



Senate

General Assembly

File No. 137

February Session, 2006

Substitute Senate Bill No. 512

Senate, March 27, 2006

The Committee on Transportation reported through SEN. CIOTTO of the 9th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING CAMP VEHICLE OPERATOR LICENSES.

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

1 Section 1. Subsection (a) of section 14-1 of the 2006 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (a) Terms used in this chapter shall be construed as follows, unless
5 another construction is clearly apparent from the language or context
6 in which the term is used or unless the construction is inconsistent
7 with the manifest intention of the General Assembly:

8 (1) "Activity vehicle" means a student transportation vehicle that is
9 used to transport students in connection with school-sponsored events
10 and activities, but is not used to transport students to and from school;

11 (2) "Agricultural tractor" means a tractor or other form of
12 nonmuscular motive power used for transporting, hauling, plowing,
13 cultivating, planting, harvesting, reaping or other agricultural

14 purposes on any farm or other private property, or used for the
15 purpose of transporting, from one farm to another, agricultural
16 implements and farm products, provided the agricultural tractor is not
17 used on any highway for transporting a pay load or for some other
18 commercial purpose;

19 (3) "Antique, rare or special interest motor vehicle" means a motor
20 vehicle twenty years old or older which is being preserved because of
21 historic interest and which is not altered or modified from the original
22 manufacturer's specifications;

23 (4) "Apparent candle power" means an illumination equal to the
24 normal illumination in foot candles produced by any lamp or lamps,
25 divided by the square of the distance in feet between the lamp or
26 lamps and the point at which the measurement is made;

27 (5) "Authorized emergency vehicle" means (A) a fire department
28 vehicle, (B) a police vehicle, or (C) a public service company or
29 municipal department ambulance or emergency vehicle designated or
30 authorized for use as an authorized emergency vehicle by the
31 commissioner;

32 (6) "Auxiliary driving lamp" means an additional lighting device on
33 a motor vehicle used primarily to supplement the general illumination
34 in front of a motor vehicle provided by the motor vehicle's head lamps;

35 (7) "Bulb" means a light source consisting of a glass bulb containing
36 a filament or substance capable of being electrically maintained at
37 incandescence;

38 (8) "Camp trailer" includes any trailer designed and used
39 exclusively for camping or recreational purposes;

40 (9) "Camper" means any motor vehicle designed or permanently
41 altered in such a way as to provide temporary living quarters for
42 travel, camping or recreational purposes;

43 (10) "Combination registration" means the type of registration

44 issued to a motor vehicle used for both private passenger and
45 commercial purposes if such vehicle does not have a gross vehicle
46 weight rating in excess of twelve thousand five hundred pounds;

47 (11) "Commercial driver's license" or "CDL" means a license issued
48 to an individual in accordance with the provisions of sections 14-44a to
49 14-44m, inclusive, which authorizes such individual to drive a
50 commercial motor vehicle;

51 (12) "Commercial driver's license information system" or "CDLIS"
52 means the national database of holders of commercial driver's licenses
53 established by the Federal Motor Carrier Safety Administration
54 pursuant to section 12007 of the Commercial Motor Vehicle Safety Act
55 of 1986;

56 (13) "Commercial motor vehicle" means a vehicle designed or used
57 to transport passengers or property, except a vehicle used within one
58 hundred fifty miles of a farm in connection with the operation of such
59 farm, fire fighting apparatus or other authorized emergency vehicles,
60 or a recreational vehicle in private use, which (A) has a gross vehicle
61 weight rating of twenty-six thousand and one pounds or more; (B) is
62 designed to transport sixteen or more passengers, including the driver,
63 or is designed to transport more than ten passengers, including the
64 driver, and is used to transport students under the age of twenty-one
65 years to and from school; or (C) is transporting hazardous materials
66 and is required to be placarded in accordance with 49 CFR 172,
67 Subpart F, as amended;

68 (14) "Commercial registration" means the type of registration
69 required for any motor vehicle designed or used to transport
70 merchandise, freight or persons in connection with any business
71 enterprise, unless a more specific type of registration is authorized and
72 issued by the commissioner for such class of vehicle;

73 (15) "Commercial trailer" means a trailer used in the conduct of a
74 business to transport freight, materials or equipment whether or not
75 permanently affixed to the bed of the trailer;

76 (16) "Commissioner" includes the Commissioner of Motor Vehicles
77 and any assistant to the Commissioner of Motor Vehicles who is
78 designated and authorized by, and who is acting for, the
79 Commissioner of Motor Vehicles under a designation; except that the
80 deputy commissioners of motor vehicles and the Attorney General are
81 deemed, unless the Commissioner of Motor Vehicles otherwise
82 provides, to be designated and authorized by, and acting for, the
83 Commissioner of Motor Vehicles under a designation;

84 (17) "Controlled substance" has the same meaning as in section 21a-
85 240 and the federal laws and regulations incorporated in chapter 420b;

86 (18) "Conviction" means an unvacated adjudication of guilt, or a
87 determination that a person has violated or failed to comply with the
88 law in a court of original jurisdiction or an authorized administrative
89 tribunal, an unvacated forfeiture of bail or collateral deposited to
90 secure the person's appearance in court, the payment of a fine or court
91 cost, or violation of a condition of release without bail, regardless of
92 whether or not the penalty is rebated, suspended or probated;

93 (19) "Dealer" includes any person actively engaged in buying,
94 selling or exchanging motor vehicles or trailers who has an established
95 place of business in this state and who may, incidental to such
96 business, repair motor vehicles or trailers, or cause them to be repaired
97 by persons in his or her employ;

98 (20) "Disqualification" means a withdrawal of the privilege to drive
99 a commercial motor vehicle, which occurs as a result of (A) any
100 suspension, revocation, or cancellation by the commissioner of the
101 privilege to operate a motor vehicle; (B) a determination by the Federal
102 Highway Administration, under the rules of practice for motor carrier
103 safety contained in 49 CFR 386, as amended, that a person is no longer
104 qualified to operate a commercial motor vehicle under the standards of
105 49 CFR 391, as amended; or (C) the loss of qualification which follows
106 any of the convictions or administrative actions specified in section 14-
107 44k, as amended;

108 (21) "Drive" means to drive, operate or be in physical control of a
109 motor vehicle, including a motor vehicle being towed by another;

110 (22) "Driver" means any person who drives, operates or is in
111 physical control of a commercial motor vehicle, or who is required to
112 hold a commercial driver's license;

113 (23) "Driver's license" or "operator's license" means a valid
114 Connecticut motor vehicle operator's license or a license issued by
115 another state or foreign jurisdiction authorizing the holder thereof to
116 operate a motor vehicle on the highways;

117 (24) "Employee" means any operator of a commercial motor vehicle,
118 including full-time, regularly employed drivers, casual, intermittent or
119 occasional drivers, drivers under contract and independent, owner-
120 operator contractors, who, while in the course of operating a
121 commercial motor vehicle, are either directly employed by, or are
122 under contract to, an employer;

123 (25) "Employer" means any person, including the United States, a
124 state or any political subdivision thereof, who owns or leases a
125 commercial motor vehicle, or assigns a person to drive a commercial
126 motor vehicle;

127 (26) "Farm implement" means a vehicle designed and adapted
128 exclusively for agricultural, horticultural or livestock-raising
129 operations and which is not operated on a highway for transporting a
130 pay load or for any other commercial purpose;

131 (27) "Felony" means any offense as defined in section 53a-25 and
132 includes any offense designated as a felony under federal law;

133 (28) "Fatality" means the death of a person as a result of a motor
134 vehicle accident;

135 (29) "Foreign jurisdiction" means any jurisdiction other than a state
136 of the United States;

137 (30) "Fuels" means (A) all products commonly or commercially
138 known or sold as gasoline, including casinghead and absorption or
139 natural gasoline, regardless of their classification or uses, (B) any liquid
140 prepared, advertised, offered for sale or sold for use, or commonly and
141 commercially used, as a fuel in internal combustion engines, which,
142 when subjected to distillation in accordance with the standard method
143 of test for distillation of gasoline, naphtha, kerosene and similar
144 petroleum products by "American Society for Testing Materials
145 Method D-86", shows not less than ten per cent distilled (recovered)
146 below 347 Fahrenheit (175 Centigrade) and not less than ninety-five
147 per cent distilled (recovered) below 464 Fahrenheit (240 Centigrade);
148 provided the term "fuels" shall not include commercial solvents or
149 naphthas which distill, by "American Society for Testing Materials
150 Method D-86", not more than nine per cent at 176 Fahrenheit and
151 which have a distillation range of 150 Fahrenheit, or less, or liquefied
152 gases which would not exist as liquids at a temperature of 60
153 Fahrenheit and a pressure of 14.7 pounds per square inch absolute,
154 and (C) any liquid commonly referred to as "gasohol" which is
155 prepared, advertised, offered for sale or sold for use, or commonly and
156 commercially used, as a fuel in internal combustion engines, consisting
157 of a blend of gasoline and a minimum of ten per cent by volume of
158 ethyl or methyl alcohol;

159 (31) "Garage" includes every place of business where motor vehicles
160 are, for compensation, received for housing, storage or repair;

161 (32) "Gross vehicle weight rating" or "GVWR" means the value
162 specified by the manufacturer as the maximum loaded weight of a
163 single or a combination (articulated) vehicle, or its registered gross
164 weight, whichever is greater. The GVWR of a combination (articulated)
165 vehicle commonly referred to as the "gross combination weight rating"
166 or GCWR is the GVWR of the power unit plus the GVWR of the towed
167 unit or units;

168 (33) "Gross weight" means the light weight of a vehicle plus the
169 weight of any load on the vehicle, provided, in the case of a tractor-

170 trailer unit, "gross weight" means the light weight of the tractor plus
171 the light weight of the trailer or semitrailer plus the weight of the load
172 on the vehicle;

173 (34) "Hazardous materials" has the same meaning as in Section 103
174 of the Hazardous Materials Transportation Act, 49 USC 1801 et seq.;

175 (35) "Head lamp" means a lighting device affixed to the front of a
176 motor vehicle projecting a high intensity beam which lights the road in
177 front of the vehicle so that it can proceed safely during the hours of
178 darkness;

179 (36) "High-mileage vehicle" means a motor vehicle having the
180 following characteristics: (A) Not less than three wheels in contact with
181 the ground; (B) a completely enclosed seat on which the driver sits; (C)
182 a single or two cylinder, gasoline or diesel engine or an electric-
183 powered engine; and (D) efficient fuel consumption;

184 (37) "Highway" includes any state or other public highway, road,
185 street, avenue, alley, driveway, parkway or place, under the control of
186 the state or any political subdivision of the state, dedicated,
187 appropriated or opened to public travel or other use;

188 (38) "Imminent hazard" means the existence of a condition that
189 presents a substantial likelihood that death, serious illness, severe
190 personal injury or a substantial endangerment to health, property, or
191 the environment may occur before the reasonably foreseeable
192 completion date of a formal proceeding begun to lessen the risk of that
193 death, illness, injury or endangerment;

194 (39) "Intersecting highway" includes any public highway which
195 joins another at an angle whether or not it crosses the other;

196 (40) "Light weight" means the weight of an unloaded motor vehicle
197 as ordinarily equipped and ready for use, exclusive of the weight of
198 the operator of the motor vehicle;

199 (41) "Limited access highway" means a state highway so designated

200 under the provisions of section 13b-27;

201 (42) "Local authorities" includes the board of aldermen, common
202 council, chief of police, warden and burgesses, board of selectmen or
203 other officials having authority for the enactment or enforcement of
204 traffic regulations within their respective towns, cities or boroughs;

205 (43) "Maintenance vehicle" means any vehicle in use by the state or
206 by any town, city, borough or district, any state bridge or parkway
207 authority or any public service company, as defined in section 16-1, as
208 amended, in the maintenance of public highways or bridges and
209 facilities located within the limits of public highways or bridges;

210 (44) "Manufacturer" means (A) a person, whether a resident or
211 nonresident, engaged in the business of constructing or assembling
212 new motor vehicles of a type required to be registered by the
213 commissioner, for operation upon any highway, except a utility trailer,
214 which are offered for sale in this state, or (B) a person who distributes
215 new motor vehicles to new car dealers licensed in this state;

216 (45) "Median divider" means an intervening space or physical
217 barrier or clearly indicated dividing section separating traffic lanes
218 provided for vehicles proceeding in opposite directions;

219 (46) "Minibike" or "minicycle" means any two or three wheel
220 motorcycle having one or more of the following characteristics: (A)
221 Ten inches (254 mm) or less nominal wheel rim diameter; (B) forty
222 inches or less wheel base; (C) twenty-five inches or less seat height
223 measured at the lowest point on the top of the seat cushion without
224 rider; (D) a propelling engine having a piston displacement of 50 c.c. or
225 less;

226 (47) "Modified antique motor vehicle" means a motor vehicle twenty
227 years old or older which has been modified for safe road use,
228 including, but not limited to, modifications to the drive train,
229 suspension, braking system and safety or comfort apparatus;

230 (48) "Motor bus" includes any motor vehicle, except a taxicab, as

231 defined in section 13b-95, operated in whole or in part on any street or
232 highway in a manner affording a means of transportation by
233 indiscriminately receiving or discharging passengers, or running on a
234 regular route or over any portion of a regular route or between fixed
235 termini;

236 (49) "Motor home" means a vehicular unit designed to provide
237 living quarters and necessary amenities which are built into an integral
238 part of, or permanently attached to, a truck or van chassis;

239 (50) "Motorcycle" means a motor vehicle, with or without a side car,
240 having not more than three wheels in contact with the ground and a
241 saddle or seat on which the rider sits or a platform on which the rider
242 stands and includes bicycles having a motor attached, except bicycles
243 propelled by means of a helper motor as defined in section 14-286, but
244 does not include a vehicle having or designed to have a completely
245 enclosed driver's seat and a motor which is not in the enclosed area;

246 (51) "Motor vehicle" means any vehicle propelled or drawn by any
247 nonmuscular power, except aircraft, motor boats, road rollers, baggage
248 trucks used about railroad stations or other mass transit facilities,
249 electric battery-operated wheel chairs when operated by physically
250 handicapped persons at speeds not exceeding fifteen miles per hour,
251 golf carts operated on highways solely for the purpose of crossing
252 from one part of the golf course to another, golf cart type vehicles
253 operated on roads or highways on the grounds of state institutions by
254 state employees, agricultural tractors, farm implements, such vehicles
255 as run only on rails or tracks, self-propelled snow plows, snow blowers
256 and lawn mowers, when used for the purposes for which they were
257 designed and operated at speeds not exceeding four miles per hour,
258 whether or not the operator rides on or walks behind such equipment,
259 bicycles with helper motors as defined in section 14-286, special mobile
260 equipment as defined in subsection (i) of section 14-165, as amended,
261 and any other vehicle not suitable for operation on a highway;

262 (52) "National Driver Registry" or "NDR" means the licensing
263 information system and database operated by the National Highway

264 Traffic Safety Administration and established pursuant to the National
265 Driver Registry Act of 1982, as amended;

266 (53) "New motor vehicle" means a motor vehicle, the equitable or
267 legal title to which has never been transferred by a manufacturer,
268 distributor or dealer to an ultimate consumer;

269 (54) "Nonresident" means any person whose legal residence is in a
270 state other than Connecticut or in a foreign country;

271 (55) "Nonresident commercial driver's license" or "nonresident CDL"
272 means a commercial driver's license issued by a state to an individual
273 who resides in a foreign jurisdiction;

274 (56) "Nonskid device" means any device applied to the tires, wheels,
275 axles or frame of a motor vehicle for the purpose of increasing the
276 traction of the motor vehicle;

277 (57) "Number plate" means any sign or marker furnished by the
278 commissioner on which is displayed the registration number assigned
279 to a motor vehicle by the commissioner;

280 (58) "Officer" includes any constable, state marshal, inspector of
281 motor vehicles, state policeman or other official authorized to make
282 arrests or to serve process, provided the officer is in uniform or
283 displays the officer's badge of office in a conspicuous place when
284 making an arrest;

285 (59) "Operator" means any person who operates a motor vehicle or
286 who steers or directs the course of a motor vehicle being towed by
287 another motor vehicle and includes a driver as defined in subdivision
288 (22) of this section;

289 (60) "Out-of-service order" means a temporary prohibition against
290 driving a commercial motor vehicle or any other vehicle subject to the
291 federal motor carrier safety regulations enforced by the commissioner
292 pursuant to the commissioner's authority under section 14-8;

293 (61) "Owner" means any person holding title to a motor vehicle, or
294 having the legal right to register the same, including purchasers under
295 conditional bills of sale;

296 (62) "Parked vehicle" means a motor vehicle in a stationary position
297 within the limits of a public highway;

298 (63) "Passenger and commercial motor vehicle" means a motor
299 vehicle used for private passenger and commercial purposes which is
300 eligible for combination registration;

301 (64) "Passenger motor vehicle" means a motor vehicle used for the
302 private transportation of persons and their personal belongings,
303 designed to carry occupants in comfort and safety, with a capacity of
304 carrying not more than ten passengers including the operator thereof;

305 (65) "Passenger registration" means the type of registration issued to
306 a passenger motor vehicle unless a more specific type of registration is
307 authorized and issued by the commissioner for such class of vehicle;

308 (66) "Person" includes any individual, corporation, limited liability
309 company, association, copartnership, company, firm, business trust or
310 other aggregation of individuals but does not include the state or any
311 political subdivision thereof, unless the context clearly states or
312 requires;

313 (67) "Pick-up truck" means a motor vehicle with an enclosed
314 forward passenger compartment and an open rearward compartment
315 used for the transportation of property;

316 (68) "Pneumatic tires" means tires inflated or inflatable with air;

317 (69) "Pole trailer" means a trailer which is (A) intended for
318 transporting long or irregularly shaped loads such as poles, logs, pipes
319 or structural members, which loads are capable of sustaining
320 themselves as beams between supporting connections, and (B)
321 designed to be drawn by a motor vehicle and attached or secured
322 directly to the motor vehicle by any means including a reach, pole or

323 boom;

324 (70) "Recreational vehicle" includes the camper, camp trailer and
325 motor home classes of vehicles;

326 (71) "Registration" includes the certificate of motor vehicle
327 registration and the number plate or plates used in connection with
328 such registration;

329 (72) "Registration number" means the identifying number or letters,
330 or both, assigned by the commissioner to a motor vehicle;

331 (73) "Resident", for the purpose of registering motor vehicles,
332 includes any person having a place of residence in this state, occupied
333 by such person for more than six months in a year, or any person, firm
334 or corporation owning or leasing a motor vehicle used or operated in
335 intrastate business in this state, or a firm or corporation having its
336 principal office or place of business in this state;

337 (74) "School bus" means any school bus, as defined in section 14-275,
338 including a commercial motor vehicle used to transport preschool,
339 elementary school or secondary school students from home to school,
340 from school to home, or to and from school-sponsored events, but does
341 not include a bus used as a common carrier;

342 (75) "Second" violation or "subsequent" violation means an offense
343 committed not more than three years after the date of an arrest which
344 resulted in a previous conviction for a violation of the same statutory
345 provision, except in the case of a violation of section 14-215, as
346 amended, or 14-224 or subsection (a) of section 14-227a, as amended,
347 "second" violation or "subsequent" violation means an offense
348 committed not more than ten years after the date of an arrest which
349 resulted in a previous conviction for a violation of the same statutory
350 provision;

351 (76) "Semitrailer" means any trailer type vehicle designed and used
352 in conjunction with a motor vehicle so that some part of its own weight
353 and load rests on or is carried by another vehicle;

354 (77) "Serious traffic violation" means a conviction of any of the
355 following offenses: (A) Speeding in excess of fifteen miles per hour or
356 more over the posted speed limit, in violation of section 14-218a or 14-
357 219; (B) reckless driving in violation of section 14-222; (C) following too
358 closely in violation of section 14-240 or 14-240a; (D) improper or erratic
359 lane changes, in violation of section 14-236; (E) driving a commercial
360 motor vehicle without a valid commercial driver's license in violation
361 of section 14-36a, as amended, or 14-44a; (F) failure to carry a
362 commercial driver's license in violation of section 14-44a; (G) failure to
363 have the proper class of license or endorsement, or violation of a
364 license restriction in violation of section 14-44a; or (H) arising in
365 connection with an accident related to the operation of a commercial
366 motor vehicle and which resulted in a fatality;

367 (78) "Service bus" includes any vehicle except a vanpool vehicle or a
368 school bus designed and regularly used to carry ten or more
369 passengers when used in private service for the transportation of
370 persons without charge to the individual;

371 (79) "Service car" means any motor vehicle used by a manufacturer,
372 dealer or repairer for emergency motor vehicle repairs on the
373 highways of this state, for towing or for the transportation of necessary
374 persons, tools and materials to and from the scene of such emergency
375 repairs or towing;

376 (80) "Shoulder" means that portion of a highway immediately
377 adjacent and contiguous to the travel lanes or main traveled portion of
378 the roadway;

379 (81) "Solid tires" means tires of rubber, or other elastic material
380 approved by the Commissioner of Transportation, which do not
381 depend on confined air for the support of the load;

382 (82) "Spot lamp" or "spot light" means a lighting device projecting a
383 high intensity beam, the direction of which can be readily controlled
384 for special or emergency lighting as distinguished from ordinary road
385 illumination;

386 (83) "State" means any state of the United States and the District of
387 Columbia unless the context indicates a more specific reference to the
388 state of Connecticut;

389 (84) "Stop" means complete cessation of movement;

390 (85) "Tail lamp" means a lighting device affixed to the rear of a
391 motor vehicle showing a red light to the rear and indicating the
392 presence of the motor vehicle when viewed from behind;

393 (86) "Tank vehicle" means any commercial motor vehicle designed
394 to transport any liquid or gaseous material within a tank that is either
395 permanently or temporarily attached to the vehicle or its chassis which
396 shall include, but not be limited to, a cargo tank and portable tank, as
397 defined in 49 CFR 383.5, as amended, provided it shall not include a
398 portable tank with a rated capacity not to exceed one thousand gallons;

399 (87) "Tractor" or "truck tractor" means a motor vehicle designed and
400 used for drawing a semitrailer;

401 (88) "Tractor-trailer unit" means a combination of a tractor and a
402 trailer or a combination of a tractor and a semitrailer;

403 (89) "Trailer" means any rubber-tired vehicle without motive power
404 drawn or propelled by a motor vehicle;

405 (90) "Truck" means a motor vehicle designed, used or maintained
406 primarily for the transportation of property;

407 (91) "Ultimate consumer" means, with respect to a motor vehicle, the
408 first person, other than a dealer, who in good faith purchases the
409 motor vehicle for purposes other than resale;

410 (92) "United States" means the fifty states and the District of
411 Columbia;

412 (93) "Used motor vehicle" includes any motor vehicle which has
413 been previously separately registered by an ultimate consumer;

414 (94) "Utility trailer" means a trailer designed and used to transport
415 personal property, materials or equipment, whether or not
416 permanently affixed to the bed of the trailer, with a manufacturer's
417 GVWR of ten thousand pounds or less;

418 (95) "Vanpool vehicle" includes all motor vehicles, the primary
419 purpose of which is the daily transportation, on a prearranged
420 nonprofit basis, of individuals between home and work, and which:
421 (A) If owned by or leased to a person, or to an employee of the person,
422 or to an employee of a local, state or federal government unit or agency
423 located in Connecticut, are manufactured and equipped in such
424 manner as to provide a seating capacity of at least seven but not more
425 than fifteen individuals, or (B) if owned by or leased to a regional ride-
426 sharing organization in the state recognized by the Commissioner of
427 Transportation, are manufactured and equipped in such manner as to
428 provide a seating capacity of at least six but not more than nineteen
429 individuals;

430 (96) "Vehicle" includes any device suitable for the conveyance,
431 drawing or other transportation of persons or property, whether
432 operated on wheels, runners, a cushion of air or by any other means.
433 The term does not include devices propelled or drawn by human
434 power or devices used exclusively on tracks;

435 (97) "Vehicle identification number" or "VIN" means a series of
436 Arabic numbers and Roman letters that is assigned to each new motor
437 vehicle that is manufactured within or imported into the United States,
438 in accordance with the provisions of 49 CFR 565, unless another
439 sequence of numbers and letters has been assigned to a motor vehicle
440 by the commissioner, in accordance with the provisions of section 14-
441 149;

442 (98) "Wrecker" means a vehicle which is registered, designed,
443 equipped and used for the purposes of towing or transporting
444 wrecked or disabled motor vehicles for compensation or for related
445 purposes by a person, firm or corporation licensed in accordance with
446 the provisions of subpart (D) of part III of this chapter. [;]

447 [(99) "Camp vehicle" means any motor vehicle that is regularly used
448 to transport persons under eighteen years of age in connection with the
449 activities of any youth camp, as defined in section 19a-420.]

450 Sec. 2. Subsection (c) of section 14-36a of the 2006 supplement to the
451 general statutes is repealed and the following is substituted in lieu
452 thereof (*Effective from passage*):

453 (c) A commercial driver's license or a class D license that contains
454 any of the following endorsements evidences that the holder meets the
455 requirements of section 14-44, as amended by this act:

456 "V"- authorizes the transportation of passengers in a student
457 transportation vehicle, as defined in section 14-212, as amended, or any
458 vehicle that requires an "A" or "F" endorsement;

459 "A"- authorizes the transportation of passengers in an activity
460 vehicle, [or camp vehicle,] as defined in section 14-1, as amended, or
461 any vehicle that requires an "F" endorsement; and

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

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

467 Sec. 3. Subsection (a) of section 14-44 of the 2006 supplement to the
468 general statutes is repealed and the following is substituted in lieu
469 thereof (*Effective from passage*):

470 (a) (1) No person shall operate a commercial motor vehicle used for
471 passenger transportation on any public highway of this state until he
472 has obtained a commercial driver's license with a passenger
473 endorsement from the commissioner, except a nonresident who holds
474 such license with such endorsement issued by another state. (2) No
475 person shall operate a school bus until he has obtained a commercial
476 driver's license with a school bus endorsement, except that a person

477 who holds such a license without such endorsements may operate a
478 school bus without passengers for the purpose of road testing or
479 moving the vehicle. (3) No person shall operate a student
480 transportation vehicle, as defined in section 14-212, as amended,
481 activity vehicle, [camp vehicle,] taxicab, motor vehicle in livery service,
482 motor bus or service bus until he has obtained an operator's license
483 bearing an endorsement of the appropriate type from the
484 commissioner issued in accordance with the provisions of this section
485 and section 14-36a, as amended by this act.

486 Sec. 4. Section 19a-420 of the general statutes is repealed and the
487 following is substituted in lieu thereof (*Effective from passage*):

488 As used in this chapter:

489 (1) "Youth camp" means any regularly scheduled program or
490 organized group activity advertised as a camp or operated by a
491 person, partnership, corporation, association, the state or a municipal
492 agency for recreational or educational purposes and accommodating
493 for profit or under philanthropic or charitable auspices five or more
494 children, under eighteen years of age, who are (A) not bona fide
495 personal guests in the private home of an individual, and (B) living
496 apart from their relatives, parents or legal guardian, for a period of
497 three days or more per week or portions of three or more days per
498 week, provided any such relative, parent or guardian who is an
499 employee of such camp shall not be considered to be in the position of
500 loco parentis to such employee's child for the purposes of this chapter,
501 but does not include (i) classroom-based summer instructional
502 programs operated by any person, provided no activities that may
503 pose a health risk or hazard to participating children are conducted at
504 such programs, (ii) schools which operate a summer educational
505 program, or (iii) licensed day care centers;

506 (2) "Resident camp" means any youth camp which is established,
507 conducted or maintained on any parcel or parcels of land on which
508 there are located dwelling units or buildings intended to accommodate
509 five or more children under sixteen years of age for at least seventy-

510 two consecutive hours and in which the campers attending such
511 camps eat and sleep;

512 (3) "Day camp" means any youth camp which is established,
513 conducted or maintained on any parcel or parcels of land on which
514 there are located dwelling units or buildings intended to accommodate
515 five or more children under sixteen years of age during daylight hours
516 for at least three days a week with the campers eating and sleeping at
517 home, except for one meal per day, but does not include programs
518 operated by a municipal agency;

519 (4) "Person" means any individual, partnership, association,
520 organization, limited liability company or corporation;

521 (5) "Camp vehicle" means any motor vehicle that is regularly used
522 to transport persons under eighteen years of age in connection with the
523 activities of any youth camp, as defined in this section;

524 [(5)] (6) "Commissioner" means the Commissioner of Public Health;
525 and

526 [(6)] (7) "Department" means the Department of Public Health.

527 Sec. 5. Section 19a-426 of the general statutes is repealed and the
528 following is substituted in lieu thereof (*Effective from passage*):

529 The Department of Public Health shall inspect or cause to be
530 inspected the facilities to be operated by an applicant for an original
531 license before the license shall be granted, and shall annually thereafter
532 inspect or cause to be inspected the facilities of all licensees. No annual
533 inspection shall be required under this section in the case of facilities of
534 a licensee located in any dormitory, classroom or other building or any
535 athletic facility owned and maintained by any college or university,
536 provided a timely safety inspection of such building or facility,
537 satisfactory to the department, is conducted by or on behalf of such
538 college or university. Each licensee shall certify to the department, in
539 such form and manner as prescribed by the department, that each
540 person who operates a camp vehicle, as defined in section 19a-420, as

541 amended by this act, on behalf of the licensee has no criminal history
542 record or, if any such person has a criminal history record, the licensee
543 has determined that, notwithstanding such record, such person is of
544 good moral character to operate a camp vehicle.

545 Sec. 6. Section 19a-428 of the general statutes is repealed and the
546 following is substituted in lieu thereof (*Effective from passage*):

547 (a) The Commissioner of Public Health shall adopt regulations, in
548 accordance with the provisions of chapter 54, relating to the safe
549 operation of youth camps, including, but not limited to, personnel
550 qualifications for director and staff; ratio of staff to campers; sanitation
551 and public health; personal health, first aid and medical services; food
552 handling, mass feeding and cleanliness; water supply and waste
553 disposal; water safety, including use of lakes and rivers, swimming
554 and boating equipment and practices, vehicle condition and operation,
555 including the operator's criminal background information required in
556 section 19a-426, as amended by this act; building and site design;
557 equipment; and condition and density of use, as the commissioner may
558 deem necessary or desirable. Such regulations shall be construed to be
559 minimum standards subject to the imposition and enforcement of
560 higher standards by any town, city or borough.

561 (b) The Commissioner of Public Health shall adopt regulations, in
562 accordance with the provisions of chapter 54, allowing physical
563 examinations or health status certifications required by youth camps
564 prior to the date of arrival at youth camps to be made by a physician,
565 an advanced practice registered nurse or registered nurse licensed
566 pursuant to chapter 378 or a physician assistant licensed pursuant to
567 chapter 370. Such regulations shall permit a physical examination that
568 is required for school purposes to also be used to satisfy any such
569 required youth camp examination or certification, subject to such
570 conditions regarding the timeliness of such examination as the
571 commissioner deems appropriate.

572 (c) The Commissioner of Public Health shall adopt regulations, in
573 accordance with the provisions of chapter 54, that specify conditions

574 under which youth camp directors and staff may administer tests to
 575 monitor glucose levels in a child with diagnosed diabetes mellitus, and
 576 administer medicinal preparations, including controlled drugs
 577 specified in the regulations adopted by the commissioner, to a child
 578 enrolled in a youth camp at such camp. The regulations shall require
 579 authorization pursuant to: (1) The written order of a physician licensed
 580 to practice medicine or a dentist licensed to practice dental medicine in
 581 this or another state, an advanced practice registered nurse licensed
 582 under chapter 378, a physician assistant licensed under chapter 370, a
 583 podiatrist licensed under chapter 375 or an optometrist licensed under
 584 chapter 380; and (2) the written authorization of a parent or guardian
 585 of such child.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	14-1(a)
Sec. 2	<i>from passage</i>	14-36a(c)
Sec. 3	<i>from passage</i>	14-44(a)
Sec. 4	<i>from passage</i>	19a-420
Sec. 5	<i>from passage</i>	19a-426
Sec. 6	<i>from passage</i>	19a-428

TRA *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 07 \$	FY 08 \$
Department of Motor Vehicles	TF - See Below	See Below	See Below
Public Health, Dept.	GF - See Below	See Below	See Below

Note: TF=Transportation Fund; GF=General Fund

Municipal Impact: None

Explanation

The Departments of Motor Vehicles and Public Health will be able to accommodate any additional administrative functions resulting from passage of this bill within their anticipated budgetary resources.

The Out Years

There is no fiscal impact in the out-years.

OLR Bill Analysis**sSB 512*****AN ACT CONCERNING CAMP VEHICLE OPERATOR LICENSES.*****SUMMARY:**

The bill eliminates the requirement that someone who drives a camp vehicle get a special license endorsement from the Department of Motor Vehicles (DMV) and substitutes a requirement that youth camp facilities licensed by the Department of Public Health (DPH) certify to it that each person they use to drive a camp vehicle has no criminal history record, or, if he does, that the camp has determined that the driver is of good moral character to drive the camp vehicle regardless of his criminal record.

EFFECTIVE DATE: Upon passage

REPEALED LICENSE ENDORSEMENT

A 2005 law requires anyone who drives a camp vehicle to get a special license endorsement called an "A" endorsement. It defines a camp vehicle as any motor vehicle that is regularly used to transport anyone under age 18 in connection with the activities of a youth camp as defined under the public health laws (PA 05-218, §§ 3, 5 & 6). To get any DMV license endorsement involving transporting passengers, including the "A" endorsement, an applicant must have a medical examination within 90 days of submitting the application, have a driving record free from certain major motor vehicle-related offenses, and undergo a state and federal criminal history check.

The bill eliminates this endorsement requirement. Instead, it requires the youth camps licensed by DPH to certify to it that the people employed to drive camp vehicles on their behalf either have no

criminal history, or have a criminal history but are still of good moral character despite this. The bill adopts the current definition of a camp vehicle in the license endorsement law for this purpose and explicitly requires the public health commissioner to include a criminal history background check in the agency's regulations applicable to youth camps.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 27 Nay 3 (03/13/2006)