



General Assembly

January Session, 2003

**Amendment**

LCO No. 7499

\*HB0654607499SD0\*

Offered by:

SEN. SULLIVAN, 5<sup>th</sup> Dist.  
SEN. MCDONALD, 27<sup>th</sup> Dist.  
SEN. CAPPIELLO, 24<sup>th</sup> Dist.

SEN. KISSEL, 7<sup>th</sup> Dist.  
SEN. FREEDMAN, 26<sup>th</sup> Dist.  
SEN. ANISKOVICH, 12<sup>th</sup> Dist.

To: Subst. House Bill No. 6546

File No. 763

Cal. No. 503

**"AN ACT CONCERNING THIRD-PARTY LIABILITY FOR  
CONTAMINATED PROPERTY."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 14-154a of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective October 1, 2003, and*  
5 *applicable to causes of action accruing on or after said date*):

6 (a) Any person renting or leasing to another any motor vehicle  
7 owned by him shall be liable for any damage to any person or  
8 property caused by the operation of such motor vehicle while so  
9 rented or leased, to the same extent as the operator would have been  
10 liable if he had also been the owner.

11 (b) The provisions of subsection (a) of this section shall not apply to:

12       (1) Any person, with respect to the person's lease to another of a  
13 private passenger motor vehicle, if the total lease term is for one year  
14 or more and if, at the time damages are incurred, the leased vehicle is  
15 insured for bodily injury liability in amounts of not less than one  
16 hundred thousand dollars per person and three hundred thousand  
17 dollars per occurrence and the vehicle is not subject to subdivision (2)  
18 of this subsection. As used in this section, "private passenger motor  
19 vehicle" means a: (A) Private passenger type automobile; (B) station-  
20 wagon-type automobile; (C) camper-type motor vehicle; (D) truck-type  
21 motor vehicle with a gross vehicle weight rating of less than ten  
22 thousand pounds, registered as a passenger motor vehicle, as defined  
23 in section 14-1, or as a passenger and commercial motor vehicle, as  
24 defined in said section, or used for farming purposes; or (E) a vehicle  
25 with a commercial registration, as defined in subdivision (12) of said  
26 section. Private passenger motor vehicle does not include a motorcycle  
27 or motor vehicle used as a public or livery conveyance.

28       (2) Any person, with respect to the person's lease to another of a  
29 truck, tractor trailer or tractor-trailer unit with a gross vehicle weight  
30 rating of ten thousand pounds or more if the total lease term is for one  
31 year or more, or the applicable contract term is one year or more, and  
32 if, at the time damages are incurred, the loss or claim is insured by any  
33 combination of coverage through an insurer, as defined in section 38a-  
34 363, in an amount of not less than two million dollars.

35       Sec. 2. Section 14-295 of the general statutes is repealed and the  
36 following is substituted in lieu thereof (*Effective October 1, 2003, and*  
37 *applicable to causes of action accruing on or after said date*):

38       In any civil action to recover damages resulting from personal  
39 injury, wrongful death or damage to property, the trier of fact may  
40 award double or treble damages if the injured party has specifically  
41 pleaded that another party has deliberately or with reckless disregard  
42 operated a motor vehicle in violation of section 14-218a, 14-219, 14-222,  
43 14-227a, 14-230, 14-234, 14-237, 14-239 or 14-240a, and that such  
44 violation was a substantial factor in causing such injury, death or

45 damage to property. The owner of a rental or leased motor vehicle  
46 shall not be responsible for such damages unless the damages arose  
47 from such owner's operation of the motor vehicle."

This act shall take effect as follows:	
Section 1	<i>October 1, 2003, and applicable to causes of action accruing on or after said date</i>
Sec. 2	<i>October 1, 2003, and applicable to causes of action accruing on or after said date</i>