentage of total tax due on such vehicles which has been paid and
32 notice of payment on which has been received. The Commissioner of
33 Motor Vehicles may immediately suspend all motor vehicle or
34 snowmobile registrations issued in the name of any person (1) who has
35 been reported as delinquent and whose registration was renewed
36 through an error or through the production of false evidence that the
37 delinquent tax had been paid, or (2) who has been reported by a tax
38 collector as having paid a property tax on a motor vehicle or
39 snowmobile with a check which was dishonored by a bank and such
40 tax remains unpaid. Any person aggrieved by any action of the
41 commissioner under this section may appeal therefrom in the manner
42 provided in section 14-134. For the purposes of this subsection,
43 "paratransit vehicle" means a motor bus, taxicab or motor vehicle in
44 livery service operated under a certificate of convenience and necessity
45 issued by the Department of Transportation or by a transit district and
46 which is on call or demand or used for the transportation of
47 passengers for hire.

48 (b) Notwithstanding the provisions of subsection (a) of this section,
49 the Commissioner of Motor Vehicles, in consultation with the
50 Treasurer and the Secretary of the Office of Policy and Management,
51 may enter into an agreement with the tax collector of any city, town,
52 borough or other taxing district whereby the commissioner shall
53 collect any property tax or any installment thereof on a registered
54 motor vehicle which remains unpaid from any person against whom
55 such tax has been assessed who makes application for registration for
56 such motor vehicle. Each such agreement shall include a procedure for
57 the remission of taxes collected to the city, town, borough or other
58 taxing district, on a regular basis, and may provide that a fee be paid
59 by the city, town, borough or other taxing district to the commissioner
60 to cover any costs associated with the administration of the agreement.
61 In the event an agreement is in effect, the commissioner shall
62 immediately issue a registration for a motor vehicle owned by a person
63 against whom such tax has been assessed upon receipt of payment of
64 such tax and a service fee of two dollars, in addition to the fee
65 prescribed for the renewal of the registration.

66 (c) On and after March 1, 1989, any municipality may participate in
67 a program administered by the Commissioner of Motor Vehicles to
68 facilitate the payment of fines for parking violations. If any such
69 municipality elects to participate in such program, it shall provide for a
70 notice of violation to be served personally upon the operator of a
71 motor vehicle who is present at the time of service. If the operator is
72 not present, the notice shall be served upon the owner of the motor
73 vehicle by affixing notice to said vehicle in a conspicuous place. Not
74 more than thirty days after the initial notice, a second notice of
75 violation shall be mailed to the address of record of the business
76 leasing or renting the motor vehicle to such operator. No fines or
77 penalties shall accrue for the violation for a period of sixty days after
78 the second notice is mailed. A participating municipality shall notify
79 the commissioner of every owner of a registered motor vehicle who
80 has unpaid fines for more than five parking violations committed
81 within such municipality on and after March 1, 1989. Upon receipt of
82 such notification, the commissioner shall not issue or renew the motor

83 vehicle registration of such person until he receives notification from
84 such municipality that the delinquent fines have been paid.

85 (d) The provisions of [this subsection] subsection (c) of this section
86 shall not apply to any person, firm or corporation engaged in the
87 business of leasing or renting motor vehicles without drivers in this
88 state with respect to any motor vehicle which is leased or rented. The
89 commissioner shall adopt regulations, in accordance with chapter 54,
90 to implement the provisions of [this subsection] subsection (c) of this
91 section.

This act shall take effect as follows:	
Section 1	October 1, 2003

PD *Joint Favorable Subst.*

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

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Motor Vehicle Dept.	TF - None	None	None

Note: TF=Transportation Fund

Municipal Impact:

Municipalities	Effect	FY 04 \$	FY 05 \$
All Municipalities	STATE MANDATE - Revenue Impact	Indeterminate	Indeterminate
All Municipalities	Potential Cost	Indeterminate	Indeterminate

Explanation

Current law allows municipalities to notify the Department of Motor Vehicles (DMV) of every owner of a registered motor vehicle who has unpaid fines for more than five parking violations committed within their municipality to enable the DMV to deny the individual's registration privilege.

This bill requires municipalities to serve notice personally or by affixing notices in a conspicuous place on the person's vehicle. After thirty days, municipalities must mail a second notice of violation to the address of record of the business leasing or renting the motor vehicle.

This bill would bar municipalities from collecting fines or penalties for 60 days after they mail a second notice of a parking violation. This provision would result in a revenue delay to municipalities.

Moreover, according to local regulations, municipalities may impose late fees for parking violations. This bill could prohibit

municipalities from attaching such late fees; thus, its passage could result in an indeterminate revenue loss to municipalities.

In addition, municipalities could incur costs for second notice mailings. This cost, however, is at present indeterminate.

OLR Bill Analysis

sSB 812

AN ACT CONCERNING THE VOLUNTARY PROGRAM TO FACILITATE THE PAYMENT OF FINES FOR PARKING VIOLATIONS**SUMMARY:**

This bill modifies the circumstances under which municipalities can participate in the Department of Motor Vehicles program that bars a person from registering or reregistering his vehicle if he has more than four unpaid parking tickets from the municipality. Under the bill, if the driver is present at the time of a parking violation in a participating municipality, the ticket must be served on him personally. Otherwise, it must be affixed to a conspicuous place on the vehicle.

The bill requires the municipality to mail a second notice of violation to the address of record for any firm engaged in renting or leasing vehicles for up to 30 days, within 30 days of issuing the ticket. (Read literally, the bill requires the municipality to send a second notice even if the ticket had been paid during this period.) The bill bars fines or penalties from accruing for 60 days after the second notice is mailed. It does not appear to affect the liability for the ticket itself, which depends on the type of parking violation. For statutory violations such as parking in front of fire hydrant, the owner, lessee, or driver are jointly liable. For violations of local parking regulations, the license plate number is prime facie evidence that the owner (including a leasing or rental company) was the driver and thus liable for the ticket.

By law, the registration denial provision does not apply to leased or rented vehicles.

EFFECTIVE DATE: October 1, 2003

BACKGROUND***Related Bill***

The governor's proposed budget (HB 6548) eliminates funding for the parking enforcement program.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 16 Nay 0