



General Assembly

Substitute Bill No. 6816

January Session, 2005

* HB06816GL 050505 *

AN ACT CONCERNING DRIVING WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR ANY DRUG AND SUSPENDING THE DRIVER'S LICENSE OF A PERSON CONVICTED OF PROVIDING ALCOHOL TO A MINOR.

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

1 Section 1. Subsection (a) of section 14-227a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2005*):

4 (a) No person shall operate a motor vehicle while under the
5 influence of intoxicating liquor or any drug or both. A person commits
6 the offense of operating a motor vehicle while under the influence of
7 intoxicating liquor or any drug or both if such person operates a motor
8 vehicle on a public highway of this state or on any road of a district
9 organized under the provisions of chapter 105, a purpose of which is
10 the construction and maintenance of roads and sidewalks, or on any
11 private road [on which a speed limit has been established in
12 accordance with the provisions of section 14-218a] open to motor
13 vehicle traffic, or in any parking area for ten or more cars or on any
14 school property (1) while under the influence of intoxicating liquor or
15 any drug or both, or (2) while such person has an elevated blood
16 alcohol content. For the purposes of this section, "elevated blood
17 alcohol content" means a ratio of alcohol in the blood of such person
18 that is eight-hundredths of one per cent or more of alcohol, by weight.

19 Sec. 2. Section 14-111e of the general statutes is repealed and the
20 following is substituted in lieu thereof (*Effective October 1, 2005*):

21 (a) The Commissioner of Motor Vehicles shall suspend, for a period
22 of one hundred fifty days, the motor vehicle operator's license or
23 nonresident operating privilege of any person under the age of twenty-
24 one who has been convicted of a violation of section 30-88a involving
25 the misuse of an operator's license or section 30-89 involving the
26 purchase and possession of alcoholic liquor by a minor.

27 (b) Any person under the age of twenty-one who has not been
28 issued a motor vehicle operator's license under section 14-36 and who
29 has been convicted of a violation of section 30-88a involving the
30 misuse of an operator's license, section 30-89 involving the purchase
31 and possession of alcoholic liquor by a minor or subsection (e) of
32 section 1-1h involving the misuse of an identity card, shall not be
33 issued a new operator's license by the commissioner under section 14-
34 36 until a period of one hundred fifty days has elapsed from the date
35 all applicable requirements for any such license have been satisfied by
36 the applicant.

37 (c) The Commissioner of Motor Vehicles shall suspend the motor
38 vehicle operator's license or nonresident operating privilege of any
39 person convicted of a violation of subdivision (2) of subsection (b) of
40 section 30-86, as amended by this act, for six months for a first
41 conviction, one year for a second conviction and two years for a third
42 or subsequent conviction.

43 Sec. 3. Subsection (b) of section 30-86 of the general statutes is
44 repealed and the following is substituted in lieu thereof (*Effective*
45 *October 1, 2005*):

46 (b) (1) Any permittee or any servant or agent of a permittee who
47 sells or delivers alcoholic liquor to any minor [,] or [to] any intoxicated
48 person, or to any habitual drunkard, knowing the person to be such an
49 habitual drunkard, shall be subject to the penalties of section 30-113.

50 (2) Any person who sells, ships, delivers or gives any [such liquors
 51 to such] alcoholic liquor to any minor, by any means, including, but
 52 not limited to, the Internet or any other on-line computer network,
 53 except on the order of a practicing physician, shall be fined not more
 54 than one thousand five hundred dollars or imprisoned not more than
 55 eighteen months, or both. Each court shall report each conviction
 56 under this subdivision to the Commissioner of Motor Vehicles who
 57 shall suspend the motor vehicle operator's license or nonresident
 58 operating privilege of the person reported as convicted in accordance
 59 with subsection (c) of section 14-111e, as amended by this act.

60 (3) The provisions of this [section] subsection shall not apply [(1)
 61 (A) to a sale, shipment or delivery made to a person over age eighteen
 62 who is an employee or permit holder under section 30-90a and where
 63 such sale, shipment or delivery is made in the course of such person's
 64 employment or business, [(2)] (B) to a sale, shipment or delivery made
 65 in good faith to a minor who practices any deceit in the procurement of
 66 an identity card issued in accordance with the provisions of section
 67 1-1h, who uses or exhibits any such identity card belonging to any
 68 other person or who uses or exhibits any such identity card that has
 69 been altered or tampered with in any way, or [(3)] (C) to a shipment or
 70 delivery made to a minor by a parent, guardian or spouse of the minor,
 71 provided such parent, guardian or spouse has attained the age of
 72 twenty-one and provided such minor possesses such alcoholic liquor
 73 while accompanied by such parent, guardian or spouse.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	14-227a(a)
Sec. 2	October 1, 2005	14-111e
Sec. 3	October 1, 2005	30-86(b)

JUD *Joint Favorable Subst.*

GL *Joint Favorable*