



General Assembly

**Amendment**

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LCO No. 4314

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Offered by:

SEN. CIOTTO, 9<sup>th</sup> Dist.

REP. COCCO, 127<sup>th</sup> Dist.

To: Subst. Senate Bill No. 27

File No. 545

Cal. No. 398

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

1 Strike section 20 in its entirety and renumber remaining sections  
2 and internal references accordingly

3 In line 1015, insert an opening bracket before "every" and strike the  
4 opening and closing brackets around "six"

5 In line 1016, strike "four", insert a closing bracket after "years" and  
6 insert "quadrennially" after the closing bracket

7 In line 1016, after the period insert the following:

8 "On and after January 1, 2005, each applicant shall, at the time of the  
9 first renewal of such commercial driver's license, provide the names of  
10 all states in which the applicant ever has been issued a motor vehicle  
11 operator's license. If the applicant has held a license in another state at  
12 any time during the preceding ten years, the commissioner shall  
13 request the driving history record or records from the state or states in

14 which the applicant has been licensed. If the commissioner receives a  
15 request for a driving history record from another state regarding the  
16 holder of a commercial driver's license, the commissioner shall provide  
17 such record within thirty days, as required by the provisions of 49 CFR  
18 384.206, as amended."

19 After the last section, add the following and renumber sections and  
20 internal references accordingly:

21 "Sec. 501. Subsection (c) of section 14-274 of the general statutes is  
22 repealed and the following is substituted in lieu thereof (*Effective July*  
23 *1, 2004*):

24 (c) The provisions of this section shall not apply to any public  
25 service company vehicle with a commercial registration when such  
26 vehicle is used to transport passengers or property to or from any  
27 portion of the state for the purpose of relief or assistance in the case of  
28 major loss of utility service, a disaster or other state of emergency  
29 declared by the Governor. For the purposes of this subsection (1)  
30 "disaster" shall include, but not be limited to, a hurricane, snowstorm,  
31 ice storm, flood, fire or earthquake, and (2) "major loss of utility  
32 service" means any unplanned outage or interruption, or the imminent  
33 risk of outage or interruption, of electric, gas or telephone service, or of  
34 service to electric transmission or distribution lines, gas distribution or  
35 transmission facilities, electric generation facilities, or other related  
36 facilities, or any circumstance related to utility service under which the  
37 public safety is at risk, including, but not limited to, any situation  
38 where police, fire or other public safety personnel have requested a  
39 response by an electric, gas or telephone company to an accident or  
40 other situation that presents a hazard to the public. A major loss of  
41 utility service begins when the public service company receives notice  
42 of the outage, interruption or hazard, or receives notice of the existence  
43 of conditions reasonably likely to result in outages, interruptions or  
44 hazards, and continues until any necessary maintenance or repair is  
45 completed and personnel utilized to perform such necessary  
46 maintenance or repair have returned to their regular work routines.

47 Sec. 502. Subsection (b) of section 14-163c of the general statutes is  
48 repealed and the following is substituted in lieu thereof (*Effective July*  
49 *1, 2004*):

50 (b) The provisions relative to maximum driving and on-duty time as  
51 set forth in the Code of Federal Regulations, Title 49, Part 395, Section  
52 395.3, and as adopted by reference in regulations adopted pursuant to  
53 subsection (a) of this section, shall not apply to any public service  
54 company vehicle with a commercial registration when such vehicle is  
55 used to transport passengers or property to or from any portion of the  
56 state for the purpose of relief or assistance in case of major loss of  
57 utility service or to any motor carrier or driver operating a vehicle with  
58 a commercial registration when such vehicle is used to provide  
59 emergency relief during an emergency in accordance with the  
60 provisions of Title 49, Section 390.23 of said code. For the purposes of  
61 this subsection, (1) "emergency" means any hurricane, tornado, storm  
62 including a thunderstorm, snowstorm, ice storm, blizzard or  
63 sandstorm, high water, wind-driven water, tidal wave, tsunami,  
64 earthquake, volcanic eruption, mud slide, drought, forest fire,  
65 explosion, blackout or other occurrence, natural or man-made, which  
66 interrupts the delivery of essential services including electricity,  
67 medical care, sewer, water, telecommunications and  
68 telecommunication transmissions or essential supplies including food  
69 and fuel or otherwise immediately threatens human life or public  
70 welfare, provided such hurricane, tornado or other event results in: (A)  
71 A declaration of an emergency by the President of the United States,  
72 the Governor, or their authorized representatives having authority to  
73 declare emergencies, by the regional director of motor carriers for the  
74 region in which the occurrence happens or by other federal, state or  
75 local government officials having authority to declare emergencies, or  
76 (B) a request by a police officer for tow trucks to move wrecked or  
77 disabled motor vehicles, [and] (2) "emergency relief" means an  
78 operation in which a motor carrier or driver of a commercial motor  
79 vehicle is providing direct assistance to supplement state and local  
80 efforts and capabilities to save lives or property or to protect public

81 health and safety as a result of an emergency, and (3) "major loss of  
82 utility service" means any unplanned outage or interruption, or the  
83 imminent risk of outage or interruption, of electric, gas or telephone  
84 service, or of service to electric transmission or distribution lines, gas  
85 distribution or transmission facilities, electric generation facilities, or  
86 other related facilities, or any circumstance related to utility service  
87 under which the public safety is at risk, including, but not limited to,  
88 any situation where police, fire or other public safety personnel have  
89 requested a response by an electric, gas or telephone company to an  
90 accident or other situation that presents a hazard to the public. A major  
91 loss of utility service begins when the public service company receives  
92 notice of the outage, interruption or hazard, or receives notice of the  
93 existence of conditions reasonably likely to result in outages,  
94 interruptions or hazards, and continues until any necessary  
95 maintenance or repair is completed and personnel utilized to perform  
96 such necessary maintenance or repair have returned to their regular  
97 work routines.

98 Sec. 503. Section 14-227a of the general statutes, as amended by  
99 section 1 of public act 03-265 and section 47 of public act 03-278, is  
100 repealed and the following is substituted in lieu thereof (*Effective July*  
101 *1, 2004*):

102 (a) No person shall operate a motor vehicle while under the  
103 influence of intoxicating liquor or any drug or both. A person commits  
104 the offense of operating a motor vehicle while under the influence of  
105 intoxicating liquor or any drug or both if such person operates a motor  
106 vehicle on a public highway of this state or on any road of a district  
107 organized under the provisions of chapter 105, a purpose of which is  
108 the construction and maintenance of roads and sidewalks, or on any  
109 private road on which a speed limit has been established in accordance  
110 with the provisions of section 14-218a, or in any parking area for ten or  
111 more cars or on any school property (1) while under the influence of  
112 intoxicating liquor or any drug or both, or (2) while such person has an  
113 elevated blood alcohol content. For the purposes of this section,  
114 "elevated blood alcohol content" means a ratio of alcohol in the blood

115 of such person that is eight-hundredths of one per cent or more of  
116 alcohol, by weight.

117 (b) Except as provided in subsection (c) of this section, in any  
118 criminal prosecution for violation of subsection (a) of this section,  
119 evidence respecting the amount of alcohol or drug in the defendant's  
120 blood or urine at the time of the alleged offense, as shown by a  
121 chemical analysis of the defendant's breath, blood or urine shall be  
122 admissible and competent provided: (1) The defendant was afforded a  
123 reasonable opportunity to telephone an attorney prior to the  
124 performance of the test and consented to the taking of the test upon  
125 which such analysis is made; (2) a true copy of the report of the test  
126 result was mailed to or personally delivered to the defendant within  
127 twenty-four hours or by the end of the next regular business day, after  
128 such result was known, whichever is later; (3) the test was performed  
129 by or at the direction of a police officer according to methods and with  
130 equipment approved by the Department of Public Safety and was  
131 performed in accordance with the regulations adopted under  
132 subsection (d) of this section; (4) the device used for such test was  
133 checked for accuracy in accordance with the regulations adopted  
134 under subsection (d) of this section; (5) an additional chemical test of  
135 the same type was performed at least thirty minutes after the initial  
136 test was performed or, if requested by the police officer for reasonable  
137 cause, an additional chemical test of a different type was performed to  
138 detect the presence of a drug or drugs other than or in addition to  
139 alcohol, provided the results of the initial test shall not be inadmissible  
140 under this subsection if reasonable efforts were made to have such  
141 additional test performed in accordance with the conditions set forth in  
142 this subsection and such additional test was not performed or was not  
143 performed within a reasonable time, or the results of such additional  
144 test are not admissible for failure to meet a condition set forth in this  
145 subsection; and (6) evidence is presented that the test was commenced  
146 within two hours of operation. In any prosecution under this section it  
147 shall be a rebuttable presumption that the results of such chemical  
148 analysis establish the ratio of alcohol in the blood of the defendant at

149 the time of the alleged offense, except that if the results of the  
150 additional test indicate that the ratio of alcohol in the blood of such  
151 defendant is twelve-hundredths of one per cent or less of alcohol, by  
152 weight, and is higher than the results of the first test, evidence shall be  
153 presented that demonstrates that the test results and the analysis  
154 thereof accurately indicate the blood alcohol content at the time of the  
155 alleged offense.

156 (c) In any prosecution for a violation of subdivision (1) of subsection  
157 (a) of this section, reliable evidence respecting the amount of alcohol in  
158 the defendant's blood or urine at the time of the alleged offense, as  
159 shown by a chemical analysis of the defendant's blood, breath or urine,  
160 otherwise admissible under subsection (b) of this section, shall be  
161 admissible only at the request of the defendant.

162 (d) The Commissioner of Public Safety shall ascertain the reliability  
163 of each method and type of device offered for chemical testing and  
164 analysis purposes of blood, of breath and of urine and certify those  
165 methods and types which said commissioner finds suitable for use in  
166 testing and analysis of blood, breath and urine, respectively, in this  
167 state. The Commissioner of Public Safety shall adopt regulations, in  
168 accordance with chapter 54, governing the conduct of chemical tests,  
169 the operation and use of chemical test devices, the training and  
170 certification of operators of such devices and the drawing or obtaining  
171 of blood, breath or urine samples as said commissioner finds necessary  
172 to protect the health and safety of persons who submit to chemical  
173 tests and to insure reasonable accuracy in testing results. Such  
174 regulations shall not require recertification of a police officer solely  
175 because such officer terminates such officer's employment with the law  
176 enforcement agency for which certification was originally issued and  
177 commences employment with another such agency.

178 (e) In any criminal prosecution for a violation of subsection (a) of  
179 this section, evidence that the defendant refused to submit to a blood,  
180 breath or urine test requested in accordance with section 14-227b, as  
181 amended, shall be admissible provided the requirements of subsection

182 (b) of said section have been satisfied. If a case involving a violation of  
183 subsection (a) of this section is tried to a jury, the court shall instruct  
184 the jury as to any inference that may or may not be drawn from the  
185 defendant's refusal to submit to a blood, breath or urine test.

186 (f) If a person is charged with a violation of the provisions of  
187 subsection (a) of this section, the charge may not be reduced, nolle or  
188 dismissed unless the prosecuting authority states in open court such  
189 prosecutor's reasons for the reduction, nolle or dismissal.

190 (g) Any person who violates any provision of subsection (a) of this  
191 section shall: (1) For conviction of a first violation, (A) be fined not less  
192 than five hundred dollars or more than one thousand dollars, and (B)  
193 be (i) imprisoned not more than six months, forty-eight consecutive  
194 hours of which may not be suspended or reduced in any manner, or  
195 (ii) imprisoned not more than six months, with the execution of such  
196 sentence of imprisonment suspended entirely and a period of  
197 probation imposed requiring as a condition of such probation that  
198 such person perform one hundred hours of community service, as  
199 defined in section 14-227e, and (C) have such person's motor vehicle  
200 operator's license or nonresident operating privilege suspended for  
201 one year; (2) for conviction of a second violation within ten years after  
202 a prior conviction for the same offense, (A) be fined not less than one  
203 thousand dollars or more than four thousand dollars, (B) be  
204 imprisoned not more than two years, one hundred twenty consecutive  
205 days of which may not be suspended or reduced in any manner, and  
206 sentenced to a period of probation requiring as a condition of such  
207 probation that such person perform one hundred hours of community  
208 service, as defined in section 14-227e, and (C) (i) have such person's  
209 motor vehicle operator's license or nonresident operating privilege  
210 suspended for three years or until the date of such person's twenty-  
211 first birthday, whichever is longer, or (ii) if such person has been  
212 convicted of a violation of subdivision (1) of subsection (a) of this  
213 section on account of being under the influence of intoxicating liquor  
214 or of subdivision (2) of subsection (a) of this section, have such  
215 person's motor vehicle operator's license or nonresident operating

216 privilege suspended for one year and be prohibited for the two-year  
217 period following completion of such period of suspension from  
218 operating a motor vehicle unless such motor vehicle is equipped with  
219 a functioning, approved ignition interlock device, as defined in section  
220 [3 of this act] section 2 of public act 03-265, as amended by this act; and  
221 (3) for conviction of a third and subsequent violation within ten years  
222 after a prior conviction for the same offense, (A) be fined not less than  
223 two thousand dollars or more than eight thousand dollars, (B) be  
224 imprisoned not more than three years, one year of which may not be  
225 suspended or reduced in any manner, and sentenced to a period of  
226 probation requiring as a condition of such probation that such person  
227 perform one hundred hours of community service, as defined in  
228 section 14-227e, and (C) have such person's motor vehicle operator's  
229 license or nonresident operating privilege permanently revoked upon  
230 such third offense. For purposes of the imposition of penalties for a  
231 second or third and subsequent offense pursuant to this subsection, a  
232 conviction under the provisions of subsection (a) of this section in  
233 effect on October 1, 1981, or as amended thereafter, a conviction under  
234 the provisions of either subdivision (1) or (2) of subsection (a) of this  
235 section, a conviction under the provisions of section 53a-56b or 53a-60d  
236 or a conviction in any other state of any offense the essential elements  
237 of which are determined by the court to be substantially the same as  
238 subdivision (1) or (2) of subsection (a) of this section or section 53a-56b  
239 or 53a-60d, shall constitute a prior conviction for the same offense.

240 (h) (1) Each court shall report each conviction under subsection (a)  
241 of this section to the Commissioner of Motor Vehicles, in accordance  
242 with the provisions of section 14-141. The commissioner shall suspend  
243 the motor vehicle operator's license or nonresident operating privilege  
244 of the person reported as convicted for the period of time required by  
245 subsection (g) of this section. The commissioner shall determine the  
246 period of time required by said subsection (g) based on the number of  
247 convictions such person has had within the specified time period  
248 according to such person's driving history record, notwithstanding the  
249 sentence imposed by the court for such conviction. (2) The motor

250 vehicle operator's license or nonresident operating privilege of a  
251 person found guilty under subsection (a) of this section who is under  
252 eighteen years of age shall be suspended by the commissioner for the  
253 period of time set forth in subsection (g) of this section, or until such  
254 person attains the age of eighteen years, whichever period is longer. (3)  
255 The motor vehicle operator's license or nonresident operating privilege  
256 of a person found guilty under subsection (a) of this section who, at the  
257 time of the offense, was operating a motor vehicle in accordance with a  
258 special operator's permit issued pursuant to section 14-37a shall be  
259 suspended by the commissioner for twice the period of time set forth  
260 in subsection (g) of this section. (4) If an appeal of any conviction  
261 under subsection (a) of this section is taken, the suspension of the  
262 motor vehicle operator's license or nonresident operating privilege by  
263 the commissioner, in accordance with this subsection, shall be stayed  
264 during the pendency of such appeal.

265 (i) (1) The Commissioner of Motor Vehicles shall permit a person  
266 whose license has been suspended in accordance with the provisions  
267 of subparagraph (C)(ii) of subdivision (2) of subsection (g) of this  
268 section to operate a motor vehicle if (A) such person has served not  
269 less than one year of such suspension, and (B) such person has  
270 installed an approved ignition interlock device in each motor vehicle  
271 owned or to be operated by such person. No person whose license is  
272 suspended by the commissioner for any other reason or who has not  
273 enrolled in the treatment program established under section 14-227f,  
274 as amended, or obtained a waiver from the requirement to participate  
275 in such program pursuant to subsection (c) of said section 14-227f,  
276 shall be eligible to operate a motor vehicle equipped with an approved  
277 ignition interlock device. (2) If the commissioner determines that any  
278 person whose license has been suspended in accordance with the  
279 provisions of subsection (h) of this section may have a condition that  
280 would render such person incapable of safely operating a motor  
281 vehicle, the commissioner may, as a condition of the reinstatement of  
282 such license, require that such person only operate a motor vehicle that  
283 is equipped with a functioning, approved ignition interlock device for

284 such period of time as may be prescribed by the commissioner. (3) All  
285 costs of installing and maintaining an ignition interlock device shall be  
286 borne by the person required to install such device. (4) The  
287 commissioner shall adopt regulations, in accordance with the  
288 provisions of chapter 54, to implement the provisions of this  
289 subsection. The regulations shall establish procedures for the approval  
290 of ignition interlock devices, for the proper calibration and  
291 maintenance of such devices and for the installation of such devices by  
292 any firm approved and authorized by the commissioner. (5) The  
293 provisions of this subsection shall not be construed to authorize the  
294 continued operation of a motor vehicle equipped with an ignition  
295 interlock device by any person whose operator's license or nonresident  
296 operating privilege is withdrawn, suspended or revoked. (6) The  
297 provisions of this subsection shall apply to any person whose license  
298 has been suspended in accordance with the provisions of  
299 subparagraph (C)(ii) of subdivision (2) of subsection (g) of this section  
300 on or after September 1, 2003.

301 [(i)] (j) In addition to any fine or sentence imposed pursuant to the  
302 provisions of subsection (g) of this section, the court may order such  
303 person to participate in an alcohol education and treatment program.

304 [(j)] (k) Notwithstanding the provisions of subsection (b) of this  
305 section, evidence respecting the amount of alcohol or drug in the blood  
306 or urine of an operator of a motor vehicle involved in an accident who  
307 has suffered or allegedly suffered physical injury in such accident,  
308 which evidence is derived from a chemical analysis of a blood sample  
309 taken from or a urine sample provided by such person after such  
310 accident at the scene of the accident, while en route to a hospital or at a  
311 hospital, shall be competent evidence to establish probable cause for  
312 the arrest by warrant of such person for a violation of subsection (a) of  
313 this section and shall be admissible and competent in any subsequent  
314 prosecution thereof if: (1) The blood sample was taken or the urine  
315 sample was provided for the diagnosis and treatment of such injury;  
316 (2) if a blood sample was taken, the blood sample was taken in  
317 accordance with the regulations adopted under subsection (d) of this

318 section; (3) a police officer has demonstrated to the satisfaction of a  
319 judge of the Superior Court that such officer has reason to believe that  
320 such person was operating a motor vehicle while under the influence  
321 of intoxicating liquor or drug or both and that the chemical analysis of  
322 such blood or urine sample constitutes evidence of the commission of  
323 the offense of operating a motor vehicle while under the influence of  
324 intoxicating liquor or drug or both in violation of subsection (a) of this  
325 section; and (4) such judge has issued a search warrant in accordance  
326 with section 54-33a authorizing the seizure of the chemical analysis of  
327 such blood or urine sample. Such search warrant may also authorize  
328 the seizure of the medical records prepared by the hospital in  
329 connection with the diagnosis or treatment of such injury.

330 [(k)] (l) If the court sentences a person convicted of a violation of  
331 subsection (a) of this section to a period of probation, the court may  
332 require as a condition of such probation that such person participate in  
333 a victim impact panel program approved by the Court Support  
334 Services Division of the Judicial Department. Such victim impact panel  
335 program shall provide a nonconfrontational forum for the victims of  
336 alcohol-related or drug-related offenses and offenders to share  
337 experiences on the impact of alcohol-related or drug-related incidents  
338 in their lives. Such victim impact panel program shall be conducted by  
339 a nonprofit organization that advocates on behalf of victims of  
340 accidents caused by persons who operated a motor vehicle while  
341 under the influence of intoxicating liquor or any drug, or both. Such  
342 organization may assess a participation fee of not more than twenty-  
343 five dollars on any person required by the court to participate in such  
344 program.

345 Sec. 504. Section 2 of public act 03-265 is repealed and the following  
346 is substituted in lieu thereof (*Effective October 1, 2004*):

347 (a) For the purposes of this section and section 3 of [this act] public  
348 act 03-265, as amended by this act:

349 [(1)] "Ignition interlock device" means a device installed in a motor

350 vehicle that measures the blood alcohol content of the operator and  
351 disallows the mechanical operation of such motor vehicle until the  
352 blood alcohol content of such operator is less than twenty-five  
353 thousandths of one per cent. [; and]

354 [(2) "Immobilization device" means a device installed on a motor  
355 vehicle that physically or mechanically prevents such motor vehicle  
356 from being operated.]

357 (b) Any person who has been arrested for a violation of subsection  
358 (a) of section 14-227a, as amended, section 53a-56b<sub>2</sub>, or section 53a-60d,  
359 may be ordered by the court not to operate any motor vehicle unless  
360 such motor vehicle is equipped with an ignition interlock device, [ or  
361 may be ordered by the court after a hearing to install an  
362 immobilization device on any motor vehicle that such person owns,  
363 leases or otherwise has the right to operate.] Any such order may be  
364 made as a condition of such person's release on bail or as a condition of  
365 granting such person's application for participation in the pretrial  
366 alcohol education system under section 54-56g, as amended, and may  
367 include any other terms and conditions as to duration, use, proof of  
368 installation or any other matter that the court determines to be  
369 appropriate or necessary.

370 (c) All costs of installing and maintaining an ignition interlock  
371 device [or immobilization device] shall be borne by the person who is  
372 the subject of an order made pursuant to subsection (b) of this section.

373 [(d) The Commissioner of Public Safety shall adopt regulations, in  
374 accordance with chapter 54, for the approval of ignition interlock  
375 devices, and for the proper calibration and maintenance of such  
376 devices. The Commissioner of Motor Vehicles shall adopt regulations,  
377 in accordance with chapter 54, for the approval of immobilization  
378 devices.]

379 (d) No ignition interlock device [or immobilization device] shall be  
380 installed pursuant to an order of the court under subsection (b) of this  
381 section unless such device has been approved under [such] the

382 regulations adopted by the Commissioner of Motor Vehicles pursuant  
383 to subsection (i) of section 14-227a, as amended by this act.

384 (e) No provision of this section shall be construed to authorize the  
385 operation of a motor vehicle by any person whose motor vehicle  
386 operator's license has been refused, suspended or revoked, or who  
387 does not hold a valid motor vehicle operator's license. A court shall  
388 inform the Commissioner of Motor Vehicles of each order made by it  
389 pursuant to subsection (b) of this section. If any person who has been  
390 ordered [to install] not to operate a motor vehicle unless such motor  
391 vehicle is equipped with an ignition interlock device is the holder of a  
392 special permit to operate a motor vehicle for employment purposes,  
393 issued by the commissioner under the provisions of section 14-37a,  
394 strict compliance with the terms of the order shall be deemed a  
395 condition to hold such permit, and any failure to comply with such  
396 order shall be sufficient cause for immediate revocation of the permit  
397 by the commissioner.

398 Sec. 505. Section 3 of public act 03-265 of the general statutes is  
399 repealed and the following is substituted in lieu thereof (*Effective*  
400 *October 1, 2004*):

401 (a) No person whose right to operate a motor vehicle has been  
402 restricted pursuant to an order of the court under subsection (b) of  
403 section 2 of [this act] public act 03-265, as amended by this act, or by  
404 the Commissioner of Motor Vehicles pursuant to subsection (i) of  
405 section 14-227a, as amended by this act, shall (1) request or solicit  
406 another person to blow into an ignition interlock device or to start a  
407 motor vehicle equipped with an ignition interlock device for the  
408 purpose of providing such person with an operable motor vehicle, or  
409 (2) operate any motor vehicle not equipped with a functioning ignition  
410 interlock device or any motor vehicle that a court has ordered such  
411 person not to operate.

412 (b) No person shall tamper with, alter or bypass the operation of an  
413 ignition interlock device [or immobilization device] for the purpose of

414 providing an operable motor vehicle to a person whose right to  
415 operate a motor vehicle has been restricted pursuant to an order of the  
416 court under subsection (b) of section 2 of [this act] public act 03-265, as  
417 amended by this act, or by the Commissioner of Motor Vehicles  
418 pursuant to subsection (i) of section 14-227a, as amended by this act.

419 (c) Any person who violates any provision of subsection (a) or (b) of  
420 this section shall be guilty of a class C misdemeanor.

421 (d) Each court shall report each conviction under subsection (a) or  
422 (b) of this section to the Commissioner of Motor Vehicles, in  
423 accordance with the provisions of section 14-141. The commissioner  
424 shall suspend the motor vehicle operator's license or nonresident  
425 operating privilege of the person reported as convicted for a period of  
426 one year.

427 Sec. 506. Subsection (c) of section 14-227g of the general statutes is  
428 repealed and the following is substituted in lieu thereof (*Effective July*  
429 *1, 2004*):

430 (c) The provisions of subsections (b), (d), (f), (g), (h), (i), [and] (j), and  
431 (k) of section 14-227a, as amended by this act, adapted accordingly,  
432 shall be applicable to a violation of subsection (a) of this section.

433 Sec. 507. Subsection (b) of section 14-65h of the general statutes is  
434 repealed and the following is substituted in lieu thereof (*Effective July*  
435 *1, 2004*):

436 (b) The motor vehicle repair shop shall make available to the  
437 customer, if requested [before or at the time the vehicle is returned to  
438 the customer] by the customer at the time written or oral authorization  
439 is provided for work to be performed, all replaced parts, components  
440 or equipment. If the repair shop is required to return such parts,  
441 components or equipment to the manufacturer or other person under  
442 any warranty or rebuilding arrangement, the repair shop shall make  
443 them available to the customer for inspection only.

444 Sec. 508. Section 14-99h of the general statutes is repealed and the  
445 following is substituted in lieu thereof (*Effective July 1, 2004*):

446 (a) Each new car dealer or used car dealer, as defined in section 14-  
447 51, or lessor licensed under the provisions of section 14-15 shall offer  
448 the purchaser or lessee of a new or used motor vehicle, at the time of  
449 sale or lease, the optional service of etching the complete identification  
450 number of the vehicle on a lower corner of the windshield and on each  
451 side or rear window in such vehicle. Each such dealer or lessor may  
452 etch the complete identification number of a motor vehicle on any such  
453 vehicle in its inventory prior to its sale or lease provided it specifies the  
454 charge for such service separately on the order for the sale of the motor  
455 vehicle as prescribed by the provisions of section 14-62.

456 (b) If a new car dealer or used car dealer, as defined in section 14-51,  
457 offers the purchaser of a new or used motor vehicle, at the time of sale,  
458 the optional service of marking vehicle components with the complete  
459 vehicle identification number, the dealer shall specify the charge for  
460 such service separately on the order for the sale of the motor vehicle as  
461 prescribed by the provisions of section 14-62. The commissioner may  
462 adopt regulations, in accordance with chapter 54, to implement the  
463 provisions of this subsection. Such regulations may provide standards  
464 for the marking of component parts in a secure manner, and for  
465 telephone or on-line access to a secure database of vehicles and parts  
466 that have been marked and registered in such database. Such  
467 regulations may also provide for the marking of parts used to replace  
468 parts that have been marked in accordance with the provisions of this  
469 subsection, by repairers licensed in accordance with section 14-52.

470 [(b)] (c) Each new car dealer, used car dealer or lessor shall charge  
471 reasonable rates for etching services and parts marking services  
472 rendered within the state pursuant to [subsection] subsections (a) and  
473 (b) of this section and shall file a schedule of such rates with the  
474 Commissioner of Motor Vehicles not later than September first in each  
475 year. Each such dealer or lessor may from time to time file an amended

476 schedule of such rates with the commissioner. No such dealer or lessor  
477 may charge any rate for such etching services or parts marking  
478 services which is greater than the rates contained in the most recent  
479 schedule filed with the commissioner.

480 [(c)] (d) A motor vehicle dealer, licensed in accordance with section  
481 14-52 and meeting qualifications established by the commissioner, may  
482 verify a manufacturer's vehicle identification number to satisfy any  
483 provision requiring such verification in this chapter, or chapter 246a or  
484 247. Such verification shall be provided in a written affidavit signed by  
485 such a motor vehicle dealer, or his designee, and submitted to the  
486 commissioner. Such affidavit shall contain a statement that the  
487 manufacturer's vehicle identification number corresponds to such  
488 number (1) on the manufacturer's or importer's certificate of origin, if  
489 the motor vehicle is new, or (2) on a current certificate of title, for all  
490 other vehicles. Such affidavit shall also contain a statement that the  
491 vehicle identification number has not been mutilated, altered or  
492 removed.

493 [(d)] (e) Any person violating the provisions of subsection (c) of this  
494 section, shall be subject to the penalties of false statement, provided for  
495 in sections 14-110 and 53a-157b.

496 [(e)] (f) The commissioner may adopt regulations, in accordance  
497 with chapter 54, to implement the provisions of this section.

498 Sec. 509. Section 14-12r of the general statutes is repealed and the  
499 following is substituted in lieu thereof (*Effective July 1, 2004*):

500 Before issuing registration for any motor vehicle that has not been  
501 previously registered in this state, except a new motor vehicle, the  
502 Commissioner of Motor Vehicles may require an inspection of the  
503 manufacturer's vehicle identification number. Such an inspection may  
504 be performed at any designated official emissions inspection station or  
505 by any other business or firm authorized by the commissioner to  
506 perform safety inspections in accordance with sections 14-12 and 14-

507 16a, as amended, or by any motor vehicle dealer or repairer, licensed  
508 in accordance with section 14-52 and meeting qualifications  
509 established by the commissioner. If the inspection is performed by a  
510 licensed dealer or repairer, an affidavit shall be furnished to the  
511 commissioner in accordance with the provisions of subsection [(c)] (d)  
512 of section 14-99h, as amended by this act.

513 Sec. 510. Subsection (c) of section 14-171 of the general statutes is  
514 repealed and the following is substituted in lieu thereof (*Effective July*  
515 *1, 2004*):

516 (c) If the application refers to a vehicle last previously registered in  
517 another state or country, the application shall contain or be  
518 accompanied by: (1) Any certificate of title issued by the other state or  
519 country; (2) any other information and documents the commissioner  
520 reasonably requires to establish the ownership of the vehicle and the  
521 existence or nonexistence of security interests in it; and (3) evidence  
522 that the manufacturer's identification number of the vehicle was  
523 inspected at the time of registration, or inspected by a licensed dealer  
524 in accordance with subsection [(c)] (d) of section 14-99h, as amended  
525 by this act.

526 Sec. 511. (NEW) (*Effective October 1, 2004*) An assessment of five  
527 dollars shall be imposed against any person who is convicted of a  
528 violation of section 14-219, 14-222 or 14-227a of the general statutes, as  
529 amended, who forfeits a cash bond or guaranteed bail bond certificate  
530 posted under section 14-140a of the general statutes or under  
531 reciprocal agreements made with other states for the alleged violation  
532 of any of said sections or who pleads nolo contendere to a violation of  
533 section 14-219 of the general statutes and pays the fine by mail. Such  
534 assessment shall be in addition to any fee, cost or surcharge imposed  
535 pursuant to any other provision of the general statutes. All  
536 assessments collected pursuant to this section shall be deposited in the  
537 General Fund and credited to the brain injury prevention and services  
538 account established under section 512 of this act.

539       Sec. 512. (NEW) (*Effective October 1, 2004*) There is established a  
540 brain injury prevention and services account which shall be a separate,  
541 nonlapsing account within the General Fund. The account shall  
542 contain all moneys required by law to be deposited in the account.  
543 Investment earnings from any moneys in the account shall be credited  
544 to the account and shall become part of the assets of the account. Any  
545 balance remaining in the account at the end of any fiscal year shall be  
546 carried forward in the account for the fiscal year next succeeding. The  
547 moneys in the account shall be allocated to the Department of Social  
548 Services for the purpose of providing grants to the Brain Injury  
549 Association of Connecticut."