



General Assembly

February Session, 2004

Raised Bill No. 28

LCO No. 184

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Referred to Committee on Transportation

Introduced by:
(TRA)

AN ACT CONCERNING COMPLIANCE WITH THE FEDERAL MOTOR CARRIER SAFETY IMPROVEMENT ACT.

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

1 Section 1. Subsection (a) of section 14-1 of the general statutes, as
2 amended by section 5 of public act 03-265, is repealed and the
3 following is substituted in lieu thereof (*Effective from passage*):

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

8 (1) "Activity vehicle" means a student transportation vehicle that is
9 used to transport students in connection with school sponsored events
10 and activities, but is not used to transport students to and from school;

11 ~~[(1)]~~ (2) "Agricultural tractor" means a tractor or other form of
12 nonmuscular motive power used for transporting, hauling, plowing,
13 cultivating, planting, harvesting, reaping or other agricultural
14 purposes on any farm or other private property, or used for the

15 purpose of transporting, from one farm to another, agricultural
16 implements and farm products, provided the agricultural tractor is not
17 used on any highway for transporting a pay load or for some other
18 commercial purpose;

19 [(2)] (3) "Antique, rare or special interest motor vehicle" means a
20 motor vehicle twenty-five years old or older which is being preserved
21 because of historic interest and which is not altered or modified from
22 the original manufacturer's specifications;

23 [(3)] (4) "Apparent candle power" means an illumination equal to
24 the normal illumination in foot candles produced by any lamp or
25 lamps, divided by the square of the distance in feet between the lamp
26 or lamps and the point at which the measurement is made;

27 [(4)] (5) "Authorized emergency vehicle" means (A) a fire
28 department vehicle, (B) a police vehicle, or (C) a public service
29 company or municipal department ambulance or emergency vehicle
30 designated or authorized for use as an authorized emergency vehicle
31 by the commissioner;

32 [(5)] (6) "Auxiliary driving lamp" means an additional lighting
33 device on a motor vehicle used primarily to supplement the general
34 illumination in front of a motor vehicle provided by the motor
35 vehicle's head lamps;

36 [(6)] (7) "Bulb" means a light source consisting of a glass bulb
37 containing a filament or substance capable of being electrically
38 maintained at incandescence;

39 [(7)] (8) "Camp trailer" includes any trailer designed and used
40 exclusively for camping or recreational purposes;

41 [(8)] (9) "Camper" means any motor vehicle designed or
42 permanently altered in such a way as to provide temporary living
43 quarters for travel, camping or recreational purposes;

44 [(9)] (10) "Combination registration" means the type of registration
45 issued to a motor vehicle used for both private passenger and
46 commercial purposes if such vehicle does not have a gross vehicle
47 weight rating in excess of ten thousand pounds;

48 [(10)] (11) "Commercial driver's license" or "CDL" means a license
49 issued to an individual in accordance with the provisions of sections
50 14-44a to 14-44m, inclusive, which authorizes such individual to drive
51 a commercial motor vehicle;

52 (12) "Commercial driver's license information system" or "CDLIS"
53 means the national database of holders of commercial driver's licenses
54 established by the Federal Motor Carrier Safety Administration
55 pursuant to section 12007 of the Commercial Motor Vehicle Safety Act
56 of 1986;

57 [(11)] (13) "Commercial motor vehicle" means a vehicle designed or
58 used to transport passengers or property, except a vehicle used within
59 one hundred fifty miles of a farm in connection with the operation of
60 such farm, fire fighting apparatus or other authorized emergency
61 vehicles, or a recreational vehicle in private use, which (A) has a gross
62 vehicle weight rating of twenty-six thousand and one pounds or more;
63 (B) is designed to transport sixteen or more passengers, including the
64 driver, or is designed to transport more than ten passengers, including
65 the driver, and is used to transport students under the age of twenty-
66 one years to and from school; or (C) is transporting hazardous
67 materials and is required to be placarded in accordance with [the Code
68 of Federal Regulations Title 49, Part] 49 CFR 172, Subpart F, as
69 amended;

70 [(12)] (14) "Commercial registration" means the type of registration
71 required for any motor vehicle designed or used to transport
72 merchandise, freight or persons in connection with any business
73 enterprise, unless a more specific type of registration is authorized and
74 issued by the commissioner for such class of vehicle;

75 [(13)] (15) "Commercial trailer" means a trailer used in the conduct
76 of a business to transport freight, materials or equipment whether or
77 not permanently affixed to the bed of the trailer;

78 [(14)] (16) "Commissioner" includes the Commissioner of Motor
79 Vehicles and any assistant to the Commissioner of Motor Vehicles who
80 is designated and authorized by, and who is acting for, the
81 Commissioner of Motor Vehicles under a designation; except that the
82 deputy commissioners of motor vehicles and the Attorney General are
83 deemed, unless the Commissioner of Motor Vehicles otherwise
84 provides, to be designated and authorized by, and acting for, the
85 Commissioner of Motor Vehicles under a designation;

86 [(15)] (17) "Controlled substance" has the same meaning as in section
87 21a-240, as amended, and the federal laws and regulations
88 incorporated in chapter 420b;

89 [(16)] (18) "Conviction" means an unvacated adjudication of guilt, or
90 a determination that a person has violated or failed to comply with the
91 law in a court of original jurisdiction or an authorized administrative
92 tribunal, an unvacated forfeiture of bail or collateral deposited to
93 secure the person's appearance in court, the payment of a fine or court
94 cost, or violation of a condition of release without bail, regardless of
95 whether or not the penalty is rebated, suspended or probated;

96 [(17)] (19) "Dealer" includes any person actively engaged in buying,
97 selling or exchanging motor vehicles or trailers who has an established
98 place of business in this state and who may, incidental to such
99 business, repair motor vehicles or trailers, or cause them to be repaired
100 by persons in his or her employ;

101 [(18)] (20) "Disqualification" means a withdrawal of the privilege to
102 drive a commercial motor vehicle, which occurs as a result of (A) any
103 suspension, [or] revocation, or cancellation by the commissioner of the
104 privilege to operate a motor vehicle; (B) a determination by the Federal
105 Highway Administration, under the rules of practice for motor carrier

106 safety contained in [the Code of Federal Regulations Title 49, Part] 49
107 CFR 386, as amended, that a person is no longer qualified to operate a
108 commercial motor vehicle under the standards of [the Code of Federal
109 Regulations Title 49, Part] 49 CFR 391, as amended; or (C) the loss of
110 qualification which [automatically] follows any of the convictions or
111 administrative actions specified in section 14-44k, as amended by this
112 act;

113 [(19)] (21) "Drive" means to drive, operate or be in physical control
114 of a motor vehicle, including a motor vehicle being towed by another;

115 [(20)] (22) "Driver" means any person who drives, operates or is in
116 physical control of a commercial motor vehicle, or who is required to
117 hold a commercial driver's license;

118 [(21)] (23) "Driver's license" or "operator's license" means a valid
119 Connecticut motor vehicle operator's license or a license issued by
120 another state or foreign jurisdiction authorizing the holder thereof to
121 operate a motor vehicle on the highways;

122 [(22)] (24) "Employee" means any operator of a commercial motor
123 vehicle, including full-time, regularly employed drivers, casual,
124 intermittent or occasional drivers, drivers under contract and
125 independent, owner-operator contractors, who, while in the course of
126 operating a commercial motor vehicle, are either directly employed by,
127 or are under contract to, an employer;

128 [(23)] (25) "Employer" means any person, including the United
129 States, a state or any political subdivision thereof, who owns or leases
130 a commercial motor vehicle, or assigns a person to drive a commercial
131 motor vehicle;

132 [(24)] (26) "Farm implement" means a vehicle designed and adapted
133 exclusively for agricultural, horticultural or livestock-raising
134 operations and which is not operated on a highway for transporting a
135 pay load or for any other commercial purpose;

136 [(25)] (27) "Felony" means any offense as defined in section 53a-25
137 and includes any offense designated as a felony under federal law;

138 (28) "Fatality" means the death of a person as a result of a motor
139 vehicle accident;

140 [(26)] (29) "Foreign jurisdiction" means any jurisdiction other than a
141 state of the United States;

142 [(27)] (30) "Fuels" means (A) all products commonly or
143 commercially known or sold as gasoline, including casinghead and
144 absorption or natural gasoline, regardless of their classification or uses,
145 (B) any liquid prepared, advertised, offered for sale or sold for use, or
146 commonly and commercially used, as a fuel in internal combustion
147 engines, which, when subjected to distillation in accordance with the
148 standard method of test for distillation of gasoline, naphtha, kerosene
149 and similar petroleum products by "American Society for Testing
150 Materials Method D-86", shows not less than ten per cent distilled
151 (recovered) below 347 Fahrenheit (175 Centigrade) and not less than
152 ninety-five per cent distilled (recovered) below 464 Fahrenheit (240
153 Centigrade); provided the term "fuels" shall not include commercial
154 solvents or naphthas which distill, by "American Society for Testing
155 Materials Method D-86", not more than nine per cent at 176 Fahrenheit
156 and which have a distillation range of 150 Fahrenheit, or less, or
157 liquefied gases which would not exist as liquids at a temperature of 60
158 Fahrenheit and a pressure of 14.7 pounds per square inch absolute,
159 and (C) any liquid commonly referred to as "gasohol" which is
160 prepared, advertised, offered for sale or sold for use, or commonly and
161 commercially used, as a fuel in internal combustion engines, consisting
162 of a blend of gasoline and a minimum of ten per cent by volume of
163 ethyl or methyl alcohol;

164 [(28)] (31) "Garage" includes every place of business where motor
165 vehicles are, for compensation, received for housing, storage or repair;

166 [(29)] (32) "Gross vehicle weight rating" or "GVWR" means the value

167 specified by the manufacturer as the maximum loaded weight of a
168 single or a combination (articulated) vehicle, or its registered gross
169 weight, whichever is greater. The GVWR of a combination (articulated)
170 vehicle commonly referred to as the "gross combination weight rating"
171 or GCWR is the GVWR of the power unit plus the GVWR of the towed
172 unit or units;

173 [(30)] (33) "Gross weight" means the light weight of a vehicle plus
174 the weight of any load on the vehicle, provided, in the case of a tractor-
175 trailer unit, "gross weight" means the light weight of the tractor plus
176 the light weight of the trailer or semitrailer plus the weight of the load
177 on the vehicle;

178 [(31)] (34) "Hazardous materials" has the same meaning as in Section
179 103 of the Hazardous Materials Transportation Act, [Section 1801 et
180 seq., Title 49, United States Code] 49 USC 1801 et seq.;

181 [(32)] (35) "Head lamp" means a lighting device affixed to the front
182 of a motor vehicle projecting a high intensity beam which lights the
183 road in front of the vehicle so that it can proceed safely during the
184 hours of darkness;

185 [(33)] (36) "High-mileage vehicle" means a motor vehicle having the
186 following characteristics: (A) Not less than three wheels in contact with
187 the ground; (B) a completely enclosed seat on which the driver sits; (C)
188 a single or two cylinder, gasoline or diesel engine or an electric-
189 powered engine; and (D) efficient fuel consumption;

190 [(34)] (37) "Highway" includes any state or other public highway,
191 road, street, avenue, alley, driveway, parkway or place, under the
192 control of the state or any political subdivision of the state, dedicated,
193 appropriated or opened to public travel or other use;

194 (38) "Imminent hazard" means the existence of a condition that
195 presents a substantial likelihood that death, serious illness, severe
196 personal injury or a substantial endangerment to health, property, or

197 the environment may occur before the reasonably foreseeable
198 completion date of a formal proceeding begun to lessen the risk of that
199 death, illness, injury or endangerment;

200 [(35)] (39) "Intersecting highway" includes any public highway
201 which joins another at an angle whether or not it crosses the other;

202 [(36)] (40) "Light weight" means the weight of an unloaded motor
203 vehicle as ordinarily equipped and ready for use, exclusive of the
204 weight of the operator of the motor vehicle;

205 [(37)] (41) "Limited access highway" means a state highway so
206 designated under the provisions of section 13b-27;

207 [(38)] (42) "Local authorities" includes the board of aldermen,
208 common council, chief of police, warden and burgesses, board of
209 selectmen or other officials having authority for the enactment or
210 enforcement of traffic regulations within their respective towns, cities
211 or boroughs;

212 [(39)] (43) "Maintenance vehicle" means any vehicle in use by the
213 state or by any town, city, borough or district, any state bridge or
214 parkway authority or any public service company, as defined in
215 section 16-1, as amended, in the maintenance of public highways or
216 bridges and facilities located within the limits of public highways or
217 bridges;

218 [(40)] (44) "Manufacturer" means (A) a person, whether a resident or
219 nonresident, engaged in the business of constructing or assembling
220 new motor vehicles of a type required to be registered by the
221 commissioner, for operation upon any highway, which are offered for
222 sale in this state, or (B) a person who distributes new motor vehicles to
223 new car dealers licensed in this state;

224 [(41)] (45) "Median divider" means an intervening space or physical
225 barrier or clearly indicated dividing section separating traffic lanes
226 provided for vehicles proceeding in opposite directions;

227 [(42)] (45) "Minibike" or "minicycle" means any two or three wheel
228 46 having one or more of the following characteristics: (A) Ten inches
229 (254 mm) or less nominal wheel rim diameter; (B) forty inches or less
230 wheel base; (C) twenty-five inches or less seat height measured at the
231 lowest point on the top of the seat cushion without rider; (D) a
232 propelling engine having a piston displacement of 50 c.c. or less;

233 [(43)] (47) "Modified antique motor vehicle" means a motor vehicle
234 twenty-five years old or older which has been modified for safe road
235 use, including but not limited to, modifications to the drive train,
236 suspension, braking system and safety or comfort apparatus;

237 [(44)] (48) "Motor bus" includes any motor vehicle, except a taxicab,
238 as defined in section 13b-95, as amended, operated in whole or in part
239 on any street or highway in a manner affording a means of
240 transportation by indiscriminately receiving or discharging
241 passengers, or running on a regular route or over any portion of a
242 regular route or between fixed termini;

243 [(45)] (49) "Motor home" means a vehicular unit designed to provide
244 living quarters and necessary amenities which are built into an integral
245 part of, or permanently attached to, a truck or van chassis;

246 [(46)] (50) "Motorcycle" means a motor vehicle, with or without a
247 side car, having not more than three wheels in contact with the ground
248 and a saddle or seat on which the rider sits or a platform on which the
249 rider stands and includes bicycles having a motor attached, except
250 bicycles propelled by means of a helper motor as defined in section
251 14-286, as amended, but does not include a vehicle having or designed
252 to have a completely enclosed driver's seat and a motor which is not in
253 the enclosed area;

254 [(47)] (51) "Motor vehicle" means any vehicle propelled or drawn by
255 any nonmuscular power, except aircraft, motor boats, road rollers,
256 baggage trucks used about railroad stations or other mass transit
257 facilities, electric battery-operated wheel chairs when operated by

258 physically handicapped persons at speeds not exceeding fifteen miles
259 per hour, golf carts operated on highways solely for the purpose of
260 crossing from one part of the golf course to another, golf cart type
261 vehicles operated on roads or highways on the grounds of state
262 institutions by state employees, agricultural tractors, farm implements,
263 such vehicles as run only on rails or tracks, self-propelled snow plows,
264 snow blowers and lawn mowers, when used for the purposes for
265 which they were designed and operated at speeds not exceeding four
266 miles per hour, whether or not the operator rides on or walks behind
267 such equipment, bicycles with helper motors as defined in section 14-
268 286, as amended, special mobile equipment as defined in subsection (i)
269 of section 14-165 and any other vehicle not suitable for operation on a
270 highway;

271 (52) "National Driver Registry" or "NDR" means the licensing
272 information system and database operated by the National Highway
273 Traffic Safety Administration and established pursuant to the National
274 Driver Registry Act of 1982, as amended;

275 [(48)] (53) "New motor vehicle" means a motor vehicle, the equitable
276 or legal title to which has never been transferred by a manufacturer,
277 distributor or dealer to an ultimate consumer;

278 [(49)] (54) "Nonresident" means any person whose legal residence is
279 in a state other than Connecticut or in a foreign country;

280 [(50)] (55) "Nonresident commercial driver's license" or "nonresident
281 CDL" means a commercial driver's license issued by a state to an
282 individual who resides in a foreign jurisdiction;

283 [(51)] (56) "Nonskid device" means any device applied to the tires,
284 wheels, axles or frame of a motor vehicle for the purpose of increasing
285 the traction of the motor vehicle;

286 [(52)] (57) "Number plate" means any sign or marker furnished by
287 the commissioner on which is displayed the registration number

288 assigned to a motor vehicle by the commissioner;

289 [(53)] (58) "Officer" includes any constable, state marshal, inspector
290 of motor vehicles, state policeman or other official authorized to make
291 arrests or to serve process, provided the officer is in uniform or
292 displays the officer's badge of office in a conspicuous place when
293 making an arrest;

294 [(54)] (59) "Operator" means any person who operates a motor
295 vehicle or who steers or directs the course of a motor vehicle being
296 towed by another motor vehicle and includes a driver as defined in
297 subdivision [(20)] (22) of this section;

298 [(55)] (60) "Out-of-service order" means a temporary prohibition
299 against driving a commercial motor vehicle or any other vehicle
300 subject to the federal motor carrier safety regulations enforced by the
301 commissioner pursuant to the commissioner's authority under section
302 14-8;

303 [(56)] (61) "Owner" means any person holding title to a motor
304 vehicle, or having the legal right to register the same, including
305 purchasers under conditional bills of sale;

306 [(57)] (62) "Parked vehicle" means a motor vehicle in a stationary
307 position within the limits of a public highway;

308 [(58)] (63) "Passenger and commercial motor vehicle" means a motor
309 vehicle used for private passenger and commercial purposes which is
310 eligible for combination registration;

311 [(59)] (64) "Passenger motor vehicle" means a motor vehicle used for
312 the private transportation of persons and their personal belongings,
313 designed to carry occupants in comfort and safety, with a capacity of
314 carrying not more than ten passengers including the operator thereof;

315 [(60)] (65) "Passenger registration" means the type of registration
316 issued to a passenger motor vehicle unless a more specific type of

317 registration is authorized and issued by the commissioner for such
318 class of vehicle;

319 [(61)] (66) "Person" includes any individual, corporation, limited
320 liability company, association, copartnership, company, firm, business
321 trust or other aggregation of individuals but does not include the state
322 or any political subdivision thereof, unless the context clearly states or
323 requires;

324 [(62)] (67) "Pneumatic tires" means tires inflated or inflatable with
325 air;

326 [(63)] (68) "Pole trailer" means a trailer which is (A) intended for
327 transporting long or irregularly shaped loads such as poles, logs, pipes
328 or structural members, which loads are capable of sustaining
329 themselves as beams between supporting connections, and (B)
330 designed to be drawn by a motor vehicle and attached or secured
331 directly to the motor vehicle by any means including a reach, pole or
332 boom;

333 [(64)] (69) "Recreational vehicle" includes the camper, camp trailer
334 and motor home classes of vehicles;

335 [(65)] (70) "Registration" includes the certificate of motor vehicle
336 registration and the number plate or plates used in connection with
337 such registration;

338 [(66)] (71) "Registration number" means the identifying number or
339 letters, or both, assigned by the commissioner to a motor vehicle;

340 [(67)] (72) "Resident", for the purpose of registering motor vehicles,
341 includes any person having a place of residence in this state, occupied
342 by such person for more than six months in a year, or any person, firm
343 or corporation owning or leasing a motor vehicle used or operated in
344 intrastate business in this state, or a firm or corporation having its
345 principal office or place of business in this state;

346 [(68)] (73) "School bus" means any school bus, as defined in section
347 14-275, including a commercial motor vehicle used to transport
348 preschool, elementary school or secondary school students from home
349 to school, from school to home, or to and from school-sponsored
350 events, but does not include a bus used as a common carrier;

351 [(69)] (74) "Second" violation or "subsequent" violation means an
352 offense committed not more than three years after the date of an arrest
353 which resulted in a previous conviction for a violation of the same
354 statutory provision, except in the case of a violation of section 14-215,
355 as amended, or 14-224 or subsection (a) of section 14-227a, "second"
356 violation or "subsequent" violation means an offense committed not
357 more than ten years after the date of an arrest which resulted in a
358 previous conviction for a violation of the same statutory provision;

359 [(70)] (75) "Semitrailer" means any trailer type vehicle designed and
360 used in conjunction with a motor vehicle so that some part of its own
361 weight and load rests on or is carried by another vehicle;

362 [(71)] (76) "Serious traffic violation" means a conviction [, when
363 operating a commercial motor vehicle,] of any [violation (A)] of the
364 following offenses: (A) Speeding in excess of fifteen miles per hour or
365 more over the posted speed limit, in violation of section 14-218a or 14-
366 219; [, if the speed was fifteen miles per hour or more over the posted
367 speed limit,] (B) reckless driving in violation of section 14-222; [,] (C)
368 following too closely in violation of section 14-240 or 14-240a; [,] (D)
369 improper or erratic lane changes, in violation of section 14-236; [, or]
370 (E) driving a commercial motor vehicle without a valid commercial
371 driver's license in violation of section 14-36a, as amended by this act, or
372 section 14-44a, as amended by this act; (F) failure to carry a commercial
373 driver's license in violation of section 14-44a, as amended by this act;
374 (G) failure to have the proper class of license or endorsement, or
375 violation of a license restriction in violation of section 14-44a, as
376 amended by this act; or (H) arising in connection with an accident
377 related to the operation of a commercial motor vehicle and which

378 resulted in [the death of any person] a fatality;

379 [(72)] (77) "Service bus" includes any vehicle except a vanpool
380 vehicle or a school bus designed and regularly used to carry ten or
381 more passengers when used in private service for the transportation of
382 persons without charge to the individual;

383 [(73)] (78) "Service car" means any motor vehicle used by a
384 manufacturer, dealer or repairer for emergency motor vehicle repairs
385 on the highways of this state, for towing or for the transportation of
386 necessary persons, tools and materials to and from the scene of such
387 emergency repairs or towing;

388 [(74)] (79) "Shoulder" means that portion of a highway immediately
389 adjacent and contiguous to the travel lanes or main traveled portion of
390 the roadway;

391 [(75)] (80) "Solid tires" means tires of rubber, or other elastic material
392 approved by the Commissioner of Transportation, which do not
393 depend on confined air for the support of the load;

394 [(76)] (81) "Spot lamp" or "spot light" means a lighting device
395 projecting a high intensity beam, the direction of which can be readily
396 controlled for special or emergency lighting as distinguished from
397 ordinary road illumination;

398 [(77)] (82) "State" means any state of the United States and the
399 District of Columbia unless the context indicates a more specific
400 reference to the state of Connecticut;

401 [(78)] (83) "Stop" means complete cessation of movement;

402 [(79)] (84) "Tail lamp" means a lighting device affixed to the rear of a
403 motor vehicle showing a red light to the rear and indicating the
404 presence of the motor vehicle when viewed from behind;

405 [(80)] (85) "Tank vehicle" means any commercial motor vehicle

406 designed to transport any liquid or gaseous material within a tank that
407 is either permanently or temporarily attached to the vehicle or its
408 chassis which shall include, but not be limited to, a cargo tank and
409 portable tank, as defined in [the Code of Federal Regulations Title 49,
410 Section] 49 CFR 383.5, as amended, provided it shall not include a
411 portable tank with a rated capacity not to exceed one thousand gallons;

412 [(81)] (86) "Tractor" or "truck tractor" means a motor vehicle
413 designed and used for drawing a semitrailer;

414 [(82)] (87) "Tractor-trailer unit" means a combination of a tractor and
415 a trailer or a combination of a tractor and a semitrailer;

416 [(83)] (88) "Trailer" means any rubber-tired vehicle without motive
417 power drawn or propelled by a motor vehicle;

418 [(84)] (89) "Truck" means a motor vehicle designed, used or
419 maintained primarily for the transportation of property;

420 [(85)] (90) "Ultimate consumer" means, with respect to a motor
421 vehicle, the first person, other than a dealer, who in good faith
422 purchases the motor vehicle for purposes other than resale;

423 [(86)] (91) "United States" means the fifty states and the District of
424 Columbia;

425 [(87)] (92) "Used motor vehicle" includes any motor vehicle which
426 has been previously separately registered by an ultimate consumer;

427 [(88)] (93) "Utility trailer" means a trailer designed and used to
428 transport personal property, materials or equipment, whether or not
429 permanently affixed to the bed of the trailer, with a manufacturer's
430 GVWR of ten thousand pounds or less;

431 [(89)] (94) "Vanpool vehicle" includes all motor vehicles, the primary
432 purpose of which is the daily transportation, on a prearranged
433 nonprofit basis, of individuals between home and work, and which:

434 (A) If owned by or leased to a person, or to an employee of the person,
435 or to an employee of a local, state or federal government unit or agency
436 located in Connecticut, are manufactured and equipped in such
437 manner as to provide a seating capacity of at least seven but not more
438 than fifteen individuals, or (B) if owned by or leased to a regional ride-
439 sharing organization in the state recognized by the Commissioner of
440 Transportation, are manufactured and equipped in such manner as to
441 provide a seating capacity of at least six but not more than nineteen
442 individuals;

443 [(90)] (95) "Vehicle" includes any device suitable for the conveyance,
444 drawing or other transportation of persons or property, whether
445 operated on wheels, runners, a cushion of air or by any other means.
446 The term does not include devices propelled or drawn by human
447 power or devices used exclusively on tracks;

448 [(91)] (96) "Vehicle identification number" or "VIN" means a series of
449 Arabic numbers and Roman letters that is assigned to each new motor
450 vehicle that is manufactured within or imported into the United States,
451 in accordance with the provisions of [the Code of Federal Regulations,
452 Title 49, Part] 49 CFR 565, unless another sequence of numbers and
453 letters has been assigned to a motor vehicle by the commissioner, in
454 accordance with the provisions of section 14-149, as amended;

455 [(92)] (97) "Wrecker" means a vehicle which is registered, designed,
456 equipped and used for the purposes of towing or transporting
457 wrecked or disabled motor vehicles for compensation or for related
458 purposes by a person, firm or corporation licensed in accordance with
459 the provisions of subpart (D) of part III of this chapter.

460 Sec. 2. Section 14-36 of the general statutes, as amended by section 1
461 of public act 03-171, is repealed and the following is substituted in lieu
462 thereof (*Effective from passage*):

463 (a) Except as otherwise provided by this section and section 14-40a,
464 as amended, no person shall operate a motor vehicle on any public

465 highway of this state or private road on which a speed limit has been
466 established in accordance with subsection (a) of section 14-218a until
467 such person has obtained a motor vehicle operator's license.

468 (b) (1) A person eighteen years of age or older may operate a motor
469 vehicle without a motor vehicle operator's license if (A) such person
470 has not had a Connecticut motor vehicle operator's license suspended
471 or revoked, and (B) such person is under the instruction of, and
472 accompanied by, a person who holds an instructor's license issued
473 under the provisions of section 14-73 or a person twenty years of age
474 or older who has been licensed to operate, for at least four years
475 preceding the instruction, a motor vehicle of the same class as the
476 motor vehicle being operated and who has not had his or her motor
477 vehicle operator's license suspended by the commissioner during the
478 four-year period preceding the instruction. (2) A person holding a
479 valid out-of-state motor vehicle operator's license may operate a motor
480 vehicle for a period of thirty days following such person's
481 establishment of residence in Connecticut, if the motor vehicle is of the
482 same class as that for which his or her out-of-state motor vehicle
483 operator's license was issued. (3) No person may cause or permit the
484 operation of a motor vehicle by a person under sixteen years of age.

485 (c) (1) On or after January 1, 1997, a person who is sixteen or
486 seventeen years of age and who has not had a motor vehicle operator's
487 license or right to operate a motor vehicle in this state suspended or
488 revoked may apply to the Commissioner of Motor Vehicles for a
489 learner's permit. The commissioner may issue a learner's permit to an
490 applicant after the applicant has passed a vision screening and test as
491 to knowledge of the laws concerning motor vehicles and the rules of
492 the road, has paid the fee required by subsection (v) of section 14-49, as
493 amended, and has filed a certificate, in such form as the commissioner
494 prescribes, requesting or consenting to the issuance of the learner's
495 permit and the motor vehicle operator's license, signed by (A) one or
496 both parents or foster parents of the applicant, as the commissioner
497 requires, (B) the legal guardian of the applicant, (C) the applicant's

498 spouse, if the spouse is eighteen years of age or older, or (D) if the
499 applicant has no qualified spouse and such applicant's parent or foster
500 parent or legal guardian is deceased, incapable, domiciled without the
501 state or otherwise unavailable or unable to sign or file the certificate,
502 the applicant's stepparent, or uncle or aunt by blood or marriage,
503 provided such person is eighteen years of age or older. The
504 commissioner may, for the more efficient administration of the
505 commissioner's duties, appoint any drivers' school licensed in
506 accordance with the provisions of section 14-69, as amended, or any
507 secondary school providing instruction in motor vehicle operation and
508 highway safety in accordance with section 14-36e to issue a learner's
509 permit, subject to such standards and requirements as the
510 commissioner may prescribe in regulations adopted in accordance
511 with chapter 54. Each learner's permit shall expire on the date the
512 holder of the permit is issued a motor vehicle operator's license or on
513 the date the holder attains the age of eighteen years, whichever is
514 earlier. (2) The learner's permit shall entitle the holder, while such
515 holder has the permit in his or her immediate possession, to operate a
516 motor vehicle on the public highways, provided such holder is under
517 the instruction of, and accompanied by, a person who holds an
518 instructor's license issued under the provisions of section 14-73 or a
519 person twenty years of age or older who has been licensed to operate,
520 for at least four years preceding the instruction, a motor vehicle of the
521 same class as the motor vehicle being operated and who has not had
522 his or her motor vehicle operator's license suspended by the
523 commissioner during the four-year period preceding the instruction.
524 The holder of a learner's permit who (A) is an active member of a
525 certified ambulance service, as defined in section 19a-175, (B) has
526 commenced an emergency vehicle operator's course that conforms to
527 the national standard curriculum developed by the United States
528 Department of Transportation, and (C) has had state and national
529 criminal history records checks conducted by the certified ambulance
530 service or by the municipality in which such ambulance service is
531 provided, shall be exempt from the provisions of this subdivision only

532 when such holder is en route to or from the location of the ambulance
533 for purposes of responding to an emergency call. (3) The commissioner
534 may revoke any learner's permit used in violation of the limitations
535 imposed by subdivision (2) of this subsection.

536 (d) (1) No motor vehicle operator's license shall be issued to any
537 applicant who is sixteen or seventeen years of age unless the applicant
538 has held a learner's permit and has satisfied the requirements specified
539 in this subsection. The applicant shall (A) present to the commissioner
540 a certificate of the successful completion in a public secondary school,
541 a state vocational school or a private secondary school of a full course
542 of study in motor vehicle operation prepared as provided in section 14-
543 36e or of training of similar nature provided by a licensed drivers'
544 school approved by the commissioner, including, in each case,
545 successful completion of not less than eight clock hours of behind-the-
546 wheel, on-the-road instruction; (B) present to the commissioner a
547 certificate of the successful completion of a course of not less than eight
548 hours relative to safe driving practices, including a minimum of four
549 hours on the nature and the medical, biological and physiological
550 effects of alcohol and drugs and their impact on the operator of a
551 motor vehicle, the dangers associated with the operation of a motor
552 vehicle after the consumption of alcohol or drugs by the operator, the
553 problems of alcohol and drug abuse and the penalties for alcohol and
554 drug-related motor vehicle violations; and (C) pass an examination
555 which shall include a comprehensive test as to knowledge of the laws
556 concerning motor vehicles and the rules of the road and an on-the-road
557 skills test as prescribed by the commissioner. At the time of application
558 and examination for a motor vehicle operator's license, an applicant
559 sixteen or seventeen years of age shall have held a learner's permit for
560 not less than one hundred eighty days, except that an applicant who
561 presents a certificate under subparagraph (A) of this subdivision shall
562 have held a learner's permit for not less than one hundred twenty days
563 and an applicant who is undergoing training and instruction by the
564 handicapped driver training unit in accordance with the provisions of
565 section 14-11b shall have held such permit for the period of time

566 required by said unit. The Commissioner of Motor Vehicles shall
567 approve the content of the safe driving instruction at drivers' schools,
568 high schools and other secondary schools. Such eight hours of
569 instruction shall be included as part of or in addition to any existing
570 instruction programs. Any fee charged for the course required under
571 subparagraph (B) of this subdivision shall not exceed an amount
572 prescribed by the commissioner by regulation, adopted in accordance
573 with chapter 54. Any applicant sixteen or seventeen years of age who,
574 while a resident of another state, completed the course required in
575 subparagraph (A) of this subdivision, but did not complete the safe
576 driving course required in subparagraph (B) of this subdivision, shall
577 complete the safe driving course, and any fee charged for the course
578 shall not exceed an amount prescribed by the commissioner by
579 regulation, adopted in accordance with chapter 54. The commissioner
580 may waive any requirement in this subdivision, except for that in
581 subparagraph (C) of this subdivision, in the case of an applicant
582 sixteen or seventeen years of age who holds a valid motor vehicle
583 operator's license issued by any other state, provided the
584 commissioner is satisfied that the applicant has received training and
585 instruction of a similar nature. (2) The commissioner may accept as
586 evidence of sufficient training under subparagraph (A) of subdivision
587 (1) of this subsection home training as evidenced by a written
588 statement signed by the spouse of a married minor applicant, or by a
589 parent, grandparent, foster parent or the legal guardian of an applicant
590 which states that the applicant has obtained a learner's permit and has
591 successfully completed a driving course taught by the person signing
592 the statement, that the signer has had an operator's license for at least
593 four years preceding the date of the statement, and that the signer has
594 not had such license suspended by the commissioner for at least four
595 years preceding the date of the statement or, if the applicant has no
596 spouse, parent, grandparent, foster parent or guardian so qualified and
597 available to give the instruction, a statement signed by the applicant's
598 stepparent, brother, sister, uncle or aunt, by blood or marriage,
599 provided the person signing the statement is qualified. (3) If the

600 commissioner requires a written test of any applicant under this
601 section, the test shall be given in English or Spanish at the option of the
602 applicant, provided the commissioner shall require that the applicant
603 shall have sufficient understanding of English for the interpretation of
604 traffic control signs. (4) The Commissioner of Motor Vehicles may
605 adopt regulations, in accordance with the provisions of chapter 54, to
606 implement the purposes of this subsection concerning the content of
607 safe driving instruction at drivers' schools, high schools and other
608 secondary schools.

609 (e) (1) No motor vehicle operator's license shall be issued until (A)
610 the applicant signs and files with the commissioner an application
611 under oath, except that renewals from the year immediately preceding
612 need not be under oath, stating such information as the commissioner
613 requires, and (B) the commissioner is satisfied that the applicant is
614 sixteen years of age or older and is a suitable person to receive the
615 license. (2) An applicant for a new motor vehicle operator's license
616 shall, in the discretion of the commissioner, file, with the application, a
617 copy of such applicant's birth certificate or other prima facie evidence
618 of date of birth and evidence of identity. (3) Before granting a license to
619 any applicant who has not previously held a Connecticut motor
620 vehicle operator's license, or who has not operated a motor vehicle
621 during the preceding two years, the commissioner shall require the
622 applicant to demonstrate personally to the commissioner, a deputy or
623 a motor vehicle inspector or an agent of the commissioner, in such
624 manner as the commissioner directs, that the applicant is a proper
625 person to operate motor vehicles of the class for which such applicant
626 has applied, has sufficient knowledge of the mechanism of the motor
627 vehicles to ensure their safe operation by him or her and has
628 satisfactory knowledge of the laws concerning motor vehicles and the
629 rules of the road. If any such applicant has held a license from a state,
630 territory or possession of the United States where a similar
631 examination is required, or if any such applicant is a person honorably
632 separated from the United States armed forces who applies within two
633 years following the separation and who, prior to the separation, held a

634 military operator's license for motor vehicles of the same class as that
635 for which such applicant has applied, the commissioner may waive
636 part or all of the examination. When the commissioner is satisfied as to
637 the ability and competency of any applicant, the commissioner may
638 issue to such applicant a license, either unlimited or containing such
639 limitations as the commissioner deems advisable, and specifying the
640 class of motor vehicles which the licensee is eligible to operate. (4) If
641 any applicant or operator license holder has any health problem which
642 might affect such person's ability to operate a motor vehicle safely, the
643 commissioner may require the applicant or license holder to
644 demonstrate personally or otherwise establish that, notwithstanding
645 such problem, such applicant or license holder is a proper person to
646 operate a motor vehicle, and the commissioner may further require a
647 certificate of such applicant's condition, signed by a medical authority
648 designated by the commissioner, which certificate shall in all cases be
649 treated as confidential by the commissioner. A license, containing such
650 limitation as the commissioner deems advisable, may be issued or
651 renewed in any case, but nothing in this section shall be construed to
652 prevent the commissioner from refusing a license, either limited or
653 unlimited, to any person or suspending a license of a person whom the
654 commissioner determines to be incapable of safely operating a motor
655 vehicle. Consistent with budgetary allotments, each motor vehicle
656 operator's license issued to or renewed by a deaf or hearing impaired
657 person shall, upon the request of such person, indicate such
658 impairment. Such person shall submit a certificate stating such
659 impairment, in such form as the commissioner may require and signed
660 by a licensed health care practitioner. (5) The issuance of a motor
661 vehicle operator's license to any applicant who is the holder of a
662 license issued by another state shall be subject to the provisions of
663 sections 14-111c and 14-111k, as amended by this act.

664 (f) No person issued a limited license shall operate (1) a motor
665 vehicle in violation of the limitations imposed by such license, or (2)
666 any motor vehicle other than the motor vehicle for which such person's
667 right to operate is limited.

668 (g) Before issuing a motor vehicle operator's license in accordance
669 with this section or section 14-44c, as amended by this act, the
670 commissioner shall request information from the National Driver
671 Registry and the Commercial Driver License Information System, in
672 accordance with the provisions of 49 CFR section 383.73. Each driving
673 history record shall contain a notation of the date on which such
674 inquiry was made.

675 [(g)] (h) Any person who violates any provision of this section shall,
676 for a first offense, be deemed to have committed an infraction and be
677 fined not less than seventy-five dollars nor more than ninety dollars
678 and, for any subsequent offense, shall be fined not less than two
679 hundred fifty dollars nor more than three hundred fifty dollars or be
680 imprisoned not more than thirty days or both.

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

684 Sec. 3. Section 14-36a of the general statutes, as amended by section
685 2 of public act 03-171, is repealed and the following is substituted in
686 lieu thereof (*Effective from passage*):

687 [(a) In addition to the classification for a commercial driver's license
688 established by section 14-44d, the commissioner shall classify all other
689 motor vehicle operators' licenses according to the types of vehicles
690 which licensees are eligible to operate as follows: (1) Class 1, any motor
691 vehicle, except a commercial motor vehicle; (2) class 2, any motor
692 vehicle, including a combination of motor vehicle and trailer or trailing
693 unit used exclusively for camping or any other recreational purpose
694 regardless of the gross weight of the trailer or trailing unit, except a
695 commercial motor vehicle or an articulated vehicle or any other
696 combination of motor vehicle and trailer where the gross weight of the
697 trailing unit or trailer is more than ten thousand pounds. The
698 commissioner may adopt regulations in accordance with the
699 provisions of chapter 54 establishing such additional classifications,

700 subclassifications and endorsements as he deems necessary. The
701 commissioner shall not issue a class 1 license to any person who has
702 not attained the age of eighteen.]

703 (a) A commercial driver's license issued in accordance with section
704 14-44c, as amended by this act, shall be designated as class A, B or C, in
705 accordance with the provisions of subsection (b) of section 14-44d, as
706 amended by this act. All other operators' licenses shall be designated
707 as class D. A license of any class that also authorizes the operation of a
708 motorcycle shall contain the designation "M".

709 [(b) A class 1 or 2 operator's license which contains the endorsement
710 "P" evidences that the holder meets the requirements of section 14-44
711 to operate a taxicab, motor vehicle in livery service, or service bus that
712 is not used for school transportation purposes. A class 1 or 2
713 operator's]

714 (b) A commercial driver's license which contains the endorsement
715 "S" evidences that the holder meets the requirements of section 14-44,
716 as amended by this act, to operate a [student transportation vehicle, as
717 defined in section 14-212. A class 1 or 2 operator's license which
718 contains the endorsement "M" evidences that the holder meets the
719 requirements of section 14-40a to operate a motorcycle.] school bus or
720 any vehicle described in subsection (c) of this section. A commercial
721 driver's license may contain any of the following additional
722 endorsements:

723 "P"- authorizes the operation of commercial motor vehicles designed
724 to carry passengers;

725 "H"- authorizes the operation of vehicles transporting hazardous
726 materials;

727 "N"- authorizes the operation of tank vehicles;

728 "X"- authorizes both hazardous materials and tank vehicles; and

729 "T"- authorizes the operation of vehicles with up to three trailing,
730 nonpower units.

731 The commissioner may establish one or more restrictions on
732 commercial driver's licenses of any class, in regulations adopted in
733 accordance with the provisions of chapter 54.

734 (c) A commercial driver's license or a class D license that contains
735 any of the following endorsements evidences that the holder meets the
736 requirements of section 14-44, as amended by this act:

737 "V"- authorizes the transportation of passengers in a student
738 transportation vehicle, as defined in section 14-212, or any vehicle that
739 requires an "A" or "F" endorsement;

740 "A"- authorizes the transportation of passengers in an activity
741 vehicle, as defined in section 14-1, as amended by this act, or any
742 vehicle that requires an "F" endorsement; and

743 "F"- authorizes the transportation of passengers in a taxicab, motor
744 vehicle in livery service, service bus or motor bus.

745 The commissioner may establish one or more restrictions on class D
746 licenses, in accordance with regulations adopted in accordance with
747 the provisions of chapter 54.

748 [(c)] (d) No person shall operate a motor vehicle in violation of the
749 classification of the license issued to him.

750 [(d)] (e) Any person who violates any provision of subsection [(c)]
751 (d) of this section shall, for a first offense, be deemed to have
752 committed an infraction and be fined not less than thirty-five dollars
753 nor more than fifty dollars and, for a subsequent offense, shall be fined
754 not more than one hundred dollars or imprisoned not more than thirty
755 days or both.

756 Sec. 4. Section 14-44 of the general statutes, as amended by section

757 37 of public act 03-278, is repealed and the following is substituted in
758 lieu thereof (*Effective from passage*):

759 (a) (1) No person shall operate a commercial motor vehicle used for
760 passenger transportation on any public highway of this state until he
761 has obtained a commercial driver's license with a passenger
762 endorsement from the commissioner, except a nonresident who holds
763 such license with such endorsement issued by another state. (2) No
764 person shall operate a school bus until he has obtained a commercial
765 driver's license with [a passenger endorsement and] a school bus
766 endorsement, except that a person who holds such a license without
767 such endorsements may operate a school bus without passengers for
768 the purpose of road testing or moving the vehicle. (3) No person shall
769 operate a student transportation vehicle, as defined in section 14-212,
770 activity vehicle taxicab, motor vehicle in livery service, motor bus or
771 service bus until he has obtained an operator's license bearing an
772 endorsement of the appropriate type from the commissioner issued in
773 accordance with the provisions of this section and section 14-36a, as
774 amended by this act.

775 (b) No [public passenger transportation permit or] operator's license
776 bearing an endorsement shall be issued or renewed in accordance with
777 the provisions of this section or section 14-36a, as amended by this act,
778 until the commissioner, or his authorized representative, is satisfied
779 that the applicant is a proper person to receive such [a permit or] an
780 operator's license bearing an endorsement, holds a valid motor vehicle
781 operator's license, or, if necessary for the class of vehicle operated, a
782 commercial driver's license and is at least eighteen years of age. Each
783 applicant for such a permit, an operator's license bearing an
784 endorsement or the renewal of such a license shall furnish the
785 commissioner, or his authorized representative, with satisfactory
786 evidence, which may be required to be under oath, to prove that he has
787 no criminal record, that he has not been convicted of a violation of
788 subsection (a) of section 14-227a within five years of the date of
789 application [, that he has received negative drug test results in two or

790 more urine tests if any such tests were administered within one year of
791 such date] and that no reason exists for a refusal to grant or renew
792 such [a permit or] an operator's license bearing an endorsement. Each
793 applicant for such [a permit,] an operator's license bearing an
794 endorsement, or the renewal of such a license shall submit with his
795 application proof satisfactory to the commissioner that he has passed a
796 physical examination which has been taken within ninety days prior to
797 his application, and which is in compliance with safety regulations
798 established from time to time by the United States Department of
799 Transportation. Each applicant for such [a permit or] an operator's
800 license bearing an endorsement shall be fingerprinted before the
801 [permit or the] license bearing an endorsement is issued.

802 (c) The commissioner may issue, withhold, renew, suspend, cancel
803 or revoke, any [passenger or school] endorsement required to operate
804 a motor vehicle that transports passengers, as provided in subsection
805 (c) of section 14-36a, as amended by this act. The commissioner may, in
806 making his decision, consider the age, accident and criminal record,
807 moral character and physical condition of any such applicant or
808 [permittee] endorsement holder and such other matters as the
809 commissioner may determine. The commissioner may require any
810 such applicant or [permittee] endorsement holder to furnish the
811 statements of two or more reputable citizens, which may be required
812 to be under oath, vouching for the good character or other
813 qualifications of the applicant or [permittee] endorsement holder.

814 (d) Upon the arrest of any person who holds an operator's license
815 bearing a school endorsement charged with a felony or violation of
816 section 53a-73a, the arresting officer or department, within forty-eight
817 hours, shall cause a report of such arrest to be made to the
818 commissioner. The report shall be made on a form approved by the
819 commissioner containing such information as the commissioner
820 prescribes. The commissioner may adopt regulations, in accordance
821 with chapter 54, to implement the provisions of this subsection.

822 (e) Prior to issuing an operator's license bearing a school
823 endorsement, the commissioner shall require each applicant to submit
824 to state and national criminal history records checks. The criminal
825 history records checks required pursuant to this subsection shall be
826 conducted in accordance with section 29-17a. If notice of a state
827 criminal history record is received, the commissioner may refuse to
828 issue an operator's license bearing such endorsement and, in such case,
829 shall immediately notify the applicant, in writing, of such refusal.
830 Subject to the provisions of section 46a-80, if notice of a national
831 criminal history record is received, the commissioner may withdraw
832 the operator's license bearing a school endorsement immediately and,
833 in such case, shall immediately notify the holder of such license and
834 the holder's employer, in writing, of such withdrawal.

835 (f) Any applicant who is refused an operator's license bearing an
836 endorsement or the renewal of such a license, or whose operator's
837 license bearing an endorsement or the renewal of such a license is
838 withdrawn or revoked on account of a criminal record, shall be
839 entitled to a hearing if requested in writing within twenty days. The
840 hearing shall be conducted in accordance with the requirements of
841 chapter 54 and the applicant may appeal from the final decision
842 rendered therein in accordance with section 4-183.

843 (g) Violation of any provision of this section shall be an infraction.

844 Sec. 5. Section 14-44a of the general statutes is repealed and the
845 following is substituted in lieu thereof (*Effective from passage*):

846 (a) No person may drive a commercial motor vehicle on the
847 highways of this state unless the person holds a commercial driver's
848 license issued by this state or another state, with applicable
849 endorsements valid for the vehicle he is driving.

850 (b) The provisions of subsection (a) of this section shall not apply to
851 the holder of a commercial driver's instruction permit when
852 accompanied in the vehicle by the holder of a commercial driver's

853 license.

854 (c) Any person who violates the provisions of subsection (a) of this
855 section shall operate a motor vehicle in violation of the classification of
856 the license issued to him, and shall be subject to the penalties provided
857 in subsection [(d)] (e) of section 14-36a, as amended by this act, and
858 section 14-44k, as amended by this act.

859 Sec. 6. Section 14-44c of the general statutes is repealed and the
860 following is substituted in lieu thereof (*Effective from passage*):

861 (a) The application for a commercial driver's license or commercial
862 driver's instruction permit, shall include the following:

863 (1) The full name and current mailing and residence address of the
864 person;

865 (2) A physical description of the person, including sex, height and
866 eye color;

867 (3) Date of birth;

868 (4) The applicant's Social Security number;

869 (5) The person's color picture, to be taken by the commissioner or
870 his representative;

871 (6) The person's statement, under oath, that he meets the
872 requirements for qualification contained in [the Code of Federal
873 Regulations Title 49, Part] 49 CFR 391, as amended, or does not expect
874 to operate in interstate or foreign commerce;

875 (7) The person's statement, under oath, that the type of vehicle in
876 which the person has taken or intends to take the driving skills test is
877 representative of the type of motor vehicle the person operates or
878 intends to operate;

879 (8) The person's statement, under oath, that he is not subject to

880 disqualification, suspension, [or] revocation or cancellation of
881 operating privileges in any state, and that he does not hold an
882 operator's license in any other state;

883 (9) The person's identification of all states in which such person has
884 been licensed to drive any type of motor vehicle during the last ten
885 years, and the person's statement, under oath that he does not hold an
886 operator's license in any other state; and

887 ~~[(9)]~~ (10) The person's signature, and certification of the accuracy
888 and completeness of the application, subject to the penalties of false
889 statement under section 53a-157b. The application shall be
890 accompanied by the fee prescribed in section 14-44h, as amended by
891 this act.

892 (b) No person who has been a resident of this state for thirty days
893 may drive a commercial motor vehicle under the authority of a
894 commercial driver's license issued by another jurisdiction.

895 (c) In addition to other penalties provided by law, any person who
896 knowingly falsifies information or certifications required under
897 subsection (a) of this section shall have his operator's license or
898 privilege to operate a motor vehicle in this state suspended for sixty
899 days.

900 Sec. 7. Subsection (b) of section 14-44d of the general statutes is
901 repealed and the following is substituted in lieu thereof (*Effective from*
902 *passage*):

903 (b) A commercial driver's license shall be [a Class 1 license] issued
904 with the following [subclassifications, endorsements and restrictions.
905 Vehicles which require an endorsement may not be driven unless the
906 proper endorsement appears on the license.] classifications:

907 [(1) Subclassifications.]

908 ~~[(A)]~~ (1) Class A -Any combination of vehicles with a gross vehicle

909 weight rating (GVWR) of twenty-six thousand one pounds or more,
910 provided the GVWR of the vehicle being towed is in excess of ten
911 thousand pounds.

912 [(B)] (2) Class B -Any single vehicle with a GVWR of twenty-six
913 thousand one pounds or more, and any such vehicle towing a vehicle
914 not in excess of ten thousand pounds.

915 [(C)] (3) Class C -Any single vehicle with a GVWR of less than
916 twenty-six thousand one pounds or any such vehicle towing a vehicle
917 with a GVWR not in excess of ten thousand pounds comprising:

918 [(i)] (A) Vehicles designed to transport sixteen or more passengers,
919 including the driver, or designed to transport more than ten
920 passengers, including the driver, and used to transport students under
921 the age of twenty-one years to and from school; and

922 [(ii)] (B) Vehicles used to transport hazardous materials which are
923 required to be placarded in accordance with [the Code of Federal
924 Regulations, Title 49, Part] 49 CFR 172, Subpart F, as amended.

925 Any vehicle that requires an endorsement, in accordance with the
926 provisions of this section and section 14-36a, as amended by this act,
927 shall not be driven unless the proper endorsement appears on the
928 license.

929 [(2) Endorsements and restrictions.

930 "H" -Authorizes the driver to drive a vehicle transporting hazardous
931 materials;

932 "L" -Restricts the driver to vehicles not equipped with air brakes;

933 "T" -Authorizes driving double and triple trailers, and vehicles in
934 drive-away service using the technique of saddlemounting;

935 "P" -Authorizes driving commercial motor vehicles carrying
936 passengers;

937 "S" -Authorizes driving commercial motor vehicles carrying
938 passengers, including school buses;

939 "N" -Authorizes driving tank vehicles;

940 "X" -Represents a combination of hazardous materials and tank
941 vehicle endorsements;

942 "Z" -Restricts the driver to school buses.]

943 Sec. 8. Section 14-44e of the general statutes is repealed and the
944 following is substituted in lieu thereof (*Effective from passage*):

945 (a) The commissioner shall not issue a commercial driver's license to
946 any person unless such person is a resident of this state and has passed
947 a knowledge and skills test for driving a commercial motor vehicle
948 which complies with the minimum federal standards established by
949 [the Code of Federal Regulations Title 49, Part] 49 CFR 383, Subparts G
950 and H, as amended, and has satisfied all other requirements of this
951 section and sections 14-44b, 14-44c, as amended by this act, and 14-44g,
952 as amended by this act, in addition to other requirements for an
953 operator's license imposed by the general statutes and regulations of
954 the commissioner.

955 (b) The commissioner shall not issue a commercial driver's license to
956 any person who has a physical or psychobehavioral impairment that
957 affects such person's ability to operate a commercial motor vehicle
958 safely. In determining whether to issue a commercial driver's license in
959 any individual case, the commissioner shall apply the standards set
960 forth in [the Code of Federal Regulations Title 49, Section] 49 CFR
961 391.41, as amended, unless it is established that the person will operate
962 such vehicle only in this state, in which case the commissioner shall
963 apply the standards set forth in this chapter and in regulations
964 adopted thereunder. Any person who is denied a commercial driver's
965 license, or whose license is suspended, [or] revoked or cancelled
966 pursuant to this subsection shall be granted an opportunity for a

967 hearing in accordance with the provisions of chapter 54.

968 (c) The commissioner may waive the skills test required under
969 subsection (a) of this section in the case of an applicant for a
970 commercial driver's license who meets the requirements of [the Code
971 of Federal Regulations Title 49, Section] 49 CFR 383.77, as amended or,
972 in the case of an applicant for a school bus endorsement who meets the
973 requirements of 49 CFR 383.123, as amended.

974 (d) A commercial driver's license shall not be issued to any person
975 subject to disqualification from driving a commercial motor vehicle or
976 subject to suspension, [or] revocation or cancellation of operating
977 privileges in any state. Each applicant for an endorsement to drive a
978 vehicle transporting hazardous materials shall be subject to the
979 requirements of 49 USC 5103a, as administered by the United States
980 Transportation Security Administration. The commissioner may refuse
981 to issue a hazardous materials endorsement, or may suspend or revoke
982 any such endorsement, held by any person who is the subject of a
983 notification received from the Transportation Security Administration,
984 in accordance with the provisions of 49 CFR 1572.5, as amended.

985 (e) An operator's license shall not be issued to any person who holds
986 an operator's license issued by any other state, unless such person first
987 surrenders such license or licenses to the commissioner. The
988 commissioner shall return every license surrendered hereunder to the
989 issuing state for cancellation.

990 (f) The commissioner may issue a commercial driver's instruction
991 permit to any person who holds a valid operator's license. Said permit
992 may not be issued for a period to exceed six months. Only one renewal
993 or reissuance may be granted within a two-year period. The holder of a
994 commercial driver's instruction permit, may, unless otherwise
995 disqualified, drive a commercial motor vehicle only when
996 accompanied by the holder of a commercial driver's license with
997 appropriate endorsements for the type of vehicle being driven who
998 occupies a seat beside the individual for the purpose of giving

999 instruction in driving the commercial motor vehicle.

1000 Sec. 9. Section 14-44g of the general statutes is repealed and the
1001 following is substituted in lieu thereof (*Effective from passage*):

1002 (a) Before issuing a commercial driver's license, the commissioner
1003 shall obtain driving record information concerning each applicant
1004 through the Commercial Driver License Information System, the
1005 National Driver Registry and from each state in which the applicant
1006 has been licensed during the preceding [five] ten years.

1007 (b) Within ten business days after issuing a commercial driver's
1008 license, the commissioner shall notify the Commercial Driver License
1009 Information System of such fact, and shall provide all information
1010 necessary for the identification of the license holder.

1011 (c) A commercial driver's license issued pursuant to section 14-44e,
1012 as amended by this act, shall expire as provided in section 14-44h, as
1013 amended by this act.

1014 (d) Each person applying for the renewal of a commercial driver's
1015 license shall complete a renewal application form providing an update
1016 and, if necessary, corrections to the information required on the
1017 original application, pursuant to section 14-44c, as amended by this
1018 act. If an applicant for renewal wishes to retain a hazardous materials
1019 endorsement, he must pass the written test for such endorsement, and
1020 must meet the requirements of subsection (d) of section 14-44e, as
1021 amended by this act.

1022 Sec. 10. Subsection (a) of section 14-44h of the general statutes is
1023 repealed and the following is substituted in lieu thereof (*Effective from*
1024 *passage*):

1025 (a) Each commercial driver's license shall be renewed [every six
1026 years] quadrennially on the date of the operator's birthday. Each
1027 applicant for renewal shall provide the names of all states in which the
1028 applicant ever has been issued a motor vehicle operator's license. If the

1029 applicant has held a license in another state at any time during the
1030 preceding ten years, the commissioner shall request the driving history
1031 record or records from the state or states in which the applicant has
1032 been licensed. If the commissioner receives a request for a driving
1033 history record from another state regarding the holder of a commercial
1034 driver's license, the commissioner shall provide such record within
1035 thirty days, as required by the provisions of 49 CFR 384.206, as
1036 amended.

1037 Sec. 11. Subsection (g) of section 14-44j of the general statutes is
1038 repealed and the following is substituted in lieu thereof (*Effective from*
1039 *passage*):

1040 (g) (1) Any person who violates any provision of this section shall
1041 be deemed to have committed an infraction, and, for any subsequent
1042 offense, shall be fined not more than five hundred dollars.

1043 (2) Any employer which knowingly permits or requires a driver to
1044 operate a commercial motor vehicle in violation of an out-of-service
1045 order shall be subject to a civil penalty of not less than two thousand
1046 [five] seven hundred fifty dollars nor more than [ten] eleven thousand
1047 dollars.

1048 Sec. 12. Section 14-44k of the general statutes, as amended by section
1049 38 of public act 03-278, is repealed and the following is substituted in
1050 lieu thereof (*Effective from passage*):

1051 (a) A driver who is disqualified or subject to an out-of-service order
1052 shall not drive a commercial motor vehicle. An employer shall not
1053 knowingly permit or require a driver who is disqualified to drive a
1054 commercial motor vehicle.

1055 (b) In addition to any other penalties provided by law, and except as
1056 provided in [subsection (d)] subdivision (2) of this [section] subsection,
1057 a person is disqualified from operating a commercial motor vehicle (1)
1058 for one year if convicted of one violation of (A) operating any motor

1059 vehicle under the influence of intoxicating liquor or drugs or both
1060 under section 14-227a, as amended, (B) refusing to submit to a test to
1061 determine his blood alcohol concentration while operating any motor
1062 vehicle, or has failed such test when given, in violation of section 14-
1063 227b, as amended, (C) operating a commercial motor vehicle while
1064 having a blood alcohol concentration of four-hundredths of one per
1065 cent, or more, (D) evasion of responsibility, involving a commercial
1066 motor vehicle, under section 14-224, [or (C)] (E) using [a commercial]
1067 any motor vehicle in the commission of any felony, as defined in
1068 section 14-1, as amended by this act, [(2) for sixty days if convicted of
1069 one violation of section 14-249 or 14-250, (3) for one hundred twenty
1070 days if convicted of a second violation of section 14-249 or 14-250, and
1071 (4) for one year if convicted of a third or subsequent violation of
1072 section 14-249 or 14-250 during any three-year period] (F) operating a
1073 commercial motor vehicle while the operator's commercial driver's
1074 license is revoked, suspended or cancelled, or the operator is
1075 disqualified from operating a commercial motor vehicle, or (G) causing
1076 a fatality through the negligent or reckless operation of a commercial
1077 motor vehicle, as evidenced by a conviction of a violation of section
1078 53a-56b, 53a-57, 53a-60d or 14-222a, and (2) for three years if a person
1079 commits any of the disqualifying offenses identified in subdivision (1)
1080 of this subsection while driving a vehicle transporting hazardous
1081 materials, required to be placarded under the Hazardous Materials
1082 Transportation Act, 49 USC 1801 to 1813, inclusive, as amended.

1083 (c) In addition to any other penalties provided by law, a person is
1084 disqualified from operating a commercial motor vehicle for [one year if
1085 the commissioner finds that such person has refused to submit to a test
1086 to determine his blood alcohol concentration while driving a
1087 commercial motor vehicle, or has failed such a test when given,
1088 pursuant to the provisions of section 14-227b. For the purpose of this
1089 subsection, a person shall be deemed to have failed such a test if the
1090 ratio of alcohol in the blood of such person was four-hundredths of
1091 one per cent or more of alcohol, by weight] a period of not less than
1092 sixty days if convicted of two serious traffic violations, as defined in

1093 section 14-1, as amended by this act, or one hundred twenty days if
1094 convicted of three serious traffic violations, committed in any motor
1095 vehicle arising from separate incidents occurring within a three-year
1096 period.

1097 [(d) If a person commits any of the disqualifying offenses identified
1098 in subsections (b) and (c) of this section while driving a vehicle
1099 transporting hazardous materials, required to be placarded under the
1100 Hazardous Materials Transportation Act, Sections 1801 to 1813,
1101 inclusive, Title 49, United States Code, such person shall be
1102 disqualified for a period of three years.]

1103 (d) In addition to any other penalties provided by law, a person is
1104 disqualified from operating a commercial motor vehicle (1) for a
1105 period of sixty days if convicted of failure to stop at a railroad grade
1106 crossing, in violation of section 14-249 or 14-250, as amended by this
1107 act, while operating a commercial motor vehicle, (2) for one hundred
1108 twenty days if convicted of a second violation of section 14-249 or 14-
1109 250, as amended by this act, while operating a commercial motor
1110 vehicle, and (3) for one year if convicted of a third or subsequent
1111 violation of section 14-249 or 14-250, as amended by this act, while
1112 operating a commercial motor vehicle, during any three-year period.

1113 (e) Any person who uses [a commercial] any motor vehicle in the
1114 commission of a felony involving the manufacture, distribution or
1115 dispensing of a controlled substance shall be disqualified for life.

1116 (f) A person is disqualified for life if [convicted of] such person
1117 commits two or more [violations of] any of the offenses specified in
1118 subsection (b) of this section [, or if he is the subject of two or more
1119 findings by the commissioner under subsection (c) of this section,] or
1120 any combination of those offenses, arising from two or more separate
1121 incidents. A person is disqualified for life if the commissioner takes
1122 suspension actions against such person for two or more alcohol test
1123 refusals or test failures, or any combination of such actions, arising
1124 from two or more separate incidents. Any person disqualified for life,

1125 except a person disqualified under subsection (e) of this section, who
1126 has both voluntarily enrolled in and successfully completed an
1127 appropriate rehabilitation program, as determined by the
1128 commissioner, may apply for reinstatement of his commercial driver's
1129 license, provided any such applicant shall not be eligible for
1130 reinstatement until such time as he has served a minimum
1131 disqualification period of ten years. Should a reinstated driver be
1132 subsequently convicted of another disqualifying offense, he shall be
1133 permanently disqualified for life and shall be ineligible to reapply for a
1134 reduction of the lifetime disqualification.

1135 (g) (1) Except as provided in subdivision (2) of this subsection, any
1136 person who violates an out-of-service order shall be disqualified from
1137 operating a commercial motor vehicle: (A) For a period of not less than
1138 ninety days nor more than one year for a first violation; (B) for a period
1139 of not less than one year nor more than five years for a second
1140 violation during any ten-year period, where such violations arose from
1141 separate incidents; and (C) for a period of not less than three years nor
1142 more than five years for a third or subsequent violation during any
1143 ten-year period, where such violations arose from separate incidents.

1144 (2) Any person who violates an out-of-service order while driving a
1145 vehicle transporting hazardous materials, required to be placarded
1146 under the Hazardous Materials Transportation Act, [Sections 1801 to
1147 1813, inclusive, Title 49, United States Code] 49 USC 1801 to 1813,
1148 inclusive, or a commercial motor vehicle designed to transport [fifteen]
1149 sixteen or more passengers, including the driver, shall be disqualified
1150 from operating a commercial motor vehicle: (A) For a period of not less
1151 than one hundred eighty days nor more than two years for a first
1152 violation and (B) for a period of not less than three years nor more than
1153 five years for a second or subsequent violation during any ten-year
1154 period, where such violations arose from separate incidents.

1155 (3) In addition to the penalties provided in subdivision (1) or (2) of
1156 this subsection, any person who violates an out-of-service order shall

1157 be subject to a civil penalty of not less than one thousand one hundred
1158 dollars nor more than two thousand [~~five~~] seven hundred fifty dollars.

1159 [(h) A person is disqualified from driving a commercial motor
1160 vehicle for a period of not less than sixty days if convicted of two
1161 serious traffic violations, or one hundred twenty days if convicted of
1162 three serious traffic violations, committed in a commercial motor
1163 vehicle arising from separate incidents occurring within a three-year
1164 period.]

1165 (h) Any holder of a commercial driver's license whose driving is
1166 determined by the Federal Motor Carrier Safety Administration to
1167 constitute an imminent hazard, as defined section 14-1, as amended by
1168 this act, shall be disqualified from operating a commercial motor
1169 vehicle. The period of disqualification may not exceed thirty days
1170 unless the commissioner is satisfied that the Federal Motor Carrier
1171 Safety Administration has complied with the procedures for review
1172 and hearing set forth in 49 CFR 383.52.

1173 (i) After taking disqualification action, or suspending, [or] revoking
1174 or cancelling a commercial driver's license, the commissioner shall
1175 update his records to reflect such action within ten days. After taking
1176 disqualification action, or suspending, [or] revoking or cancelling the
1177 operating privileges of a commercial driver who is licensed in another
1178 state, the commissioner shall notify the licensing state of his action
1179 within ten days. Such notification shall identify the violation that
1180 caused such disqualification, suspension, cancellation or revocation.

1181 Sec. 13. Section 14-111h of the general statutes is repealed and the
1182 following is substituted in lieu thereof (*Effective from passage*):

1183 As used in sections 14-111h to 14-111q, inclusive, the following
1184 terms and their derivatives shall have the following meanings:

1185 (1) "Administrative action" means a final determination by a duly
1186 authorized administrative agency that a person has violated laws

1187 related to the operation of a motor vehicle, or that a person is incapable
1188 of safely operating a motor vehicle;

1189 (2) "Citation" means any summons, complaint or other official
1190 document issued to a person by a duly authorized law enforcement
1191 officer or judicial official for any violation relating to conduct to be
1192 reported under the driver license agreement;

1193 (3) "Conviction" shall have the meaning stated in [subdivision (16)
1194 of subsection (a) of] section 14-1, as amended by this act, and shall
1195 include a judgment by default, or in absentia;

1196 (4) "Driver control record" means the driving history record
1197 maintained by the jurisdiction of record in accordance with the driver
1198 license agreement;

1199 (5) "Failure to comply" means failure to appear or to answer a
1200 citation in the manner required by law or the failure to pay fines,
1201 penalties or costs related to the disposition of the violation for which
1202 the citation has been issued;

1203 (6) "Identification card" means a nondriver identity card issued in
1204 accordance with the provisions of section 1-1h, as amended;

1205 [(6)] (7) "Jurisdiction" means a state, territory or possession of the
1206 United States, the District of Columbia, a territory or province of
1207 Canada or any state of the Republic of Mexico or the federal district of
1208 Mexico;

1209 [(7)] (8) "Jurisdiction of record" means the jurisdiction that has
1210 issued the last driver's license to a person or if the person has not been
1211 issued a driver's license, the jurisdiction of the person's most current
1212 address, as shown on the citation, or record of conviction or on any
1213 associated report;

1214 [(8)] (9) "License", "driver's license" or "operator's license" means an
1215 authorization or privilege to operate a motor vehicle in accordance

1216 with the laws of a jurisdiction that is recognized by all member
1217 jurisdictions;

1218 [(9)] (10) "Licensing authority" means the official organization or
1219 entity responsible for administering the driver licensing laws of a
1220 member jurisdiction, and with reference to this state, means the
1221 Commissioner of Motor Vehicles;

1222 [(10)] (11) "Member jurisdiction" means a jurisdiction that has
1223 entered into the driver license agreement; and

1224 [(11)] (12) "Withdrawal" means the suspension, revocation,
1225 cancellation or denial of a license or motor vehicle registration or of the
1226 privilege to operate a motor vehicle or to obtain a license or
1227 registration.

1228 Sec. 14. Section 14-111j of the general statutes is repealed and the
1229 following is substituted in lieu thereof (*Effective from passage*):

1230 This state and the other party states to the driver license agreement
1231 find and declare that:

1232 (1) Each driver shall have one driver's license issued by a
1233 jurisdiction, that is recognized by all member jurisdictions, and shall
1234 have one driver control record;

1235 (2) All efforts shall be made to strengthen cooperation among
1236 member jurisdictions so that all drivers are required to answer charges
1237 of violation of motor vehicle and traffic laws, and to comply with the
1238 procedures for the disposition of such charges, regardless of the
1239 jurisdiction where any such violation occurs;

1240 (3) Reciprocal recognition of driver's licenses and of motor vehicle
1241 and traffic violations related to highway safety shall be facilitated, for
1242 the benefit of all member jurisdictions;

1243 (4) Compliance by each driver with all provisions of law pertaining

1244 to the safe operation of a motor vehicle shall be required as a condition
1245 to the issuance and to the retention of a driver's license;

1246 (5) Conviction of a driver or owner for any motor vehicle and traffic
1247 violation related to highway safety in any jurisdiction shall be treated
1248 as if the violation had occurred in the jurisdiction of record, for the
1249 purpose of maintaining the driver control record and of imposing
1250 administrative sanctions, as authorized by law;

1251 (6) All drivers shall be allowed to proceed on their way and shall
1252 not be required to appear in person before a court or other tribunal,
1253 regardless of their jurisdiction of record, after having been issued a
1254 citation for certain motor vehicle and traffic violations;

1255 (7) All efforts shall be made to achieve greater uniformity among all
1256 member jurisdictions concerning identification and verification
1257 requirements for the issuance of a driver's license or identification
1258 card;

1259 ~~[(7)]~~ (8) All efforts shall be made to achieve greater uniformity
1260 among all member jurisdictions regarding the exchange of information
1261 on drivers, licenses, and driver control records, including convictions
1262 of violations and license withdrawal actions; ~~[and]~~

1263 (9) All member jurisdictions wish to adhere to all applicable laws
1264 that protect the privacy of personal information that is contained in
1265 driver licensing records, and that is used in exchange of such records;
1266 and

1267 ~~[(8)]~~ (10) All member jurisdictions shall act in the best interests of
1268 highway safety and in a spirit of mutual cooperation to attain and
1269 monitor compliance with the driver license agreement and to resolve
1270 any dispute that may arise, at the administrative agency level of
1271 authority and decision-making.

1272 Sec. 15. Section 14-111k of the general statutes, as amended by
1273 section 11 of public act 03-171, is repealed and the following is

1274 substituted in lieu thereof (*Effective from passage*):

1275 (a) Upon application for a motor vehicle operator's license or
1276 identification card, the Commissioner of Motor Vehicles shall verify
1277 the identity of the applicant in accordance with the rules prescribed by
1278 the operator's license agreement, as set forth in regulations adopted by
1279 the commissioner, in accordance with the provisions of chapter 54, and
1280 shall determine whether the applicant has ever held, or is the holder
1281 of, a license issued by any other jurisdiction. The commissioner shall
1282 not issue a license to any applicant whose license is withdrawn in any
1283 other member jurisdiction for any conviction or administrative action
1284 required to be reported under the driver license agreement, as
1285 evidenced by the driver control record. The commissioner shall not
1286 issue a license to any applicant who is the subject of a notice of failure
1287 to comply, as reported by any other member jurisdiction. If the
1288 applicant is the holder of any unexpired license issued by another
1289 jurisdiction, the commissioner shall not issue a license unless the
1290 applicant surrenders such license document previously issued by such
1291 jurisdiction.

1292 (b) Notwithstanding the provisions of subsection (a) of this section,
1293 the commissioner may issue a class 1 or class 2 operator's license to an
1294 applicant who is the subject of a withdrawal of a commercial driver's
1295 license in any other member jurisdiction if the conduct on which such
1296 withdrawal is based would not have resulted in the withdrawal of the
1297 privilege to operate any motor vehicle other than a commercial motor
1298 vehicle.

1299 (c) Notwithstanding the provisions of subsection (a) of this section,
1300 the commissioner may issue a motor vehicle operator's license to (1) an
1301 applicant who is the subject of a withdrawal that occurred five years or
1302 more before the date of application, or (2) an applicant whose license
1303 has been withdrawn for the period of time required by the jurisdiction
1304 of record, but whose license has not been returned or restored by such
1305 jurisdiction due to the failure or the alleged failure to fulfill

1306 reinstatement requirements, pertaining to the filing of proof of
1307 financial responsibility or necessitating personal attendance in such
1308 jurisdiction including, but not limited to, a requirement to complete an
1309 education or treatment program. In exercising the discretion to grant
1310 or deny an application for a license as conferred by the provisions of
1311 this subsection, the commissioner shall review and consider the entire
1312 driver control record of the applicant, and may require additional
1313 information and references from the applicant such as will attest to the
1314 applicant's present fitness and capability to safely operate a motor
1315 vehicle.

1316 (d) If the commissioner issues an identification card to a person who
1317 holds an operator's license issued by another jurisdiction, the
1318 commissioner shall report to such jurisdiction within thirty days the
1319 name of such person and such other information concerning such
1320 person and such identification card as is (1) required by the operator's
1321 license agreement, and (2) set forth in regulations adopted by the
1322 commissioner, in accordance with the provisions of chapter 54.

1323 Sec. 16. Section 14-163c of the general statutes is repealed and the
1324 following is substituted in lieu thereof (*Effective from passage*):

1325 (a) The Commissioner of Motor Vehicles may adopt regulations, in
1326 accordance with the provisions of chapter 54, which incorporate by
1327 reference the standards set forth in [the Code of Federal Regulations,
1328 Title 49, Parts 382, 383 and 385 through 397] 49 CFR 382 to 397,
1329 inclusive, as amended. Such regulations, adopted by reference to the
1330 provisions of [the Code of Federal Regulations, Title 49, Parts 382, 383
1331 and 385 through 397] 49 CFR 382 to 397, inclusive, as amended, may be
1332 made applicable to any motor vehicle or motor carrier, as defined in 49
1333 CFR 390, which (1) is in intrastate commerce and has a gross vehicle
1334 weight rating or gross combination weight rating of eighteen thousand
1335 one or more pounds; or (2) is in interstate commerce and has a gross
1336 vehicle weight rating or gross combination weight rating of ten
1337 thousand one or more pounds; or (3) is designed to transport more

1338 than fifteen passengers, including the driver; or (4) is used in the
1339 transportation of hazardous materials in a quantity requiring
1340 placarding under the Hazardous Materials Transportation Act, 49 USC
1341 App. [1801-1813] 1801 to 1813, inclusive, unless exempted under the
1342 provisions of the code or the provisions of subsection (b) of this
1343 section.

1344 (b) The provisions relative to maximum driving and on-duty time as
1345 set forth in [the Code of Federal Regulations, Title 49, Part 395, Section]
1346 49 CFR 395.3, and as adopted by reference in regulations adopted
1347 pursuant to subsection (a) of this section, shall not apply to any public
1348 service company vehicle with a commercial registration when such
1349 vehicle is used to transport passengers or property to or from any
1350 portion of the state for the purpose of relief or assistance in case of
1351 major loss of utility service or to any motor carrier or driver operating
1352 a vehicle with a commercial registration when such vehicle is used to
1353 provide emergency relief during an emergency in accordance with the
1354 provisions of [Title 49, Section 390.23 of said code] 49 CFR 390.23. For
1355 the purposes of this subsection, (1) "emergency" means any hurricane,
1356 tornado, storm including a thunderstorm, snowstorm, ice storm,
1357 blizzard or sandstorm, high water, wind-driven water, tidal wave,
1358 tsunami, earthquake, volcanic eruption, mud slide, drought, forest fire,
1359 explosion, blackout or other occurrence, natural or man-made, which
1360 interrupts the delivery of essential services including electricity,
1361 medical care, sewer, water, telecommunications and
1362 telecommunication transmissions or essential supplies including food
1363 and fuel or otherwise immediately threatens human life or public
1364 welfare, provided such hurricane, tornado or other event results in: (A)
1365 A declaration of an emergency by the President of the United States,
1366 the Governor, or their authorized representatives having authority to
1367 declare emergencies, by the regional director of motor carriers for the
1368 region in which the occurrence happens or by other federal, state or
1369 local government officials having authority to declare emergencies, or
1370 (B) a request by a police officer for tow trucks to move wrecked or
1371 disabled motor vehicles, and (2) "emergency relief" means an operation

1372 in which a motor carrier or driver of a commercial motor vehicle is
1373 providing direct assistance to supplement state and local efforts and
1374 capabilities to save lives or property or to protect public health and
1375 safety as a result of an emergency.

1376 (c) The Commissioner of Motor Vehicles may grant variations or
1377 exemptions from, or approve equivalent or alternate compliance with,
1378 particular provisions of [the Code of Federal Regulations, Title 49,
1379 Parts 382, 383 and 385 through 397] 49 CFR 382 to 397, inclusive, as
1380 amended, when strict compliance with such provisions would entail
1381 practical difficulty or unnecessary hardship or would be otherwise
1382 adjudged unwarranted, provided any such variation, exemption,
1383 approved equivalent or alternate compliance shall, in the opinion of
1384 the commissioner, secure the public safety.

1385 (d) Any state or municipal police officer or motor vehicle inspector
1386 may (1) inspect any motor vehicle specified in subsection (a) of this
1387 section in operation and examine its operator to determine compliance
1388 with the provisions of [the Code of Federal Regulations, Title 49, Parts
1389 382, 383 and 385 through 397] 49 CFR 382 to 397, inclusive, as
1390 amended, (2) enter upon the premises of any motor carrier, as defined
1391 in [the Code of Federal Regulations, Title 49, Section] 49 CFR 390.5, as
1392 amended, for the purpose of inspecting records maintained by such
1393 carrier, (3) conduct a safety rating procedure, in accordance with the
1394 provisions of [the Code of Federal Regulations, Title 49, Part] 49 CFR
1395 385, as amended, for any motor carrier that owns or operates any
1396 motor vehicle identified in subsection (a) of this section, (4) declare a
1397 motor vehicle or its operator out of service as provided in [the Code of
1398 Federal Regulations, Title 49, Sections] 49 CFR 395.13 and 396.9, as
1399 amended, or (5) issue an infractions complaint under the provisions of
1400 this section, provided such officer or inspector meets the standards
1401 established by the commissioner, in consultation with the
1402 Commissioner of Public Safety, in regulations adopted in accordance
1403 with the provisions of chapter 54.

1404 (e) (1) Any person who violates the provisions of this section or any
1405 regulations adopted under this section shall, for a first violation, have
1406 committed an infraction. (2) The commissioner may impose a civil
1407 penalty on any person for a second or subsequent violation of the
1408 provisions of this section or any regulations adopted under this section
1409 if the acts or conduct on which the conviction is based arise out of the
1410 operation of a motor vehicle in intrastate commerce and would, if such
1411 acts or conduct had occurred with respect to operation of a motor
1412 vehicle in interstate commerce, have subjected such person to a civil
1413 penalty under the provisions of [the Code of Federal Regulations, Title
1414 49, Parts 382, 383 and 385 to 397] 49 CFR 382 to 397, inclusive, as
1415 amended. The commissioner may adopt regulations, in accordance
1416 with the provisions of chapter 54, to specify the amount of such civil
1417 penalty provided such amount shall not exceed the amount specified
1418 for the comparable violation under the applicable federal regulations,
1419 or ten thousand dollars, whichever is less. Any person notified of the
1420 assessment of a civil penalty under the provisions of this subsection
1421 shall be entitled to an opportunity for an administrative hearing in
1422 accordance with the provisions of chapter 54. If any person fails to
1423 comply with the terms of a final decision and order of the
1424 commissioner made pursuant to this subsection, the commissioner
1425 may suspend any motor vehicle registration issued to such person or
1426 such person's privilege to register any motor vehicle in this state until
1427 such person complies with the terms of such final decision and order.

1428 Sec. 17. Section 14-250 of the general statutes is repealed and the
1429 following is substituted in lieu thereof (*Effective from passage*):

1430 (a) The operator of each commercial motor vehicle transporting
1431 passengers, [motor bus,] service bus or of each motor vehicle used for
1432 the transportation of school children and the operator of each
1433 commercial motor vehicle with a cargo tank or carrying hazardous
1434 materials, as defined in section 14-1, as amended by this act, whether
1435 loaded or empty, before crossing at grade any track or tracks of a
1436 railroad, shall stop such vehicle not less than [ten] fifteen feet nor more

1437 than fifty feet from the nearest rail of such track, and, while so
1438 stopped, shall listen and look in each direction along such track or
1439 tracks for approaching locomotives or trains before crossing such track
1440 or tracks; and such operator shall not, in any event, cross such track or
1441 tracks when warned by automatic signal, crossing gates, flagman, law
1442 enforcement officer or otherwise of the approach of a railroad
1443 locomotive or train.(b) The operator of any motor vehicle specified in
1444 subsection (a) of this section shall not attempt to cross a railroad grade
1445 crossing if such vehicle cannot be driven completely through such
1446 crossing, without shifting gears, on account of its width or the
1447 clearance of its undercarriage.(c) The commissioner may adopt
1448 regulations ,in accordance with the provisions of chapter 54, to
1449 implement the provisions of this section, including exemptions for
1450 certain crossings that are allowed by the provisions of 49 CFR 392.10.

1451 (d) Any person who violates any provision of this section shall be
1452 fined not less than one hundred fifty dollars nor more than two
1453 hundred fifty dollars.

1454 Sec. 18. Subsection (a) of section 14-275c of the general statutes is
1455 repealed and the following is substituted in lieu thereof (*Effective from*
1456 *passage*):

1457 (a) The Commissioner of Motor Vehicles may, in accordance with
1458 the provisions of chapter 54, make, alter or repeal regulations
1459 governing the inspection, registration, operation and maintenance of
1460 school buses and the licensing of the operators of such vehicles. Such
1461 regulations shall incorporate the requirements of 49 CFR 383.123
1462 regarding the qualifications of each applicant for an endorsement to
1463 operate a school bus, issued in accordance with the provisions of
1464 section 14-44, as amended by this act.

1465 Sec. 19. Section 54-56g of the general statutes, as amended by
1466 sections 11 and 13 of public act 03-244 and section 177 of public act 03-
1467 6 of the June 30 special session, is amended by adding subsection (f) as
1468 follows (*Effective from passage*):

1469 (NEW) (f) The provisions of this section shall not be applicable in
1470 the case of any person charged with a violation of section 14-227a
1471 while operating a commercial motor vehicle, as defined in section 14-1,
1472 as amended by this act.

1473 Sec. 20. (NEW) (*Effective from passage*) (a) If any person who holds a
1474 commercial driver's license issued by another state is convicted of a
1475 violation of any provision of law related to motor vehicle traffic
1476 control, as reported to the Commissioner of Motor Vehicles by the
1477 centralized infractions bureau or any clerk of the Superior Court, the
1478 commissioner shall notify the licensing authority of such state where
1479 such person is licensed within thirty days of the date of such
1480 conviction.

1481 (b) If any person who holds a motor vehicle operator's license
1482 issued by any other state is convicted of a violation, arising out of the
1483 operation of a commercial motor vehicle, of any provision of law
1484 related to motor vehicle traffic control, as reported to the commissioner
1485 by the centralized infractions bureau or any clerk of the Superior
1486 Court, the commissioner shall notify the licensing authority of such
1487 state where such person is licensed within thirty days of the date of
1488 such conviction.

1489 (c) On and after September 30, 2008, the notification required by
1490 subsections (a) and (b) of this section shall be made within ten days of
1491 the date of such conviction.

1492 Sec. 21. (NEW) (*Effective from passage*) In any case where the
1493 Commissioner of Motor Vehicles is authorized or required by any
1494 section of title 14 of the general statutes to suspend the registration of a
1495 motor vehicle, the commissioner may, for the period that is specified
1496 for such suspension, suspend the privilege of the owner to transfer
1497 such suspended registration, to register any other motor vehicle or, in
1498 the case of a nonresident, to operate any motor vehicle on the
1499 highways of this state.

1500 Sec. 22. Subdivisions (82) and (83) of section 12-412 of the general
1501 statutes are repealed and the following is substituted in lieu thereof
1502 (*Effective from passage*):

1503 (82) (A) The sale of and the storage, use or other consumption of any
1504 commercial motor vehicle as defined in [subparagraphs (A) and (B) of
1505 subdivision (11) of] section 14-1, as amended by this act, that is
1506 operating pursuant to the provisions of section 13b-88 or 13b-89, as
1507 amended, during the period commencing upon its purchase and
1508 ending one year after the date of purchase provided seventy-five per
1509 cent of its revenue from its days in service is derived from out-of-state
1510 trips or trips crossing state lines.

1511 (B) Each purchaser of a commercial motor vehicle exempt from tax
1512 pursuant to the provisions of this subsection shall, in order to qualify
1513 for said exemption, present to the retailer a certificate, in such form as
1514 the commissioner may prescribe, certifying that seventy-five per cent
1515 of such vehicle's revenue from its days in service will be derived from
1516 out-of-state trips or trips crossing state lines. The purchaser of the
1517 motor vehicle shall be liable for the tax otherwise imposed if, during
1518 the period commencing upon its purchase and ending one year after
1519 the date of purchase, seventy-five per cent of the vehicle's revenue
1520 from its days in service is not derived from out-of-state trips or trips
1521 crossing state lines.

1522 (83) (A) The sale of and the storage, use or other consumption of any
1523 motor bus, as defined in [subdivision (44) of] section 14-1, as amended
1524 by this act, that is operating pursuant to the provisions of section 13b-
1525 88 or 13b-89, as amended, during the period commencing upon its
1526 purchase and ending one year after the date of purchase provided
1527 seventy-five per cent of its revenue from its days in service is derived
1528 from out-of-state trips or trips crossing state lines.

1529 (B) Each purchaser of a motor bus exempt from tax pursuant to the
1530 provisions of this subsection shall, in order to qualify for said
1531 exemption, present to the retailer a certificate, in such form as the

1532 commissioner may prescribe, certifying that seventy-five per cent of
1533 such bus's revenue from its days in service will be derived from out-of-
1534 state trips or trips crossing state lines. The purchaser of the motor bus
1535 shall be liable for the tax otherwise imposed if, during the period
1536 commencing upon its purchase and ending one year after the date of
1537 purchase, seventy-five per cent of the bus's revenue from its days in
1538 service is not derived from out-of-state trips or trips crossing state
1539 lines.

1540 Sec. 23. Subsection (a) of section 14-12b of the general statutes is
1541 repealed and the following is substituted in lieu thereof (*Effective from*
1542 *passage*):

1543 (a) No motor vehicle registration shall be issued by the
1544 commissioner for any private passenger motor vehicle, as defined in
1545 subsection (e) of section 38a-363, or a vehicle with a commercial
1546 registration, as defined in [subdivision (12) of] section 14-1, as
1547 amended by this act, unless (1) the application for registration is
1548 accompanied by a current automobile insurance identification card or
1549 a copy of a current insurance policy or endorsement issued by a
1550 company licensed to issue such insurance in this state or an approved
1551 self-insurer or issued pursuant to the plan established under section
1552 38a-329, verifying that the applicant has the required security
1553 coverage, and (2) the applicant signs and files with the commissioner,
1554 under penalty of false statement as provided for in section 53a-157b, a
1555 statement on a form approved by the commissioner that the owner of
1556 the vehicle has provided and will continuously maintain throughout
1557 the registration period the minimum security required by section 38a-
1558 371. In the case of an owner with a vehicle located outside of the
1559 United States or Canada, the commissioner may accept in lieu of the
1560 insurance identification card required to be presented for issuance of
1561 the registration, an affidavit, in such form as the commissioner shall
1562 require, executed by the owner and stating that the vehicle will not be
1563 operated in the United States or Canada. The commissioner may
1564 require an applicant for renewal of a motor vehicle registration for any

1565 private passenger motor vehicle or vehicle with a commercial
1566 registration to sign and file with the commissioner, under penalty of
1567 false statement as provided for in section 53a-157b, a statement on a
1568 form approved by the commissioner that the owner of the vehicle will
1569 continuously maintain throughout the registration period the
1570 minimum security required by said section 38a-371. Such form shall
1571 call for and contain the name of the applicant's insurance company and
1572 policy number.

1573 Sec. 24. Section 14-12c of the general statutes is repealed and the
1574 following is substituted in lieu thereof (*Effective from passage*):

1575 The commissioner may at any time require any owner of a private
1576 passenger motor vehicle or a vehicle with a commercial registration, as
1577 defined in [subdivision (12) of] section 14-1, as amended by this act, to
1578 submit further information to verify the required security coverage
1579 within the time specified by the commissioner. If the commissioner is
1580 unable to verify the insurance information furnished, the
1581 commissioner shall, unless such registrant has been reported as
1582 cancelled in accordance with sections 38a-343, 38a-343a, 14-12c and 14-
1583 12f to 14-12i, inclusive, afford such owner an opportunity for a hearing
1584 in accordance with chapter 54 to determine whether such owner's
1585 application for registration contains a material false statement or
1586 whether he has failed to continuously maintain the security required
1587 under section 38a-371. If the commissioner finds that the owner did
1588 not have the required security in effect on the date of registration, or
1589 that such owner presented a false or fraudulent insurance
1590 identification card to the commissioner, the application for registration
1591 shall be deemed to contain a material false statement. Any registration
1592 issued as a result of such application shall be void from the date of
1593 issue and the registration number plates shall be surrendered to the
1594 commissioner or shall be subject to confiscation in accordance with the
1595 provisions of section 14-12h. If the commissioner finds that the owner
1596 had the required security in effect at the time such application was
1597 submitted but failed to maintain it continuously during the

1598 registration period, he shall cancel any registration issued as a result of
1599 such application and the registration number plates shall be
1600 surrendered to the commissioner or shall be subject to confiscation in
1601 accordance with the provisions of section 14-12h. No new registration
1602 for any motor vehicle, the registration of which has been cancelled
1603 under this section, may be obtained except as provided by section 14-
1604 12h.

1605 Sec. 25. Subsection (a) of section 14-15a of the general statutes is
1606 repealed and the following is substituted in lieu thereof (*Effective from*
1607 *passage*):

1608 (a) Each passenger motor vehicle, as defined in [subsection (40) of]
1609 section 14-1, as amended by this act, which is leased or rented for a
1610 period of more than thirty days in a calendar year primarily for use in
1611 this state shall be registered in this state in accordance with the
1612 provisions of section 14-12. For the purpose of this section, such period
1613 shall include all times during which such vehicle may be absent from
1614 the state while being used on a daily round-trip basis.

1615 Sec. 26. Subdivision (3) of section 14-165 of the general statutes is
1616 repealed and the following is substituted in lieu thereof (*Effective from*
1617 *passage*):

1618 (3) "Identification number" means the vehicle identification number
1619 of a motor vehicle, as defined in [subdivision (91) of subsection (a) of]
1620 section 14-1, as amended by this act.

1621 Sec. 27. Subsection (a) of section 14-168a of the general statutes is
1622 repealed and the following is substituted in lieu thereof (*Effective from*
1623 *passage*):

1624 (a) Notwithstanding the provisions of any section of the general
1625 statutes to the contrary, a used car dealer licensed in accordance with
1626 the provisions of section 14-52 who enters into a contract with a
1627 manufacturer of equipment or parts used in the assembly of a wrecker,

1628 including a flatbed wrecker, as defined in [subdivision (65) of] section
1629 14-1, as amended by this act, or used in the assembly of a special
1630 purpose body to a cab and chassis, including a body for a refuse
1631 compactor, transit mixer, dump truck, tank truck or other vehicle
1632 designed for the transportation of bulk materials or to which
1633 machinery is attached, and who purchases from a new car dealer
1634 licensed in accordance with the provisions of section 14-52 any new
1635 chassis, cab or other portion of an incomplete motor vehicle for such
1636 purpose, may sell or offer for sale such wrecker or other motor vehicle
1637 as a new motor vehicle provided all parts of any such wrecker or other
1638 motor vehicle are new.

1639 Sec. 28. Subsection (a) of section 14-267b of the general statutes is
1640 repealed and the following is substituted in lieu thereof (*Effective from*
1641 *passage*):

1642 (a) The provisions of subdivisions (1), (2), (3), (4) and (7) of
1643 subsection (b) of section 14a-267a shall not apply to any motor bus, as
1644 defined in [subdivision (44) of subsection (a) of] section 14-1, as
1645 amended by this act, if such motor bus complies with the weight limits
1646 specified in 23 CFR 658.17.

1647 Sec. 29. Subsection (a) of section 14-279 of the general statutes is
1648 repealed and the following is substituted in lieu thereof (*Effective from*
1649 *passage*):

1650 (a) The operator of any vehicle, motor vehicle, or authorized
1651 emergency vehicle, as defined in [subdivision (4) of subsection (a) of]
1652 section 14-1, as amended by this act, shall immediately bring such
1653 vehicle to a stop not less than ten feet from the front when
1654 approaching and not less than ten feet from the rear when overtaking
1655 or following any registered school bus on any highway or private road
1656 or in any parking area or on any school property when such bus is
1657 displaying flashing red signal lights, except at the specific direction of
1658 a traffic officer. Vehicles so stopped for a school bus shall not proceed
1659 until such bus no longer displays flashing red signal lights. At the

1660 intersection of two or more highways vehicular turns toward a school
1661 bus receiving or discharging passengers are prohibited. The operator
1662 of a vehicle upon a highway with separate roadways need not stop
1663 upon meeting or passing a school bus which is on a different roadway.

1664 Sec. 30. Subsection (c) of section 14-290 of the general statutes is
1665 repealed and the following is substituted in lieu thereof (*Effective from*
1666 *passage*):

1667 (c) Any wrecker, as defined in [subdivision (90) of] section 14-1, as
1668 amended by this act, shall be exempt from the provisions of section 14-
1669 267a, as amended, provided such wrecker is in the course of towing or
1670 hauling a disabled motor vehicle from the point where such vehicle
1671 became disabled and does not exceed any of the weight limits
1672 provided in section 14-267a, as amended, by more than twenty per
1673 cent.

1674 Sec. 31. Section 14-325a of the general statutes is repealed and the
1675 following is substituted in lieu thereof (*Effective from passage*):

1676 Any person licensed under section 14-319 to dispense motor fuel for
1677 sale to the public for any motor vehicle, as defined in [subdivision (47)
1678 of] section 14-1, as amended by this act, except any such person who is
1679 licensed to so dispense such fuel at a retail food store which he owns
1680 and operates and which dispenses less than ten thousand gallons of
1681 gasoline in any one month, shall provide for free public use an air
1682 compressor for the purpose of tire inflation during the hours such
1683 premises are open for business. Each such licensee shall post a sign in a
1684 conspicuous location upon the premises and in such form as the
1685 commissioner may require, informing the public of the availability of
1686 an air compressor for free public use during the hours such premises
1687 are open. Such compressor shall be capable of producing at least
1688 eighty pounds per square inch pressure at the outlet.

1689 Sec. 32. Subdivision (1) of subsection (d) of section 38a-790 of the
1690 general statutes is repealed and the following is substituted in lieu

1691 thereof (*Effective from passage*):

1692 (1) "Motor vehicle" is defined as provided in [subsection (30) of]
1693 section 14-1, as amended by this act.

1694 Sec. 33. Section 42-179b of the general statutes, as amended by
1695 section 146 of public act 03-6 of the June 30 special session, is repealed
1696 and the following is substituted in lieu thereof (*Effective from passage*):

1697 Each motor vehicle dealer, as defined in [subsection (11) of] section
1698 14-1, as amended by this act, and each person engaged in the business
1699 of leasing new motor vehicles shall, at the time of sale or execution of
1700 the lease of any new motor vehicle, deliver to the consumer, as defined
1701 in subdivision (1) of subsection (a) of section 42-179, of such vehicle
1702 written information, in a form approved by the Commissioner of
1703 Consumer Protection, which explains the new automobile warranty
1704 and dispute settlement program established pursuant to this chapter.

1705 Sec. 34. Subdivisions (2) and (3) of section 42-220 of the general
1706 statutes are repealed and the following is substituted in lieu thereof
1707 (*Effective from passage*):

1708 (2) "Motor vehicle" means a motor vehicle, as defined in
1709 [subdivision (30) of] section 14-1, as amended by this act;

1710 (3) "Used motor vehicle" means a used or secondhand motor
1711 vehicle, as defined in [subdivision (62) of] section 14-1, as amended by
1712 this act.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>
Sec. 3	<i>from passage</i>
Sec. 4	<i>from passage</i>
Sec. 5	<i>from passage</i>
Sec. 6	<i>from passage</i>
Sec. 7	<i>from passage</i>

Sec. 8	<i>from passage</i>
Sec. 9	<i>from passage</i>
Sec. 10	<i>from passage</i>
Sec. 11	<i>from passage</i>
Sec. 12	<i>from passage</i>
Sec. 13	<i>from passage</i>
Sec. 14	<i>from passage</i>
Sec. 15	<i>from passage</i>
Sec. 16	<i>from passage</i>
Sec. 17	<i>from passage</i>
Sec. 18	<i>from passage</i>
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Sec. 30	<i>from passage</i>
Sec. 31	<i>from passage</i>
Sec. 32	<i>from passage</i>
Sec. 33	<i>from passage</i>
Sec. 34	<i>from passage</i>

Statement of Purpose:

To bring Connecticut motor vehicle laws into compliance with the federal Motor Carrier Safety Improvement Act.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]