



Senate

General Assembly

File No. 545

February Session, 2004

Substitute Senate Bill No. 27

Senate, April 13, 2004

The Committee on Finance, Revenue and Bonding reported through SEN. DAILY of the 33rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING EFFICIENCIES OF THE DEPARTMENT OF MOTOR VEHICLES.

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

1 Section 1. Subsection (a) of section 14-112 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2004*):

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

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

47 Sec. 2. Subsection (c) of section 14-213b of the general statutes is

48 repealed and the following is substituted in lieu thereof (*Effective July*
49 *1, 2004*):

50 (c) The Commissioner of Motor Vehicles shall suspend the
51 registration, and the operator's license, if any, of an owner, for a first
52 conviction of violating the provisions of subsection (a) of this section
53 for a period of one month and for a second or subsequent conviction
54 for a period of six months. [No new registration shall be issued or
55 restored for any private passenger motor vehicle or a vehicle with a
56 combination or commercial registration, as defined in section 14-1, the
57 registration for which has been suspended pursuant to this subsection
58 until the owner has filed proof of financial responsibility in accordance
59 with section 14-112. Any financial responsibility filing shall be
60 maintained for a period of three years unless waived by the
61 commissioner after one year has elapsed, or unless such registration
62 for such motor vehicle has been cancelled or the commissioner is
63 satisfied that a transfer of the private passenger motor vehicle has been
64 made in good faith and not for the purpose of or with the effect of
65 circumventing the intention of sections 14-12b and 14-12c.] No
66 operator's license which has been suspended pursuant to this
67 subsection shall be restored until the owner has provided evidence to
68 the commissioner that he maintains the security required by section
69 38a-371 for each motor vehicle registered in his name.

70 Sec. 3. Subsection (c) of section 14-171 of the general statutes is
71 repealed and the following is substituted in lieu thereof (*Effective July*
72 *1, 2004*):

73 (c) If the application refers to a vehicle last previously registered in
74 another state or country, the application shall contain or be
75 accompanied by: (1) Any certificate of title issued by the other state or
76 country; (2) any other information and documents the commissioner
77 reasonably requires to establish the ownership of the vehicle and the
78 existence or nonexistence of security interests in it; and (3) evidence
79 that the manufacturer's identification number of the vehicle was
80 [inspected at the time of registration] verified, by a means acceptable to

81 the commissioner, or inspected by a licensed dealer in accordance with
82 subsection (c) of section 14-99h.

83 Sec. 4. Subdivision (3) of subsection (k) of section 14-164c of the
84 general statutes is repealed and the following is substituted in lieu
85 thereof (*Effective from passage*):

86 (3) Upon the registration of each new motor vehicle subject to the
87 inspection requirements of this chapter, or of each motor vehicle that is
88 four or less model years of age that has not been registered previously
89 in this state, the commissioner [shall] may issue a sticker indicating the
90 exempt status of such motor vehicle and the date on which the motor
91 vehicle is scheduled to be presented for inspection. [Such] Any such
92 sticker that may be issued shall be displayed on the motor vehicle in
93 accordance with subsection (d) of this section. On and after July 1,
94 2002, the commissioner shall charge a fee of forty dollars in addition to
95 any other fees required for such registration. All receipts from the
96 payment of such fee shall be deposited in the Special Transportation
97 Fund.

98 Sec. 5. Subsection (c) of section 14-19a of the general statutes is
99 repealed and the following is substituted in lieu thereof (*Effective July*
100 *1, 2004*):

101 (c) On or after July 1, [1991] 2004, the commissioner [shall] may
102 issue special certificates of registration and special number plates in
103 accordance with the regulations adopted under subsection (a) of this
104 section provided he may not issue a set of special number plates
105 bearing the same numerals as any other plate issued by the
106 department. The commissioner may discontinue the issuance of any
107 such special number plates issued for a qualified organization, or
108 special plates issued in accordance with the provisions of sections 14-
109 21f to 14-21p, inclusive, at any time, upon written notice to the
110 organization if, in the opinion of the commissioner, the demand for
111 such plates is insufficient to support the costs of production.

112 Sec. 6. Subsection (c) of section 14-103 of the general statutes, as

113 amended by section 36 of public act 03-3 of the June 30 special session,
114 is repealed and the following is substituted in lieu thereof (*Effective July*
115 *1, 2004*):

116 (c) All state and local police officers, whenever they see a motor
117 vehicle being operated in apparent violation of any statute relative to
118 the equipment of a motor vehicle, may stop such vehicle and may
119 issue to the operator a warning of defective equipment directing the
120 owner of such vehicle to take it to any inspection station approved by
121 the commissioner and have such vehicle restored to safe operating
122 condition and officially inspected as soon as possible, and not later
123 than ten days from the date of the issuance of the warning notice. Such
124 warning shall be furnished by the commissioner in such form as the
125 commissioner prescribes and shall be in triplicate, the original of
126 which shall be mailed by the issuing officer to the Department of
127 Motor Vehicles. The duplicate copy shall be given to the motor vehicle
128 operator and shall be presented to the official inspection station at the
129 time the vehicle is submitted for examination. The triplicate copy shall
130 be retained by the issuing officer for such officer's department records.
131 When the inspection station approves such vehicle, its authorized
132 representative shall sign the duplicate copy of the warning of defective
133 equipment and mail it to the Department of Motor Vehicles. If the
134 Department of Motor Vehicles does not receive the duplicate copy, as
135 approved by the inspection station, within twenty days from the date
136 of issuance, [the commissioner may assess the owner of the motor
137 vehicle a civil penalty of fifty dollars. If such owner fails to pay such
138 penalty within the time prescribed by the commissioner] or if the
139 registration for such vehicle is not cancelled, the commissioner, after
140 giving notice and an opportunity for a hearing to such motorist, [shall]
141 may suspend the [registration of the motor vehicle] privilege of the
142 owner to register any motor vehicle or to operate any motor vehicle on
143 the highways of this state that is registered in another jurisdiction,
144 until such time as [the penalty is paid and] the vehicle is restored to
145 safe operating condition.

146 Sec. 7. Subsection (a) of section 14-1 of the general statutes, as

147 amended by section 5 of public act 03-265, is repealed and the
148 following is substituted in lieu thereof (*Effective July 1, 2004*):

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

153 (1) "Agricultural tractor" means a tractor or other form of
154 nonmuscular motive power used for transporting, hauling, plowing,
155 cultivating, planting, harvesting, reaping or other agricultural
156 purposes on any farm or other private property, or used for the
157 purpose of transporting, from one farm to another, agricultural
158 implements and farm products, provided the agricultural tractor is not
159 used on any highway for transporting a pay load or for some other
160 commercial purpose;

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

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

169 (4) "Authorized emergency vehicle" means (A) a fire department
170 vehicle, (B) a police vehicle, or (C) a public service company or
171 municipal department ambulance or emergency vehicle designated or
172 authorized for use as an authorized emergency vehicle by the
173 commissioner;

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

177 (6) "Bulb" means a light source consisting of a glass bulb containing

178 a filament or substance capable of being electrically maintained at
179 incandescence;

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

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

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

189 (10) "Commercial driver's license" or "CDL" means a license issued
190 to an individual in accordance with the provisions of sections 14-44a to
191 14-44m, inclusive, which authorizes such individual to drive a
192 commercial motor vehicle;

193 (11) "Commercial motor vehicle" means a vehicle designed or used
194 to transport passengers or property, except a vehicle used within one
195 hundred fifty miles of a farm in connection with the operation of such
196 farm, fire fighting apparatus or other authorized emergency vehicles,
197 or a recreational vehicle in private use, which (A) has a gross vehicle
198 weight rating of twenty-six thousand and one pounds or more; (B) is
199 designed to transport sixteen or more passengers, including the driver,
200 or is designed to transport more than ten passengers, including the
201 driver, and is used to transport students under the age of twenty-one
202 years to and from school; or (C) is transporting hazardous materials
203 and is required to be placarded in accordance with [the Code of
204 Federal Regulations Title 49, Part] 49 CFR 172, Subpart F, as amended;

205 (12) "Commercial registration" means the type of registration
206 required for any motor vehicle designed or used to transport
207 merchandise, freight or persons in connection with any business
208 enterprise, unless a more specific type of registration is authorized and

209 issued by the commissioner for such class of vehicle;

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

213 (14) "Commissioner" includes the Commissioner of Motor Vehicles
214 and any assistant to the Commissioner of Motor Vehicles who is
215 designated and authorized by, and who is acting for, the
216 Commissioner of Motor Vehicles under a designation; except that the
217 deputy commissioners of motor vehicles and the Attorney General are
218 deemed, unless the Commissioner of Motor Vehicles otherwise
219 provides, to be designated and authorized by, and acting for, the
220 Commissioner of Motor Vehicles under a designation;

221 (15) "Controlled substance" has the same meaning as in section 21a-
222 240 and the federal laws and regulations incorporated in chapter 420b;

223 (16) "Conviction" means an unvacated adjudication of guilt, or a
224 determination that a person has violated or failed to comply with the
225 law in a court of original jurisdiction or an authorized administrative
226 tribunal, an unvacated forfeiture of bail or collateral deposited to
227 secure the person's appearance in court, the payment of a fine or court
228 cost, or violation of a condition of release without bail, regardless of
229 whether or not the penalty is rebated, suspended or probated;

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

235 (18) "Disqualification" means a withdrawal of the privilege to drive
236 a commercial motor vehicle, which occurs as a result of (A) any
237 suspension or revocation by the commissioner of the privilege to
238 operate a motor vehicle; (B) a determination by the Federal Highway
239 Administration, under the rules of practice for motor carrier safety

240 contained in [the Code of Federal Regulations Title 49, Part] 49 CFR
241 386, as amended, that a person is no longer qualified to operate a
242 commercial motor vehicle under the standards of [the Code of Federal
243 Regulations Title 49, Part] 49 CFR 391, as amended; or (C) the loss of
244 qualification which automatically follows any of the convictions
245 specified in section 14-44k;

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

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

251 (21) "Driver's license" or "operator's license" means a valid
252 Connecticut motor vehicle operator's license or a license issued by
253 another state or foreign jurisdiction authorizing the holder thereof to
254 operate a motor vehicle on the highways;

255 (22) "Employee" means any operator of a commercial motor vehicle,
256 including full-time, regularly employed drivers, casual, intermittent or
257 occasional drivers, drivers under contract and independent, owner-
258 operator contractors, who, while in the course of operating a
259 commercial motor vehicle, are either directly employed by, or are
260 under contract to, an employer;

261 (23) "Employer" means any person, including the United States, a
262 state or any political subdivision thereof, who owns or leases a
263 commercial motor vehicle, or assigns a person to drive a commercial
264 motor vehicle;

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

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

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

273 (27) "Fuels" means (A) all products commonly or commercially
274 known or sold as gasoline, including casinghead and absorption or
275 natural gasoline, regardless of their classification or uses, (B) any liquid
276 prepared, advertised, offered for sale or sold for use, or commonly and
277 commercially used, as a fuel in internal combustion engines, which,
278 when subjected to distillation in accordance with the standard method
279 of test for distillation of gasoline, naphtha, kerosene and similar
280 petroleum products by "American Society for Testing Materials
281 Method D-86", shows not less than ten per cent distilled (recovered)
282 below 347 Fahrenheit (175 Centigrade) and not less than ninety-five
283 per cent distilled (recovered) below 464 Fahrenheit (240 Centigrade);
284 provided the term "fuels" shall not include commercial solvents or
285 naphthas which distill, by "American Society for Testing Materials
286 Method D-86", not more than nine per cent at 176 Fahrenheit and
287 which have a distillation range of 150 Fahrenheit, or less, or liquefied
288 gases which would not exist as liquids at a temperature of 60
289 Fahrenheit and a pressure of 14.7 pounds per square inch absolute,
290 and (C) any liquid commonly referred to as "gasohol" which is
291 prepared, advertised, offered for sale or sold for use, or commonly and
292 commercially used, as a fuel in internal combustion engines, consisting
293 of a blend of gasoline and a minimum of ten per cent by volume of
294 ethyl or methyl alcohol;

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

297 (29) "Gross vehicle weight rating" or "GVWR" means the value
298 specified by the manufacturer as the maximum loaded weight of a
299 single or a combination (articulated) vehicle, or its registered gross
300 weight, whichever is greater. The GVWR of a combination (articulated)
301 vehicle commonly referred to as the "gross combination weight rating"
302 or GCWR is the GVWR of the power unit plus the GVWR of the towed
303 unit or units;

304 (30) "Gross weight" means the light weight of a vehicle plus the
305 weight of any load on the vehicle, provided, in the case of a tractor-
306 trailer unit, "gross weight" means the light weight of the tractor plus
307 the light weight of the trailer or semitrailer plus the weight of the load
308 on the vehicle;

309 (31) "Hazardous materials" has the same meaning as in Section 103
310 of the Hazardous Materials Transportation Act, [Section 1801 et seq.,
311 Title 49, United States Code] 49 USC 1801 et seq.;

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

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

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

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

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

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

332 (38) "Local authorities" includes the board of aldermen, common
333 council, chief of police, warden and burgesses, board of selectmen or

334 other officials having authority for the enactment or enforcement of
335 traffic regulations within their respective towns, cities or boroughs;

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

341 (40) "Manufacturer" means (A) a person, whether a resident or
342 nonresident, engaged in the business of constructing or assembling
343 new motor vehicles of a type required to be registered by the
344 commissioner, for operation upon any highway, which are offered for
345 sale in this state, or (B) a person who distributes new motor vehicles to
346 new car dealers licensed in this state;

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

350 (42) "Minibike" or "minicycle" means any two or three wheel
351 motorcycle having one or more of the following characteristics: (A)
352 Ten inches (254 mm) or less nominal wheel rim diameter; (B) forty
353 inches or less wheel base; (C) twenty-five inches or less seat height
354 measured at the lowest point on the top of the seat cushion without
355 rider; (D) a propelling engine having a piston displacement of 50 c.c. or
356 less;

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

361 (44) "Motor bus" includes any motor vehicle, except a taxicab, as
362 defined in section 13b-95, as amended, operated in whole or in part on
363 any street or highway in a manner affording a means of transportation
364 by indiscriminately receiving or discharging passengers, or running on

365 a regular route or over any portion of a regular route or between fixed
366 termini;

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

370 (46) "Motorcycle" means a motor vehicle, with or without a side car,
371 having not more than three wheels in contact with the ground and a
372 saddle or seat on which the rider sits or a platform on which the rider
373 stands and includes bicycles having a motor attached, except bicycles
374 propelled by means of a helper motor as defined in section 14-286, as
375 amended, but does not include a vehicle having or designed to have a
376 completely enclosed driver's seat and a motor which is not in the
377 enclosed area;

378 (47) "Motor vehicle" means any vehicle propelled or drawn by any
379 nonmuscular power, except aircraft, motor boats, road rollers, baggage
380 trucks used about railroad stations or other mass transit facilities,
381 electric battery-operated wheel chairs when operated by physically
382 handicapped persons at speeds not exceeding fifteen miles per hour,
383 golf carts operated on highways solely for the purpose of crossing
384 from one part of the golf course to another, golf cart type vehicles
385 operated on roads or highways on the grounds of state institutions by
386 state employees, agricultural tractors, farm implements, such vehicles
387 as run only on rails or tracks, self-propelled snow plows, snow blowers
388 and lawn mowers, when used for the purposes for which they were
389 designed and operated at speeds not exceeding four miles per hour,
390 whether or not the operator rides on or walks behind such equipment,
391 bicycles with helper motors as defined in section 14-286, as amended,
392 special mobile equipment as defined in subsection (i) of section 14-165
393 and any other vehicle not suitable for operation on a highway;

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

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

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

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

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

408 (53) "Officer" includes any constable, state marshal, inspector of
409 motor vehicles, state policeman or other official authorized to make
410 arrests or to serve process, provided the officer is in uniform or
411 displays the officer's badge of office in a conspicuous place when
412 making an arrest;

413 (54) "Operator" means any person who operates a motor vehicle or
414 who steers or directs the course of a motor vehicle being towed by
415 another motor vehicle and includes a driver as defined in subdivision
416 (20) of this section;

417 (55) "Out-of-service order" means a temporary prohibition against
418 driving a commercial motor vehicle or any other vehicle subject to the
419 federal motor carrier safety regulations enforced by the commissioner
420 pursuant to the commissioner's authority under section 14-8;

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

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

426 (58) "Passenger and commercial motor vehicle" means a motor
427 vehicle used for private passenger and commercial purposes which is
428 eligible for combination registration;

429 (59) "Passenger motor vehicle" means a motor vehicle used for the
430 private transportation of persons and their personal belongings,
431 designed to carry occupants in comfort and safety, with a capacity of
432 carrying not more than ten passengers including the operator thereof;

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

436 (61) "Person" includes any individual, corporation, limited liability
437 company, association, copartnership, company, firm, business trust or
438 other aggregation of individuals but does not include the state or any
439 political subdivision thereof, unless the context clearly states or
440 requires;

441 (62) "Pick-up truck" means a motor vehicle with an enclosed
442 forward passenger compartment and an open rearward compartment
443 used for the transportation of property, and having a gross vehicle
444 weight rating of less than ten thousand pounds;

445 ~~[(62)]~~ (63) "Pneumatic tires" means tires inflated or inflatable with
446 air;

447 ~~[(63)]~~ (64) "Pole trailer" means a trailer which is (A) intended for
448 transporting long or irregularly shaped loads such as poles, logs, pipes
449 or structural members, which loads are capable of sustaining
450 themselves as beams between supporting connections, and (B)
451 designed to be drawn by a motor vehicle and attached or secured
452 directly to the motor vehicle by any means including a reach, pole or
453 boom;

454 ~~[(64)]~~ (65) "Recreational vehicle" includes the camper, camp trailer
455 and motor home classes of vehicles;

456 [(65)] (66) "Registration" includes the certificate of motor vehicle
457 registration and the number plate or plates used in connection with
458 such registration;

459 [(66)] (67) "Registration number" means the identifying number or
460 letters, or both, assigned by the commissioner to a motor vehicle;

461 [(67)] (68) "Resident", for the purpose of registering motor vehicles,
462 includes any person having a place of residence in this state, occupied
463 by such person for more than six months in a year, or any person, firm
464 or corporation owning or leasing a motor vehicle used or operated in
465 intrastate business in this state, or a firm or corporation having its
466 principal office or place of business in this state;

467 [(68)] (69) "School bus" means any school bus, as defined in section
468 14-275;

469 [(69)] (70) "Second" violation or "subsequent" violation means an
470 offense committed not more than three years after the date of an arrest
471 which resulted in a previous conviction for a violation of the same
472 statutory provision, except in the case of a violation of section 14-215,
473 as amended, or 14-224 or subsection (a) of section 14-227a, "second"
474 violation or "subsequent" violation means an offense committed not
475 more than ten years after the date of an arrest which resulted in a
476 previous conviction for a violation of the same statutory provision;

477 [(70)] (71) "Semitrailer" means any trailer type vehicle designed and
478 used in conjunction with a motor vehicle so that some part of its own
479 weight and load rests on or is carried by another vehicle;

480 [(71)] (72) "Serious traffic violation" means a conviction, when
481 operating a commercial motor vehicle, of any violation (A) of section
482 14-218a or 14-219, if the speed was fifteen miles per hour or more over
483 the posted speed limit, (B) of section 14-222, (C) of section 14-240 or 14-
484 240a, (D) of section 14-236, or (E) arising in connection with an accident
485 related to the operation of a commercial motor vehicle and which
486 resulted in the death of any person;

487 [(72)] (73) "Service bus" includes any vehicle except a vanpool
488 vehicle or a school bus designed and regularly used to carry ten or
489 more passengers when used in private service for the transportation of
490 persons without charge to the individual;

491 [(73)] (74) "Service car" means any motor vehicle used by a
492 manufacturer, dealer or repairer for emergency motor vehicle repairs
493 on the highways of this state, for towing or for the transportation of
494 necessary persons, tools and materials to and from the scene of such
495 emergency repairs or towing;

496 [(74)] (75) "Shoulder" means that portion of a highway immediately
497 adjacent and contiguous to the travel lanes or main traveled portion of
498 the roadway;

499 [(75)] (76) "Solid tires" means tires of rubber, or other elastic material
500 approved by the Commissioner of Transportation, which do not
501 depend on confined air for the support of the load;

502 [(76)] (77) "Spot lamp" or "spot light" means a lighting device
503 projecting a high intensity beam, the direction of which can be readily
504 controlled for special or emergency lighting as distinguished from
505 ordinary road illumination;

506 [(77)] (78) "State" means any state of the United States and the
507 District of Columbia unless the context indicates a more specific
508 reference to the state of Connecticut;

509 [(78)] (79) "Stop" means complete cessation of movement;

510 [(79)] (80) "Tail lamp" means a lighting device affixed to the rear of a
511 motor vehicle showing a red light to the rear and indicating the
512 presence of the motor vehicle when viewed from behind;

513 [(80)] (81) "Tank vehicle" means any commercial motor vehicle
514 designed to transport any liquid or gaseous material within a tank that
515 is either permanently or temporarily attached to the vehicle or its
516 chassis which shall include, but not be limited to, a cargo tank and

517 portable tank, as defined in the Code of Federal Regulations Title 49,
518 Section 383.5, as amended, provided it shall not include a portable tank
519 with a rated capacity not to exceed one thousand gallons;

520 [(81)] (82) "Tractor" or "truck tractor" means a motor vehicle
521 designed and used for drawing a semitrailer;

522 [(82)] (83) "Tractor-trailer unit" means a combination of a tractor and
523 a trailer or a combination of a tractor and a semitrailer;

524 [(83)] (84) "Trailer" means any rubber-tired vehicle without motive
525 power drawn or propelled by a motor vehicle;

526 [(84)] (85) "Truck" means a motor vehicle designed, used or
527 maintained primarily for the transportation of property;

528 [(85)] (86) "Ultimate consumer" means, with respect to a motor
529 vehicle, the first person, other than a dealer, who in good faith
530 purchases the motor vehicle for purposes other than resale;

531 [(86)] (87) "United States" means the fifty states and the District of
532 Columbia;

533 [(87)] (88) "Used motor vehicle" includes any motor vehicle which
534 has been previously separately registered by an ultimate consumer;

535 [(88)] (89) "Utility trailer" means a trailer designed and used to
536 transport personal property, materials or equipment, whether or not
537 permanently affixed to the bed of the trailer, with a manufacturer's
538 GVWR of ten thousand pounds or less;

539 [(89)] (90) "Vanpool vehicle" includes all motor vehicles, the primary
540 purpose of which is the daily transportation, on a prearranged
541 nonprofit basis, of individuals between home and work, and which:
542 (A) If owned by or leased to a person, or to an employee of the person,
543 or to an employee of a local, state or federal government unit or agency
544 located in Connecticut, are manufactured and equipped in such
545 manner as to provide a seating capacity of at least seven but not more

546 than fifteen individuals, or (B) if owned by or leased to a regional ride-
547 sharing organization in the state recognized by the Commissioner of
548 Transportation, are manufactured and equipped in such manner as to
549 provide a seating capacity of at least six but not more than nineteen
550 individuals;

551 [(90)] (91) "Vehicle" includes any device suitable for the conveyance,
552 drawing or other transportation of persons or property, whether
553 operated on wheels, runners, a cushion of air or by any other means.
554 The term does not include devices propelled or drawn by human
555 power or devices used exclusively on tracks;

556 [(91)] (92) "Vehicle identification number" or "VIN" means a series of
557 Arabic numbers and Roman letters that is assigned to each new motor
558 vehicle that is manufactured within or imported into the United States,
559 in accordance with the provisions of [the Code of Federal Regulations,
560 Title 49, Part] 49 CFR 565, unless another sequence of numbers and
561 letters has been assigned to a motor vehicle by the commissioner, in
562 accordance with the provisions of section 14-149, as amended;

563 [(92)] (93) "Wrecker" means a vehicle which is registered, designed,
564 equipped and used for the purposes of towing or transporting
565 wrecked or disabled motor vehicles for compensation or for related
566 purposes by a person, firm or corporation licensed in accordance with
567 the provisions of subpart (D) of part III of this chapter.

568 Sec. 8. Subsection (e) of section 14-49 of the general statutes, as
569 amended by section 26 of public act 03-4 of the June 30 special session,
570 is repealed and the following is substituted in lieu thereof (*Effective*
571 *from passage*):

572 (e) (1) For the registration of a passenger motor vehicle used in part
573 for commercial purposes, except any pick-up truck, the commissioner
574 shall charge a biennial fee of eighty-three dollars and shall issue
575 combination registration to such vehicle. (2) For the registration of a
576 school bus, the commissioner shall charge an annual fee of one
577 hundred dollars for a type I school bus and sixty dollars for a type II

578 school bus. (3) For the registration of a motor vehicle when used in
579 part for commercial purposes and as a passenger motor vehicle or of a
580 motor vehicle having a seating capacity greater than ten and not used
581 for the conveyance of passengers for hire, the commissioner shall
582 charge a biennial fee for gross weight as for commercial registration, as
583 outlined in section 14-47, as amended, plus the sum of thirteen dollars
584 and shall issue combination registration to such vehicle. (4) [A motor
585 vehicle used in part for commercial purposes and used in part for
586 private passenger purposes and registered pursuant to this section]
587 Each vehicle registered as combination shall be issued a number plate
588 bearing the word "combination". No vehicle registered as combination
589 may have a gross vehicle weight rating in excess of ten thousand
590 pounds. (5) For the registration of a pick-up truck that is not used in
591 part for commercial purposes, the commissioner shall charge a
592 biennial fee for gross weight as for commercial registration, as
593 provided in section 14-47, as amended, plus the sum of thirteen
594 dollars. The commissioner may issue passenger registration to any
595 such vehicle with a gross vehicle weight rating of eight thousand five
596 hundred pounds or less.

597 Sec. 9. Subsection (c) of section 14-49 of the general statutes, as
598 amended by section 33 of public act 03-4 of the June 30 special session,
599 is repealed and the following is substituted in lieu thereof (*Effective July*
600 *1, 2004*):

601 (c) For the registration of each taxicab or motor vehicle in livery
602 service, with a seating capacity of seven or less, the commissioner shall
603 charge [an annual] a biennial fee of [one hundred twenty-five] two
604 hundred fifty dollars. When the seating capacity of such motor vehicle
605 is more than seven, there shall be added to the amount herein
606 provided the sum of four dollars for each seat so in excess.

607 Sec. 10. Subsection (p) of section 14-49 of the general statutes is
608 repealed and the following is substituted in lieu thereof (*Effective July*
609 *1, 2004*):

610 (p) For the registration of a service bus owned by an individual,

611 firm or corporation, exclusive of any nonprofit charitable, religious,
612 educational or community service organization, and used for the
613 transportation of persons without charge, the commissioner shall
614 charge a fee of [one] two hundred dollars for vehicles having a seating
615 capacity of sixteen passengers or less, including the driver, and [three
616 hundred fifty] seven hundred dollars for vehicles having a seating
617 capacity of more than sixteen passengers. For the registration of any
618 service bus owned by any nonprofit charitable, religious, educational
619 or community service organization, the commissioner shall charge a
620 fee of [seventy-five] one hundred fifty dollars for vehicles having a
621 seating capacity of sixteen passengers or less, and [two hundred fifty]
622 five hundred dollars for vehicles having a seating capacity of more
623 than sixteen passengers, provided such service bus is used exclusively
624 for the purpose of transporting persons in relation to the purposes and
625 activities of such organization. Each such registration shall be issued
626 for a biennial period in accordance with a schedule established by the
627 commissioner. Nothing herein contained shall affect the provisions of
628 subsection (e) of this section.

629 Sec. 11. Section 14-164a of the general statutes, as amended by
630 section 37 of public act 03-3 of the June 30 special session, is repealed
631 and the following is substituted in lieu thereof (*Effective from passage*):

632 (a) No person shall operate a motor vehicle in any race, contest or
633 demonstration of speed or skill with a motor vehicle as a public
634 exhibition [until a permit for such race or exhibition has been obtained
635 from the Commissioner of Motor Vehicles] except in accordance with
636 the provisions of this section. [Any person desiring to manage, operate
637 or conduct such a motor vehicle race or exhibition shall make
638 application in writing to said commissioner at least ten days prior to
639 the race or exhibition and such application shall set forth in detail the
640 time of such proposed race or exhibition, together with a description of
641 the kind and number of motor vehicles to be used and such further
642 information as said commissioner may require. Such application shall
643 be accompanied by a fee of seventy-five dollars. The Commissioner of
644 Motor Vehicles, upon receipt of such application and fee, shall cause

645 an inquiry to be made concerning the condition of the race track or
646 place of exhibition and all of the appurtenances thereto and, if the
647 commissioner finds no unusual hazard to participants in such race or
648 exhibition or to persons attending such race or exhibition, the
649 commissioner may issue a permit naming a definite date for such]
650 Such race or exhibition [, which] may be conducted at any reasonable
651 hour of any week day or after twelve o'clock noon on any Sunday. The
652 [commissioner, with the approval of the] legislative body of the city,
653 borough or town in which the race or exhibition will be held [,] may
654 issue a permit allowing a start time prior to twelve o'clock noon on any
655 Sunday, provided no such race or exhibition shall take place contrary
656 to the provisions of any city, borough or town ordinances. The
657 [commissioner may make regulations as to the conditions under which
658 each such race or exhibition may be conducted, including
659 requirements as to types of tires suitable for safe use, the age and
660 physical condition of the participating operators, the number and
661 qualifications of attending personnel, the provision of] person
662 conducting such race or exhibition shall provide for first-aid and
663 medical supplies and equipment, including ambulances, and the
664 attendance of doctors or other persons qualified to give emergency
665 medical aid, police and fire protection, and such other requirements as
666 will eliminate any unusual hazard to participants in such race or
667 exhibition or to the spectators. Each facility where racing is conducted
668 shall contain restricted areas which shall be posted with notice that
669 only persons with the appropriate credentials may be admitted to such
670 restricted areas. Areas of the facility subject to this requirement shall
671 include, but need not be limited to, the pit area and pit lane, track,
672 media area or areas and any other area that is unprotected from
673 participating vehicles. Smoking or carrying a lighted smoking
674 implement shall be prohibited in any area where fuel is stored or
675 transferred.

676 (b) No minor under the age of sixteen years may participate in
677 motor cross racing, except that a minor thirteen years of age or older
678 may participate in such racing with the written permission of the
679 minor's parents or legal guardian. If weather or track conditions are

680 such as to make such race or exhibition unusually hazardous, [the
681 commissioner or other person designated by the commissioner may]
682 the person conducting such race or exhibition shall cancel or postpone
683 the same or may require the use of tires of a type [approved by the
684 commissioner] manufactured for such adverse conditions. No person
685 shall conduct or participate in any motor vehicle race or contest or
686 demonstration of speed or skill in any motor vehicle on the ice of any
687 body of water. The provisions of this section shall not apply to a motor
688 vehicle with a motor of no more than three horsepower or a go-cart-
689 type vehicle with a motor of no more than twelve horsepower, when
690 operated on a track of one-eighth of a mile or less in length.
691 Preliminary preparations and practice runs, performed after eleven
692 o'clock in the forenoon, on the date designated in the permit and prior
693 to cancellation or postponement, shall not be construed to constitute a
694 race or exhibition within the meaning of this section. No preliminary
695 preparations or practice runs shall be performed before twelve o'clock
696 noon on Sunday. For the purposes of this subsection, "motor cross
697 racing" means motorcycle racing on a dirt track by participants
698 operating motorcycles designed and manufactured exclusively for off-
699 road use and powered by an engine having a capacity of not more than
700 five hundred cubic centimeters piston displacement.

701 (c) The Commissioner of Motor Vehicles shall adopt regulations, in
702 accordance with chapter 54, concerning mandatory safety equipment
703 for vehicles that participate in any race or exhibition conducted in
704 accordance with the provisions of this section. Such regulations shall
705 require any equipment necessary for the protection of drivers.

706 ~~[(b)]~~ (d) Any person participating in or conducting any motor
707 vehicle race or exhibition contrary to the provisions of this section shall
708 be fined not more than two hundred dollars or imprisoned not more
709 than six months, or both.

710 Sec. 12. Subdivision (3) of section 14-165 of the general statutes is
711 repealed and the following is substituted in lieu thereof (*Effective July*
712 *1, 2004*):

713 (3) "Identification number" means the vehicle identification number
714 of a motor vehicle, as defined in [subdivision (91) of subsection (a) of]
715 section 14-1, as amended by this act.

716 Sec. 13. Subsection (a) of section 14-168a of the general statutes is
717 repealed and the following is substituted in lieu thereof (*Effective July*
718 *1, 2004*):

719 (a) Notwithstanding the provisions of any section of the general
720 statutes, [to the contrary,] a used car dealer licensed in accordance with
721 the provisions of section 14-52 who enters into a contract with a
722 manufacturer of equipment or parts used in the assembly of a wrecker,
723 including a flatbed wrecker, as defined in [subdivision (65) of] section
724 14-1, as amended by this act, or used in the assembly of a special
725 purpose body to a cab and chassis, including a body for a refuse
726 compactor, transit mixer, dump truck, tank truck or other vehicle
727 designed for the transportation of bulk materials or to which
728 machinery is attached, and who purchases from a new car dealer
729 licensed in accordance with the provisions of section 14-52 any new
730 chassis, cab or other portion of an incomplete motor vehicle for such
731 purpose, may sell or offer for sale such wrecker or other motor vehicle
732 as a new motor vehicle provided all parts of any such wrecker or other
733 motor vehicle are new.

734 Sec. 14. Subsection (c) of section 14-290 of the general statutes is
735 repealed and the following is substituted in lieu thereof (*Effective July*
736 *1, 2004*):

737 (c) Any wrecker, as defined in [subdivision (90) of] section 14-1, as
738 amended by this act, shall be exempt from the provisions of section 14-
739 267a, as amended, provided such wrecker is in the course of towing or
740 hauling a disabled motor vehicle from the point where such vehicle
741 became disabled and does not exceed any of the weight limits
742 provided in section 14-267a, as amended, by more than twenty per
743 cent.

744 Sec. 15. Section 42-220 of the general statutes is repealed and the

745 following is substituted in lieu thereof (*Effective July 1, 2004*):

746 As used in sections 42-220 to 42-226, inclusive:

747 (1) "Dealer" means any person, firm or corporation licensed
748 pursuant to section 14-52, as a new car dealer or a used car dealer, as
749 defined in section 14-51, or any person, firm or corporation licensed
750 pursuant to section 14-15 which engages in the business of selling a
751 used motor vehicle to a consumer;

752 (2) "Motor vehicle" means a motor vehicle, as defined in
753 [subdivision (30) of] section 14-1, as amended by this act;

754 (3) "Used motor vehicle" means a used or secondhand motor
755 vehicle, as defined in [subdivision (62) of] section 14-1, as amended by
756 this act;

757 (4) "Cash purchase price" means all amounts charged for the
758 purchase of a motor vehicle, including the value of a trade-in vehicle,
759 except a finance charge; and

760 (5) "Consumer" means the purchaser, other than for purposes of
761 resale, of a used motor vehicle normally used for personal, family or
762 household purposes, and the spouse or child of the purchaser if such
763 motor vehicle is transferred to the spouse or child during the duration
764 of any warranty applicable to such motor vehicle, and any other
765 person entitled by the terms of such warranty to enforce the
766 obligations of the warranty. "Consumer" does not mean the lessee of a
767 motor vehicle or the spouse, child or other family member of the lessee
768 who, pursuant to a lease contract option, purchases such vehicle at the
769 end of the lease term.

770 Sec. 16. Subsection (b) of section 14-50a of the general statutes, as
771 amended by section 117 of public act 03-1 of the June 30 special
772 session, is repealed and the following is substituted in lieu thereof
773 (*Effective from passage*):

774 (b) The commissioner may establish fees not conforming to those of

775 subsection (a) of this section for information furnished on a volume
776 basis to persons or firms who satisfy the commissioner that the
777 information furnished is properly required in connection with the
778 conduct of such person's or firm's business, except that commencing
779 on August 16, 2003, the fee established under this subsection for
780 driving history records furnished to for-profit businesses shall be not
781 less than fifteen dollars.

782 Sec. 17. Subsection (bb) of section 14-49 of the general statutes is
783 repealed and the following is substituted in lieu thereof (*Effective July*
784 *1, 2004*):

785 (bb) The commissioner shall refund one-half of the registration fee
786 for [(1) any passenger registration when the number plate or plates
787 and registration certificate are returned on or after January 1, 1995, or
788 (2) any all terrain, combination, early American farm, handicapped,
789 motorcycle, snowmobile and vanpool registration when the number
790 plate or plates and registration certificate are returned on or after July
791 1, 1999] any motor vehicle when the number plate or plates and
792 registration certificate are returned on or after July 1, 2004, with one
793 year or more remaining until the expiration of such registration.

794 Sec. 18. Subsection (e) of section 15-144 of the general statutes is
795 repealed and the following is substituted in lieu thereof (*Effective July*
796 *1, 2004*):

797 (e) (1) The Commissioner of Motor Vehicles may permit marine
798 dealers, as defined in section 15-141, to assign registration numbers
799 and issue temporary certificates of number upon the sale or transfer of
800 a vessel. The dealer shall within ten days from the issuance of such
801 temporary certificate submit to the Commissioner of Motor Vehicles an
802 application together with all necessary documents, information and
803 fees for a permanent certificate of number for the vessel transfer.

804 (2) The Commissioner of Motor Vehicles may permit such marine
805 dealers to issue temporary certificates of decal upon the sale or transfer
806 of a documented vessel. The dealer shall within ten days from the

807 issuance of such temporary certificate submit to the Commissioner of
808 Motor Vehicles an application together with all necessary documents,
809 information and fees for a permanent certificate of decal with respect
810 to such vessel.

811 (3) On and after March 1, 2005, the Commissioner of Motor Vehicles
812 shall permit marine dealers, as defined in section 15-141, to submit the
813 applications and documents required under subdivisions (1) and (2) of
814 this subsection by electronic means. Said commissioner shall adopt
815 regulations, in accordance with chapter 54, to carry out the provisions
816 of this subdivision.

817 Sec. 19. Subsection (b) of section 14-253a of the general statutes is
818 repealed and the following is substituted in lieu thereof (*Effective July*
819 *1, 2004*):

820 (b) The Commissioner of Motor Vehicles shall accept applications
821 and renewal applications for special license plates and removable
822 windshield placards from (1) any person who is blind, as defined in
823 section 1-1f; (2) any person with disabilities which limit or impair the
824 ability to walk, as defined in 23 CFR Part 1235.2; (3) any parent or
825 guardian of any blind person or person with disabilities who is under
826 eighteen years of age at the time of application; and (4) any
827 organization which meets criteria established by the commissioner and
828 which certifies to the commissioner's satisfaction that the vehicle for
829 which a plate or placard is requested is primarily used to transport
830 blind persons or persons with disabilities which limit or impair their
831 ability to walk. Such applications shall be on a form prescribed by the
832 commissioner and shall include certification of disability from a
833 licensed physician or advanced practice registered nurse, licensed in
834 accordance with the provisions of chapter 378, or of blindness from an
835 ophthalmologist or an optometrist. In the case of persons with
836 disabilities which limit or impair the ability to walk, the application
837 shall also include certification from a licensed physician, an advanced
838 practice registered nurse, licensed in accordance with the provisions of
839 chapter 378, or a member of the handicapped driver training unit

840 established pursuant to section 14-11b that the applicant meets the
841 definition of persons with disabilities which limit or impair the ability
842 to walk, as defined in 23 CFR Section 1235.2. The commissioner, in said
843 commissioner's discretion, may accept the discharge papers of a
844 disabled veteran, as defined in section 14-254, in lieu of such
845 certification. The commissioner may require additional certification at
846 the time of the original application or at any time thereafter. If a person
847 who has been requested to submit additional certification fails to do so
848 within thirty days of the request, or if such additional certification is
849 deemed by the commissioner to be unfavorable to the applicant, the
850 commissioner may refuse to issue or, if already issued, suspend or
851 revoke such special license plate or removable windshield placard. The
852 fee for the issuance of a temporary removable windshield placard shall
853 be five dollars. Any person whose application has been denied or
854 whose special license plate or removable windshield placard has been
855 suspended or revoked shall be afforded an opportunity for a hearing
856 in accordance with the provisions of chapter 54.

857 Sec. 20. (*Effective from passage*) The Commissioner of Motor Vehicles
858 shall study the feasibility and benefits of a program to permit each new
859 or used car dealer, licensed in accordance with the provisions of
860 section 14-52 of the general statutes, to offer the purchaser or lessee of
861 a new or used motor vehicle the optional service of marking six or
862 more motor vehicle component parts with the vehicle identification
863 number or a personal identification number selected by the purchaser
864 or lessee. Such study shall include, but not be limited to, consideration
865 of establishing a secure database of all numbers used in the marking of
866 component parts, and for telephone or electronic access to such
867 database by the owners or lessees of marked vehicles and by
868 authorized law enforcement agencies and officials. On or before
869 January 15, 2005, said commissioner shall report the findings of such
870 study to the joint standing committee of the General Assembly having
871 cognizance of matters relating to transportation, in accordance with
872 chapter 54 of the general statutes, along with any recommendations for
873 implementation of such a program.

874 Sec. 21. Section 14-65 of the general statutes is repealed and the
875 following is substituted in lieu thereof (*Effective July 1, 2004*):

876 (a) No person, firm or corporation shall engage in the business of
877 selling motor vehicles at auction unless such person, firm or
878 corporation is licensed as a new or used car dealer and has obtained an
879 auction permit from the commissioner. Such auction permit may be
880 issued at the discretion of the commissioner. The fee for such auction
881 permit shall be thirteen dollars.

882 (b) A totaled or salvaged motor vehicle with a certificate of title
883 stamped "SALVAGE PARTS ONLY" shall be sold at auction in an area
884 that is separate from any area in which other motor vehicles are being
885 sold at auction.

886 (c) The provisions of this section shall not apply to a sale by a state
887 marshal or to a private auction sale of motor vehicles, used by the
888 seller, who is not a used car dealer as defined in section 14-51, in the
889 operation of such seller's business or for personal use.

890 (d) The provisions of this section shall not apply to any person, firm
891 or corporation engaged primarily in the business of conducting
892 auction sales of construction equipment and other special mobile
893 equipment, as defined in subdivision (9) of section 14-165, and
894 incidentally in auction sales of trailers and other motor vehicles, at a
895 fixed location and place of business in this state, provided such person,
896 firm or corporation was engaged in such business at such fixed
897 location and place of business in this state on or before January 1, 2004.
898 If such person, firm or corporation accepts motor vehicles on
899 consignment from any licensed dealer, which motor vehicles are
900 offered for sale to the public, such consigning dealer shall be required
901 to obtain a permit in accordance with the provisions of subsection (a)
902 of this section. Such consigning dealer shall be responsible for
903 compliance with the provisions of sections 42-220 to 42-226a, inclusive.

904 [(d)] (e) The commissioner shall adopt regulations, in accordance
905 with the provisions of chapter 54, to implement the provisions of this

906 section.

907 [(e)] (f) A violation of subsection (a) of this section shall be a class B
908 misdemeanor. Each person, firm or corporation that conducts an
909 auction sale in accordance with any of the provisions of this section
910 shall be subject to the provisions of sections 14-149, as amended, and
911 14-149a and to the penalties provided for violations of said sections.
912 The commissioner may, after notice and opportunity for a hearing,
913 impose a civil penalty of two thousand dollars on any [person] licensee
914 who violates [any provision] subsection (b) of this section or any
915 regulation adopted pursuant to subsection [(d)] (e) of this section.

916 Sec. 22. Subsection (c) of section 14-50 of the general statutes is
917 repealed and the following is substituted in lieu thereof (*Effective July*
918 *1, 2004*):

919 (c) The commissioner shall waive [the] any operator's license [fee
920 and examination] or registration fee, including any renewal fee in the
921 case of any person in the active service of the armed forces of the
922 United States who was a legal resident of Connecticut at the time of his
923 induction; and for one licensing period to any person honorably
924 separated from such service who applies therefor within two years
925 following the date of separation and was a legal resident of
926 Connecticut at the time of his induction. The commissioner may adopt
927 regulations, in accordance with chapter 54, to implement the
928 provisions of this subsection.

929 Sec. 23. Section 14-41 of the general statutes, as amended by section
930 6 of public act 03-171, section 34 of public act 03-3 of the June 30 special
931 session and section 6 of public act 04-4, is repealed and the following is
932 substituted in lieu thereof (*Effective July 1, 2004*):

933 (a) Except as provided in section 14-41a, as amended by this act,
934 each motor vehicle operator's license shall be renewed every six years
935 or every four years on the date of the operator's birthday in accordance
936 with a schedule to be established by the commissioner. On and after
937 July 1, 2005, the Commissioner of Motor Vehicles shall screen the

938 vision of each motor vehicle operator prior to every other renewal of
939 the operator's license of such operator in accordance with a schedule
940 adopted by the commissioner. Such screening requirement shall apply
941 to every other renewal following the initial screening. In lieu of the
942 vision screening by the commissioner, such operator may submit the
943 results of a vision screening conducted by a licensed health care
944 professional qualified to conduct such screening on a form prescribed
945 by the commissioner during the twelve months preceding such
946 renewal. No motor vehicle operator's license may be renewed unless
947 the operator passes such vision screening. The commissioner shall
948 adopt regulations, in accordance with the provisions of chapter 54, to
949 implement the provisions of this subsection relative to the
950 administration of vision screening.

951 (b) An original operator's license shall expire within a period not
952 exceeding six years following the date of the operator's next birthday.
953 The fee for such original license shall be computed at the rate of [forty-
954 three] forty-four dollars for a four-year license, [sixty-five] sixty-six
955 dollars for a six-year license and eleven dollars per year for any part of
956 a year thereof.

957 (c) The commissioner shall, at least fifteen days before the date on
958 which each motor vehicle operator's license expires, notify the operator
959 of the expiration date. Any previously licensed operator who operates
960 a motor vehicle within sixty days after the expiration date of the
961 operator's license without obtaining a renewal of the license shall be
962 deemed to have failed to renew a motor vehicle operator's license and
963 shall be fined in accordance with the amount designated for the
964 infraction of failure to renew a motor vehicle operator's license. Any
965 operator so charged shall not be prosecuted under section 14-36, as
966 amended, for the same act constituting a violation under this section
967 but section 14-36, as amended, shall apply after the sixty-day period.

968 (d) Notwithstanding the provisions of section 1-3a, if the expiration
969 date of any motor vehicle operator's license or any public passenger
970 transportation permit falls on any day when offices of the

971 commissioner are closed for business or are open for less than a full
972 business day, the license or permit shall be deemed valid until
973 midnight of the next day on which offices of the commissioner are
974 open for a full day of business.

975 Sec. 24. Subsection (a) of section 14-41a of the general statutes, as
976 amended by section 7 of public act 03-171 and section 7 of public act
977 04-4, is repealed and the following is substituted in lieu thereof
978 (*Effective July 1, 2004*):

979 (a) An individual sixty-five years of age or older may renew a motor
980 vehicle operator's license for either a two-year period or a six-year
981 period. The fee for any license issued for a two-year period shall be
982 [twenty-one] twenty-two dollars.

983 Sec. 25. Section 14-44h of the general statutes, as amended by section
984 8 of public act 03-171, is repealed and the following is substituted in
985 lieu thereof (*Effective July 1, 2004*):

986 (a) Each commercial driver's license shall be renewed [every six
987 years] quadrennially on the date of the operator's birthday.

988 (b) A commercial driver's license shall expire within a period not
989 exceeding [six] four years following the date of the operator's next
990 birthday. The fee for such original license shall be computed at the rate
991 of [one dollar and twenty-five cents per month except that the fee shall
992 not exceed five dollars and fifty cents for any six-month period plus
993 the sum of nine dollars] fifteen dollars per year or any part thereof.

994 [(c) If a change is made in the records of the Department of Motor
995 Vehicles affecting the date of birth of an operator after the original
996 issuance or renewal of a commercial driver's license, the expiration
997 date shall remain as originally issued or renewed until the license
998 expires. The operator shall then be issued a renewal license to expire
999 on the date of the operator's birthday. No renewal license shall be
1000 issued for a period of less than twenty-four months or more than
1001 seventy-two months depending on the year of the operator's birth. The

1002 fee for such renewal license shall be computed at the rate of one dollar
1003 per month from the last day of the month in which such license
1004 expired except that the fee shall not exceed five dollars for any six-
1005 month period, plus the sum of four dollars.]

1006 [(d)] (c) The commissioner shall, at least fifteen days before the date
1007 on which each commercial driver's license expires, notify the operator
1008 of the expiration date. Any previously licensed operator who operates
1009 a commercial motor vehicle within sixty days after the expiration date
1010 of such operator license without obtaining a renewal of such license
1011 shall be deemed to have failed to renew a motor vehicle operator's
1012 license and shall be fined in accordance with the amount designated
1013 for the infraction of failure to renew a motor vehicle operator's license.
1014 Any operator so charged shall not be prosecuted under section 14-36,
1015 as amended, for the same act constituting a violation under this section
1016 but said section 14-36, as amended, shall apply after the sixty-day
1017 period.

1018 [(e)] (d) Notwithstanding the provisions of section 1-3a, if the
1019 expiration date of any commercial driver's license falls on any day
1020 when offices of the commissioner are closed for business or are open
1021 for less than a full business day, the license shall be deemed valid until
1022 midnight of the next day on which offices of the commissioner are
1023 open for a full day of business.

1024 Sec. 26. Subsection (a) of section 14-44i of the general statutes, as
1025 amended by section 23 of public act 03-4 of the June 30 special session,
1026 is repealed and the following is substituted in lieu thereof (*Effective July*
1027 *1, 2004*):

1028 (a) [Subject to the provisions of subsection (c) of section 14-44h,
1029 there] There shall be charged a fee of [ninety] sixty dollars for each
1030 renewal of a commercial driver's license.

1031 Sec. 27. Subsection (i) of section 14-12 of the general statutes is
1032 repealed and the following is substituted in lieu thereof (*Effective July*
1033 *1, 2004*):

1034 (i) The commissioner may issue a temporary registration to the
1035 owner of a motor vehicle. The application for a temporary registration
1036 shall conform to the provisions of this section. [The commissioner may
1037 require a deposit from the applicant equal to the cost of registering the
1038 motor vehicle. The deposit, minus the proper fee or fees, shall be
1039 returned to the applicant upon the surrender of the registration and
1040 any temporary plate or plates issued for the vehicle.] A temporary
1041 registration may be issued for a time determined by the commissioner
1042 and may be renewed from time to time at the discretion of the
1043 commissioner. The fee for a temporary registration or any renewal
1044 thereof shall be as provided in subsection (n) of section 14-49.

1045 Sec. 28. Subsection (n) of section 14-164c of the general statutes is
1046 repealed and the following is substituted in lieu thereof (*Effective July*
1047 *1, 2004*):

1048 (n) No person, firm or corporation shall operate or allow to be
1049 operated any motor vehicle that has not been inspected and found to
1050 be in compliance with the provisions of subsections (c), (d) and (i) of
1051 this section and the regulations adopted by the commissioner.
1052 Operation in violation of said subsections or the regulations adopted
1053 by the commissioner shall be an infraction for each violation, except
1054 that the fine for a first violation shall be thirty-five dollars. The
1055 commissioner may deny the issuance of registration to the owner of a
1056 motor vehicle, or the renewal of registration to any such owner, or
1057 suspend or revoke any registration that has been issued, if such motor
1058 vehicle is not in compliance with the inspection requirements of this
1059 chapter, or such owner has failed to pay any fee required by the
1060 provisions of this chapter.

1061 Sec. 29. Subsection (f) of section 14-10 of the general statutes, as
1062 amended by section 7 of public act 03-265, is repealed and the
1063 following is substituted in lieu thereof (*Effective July 1, 2004*):

1064 (f) The commissioner may disclose personal information from a
1065 motor vehicle record to:

1066 (1) Any federal, state or local government agency in carrying out its
1067 functions or to any individual or entity acting on behalf of any such
1068 agency, or

1069 (2) Any individual, organization or entity that signs and files with
1070 the commissioner, under penalty of false statement as provided in
1071 section 53a-157b, a statement on a form approved by the
1072 commissioner, together with such supporting documentation or
1073 information as the commissioner may require, that such information
1074 will be used for any of the following purposes:

1075 (A) In connection with matters of motor vehicle or driver safety and
1076 theft, motor vehicle emissions, motor vehicle product alterations,
1077 recalls or advisories, performance monitoring of motor vehicles and
1078 dealers by motor vehicle manufacturers, motor vehicle market research
1079 activities including survey research, motor vehicle product and service
1080 communications and removal of nonowner records from the original
1081 owner records of motor vehicle manufacturers to implement the
1082 provisions of the federal Automobile Information Disclosure Act, 15
1083 USC 1231 et seq., the Clean Air Act, 42 USC 7401 et seq., and 49 USC
1084 Chapters 301, 305 and 321 to 331, inclusive, as amended from time to
1085 time, and any provision of the general statutes enacted to attain
1086 compliance with said federal acts;

1087 (B) In the normal course of business by the requesting party, but
1088 only to confirm the accuracy of personal information submitted by the
1089 individual to the requesting party;

1090 (C) In connection with any civil, criminal, administrative or arbitral
1091 proceeding in any court or government agency or before any self-
1092 regulatory body, including the service of process, an investigation in
1093 anticipation of litigation by an attorney-at-law or any individual acting
1094 on behalf of an attorney-at-law and the execution or enforcement of
1095 judgments and orders, or pursuant to an order of any court provided
1096 the requesting party is a party in interest to such proceeding;

1097 (D) In connection with matters of motor vehicle or driver safety and

1098 theft, motor vehicle emissions, motor vehicle product alterations,
1099 recalls or advisories, performance monitoring of motor vehicles and
1100 motor vehicle parts and dealers, [motor vehicle market research
1101 activities including survey research, motor vehicle product and service
1102 communications,] producing statistical reports and removal of
1103 nonowner records from the original owner records of motor vehicle
1104 manufacturers, provided the personal information is not published,
1105 disclosed or used to contact individuals except as permitted under
1106 subparagraph (A) of this subdivision;

1107 (E) By any insurer or insurance support organization or by a self-
1108 insured entity or its agents, employees or contractors, in connection
1109 with the investigation of claims arising under insurance policies,
1110 antifraud activities, rating or underwriting;

1111 (F) In providing any notice required by law to owners or lienholders
1112 named in the certificate of title of towed, abandoned or impounded
1113 motor vehicles;

1114 (G) By an employer or its agent or insurer to obtain or verify
1115 information relating to a holder of a passenger endorsement or
1116 commercial driver's license required under 49 USC Chapter 313, and
1117 sections 14-44 to 14-44m, inclusive, as amended;

1118 (H) In connection with any lawful purpose of a labor organization,
1119 as defined in section 31-77, provided (i) such organization has entered
1120 into a contract with the commissioner, on such terms and conditions as
1121 the commissioner may require, and (ii) the information will be used
1122 only for the purposes specified in the contract other than campaign or
1123 political purposes;

1124 (I) For bulk distribution for surveys, marketing or solicitations
1125 provided the commissioner has obtained the express consent of the
1126 individual to whom such personal information pertains;

1127 (J) For the purpose of preventing fraud by verifying the accuracy of
1128 personal information contained in a motor vehicle record, including an

1129 individual's photograph or computerized image, as submitted by an
 1130 individual to a legitimate business or an agent, employee or contractor
 1131 of a legitimate business, provided the individual has provided express
 1132 consent in accordance with subdivision (5) of subsection (a) of this
 1133 section.

1134 Sec. 30. (*Effective from passage*) Sections 14-12m and 14-12n of the
 1135 general statutes are repealed.

This act shall take effect as follows:	
Section 1	<i>July 1, 2004</i>
Sec. 2	<i>July 1, 2004</i>
Sec. 3	<i>July 1, 2004</i>
Sec. 4	<i>from passage</i>
Sec. 5	<i>July 1, 2004</i>
Sec. 6	<i>July 1, 2004</i>
Sec. 7	<i>July 1, 2004</i>
Sec. 8	<i>from passage</i>
Sec. 9	<i>July 1, 2004</i>
Sec. 10	<i>July 1, 2004</i>
Sec. 11	<i>from passage</i>
Sec. 12	<i>July 1, 2004</i>
Sec. 13	<i>July 1, 2004</i>
Sec. 14	<i>July 1, 2004</i>
Sec. 15	<i>July 1, 2004</i>
Sec. 16	<i>from passage</i>
Sec. 17	<i>July 1, 2004</i>
Sec. 18	<i>July 1, 2004</i>
Sec. 19	<i>July 1, 2004</i>
Sec. 20	<i>from passage</i>
Sec. 21	<i>July 1, 2004</i>
Sec. 22	<i>July 1, 2004</i>
Sec. 23	<i>July 1, 2004</i>
Sec. 24	<i>July 1, 2004</i>
Sec. 25	<i>July 1, 2004</i>
Sec. 26	<i>July 1, 2004</i>
Sec. 27	<i>July 1, 2004</i>
Sec. 28	<i>July 1, 2004</i>
Sec. 29	<i>July 1, 2004</i>

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 and OLR Bill Analysis

sSB-27

AN ACT CONCERNING EFFICIENCIES OF THE DEPARTMENT OF MOTOR VEHICLES.

OFA FISCAL IMPACT:

State Impact:

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Motor Vehicle Dept.; Transportation, Dept.	TF - See Below	See Below	See Below

Note: TF=Transportation Fund

Municipal Impact: None

OLR SUMMARY:

This bill:

1. eliminates requirements for a filing certificate of financial responsibility with the Department of Motor Vehicles (DMV) under certain circumstances;
2. authorizes the DMV commissioner to determine alternate methods of verifying vehicle identification numbers when this is required by law;
3. makes use of emissions stickers on vehicles that are exempt from emissions testing discretionary with the commissioner instead of mandatory;
4. allows the commissioner to discontinue issuing special interest license plates (issued to qualifying nonprofit organizations and under certain statutory mandates) if he determines that demand for the plates is insufficient to support production costs and he notifies the qualified organization in writing of his intent;
5. eliminates the \$50 civil penalty the commissioner may impose for failing to comply with a defective equipment warning and

- allows him to suspend registration privileges until the vehicle is brought into compliance;
6. defines a pickup truck for registration purposes and specifies the type of registration it may get;
 7. increases the registration period for taxicabs, livery service vehicles, and service buses from one to two years;
 8. eliminates DMV oversight of motor vehicle racing events or exhibitions, eliminates permit requirements for such events, and makes related changes;
 9. clarifies that the fee for certain driver history records provided by DMV applies only to for-profit businesses;
 10. expands the requirement that the commissioner issue second-year fee refunds for registrations returned with one year or more remaining to all vehicles instead of only specified registration classes;
 11. requires the commissioner to allow marine dealers to submit applications and documents for vessel registrations to DMV electronically;
 12. authorizes licensed advanced practice registered nurses to provide the certification necessary for certain people to get handicapped parking credentials from DMV;
 13. requires DMV to study the feasibility and benefits of allowing car dealers to provide optional component part identification services and make recommendations to the Transportation Committee by January 15, 2005;
 14. exempts certain businesses engaged in conducting auction sales of construction equipment from motor vehicle dealer licensure and auction permit requirements;
 15. expands and clarifies requirements for certain fee waivers for active duty members of the armed forces;
 16. increases the fee for original issue drivers' licenses and two-year

licenses for those age 65 and over;

17. reduces the license period for commercial drivers' licenses from six to four years and makes related fee changes including an increase in the fee for original licenses;
18. eliminates the commissioner's authority to require deposits from applicants for temporary registrations, and makes related changes;
19. authorizes the commissioner to suspend or revoke a vehicle registration for failure to pay fees required under the motor vehicle emissions inspection program, and makes related changes;
20. broadens the commissioner's authority to disclose personal information from DMV records for motor vehicle market research activities;
21. eliminates the uninsured motor vehicle forfeiture revolving account and the related process through which the state's attorney petitions the Superior Court to order a forfeiture sale of a motor vehicle impounded by police for operating while its registration has been cancelled for failure to maintain required insurance; and
22. makes technical changes.

EFFECTIVE DATE: July 1, 2004 except for the provisions on windshield stickers for emissions testing-exempt vehicles, pickup truck registration (but not the definition), motor vehicle racing events and exhibitions, clarification of the application of the fee for driver history records, DMV component parts identification service study, and elimination of the uninsured motor vehicle forfeiture revolving account and forfeiture sale process, which are effective upon passage

§§ 1 & 2 – Filing of Certificate of Financial Responsibility

OFA Fiscal Impact: None.

OLR Analysis

The bill eliminates the specific requirement that someone file a certificate of financial responsibility (known as a SR-22 form) with the motor vehicle commissioner following violations involving reckless driving; evading responsibility or motor vehicle racing; driving while under the influence of alcohol, drugs, or both; or who has been found criminally responsible in connection with a fatal accident. The requirement also applies when someone has been convicted of the specific offenses, or has forfeited bond or received a suspended judgment or sentence. The filing is required for someone to receive or retain a driver's license or registration, or for restoration of a suspended registration. But the bill retains the commissioner's general authority to require evidence of financial responsibility whenever he believes a person's record requires it for the reasonable protection of others.

§ 3 – Verification of Vehicle Identification Numbers

OFA Fiscal Impact: None.

OLR Analysis

By law, the motor vehicle commissioner must verify the vehicle identification number of all used vehicles being registered and titled for the first time in Connecticut. Currently, this must occur by inspection at the time of registration. The bill allows the verification to be conducted by any means that is acceptable to the commissioner. In effect, such verifications could be done, for example, through computer checks rather than physical inspection of the vehicle.

§ 4 – Use of Windshield Emissions Stickers

OFA Fiscal Impact: None.

OLR Analysis

The bill makes DMV issuance use of windshield emissions stickers discretionary instead of mandatory for vehicles that are exempt from testing. By law, vehicles that are four or less model years old are exempt from emissions testing. Currently the commissioner must issue them a window sticker that indicates their exempt status and shows the date when they must be presented for inspection.

§ 5 – Special Interest License Plate Program

OFA Fiscal Impact: Minimal Cost Savings.**OLR Analysis**

The bill makes the special interest license plate program discretionary with the commissioner rather than mandatory. It also authorizes the commissioner to discontinue issuing (1) special plates for qualified organizations or (2) special plates issued under certain legislatively mandated plate programs if, in his opinion, the demand for the plates is insufficient to support production costs. He must provide written notice to the qualified organization of his intent to discontinue the special plate.

The legislatively mandated special plates subject to discontinuation under the bill include: Keep Kids Safe, Animal Population Control, Greenways, Amistad, Olympic Spirit, and United We Stand. The authority also applies to plates issued for state and municipal police officers and other employees killed in the line of duty.

The special interest plate program covers collegiate plates and plates requested by nonprofit organizations and institutions meeting certain qualifications established by regulation. DMV regulations establish a minimum threshold of 200 applications before it will issue a special plate, but there are requirements for continuing requests.

§ 6 – Civil Penalty for Defective Equipment Warnings**OFA Fiscal Impact: None.**

There is no fiscal impact since DMV does not collect the penalty and instead enforces the requirements for owners to make repairs by means of suspension of registration until the necessary repairs are made.

OLR Analysis

The bill eliminates the \$50 civil penalty the commissioner may impose on anyone who receives a defective equipment warning from a police officer and does not provide the commissioner with the copy of the form that provides evidence that his vehicle has been repaired and inspected for compliance. It also eliminates mandatory suspension of the vehicle registration when the owner fails to pay the penalty within

the prescribed time. Instead, unless the registration is cancelled, it allows the commissioner to suspend the person's privilege to register any vehicle or to operate any vehicle in Connecticut that is registered elsewhere until the vehicle subject to the warning is restored to safe operating condition.

§§ 7 & 8 – Definition of Pickup Truck

OFA Fiscal Impact: None.

There is no fiscal impact since the bill applies the same gross weight based fee structure to pick-up trucks receiving passenger registrations.

OLR Analysis

The bill defines a pickup truck as a motor vehicle with a gross vehicle weight rating (GVWR) of less than 10,000 pounds and with an enclosed forward passenger compartment and an open rearward compartment used for transporting property. It allows the commissioner to issue a passenger registration to any pickup truck that is not used for commercial purposes and has a GVWR of 8,500 pounds or less. A pickup truck not used for commercial purposes with a GVWR over 8,500 pounds and any pickup truck used for both private passenger and commercial purposes would pay gross weight-based commercial registration fee, plus \$13 (as they are required to do now).

§§ 9 & 10 – Registration Period for Taxicabs and Service buses

OFA Fiscal Impact: One Time Revenue Impact, Special Transportation Fund.

There will be a one-time revenue gain to the Transportation Fund in FY 05 of \$250,000 and a one-time revenue loss of \$250,000 in FY 06 as a result switching to a biennial licensure fee.

OLR Analysis

The bill increases the registration period for taxicabs, motor vehicles in livery service, and service buses from one to two years and, in each case, doubles the current registration fee commensurate with the longer registration period.

§ 11 – Motor Vehicle Racing Events and Exhibitions

OFA Fiscal Impact: None.

There is no fiscal impact of repealing the permit requirements since it conforms to provision enacted in PA 03-3.

OLR Analysis

The bill eliminates DMV oversight of motor vehicle racing events and exhibitions as well as the requirement that those conducting such races and exhibitions get a permit from DMV. It eliminates DMV's authority to have regulations regarding the conditions under which races or exhibits may be conducted. It requires the event operator to provide for first aid and medical supplies, including ambulances, and the attendance of doctors or others qualified to give emergency medical aid, police and fire protection, and such other requirements to eliminate unusual hazards to participants and spectators. (These requirements are currently in the DMV regulations.) The bill requires DMV to issue regulations governing mandatory safety equipment for vehicles that participate in races or exhibitions and any equipment necessary to protect drivers.

The bill requires every facility where racing is conducted to have restricted areas posted with notices that only those with appropriate credentials may enter. These restricted areas must include, at least, the pit area and pit lane, track, media area, and any other area that is unprotected from participating vehicles. The bill prohibits smoking or carrying lit smoking implements in any area where fuel is stored or transferred. Finally, it makes the person conducting the race or event, rather than the DMV commissioner, responsible for either canceling or postponing the event or requiring the use of tires made for adverse conditions when weather or track conditions make it unusually hazardous.

§§ 12, 13, 14, & 15 – Technical Changes**OFA Fiscal Impact: None.**

These sections make technical changes to the bill and have no fiscal impact.

OLR Analysis

These sections make technical changes.

§ 16 – Fee for Driving History Record

OFA Fiscal Impact: None.

There is no fiscal impact since it makes clarifying changes.

OLR Analysis

The bill limits the minimum \$15 fee DMV must charge for driving history records provided to entities requesting such information in connection with the conduct of their businesses to for-profit businesses only.

§ 17 – Second Year Registration Refunds

OFA Fiscal Impact: None.

OLR Analysis

Currently, the commissioner must refund one-half of the registration fee for any passenger, all-terrain, combination, early-American, farm, handicapped, motorcycle, snowmobile, and vanpool registration when the license plates and registration certificate are returned with one year or more remaining before registration expiration. The bill broadens the refund requirement to include all vehicles, regardless of registration classification, if the plates and registration certificate are returned with a year or more remaining. Currently, this would extend the refund requirement to basically one registration class, camp trailers. However, since this bill also doubles the registration period for taxicabs, livery vehicles, and service buses from one to two years, these vehicles would also qualify for second year refunds.

§ 18 – Electronic Registration of Vessels

OFA Fiscal Impact: None.

There is no impact since DMV already provides on-line registration to motor vehicle dealers. This would allow access to marine dealers to do the same.

OLR Analysis

Beginning March 1, 2005, the bill requires the commissioner to allow marine dealers to submit applications and documents for boat and other vessel registrations to DMV electronically. It requires the commissioner to adopt regulations to implement this process.

§ 19 – Certification of Handicapped Parking Credentials by Certain Nurses

OFA Fiscal Impact: None.

OLR Analysis

The bill authorizes licensed advanced practice registered nurses to certify qualifying physical disabilities for purposes of someone receiving handicapped parking credentials issued by DMV. Currently, only licensed physicians may make such certifications (or ophthalmologists or optometrists in the case of blindness). A member of DMV's handicapped driver training unit may also certify disabilities that limit or impair walking ability.

By law, someone can qualify for handicapped parking credentials if he is blind or has disabilities that limit or impair his ability to walk as defined by federal regulation. These include an inability to walk 200 feet without stopping to rest; an inability to walk without use of a cane, brace, crutch, prosthetic device, wheelchair, another person, or other assistive device; use of portable oxygen; severe limitation in walking ability due to an arthritic, neurological, or orthopedic condition; or restrictions due to lung disease or cardiac condition that meet certain criteria.

§ 20 – DMV Study of Component Part Etching Services

OFA Fiscal Impact: None.

The DMV can perform the study and produce the report utilizing existing resources.

OLR Analysis

The bill requires the commissioner to study the feasibility and benefits of a program to permit new and used car dealers to offer a

vehicle purchaser or lessee the optional service of marking six or more vehicle component parts with the vehicle identification number or a personal identification number the purchaser or lessee selects. The study must include, at least, consideration of establishing a secure database for the numbers used and telephone or electronic access to the database by owners and lessees of marked vehicles and law enforcement officials. DMV must report its findings to the Transportation Committee by January 15, 2005.

§ 21 – Construction Equipment Auctions

OFA Fiscal Impact: Minimal Loss, less than \$1,000 annually, Special Transportation Fund.

OLR Analysis

The bill exempts certain entities primarily engaged in the business of conducting auction sales of construction equipment and other special mobile equipment from licensure requirements as a new or used motor vehicle dealer and permit requirements for conducting the auctions. The exemption applies if the entity primarily engages in auctions of construction equipment and other special mobile equipment and incidentally engages in auction sales of trailers or other motor vehicles at a fixed location and place of business in Connecticut and was engaged in such business at that location on or before January 1, 2004. If the entity accepts motor vehicles on consignment from a licensed dealer and the vehicles are offered for public sale, the consigning dealer must obtain a permit for the auction and is responsible for compliance with the state's used motor vehicle warranty requirements.

The bill makes violations of the motor vehicle auction licensing and permit law a class B misdemeanor, punishable by a fine of up to \$1,000, up to six months imprisonment, or both, instead of only a civil penalty of \$2,000, but retains the civil penalty for failing to sell totaled or salvaged vehicles with "Salvage Parts Only" title stamps in an area separated from the other vehicles.

The bill also subjects anyone who conducts an auction sale in accordance with the law to the requirements and penalties of the laws prohibiting the operation of stolen vehicle "chop shops" and the buying or selling of motor vehicles, construction equipment,

agricultural tractors, or farm implements with mutilated, altered, or removed vehicle identification numbers, factory or engine numbers, or numbers that show evidence of tampering.

§ 22 – License and Registration Fee Waivers for Active Military

OFA Fiscal Impact: None.

There is no impact since this section adopts practice to statute. DMV currently waives such fees to active duty members of the armed forces.

OLR Analysis

The bill requires the commissioner to waive motor vehicle registration fees, including renewal fees, for anyone in active service in the U.S. armed forces if the person was a legal Connecticut resident at the time of induction. It also makes it clear that the driver's license renewal fee must also be waived for such people, but eliminates the waiver requirement for the license examination fee. The bill authorizes the commissioner to adopt regulations to implement these requirements.

§ 23 § 24 – Original Driver's License Fee and Two-Year License Fee for Seniors

OFA Fiscal Impact: Revenue Gain, Special Transportation Fund - TSB Projects Account.

These sections are anticipated to result in a revenue gain to the Transportation Strategy Board (TSB) projects account of \$400,000 per year. PA 03-4 (JSS) requires that the incremental revenue from various fee increases be deposited into the TSB projects account.

OLR Analysis

The bill increases the fee for original drivers' licenses, which are frequently issued for irregular periods to correlate the license period with the applicant's birthday. PA 04-4 of the current session increased the fee from \$1 per month with a maximum of \$4 for any six-month period, plus the sum of \$5.25 to \$43 for a four-year license, \$65 for a six-year license, and \$11 per year or any part of a year. This bill increases these amounts to \$44 for a four-year license and \$66 for a six-

year license.

PA 04-4 increased the license fee for the two-year license someone age 65 or older may request from \$19 to \$21. This bill increases the fee from \$21 to \$22.

§§ 25 & 26 – Commercial Drivers’ Licenses

OFA Fiscal Impact: Minimal Gain, Less than \$20,000, Special Transportation Fund.

There is anticipated to be a minimal gain (less than \$20,000 per year) impact as a result of increasing the original license fee (renewals are already at \$60).

OLR Analysis

The bill reduces the license period for commercial drivers’ licenses from six years to four years and reduces the renewal fees by one-third, from \$90 to \$60 to reflect the shorter license period. It raises the fee for original issue commercial drivers’ licenses from \$1.25 per month with a maximum of \$5.50 for any six-month period, plus the sum of \$9 to a flat fee of \$15 per year or any part of a year. (For example, the fee for a four-year original license would increase from \$53 to \$60.)

§ 27 – Temporary Registrations

OFA Fiscal Impact: None.

There is no fiscal impact as this section clarifies current statutory language and eliminates obsolete language.

OLR Analysis

The bill eliminates the commissioner’s authority to require an applicant for a temporary vehicle registration to provide a deposit equal to the cost of registering the vehicle. It also makes it clear that the fees charged for temporary registrations must be the ones already specified by law and that the length of a temporary registration may be determined by the commissioner.

§ 28 – Sanctions for Failure to Comply With Emissions Inspection Requirements

OFA Fiscal Impact: Potential Revenue Gain, Special Transportation Fund.

This section allows DMV to enforce the State's motor vehicle emission's program requirements, specifically the collection of the late fee payments, by allowing the department to suspend the registration of any vehicle that is not in compliance, until the late fees are paid.

Under the prior emissions program the late fee were collected by the contractor and remitted to the state at the time of inspection. Under the current emissions program, the state bills the late fee after the inspection. Therefore if the owner of the vehicle fails to pay the late fee, there is no recourse under current law. This bill allows the DMV to revoke the registration for non-payment of the late fee. Assuming that 5% of the populations billed for late fees do not pay, there is a potential revenue gain to the Transportation Fund of \$250,000. In the past, 50,000 a year were subject to late fees under the prior emissions program.

OLR Analysis

The bill authorizes the motor vehicle commissioner to suspend or revoke the registration of any vehicle owner who fails to pay any fee required under the motor vehicle emissions inspection law. By law, vehicle owners must pay a \$20 fee for a motor vehicle emissions inspection and another \$20 fee if they are more than 30 days late for a required inspection. The \$20 inspection fee is collected at the inspection station or else the inspection is not conducted. The late fee must be paid to the DMV. The bill, in effect, gives the commissioner the authority to move against the vehicle registration if the owner fails to pay the late fee. It also gives the commissioner explicit authority to revoke, as well as suspend, a registration for noncompliance with inspection requirements.

§ 29 – Disclosure of Information From DMV Files**OFA Fiscal Impact: None.**

There is no fiscal impact as this section adopts statute to practice.

OLR Analysis

The bill allows the commissioner to disclose personal information from DMV records for motor vehicle market research activities including survey research and motor vehicle product and service communications in order to comply with or implement the requirement of certain federal laws and without the current law restriction that such information not be published, disclosed, or used to contact individuals. It also allows disclosure of such information for producing statistical reports subject to the restriction noted above.

§ 30 – Elimination of Uninsured Motor Vehicle Forfeiture Revolving Account

OFA Fiscal Impact: None.

There is no fiscal impact as it adopts practice to statute.

OLR Analysis

The bill eliminates the Uninsured Motor Vehicle Forfeiture Revolving Account. By law, a police officer may seize and impound a vehicle if DMV has cancelled its registration for failure to maintain required levels of insurance and the officer sees the vehicle being operated. Currently, if the vehicle has not been claimed within 45 days, the state's attorney may petition the Superior Court to order a forfeiture sale of the vehicle. The sale proceeds are then used to cover the storage costs, court costs, and payoff of any lien that may be on the vehicle. Any leftover balance must then be deposited in the uninsured motor vehicle forfeiture revolving account.

The bill retains the authority for police officers to impound a vehicle observed operating with a cancelled registration, but eliminates the rest of the forfeiture sale process described above. DMV has stated that since 1998, it has not received a report of a forfeiture sale from the state's attorney's office under these provisions.

BACKGROUND

Related Bills

sHB 5474 (File 532) also gives the commissioner the authority to suspend or revoke a motor vehicle registration of someone who fails to pay any fee required under the motor vehicle emissions inspection

law. It also increases the fees for temporary motor vehicle registrations. This bill makes other changes to the law governing temporary registrations.

sHB 5233 (File 507) also increases the fee for an original drivers license to \$44 for a four-year license and \$66 for a six-year license.

sSB 28, favorably reported by the Finance, Revenue and Bonding Committee on March 27, also makes commercial drivers' licenses valid for four rather than six years and makes a number of other significant changes to the commercial drivers' license laws, but does not change the fees for these licenses.

Related Act

PA 04-4 increased the fee for original issue drivers' licenses to \$43 for a four-year license, \$65 for a six-year license, and \$11 per year or part of a year. It also increased the fee for a two-year license issued to someone age 65 or older from \$19 to \$21.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute Change of Reference
Yea 27 Nay 0

Finance, Revenue and Bonding Committee

Joint Favorable Substitute
Yea 38 Nay 6