



General Assembly

**Amendment**

January Session, 2005

LCO No. 6688

\*SB0111606688SD0\*

Offered by:

SEN. CIOTTO, 9<sup>th</sup> Dist.

REP. GUERRERA, 29<sup>th</sup> Dist.

To: Subst. Senate Bill No. 1116

File No. 269

Cal. No. 239

**"AN ACT AMENDING CERTAIN MOTOR VEHICLE STATUTES."**

1 In line 37 strike "is"

2 In line 38 strike "a resident of this state" and substitute in lieu  
3 thereof "has established residence in this state for more than thirty  
4 days"

5 In line 38 before "or" insert ", in accordance with the provisions of  
6 subsection (b) of section 14-36, as amended by this act,"

7 In line 165 before "an" insert "the first or second deputies, or if there  
8 are no deputies, the first or second assistants, of such an organization  
9 that is a municipal or volunteer organization,"

10 In line 336 strike "ten thousand" and insert in lieu thereof "twelve  
11 thousand five hundred"

12 In line 350 bracket "ten thousand" and after the closing bracket  
13 insert "twelve thousand five hundred"

14 In line 352 strike "ten thousand" and insert in lieu thereof "twelve  
15 thousand five hundred"

16 Strike section 28 in its entirety and renumber sections and internal  
17 references accordingly

18 After the last section, add the following and renumber sections and  
19 internal references accordingly:

20 "Sec. 501. Section 14-61a of the general statutes is repealed and the  
21 following is substituted in lieu thereof (*Effective October 1, 2005*):

22 The Commissioner of Motor Vehicles may permit any motor vehicle  
23 dealer [who is authorized to issue temporary registrations, in  
24 accordance with the provisions of subsection (c) of section 14-12 and  
25 section 14-61, to file the] to file an application for [the] permanent  
26 registration and [the] certificate of title on behalf of a purchaser of a  
27 motor vehicle from such dealer by electronic transmission in a format  
28 prescribed by the commissioner provided such dealer complies with  
29 procedures established by the commissioner to ensure the timely  
30 payment of all applicable fees and tax remittances.

31 Sec. 502. Section 14-153b of the general statutes is repealed and the  
32 following is substituted in lieu thereof (*Effective July 1, 2005*):

33 No person, firm or corporation engaged in the business of renting or  
34 leasing passenger motor vehicles without drivers, for periods of thirty  
35 days or less, shall require any customer to show proof that he or she  
36 holds a card provided by a credit card issuer as a condition to the  
37 rental of a passenger motor vehicle; provided [this section shall not  
38 prohibit] such person, firm or corporation [from requiring from a  
39 customer] may require that a customer, seeking to rent for cash, apply  
40 for approval to rent up to three business days before the expected  
41 rental and that such customer provide both suitable identification and  
42 a reasonable deposit.

43 Sec. 503. Subsection (c) of section 14-36a of the general statutes is

44 repealed and the following is substituted in lieu thereof (*Effective July*  
45 *1, 2005*):

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

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

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

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

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

60 Sec. 504. Section 14-249 of the general statutes is repealed and the  
61 following is substituted in lieu thereof (*Effective July 1, 2005*):

62 (a) [Any] An operator of a motor vehicle [who fails to] shall bring  
63 his or her motor vehicle to a full stop at a railroad grade crossing when  
64 warned of an approaching locomotive or a train by a law enforcement  
65 officer or flashing lights erected at such grade crossing pursuant to an  
66 order of the Commissioner of Transportation and [to] shall refrain  
67 from passing over such crossing until the approaching locomotive or  
68 train has passed such crossing. [shall be fined one hundred fifty  
69 dollars.]

70 (b) An operator of a commercial motor vehicle shall refrain from  
71 passing over such grade crossing, regardless of whether flashing lights  
72 are erected or are operable at such grade crossing, unless all tracks are  
73 clear.

74 (c) An operator of a commercial motor vehicle shall, upon  
75 approaching a railroad grade crossing, drive such motor vehicle at a  
76 rate of speed that will enable such motor vehicle to be stopped when  
77 required by the provisions of subsection (a) or (b) of this section or  
78 section 14-250, as amended by this act.

79 (d) Violation of any provision of this section shall be an infraction.

80 Sec. 505. Section 14-250 of the general statutes is repealed and the  
81 following is substituted in lieu thereof (*Effective July 1, 2005*):

82 (a) The operator of each commercial motor vehicle transporting  
83 passengers, service bus or of each motor vehicle used for the  
84 transportation of school children and the operator of each commercial  
85 motor vehicle with a cargo tank or carrying hazardous materials, as  
86 defined in section 14-1, as amended by this act, whether loaded or  
87 empty, before crossing at grade any track or tracks of a railroad, shall  
88 stop such vehicle not less than fifteen feet nor more than fifty feet from  
89 the nearest rail of such track, and, while so stopped, shall listen and  
90 look in each direction along such track or tracks for approaching  
91 locomotives or trains before crossing such track or tracks; and such  
92 operator shall not, in any event, cross such track or tracks when  
93 warned by automatic signal, crossing gates, flagman, law enforcement  
94 officer or otherwise of the approach of a railroad locomotive or train.

95 (b) The operator of any commercial motor vehicle [specified in  
96 subsection (a) of this section] shall not attempt to cross a railroad grade  
97 crossing if such vehicle cannot be driven completely through such  
98 crossing, without shifting gears, on account of [its width or the  
99 clearance of its undercarriage] insufficient undercarriage clearance.

100 (c) The operator of any commercial motor vehicle shall not attempt  
101 to cross a railroad grade crossing if such vehicle does not have  
102 sufficient space to drive completely through such crossing and to clear  
103 the tracks without stopping.

104 [(c)] (d) The commissioner may adopt regulations, in accordance

105 with the provisions of chapter 54, to implement the provisions of this  
106 section, including exemptions for certain crossings and vehicles that  
107 are allowed by the provisions of 49 CFR 392.10.

108 [(d)] (e) Any person who violates any provision of subsection (a) of  
109 this section shall be fined not less than one hundred fifty dollars nor  
110 more than two hundred fifty dollars. Violation of any provision of  
111 subsection (b) or (c) of this section shall be an infraction.

112 Sec. 506. Subsection (b) of section 14-36e of the general statutes is  
113 repealed and the following is substituted in lieu thereof (*Effective July*  
114 *1, 2005*):

115 (b) Each local and regional board of education may provide a course  
116 of instruction in motor vehicle operation and highway safety on a  
117 secondary school level, which course (1) shall consist of not less than  
118 thirty clock hours of classroom instruction offered during or after  
119 school hours as said board of education, in its discretion, may provide,  
120 including instruction of not less than fifteen minutes concerning the  
121 responsibilities of an operator of a motor vehicle under subsection (b)  
122 of section 14-223 and the penalty for a violation of the provisions of  
123 said subsection (b), and (2) may include behind-the-wheel instruction  
124 of not less than [eight] twenty clock hours. Said course shall be open to  
125 enrollment by any person between the ages of sixteen and eighteen,  
126 inclusive, who is a resident of the town or school district or whose  
127 parent, parents or legal guardian owns property taxable in such town  
128 or school district. Any such board of education may contract for such  
129 behind-the-wheel instruction with a licensed drivers' school.

130 Sec. 507. Subsection (a) of section 14-164a of the general statutes is  
131 repealed and the following is substituted in lieu thereof (*Effective July*  
132 *1, 2005*):

133 (a) No person shall operate a motor vehicle in any race, contest or  
134 demonstration of speed or skill with a motor vehicle as a public  
135 exhibition except in accordance with the provisions of this section.  
136 Such race or exhibition may be conducted at any reasonable hour of

137 any week day or after twelve o'clock noon on any Sunday. The  
138 legislative body of the city, borough or town in which the race or  
139 exhibition will be held may issue a permit allowing a start time prior to  
140 twelve o'clock noon on any Sunday, provided no such race or  
141 exhibition shall take place contrary to the provisions of any city,  
142 borough or town ordinances. The person conducting such race or  
143 exhibition shall provide for first-aid and medical supplies and  
144 equipment, including ambulances, and the attendance of doctors or  
145 other persons qualified to give emergency medical aid, police and fire  
146 protection, and such other requirements as will eliminate any unusual  
147 hazard to participants in such race or exhibition or to the spectators.  
148 Smoking or carrying a lighted smoking implement shall be prohibited  
149 in any area where fuel is stored or transferred. Each facility, other than  
150 a motor cross racing facility, where racing is conducted shall contain  
151 restricted areas which shall be posted with notice that only persons  
152 with the appropriate credentials may be admitted to such restricted  
153 areas. Areas of the facility subject to this requirement shall include, but  
154 need not be limited to, the pit area and pit lane, track, media area or  
155 areas and any other area that is unprotected from participating  
156 vehicles. [Smoking or carrying a lighted smoking implement shall be  
157 prohibited in any area where fuel is stored or transferred.]"