



Senate

General Assembly

File No. 346

January Session, 2003

Substitute Senate Bill No. 921

Senate, April 15, 2003

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

AN ACT CONCERNING THE OPERATION OF MOTORCYCLES AND IMPOSING LIMITATIONS ON LICENSED MOTOR VEHICLE AND MOTORCYCLE OPERATORS WHO ARE SIXTEEN OR SEVENTEEN YEARS OF AGE.

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

1 Section 1. Section 14-36 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003, but not*
3 *applicable to persons sixteen or seventeen years of age who applied for a*
4 *learner's permit on or before October 1, 2003*):

5 (a) Except as otherwise provided by this section and section 14-40a,
6 as amended by this act, no person shall operate a motor vehicle on any
7 public highway of this state or private road on which a speed limit has
8 been established in accordance with subsection (a) of section 14-218a
9 until [he] such person has obtained a motor vehicle operator's license.

10 (b) (1) A person eighteen years of age or older may operate a motor
11 vehicle without a motor vehicle operator's license if (A) [he] such

12 person has not had a Connecticut motor vehicle operator's license
13 suspended or revoked, and (B) [he] such person is under the
14 instruction of, and accompanied by, a person who holds an instructor's
15 license issued under the provisions of section 14-73 or a person twenty
16 years of age or older who has been licensed to operate, for at least four
17 years preceding the instruction, a motor vehicle of the same class as
18 the motor vehicle being operated and who has not had his or her
19 motor vehicle operator's license suspended by the commissioner
20 during the four-year period preceding the instruction. (2) A person
21 holding a valid out-of-state motor vehicle operator's license may
22 operate a motor vehicle for a period of thirty days following [his] such
23 person's establishment of residence in Connecticut, if the motor vehicle
24 is of the same class as that for which his or her out-of-state motor
25 vehicle operator's license was issued. (3) No person may cause or
26 permit the operation of a motor vehicle by a person under sixteen
27 years of age.

28 (c) (1) On or after January 1, 1997, a person who is sixteen or
29 seventeen years of age and who has not had a motor vehicle operator's
30 license or right to operate a motor vehicle in this state suspended or
31 revoked may apply to the Commissioner of Motor Vehicles for a
32 learner's permit. The commissioner may issue a learner's permit to an
33 applicant after the applicant has passed a vision screening and test as
34 to knowledge of the laws concerning motor vehicles and the rules of
35 the road, has paid the fee required by subsection (v) of section 14-49
36 and has filed a certificate, in such form as the commissioner prescribes,
37 requesting or consenting to the issuance of the learner's permit and the
38 motor vehicle operator's license, signed by (A) one or both parents or
39 foster parents of the applicant, as the commissioner requires, (B) the
40 legal guardian of the applicant, (C) the applicant's spouse, if the
41 spouse is eighteen years of age or older, or (D) if the applicant has no
42 qualified spouse and [his] such applicant's parent or foster parent or
43 legal guardian is deceased, incapable, domiciled without the state or
44 otherwise unavailable or unable to sign or file the certificate, the
45 applicant's stepparent, or uncle or aunt by blood or marriage, provided
46 such person is eighteen years of age or older. The commissioner may,

47 for the more efficient administration of [his] the commissioner's duties,
48 appoint any drivers' school licensed in accordance with the provisions
49 of section 14-69 or any secondary school providing instruction in
50 motor vehicle operation and highway safety in accordance with section
51 14-36e to issue a learner's permit, subject to such standards and
52 requirements as the commissioner may prescribe in regulations
53 adopted in accordance with chapter 54. Each learner's permit shall
54 expire on the date the holder of the permit is issued a motor vehicle
55 operator's license or on the date the holder attains the age of eighteen
56 years, whichever is earlier. (2) The learner's permit shall entitle the
57 holder, while [he] such holder has the permit in his or her immediate
58 possession, to operate a motor vehicle on the public highways, [except
59 as provided in this subdivision,] provided [he] such holder is under
60 the instruction of, and accompanied by, a person who holds an
61 instructor's license issued under the provisions of section 14-73 or a
62 person twenty years of age or older who has been licensed to operate,
63 for at least four years preceding the instruction, a motor vehicle of the
64 same class as the motor vehicle being operated and who has not had
65 his or her motor vehicle operator's license suspended by the
66 commissioner during the four-year period preceding the instruction.
67 [The learner's permit shall entitle the holder to operate a motor vehicle
68 on a multiple-lane limited access highway sixty days from the date of
69 issuance, except that if the holder is under the instruction of a person
70 who holds an instructor's license issued under the provisions of section
71 14-73, the learner's permit shall entitle such holder to operate a motor
72 vehicle on such a highway thirty days from the date of issuance.] The
73 holder of a learner's permit who (A) is an active member of a certified
74 ambulance service, as defined in section 19a-175, (B) has commenced
75 an emergency vehicle operator's course that conforms to the national
76 standard curriculum developed by the United States Department of
77 Transportation, and (C) has had state and national criminal history
78 records checks conducted by the certified ambulance service or by the
79 municipality in which such ambulance service is provided, shall be
80 exempt from the provisions of this subdivision only when such holder
81 is en route to or from the location of the ambulance for purposes of

82 responding to an emergency call. (3) The commissioner may revoke
83 any learner's permit used in violation of the limitations imposed by
84 subdivision (2) of this subsection.

85 (d) (1) No motor vehicle operator's license shall be issued to any
86 applicant who is sixteen or seventeen years of age unless the applicant
87 has held a learner's permit and has satisfied the requirements specified
88 in this subsection. The applicant shall (A) present to the commissioner
89 a certificate of the successful completion in a public secondary school,
90 a state vocational school or a private secondary school of a full course
91 of study in motor vehicle operation prepared as provided in section 14-
92 36e or of training of similar nature provided by a licensed drivers'
93 school approved by the commissioner, including, in each case,
94 successful completion of not less than eight clock hours of behind-the-
95 wheel, on-the-road instruction; (B) present to the commissioner a
96 certificate of the successful completion of a course of not less than
97 [five] eight hours relative to safe driving practices, including a
98 minimum of [two] four hours on the nature and the medical, biological
99 and physiological effects of alcohol and drugs and their impact on the
100 operator of a motor vehicle, the dangers associated with the operation
101 of a motor vehicle after the consumption of alcohol or drugs by the
102 operator, the problems of alcohol and drug abuse and the penalties for
103 alcohol and drug-related motor vehicle violations; and (C) pass an
104 examination which shall include a comprehensive test as to knowledge
105 of the laws concerning motor vehicles and the rules of the road and an
106 on-the-road skills test as prescribed by the commissioner. At the time
107 of application and examination for a motor vehicle operator's license,
108 an applicant sixteen or seventeen years of age shall have held a
109 learner's permit for not less than one hundred eighty days, except that
110 [an applicant who presents a certificate under subparagraph (A) of this
111 subdivision shall have held a learner's permit for not less than one
112 hundred twenty days and] an applicant who is undergoing training
113 and instruction by the handicapped driver training unit in accordance
114 with the provisions of section 14-11b shall have held such permit for
115 the period of time required by said unit. The Commissioner of Motor
116 Vehicles shall approve the content of the safe driving instruction at

117 drivers' schools, high schools and other secondary schools. Such [five]
118 eight hours of instruction [may] shall be included as part of [or in
119 addition to] any existing instruction programs. [Any fee charged for
120 the course required under subparagraph (B) of this subdivision shall
121 not exceed forty dollars.] Any applicant sixteen or seventeen years of
122 age who, while a resident of another state, completed the course
123 required in subparagraph (A) of this subdivision, but did not complete
124 the safe driving course required in subparagraph (B) of this
125 subdivision, shall complete the safe driving course, and any fee
126 charged for the course shall not exceed fifty dollars. The commissioner
127 may waive any requirement in this subdivision, except for that in
128 subparagraph (C) of this subdivision, in the case of an applicant
129 sixteen or seventeen years of age who holds a valid motor vehicle
130 operator's license issued by any other state, provided the
131 commissioner is satisfied that the applicant has received training and
132 instruction of a similar nature. [(2) The commissioner may accept as
133 evidence of sufficient training under subparagraph (A) of subdivision
134 (1) of this subsection home training as evidenced by a written
135 statement signed by the spouse of a married minor applicant, or by a
136 parent, grandparent, foster parent or the legal guardian of an applicant
137 which states that the applicant has obtained a learner's permit and has
138 successfully completed a driving course taught by the person signing
139 the statement and that the signer has had an operator's license for at
140 least four years preceding the date of the statement or, if the applicant
141 has no spouse, parent, grandparent, foster parent or guardian so
142 qualified and available to give the instruction, a statement signed by
143 the applicant's stepparent, brother, sister, uncle or aunt, by blood or
144 marriage, provided the person signing the statement is qualified. (3)]
145 (2) If the commissioner requires a written test of any applicant under
146 this section, the test shall be given in English or Spanish at the option
147 of the applicant, provided the commissioner shall require that the
148 applicant shall have sufficient understanding of English for the
149 interpretation of traffic control signs. [(4)] (3) The Commissioner of
150 Motor Vehicles may adopt regulations, in accordance with the
151 provisions of chapter 54, to implement the purposes of this subsection

152 concerning the content of safe driving instruction at drivers' schools,
153 high schools and other secondary schools.

154 (e) (1) No motor vehicle operator's license shall be issued until (A)
155 the applicant signs and files with the commissioner an application
156 under oath, except that renewals from the year immediately preceding
157 need not be under oath, stating such information as the commissioner
158 requires, and (B) the commissioner is satisfied that the applicant is
159 sixteen years of age or older and is a suitable person to receive the
160 license. (2) An applicant for a new motor vehicle operator's license
161 shall, in the discretion of the commissioner, file, with the application, a
162 copy of [his] such applicant's birth certificate or other prima facie
163 evidence of [his] date of birth and evidence of identity. (3) Before
164 granting a license to any applicant who has not previously held a
165 Connecticut motor vehicle operator's license, or who has not operated
166 a motor vehicle during the preceding two years, the commissioner
167 shall require the applicant to demonstrate personally to [him, his] the
168 commissioner, a deputy or a motor vehicle inspector or an agent of the
169 commissioner, in such manner as the commissioner directs, that the
170 applicant is a proper person to operate motor vehicles of the class for
171 which [he] such applicant has applied, has sufficient knowledge of the
172 mechanism of the motor vehicles to ensure their safe operation by him
173 or her and has satisfactory knowledge of the laws concerning motor
174 vehicles and the rules of the road. If any such applicant has held a
175 license from a state, territory or possession of the United States where
176 a similar examination is required, or if any such applicant is a person
177 honorably separated from the United States armed forces who applies
178 within two years following the separation and who, prior to the
179 separation, held a military operator's license for motor vehicles of the
180 same class as that for which [he] such applicant has applied, the
181 commissioner may waive part or all of the examination. [in his
182 discretion.] When the commissioner is satisfied as to the ability and
183 competency of any applicant, [he] the commissioner may issue to [him]
184 such applicant a license, either unlimited or containing such
185 limitations as the commissioner deems advisable, and specifying the
186 class of motor vehicles which the licensee is eligible to operate. (4) If

187 any applicant or operator license holder has any health problem which
188 might affect such person's ability to operate a motor vehicle safely, the
189 commissioner may require the applicant or license holder to
190 demonstrate personally or otherwise establish that, notwithstanding
191 such problem, [he] such applicant or license holder is a proper person
192 to operate a motor vehicle, and [he] the commissioner may further
193 require a certificate of such applicant's condition, signed by a medical
194 authority designated by [him] the commissioner, which certificate shall
195 in all cases be treated as confidential by the commissioner. A license,
196 containing such limitation as the commissioner deems advisable, may
197 be issued or renewed in any case, but nothing in this section shall be
198 construed to prevent the commissioner from refusing a license, either
199 limited or unlimited, to any person or suspending a license of a person
200 whom [he] the commissioner determines to be incapable of safely
201 operating a motor vehicle. Consistent with budgetary allotments, each
202 motor vehicle operator's license issued to or renewed by a deaf or
203 hearing impaired person shall, upon the request of such person,
204 indicate such impairment. Such person shall submit a certificate stating
205 such impairment, in such form as the commissioner may require and
206 signed by a licensed health care practitioner. (5) The issuance of a
207 motor vehicle operator's license to any applicant who is the holder of a
208 license issued by another state shall be subject to the provisions of
209 sections 14-111c and 14-111k, as amended by this act.

210 (f) No person issued a limited license shall operate (1) a motor
211 vehicle in violation of the limitations imposed by such license, or (2)
212 any motor vehicle other than the motor vehicle for which [his] such
213 person's right to operate is limited.

214 (g) Any person who violates any provision of this section shall, for a
215 first offense, be deemed to have committed an infraction and be fined
216 not less than seventy-five dollars nor more than ninety dollars and, for
217 any subsequent offense, shall be fined not less than two hundred fifty
218 dollars nor more than three hundred fifty dollars or be imprisoned not
219 more than thirty days or both.

220 [(h) As used in this section, the words "motor vehicle" shall not be
221 construed to include "motorcycle".]

222 [(i)] (h) The Commissioner of Motor Vehicles may adopt
223 regulations, in accordance with chapter 54, to implement the
224 provisions of this section.

225 Sec. 2. Subsection (b) of section 14-36a of the general statutes is
226 repealed and the following is substituted in lieu thereof (*Effective*
227 *October 1, 2003*):

228 (b) A class 1 or 2 operator's license which contains the endorsement
229 "P" evidences that the holder meets the requirements of section 14-44
230 to operate a taxicab, motor vehicle in livery service, or service bus that
231 is not used for school transportation purposes. A class 1 or 2 operator's
232 license which contains the endorsement "S" evidences that the holder
233 meets the requirements of section 14-44 to operate a student
234 transportation vehicle, as defined in section 14-212. A class 1 or 2
235 operator's license which contains the endorsement "M" evidences that
236 the holder meets the requirements of section 14-40a, as amended by
237 this act, to operate a motorcycle.

238 Sec. 3. Subsections (a) and (b) of section 14-36d of the general
239 statutes are repealed and the following is substituted in lieu thereof
240 (*Effective October 1, 2003*):

241 (a) Except as provided in subsections (b) and (c) of this section and
242 subject to the provisions of section 14-41, as amended by this act, the
243 commissioner shall issue a motor vehicle [or motorcycle] operator's
244 license containing a picture of the licensee. The license shall be of such
245 form and content as the commissioner may prescribe and shall be
246 signed by the licensee. The commissioner may acquire, by lease or
247 purchase, and install at offices of the Department of Motor Vehicles
248 and at such other locations where operator's licenses are renewed, such
249 equipment as may be necessary to carry out the provisions of this
250 section.

251 (b) The Commissioner of Motor Vehicles shall, upon the first
252 issuance of a motor vehicle [or motorcycle] operator's license to any
253 person less than twenty-one years of age, issue a license containing a
254 picture of the licensee. Such license shall indicate the date of such
255 person's twenty-first birthday, be of such form and content as the
256 commissioner may prescribe and be signed by the licensee.

257 Sec. 4. Section 14-40a of the general statutes is repealed and the
258 following is substituted in lieu thereof (*Effective October 1, 2003*):

259 (a) [Except as provided in subsection (b) of this section, no] No
260 person shall operate a motorcycle on any public highway of this state
261 until [he] such person has obtained a [motorcycle] motor vehicle
262 operator's license with a motorcycle endorsement from the
263 commissioner.

264 (b) A person who is sixteen years of age or older and who has not
265 had such a license suspended or revoked may apply to the
266 commissioner for a [learner's] training permit. The commissioner may
267 issue a [learner's] training permit, containing such limitation as he
268 deems advisable, to an applicant after the applicant has passed all
269 parts of the examination, other than the driving test, for a [motorcycle]
270 motor vehicle operator's license with a motorcycle endorsement as
271 required by subsection (e) of this section. The [learner's] training
272 permit shall entitle the applicant, while he has the permit in his
273 immediate possession, to drive a motorcycle on the public highways,
274 other than multiple lane limited access highways, for a period of sixty
275 days. A [learner's] training permit may be renewed, or a new permit
276 issued, for an additional period of sixty days. On and after January 1,
277 1990, each applicant issued a [learner's] training permit shall, while
278 operating a motorcycle, wear protective headgear of a type which
279 conforms to the minimum specifications established by regulations
280 adopted under subsection (b) of section 14-289g.

281 [(c) No motorcycle operator's license shall be issued until (1) the
282 applicant for the license signs and files with the commissioner an
283 application under oath, except that renewals from the year

284 immediately preceding need not be under oath, stating such
285 information as the commissioner requires and (2) the commissioner is
286 satisfied that the applicant is sixteen years of age or older and is a
287 suitable person to receive the license.

288 (d) (1) No motorcycle operator's license shall be issued to any
289 person between sixteen and eighteen years of age unless a certificate,
290 in such form as the commissioner prescribes, requesting or consenting
291 to the issuance of the license has been signed and filed with the
292 commissioner by: (A) One or both parents or foster parents of the
293 applicant, as the commissioner requires, or (B) the legal guardian of
294 the applicant or (C) the applicant's spouse, if the spouse is eighteen
295 years of age or older. (2) No motorcycle operator's license shall be
296 issued to any person between sixteen and eighteen years of age unless
297 the applicant presents to the commissioner a certificate of the
298 successful completion in a public secondary school, a state vocational
299 school or private secondary school of a full course of study in motor
300 vehicle operation prepared as provided by section 14-36e or of training
301 of similar nature provided by a licensed drivers' school approved by
302 the commissioner, including, in each case, successful completion of not
303 less than six clock hours of actual road instruction. No person may
304 cause or permit the operation of a motorcycle by a person under
305 sixteen years of age. The commissioner may accept as evidence of
306 sufficient training a certificate signed by the spouse, being eighteen
307 years of age or older, of a married minor applicant, or by a parent or a
308 foster parent or the legal guardian of an applicant which states that the
309 applicant has successfully completed a driving course taught by the
310 person signing the certificate and that the signer has held an operator's
311 license for at least two years preceding the date of the certificate or, if
312 the applicant has no spouse, parent, foster parent or guardian so
313 qualified and available to give the instruction, a certificate signed by
314 the applicant's stepparent, brother, sister, uncle or aunt, by blood or
315 marriage, provided the person signing the certificate is qualified and at
316 least eighteen years of age or older. The commissioner shall provide
317 forms for the certificates, which shall be called home training
318 certificates. If the commissioner requires a written examination of any

319 applicant under this section, the examination shall be given in English
320 or Spanish at the option of the applicant, provided the commissioner
321 shall require that the applicant shall have sufficient understanding of
322 English for the interpretation of traffic control signs.]

323 [(e) (b) Before granting a [license] motorcycle endorsement to any
324 applicant who has not [had a Connecticut motorcycle operator's
325 license] held such an endorsement at any time within the preceding
326 two years, the commissioner shall require the applicant to demonstrate
327 personally to [him, his] the commissioner, a deputy or a motor vehicle
328 inspector or an agent of the commissioner, in such manner as the
329 commissioner directs, that the applicant is a proper person to operate a
330 motorcycle, has sufficient knowledge of the mechanism of a
331 motorcycle to ensure its safe operation by [him] such applicant, and
332 has satisfactory knowledge of the law concerning motorcycles and
333 other motor vehicles, and the rules of the road. On and after January 1,
334 1990, an applicant under the age of eighteen shall also demonstrate
335 that [he] such applicant has successfully completed a novice
336 motorcycle training course offered by the Department of
337 Transportation or approved by the Commissioner of Motor Vehicles. If
338 an applicant has had a license or held such an endorsement from a
339 state where a similar examination or course is required, the
340 commissioner may waive part or all of any such requirement. When
341 the commissioner is satisfied as to the ability and competency of the
342 applicant, [he] the commissioner may issue [a license] an endorsement
343 to [him] such applicant, either unlimited or containing such limitations
344 as the commissioner deems advisable. If an applicant or motorcycle
345 [operator license] endorsement holder has any health problem which
346 might affect such person's ability to operate a motorcycle safely, the
347 commissioner may require the applicant or [license] endorsement
348 holder to demonstrate personally that, notwithstanding the problem,
349 [he] such person is a proper person to operate a motorcycle, and [he]
350 the commissioner may further require a certificate of the applicant's
351 condition, signed by a medical authority designated by [him] the
352 commissioner, which certificate shall, in all cases, be treated as
353 confidential by the commissioner. [A license] An endorsement,

354 containing such limitation as the commissioner deems advisable may
355 be issued or renewed in any case, but nothing in this section shall be
356 construed to prevent the commissioner from refusing [a license] an
357 endorsement, either limited or unlimited, to any person or suspending
358 [a license] an endorsement of a person whom [he] the commissioner
359 deems incapable of safely operating a motorcycle.

360 [(f)] (c) No person shall operate a motorcycle in any manner in
361 violation of the limitations imposed in a limited [license] endorsement
362 issued to [him] such person.

363 [(g)] (d) Any person who violates any provision of subsection (a),
364 (b) [] or (c) [], (d) or (f)] of this section shall, for a first offense, be
365 deemed to have committed an infraction and be fined not less than
366 thirty-five dollars nor more than fifty dollars and, for any subsequent
367 offense, shall be fined not more than one hundred dollars or
368 imprisoned not more than thirty days, or both.

369 Sec. 5. Section 14-40c of the general statutes is repealed and the
370 following is substituted in lieu thereof (*Effective October 1, 2003*):

371 Any person denied an operator's license, or whose license is
372 suspended, pursuant to the provisions of subsection (e) of section 14-
373 36, as amended by this act, [or subsection (e) of section 14-40a,] shall be
374 entitled to a hearing before the commissioner, in accordance with the
375 provisions of chapter 54 and section 14-4a.

376 Sec. 6. Section 14-41 of the general statutes is repealed and the
377 following is substituted in lieu thereof (*Effective October 1, 2003*):

378 (a) Except as provided in section 14-41a, as amended by this act,
379 each motor vehicle [or motorcycle] operator's license shall be renewed
380 every six years or every four years on the date of the operator's
381 birthday in accordance with a schedule to be established by the
382 commissioner. On and after July 1, 2003, the Commissioner of Motor
383 Vehicles shall screen the vision of each motor vehicle operator prior to
384 every other renewal of the operator's license of such operator in

385 accordance with a schedule adopted by the commissioner. Such
386 screening requirement shall apply to every other renewal following the
387 initial screening. In lieu of the vision screening by the commissioner,
388 such operator may submit the results of a vision screening conducted
389 by a licensed health care professional qualified to conduct such
390 screening on a form prescribed by the commissioner during the twelve
391 months preceding such renewal. No motor vehicle operator's license
392 may be renewed unless the operator passes such vision screening. The
393 commissioner shall adopt regulations_z in accordance with the
394 provisions of chapter 54_z to implement the provisions of this
395 subsection relative to the administration of vision screening.

396 (b) An original operator's license shall expire within a period not
397 exceeding six years following the date of the operator's next birthday.
398 The fee for such original license shall be computed at the rate of
399 seventy-five cents per month except that the fee shall not exceed three
400 dollars and fifty cents for any six-month period, plus the sum of three
401 dollars; and on and after July 1, 1992, one dollar per month except that
402 the fee shall not exceed four dollars for any six-month period plus the
403 sum of five dollars and twenty-five cents.

404 (c) If a change is made in the records of the Department of Motor
405 Vehicles affecting the date of birth of an operator after the original
406 issuance or renewal of an operator's license, the expiration date shall
407 remain as originally issued or renewed until the license expires. The
408 operator shall then be issued a renewal license to expire on the date of
409 the operator's birthday. No renewal license shall be issued for a period
410 of less than twenty-four months or more than seventy-two months
411 depending on the year of the operator's birth. The fee for such renewal
412 license shall be computed at the rate of forty-five cents per month from
413 the last day of the month in which such license expired except that the
414 fee shall not exceed two dollars and fifty cents for any six-month
415 period, plus the sum of one dollar.

416 (d) The commissioner shall, at least fifteen days before the date on
417 which each motor vehicle [or motorcycle] operator's license expires,

418 notify the operator of the expiration date. Any previously licensed
419 operator who operates a motor vehicle within sixty days after the
420 expiration date of the operator's license without obtaining a renewal of
421 the license shall be deemed to have failed to renew a motor vehicle
422 operator's license and shall be fined in accordance with the amount
423 designated for the infraction of failure to renew a motor vehicle
424 operator's license. Any operator so charged shall not be prosecuted
425 under section 14-36, as amended by this act, [or 14-40a] for the same
426 act constituting a violation under this section but [sections] section 14-
427 36, as amended by this act, [and 14-40a] shall apply after the sixty-day
428 period.

429 (e) Notwithstanding the provisions of section 1-3a, if the expiration
430 date of any motor vehicle [or motorcycle] operator's license or any
431 public passenger transportation permit falls on any day when offices
432 of the commissioner are closed for business or are open for less than a
433 full business day, the license or permit shall be deemed valid until
434 midnight of the next day on which offices of the commissioner are
435 open for a full day of business.

436 Sec. 7. Section 14-41a of the general statutes is repealed and the
437 following is substituted in lieu thereof (*Effective October 1, 2003*):

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

443 (b) Notwithstanding the provisions of subsection (a) of section 14-
444 36d, as amended by this act, the Commissioner of Motor Vehicles may
445 waive the requirement that a motor vehicle [or motorcycle] operator's
446 license issued to an operator sixty-five years of age or older bear a
447 photograph of the operator upon written application by such operator
448 and a showing of hardship, which shall include, but not be limited to,
449 the proximity of such operator's residence to a Department of Motor
450 Vehicles branch office providing license renewal services.

451 Sec. 8. Subsection (d) of section 14-44h of the general statutes is
452 repealed and the following is substituted in lieu thereof (*Effective*
453 *October 1, 2003*):

454 (d) The commissioner shall, at least fifteen days before the date on
455 which each commercial driver's license expires, notify the operator of
456 the expiration date. Any previously licensed operator who operates a
457 commercial motor vehicle within sixty days after the expiration date of
458 such operator license without obtaining a renewal of such license shall
459 be deemed to have failed to renew a motor vehicle operator's license
460 and shall be fined in accordance with the amount designated for the
461 infraction of failure to renew a motor vehicle operator's license. Any
462 operator so charged shall not be prosecuted under section 14-36, as
463 amended by this act, [or 14-40a] for the same act constituting a
464 violation under this section but said [sections] section 14-36 [and 14-
465 40a] shall apply after the sixty-day period.

466 Sec. 9. Subsections (a) and (b) of section 14-50 of the general statutes
467 are repealed and the following is substituted in lieu thereof (*Effective*
468 *October 1, 2003*):

469 (a) Subject to the provisions of subsection (c) of section 14-41, as
470 amended by this act, there shall be charged a fee of thirty-five dollars
471 and fifty cents for each renewal of a motor vehicle operator's license
472 issued for a period of four years, a fee of fifty-three dollars and twenty-
473 five cents for each renewal of a motor vehicle operator's license issued
474 for a period of six years and an additional fee of nine dollars for each
475 year for each passenger endorsement. [There shall be charged a fee of
476 thirty-seven dollars for each renewal of a motorcycle operator's license
477 issued for a period of four years and a fee of fifty-five dollars and fifty
478 cents for each renewal of a motorcycle operator's license issued for a
479 period of six years; except that a person who holds a motor vehicle
480 operator's license shall not be charged a fee for the renewal of a
481 motorcycle operator's license if such person renews said motor vehicle
482 operator's license.]

483 (b) There shall be charged for each examination of an operator of a

484 [motorcycle or other] motor vehicle a fee of thirty-six dollars. There
485 may be charged for each advance appointment for an operator's license
486 examination a fee of fifteen dollars which fee shall be paid to the
487 commissioner at least six business days prior to the date of the
488 appointment and shall be applied toward the examination fee if the
489 applicant keeps the appointment. If the applicant fails to keep the
490 appointment, the appointment fee shall be forfeited, unless (1) in the
491 judgment of the commissioner, the applicant's failure to keep the
492 appointment was due to exigent circumstances, or (2) the applicant
493 reschedules the appointment.

494 Sec. 10. Subsections (a) and (b) of section 14-111e of the general
495 statutes are repealed and the following is substituted in lieu thereof
496 (*Effective October 1, 2003*):

497 (a) The Commissioner of Motor Vehicles shall suspend, for a period
498 of one hundred fifty days, the motor vehicle operator's license [,
499 motorcycle operator's license] or nonresident operating privilege of
500 any person under the age of twenty-one who has been convicted of a
501 violation of section 30-88a, as amended by this act, involving the
502 misuse of an operator's license or section 30-89 involving the purchase
503 and possession of alcoholic liquor by a minor.

504 (b) Any person under the age of twenty-one who has not been
505 issued a motor vehicle operator's license under section 14-36, as
506 amended by this act, [or a motorcycle operator's license under section
507 14-40a] and who has been convicted of a violation of section 30-88a, as
508 amended by this act, involving the misuse of an operator's license,
509 section 30-89 involving the purchase and possession of alcoholic liquor
510 by a minor or subsection (e) of section 1-1h involving the misuse of an
511 identity card, shall not be issued a new operator's license by the
512 commissioner under section 14-36, as amended by this act, [or section
513 14-40a] until a period of one hundred fifty days has elapsed from the
514 date all applicable requirements for any such license have been
515 satisfied by the applicant.

516 Sec. 11. Subsection (b) of section 14-111k of the general statutes is

517 repealed and the following is substituted in lieu thereof (*Effective*
518 *October 1, 2003*):

519 (b) Notwithstanding the provisions of subsection (a) of this section,
520 the commissioner may issue a class 1 or class 2 operator's license [, or a
521 motorcycle operator's license,] to an applicant who is the subject of a
522 withdrawal of a commercial driver's license in any other member
523 jurisdiction if the conduct on which such withdrawal is based would
524 not have resulted in the withdrawal of the privilege to operate any
525 motor vehicle other than a commercial motor vehicle.

526 Sec. 12. Subsection (d) of section 14-1111 of the general statutes is
527 repealed and the following is substituted in lieu thereof (*Effective*
528 *October 1, 2003*):

529 (d) The commissioner shall maintain a record as to all convictions
530 and administrative actions for motor vehicle and traffic violations
531 committed in this state, and for any cases of failure to comply, as
532 reported to the commissioner in accordance with the provisions of
533 sections 14-140 and 14-141, by any person who has not been issued a
534 motor vehicle [or motorcycle] operator's license by the commissioner
535 or by the licensing authority of any other member jurisdiction, or
536 whose license has expired or been cancelled. The commissioner shall
537 transmit such record to such licensing authority of another jurisdiction,
538 upon notification of the issuance of a license to such person.

539 Sec. 13. Subsection (b) of section 14-286 of the general statutes is
540 repealed and the following is substituted in lieu thereof (*Effective*
541 *October 1, 2003*):

542 (b) No person shall ride a bicycle with a helper motor unless that
543 person holds a valid motor vehicle operator's license, [or motorcycle
544 operator's license.] No person shall operate a bicycle with a helper
545 motor at a rate of speed exceeding thirty miles per hour; nor shall any
546 bicycle with a helper motor be operated on any sidewalk, limited
547 access highway or turnpike.

548 Sec. 14. Section 30-88a of the general statutes is repealed and the
549 following is substituted in lieu thereof (*Effective October 1, 2003*):

550 Each person who attains the age of twenty-one years and has a
551 motor vehicle [or motorcycle] operator's license, containing a full-face
552 photograph of such person, may use and each permittee may accept
553 such license as legal proof of the age of the licensee for the purposes of
554 this chapter. Any person who misrepresents his or her age or uses or
555 exhibits, for the purpose of procuring alcoholic liquor, an operator's
556 license belonging to any other person, shall be fined not less than two
557 hundred nor more than five hundred dollars or imprisoned not more
558 than thirty days or both.

559 Sec. 15. Section 36a-317b of the general statutes is repealed and the
560 following is substituted in lieu thereof (*Effective October 1, 2003*):

561 Each bank, as defined in section 36a-2, shall cash, at its main office
562 or any of its branch offices within this state, for any person any check
563 payable at such bank or drawn on an account held at the bank in an
564 amount up to and including five hundred dollars, provided the check
565 is presented for payment by the payee of the check, there are sufficient
566 available funds in the account on which the check was drawn to pay
567 the check, and the person cashing the check provides adequate
568 identification, and any information necessary for the bank to meet any
569 reporting or recordkeeping requirements, as required by the bank. The
570 bank may not require more than two forms of identification if the
571 person provides one of the following forms of identification: (1) A
572 current passport issued by the State Department of the United States,
573 (2) a current motor vehicle operator's license issued pursuant to section
574 14-36, as amended by this act, [or a current motorcycle operator's
575 license issued pursuant to section 14-40a,] or (3) any current identity
576 card issued by the Department of Motor Vehicles in accordance with
577 section 1-1h. Notwithstanding the provisions of this section, the bank
578 may determine that it is reasonably necessary to refuse payment in
579 order to protect its customer or the bank against potential fraud or
580 loss, or to otherwise comply with applicable law.

581 Sec. 16. (NEW) (*Effective October 1, 2003, but not applicable to persons*
582 *sixteen or seventeen years of age who applied for a learner's permit on or*
583 *before October 1, 2003*) (a) Each holder of a motor vehicle operator's
584 license who is sixteen or seventeen years of age shall comply with the
585 following requirements:

586 (1) For a period of three months after the date of issuance of such
587 license, such person shall not transport more than one passenger, who
588 shall be such person's parent or legal guardian, who holds a motor
589 vehicle operator's license and is at least twenty-five years of age, or a
590 driving instructor licensed by the Department of Motor Vehicles;

591 (2) For the period beginning three months after the date of issuance
592 of such license and ending six months after the date of issuance of such
593 license, such person shall not transport any passenger other than as
594 permitted under subdivision (1) of this subsection and any additional
595 member or members of such person's immediate family;

596 (3) No such person shall operate any motor vehicle for which a
597 public passenger transportation permit is required in accordance with
598 the provisions of section 14-44 of the general statutes or a van pool
599 vehicle, as defined in section 14-1 of the general statutes;

600 (4) No such person shall transport more passengers in a motor
601 vehicle than the number of seat safety belts permanently installed in
602 such motor vehicle; and

603 (5) For a period of six months after the date of issuance of such
604 license, no such person issued a motorcycle endorsement shall
605 transport any passenger on a motorcycle.

606 (b) The Commissioner of Motor Vehicles may adopt regulations, in
607 accordance with chapter 54 of the general statutes, to implement the
608 provisions of subsection (a) of this section.

609 (c) Any person who violates any provision of subsection (a) of this
610 section shall be deemed to have committed an infraction. The
611 Commissioner of Motor Vehicles, after notice and opportunity for a

612 hearing, in accordance with chapter 54 of the general statutes, may
 613 suspend the motor vehicle operator's license of any person who
 614 commits a second or subsequent violation of the provisions of
 615 subsection (a) of this section until such person attains the age of
 616 eighteen years.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003, but not applicable to persons sixteen or seventeen years of age who applied for a learner's permit on or before October 1, 2003</i>
Sec. 2	<i>October 1, 2003</i>
Sec. 3	<i>October 1, 2003</i>
Sec. 4	<i>October 1, 2003</i>
Sec. 5	<i>October 1, 2003</i>
Sec. 6	<i>October 1, 2003</i>
Sec. 7	<i>October 1, 2003</i>
Sec. 8	<i>October 1, 2003</i>
Sec. 9	<i>October 1, 2003</i>
Sec. 10	<i>October 1, 2003</i>
Sec. 11	<i>October 1, 2003</i>
Sec. 12	<i>October 1, 2003</i>
Sec. 13	<i>October 1, 2003</i>
Sec. 14	<i>October 1, 2003</i>
Sec. 15	<i>October 1, 2003</i>
Sec. 16	<i>October 1, 2003, but not applicable to persons sixteen or seventeen years of age who applied for a learner's permit on or before October 1, 2003</i>

TRA *Joint Favorable Subst.*

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

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Motor Vehicle Dept.	TF - None	None	None
Judicial Dept.	GF - Revenue Gain	Less than 75,000	Less than 100,000
Criminal Justice, Div.; Public Safety, Dept.	GF - None	None	None

Note: TF=Transportation Fund; GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 04 \$	FY 05 \$
Municipal Police Departments	None	None	None

Summary

Passage of this legislation would not have a significant fiscal impact on the state or municipalities. It would yield a revenue gain of less than \$100,000 annually from violations of the restrictions in the bill. The Department of Motor Vehicles (DMV) could experience a small number of additional administrative hearings which can be conducted by staff without the need for an additional appropriation.

Explanation

The bill would generate additional revenues for the General Fund by creating a new infraction. Superior Court judges would establish the applicable fine (expected to be \$35) in accordance with CGS Section 51-164m. An additional fee and surcharge would also be included; thus, raising the total amount due for each infraction to \$60. Any related administrative hearings by the Department of Motor Vehicles could be handled without the need for additional appropriations. Likewise, enforcement could be carried out within budgeted resources.

The bill makes various other changes that have no fiscal impact, as listed below.

- Eliminates the current requirement that a person holding a learner's permit cannot operate on a highway until after 60 days from obtaining the permit, or 30 days if the person is being trained by a driving school.
- Increases the mandatory "safe driving practices" component of classroom instruction from five hours to eight hours. It also increases the alcohol and drug segment from two hours to four hours.
- Requires all 16 and 17-year olds to hold the learner's permit for six months. This is more consistent with national model programs and other state practices.
- Caps the fee for the "safe driving practices" component that driving schools can charge at \$50.
- Eliminates the "home training" certificate for the required eight clock hours of behind-the-wheel instruction. Consistent with other state practices, 16- and 17-year olds would be required to take both the classroom and the behind-the-wheel components of driver education in a special, professional environment. The DMV currently regulates all commercial and school-based driving schools.
- Eliminates the separate motorcycle operator's license under Title 14 of the general statutes and replaces it with a motorcycle "M" endorsement on a regular driver's license. This action is consistent with existing practice. The DMV has not issued a separate "motorcycle only" license since 1990.
- Establishes certain new restrictions on 16- and 17-year old drivers. For the first three months of licensure, new 16- and 17-year old drivers may only drive one passenger, their parent or

legal guardian, or a license driving instruction; for the second three months, they may only drive members of their immediate families.

- Establishes the penalty of an infraction for driving in violation of graduated license restrictions, and allows the Commissioner of Motor Vehicles to suspend the license of a persona who gets two or more infractions, until such person is 18 years old. The infraction involves a fine of up to \$90. The Commissioner of Motor Vehicles would be allowed to suspend the license of a 16- or 17-year old who violates the law two or more times. Such a suspension would follow an opportunity for an administrative hearing before a DMV Hearing Officer and could last until the driver turns 18.
- Allows the Commissioner of Motor Vehicles to adopt regulations, or to amend existing regulations concerning driver training and licensing procedure.

OLR Bill Analysis

sSB 921

AN ACT CONCERNING THE OPERATION OF MOTORCYCLES AND IMPOSING LIMITATIONS ON LICENSED MOTOR VEHICLE AND MOTORCYCLE OPERATORS WHO ARE SIXTEEN OR SEVENTEEN YEARS OF AGE**SUMMARY:**

This bill:

1. modifies the requirements for 16- and 17-year olds driving under learners' permits,
2. establishes restrictions for 16- and 17-year olds for specific time periods following receipt of their drivers' licenses, and
3. eliminates the separate license for operating a motorcycle and replaces it with a motorcycle endorsement on a regular driver's license.

The learner's permit requirements and driving restrictions apply to 16- and 17-year olds who apply for a learner's permit on October 2, 2003 or thereafter. Thus, anyone who applies for a learner's permit on or before October 1, 2003 will be under the current learner's permit requirements and will have unrestricted driving privileges upon licensure.

EFFECTIVE DATE: October 1, 2003, except that the learner's permit and driving restriction requirements do not apply to anyone who applies for a learner's permit on or before October 1, 2003

LEARNERS' PERMITS

The bill eliminates home training as an option for 16- and 17-year olds, thus requiring them to be trained either in a school driver education program or at a commercial driving school. (Under the home training option, a parent, guardian, or certain other people provide the learner's training and certify on a Department of Motor Vehicles (DMV) form that the training provided met the minimum state

requirements.)

The bill also: (1) requires all learner's permit holders to have them for at least 180 days before being considered for licensure; (2) eliminates the prohibition on operating a motor vehicle on a multiple-lane limited access highway for the first third of the period the permit is held (60 days if home-trained/40 days if trained through driver education or commercial training); (3) expands the mandatory safe driving practices course all 16- and 17-year olds must complete from five to eight hours, and the alcohol and drug impact component of the course from two to four hours; (4) requires the safe driving practices course (and its maximum \$40 fee when given separately) to be included in the overall course of instruction; and (5) requires 16- and 17-year olds who, while residing in another state, completed the necessary classroom instruction but not the safe driving practices component to take the course in Connecticut prior to licensure and, in such cases, establishes a maximum fee of \$50 that may be charged for the separate course.

Currently, a learner's permit must be held for a minimum of 180 days before the learner can be granted a driver's license, but is reduced to 120 days minimum if the learner receives instruction through a driver's education or commercial driving school program. The bill eliminates this reduced option.

The bill also: (1) designates any violation of the driving restrictions as an infraction; (2) authorizes the commissioner to suspend a license until age 18, after notice and opportunity for a hearing, for a second or subsequent violation of the driving restrictions; and (3) authorizes the commissioner to adopt implementing regulations for the driving restriction provisions.

DRIVING RESTRICTIONS

Once a 16- or 17-year old receives a driver's license, the bill establishes the following restrictions on driving privileges:

1. for the first three months of licensure, he may transport only one passenger, who must be either his parent or guardian (at least age 25 and a licensed driver) or a DMV-licensed driving instructor; and
2. for the fourth through sixth month of licensure, he may transport, in addition to the above, only other immediate family members.

In addition, the bill prohibits a 16- or 17-year old licensed driver from (1) operating a vanpool vehicle or any public service motor vehicle; (2) carrying more passengers than the vehicle has seat-belt equipped seating positions; and (3) if endorsed to operate a motorcycle, carrying any passenger on the motorcycle for a the first six months he is authorized to operate one.

MOTORCYCLES

Currently, the law requires anyone operating a motorcycle on a public road to get a motorcycle operator's license issued by DMV. The bill eliminates the separate motorcycle license. Instead, it requires anyone seeking authorization to operate a motorcycle to get a "M" endorsement on his class 1 or 2 driver's license (Class 1 and 2 licenses are "regular" licenses that do not authorize operation of a commercial motor vehicle.). In practice, the DMV has apparently already begun issuing the M endorsement to anyone who already holds a driver's license.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute
Yea 26 Nay 0