



General Assembly

Substitute Bill No. 1116

January Session, 2005

* SB01116TRA 032805 *

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2 repealed and the following is substituted in lieu thereof (*Effective July*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11 general statutes is repealed and the following is substituted in lieu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26 repealed and the following is substituted in lieu thereof (*Effective July*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, as
79 amended by this act.

80 Sec. 7. Subsection (a) of section 14-44h of the general statutes is

81 repealed and the following is substituted in lieu thereof (*Effective from*
82 *passage*):

83 (a) Each commercial driver's license shall be renewed quadrennially
84 on the date of the operator's birthday. On and after [January]
85 September 1, 2005, each applicant shall, at the time of the first renewal
86 such commercial driver's license, provide the names of all states in
87 which the applicant ever has been issued a motor vehicle operator's
88 license. If the applicant has held a license in another state at any time
89 during the preceding ten years, the commissioner shall request the
90 driving history record or records from the state or states in which the
91 applicant has been licensed. If the commissioner receives a request for
92 a driving history record from another state regarding the holder of a
93 commercial driver's license, the commissioner shall provide such
94 record within thirty days, as required by the provisions of 49 CFR
95 384.206, as amended.

96 Sec. 8. Section 14-64 of the general statutes is repealed and the
97 following is substituted in lieu thereof (*Effective July 1, 2005*):

98 The commissioner may suspend or revoke the license or licenses of
99 any licensee or impose a civil penalty of not more than one thousand
100 dollars for each violation on any licensee or both, when, after notice
101 and hearing, the commissioner finds that the licensee (1) has violated
102 any provision of any statute or regulation of any state or any federal
103 statute or regulation pertaining to its business as a licensee or has
104 failed to comply with the terms of a final decision and order of any
105 state department or federal agency concerning any such provision; or
106 (2) has failed to maintain such records of transactions concerning the
107 purchase, sale or repair of motor vehicles or major component parts, as
108 required by such regulations as shall be adopted by the commissioner,
109 for a period of two years after such purchase, sale or repairs, provided
110 the records shall include the vehicle identification number and the
111 name and address of the person from whom each vehicle or part was
112 purchased and to whom each vehicle or part was sold, if a sale
113 occurred; or (3) has failed to allow inspection of such records by the

114 commissioner or the commissioner's representative during normal
115 business hours, provided written notice stating the purpose of the
116 inspection is furnished to the licensee, or has failed to allow inspection
117 of such records by any representative of the Division of State Police
118 within the Department of Public Safety or any organized local police
119 department, which inspection may include examination of the
120 premises to determine the accuracy of such records; or (4) has made a
121 false statement as to the condition, prior ownership or prior use of any
122 motor vehicle sold, exchanged, transferred, offered for sale or repaired
123 if the licensee knew or should have known that such statement was
124 false; or (5) is not qualified to conduct the licensed business, applying
125 the standards of section 14-51 and the applicable regulations; or (6) has
126 violated any provision of sections 42-221 to 42-226, inclusive; or (7) has
127 failed to fully execute or provide the buyer with (A) an order as
128 described in section 14-62, (B) the properly assigned certificate of title,
129 or (C) a temporary transfer or new issue of registration; or (8) has
130 failed to deliver a motor vehicle free and clear of all liens, unless
131 written notification is given to the buyer stating such motor vehicle
132 shall be purchased subject to a lien; or (9) has violated any provision of
133 sections 14-65f to 14-65j, inclusive; or (10) has used registration number
134 plates issued by the commissioner, in violation of the provisions and
135 standards set forth in sections 14-59 and 14-60 and the applicable
136 regulations; or (11) has failed to secure or to account for or surrender
137 to the commissioner on demand official registration plates or any other
138 official materials in its custody. In addition to, or in lieu of, the
139 imposition of any other penalties authorized by this section, the
140 commissioner may order any such licensee to make restitution to any
141 aggrieved customer.

142 Sec. 9. Subsection (a) of section 14-96p of the general statutes is
143 repealed and the following is substituted in lieu thereof (*Effective from*
144 *passage*):

145 (a) (1) No person shall display upon any motor vehicle any light
146 visible from the front thereof other than white, yellow or amber, or any
147 light other than red, yellow, amber or white visible from the rear

148 thereof, except a light used with any school bus, without a [written]
149 special permit from the commissioner, in accordance with the
150 provisions of subsection (c) of section 14-96q, as amended by this act. If
151 the Department of Transportation obtains from the commissioner such
152 a permit covering more than one motor vehicle operated by the
153 department, it may display the lights allowed under the permit on
154 each such vehicle without placing a copy of the permit in each vehicle.

155 (2) Any vehicle accommodating fifteen or fewer handicapped
156 students may use a flashing red light or lights during the time such
157 vehicle is stopped for the purpose of receiving or discharging such
158 handicapped students, any motor bus may carry a purple light or
159 lights, any interstate public service vehicle may carry a green light or
160 lights, any taxicab may carry a lunar white light or lights, and any
161 interstate commercial motor vehicle may display green identification
162 lights, in front thereof, as the commissioner may permit.

163 (3) A vehicle being operated by the chief executive officer of an
164 emergency medical service organization, as defined in section 19a-175,
165 an ambulance, as defined in section 19a-175, a vehicle being operated
166 by a local fire marshal or a local director of emergency management
167 may use a flashing red light or lights or flashing white head lamps and
168 a flashing amber light while on the way to the scene of an emergency,
169 except that an ambulance may use flashing lights of other colors
170 specified by federal requirements for the manufacture of such vehicle.
171 The chief executive officer of each such organization shall provide
172 annually during the month of January, on forms provided by the
173 commissioner, such officer's name and address and the registration
174 number on the number plate or plates of the vehicle on which the
175 authorized red light is or white head lamps and amber light are to be
176 used. A vehicle being operated by a member of a volunteer fire
177 department or company or a volunteer emergency medical technician
178 may use flashing white head lamps, provided such member or
179 emergency medical technician is on the way to the scene of a fire or
180 medical emergency and has received written authorization from the
181 chief law enforcement officer of the municipality to use such head

182 lamps. Such head lamps shall only be used within the municipality
183 granting such authorization or from a personal residence or place of
184 employment, if located in an adjoining municipality. Such
185 authorization may be revoked for use of such head lamps in violation
186 of this subdivision.

187 (4) Flashing or revolving white lights may not be displayed upon a
188 motor vehicle except (A) on fire emergency apparatus, (B) on motor
189 vehicles of paid fire chiefs and their deputies and assistants, up to a
190 total of [four] five individuals per [municipality] department, and may
191 be displayed in combination with flashing or revolving red lights, (C)
192 on motor vehicles of volunteer fire chiefs and their deputies and
193 assistants, up to a total of [four] five individuals per [municipality]
194 department, and may be displayed in combination with flashing or
195 revolving red lights, (D) as a means of indicating a right or left turn,
196 (E) in conjunction with flashing red lights on an ambulance responding
197 to an emergency call, or (F) on the top rear of any school bus. For the
198 purpose of this subsection, the term "handicapped students" means
199 mentally retarded, hard of hearing, deaf, speech-impaired, visually
200 handicapped, emotionally disturbed, orthopedically impaired or other
201 health-impaired students, or students with specific learning
202 disabilities, who by reason thereof, require special education and
203 related services; and the term "flashing white lights" shall not include
204 the simultaneous flashing of head lamps.

205 Sec. 10. Subsection (c) of section 14-96q of the general statutes is
206 repealed and the following is substituted in lieu thereof (*Effective from*
207 *passage*):

208 (c) Flashing lights are prohibited on motor vehicles other than
209 school buses, except (1) as a means for indicating a right or left turn, (2)
210 flashing blue lights used by members of volunteer or civil
211 preparedness fire companies, as provided by subsection (b) of section
212 14-96p, (3) on certain emergency and maintenance vehicles by
213 [written] special permit from the commissioner, (4) flashing or
214 revolving yellow lights on (A) wreckers registered pursuant to section

215 14-66, or (B) vehicles of carriers in rural mail-delivery service or
216 vehicles transporting or escorting any vehicle or load or combinations
217 of vehicles or vehicles and load which is or are either oversize or
218 overweight, or both, and operated or traveling under a permit issued
219 by the Commissioner of Transportation pursuant to section 14-270, (5)
220 flashing red lights (A) on a motor vehicle accommodating fifteen or
221 fewer handicapped students used only during the time such vehicle is
222 stopped for the purpose of receiving or discharging such handicapped
223 students, (B) used by members of the fire police on a stationary vehicle
224 as a warning signal during traffic directing operations at the scene of a
225 fire, (C) on rescue vehicles, (D) used by chief executive officers of
226 emergency medical service organizations as provided in subsection (a)
227 of section 14-96p, as amended by this act, (E) ambulances, as defined in
228 section 19a-175, or (F) used by local fire marshals or directors of
229 emergency management, (6) flashing green lights used by members of
230 volunteer ambulance associations or companies as provided in
231 subsection (c) of section 14-96p, or (7) flashing white lights or flashing
232 lights of other colors specified by federal requirements for the
233 manufacture of an ambulance used in conjunction with flashing red
234 lights or flashing head lamps and a flashing amber light on an
235 ambulance responding to an emergency call. The prohibitions in this
236 section shall not prevent the operator of a motor vehicle who while
237 traveling on a limited access divided highway, because of the grade, is
238 unable to maintain the minimum speed of forty miles per hour, or who
239 while traveling on any other highway is operating such motor vehicle
240 at such slow speed as to obstruct or endanger following traffic, or the
241 operator of a disabled vehicle stopped on a hazardous location on the
242 highway, or in close proximity thereto, from flashing lights, installed
243 on the vehicle primarily for other purposes, in any manner that the
244 operator selects so as to indicate that such vehicle is traveling slowly,
245 obstructing traffic or is disabled and is a hazard to be avoided. The
246 commissioner is authorized, at such commissioner's discretion, to issue
247 special permits for the use of flashing or revolving lights on emergency
248 vehicles, on escort vehicles, [and] on maintenance vehicles and on
249 other vehicles that display lights for which a permit is required, in

250 accordance with the provisions of subsection (a) of section 14-96p, as
251 amended by this act, provided any person, firm or corporation other
252 than the state or any metropolitan district, town, city or borough shall
253 pay an annual permit fee [of two dollars] for each such vehicle,
254 provided vehicles not registered in this state used for transporting or
255 escorting any vehicle or load or combinations of vehicles or vehicles
256 and load which is or are either oversize or overweight, or both, when
257 operating under a permit issued by the Commissioner of
258 Transportation pursuant to section 14-270, shall not require such
259 permit. Such annual permit fee shall be twenty dollars. If the
260 commissioner issues a special permit to any ambulance, such permit
261 shall be issued at the time of registration and of each renewal of
262 registration.

263 Sec. 11. Subsection (d) of section 14-103 of the general statutes is
264 repealed and the following is substituted in lieu thereof (*Effective July*
265 *1, 2005*):

266 (d) Each service bus shall be inspected [, biennially, at the time of
267 renewal of registration of such service bus, by a repairer or limited
268 repairer licensed and authorized by the Commissioner of Motor
269 Vehicles to perform such inspections] for safety before its initial
270 registration, in accordance with a schedule to be adopted by the
271 commissioner. Each such service bus shall pass inspection before each
272 renewal of registration. The fee for each such inspection shall be forty
273 dollars, except there shall be no fee for inspection of a service bus
274 owned by the state or a municipality. The commissioner may use the
275 services of any motor vehicle dealer or repairer licensed, in accordance
276 with section 14-52, to conduct a required service bus inspection,
277 provided any fee charged by such dealer or repairer shall not exceed
278 forty dollars, or, if the vehicle inspected has a gross vehicle weight
279 rating in excess of twenty-six thousand pounds, eighty dollars.

280 Sec. 12. Section 14-179 of the general statutes is amended by adding
281 subsection (e) as follows (*Effective July 1, 2005*):

282 (NEW) (e) If a certificate of title issued by the commissioner
283 identifies two or more persons as joint owners of a motor vehicle, any
284 such person may, unless otherwise precluded by law, effect a transfer
285 of ownership of the motor vehicle to such person individually, or to
286 any other person or persons, in the manner provided by subsection (a)
287 of this section. The commissioner may presume that a person is a joint
288 owner empowered to transfer ownership of such motor vehicle if the
289 person's name appears on the certificates of title and registration.

290 Sec. 13. (NEW) (*Effective July 1, 2005*) The Commissioner of Motor
291 Vehicles shall issue distinctive registration marker plates to each motor
292 vehicle, except a taxicab or motor vehicle in livery service, that is used
293 as a student transportation vehicle, as defined in section 14-212 of the
294 general statutes. Each such registration of a student transportation
295 vehicle shall be issued for a period of one year and, subject to the
296 provisions of subsection (d) of section 14-103 of the general statutes, as
297 amended by this act, may be renewed by the owner, in accordance
298 with schedules established by the commissioner. The fee for such
299 registration or for any renewal thereof shall be determined as follows:
300 (1) In the case of any such motor vehicle designed as a service bus, the
301 fee shall be one-half of the fee prescribed for the registration of a
302 service bus, in accordance with the provisions of subsection (p) of
303 section 14-49 of the general statutes, and (2) in the case of any such
304 motor vehicle designed as a passenger motor vehicle, the fee shall be
305 one-half of the fee prescribed for the registration of a passenger motor
306 vehicle, in accordance with the provisions of subsection (a) of section
307 14-49 of the general statutes.

308 Sec. 14. (NEW) (*Effective July 1, 2005*) Each student transportation
309 vehicle shall be inspected for safety before its initial registration in
310 accordance with a schedule to be adopted by the Commissioner of
311 Motor Vehicles. Each such student transportation vehicle shall pass
312 inspection before each renewal of registration. The fee for each such
313 inspection shall be twenty dollars, except there shall be no fee for
314 inspection of a student transportation vehicle owned by the state or a
315 municipality.

316 Sec. 15. Subdivision (10) of subsection (a) of section 14-1 of the
317 general statutes is repealed and the following is substituted in lieu
318 thereof (*Effective October 1, 2005*):

319 (10) "Combination registration" means the type of registration
320 issued to a motor vehicle used for both private passenger and
321 commercial purposes if such vehicle does not have a gross vehicle
322 weight rating in excess of [ten thousand] twelve thousand five
323 hundred pounds.

324 Sec. 16. Subdivision (67) of subsection (a) of section 14-1 of the
325 general statutes is repealed and the following is substituted in lieu
326 thereof (*Effective October 1, 2005*):

327 (67) "Pick-up truck" means a motor vehicle with an enclosed
328 forward passenger compartment and an open rearward compartment
329 used for the transportation of property. [, and having a gross vehicle
330 weight rating of less than ten thousand pounds;]

331 Sec. 17. Subsection (e) of section 14-49 of the general statutes is
332 repealed and the following is substituted in lieu thereof (*Effective*
333 *October 1, 2005*):

334 (e) (1) For the registration of a passenger motor vehicle used in part
335 for commercial purposes, except any pick-up truck having a gross
336 vehicle weight rating of less than ten thousand pounds, the
337 commissioner shall charge a biennial fee of eighty-three dollars and
338 shall issue combination registration to such vehicle. (2) For the
339 registration of a school bus, the commissioner shall charge an annual
340 fee of one hundred dollars for a type I school bus and sixty dollars for
341 a type II school bus. (3) For the registration of a motor vehicle when
342 used in part for commercial purposes and as a passenger motor vehicle
343 or of a motor vehicle having a seating capacity greater than ten and not
344 used for the conveyance of passengers for hire, the commissioner shall
345 charge a biennial fee for gross weight as for commercial registration, as
346 outlined in section 14-47, plus the sum of thirteen dollars and shall
347 issue combination registration to such vehicle. (4) Each vehicle

348 registered as combination shall be issued a number plate bearing the
349 word "combination". No vehicle registered as combination may have a
350 gross vehicle weight rating in excess of ten thousand pounds. (5) For
351 the registration of a pick-up truck having a gross vehicle weight rating
352 of less than ten thousand pounds that is not used in part for
353 commercial purposes, the commissioner shall charge a biennial fee for
354 gross weight as for commercial registration, as provided in section 14-
355 47, plus the sum of thirteen dollars. The commissioner may issue
356 passenger registration to any such vehicle with a gross vehicle weight
357 rating of eight thousand five hundred pounds or less.

358 Sec. 18. (NEW) (*Effective October 1, 2005*) (a) No person operating a
359 pick-up truck, as defined in section 14-1 of the general statutes, as
360 amended by this act, on a public highway of this state shall transport a
361 dog in the open rearward compartment of the pick-up truck unless the
362 dog is secured in a cage or other container or otherwise protected or
363 secured in such a manner as to prevent the dog from being thrown or
364 falling or jumping from the pick-up truck.

365 Sec. 19. Subsection (a) of section 14-12b of the general statutes is
366 repealed and the following is substituted in lieu thereof (*Effective*
367 *October 1, 2005*):

368 (a) No motor vehicle registration shall be issued by the
369 commissioner for any private passenger motor vehicle, as defined in
370 subsection (e) of section 38a-363, or a vehicle with a commercial
371 registration, as defined in section 14-1, unless (1) the application for
372 registration is accompanied by a current automobile insurance
373 identification card or a copy of a current insurance policy or
374 endorsement issued by a company licensed to issue such insurance in
375 this state or an approved self-insurer or issued pursuant to the plan
376 established under section 38a-329, verifying that the applicant has the
377 required security coverage, and (2) the applicant signs and files with
378 the commissioner, under penalty of false statement as provided for in
379 section 53a-157b, a statement on a form approved by the commissioner
380 that the owner of the vehicle has provided and will continuously

381 maintain throughout the registration period the minimum security
382 required by section 38a-371. In the case of an owner with a vehicle
383 located outside of the United States or Canada, the commissioner may
384 accept in lieu of the insurance identification card required to be
385 presented for issuance of the registration, an affidavit, in such form as
386 the commissioner shall require, executed by the owner and stating that
387 the vehicle will not be operated in the United States or Canada. In the
388 case of a special use registration issued pursuant to subsection (j) of
389 section 14-12, the commissioner may, in lieu of proof of insurance as
390 otherwise required by this section, accept proof, satisfactory to the
391 commissioner, of substantially equivalent or similar insurance issued
392 by an insurer licensed to transact business in the state in which the
393 motor vehicle is to be registered. The commissioner may require an
394 applicant for renewal of a motor vehicle registration for any private
395 passenger motor vehicle or vehicle with a commercial registration to
396 sign and file with the commissioner, under penalty of false statement
397 as provided for in section 53a-157b, a statement on a form approved by
398 the commissioner that the owner of the vehicle will continuously
399 maintain throughout the registration period the minimum security
400 required by said section 38a-371. Such form shall call for and contain
401 the name of the applicant's insurance company and policy number.

402 Sec. 20. Subsection (e) of section 14-36 of the general statutes is
403 repealed and the following is substituted in lieu thereof (*Effective*
404 *October 1, 2005*):

405 (e) (1) No motor vehicle operator's license shall be issued until (A)
406 the applicant signs and files with the commissioner an application
407 under oath, [except that renewals from the year immediately
408 preceding need not be under oath, stating such information as the
409 commissioner requires] or made subject to penalties for false statement
410 in accordance with section 53a-157b, and (B) the commissioner is
411 satisfied that the applicant is sixteen years of age or older and is a
412 suitable person to receive the license. (2) An applicant for a new motor
413 vehicle operator's license shall, in the discretion of the commissioner,
414 file, with the application, a copy of such applicant's birth certificate or

415 other prima facie evidence of date of birth and evidence of identity. (3)
416 Before granting a license to any applicant who has not previously held
417 a Connecticut motor vehicle operator's license, or who has not
418 operated a motor vehicle during the preceding two years, the
419 commissioner shall require the applicant to demonstrate personally to
420 the commissioner, a deputy or a motor vehicle inspector or an agent of
421 the commissioner, in such manner as the commissioner directs, that
422 the applicant is a proper person to operate motor vehicles of the class
423 for which such applicant has applied, has sufficient knowledge of the
424 mechanism of the motor vehicles to ensure their safe operation by him
425 or her and has satisfactory knowledge of the laws concerning motor
426 vehicles and the rules of the road. If any such applicant has held a
427 license from a state, territory or possession of the United States where
428 a similar examination is required, or if any such applicant is a person
429 honorably separated from the United States armed forces who applies
430 within two years following the separation and who, prior to the
431 separation, held a military operator's license for motor vehicles of the
432 same class as that for which such applicant has applied, the
433 commissioner may waive part or all of the examination. When the
434 commissioner is satisfied as to the ability and competency of any
435 applicant, the commissioner may issue to such applicant a license,
436 either unlimited or containing such limitations as the commissioner
437 deems advisable, and specifying the class of motor vehicles which the
438 licensee is eligible to operate. (4) If any applicant or operator license
439 holder has any health problem which might affect such person's ability
440 to operate a motor vehicle safely, the commissioner may require the
441 applicant or license holder to demonstrate personally or otherwise
442 establish that, notwithstanding such problem, such applicant or license
443 holder is a proper person to operate a motor vehicle, and the
444 commissioner may further require a certificate of such applicant's
445 condition, signed by a medical authority designated by the
446 commissioner, which certificate shall in all cases be treated as
447 confidential by the commissioner. A license, containing such limitation
448 as the commissioner deems advisable, may be issued or renewed in
449 any case, but nothing in this section shall be construed to prevent the

450 commissioner from refusing a license, either limited or unlimited, to
451 any person or suspending a license of a person whom the
452 commissioner determines to be incapable of safely operating a motor
453 vehicle. Consistent with budgetary allotments, each motor vehicle
454 operator's license issued to or renewed by a deaf or hearing impaired
455 person shall, upon the request of such person, indicate such
456 impairment. Such person shall submit a certificate stating such
457 impairment, in such form as the commissioner may require and signed
458 by a licensed health care practitioner. (5) The issuance of a motor
459 vehicle operator's license to any applicant who is the holder of a
460 license issued by another state shall be subject to the provisions of
461 sections 14-111c and 14-111k, as amended by this act.

462 Sec. 21. Subsection (c) of section 14-44k of the general statutes is
463 repealed and the following is substituted in lieu thereof (*Effective*
464 *October 1, 2005*):

465 (c) In addition to any other penalties provided by law, and except as
466 provided in subsection (d) of this section, a person is disqualified from
467 operating a commercial motor vehicle for one year if the commissioner
468 finds that such person has refused to submit to a test to determine such
469 person's blood alcohol concentration while operating any motor
470 vehicle, or has failed such a test when given, pursuant to the
471 provisions of section 14-227b. For the purpose of this subsection, a
472 person shall be deemed to have failed such a test if, when driving a
473 commercial motor vehicle, the ratio of alcohol in the blood of such
474 person was four-hundredths of one per cent or more of alcohol, by
475 weight, or if, when driving any other motor vehicle, the ratio of alcohol
476 in the blood of such person was eight-hundredths of one per cent or
477 more of alcohol, by weight.

478 Sec. 22. Section 14-54 of the general statutes is repealed and the
479 following is substituted in lieu thereof (*Effective October 1, 2005*):

480 Any person who desires to obtain a license for dealing in or
481 repairing motor vehicles shall first obtain and present to the

482 commissioner a certificate of approval of the location for which such
483 license is desired from the board or authority designated by local
484 charter, regulation or ordinance of the town, city or borough wherein
485 the business is located or is proposed to be located, except that in any
486 town or city having a zoning commission, combined planning and
487 zoning commission and a board of appeals, such certificate shall be
488 obtained from the [board of appeals. In addition thereto, such
489 certificate shall be approved by the chief of police where there is an
490 organized police force or, where there is none, by the commander of
491 the state police barracks situated nearest to such proposed location]
492 zoning commission. The provisions of this section [shall] do not apply
493 to (1) a transfer of ownership to a spouse, child, brother, sister or
494 parent of a licensee, (2) a transfer of ownership to or from a
495 corporation in which a spouse, child, brother, sister or parent of a
496 licensee has a controlling interest, or (3) a change in ownership
497 involving the withdrawal of one or more partners from a partnership.

498 Sec. 23. Subsection (a) of section 14-66 of the general statutes is
499 repealed and the following is substituted in lieu thereof (*Effective from*
500 *passage*):

501 (a) (1) No person, firm or corporation shall engage in the business of
502 operating a wrecker for the purpose of towing or transporting for
503 compensation motor vehicles which are disabled, inoperative or
504 wrecked or are being removed in accordance with the provisions of
505 section 14-145, 14-150 or 14-307, unless such person, firm or
506 corporation is a motor vehicle dealer or repairer licensed under the
507 provisions of subpart (D) of this part. (2) The commissioner shall
508 establish and publish a schedule of uniform rates and charges for the
509 nonconsensual towing and transporting of motor vehicles and for the
510 storage of motor vehicles which shall be just and reasonable. [The
511 commissioner may, from time to time, amend each such schedule and
512 the rates and charges contained therein.] Upon petition of any person,
513 firm or corporation licensed in accordance with the provisions of this
514 section, but not more frequently than once every two years, the
515 commissioner shall reconsider the established rates and charges and

516 shall amend such rates and charges if the commissioner, after
517 consideration of the factors stated in this subdivision, determines that
518 such rates and charges are no longer just and reasonable. In
519 establishing and amending such rates and charges, the commissioner
520 may consider factors, including, but not limited to, rates set by other
521 jurisdictions, charges for towing and transporting services provided
522 pursuant to a contract with an automobile club or automobile
523 association licensed under the provisions of section 14-67 and rates
524 published in standard service manuals. The commissioner shall hold a
525 public hearing for the purpose of obtaining additional information
526 concerning such rates and charges. (3) With respect to the
527 nonconsensual towing or transporting and the storage of motor
528 vehicles, no such person, firm or corporation shall charge more than
529 the rates and charges published by the commissioner. Any person
530 aggrieved by any action of the commissioner under the provisions of
531 this section may take an appeal therefrom in accordance with section
532 4-183, except venue for such appeal shall be in the judicial district of
533 New Britain.

534 Sec. 24. Section 14-80h of the general statutes is amended by adding
535 subsection (i) as follows (*Effective October 1, 2005*):

536 (NEW) (i) Each truck, tractor or truck tractor that is equipped with
537 an engine compression brake device shall be equipped with a muffler,
538 in good working condition, for such device. In addition to any penalty
539 for violating the decibel level provisions of section 14-80a, any person
540 who operates such a truck, tractor or truck tractor in violation of this
541 subsection shall be fined not more than five hundred dollars. The
542 Department of Motor Vehicles may adopt regulations, in accordance
543 with the provisions of chapter 54, to implement this subsection.

544 Sec. 25. Section 14-105 of the general statutes is repealed and the
545 following is substituted in lieu thereof (*Effective October 1, 2005*):

546 No television screen or other device of a similar nature, except a
547 video display unit [utilized] used for instrumentation purposes or a

548 closed video monitor for backing, provided such monitor screen is
549 disabled blank [whenever] no later than fifteen seconds after the
550 transmission of a vehicle so equipped is shifted out of reverse, shall be
551 installed or used in this state in any position or location in a motor
552 vehicle where it may be visible to the driver or where it may in any
553 other manner interfere with the safe operation and control of the
554 vehicle. Violation of any provision of this section shall be an infraction.

555 Sec. 26. Section 14-111k of the general statutes is repealed and the
556 following is substituted in lieu thereof (*Effective from passage*):

557 (a) Upon application for a motor vehicle operator's license or
558 identification card, the Commissioner of Motor Vehicles shall verify
559 the identity of the applicant in accordance with the rules prescribed by
560 the [operator's] driver license agreement, as set forth in regulations
561 adopted by the commissioner, in accordance with the provisions of
562 chapter 54, and shall determine whether the applicant has ever held, or
563 is the holder of, a license issued by any other jurisdiction. The
564 commissioner shall not issue a license to any applicant whose license is
565 withdrawn in any other member jurisdiction for any conviction or
566 administrative action required to be reported under the driver license
567 agreement, as evidenced by the driver control record. The
568 commissioner shall not issue a license to any applicant who is the
569 subject of a notice of failure to comply, as reported by any other
570 member jurisdiction. If the applicant is the holder of any unexpired
571 license issued by another jurisdiction, the commissioner shall not issue
572 a license unless the applicant surrenders such license document
573 previously issued by such jurisdiction.

574 (b) Notwithstanding the provisions of subsection (a) of this section,
575 the commissioner may issue an operator's license to an applicant who
576 is the subject of a withdrawal of a commercial driver's license in any
577 other member jurisdiction if the conduct on which such withdrawal is
578 based would not have resulted in the withdrawal of the privilege to
579 operate any motor vehicle other than a commercial motor vehicle.

580 (c) Notwithstanding the provisions of subsection (a) of this section,
581 the commissioner may issue a motor vehicle operator's license to (1) an
582 applicant who is the subject of a withdrawal that occurred five years or
583 more before the date of application, or (2) an applicant whose license
584 has been withdrawn for the period of time required by the jurisdiction
585 of record, but whose license has not been returned or restored by such
586 jurisdiction due to the failure or the alleged failure to fulfill
587 reinstatement requirements, pertaining to the filing of proof of
588 financial responsibility or necessitating personal attendance in such
589 jurisdiction including, but not limited to, a requirement to complete an
590 education or treatment program. In exercising the discretion to grant
591 or deny an application for a license as conferred by the provisions of
592 this subsection, the commissioner shall review and consider the entire
593 driver control record of the applicant, and may require additional
594 information and references from the applicant such as will attest to the
595 applicant's present fitness and capability to safely operate a motor
596 vehicle.

597 (d) If the commissioner issues an identification card to a person who
598 holds an operator's license issued by another jurisdiction, the
599 commissioner shall report to such jurisdiction within thirty days the
600 name of such person and such other information concerning such
601 person and such identification card as is (1) required by the
602 [operator's] driver license agreement, and (2) set forth in regulations
603 adopted by the commissioner, in accordance with the provisions of
604 chapter 54.

605 Sec. 27. Subsection (b) of section 14-145b of the general statutes is
606 repealed and the following is substituted in lieu thereof (*Effective*
607 *October 1, 2005*):

608 (b) When a vehicle has been towed or removed pursuant to sections
609 14-145 to 14-145c, inclusive, it shall be released to its owner, or a
610 person authorized by the owner to regain possession, upon demand,
611 provided the demand is made between the hours of 8:00 a.m. and 5:00
612 p.m., Monday through Friday or at a reasonable time on Saturday,

613 Sunday or holidays and the owner or authorized person presents proof
614 of registration [] and pays the costs of towing or removal and of
615 storage. [, or signs a declaratory statement that the towed or removed
616 vehicle was taken illegally.] Any vehicle owner, or agent of the owner,
617 shall have the right to inspect the vehicle before accepting its return. [,
618 and no] No general release of any kind which would release the person
619 or firm towing or removing or storing the vehicle from liability for
620 damages or from liability for any claim that the vehicle was towed
621 without justification may be required from any vehicle owner, or [his]
622 agent of the owner, as a condition of release of the vehicle. A receipt
623 showing the name of the person or firm towing or removing the
624 vehicle and an itemization of the charges shall be provided to the
625 person paying the towing or removal and storage costs at the time of
626 payment.

627 Sec. 28. Subsection (e) of section 14-150 of the general statutes is
628 repealed and the following is substituted in lieu thereof (*Effective*
629 *October 1, 2005*):

630 (e) [Within] Not later than forty-eight hours [of] after the time that a
631 motor vehicle is taken into custody and stored pursuant to subsection
632 (b) or (c) of this section, the affixing department or parking authority
633 shall give written notice by certified mail to the owner and any
634 lienholders of such motor vehicle, if the same appears on the records of
635 the Department of Motor Vehicles, which notice shall state (1) that the
636 motor vehicle has been taken into custody and stored, (2) the location
637 of storage of the motor vehicle, (3) that, unless title has already vested
638 in the municipality pursuant to subsection (d), such motor vehicle may
639 be sold after [fifteen] ten days if the market value of such motor
640 vehicle does not exceed one thousand five hundred dollars or after
641 [forty-five] thirty days if the value of such motor vehicle exceeds one
642 thousand five hundred dollars, and (4) that the owner has a right to
643 contest the validity of such taking by application, on a form prescribed
644 by the Commissioner of Motor Vehicles, to the hearing officer named
645 in such notice [within] not later than ten days [from] after the date of
646 such notice. Such application forms shall be made readily available to

647 the public at all offices of the Department of Motor Vehicles, parking
648 authorities authorized under an ordinance adopted pursuant to section
649 7-204a to enforce parking regulations and state and local police
650 departments.

651 Sec. 29. Subsection (i) of section 14-227a of the general statutes is
652 repealed and the following is substituted in lieu thereof (*Effective*
653 *October 1, 2005*):

654 (i) (1) The Commissioner of Motor Vehicles shall permit a person
655 whose license has been suspended in accordance with the provisions
656 of subparagraph (C)(ii) of subdivision (2) of subsection (g) of this
657 section to operate a passenger motor vehicle if (A) such person has
658 served not less than one year of such suspension, and (B) such person
659 has installed an approved ignition interlock device in each motor
660 vehicle owned or to be operated by such person. No person whose
661 license is suspended by the commissioner for any other reason [or who
662 has not enrolled in the treatment program established under section
663 14-227f or obtained a waiver from the requirement to participate in
664 such program pursuant to subsection (c) of said section 14-227f.] shall
665 be eligible to operate a motor vehicle equipped with an approved
666 ignition interlock device. [(2) If the commissioner determines that any
667 person whose license has been suspended in accordance with the
668 provisions of subsection (h) of this section may have a condition that
669 would render such person incapable of safely operating a motor
670 vehicle, the commissioner may, as a condition of the reinstatement of
671 such license, require that such person only operate a motor vehicle that
672 is equipped with a functioning, approved ignition interlock device for
673 such period of time as may be prescribed by the commissioner. (3)] (2)
674 All costs of installing and maintaining an ignition interlock device
675 shall be borne by the person required to install such device. [(4)] (3)
676 The commissioner shall adopt regulations, in accordance with the
677 provisions of chapter 54, to implement the provisions of this
678 subsection. The regulations shall establish procedures for the approval
679 of ignition interlock devices, for the proper calibration and
680 maintenance of such devices and for the installation of such devices by

681 any firm approved and authorized by the commissioner. [(5)] (4) The
682 provisions of this subsection shall not be construed to authorize the
683 continued operation of a motor vehicle equipped with an ignition
684 interlock device by any person whose operator's license or nonresident
685 operating privilege is withdrawn, suspended or revoked for any other
686 reason. [(6)] (5) The provisions of this subsection shall apply to any
687 person whose license has been suspended in accordance with the
688 provisions of subparagraph (C)(ii) of subdivision (2) of subsection (g)
689 of this section on or after September 1, 2003.

690 Sec. 30. Subsection (a) of section 14-227j of the general statutes is
691 repealed and the following is substituted in lieu thereof (*Effective*
692 *October 1, 2005*):

693 (a) For the purposes of this section and section 14-227k: "Ignition
694 interlock device" means a device installed in a passenger motor vehicle
695 that measures the blood alcohol content of the operator and disallows
696 the mechanical operation of such motor vehicle until the blood alcohol
697 content of such operator is less than twenty-five thousandths of one
698 per cent.

699 Sec. 31. (NEW) (*Effective October 1, 2005*) No person shall operate or
700 move a motor vehicle over, on, through, or under any bridge or
701 structure on any highway if the height of such vehicle or the load
702 exceeds the height of the posted clearance or load, as shown by an
703 official traffic control device, as defined in section 14-297 of the general
704 statutes. Any person violating any provision of this section shall have
705 committed an infraction.

706 Sec. 32. Subsection (f) of section 13b-59 of the general statutes is
707 repealed and the following is substituted in lieu thereof (*Effective July*
708 *1, 2005*):

709 (f) "Motor vehicle receipts" means all fees and other charges
710 required by, or levied pursuant to subsection (c) of section 14-12,
711 section 14-15, subsection (a) of section 14-25a, section 14-28, subsection
712 (b) of section 14-35, subsection (b) of section 14-41, section 14-41a,

713 subsection (b) of section 14-44, sections 14-47 and 14-48b, subsection (a)
714 of section 14-49, subsection (b)(1) of section 14-49, except as provided
715 under subsection (b)(2) of said section, subsections (c), (d), (e), (f), (g),
716 (h), (i), (k), (l), (m), (n), (o), (p), (q), (s), (t), (u), (x), (y) and (aa) of section
717 14-49, section 14-49a, subsections (a) and (g) of section 14-50,
718 subsections (a)(1), (a)(2), (a)(3), (a)(4), (a)(9), (a)(10) and (a)(14) of
719 section 14-50a, section 14-59, section 14-61, section 14-65, subsection (c)
720 of section 14-66, subsection (e) of section 14-67, subsection (f) of section
721 14-67a, sections 14-67d, 14-160 and 14-381, and subsection (b) of section
722 14-382. [and section 14-383]

723 Sec. 33. Subsections (a) to (g), inclusive, of section 13b-76 of the
724 general statutes are repealed and the following is substituted in lieu
725 thereof (*Effective July 1, 2005*):

726 (a) Bonds and bond anticipation notes issued pursuant to sections
727 13b-74 to 13b-77, inclusive, are hereby determined to be issued for
728 valid public purposes in exercise of essential governmental functions.
729 Such bonds and bond anticipation notes shall be special obligations of
730 the state and shall not be payable from or charged upon any funds
731 other than the pledged revenues or other receipts, funds or moneys
732 pledged therefor as provided in sections 3-21a, 3-27a, 3-27f, 12-458 and
733 12-458d, subsection (c) of section 13a-80a, sections 13a-175p to 13a-
734 175u, inclusive, subsection (f) of section 13b-42, sections 13b-59, 13b-61,
735 13b-69, 13b-71, 13b-74 to 13b-77, inclusive, and 13b-80, subsection (a) of
736 section 13b-97, subsection (a) of section 14-12, sections 14-15, 14-16a
737 and 14-21c, subsection (a) of section 14-25a, section 14-28, subsection
738 (b) of section 14-35, subsection (b) of section 14-41, section 14-41a,
739 subsection (a) of section 14-44, sections 14-47, 14-48b, 14-49 and 14-50,
740 subsection (a) of section 14-50a, sections 14-52 and 14-58, subsection (c)
741 of section 14-66, subsection (e) of section 14-67, sections 14-67a, 14-67d,
742 14-67l and 14-69, subsection (e) of section 14-73, subsection (c) of
743 section 14-96q, sections 14-103a and 14-160, subsection (a) of section
744 14-164a, subsection (a) of section 14-192, sections 14-319, 14-320 and 14-
745 381, subsection (b) of section 14-382 and sections [14-383,] 15-14 and
746 16-299, nor shall the state or any political subdivision thereof be subject

747 to any liability thereon, except to the extent of such pledged revenues
748 or other receipts, funds or moneys pledged therefor as provided in
749 said sections. As part of the contract of the state with the owners of
750 said bonds and bond anticipation notes, all amounts necessary for
751 punctual payment of the debt service requirements with respect to
752 such bonds and bond anticipation notes shall be deemed to be
753 appropriated, but only from the sources pledged pursuant to said
754 sections, upon the authorization of issuance of such bonds and bond
755 anticipation notes by the State Bond Commission, or the filing of a
756 certificate of determination by the Treasurer in accordance with
757 subsection (c) of this section, and the Treasurer shall pay such
758 principal and interest as the same shall accrue, but only from such
759 sources. The issuance of bonds or bond anticipation notes issued under
760 sections 13b-74 to 13b-77, inclusive, shall not directly or indirectly or
761 contingently obligate the state or any political subdivision thereof to
762 levy or to pledge any form of taxation whatever therefor, except for
763 taxes included in the pledged revenues, or to make any additional
764 appropriation for their payment. Such bonds and bond anticipation
765 notes shall not constitute a charge, lien or encumbrance, legal or
766 equitable, upon any property of the state or of any political subdivision
767 thereof other than the pledged revenues or other receipts, funds or
768 moneys pledged therefor as provided in sections 3-21a, 3-27a, 3-27f, 12-
769 458 and 12-458d, subsection (c) of section 13a-80a, sections 13a-175p to
770 13a-175u, inclusive, subsection (f) of section 13b-42, sections 13b-59,
771 13b-61, 13b-69, 13b-71, 13b-74 to 13b-77, inclusive, and 13b-80,
772 subsection (a) of section 13b-97, subsection (a) of section 14-12, sections
773 14-15, 14-16a and 14-21c, subsection (a) of section 14-25a, section 14-28,
774 subsection (b) of section 14-35, subsection (b) of section 14-41, section
775 14-41a, subsection (a) of section 14-44, sections 14-47, 14-48b, 14-49 and
776 14-50, subsection (a) of section 14-50a, sections 14-52 and 14-58,
777 subsection (c) of section 14-66, subsection (e) of section 14-67, sections
778 14-67a, 14-67d, 14-67l and 14-69, subsection (e) of section 14-73,
779 subsection (c) of section 14-96q, sections 14-103a and 14-160, subsection
780 (a) of section 14-164a, subsection (a) of section 14-192, sections 14-319,
781 14-320 and 14-381, subsection (b) of section 14-382 and [sections 14-383

782 and] section 15-14, and the substance of such limitation shall be plainly
783 stated on the face of each such bond and bond anticipation note. Bonds
784 and bond anticipation notes issued pursuant to sections 13b-74 to 13b-
785 77, inclusive, shall not be subject to any statutory limitation on the
786 indebtedness of the state, and, when issued, shall not be included in
787 computing the aggregate indebtedness of the state in respect to and to
788 the extent of any such limitation.

789 (b) Bonds issued pursuant to sections 13b-74 to 13b-77, inclusive,
790 may be executed and delivered at such time or times and shall be
791 dated, bear interest at such rate or rates, including variable rates to be
792 determined in such manner as set forth in the proceedings authorizing
793 the issuance of the bonds, provide for payment of interest on such
794 dates, whether before or at maturity, be issued at, above or below par,
795 mature at such time or times not exceeding thirty years from their
796 date, have such rank or priority, be payable in such medium of
797 payment, be issued in such form, including without limitation
798 registered or book-entry form, carry such registration and transfer
799 privileges and be made subject to purchase or redemption before
800 maturity at such price or prices and under such terms and conditions,
801 including the condition that such bonds be subject to purchase or
802 redemption on the demand of the owner thereof, all as may be
803 provided by the State Bond Commission. The State Bond Commission
804 shall determine the form of the bonds, the manner of execution of the
805 bonds, the denomination or denominations of the bonds and the
806 manner of payment of principal and interest. Prior to the preparation
807 of definitive bonds, the State Bond Commission may, under like
808 restrictions, authorize the issuance of interim receipts or temporary
809 bonds, exchangeable for definitive bonds when such bonds have been
810 executed and are available for delivery. If any of the officers whose
811 signatures appear on the bonds cease to be officers before the delivery
812 of any such bonds, such signatures shall, nevertheless, be valid and
813 sufficient for all purposes, the same as if such officers had remained in
814 office until delivery. Nothing herein shall prevent any series of bonds
815 issued under sections 3-21a, 3-27a, 3-27f, 12-458 and 12-458d,

816 subsection (c) of section 13a-80a, sections 13a-175p to 13a-175u,
817 inclusive, subsection (f) of section 13b-42, sections 13b-59, 13b-61, 13b-
818 69, 13b-71, 13b-74 to 13b-77, inclusive, and 13b-80, subsection (a) of
819 section 13b-97, subsection (a) of section 14-12, sections 14-15, 14-16a
820 and 14-21c, subsection (a) of section 14-25a, section 14-28, subsection
821 (b) of section 14-35, subsection (b) of section 14-41, section 14-41a,
822 subsection (a) of section 14-44, sections 14-47, 14-48b, 14-49 and 14-50,
823 subsection (a) of section 14-50a, sections 14-52 and 14-58, subsection (c)
824 of section 14-66, subsection (e) of section 14-67, sections 14-67a, 14-67d,
825 14-67l and 14-69, subsection (e) of section 14-73, subsection (c) of
826 section 14-96q, sections 14-103a and 14-160, subsection (a) of section
827 14-164a, subsection (a) of section 14-192, sections 14-319, 14-320 and 14-
828 381, subsection (b) of section 14-382 and sections [14-383,] 15-14 and
829 16-299 from being issued in coupon form, in which case references to
830 the bonds herein also shall refer to the coupons attached thereto where
831 appropriate, and references to owners of bonds shall include holders of
832 such bonds where appropriate.

833 (c) Any bonds issued pursuant to sections 13b-74 to 13b-77,
834 inclusive, may be sold at public sale on sealed proposals or by
835 negotiation in such manner, at such price or prices, at such time or
836 times and on such other terms and conditions of such bonds and the
837 issuance and sale thereof as the State Bond Commission may
838 determine to be in the best interests of the state, or the State Bond
839 Commission may delegate to the Treasurer all or any part of the
840 foregoing powers in which event the Treasurer shall exercise such
841 powers unless the State Bond Commission, by adoption of a resolution
842 prior to the exercise of such powers by the Treasurer shall elect to
843 reassume the same. Such powers shall be exercised from time to time
844 in such manner as the Treasurer shall determine to be in the best
845 interests of the state and he shall file a certificate of determination
846 setting forth the details thereof with the secretary of the State Bond
847 Commission on or before the date of delivery of such bonds, the details
848 of which were determined by him in accordance with such delegation.

849 (d) The debt service requirements with respect to any bonds and

850 bond anticipation notes issued pursuant to sections 13b-74 to 13b-77,
851 inclusive, shall be secured by (1) a first call upon the pledged revenues
852 as they are received by the state and credited to the Special
853 Transportation Fund established under section 13b-68, and (2) a lien
854 upon any and all amounts held to the credit of said Special
855 Transportation Fund from time to time, provided said lien shall not
856 extend to amounts held to the credit of such Special Transportation
857 Fund which represent (A) amounts borrowed by the Treasurer in
858 anticipation of state revenues pursuant to section 3-16, or (B)
859 transportation-related federal revenues of the state. Any obligation of
860 the state secured by said lien to pay the unrefunded principal of bond
861 anticipation notes, including for this purpose any obligation of the
862 state under a reimbursement agreement entered into in connection
863 with a credit facility providing for payment of the unrefunded
864 principal of bond anticipation notes, shall be subordinate to any
865 obligation of the state secured by said lien to pay (i) the debt service
866 requirements with respect to bonds, or (ii) any debt service
867 requirements with respect to bond anticipation notes other than debt
868 service requirements relating to unrefunded principal of bond
869 anticipation notes or to obligations under a credit facility for the
870 payment of such unrefunded principal. The debt service requirements
871 with respect to bonds and bond anticipation notes also may be secured
872 by a pledge of reserves, sinking funds and any other funds and
873 accounts, including proceeds from investment of any of the foregoing,
874 established pursuant to sections 3-21a, 3-27a, 3-27f, 12-458 and 12-458d,
875 subsection (c) of section 13a-80a, sections 13a-175p to 13a-175u,
876 inclusive, subsection (f) of section 13b-42, sections 13b-59, 13b-61, 13b-
877 69, 13b-71, 13b-74 to 13b-77, inclusive, and 13b-80, subsection (a) of
878 section 13b-97, subsection (a) of section 14-12, sections 14-15, 14-16a
879 and 14-21c, subsection (a) of section 14-25a, section 14-28, subsection
880 (b) of section 14-35, subsection (b) of section 14-41, section 14-41a,
881 subsection (a) of section 14-44, sections 14-47, 14-48b, 14-49 and 14-50,
882 subsection (a) of section 14-50a, sections 14-52 and 14-58, subsection (c)
883 of section 14-66, subsection (e) of section 14-67, sections 14-67a, 14-67d,
884 14-67l and 14-69, subsection (e) of section 14-73, subsection (c) of

885 section 14-96q, sections 14-103a and 14-160, subsection (a) of section
886 14-164a, subsection (a) of section 14-192, sections 14-319, 14-320 and 14-
887 381, subsection (b) of section 14-382 and sections [14-383,] 15-14 and
888 16-299 or the proceedings authorizing the issuance of such bonds, and
889 by moneys paid under a credit facility, including, but not limited to, a
890 letter of credit or policy of bond insurance, issued by a financial
891 institution pursuant to an agreement authorized by such proceedings.

892 (e) The proceedings under which bonds are authorized to be issued
893 may, subject to the provisions of the general statutes, contain any or all
894 of the following: (1) Provisions respecting custody of the proceeds
895 from the sale of the bonds and any bond anticipation notes, including
896 any requirements that such proceeds be held separate from or not be
897 commingled with other funds of the state; (2) provisions for the
898 investment and reinvestment of bond proceeds until used to pay
899 transportation costs and for the disposition of any excess bond
900 proceeds or investment earnings thereon; (3) provisions for the
901 execution of reimbursement agreements or similar agreements in
902 connection with credit facilities, including, but not limited to, letters of
903 credit or policies of bond insurance, remarketing agreements and
904 agreements for the purpose of moderating interest rate fluctuations,
905 and of such other agreements entered into pursuant to section 3-20a;
906 (4) provisions for the collection, custody, investment, reinvestment and
907 use of the pledged revenues or other receipts, funds or moneys
908 pledged therefor as provided in sections 3-21a, 3-27a, 3-27f, 12-458 and
909 12-458d, subsection (c) of section 13a-80a, sections 13a-175p to 13a-
910 175u, inclusive, subsection (f) of section 13b-42, sections 13b-59, 13b-61,
911 13b-69, 13b-71, 13b-74 to 13b-77, inclusive, and 13b-80, subsection (a) of
912 section 13b-97, subsection (a) of section 14-12, sections 14-15, 14-16a
913 and 14-21c, subsection (a) of section 14-25a, section 14-28, subsection
914 (b) of section 14-35, subsection (b) of section 14-41, section 14-41a,
915 subsection (a) of section 14-44, sections 14-47, 14-48b, 14-49 and 14-50,
916 subsection (a) of section 14-50a, sections 14-52 and 14-58, subsection (c)
917 of section 14-66, subsection (e) of section 14-67, sections 14-67a, 14-67d,
918 14-67l and 14-69, subsection (e) of section 14-73, subsection (c) of

919 section 14-96q, sections 14-103a and 14-160, subsection (a) of section
920 14-164a, subsection (a) of section 14-192, sections 14-319, 14-320 and 14-
921 381, subsection (b) of section 14-382 and sections [14-383,] 15-14 and
922 16-299; (5) provisions regarding the establishment and maintenance of
923 reserves, sinking funds and any other funds and accounts as shall be
924 approved by the State Bond Commission in such amounts as may be
925 established by the State Bond Commission, and the regulation and
926 disposition thereof, including requirements that any such funds and
927 accounts be held separate from or not be commingled with other funds
928 of the state; (6) covenants for the establishment of pledged revenue
929 coverage requirements for the bonds and bond anticipation notes,
930 provided that no such covenant shall obligate the state to provide
931 coverage in any year with respect to any bonds or bond anticipation
932 notes in excess of four times the aggregate debt service on bonds and
933 bond anticipation notes, as described in subparagraph (A) of
934 subdivision (3) of section 13b-75, during such year; (7) covenants for
935 the establishment of maintenance requirements with respect to state
936 transportation facilities and properties; (8) provisions for the issuance
937 of additional bonds on a parity with bonds theretofore issued,
938 including establishment of coverage requirements with respect thereto
939 as herein provided; (9) provisions regarding the rights and remedies
940 available in case of a default to the bondowners, noteowners or any
941 trustee under any contract, loan agreement, document, instrument or
942 trust indenture, including the right to appoint a trustee to represent
943 their interests upon occurrence of an event of default, as defined in
944 said proceedings, provided that if any bonds or bond anticipation
945 notes shall be secured by a trust indenture, the respective owners of
946 such bonds or notes shall have no authority except as set forth in such
947 trust indenture to appoint a separate trustee to represent them; and
948 (10) provisions or covenants of like or different character from the
949 foregoing which are consistent with sections 3-21a, 3-27a, 3-27f, 12-458
950 and 12-458d, subsection (c) of section 13a-80a, sections 13a-175p to 13a-
951 175u, inclusive, subsection (f) of section 13b-42, sections 13b-59, 13b-61,
952 13b-69, 13b-71, 13b-74 to 13b-77, inclusive, and 13b-80, subsection (a) of
953 section 13b-97, subsection (a) of section 14-12, sections 14-15, 14-16a

954 and 14-21c, subsection (a) of section 14-25a, section 14-28, subsection
955 (b) of section 14-35, subsection (b) of section 14-41, section 14-41a,
956 subsection (a) of section 14-44, sections 14-47, 14-48b, 14-49 and 14-50,
957 subsection (a) of section 14-50a, sections 14-52 and 14-58, subsection (c)
958 of section 14-66, subsection (e) of section 14-67, sections 14-67a, 14-67d,
959 14-67l and 14-69, subsection (e) of section 14-73, subsection (c) of
960 section 14-96q, sections 14-103a and 14-160, subsection (a) of section
961 14-164a, subsection (a) of section 14-192, sections 14-319, 14-320 and 14-
962 381, subsection (b) of section 14-382 and sections [14-383,] 15-14 and
963 16-299 and which the State Bond Commission determines in such
964 proceedings are necessary, convenient or desirable in order to better
965 secure the bonds or bond anticipation notes, or will tend to make the
966 bonds or bond anticipation notes more marketable, and which are in
967 the best interests of the state. Any provision which may be included in
968 proceedings authorizing the issuance of bonds hereunder may be
969 included in an indenture of trust duly approved in accordance with
970 subsection (g) of this section which secures the bonds and any notes
971 issued in anticipation thereof, and in such case the provisions of such
972 indenture shall be deemed to be a part of such proceedings as though
973 they were expressly included therein.

974 (f) Any pledge made by the state shall be valid and binding from the
975 time when the pledge is made, and any revenues or other receipts,
976 funds or moneys so pledged and thereafter received by the state shall
977 be subject immediately to the lien of such pledge without any physical
978 delivery thereof or further act. The lien of any such pledge shall be
979 valid and binding as against all parties having claims of any kind in
980 tort, contract, or otherwise against the state, irrespective of whether
981 such parties have notice thereof. Neither the resolution nor any other
982 instrument by which a pledge is created need be recorded.

983 (g) In the discretion of the State Bond Commission, bonds issued
984 pursuant to sections 13b-74 to 13b-77, inclusive, including for this
985 purpose any bond anticipation notes, may be secured by a trust
986 indenture by and between the state and a corporate trustee, which may
987 be any trust company or bank having the powers of a trust company

988 within or without the state. Such trust indenture may contain such
989 provisions for protecting and enforcing the rights and remedies of the
990 bondowners and noteowners as may be reasonable and proper and not
991 in violation of law, including covenants setting forth the duties of the
992 state in relation to the exercise of its powers pursuant to sections 3-21a,
993 3-27a, 3-27f, 12-458 and 12-458d, subsection (c) of section 13a-80a,
994 sections 13a-175p to 13a-175u, inclusive, subsection (f) of section 13b-
995 42, sections 13b-59, 13b-61, 13b-69, 13b-71, 13b-74 to 13b-77, inclusive,
996 and 13b-80, subsection (a) of section 13b-97, subsection (a) of section
997 14-12, sections 14-15, 14-16a and 14-21c, subsection (a) of section 14-
998 25a, section 14-28, subsection (b) of section 14-35, subsection (b) of
999 section 14-41, section 14-41a, subsection (a) of section 14-44, sections
1000 14-47, 14-48b, 14-49 and 14-50, subsection (a) of section 14-50a, sections
1001 14-52 and 14-58, subsection (c) of section 14-66, subsection (e) of section
1002 14-67, sections 14-67a, 14-67d, 14-67l and 14-69, subsection (e) of
1003 section 14-73, subsection (c) of section 14-96q, sections 14-103a and 14-
1004 160, subsection (a) of section 14-164a, subsection (a) of section 14-192,
1005 sections 14-319, 14-320 and 14-381, subsection (b) of section 14-382 and
1006 sections [14-383,] 15-14 and 16-299 and the custody, safeguarding and
1007 application of all moneys. The state may provide by such trust
1008 indenture for the payment of the pledged revenues or other receipts,
1009 funds or moneys to the trustee under such trust indenture or to any
1010 other depository, and for the method of disbursement thereof, with
1011 such safeguards and restrictions as it may determine. All expenses
1012 incurred in carrying out such trust indenture may be treated as
1013 transportation costs, as defined in section 13b-75.

1014 Sec. 34. Subsection (c) of section 13b-77 of the general statutes is
1015 repealed and the following is substituted in lieu thereof (*Effective July*
1016 *1, 2005*):

1017 (c) The state covenants with the purchasers and all subsequent
1018 owners and transferees of bonds and bond anticipation notes issued by
1019 the state pursuant to sections 13b-74 to 13b-77, inclusive, in
1020 consideration of the acceptance of the payment for the bonds and bond
1021 anticipation notes, until such bonds and bond anticipation notes,

1022 together with the interest thereon, with interest on any unpaid
1023 installment of interest and all costs and expenses in connection with
1024 any action or proceeding on behalf of such owners, are fully met and
1025 discharged, or unless expressly permitted or otherwise authorized by
1026 the terms of each contract and agreement made or entered into by or
1027 on behalf of the state with or for the benefit of such owners, that the
1028 state will impose, charge, raise, levy, collect and apply the pledged
1029 revenues and other receipts, funds or moneys pledged for the payment
1030 of debt service requirements as provided in sections 13b-74 to 13b-77,
1031 inclusive, in such amounts as may be necessary to pay such debt
1032 service requirements in each year in which bonds or bond anticipation
1033 notes are outstanding and further, that the state (1) will not limit or
1034 alter the duties imposed on the Treasurer and other officers of the state
1035 by sections 3-21a, 3-27a, 3-27f, 12-458 and 12-458d, subsection (c) of
1036 section 13a-80a, sections 13a-175p to 13a-175u, inclusive, subsection (f)
1037 of section 13b-42, sections 13b-59, 13b-61, 13b-69, 13b-71, 13b-74 to 13b-
1038 77, inclusive, and 13b-80, subsection (a) of section 13b-97, subsection
1039 (a) of section 14-12, sections 14-15, 14-16a and 14-21c, subsection (a) of
1040 section 14-25a, section 14-28, subsection (b) of section 14-35, subsection
1041 (b) of section 14-41, section 14-41a, subsection (a) of section 14-44,
1042 sections 14-47, 14-48b, 14-49 and 14-50, subsection (a) of section 14-50a,
1043 sections 14-52 and 14-58, subsection (c) of section 14-66, subsection (e)
1044 of section 14-67, sections 14-67a, 14-67d, 14-67l and 14-69, subsection
1045 (e) of section 14-73, subsection (c) of section 14-96q, sections 14-103a
1046 and 14-160, subsection (a) of section 14-164a, subsection (a) of section
1047 14-192, sections 14-319, 14-320 and 14-381, subsection (b) of section 14-
1048 382 and [sections 14-383 and] section 15-14 and by the proceedings
1049 authorizing the issuance of bonds with respect to application of
1050 pledged revenues or other receipts, funds or moneys pledged for the
1051 payment of debt service requirements as provided in said sections; (2)
1052 will not issue any bonds, notes or other evidences of indebtedness,
1053 other than the bonds and bond anticipation notes, having any rights
1054 arising out of said sections or secured by any pledge of or other lien or
1055 charge on the pledged revenues or other receipts, funds or moneys
1056 pledged for the payment of debt service requirements as provided in

1057 said sections; (3) will not create or cause to be created any lien or
1058 charge on such pledged amounts, other than a lien or pledge created
1059 thereon pursuant to said sections, provided nothing in this subsection
1060 shall prevent the state from issuing evidences of indebtedness (A)
1061 which are secured by a pledge or lien which is and shall on the face
1062 thereof be expressly subordinate and junior in all respects to every lien
1063 and pledge created by or pursuant to said sections; or (B) for which the
1064 full faith and credit of the state is pledged and which are not expressly
1065 secured by any specific lien or charge on such pledged amounts; or (C)
1066 which are secured by a pledge of or lien on moneys or funds derived
1067 on or after such date as every pledge or lien thereon created by or
1068 pursuant to said sections shall be discharged and satisfied; (4) will
1069 carry out and perform, or cause to be carried out and performed, each
1070 and every promise, covenant, agreement or contract made or entered
1071 into by the state or on its behalf with the owners of any bonds or bond
1072 anticipation notes; (5) will not in any way impair the rights,
1073 exemptions or remedies of such owners; and (6) will not limit, modify,
1074 rescind, repeal or otherwise alter the rights or obligations of the
1075 appropriate officers of the state to impose, maintain, charge or collect
1076 the taxes, fees, charges and other receipts constituting the pledged
1077 revenues as may be necessary to produce sufficient revenues to fulfill
1078 the terms of the proceedings authorizing the issuance of the bonds,
1079 including pledged revenue coverage requirements, and provided
1080 nothing herein shall preclude the state from exercising its power,
1081 through a change in law, to limit, modify, rescind, repeal or otherwise
1082 alter the character or amount of such pledged revenues or to substitute
1083 like or different sources of taxes, fees, charges or other receipts as
1084 pledged revenues if, for the ensuing fiscal year, as evidenced by the
1085 proposed or adopted budget of the state with respect to the Special
1086 Transportation Fund, the projected revenues meet or exceed the
1087 estimated expenses of the Special Transportation Fund including
1088 accumulated deficits, if any, debt service requirements and any
1089 pledged revenue coverage requirement. The State Bond Commission is
1090 authorized to include this covenant of the state in any agreement with
1091 the owner of any such bonds or bond anticipation notes.

1092 Sec. 35. Section 13b-79a of the general statutes is repealed and the
1093 following is substituted in lieu thereof (*Effective July 1, 2005*):

1094 Not later than October 1, 1984, and annually thereafter, the
1095 Commissioner of Transportation shall prepare a report on the current
1096 status and progress of the transportation infrastructure program
1097 authorized pursuant to special act 84-52 and sections 3-21a, 3-27a, 3-
1098 27f, 12-458 and 12-458d, subsection (c) of section 13a-80a, sections 13a-
1099 175p to 13a-175u, inclusive, subsection (f) of section 13b-42, sections
1100 13b-59, 13b-61, 13b-69, 13b-71, 13b-74 to 13b-77, inclusive, and 13b-80,
1101 subsection (a) of section 13b-97, subsection (a) of section 14-12, sections
1102 14-15, 14-16a and 14-21c, subsection (a) of section 14-25a, section 14-28,
1103 subsection (b) of section 14-35, subsection (b) of section 14-41, section
1104 14-41a, subsection (a) of section 14-44, sections 14-47, 14-48b, 14-49 and
1105 14-50, subsection (a) of section 14-50a, sections 14-52 and 14-58,
1106 subsection (c) of section 14-66, subsection (e) of section 14-67, sections
1107 14-67a, 14-67d, 14-67l and 14-69, subsection (e) of section 14-73,
1108 subsection (c) of section 14-96q, sections 14-103a and 14-160, subsection
1109 (a) of section 14-164a, subsection (a) of section 14-192, sections 14-319,
1110 14-320 and 14-381, subsection (b) of section 14-382 and [sections 14-383
1111 and] section 15-14. Each report shall include, but not be limited to:
1112 Information on the number of lane miles of state and local roadway
1113 repaved, the status of the state and local bridge programs, the status of
1114 intrastate and interstate highway programs and the interstate trade-in
1115 program and mass transportation and aeronautics programs. The
1116 commissioner shall notify the joint standing committees of the General
1117 Assembly having cognizance of matters relating to finance, revenue
1118 and bonding and appropriations and the budgets of state agencies of
1119 the availability of the report. A requesting member of such a
1120 committee shall be sent a written copy or electronic storage media of
1121 the report by the commissioner.

1122 Sec. 36. Sections 14-383 and 14-384 of the general statutes are
1123 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>July 1, 2005</i>	14-64
Sec. 9	<i>from passage</i>	14-96p(a)
Sec. 10	<i>from passage</i>	14-96q(c)
Sec. 11	<i>July 1, 2005</i>	14-103(d)
Sec. 12	<i>July 1, 2005</i>	14-179
Sec. 13	<i>July 1, 2005</i>	New section
Sec. 14	<i>July 1, 2005</i>	New section
Sec. 15	<i>October 1, 2005</i>	14-1(a)(10)
Sec. 16	<i>October 1, 2005</i>	14-1(a)(67)
Sec. 17	<i>October 1, 2005</i>	14-49(e)
Sec. 18	<i>October 1, 2005</i>	New section
Sec. 19	<i>October 1, 2005</i>	14-12b(a)
Sec. 20	<i>October 1, 2005</i>	14-36(e)
Sec. 21	<i>October 1, 2005</i>	14-44k(c)
Sec. 22	<i>October 1, 2005</i>	14-54
Sec. 23	<i>from passage</i>	14-66(a)
Sec. 24	<i>October 1, 2005</i>	14-80h
Sec. 25	<i>October 1, 2005</i>	14-105
Sec. 26	<i>from passage</i>	14-111k
Sec. 27	<i>October 1, 2005</i>	14-145b(b)
Sec. 28	<i>October 1, 2005</i>	14-150(e)
Sec. 29	<i>October 1, 2005</i>	14-227a(i)
Sec. 30	<i>October 1, 2005</i>	14-227j(a)
Sec. 31	<i>October 1, 2005</i>	New section
Sec. 32	<i>July 1, 2005</i>	13b-59(f)
Sec. 33	<i>July 1, 2005</i>	13b-76(a) to (g)
Sec. 34	<i>July 1, 2005</i>	13b-77(c)
Sec. 35	<i>July 1, 2005</i>	13b-79a
Sec. 36	<i>July 1, 2005</i>	Repealer section

Statement of Legislative Commissioners:

Sections 32 to 35, inclusive, were added to the bill in order to bracket references in the general statutes to section 14-383, which is being repealed by this bill.

TRA *Joint Favorable Subst.*