



General Assembly

January Session, 2003

**Amendment**

LCO No. 5061

\*SB0093005061SR0\*

Offered by:

SEN. GUGLIELMO, 35<sup>th</sup> Dist.

To: Subst. Senate Bill No. 930

File No. 282

Cal. No. 202

**"AN ACT CONCERNING THE DEPARTMENT OF MOTOR VEHICLES."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 14-112 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective October 1, 2003*):

5 (a) To entitle any person to receive or retain a motor vehicle  
6 operator's license or a certificate of registration of any motor vehicle  
7 when, in the opinion of the commissioner, such person has violated  
8 any of the provisions of section 14-222, section 14-224 or subsection (a)  
9 of section 14-227a or any similar provision of the laws of any other  
10 state or any territory, or who has been convicted of, or has forfeited  
11 any bond taken for appearance for, or has received a suspended  
12 judgment or sentence for, a violation of any of said provisions, or who  
13 has been held or found criminally responsible in connection with any  
14 motor vehicle accident resulting in the death of any person, or who has

15 a record on file with the commissioner which is sufficient, in the  
16 opinion of the commissioner, to require evidence of financial  
17 responsibility for the reasonable protection of other persons, the  
18 commissioner shall require from such person proof of financial  
19 responsibility to satisfy any claim for damages by reason of personal  
20 injury to, or the death of, any one person, of [twenty] one hundred  
21 thousand dollars, or by reason of personal injury to, or the death of,  
22 more than one person on account of any accident, of at least [forty]  
23 three hundred thousand dollars, and for damage to property of at least  
24 [ten] one hundred thousand dollars, except that, for violations of  
25 section 14-222 or section 14-224 if there is no personal injury and the  
26 property damage is under one thousand dollars, the commissioner  
27 may, in his discretion, waive such requirements. When the  
28 commissioner requires proof of financial responsibility from an  
29 operator or owner of any motor vehicle, he may require proof in the  
30 amounts herein specified for each vehicle operated or owned by such  
31 person. If any person fails to furnish such proof, the commissioner  
32 shall, until such proof is furnished, suspend or revoke the license of  
33 such person to operate a motor vehicle or refuse to return any license  
34 which has been suspended or revoked in accordance with the  
35 provisions of section 14-111 or suspend or revoke the registration of  
36 any such motor vehicle or vehicles or refuse thereafter to register any  
37 motor vehicle owned by such person or refuse to register any motor  
38 vehicle transferred by [him] such person if it does not appear to the  
39 commissioner's satisfaction that such transfer is a bona fide sale, or, if  
40 such person is not a resident of this state, withdraw from such person  
41 the privilege of operating any motor vehicle in this state and the  
42 privilege of operation within this state of any motor vehicle owned by  
43 him. Prior to such suspension, revocation or withdrawal, notice thereof  
44 shall be given by the commissioner by a notice forwarded by bulk  
45 certified mail to the address of such person as shown by the records of  
46 the commissioner. No appeal taken from the judgment of any court  
47 shall act as a stay to any action of the commissioner authorized by the  
48 provisions of this section.

49 (b) Such proof of financial responsibility shall be furnished as is  
50 satisfactory to the commissioner and may be evidence of the insuring  
51 of the named insured or resident relative of the named insured against  
52 loss on account of [his] legal liability for injury to or the death of  
53 persons and damage to property in the respective amounts provided  
54 by this section in the form of a certificate signed by any person  
55 authorized in writing by an officer of any company authorized to issue  
56 such insurance in this state or any agent of such company licensed  
57 under the provisions of section 38a-769, showing that a policy of  
58 insurance in such amounts, noncancellable except after ten days'  
59 written notice to the commissioner, has been issued to the person  
60 furnishing such proof and no insurance company or insurance agent  
61 shall refuse to make such filing of evidence of insurance during the  
62 time such insurance company has a valid policy in force covering the  
63 named insured or resident relative of the named insured and such  
64 company may charge a fee not to exceed ten dollars for such filing; or  
65 such proof may be the bond of a surety company or a bond with  
66 individual surety owning real estate, which bond shall be conditioned  
67 for the payment of such amounts and shall not be cancellable except  
68 after ten days' written notice to the commissioner. Such bond shall  
69 constitute a lien in favor of the state upon the real estate of any surety,  
70 which lien shall exist in favor of any holder of a judgment on account  
71 of damage caused by the operation of such person's motor vehicle,  
72 upon the filing of notice to that effect by the commissioner in the town  
73 clerk's office in the town where such real estate is located. Such proof  
74 of financial responsibility may also be evidence presented to the  
75 commissioner of a deposit by such person with the State Treasurer of a  
76 sum of money or collateral, the amount of which money or collateral  
77 shall be determined by and shall be satisfactory to the commissioner.  
78 The State Treasurer shall accept any such deposit and issue a receipt  
79 therefor, and, if such deposit is a sum of money, the state shall pay  
80 interest thereon if so directed by the Secretary of the Office of Policy  
81 and Management at a rate not greater than the amount received by the  
82 state. The Treasurer may deposit any money so received in any  
83 incorporated savings bank located in this state. Whenever any agent of

84 an insurance company certifies to evidence of the insuring of any  
85 person, from whom proof of financial responsibility has been required,  
86 by the company for which such agent is authorized to solicit, negotiate  
87 or effect contracts of insurance, such company shall notify the  
88 commissioner of the cancellation or termination of the policy referred  
89 to in such certificate at least ten days before the effective date of such  
90 cancellation or termination, provided such notice shall not be required  
91 if such policy is renewed by such company, and provided a policy  
92 subsequently procured and referred to in a certificate filed with the  
93 commissioner shall, on the effective date of such policy, terminate the  
94 policy referred to in any certificate previously filed with respect to any  
95 motor vehicles designated in both certificates or, in case of an  
96 operator's policy, with respect to any operator designated in both  
97 certificates. Additional evidence of financial responsibility shall be  
98 furnished to the commissioner at any time upon [his] the  
99 commissioner's request therefor.

100 (c) Such bond, money or collateral shall be held by the  
101 commissioner or Treasurer, as the case may be, to satisfy any execution  
102 issued against such person in any cause arising out of damage caused  
103 by the operation of any motor vehicle owned or operated by such  
104 person. Money or collateral so deposited shall not be subject to  
105 attachment or execution unless such attachment or execution arises out  
106 of an action for damages, including personal injury or death, as a result  
107 of the operation of any motor vehicle. Any person who furnishes proof  
108 of financial responsibility by a deposit of money or collateral shall,  
109 upon the service of any writ or summons arising out of any action for  
110 damages including personal injury or death caused by the operation of  
111 any motor vehicle, give written notice of such service to the  
112 commissioner, who shall require that additional evidence of financial  
113 responsibility be furnished to satisfy any judgment in any other action.  
114 If a judgment rendered against the principal on a surety or real estate  
115 bond is not satisfied within thirty days after its rendition, the judgment  
116 creditor may, for [his] the judgment creditor's own use and benefit and  
117 at [his] the judgement creditor's sole expense, bring an action in the

118 name of the state against the company or person executing such bond.  
119 A reasonable sum, not exceeding ten dollars, shall be charged for such  
120 investigation of the title of any surety's real estate or of collateral so  
121 deposited and of the value of the same and for the filing fee to be paid  
122 to the town clerk.

123 (d) Repealed by P.A. 73-549, S. 2, 4.

124 (e) The commissioner shall furnish any person who may have been  
125 injured in person or property by any motor vehicle, upon written  
126 request, with such information as has been furnished to [him] the  
127 commissioner as evidence of the financial responsibility of any  
128 operator or owner of any motor vehicle.

129 (f) Any operator or any registrant whose operator's license or  
130 certificate of registration has been suspended as herein provided or  
131 whose policy of liability insurance or surety bond has been cancelled  
132 or who fails to furnish additional evidence of financial responsibility  
133 upon request of the commissioner, shall immediately return to the  
134 commissioner his operator's license or certificate of registration and the  
135 number plate or plates issued thereunder. If any person fails to return  
136 to the commissioner the operator's license or certificate of registration  
137 and the number plate or plates issued thereunder as provided herein,  
138 the commissioner shall forthwith direct any motor vehicle inspector,  
139 state policeman or other police officer to secure possession thereof and  
140 to return the same to the office of the commissioner. Failure to return  
141 such operator's license or such certificate and such number plate or  
142 plates shall be an infraction.

143 (g) The commissioner may cancel such bond or return such  
144 evidence of financial responsibility or the Treasurer may, with the  
145 consent of the commissioner, return such money or collateral to the  
146 person furnishing the same, provided one year shall have elapsed from  
147 the date of the suspension of such license during which period such  
148 person has not, in the opinion of the commissioner, violated any  
149 provision of the motor vehicle laws referred to in subsection (a) of this

150 section. The commissioner may direct the return of any money or  
151 collateral to the person who furnished the same upon the acceptance  
152 and substitution of other evidence of financial responsibility or at any  
153 time after one year from the expiration of any registration or license  
154 issued to such person.

155 (h) Any person who forges or, without authority, signs any  
156 evidence of financial responsibility required by the commissioner in  
157 the administration of this section shall be fined not less than one  
158 hundred dollars or imprisoned not more than thirty days or both.

159 (i) Any person from whom proof of financial responsibility has been  
160 required may, at the end of twelve months, apply to the commissioner  
161 for removal of such requirements in a manner as determined by the  
162 commissioner. The commissioner or his authorized representative may  
163 make such further investigation as may be deemed necessary and,  
164 upon being satisfied that such applicant is entitled to such elimination  
165 of financial requirements, may eliminate the same.

166 (j) To entitle any person to receive or retain a motor vehicle  
167 operator's license or a certificate of registration of any motor vehicle  
168 when, in the opinion of the commissioner, such person has violated  
169 any of the provisions of the following-named sections and subsections:  
170 Section 14-44, section 14-80h or 14-80i, sections 14-110, 14-147, 14-217,  
171 14-219, sections 14-228, 14-275 to 14-281, inclusive, or subdivision (1) of  
172 subsection (a) of section 53a-123 or any similar provision of the laws of  
173 any other state or any territory, or who has been convicted of, or has  
174 forfeited any bond taken for appearance for, or has received a  
175 suspended judgment or sentence for, a violation of any of said  
176 provisions, or a violation of any of the provisions of sections 14-230 to  
177 14-247, inclusive, and 38a-371, within a twelve-month period following  
178 a violation of any of said sections, the commissioner may require from  
179 such person proof of financial responsibility to satisfy any claim for  
180 damages by reason of personal injury to, or the death of, any one  
181 person, of twenty thousand dollars, or by reason of personal injury to,  
182 or the death of, more than one person on account of any accident, of at

183 least forty thousand dollars, and for damage to property of at least ten  
184 thousand dollars. To entitle any person to receive or retain a motor  
185 vehicle operator's license or a certificate of registration of any motor  
186 vehicle when, in the opinion of the commissioner, such person has  
187 violated the provisions of subsection (a) of section 14-227a, or any  
188 similar provisions of the laws of any other state or any territory, or  
189 who has been convicted of, or has forfeited any bond taken for  
190 appearance for, or has received a suspended judgment or sentence for,  
191 a violation of subsection (a) of section 14-227a, within a twelve-month  
192 period following a violation of subsection (a) of section 14-227a, the  
193 commissioner may require from such person proof of financial  
194 responsibility to satisfy any claim for damages in the amounts set forth  
195 in subsection (a) of this section. When the commissioner requires proof  
196 of financial responsibility from an operator or owner of any motor  
197 vehicle, [he] the commissioner may require proof in the amounts  
198 [herein] specified in this section for each vehicle operated or owned by  
199 such person. If any person fails to furnish such proof, the  
200 commissioner shall, until such proof is furnished, suspend or revoke  
201 the license of such person to operate a motor vehicle or refuse to return  
202 any license which has been suspended or revoked in accordance with  
203 the provisions of section 14-111 or suspend or revoke the registration  
204 of any such motor vehicle or vehicles or refuse thereafter to register  
205 any motor vehicle owned by such person or refuse to register any  
206 motor vehicle transferred by [him] such person if it does not appear to  
207 the commissioner's satisfaction that such transfer is a bona fide sale, or,  
208 if such person is not a resident of this state, withdraw from such  
209 person the privilege of operating any motor vehicle in this state and  
210 the privilege of operation within this state of any motor vehicle owned  
211 by [him] such person. Prior to such suspension, revocation or  
212 withdrawal, notice thereof shall be given by the commissioner by a  
213 notice forwarded by bulk certified mail to the address of such person  
214 as shown by the records of the commissioner. No appeal taken from  
215 the judgment of any court shall act as a stay to any action of the  
216 commissioner authorized by the provisions of this section."