



Senate Bill No. 2102

October 25 Special Session, Public Act No. 05-3

AN ACT STRENGTHENING ENFORCEMENT OF MANDATORY SECURITY REQUIREMENTS FOR MOTOR VEHICLES WITH A COMMERCIAL REGISTRATION.

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

Section 1. Section 14-213b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2006*):

(a) No owner of any private passenger motor vehicle or a vehicle with a combination or commercial registration, as defined in section 14-1, registered or required to be registered in this state may operate or permit the operation of such vehicle without the security required by section 38a-371, as amended by this act, or with security insufficient to meet the minimum requirements of said section, or without any other security requirements imposed by law, as the case may be. Failure of the operator to produce an insurance identification card as required by section 14-217 shall constitute prima facie evidence that the owner has not maintained the security required by section 38a-371, as amended by this act, and this section.

(b) Any person convicted of violating any provision of subsection (a) of this section shall be fined not less than one hundred dollars nor more than one thousand dollars, except that any owner of a motor

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vehicle with a commercial registration who knowingly violates the provisions of subsection (a) of this section with respect to such vehicle shall be guilty of a class D felony.

(c) The Commissioner of Motor Vehicles shall suspend the registration, and the operator's license, if any, of an owner, for a first conviction of violating the provisions of subsection (a) of this section for a period of one month and for a second or subsequent conviction for a period of six months. No operator's license which has been suspended pursuant to this subsection shall be restored until the owner has provided evidence to the commissioner that he maintains the security required by section 38a-371, as amended by this act, or any other security requirements imposed by law for each motor vehicle registered in his name.

Sec. 2. Subsection (a) of section 38a-343a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2006*):

(a) Each insurance company which issues private passenger motor vehicle liability insurance policies in this state shall, each month, on a date specified by the commissioner, notify the Commissioner of Motor Vehicles of the cancellation by the insurance company of all such policies which occurred during the preceding month. [, provided, no such notification shall be made for any cancellation of any policy of commercial insurance.] The notice required shall include the name of the named insured in the policy, the policy number, the vehicle identification number of each automobile covered by the policy and the effective date of the policy's cancellation. The commissioner shall specify an acceptable method of notification. The method of notification specified may include computer tapes or electronic transmission. The failure of an insurance company to comply with the requirements of this section shall not affect the cancellation of any private passenger motor vehicle liability insurance policy.

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Sec. 3. Subsection (d) of section 38a-371 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2006*):

(d) [The] Except as provided in subsection (b) of section 14-213b, as amended by this act, the owner of any private passenger motor vehicle required to be registered in this state who operates it or permits it to be operated in this state is guilty of a class C misdemeanor if he fails to provide the security required by this section.

Sec. 4. (NEW) (*Effective January 1, 2006*) (a) At least once every six months, each owner of a motor vehicle described in subsection (a) of section 14-163c of the general statutes shall file with the Commissioner of Motor Vehicles evidence that the owner has in effect the security requirements imposed by law for each such motor vehicle. The evidence shall be filed in such form as the commissioner prescribes in accordance with a schedule established by the commissioner. At least once every two years, the evidence of security shall be accompanied by a motor carrier identification report that meets the requirements of 49 CFR 390.19, as amended from time to time. The report shall be in such form as the commissioner prescribes.

(b) In addition to other penalties provided by law, the Commissioner of Motor Vehicles, after notice and opportunity for hearing in accordance with chapter 54 of the general statutes, shall suspend the registration of each motor vehicle registered in the name of any owner who fails to file a motor carrier identification report or to provide satisfactory evidence of the security requirements imposed by law.

Sec. 5. (*Effective January 1, 2006*) Not later than January 1, 2007, the Commissioner of Motor Vehicles shall submit a report to the joint standing committees of the General Assembly having cognizance of matters relating to insurance and transportation with respect to the

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progress of the Department of Motor Vehicles in implementing the provisions of section 4 of this act. Such report shall be submitted in accordance with section 11-4a of the general statutes.

Approved October 31, 2005