



General Assembly

January Session, 2005

Raised Bill No. 1116

LCO No. 3662

03662_____TRA

Referred to Committee on Transportation

Introduced by:
(TRA)

AN ACT AMENDING CERTAIN MOTOR VEHICLE STATUTES.

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

1 Section 1. Subsection (b) of section 1-1h of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2005*):

4 (b) An identity card shall expire within a period not exceeding four
5 years from the date of issuance of such card. Each such card shall
6 indicate its date of expiration. Any person who holds an identity card
7 shall be notified by the commissioner before its expiration and may
8 renew such card in such manner as the commissioner shall prescribe
9 upon payment of a fee of fifteen dollars.

10 Sec. 2. Subdivision (44) of subsection (a) of section 14-1 of the
11 general statutes is repealed and the following is substituted in lieu
12 thereof (*Effective July 1, 2005*):

13 (44) "Manufacturer" means (A) a person, whether a resident or
14 nonresident, engaged in the business of constructing or assembling
15 new motor vehicles of a type required to be registered by the

16 commissioner, for operation upon any highway, except a utility trailer,
17 which are offered for sale in this state, or (B) a person who distributes
18 new motor vehicles to new car dealers licensed in this state.

19 Sec. 3. Subsection (a) of section 14-1 of the general statutes is
20 amended by adding subdivision (99) as follows (*Effective July 1, 2005*):

21 (NEW) (99) "Camp vehicle" means any motor vehicle that is
22 regularly used to transport persons under eighteen years of age in
23 connection with the activities of any youth camp, as defined in section
24 19a-420.

25 Sec. 4. Subsection (d) of section 14-12 of the general statutes is
26 repealed and the following is substituted in lieu thereof (*Effective July*
27 *1, 2005*):

28 (d) A motor vehicle registration certificate issued upon an
29 application containing any material false statement is void from the
30 date of its issue and shall be surrendered, upon demand, with any
31 number plate or plates, to the commissioner. Any money paid for the
32 registration certificate shall be forfeited to the state. No person shall
33 obtain or attempt to obtain any registration for another by
34 misrepresentation or impersonation and any registration so obtained
35 shall be void. The commissioner may require each applicant for a
36 motor vehicle registration to furnish personal identification
37 satisfactory to the commissioner and may require any applicant who is
38 a resident of this state to obtain a motor vehicle operator's license or an
39 identification card issued pursuant to section 1-1h, as amended by this
40 act. Any person who violates any provision of this subsection and any
41 person who fails to surrender a falsely obtained motor vehicle
42 registration or number plate or plates upon the demand of the
43 commissioner shall be fined not more than two hundred dollars.

44 Sec. 5. Subsection (c) of section 14-36a of the general statutes is
45 repealed and the following is substituted in lieu thereof (*Effective*
46 *October 1, 2005*):

47 (c) A commercial driver's license or a class D license that contains
48 any of the following endorsements evidences that the holder meets the
49 requirements of section 14-44:

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

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

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

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

61 Sec. 6. Subsection (a) of section 14-44 of the general statutes is
62 repealed and the following is substituted in lieu thereof (*Effective*
63 *October 1, 2005*):

64 (a) (1) No person shall operate a commercial motor vehicle used for
65 passenger transportation on any public highway of this state until he
66 has obtained a commercial driver's license with a passenger
67 endorsement from the commissioner, except a nonresident who holds
68 such license with such endorsement issued by another state. (2) No
69 person shall operate a school bus until he has obtained a commercial
70 driver's license with a school bus endorsement, except that a person
71 who holds such a license without such endorsements may operate a
72 school bus without passengers for the purpose of road testing or
73 moving the vehicle. (3) No person shall operate a student
74 transportation vehicle, as defined in section 14-212, activity vehicle,
75 camp vehicle, taxicab, motor vehicle in livery service, motor bus or
76 service bus until he has obtained an operator's license bearing an

77 endorsement of the appropriate type from the commissioner issued in
78 accordance with the provisions of this section and section 14-36a.

79 Sec. 7. Subsection (a) of section 14-44h of the general statutes is
80 repealed and the following is substituted in lieu thereof (*Effective from*
81 *passage*):

82 (a) Each commercial driver's license shall be renewed quadrennially
83 on the date of the operator's birthday. On and after [January]
84 September 1, 2005, each applicant shall, at the time of the first renewal
85 such commercial driver's license, provide the names of all states in
86 which the applicant ever has been issued a motor vehicle operator's
87 license. If the applicant has held a license in another state at any time
88 during the preceding ten years, the commissioner shall request the
89 driving history record or records from the state or states in which the
90 applicant has been licensed. If the commissioner receives a request for
91 a driving history record from another state regarding the holder of a
92 commercial driver's license, the commissioner shall provide such
93 record within thirty days, as required by the provisions of 49 CFR
94 384.206, as amended.

95 Sec. 8. Subdivision (4) of subsection (a) of section 14-96p of the
96 general statutes is repealed and the following is substituted in lieu
97 thereof (*Effective from passage*):

98 (4) Flashing or revolving white lights may not be displayed upon a
99 motor vehicle except (A) on fire emergency apparatus, (B) on motor
100 vehicles of paid fire chiefs and their deputies and assistants, up to a
101 total of four individuals per [municipality] department, and may be
102 displayed in combination with flashing or revolving red lights, (C) on
103 motor vehicles of volunteer fire chiefs and their deputies and
104 assistants, up to a total of four individuals per [municipality]
105 department, and may be displayed in combination with flashing or
106 revolving red lights, (D) as a means of indicating a right or left turn,
107 (E) in conjunction with flashing red lights on an ambulance responding
108 to an emergency call, or (F) on the top rear of any school bus. For the

109 purpose of this subsection, the term "handicapped students" means
110 mentally retarded, hard of hearing, deaf, speech-impaired, visually
111 handicapped, emotionally disturbed, orthopedically impaired or other
112 health-impaired students, or students with specific learning
113 disabilities, who by reason thereof, require special education and
114 related services; and the term "flashing white lights" shall not include
115 the simultaneous flashing of head lamps.

116 Sec. 9. Section 14-64 of the general statutes is repealed and the
117 following is substituted in lieu thereof (*Effective July 1, 2005*):

118 The commissioner may suspend or revoke the license or licenses of
119 any licensee or impose a civil penalty of not more than one thousand
120 dollars for each violation on any licensee or both, when, after notice
121 and hearing, the commissioner finds that the licensee (1) has violated
122 any provision of any statute or regulation of any state or any federal
123 statute or regulation pertaining to its business as a licensee or has
124 failed to comply with the terms of a final decision and order of any
125 state department or federal agency concerning any such provision; or
126 (2) has failed to maintain such records of transactions concerning the
127 purchase, sale or repair of motor vehicles or major component parts, as
128 required by such regulations as shall be adopted by the commissioner,
129 for a period of two years after such purchase, sale or repairs, provided
130 the records shall include the vehicle identification number and the
131 name and address of the person from whom each vehicle or part was
132 purchased and to whom each vehicle or part was sold, if a sale
133 occurred; or (3) has failed to allow inspection of such records by the
134 commissioner or the commissioner's representative during normal
135 business hours, provided written notice stating the purpose of the
136 inspection is furnished to the licensee, or has failed to allow inspection
137 of such records by any representative of the Division of State Police
138 within the Department of Public Safety or any organized local police
139 department, which inspection may include examination of the
140 premises to determine the accuracy of such records; or (4) has made a
141 false statement as to the condition, prior ownership or prior use of any

142 motor vehicle sold, exchanged, transferred, offered for sale or repaired
143 if the licensee knew or should have known that such statement was
144 false; or (5) is not qualified to conduct the licensed business, applying
145 the standards of section 14-51 and the applicable regulations; or (6) has
146 violated any provision of sections 42-221 to 42-226, inclusive; or (7) has
147 failed to fully execute or provide the buyer with (A) an order as
148 described in section 14-62, (B) the properly assigned certificate of title,
149 or (C) a temporary transfer or new issue of registration; or (8) has
150 failed to deliver a motor vehicle free and clear of all liens, unless
151 written notification is given to the buyer stating such motor vehicle
152 shall be purchased subject to a lien; or (9) has violated any provision of
153 sections 14-65f to 14-65j, inclusive; or (10) has used registration number
154 plates issued by the commissioner, in violation of the provisions and
155 standards set forth in sections 14-59 and 14-60 and the applicable
156 regulations; or (11) has failed to secure or to account for or surrender
157 to the commissioner on demand official registration plates or any other
158 official materials in its custody. In addition to, or in lieu of, the
159 imposition of any other penalties authorized by this section, the
160 commissioner may order any such licensee to make restitution to any
161 aggrieved customer.

162 Sec. 10. Subsection (d) of section 14-103 of the general statutes is
163 repealed and the following is substituted in lieu thereof (*Effective July*
164 *1, 2005*):

165 (d) Each service bus shall be inspected [, biennially, at the time of
166 renewal of registration of such service bus, by a repairer or limited
167 repairer licensed and authorized by the Commissioner of Motor
168 Vehicles to perform such inspections] for safety before its initial
169 registration, in accordance with a schedule to be adopted by the
170 commissioner. Each such service bus shall pass inspection before each
171 renewal of registration. The fee for each such inspection shall be forty
172 dollars, except there shall be no fee for inspection of a service bus
173 owned by the state or a municipality. The commissioner may use the
174 services of any motor vehicle dealer or repairer licensed, in accordance

175 with section 14-52, to conduct a required service bus inspection,
176 provided any fee charged by such dealer or repairer shall not exceed
177 forty dollars, or, if the vehicle inspected has a gross vehicle weight
178 rating in excess of twenty-six thousand pounds, eighty dollars.

179 Sec. 11. Section 14-179 of the general statutes is amended by adding
180 subsection (e) as follows (*Effective July 1, 2005*):

181 (NEW) (e) If a certificate of title issued by the commissioner
182 identifies two or more persons as joint owners of a motor vehicle, any
183 such person may, unless otherwise precluded by law, effect a transfer
184 of ownership of the motor vehicle to such person individually, or to
185 any other person or persons, in the manner provided by subsection (a)
186 of this section. The commissioner may presume that a person is a joint
187 owner empowered to transfer ownership of such motor vehicle if the
188 person's name appears on the certificates of title and registration.

189 Sec. 12. (NEW) (*Effective July 1, 2005*) The Commissioner of Motor
190 Vehicles shall issue distinctive registration marker plates to each motor
191 vehicle, except a taxicab or motor vehicle in livery service, that is used
192 as a student transportation vehicle, as defined in section 14-212. Each
193 such registration of a student transportation vehicle shall be issued for
194 a period of one year and, subject to the provisions of subsection (d) of
195 section 14-103 of the general statutes, as amended by this act, may be
196 renewed by the owner, in accordance with schedules established by
197 the commissioner. The fee for such registration or for any renewal
198 thereof shall be determined as follows: (1) In the case of any such
199 motor vehicle designed as a service bus, the fee shall be one-half of the
200 fee prescribed for the registration of a service bus, in accordance with
201 the provisions of subsection (p) of section 14-49 of the general statutes,
202 and (2) in the case of any such motor vehicle designed as a passenger
203 motor vehicle, the fee shall be one-half of the fee prescribed for the
204 registration of a passenger motor vehicle, in accordance with the
205 provisions of subsection (a) of section 14-49.

206 Sec. 13. (NEW) (*Effective July 1, 2005*) Each student transportation

207 vehicle shall be inspected for safety before its initial registration in
 208 accordance with a schedule to be adopted by the Commissioner of
 209 Motor Vehicles. Each such student transportation vehicle shall pass
 210 inspection before each renewal of registration. The fee for each such
 211 inspection shall be twenty dollars, except there shall be no fee for
 212 inspection of a student transportation vehicle owned by the state or a
 213 municipality.

214 Sec. 14. Sections 14-383 and 14-384 of the general statutes are
 215 repealed. (*Effective July 1, 2005*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2005</i>	1-1h(b)
Sec. 2	<i>July 1, 2005</i>	14-1(a)(44)
Sec. 3	<i>July 1, 2005</i>	14-1(a)
Sec. 4	<i>July 1, 2005</i>	14-12(d)
Sec. 5	<i>October 1, 2005</i>	14-36a(c)
Sec. 6	<i>October 1, 2005</i>	14-44(a)
Sec. 7	<i>from passage</i>	14-44h(a)
Sec. 8	<i>from passage</i>	14-96p(a)(4)
Sec. 9	<i>July 1, 2005</i>	14-64
Sec. 10	<i>July 1, 2005</i>	14-103(d)
Sec. 11	<i>July 1, 2005</i>	14-179
Sec. 12	<i>July 1, 2005</i>	New section
Sec. 13	<i>July 1, 2005</i>	New section
Sec. 14	<i>July 1, 2005</i>	14-383 and 14-384 repealed

Statement of Purpose:

To require the Department of Motor Vehicles to notify a person holding an identification card before it expires, to define "camp vehicle" and require their drivers to obtain a special license endorsement, to exempt businesses that construct utility trailers from having to obtain a manufacturer's license, to require personal identification from a person registering a motor vehicle and to require each such person who is a resident to have an operator's license or identification card, to change the effective date for renewal of a

commercial driver's license, to specify the number of flashing lights permits allowed a fire department, to penalize dealerships that fail to surrender license plates to the department, to change bus inspection times, to clarify titles issued to joint owners, to issue marker plates for student transportation vehicle, and to repeal requirement of dealer and temporary registration plates to snowmobile and ATV dealers.

[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.]