



General Assembly

Substitute Bill No. 6882

January Session, 2005

* HB06882TRA 051105 *

AN ACT CONCERNING THE PENALTY FOR OPERATING A MOTOR VEHICLE WITHOUT AN OPERATOR'S LICENSE AND DURING AND AFTER A PERIOD OF LICENSE SUSPENSION.

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

1 Section 1. (NEW) (*Effective October 1, 2005*) Any person whose motor
2 vehicle operator's license has been suspended who operates a motor
3 vehicle after the expiration of such period of suspension without
4 obtaining the reinstatement of such license shall (1) during the first
5 sixty days after such expiration, be deemed to have failed to renew
6 such license and be subject to the penalty for failure to renew a motor
7 vehicle operator's license under subsection (c) of section 14-41 of the
8 general statutes, and (2) after said sixty-day period, be subject to the
9 penalty for operating a motor vehicle without a license under section
10 14-36 of the general statutes. Any operator so charged shall not be
11 prosecuted under section 14-215 of the general statutes for the same act
12 constituting a violation under this section.

13 Sec. 2. Subsection (b) of section 14-111 of the general statutes is
14 repealed and the following is substituted in lieu thereof (*Effective*
15 *October 1, 2005*):

16 (b) (1) Whenever the holder of any motor vehicle operator's license
17 has been convicted or has forfeited any bond taken or has received a
18 suspended judgment or sentence for any of the following violations,

19 the commissioner shall, without hearing, suspend his operator's license
20 as follows: For a first violation of subsection (a) of section 14-224 or
21 section 14-110, 14-215 or 53a-119b, for a period of not less than one
22 year and, for a subsequent violation thereof, for a period of not less
23 than [five] two years; for a violation of subsection (a) of section 14-222,
24 for a period of not less than thirty days or more than ninety days and,
25 for a subsequent violation thereof, for a period of not less than ninety
26 days; for a violation of subsection (b) of section 14-224, for a period of
27 not less than ninety days; for a first violation of subsection (b) of
28 section 14-147, for a period of not less than ninety days and, for a
29 subsequent violation thereof, for a period of not less than five years;
30 for a first violation of subsection (c) of section 14-147, for a period of
31 not less than thirty days and, for a subsequent violation thereof, for a
32 period of not less than one year.

33 (2) The commissioner may suspend the motor vehicle operator's
34 license of any person (A) who was arrested for a felony, and (B) for
35 whom there is an outstanding warrant for rearrest for failing to appear
36 when legally called with regard to such felony. The suspension shall
37 terminate no later than the date on which such person appears before
38 the court with regard to such felony or such failure to appear.

39 Sec. 3. Subsection (h) of section 14-36 of the general statutes is
40 repealed and the following is substituted in lieu thereof (*Effective*
41 *October 1, 2005*):

42 (h) (1) Any person who violates any provision of this section shall,
43 for a first offense, be deemed to have committed an infraction and be
44 fined not less than seventy-five dollars or more than ninety dollars
45 and, for any subsequent offense, shall be fined not less than two
46 hundred fifty dollars or more than three hundred fifty dollars or be
47 imprisoned not more than thirty days, or both.

48 (2) In addition to the penalty prescribed under subdivision (1) of
49 this subsection, any person who violates any provision of this section
50 who (A) has, prior to the commission of the present violation,

51 committed a violation of this section or subsection (a) of section 14-215,
52 shall be fined not more than five hundred dollars or sentenced to
53 perform not more than one hundred hours of community service, or
54 (B) has, prior to the commission of the present violation, committed
55 two or more violations of this section or subsection (a) of section 14-
56 215, or any combination thereof, shall be sentenced to a term of
57 imprisonment of ninety days which may not be suspended or reduced
58 in any manner.

59 Sec. 4. Subsection (b) of section 14-215 of the general statutes is
60 repealed and the following is substituted in lieu thereof (*Effective*
61 *October 1, 2005*):

62 (b) (1) Except as provided in subsection (c) of this section, any
63 person who violates any provision of subsection (a) of this section
64 shall, for a first offense, be fined not less than one hundred fifty dollars
65 or more than two hundred dollars or imprisoned not more than ninety
66 days, or be both fined and imprisoned, and, for any subsequent
67 offense, shall be fined not less than two hundred dollars or more than
68 six hundred dollars or imprisoned not more than one year, or be both
69 fined and imprisoned.

70 (2) Except as provided in subsection (c) of this section, in addition to
71 the penalty prescribed under subdivision (1) of this subsection, any
72 person who violates any provision of subsection (a) of this section who
73 (A) has, prior to the commission of the present violation, committed a
74 violation of subsection (a) of this section or section 14-36, shall be fined
75 not more than five hundred dollars or sentenced to perform not more
76 than one hundred hours of community service, or (B) has, prior to the
77 commission of the present violation, committed two or more violations
78 of subsection (a) of this section or section 14-36, or any combination
79 thereof, shall be sentenced to a term of imprisonment of ninety days
80 which may not be suspended or reduced in any manner.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2005</i>	New section
Sec. 2	<i>October 1, 2005</i>	14-111(b)
Sec. 3	<i>October 1, 2005</i>	14-36(h)
Sec. 4	<i>October 1, 2005</i>	14-215(b)

JUD *Joint Favorable Subst.*

TRA *Joint Favorable*