



General Assembly

Substitute Bill No. 328

February Session, 2006

* SB00328FIN__042006__ *

AN ACT CONCERNING THE DEPARTMENT OF MOTOR VEHICLES.

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

1 Section 1. Section 4a-78 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 It is the policy of the state to require persons applying for a license,
4 selling goods or services [] or leasing real or personal property to a
5 public agency, [or, after October 1, 2001, registering any motor vehicle
6 with the Commissioner of Motor Vehicles] to furnish a federal Social
7 Security account number or federal employer identification number or
8 both, if available, to establish the identification of persons affected by
9 the tax laws of the state and for that purpose only to treat public
10 agencies as having an administrative responsibility for the tax laws of
11 the state.

12 Sec. 2. Subsection (d) of section 14-36 of the 2006 supplement to the
13 general statutes is repealed and the following is substituted in lieu
14 thereof (*Effective from passage*):

15 (d) (1) No motor vehicle operator's license shall be issued to any
16 applicant who is sixteen or seventeen years of age unless the applicant
17 has held a learner's permit and has satisfied the requirements specified
18 in this subsection. The applicant shall (A) present to the commissioner
19 a certificate of the successful completion (i) in a public secondary

20 school, a state vocational school or a private secondary school of a full
21 course of study in motor vehicle operation prepared as provided in
22 section 14-36e, as amended by this act, (ii) of training of similar nature
23 provided by a licensed drivers' school approved by the commissioner,
24 or (iii) of home training in accordance with subdivision (2) of this
25 subsection, including, in each case, or by a combination of such types
26 of training, successful completion of not less than twenty clock hours
27 of behind-the-wheel, on-the-road instruction; (B) present to the
28 commissioner a certificate of the successful completion of a course of
29 not less than eight hours relative to safe driving practices, including a
30 minimum of four hours on the nature and the medical, biological and
31 physiological effects of alcohol and drugs and their impact on the
32 operator of a motor vehicle, the dangers associated with the operation
33 of a motor vehicle after the consumption of alcohol or drugs by the
34 operator, the problems of alcohol and drug abuse and the penalties for
35 alcohol and drug-related motor vehicle violations; and (C) pass an
36 examination which shall include a comprehensive test as to knowledge
37 of the laws concerning motor vehicles and the rules of the road and an
38 on-the-road skills test as prescribed by the commissioner. At the time
39 of application and examination for a motor vehicle operator's license,
40 an applicant sixteen or seventeen years of age shall have held a
41 learner's permit for not less than one hundred eighty days, except that
42 an applicant who presents a certificate under subparagraph (A) (i) or
43 subparagraph (A)(ii) of this subdivision shall have held a learner's
44 permit for not less than one hundred twenty days and an applicant
45 who is undergoing training and instruction by the handicapped driver
46 training unit in accordance with the provisions of section 14-11b shall
47 have held such permit for the period of time required by said unit. The
48 Commissioner of Motor Vehicles shall approve the content of the safe
49 driving instruction at drivers' schools, high schools and other
50 secondary schools. Such hours of instruction required by this
51 subdivision shall be included as part of or in addition to any existing
52 instruction programs. Any fee charged for the course required under
53 subparagraph (B) of this subdivision shall not exceed an amount
54 prescribed by the commissioner by regulation, adopted in accordance

55 with chapter 54. Any applicant sixteen or seventeen years of age who,
56 while a resident of another state, completed the course required in
57 subparagraph (A) of this subdivision, but did not complete the safe
58 driving course required in subparagraph (B) of this subdivision, shall
59 complete the safe driving course, and any fee charged for the course
60 shall not exceed an amount prescribed by the commissioner by
61 regulation, adopted in accordance with chapter 54. The commissioner
62 may waive any requirement in this subdivision, except for that in
63 subparagraph (C) of this subdivision, in the case of an applicant
64 sixteen or seventeen years of age who holds a valid motor vehicle
65 operator's license issued by any other state, provided the
66 commissioner is satisfied that the applicant has received training and
67 instruction of a similar nature. (2) The commissioner may accept as
68 evidence of sufficient training under subparagraph (A) of subdivision
69 (1) of this subsection home training as evidenced by a written
70 statement signed by the spouse of a married minor applicant, or by a
71 parent, grandparent, foster parent or the legal guardian of an applicant
72 which states that the applicant has obtained a learner's permit and has
73 successfully completed a driving course taught by the person signing
74 the statement, that the signer has had an operator's license for at least
75 four years preceding the date of the statement, and that the signer has
76 not had such license suspended by the commissioner for at least four
77 years preceding the date of the statement or, if the applicant has no
78 spouse, parent, grandparent, foster parent or guardian so qualified and
79 available to give the instruction, a statement signed by the applicant's
80 stepparent, brother, sister, uncle or aunt, by blood or marriage,
81 provided the person signing the statement is qualified. (3) If the
82 commissioner requires a written test of any applicant under this
83 section, the test shall be given in English or Spanish at the option of the
84 applicant, provided the commissioner shall require that the applicant
85 shall have sufficient understanding of English for the interpretation of
86 traffic control signs. (4) The Commissioner of Motor Vehicles may
87 adopt regulations, in accordance with the provisions of chapter 54, to
88 implement the purposes of this subsection concerning the content of
89 safe driving instruction at drivers' schools, high schools and other

90 secondary schools.

91 Sec. 3. Subsection (b) of section 14-36e of the 2006 supplement to the
92 general statutes is repealed and the following is substituted in lieu
93 thereof (*Effective from passage*):

94 (b) Each local and regional board of education may provide a course
95 of instruction in motor vehicle operation and highway safety on a
96 secondary school level, which course (1) shall consist of not less than
97 thirty clock hours of classroom instruction offered during or after
98 school hours as said board of education, in its discretion, may provide,
99 including instruction of not less than fifteen minutes concerning the
100 responsibilities of an operator of a motor vehicle under subsection (b)
101 of section 14-223 and the penalty for a violation of the provisions of
102 said subsection (b), and (2) may include behind-the-wheel instruction
103 of [not less than] up to twenty clock hours. Said course shall be open to
104 enrollment by any person between the ages of sixteen and eighteen,
105 inclusive, who is a resident of the town or school district or whose
106 parent, parents or legal guardian owns property taxable in such town
107 or school district. Any such board of education may contract for such
108 behind-the-wheel instruction with a licensed drivers' school.

109 Sec. 4. Section 14-42 of the general statutes is repealed and the
110 following is substituted in lieu thereof (*Effective from passage*):

111 (a) An application for an operator's license or identity card shall be
112 made on [blanks] forms furnished by the commissioner. The
113 [application blanks] applications shall be in such form and contain
114 such provisions and information as the commissioner may determine.

115 (b) The application for an operator's license and the application for
116 an identity card shall include the opportunity to complete an organ
117 donor card pursuant to sections 19a-271 to 19a-280, inclusive. An
118 operator's license issued to a person who has completed a donor card
119 shall have a copy of the card imprinted on the reverse side of the
120 license.

121 Sec. 5. Subsection (a) of section 14-65i of the general statutes is
122 repealed and the following is substituted in lieu thereof (*Effective July*
123 *1, 2006*):

124 (a) Each motor vehicle repair shop shall prominently display a sign
125 24 inches by 36 inches in each area of its premises where work orders
126 are placed by customers. The sign, which shall be in boldface type,
127 shall read as follows:

128 THIS ESTABLISHMENT IS LICENSED WITH THE
129 STATE DEPARTMENT OF MOTOR VEHICLES.
130 EACH CUSTOMER IS ENTITLED TO...

- 131 _____
- 132 1. A WRITTEN ESTIMATE FOR REPAIR WORK.
 - 133 2. A DETAILED INVOICE OF WORK DONE AND PARTS SUPPLIED.
 - 134 3. RETURN OF REPLACED PARTS, PROVIDED THE REQUEST IS
135 MADE AT THE TIME [THE VEHICLE IS RETURNED TO THE
136 CUSTOMER] WRITTEN OR ORAL AUTHORIZATION IS PROVIDED
137 FOR WORK TO BE PERFORMED.

138 _____

139 NO REPAIR WORK MAY BE UNDERTAKEN ON A VEHICLE
140 WITHOUT THE AUTHORIZATION OF THE CUSTOMER.
141 NO CHARGES FOR REPAIR MAY BE MADE IN EXCESS OF THE
142 WRITTEN ESTIMATE WITHOUT THE WRITTEN OR ORAL
143 CONSENT OF THE CUSTOMER.

144 _____

145 QUESTIONS CONCERNING THE ABOVE SHOULD BE DIRECTED
146 TO THE MANAGER OF THIS REPAIR FACILITY.
147 UNRESOLVED QUESTIONS REGARDING SERVICE WORK MAY BE
148 SUBMITTED TO:

149 _____

150 DEPARTMENT OF MOTOR VEHICLES

151 DEALER REPAIR DIVISION
152 60 STATE STREET, WETHERSFIELD, CONNECTICUT
153 TELEPHONE:
154 HOURS OF OPERATION:

155 Sec. 6. Section 14-79 of the general statutes is repealed and the
156 following is substituted in lieu thereof (*Effective from passage*):

157 [Any person who] The Commissioner of Motor Vehicles may, after
158 notice and opportunity for a hearing, in accordance with the
159 provisions of chapter 54, suspend or revoke the license or licenses of
160 any licensee or impose a civil penalty of not more than one thousand
161 dollars for each violation on any person or firm that violates any
162 provision of this part. [shall, for the first offense, be fined not less than
163 one hundred dollars nor more than two hundred fifty dollars or
164 imprisoned for not less than ten days nor more than thirty days, or be
165 both fined and imprisoned. For a subsequent violation, he shall be
166 fined not less than two hundred fifty dollars nor more than five
167 hundred dollars or imprisoned for not less than thirty days nor more
168 than three months, or be both fined and imprisoned.]

169 Sec. 7. Subsection (c) of section 10-298 of the 2006 supplement to the
170 general statutes is repealed and the following is substituted in lieu
171 thereof (*Effective from passage*):

172 (c) The board shall provide the Department of Motor Vehicles with
173 the names of all individuals sixteen years of age or older who, on or
174 after October 1, 2005, have been determined to be blind by a physician
175 or optometrist, as provided in section 10-305. The board shall provide
176 simultaneous written notification to any individual whose name is
177 being transmitted by the board to said department. The board shall
178 update the list of names provided to the Department of Motor Vehicles
179 on a quarterly basis. The list shall also contain the address and date of
180 birth for each individual reported, as shown on the records of the
181 board. The department shall maintain such list on a confidential basis,

182 in accordance with the provisions of section 14-46d, as amended by
183 this act. The board shall enter into a memorandum of understanding
184 with the Department of Motor Vehicles to effectuate the purposes of
185 this subsection.

186 Sec. 8. Section 14-46d of the general statutes is repealed and the
187 following is substituted in lieu thereof (*Effective from passage*):

188 Any reports or records received or issued by the department,
189 commissioner, board or any of its members pursuant to sections 14-46a
190 to 14-46g, inclusive, or section 10-298, as amended by this act, for the
191 purpose of determining whether such individual meets the health
192 standards of motor vehicle operator licensure, shall be for the
193 confidential use of the commissioner and the board and, except as may
194 be required by state or federal law, shall not be made available to any
195 person, or to any federal, state or local governmental agency and shall
196 not be used as evidence at any trial. Such reports or records, however,
197 may be made available to the individual who is the subject of such
198 reports or records or to his authorized representative and may be used
199 at proceedings conducted under chapter 54 or this chapter. Any person
200 conducting an examination or furnishing any report or record
201 pursuant to sections 14-46a to 14-46g, inclusive, may be compelled to
202 testify on such reports or records at any such proceedings. A member
203 of the board may not be compelled to testify in any other proceeding
204 as to any facts concerning the medical condition of any person known
205 by such member as a result of a review of such reports or records
206 relative to such person except upon order of the court if the interests of
207 justice so require.

208 Sec. 9. Subsection (a) of section 14-36g of the 2006 supplement to the
209 general statutes is repealed and the following is substituted in lieu
210 thereof (*Effective from passage*):

211 (a) Each person who holds a motor vehicle operator's license and
212 who is sixteen or seventeen years of age shall comply with the
213 following requirements:

214 (1) Except as provided in subsection (b) of this section, for the
215 period of three months after the date of issuance of such license, such
216 person shall not transport more than (A) such person's parents or legal
217 guardian, at least one of whom holds a motor vehicle operator's
218 license, or (B) not more than one passenger who is a driving instructor
219 licensed by the Department of Motor Vehicles, or a person twenty
220 years of age or older who has been licensed to operate, for at least four
221 years preceding the time of being transported, a motor vehicle of the
222 same class as the motor vehicle being operated and who has not had
223 his or her motor vehicle operator's license suspended by the
224 commissioner during such four-year period;

225 (2) Except as provided in subsection (b) of this section, for the
226 period beginning three months after the date of issuance of such
227 license and ending six months after the date of issuance of such license,
228 such person shall not transport any passenger other than as permitted
229 under subdivision (1) of this subsection and any additional member or
230 members of such person's immediate family;

231 (3) No such person shall operate any motor vehicle for which a
232 public passenger transportation permit is required in accordance with
233 the provisions of section 14-44, as amended by this act, or a van pool
234 vehicle, as defined in section 14-1, as amended by this act;

235 (4) No such person shall transport more passengers in a motor
236 vehicle than the number of seat safety belts permanently installed in
237 such motor vehicle;

238 (5) For a period of six months after the date of issuance of such
239 license, no such person issued a motorcycle endorsement shall
240 transport any passenger on a motorcycle; and

241 (6) Except as provided in subsection (b) of this section, no such
242 person shall operate a motor vehicle on any highway, as defined in
243 section 14-1, as amended by this act, at or after midnight until and
244 including 5:00 a.m. of the same day unless (A) such person is traveling
245 for his or her employment or school or religious activities, [or] (B)

246 there is a medical necessity for such travel, or (C) such person is an
247 assigned driver in an accredited Safe Ride program.

248 Sec. 10. Section 14-44 of the 2006 supplement to the general statutes
249 is repealed and the following is substituted in lieu thereof (*Effective*
250 *October 1, 2006*):

251 (a) (1) No person shall operate a commercial motor vehicle used for
252 passenger transportation on any public highway of this state until he
253 has obtained a commercial driver's license with a passenger
254 endorsement from the commissioner, except a nonresident who holds
255 such license with such endorsement issued by another state. (2) No
256 person shall operate a school bus until he has obtained a commercial
257 driver's license with a school bus endorsement, except that a person
258 who holds such a license without such endorsements may operate a
259 school bus without passengers for the purpose of road testing or
260 moving the vehicle. (3) No person shall operate a student
261 transportation vehicle, as defined in section 14-212, as amended,
262 activity vehicle, camp vehicle, taxicab, motor vehicle in livery service,
263 motor bus or service bus until he has obtained an operator's license
264 bearing an endorsement of the appropriate type from the
265 commissioner issued in accordance with the provisions of this section
266 and section 14-36a, as amended.

267 (b) No operator's license bearing an endorsement shall be issued or
268 renewed in accordance with the provisions of this section or section 14-
269 36a, as amended, until the commissioner, or his authorized
270 representative, is satisfied that the applicant is a proper person to
271 receive such an operator's license bearing an endorsement, holds a
272 valid motor vehicle operator's license, or, if necessary for the class of
273 vehicle operated, a commercial driver's license and is at least eighteen
274 years of age. Each applicant for such a permit, an operator's license
275 bearing an endorsement or the renewal of such a license shall furnish
276 the commissioner, or his authorized representative, with satisfactory
277 evidence, which may be required to be under oath, to prove that he has
278 no criminal record, that he has not been convicted of a violation of

279 subsection (a) of section 14-227a, as amended, within five years of the
280 date of application and that no reason exists for a refusal to grant or
281 renew such an operator's license bearing an endorsement. Each
282 applicant for such an operator's license bearing an endorsement shall
283 submit with his application proof satisfactory to the commissioner that
284 he has passed a physical examination which has been taken within
285 ninety days prior to his application, and which is in compliance with
286 safety regulations established from time to time by the United States
287 Department of Transportation. Each applicant for renewal of such
288 license shall present evidence that such applicant is in compliance with
289 the medical qualifications established in 49 CFR 391, as amended. Each
290 applicant for such an operator's license bearing an endorsement shall
291 be fingerprinted before the license bearing an endorsement is issued.

292 (c) The commissioner may issue, withhold, renew, suspend, cancel
293 or revoke, any endorsement required to operate a motor vehicle that
294 transports passengers, as provided in subsection (c) of section 14-36a,
295 as amended. The commissioner may, in making his decision, consider
296 the age, accident and criminal record, moral character and physical
297 condition of any such applicant or endorsement holder and such other
298 matters as the commissioner may determine. The commissioner may
299 require any such applicant or endorsement holder to furnish the
300 statements of two or more reputable citizens, which may be required
301 to be under oath, vouching for the good character or other
302 qualifications of the applicant or endorsement holder.

303 (d) Upon the arrest of any person who holds an operator's license
304 bearing a school endorsement charged with a felony or violation of
305 section 53a-73a, the arresting officer or department, within forty-eight
306 hours, shall cause a report of such arrest to be made to the
307 commissioner. The report shall be made on a form approved by the
308 commissioner containing such information as the commissioner
309 prescribes. The commissioner may adopt regulations, in accordance
310 with chapter 54, to implement the provisions of this subsection.

311 (e) Prior to issuing an operator's license bearing a school

312 endorsement, the commissioner shall require each applicant to submit
313 to state and national criminal history records checks. The criminal
314 history records checks required pursuant to this subsection shall be
315 conducted in accordance with section 29-17a, as amended. If notice of a
316 state criminal history record is received, the commissioner may refuse
317 to issue an operator's license bearing such endorsement and, in such
318 case, shall immediately notify the applicant, in writing, of such refusal.
319 Subject to the provisions of section 46a-80, if notice of a national
320 criminal history record is received, the commissioner may withdraw
321 the operator's license bearing a school endorsement immediately and,
322 in such case, shall immediately notify the holder of such license and
323 the holder's employer, in writing, of such withdrawal.

324 (f) Any applicant who is refused an operator's license bearing an
325 endorsement or the renewal of such a license, or whose operator's
326 license bearing an endorsement or the renewal of such a license is
327 withdrawn or revoked on account of a criminal record, shall be
328 entitled to a hearing if requested in writing within twenty days. The
329 hearing shall be conducted in accordance with the requirements of
330 chapter 54 and the applicant may appeal from the final decision
331 rendered therein in accordance with section 4-183.

332 (g) Notwithstanding the provisions of section 14-10, the
333 commissioner may furnish to any board of education or to any public
334 or private organization that is actively engaged in providing public
335 transportation, including the transportation of school children, a report
336 containing the names and motor vehicle operator license numbers of
337 each person who has been issued an operator's license with one or
338 more endorsements, authorizing such person to transport passengers
339 in accordance with the provisions of section 14-36a, but whose license
340 or any such endorsement has been withdrawn, suspended or revoked
341 by the commissioner in accordance with the provisions of this section,
342 or any other provision of this title. The report shall be issued and
343 updated periodically in accordance with a schedule to be established
344 by the commissioner. Such report may be transmitted or otherwise
345 made available to authorized recipients by electronic means.

346 [(g)] (h) Violation of any provision of this section shall be an
347 infraction.

348 Sec. 11. Section 14-276 of the general statutes is repealed and the
349 following is substituted in lieu thereof (*Effective October 1, 2006*):

350 (a) Registered school buses while transporting school children shall
351 be operated by holders of a valid passenger and school endorsement
352 issued in accordance with section 14-44, as amended by this act. Such
353 endorsement shall be held in addition to the commercial driver's
354 license required for the operation of such motor vehicles. A person
355 who has attained the age of seventy shall be allowed to hold a
356 passenger and school endorsement for the purpose of operating a
357 school bus, provided he meets the minimum physical requirements set
358 by the Commissioner of Motor Vehicles and agrees to submit to a
359 physical examination at least twice a year or when requested to do so
360 by the superintendent of the school system in which he intends to
361 operate a school bus. Any person to whom a town has awarded a
362 contract for the transportation of school children who permits the
363 operation of a registered school bus while transporting school children
364 by any person who does not hold a passenger and school endorsement
365 shall be fined not less than thirty-five dollars nor more than ninety
366 dollars.

367 [(b) Upon the request of any board of education or person to whom
368 a town has awarded a contract for the transportation of school
369 children, the Commissioner of Motor Vehicles shall furnish, on a
370 bimonthly basis, the names of those persons whose passenger and
371 school endorsement has been suspended or revoked in accordance
372 with section 14-44.]

373 [(c)] (b) Violation of the provisions of this section shall be an
374 infraction.

375 Sec. 12. Section 14-105 of the 2006 supplement to the general statutes
376 is repealed and the following is substituted in lieu thereof (*Effective*
377 *from passage*):

378 (a) No television screen or other device of a similar nature, except a
379 video display unit used for instrumentation purposes or a closed video
380 monitor for backing, provided such monitor screen is disabled blank
381 no later than fifteen seconds after the transmission of a vehicle so
382 equipped is shifted out of reverse, shall be installed or used in this
383 state in any position or location in a motor vehicle where it may be
384 visible to the driver or where it may in any other manner interfere with
385 the safe operation and control of the vehicle. Violation of any provision
386 of this section shall be an infraction.

387 (b) Notwithstanding the provisions of subsection (a) of this section,
388 the driver of a commercial motor vehicle equipped with a garbage
389 compactor, detachable container or a curbside recycling body may,
390 when engaged in the activity of refuse collection on any public
391 highway, use a closed video monitor for backing after such vehicle is
392 shifted out of reverse and placed into forward motion, for such time as
393 may be necessary to observe motor vehicles or pedestrians that may be
394 behind such vehicle in a position that cannot be viewed using such
395 vehicle's mirror system.

396 (c) Violation of any provision of this section shall be an infraction.

397 Sec. 13. Subsection (a) of section 14-29 of the general statutes is
398 repealed and the following is substituted in lieu thereof (*Effective from*
399 *passage*):

400 (a) The commissioner shall not register any motor bus, taxicab,
401 school bus, motor vehicle in livery service, student transportation
402 vehicle or service bus and no person may operate or cause to be
403 operated upon any public highway any such motor vehicle until the
404 owner or lessee thereof has procured insurance or a bond satisfactory
405 to the commissioner, which insurance or bond shall indemnify the
406 insured against any legal liability for personal injury, the death of any
407 person or property damage, which injury, death or damage may result
408 from or have been caused by the use or operation of such motor
409 vehicle described in the contract of insurance or such bond. Such

410 insurance or bond shall not be required from (1) a municipality which
411 the commissioner finds has maintained sufficient financial
412 responsibility to meet legal liability for personal injury, death or
413 damage resulting from or caused by the use or operation of a service
414 bus owned or operated by such municipality, or (2) the owner or lessee
415 of such class of motor vehicle who holds a certificate of public
416 necessity and convenience from the Department of Transportation if
417 such owner or lessee has procured from the department a certificate
418 that the department has found that such owner or lessee is of sufficient
419 financial responsibility to meet legal liability for personal injury, death
420 or property damage resulting from or caused by the use or operation
421 of such motor vehicle. The Department of Transportation may issue
422 such certificate upon presentation of evidence of financial
423 responsibility that is satisfactory to it.

424 Sec. 14. Section 14-253a of the general statutes is repealed and the
425 following is substituted in lieu thereof (*Effective from passage*):

426 (a) For the purposes of this section:

427 (1) "Special license plate" means a license plate displaying the
428 international symbol of access in a size identical to that of the letters or
429 numerals on the plate and in a color that contrasts with the
430 background color of the plate;

431 (2) "Removable windshield placard" means a two-sided, hanger-
432 style placard which bears on both of its sides: (A) The international
433 symbol of access in a height of three inches or more centered on such
434 placard and colored white on a blue background; (B) a unique
435 identification number; (C) a date of expiration; and (D) a statement
436 indicating that the Connecticut Department of Motor Vehicles issued
437 such placard;

438 (3) "Temporary removable windshield placard" means a placard
439 that is the same as a removable windshield placard except that the
440 international symbol of access appears on a red background.

441 (b) The Commissioner of Motor Vehicles shall accept applications
442 and renewal applications for special license plates and removable
443 windshield placards from (1) any person who is blind, as defined in
444 section 1-1f; (2) any person with disabilities which limit or impair the
445 ability to walk, as defined in 23 CFR Part 1235.2; (3) any parent or
446 guardian of any blind person or person with disabilities who is under
447 eighteen years of age at the time of application; and (4) any
448 organization which meets criteria established by the commissioner and
449 which certifies to the commissioner's satisfaction that the vehicle for
450 which a plate or placard is requested is primarily used to transport
451 blind persons or persons with disabilities which limit or impair their
452 ability to walk. Such applications shall be on a form prescribed by the
453 commissioner and shall include certification of disability from a
454 licensed physician or advanced practice registered nurse, licensed in
455 accordance with the provisions of chapter 378, or of blindness from an
456 ophthalmologist or an optometrist. In the case of persons with
457 disabilities which limit or impair the ability to walk, the application
458 shall also include certification from a licensed physician, an advanced
459 practice registered nurse, licensed in accordance with the provisions of
460 chapter 378, or a member of the handicapped driver training unit
461 established pursuant to section 14-11b that the applicant meets the
462 definition of persons with disabilities which limit or impair the ability
463 to walk, as defined in 23 CFR Section 1235.2. The commissioner, in said
464 commissioner's discretion, may accept the discharge papers of a
465 disabled veteran, as defined in section 14-254, in lieu of such
466 certification. The commissioner may require additional certification at
467 the time of the original application or at any time thereafter. If a person
468 who has been requested to submit additional certification fails to do so
469 within thirty days of the request, or if such additional certification is
470 deemed by the commissioner to be unfavorable to the applicant, the
471 commissioner may refuse to issue or, if already issued, suspend or
472 revoke such special license plate or removable windshield placard. The
473 commissioner shall not be required to issue more than one removable
474 windshield placard per applicant. The fee for the issuance of a
475 temporary removable windshield placard shall be five dollars. Any

476 person whose application has been denied or whose special license
477 plate or removable windshield placard has been suspended or revoked
478 shall be afforded an opportunity for a hearing in accordance with the
479 provisions of chapter 54.

480 (c) Any person who is eligible to obtain a special license plate
481 pursuant to subsection (b) of this section and who has a motor vehicle
482 registered in his name as a passenger vehicle, passenger and
483 commercial vehicle or motorcycle shall be issued, upon approval of the
484 application, number plates in accordance with the provisions of
485 subsection (a) of section 14-21b, which shall bear letters or numerals or
486 any combination thereof followed by the international access symbol.
487 The registration of any motor vehicle for which a special license plate
488 is issued shall expire and be renewed as provided in section 14-22 and
489 be subject to the fee provisions of section 14-49, as amended. Any
490 person eligible to obtain a special license plate pursuant to this section
491 who transfers the expired registration of a motor vehicle owned by
492 him and replaces his number plate with a special license plate shall be
493 exempt from payment of any fee for such transfer or replacement. Any
494 special license plate issued pursuant to this section shall be returned to
495 the commissioner upon the subsequent change of residence to another
496 state or death of the person to whom such special license plate was
497 issued.

498 (d) Any removable windshield placard issued pursuant to this
499 section shall be displayed by hanging it from the front windshield
500 rearview mirror of the vehicle when utilizing a parking space reserved
501 for persons with disabilities. If there is no rearview mirror in such
502 vehicle, the placard shall be displayed in clear view on the dashboard
503 of such vehicle. [Upon request and payment of a fee prescribed by the
504 commissioner, one additional placard shall be issued to applicants
505 who do not have special license plates.]

506 (e) Vehicles displaying a special license plate or a removable
507 windshield placard issued pursuant to this section or by authorities of
508 other states or countries for the purpose of identifying vehicles

509 permitted to utilize parking spaces reserved for persons with
510 disabilities which limit or impair their ability to walk or blind persons,
511 shall be allowed to park in an area where parking is legally
512 permissible, for an unlimited period of time without penalty,
513 notwithstanding the period of time indicated as lawful by any (1)
514 parking meter, or (2) sign erected and maintained in accordance with
515 the provisions of chapter 249, provided the operator of or a passenger
516 in such motor vehicle is a blind person or a person with disabilities. A
517 removable windshield placard shall not be displayed on any motor
518 vehicle when such vehicle is not being operated by or carrying as a
519 passenger the blind person or a person with disabilities to whom the
520 removable windshield placard was issued. Vehicles bearing a special
521 license plate shall not utilize parking spaces reserved for persons with
522 disabilities when such vehicles are not being operated by or carrying
523 as a passenger the blind person or a person with disabilities to whom
524 such special license plate was issued.

525 (f) Only those motor vehicles displaying a plate or placard issued
526 pursuant to this section shall be authorized to park in public or private
527 areas reserved for exclusive use by blind persons or persons with
528 disabilities, except that any ambulance, as defined in section 19a-175,
529 which is transporting a patient may park in such area for a period not
530 to exceed fifteen minutes while assisting such patient. Any motor
531 vehicle parked in violation of the provisions of this subsection for the
532 third or subsequent time shall be subject to being towed from such
533 designated area. Such vehicle shall be impounded until payment of
534 any fines incurred is received. No person, firm or corporation engaged
535 in the business of leasing or renting motor vehicles without drivers in
536 this state may be held liable for any acts of the lessee constituting a
537 violation of the provisions of this subsection.

538 (g) The State Traffic Commission, on any state highway, or local
539 traffic authority, on any highway or street under its control, shall
540 establish parking spaces in parking areas for twenty or more cars in
541 which parking shall be prohibited to all motor vehicles except vehicles
542 displaying a special license plate or a removable windshield placard

543 issued pursuant to this section. Parking spaces in which parking shall
544 be prohibited to all motor vehicles except vehicles displaying such
545 special plate or placard shall be established in private parking areas for
546 two hundred or more cars according to the following schedule:

T1	Total Number	Number of Special
T2	Of Parking Lot Spaces	Parking Spaces Required
T3	0 - 200	Exempt
T4	201 - 1000	1.0%
T5	1001 - 2000	10 plus 0.8% of spaces
T6		over 1000
T7	2001 - 3000	18 plus 0.6% of spaces
T8		over 2000
T9	3001 - 4000	24 plus 0.4% of spaces
T10		over 3000
T11	4001 or more	28 plus 0.2% of spaces
T12		over 4000

547 All such spaces shall be designated as reserved for exclusive use by
548 handicapped persons and identified by the use of signs in accordance
549 with subsection (h) of this section. Such parking spaces shall be
550 adjacent to curb cuts or other unobstructed methods permitting
551 sidewalk access to a blind or handicapped person and shall be fifteen
552 feet wide, including three feet of cross hatch, or be parallel to a
553 sidewalk. The provisions of this subsection shall not apply (1) in the
554 event the State Building Code imposes more stringent requirements as
555 to the size of the private parking area in which special parking spaces
556 are required or as to the number of special parking spaces required or
557 (2) in the event a municipal ordinance imposes more stringent
558 requirements as to the size of existing private parking areas in which
559 special parking spaces are required or as to the number of special
560 parking spaces required.

561 (h) Parking spaces designated for the handicapped on or after
562 October 1, 1979, and prior to October 1, 2004, shall be as near as
563 possible to a building entrance or walkway and shall be fifteen feet
564 wide including three feet of cross hatch, or parallel to a sidewalk on a
565 public highway. On and after October 1, 2004, parking spaces for
566 passenger motor vehicles designated for the handicapped shall be as
567 near as possible to a building entrance or walkway and shall be fifteen
568 feet wide including five feet of cross hatch. On and after October 1,
569 2004, parking spaces for passenger vans designated for the
570 handicapped shall be as near as possible to a building entrance or
571 walkway and shall be sixteen feet wide including eight feet of cross
572 hatch. Such spaces shall be designated by above grade signs with
573 white lettering against a blue background and shall bear the words
574 "handicapped parking permit required" and "violators will be fined".
575 Such sign shall also bear the international symbol of access. When such
576 a sign is replaced, repaired or erected it shall indicate the minimum
577 fine for a violation of subsection (f) of this section. Such indicator may
578 be in the form of a notice affixed to such a sign.

579 (i) Any public parking garage or terminal, as defined in the State
580 Building Code, constructed under a building permit application filed
581 on or after October 1, 1985, and prior to October 1, 2004, shall have
582 nine feet six inches vertical clearance at a primary entrance and along
583 the route to at least two parking spaces which conform with the
584 requirements of subsection (h) of this section and which have nine feet
585 six inches' vertical clearance unless an exemption has been granted
586 pursuant to the provisions of subsection (b) of section 29-269. Each
587 public parking garage or terminal, as defined in the State Building
588 Code, constructed under a building permit application filed on or after
589 October 1, 2004, shall have eight feet two inches' vertical clearance at a
590 primary entrance and along the route to at least two parking spaces for
591 passenger vans which conform with the requirements of subsection (h)
592 of this section and which have eight feet two inches' vertical clearance
593 unless an exemption has been granted pursuant to the provisions of
594 subsection (b) of section 29-269.

595 (j) The commissioner may suspend or revoke any plate or placard
596 issued pursuant to this section when, after affording the person to
597 whom such plate or placard was issued an opportunity for a hearing in
598 accordance with chapter 54, the commissioner or his representative
599 determines that such person has used or permitted the use of such
600 plate or placard in a manner which violates the provisions of this
601 section.

602 (k) Nothing in this section may be construed to allow a blind person
603 or a person with disabilities who is a bona fide resident of the state to
604 park in a public or private area reserved for the exclusive use of
605 handicapped persons as provided in this section if such person does
606 not display upon or within his vehicle a plate or placard issued
607 pursuant to this section.

608 (l) Violation of any provision of this section shall be an infraction,
609 provided the fine for violation of the provisions of subsection (f) of this
610 section shall be not less than eighty-five dollars.

611 (m) The Commissioner of Motor Vehicles shall adopt regulations in
612 accordance with the provisions of chapter 54, to carry out the
613 provisions of this chapter and to establish a uniform system for the
614 issuance, renewal and regulation of special license plates, removable
615 windshield placards and temporary removable windshield placards.
616 Such plates and placards shall be used only by persons to whom such
617 plates and placards are issued.

618 Sec. 15. Subsection (a) of section 14-1 of the 2006 supplement to the
619 general statutes is repealed and the following is substituted in lieu
620 thereof (*Effective from passage*):

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

625 (1) "Activity vehicle" means a student transportation vehicle that is

626 used to transport students in connection with school-sponsored events
627 and activities, but is not used to transport students to and from school;

628 (2) "Agricultural tractor" means a tractor or other form of
629 nonmuscular motive power used for transporting, hauling, plowing,
630 cultivating, planting, harvesting, reaping or other agricultural
631 purposes on any farm or other private property, or used for the
632 purpose of transporting, from one farm to another, agricultural
633 implements and farm products, provided the agricultural tractor is not
634 used on any highway for transporting a pay load or for some other
635 commercial purpose;

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

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

644 (5) "Authorized emergency vehicle" means (A) a fire department
645 vehicle, (B) a police vehicle, or (C) a public service company or
646 municipal department ambulance or emergency vehicle designated or
647 authorized for use as an authorized emergency vehicle by the
648 commissioner;

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

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

655 (8) "Camp trailer" includes any trailer designed and used

656 exclusively for camping or recreational purposes;

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

660 (10) "Combination registration" means the type of registration
661 issued to a motor vehicle used for both private passenger and
662 commercial purposes if such vehicle does not have a gross vehicle
663 weight rating in excess of twelve thousand five hundred pounds;

664 (11) "Commercial driver's license" or "CDL" means a license issued
665 to an individual in accordance with the provisions of sections 14-44a to
666 14-44m, inclusive, which authorizes such individual to drive a
667 commercial motor vehicle;

668 (12) "Commercial driver's license information system" or "CDLIS"
669 means the national database of holders of commercial driver's licenses
670 established by the Federal Motor Carrier Safety Administration
671 pursuant to section 12007 of the Commercial Motor Vehicle Safety Act
672 of 1986;

673 (13) "Commercial motor vehicle" means a vehicle designed or used
674 to transport passengers or property, except a vehicle used [within one
675 hundred fifty miles of a farm in connection with the operation of such
676 farm] for farming purposes in accordance with 49 CFR 383.3(d), fire
677 fighting apparatus or [other authorized emergency vehicles] an
678 emergency vehicle, as defined in section 14-283 of the 2006 supplement
679 to the general statutes, or a recreational vehicle in private use, which
680 (A) has a gross vehicle weight rating of twenty-six thousand and one
681 pounds or more, or gross combination weight rating of twenty-six
682 thousand and one pounds or more, inclusive of a towed unit or units
683 with a gross vehicle weight rating of more than ten thousand pounds;
684 (B) is designed to transport sixteen or more passengers, including the
685 driver, or is designed to transport more than ten passengers, including
686 the driver, and is used to transport students under the age of twenty-
687 one years to and from school; or (C) is transporting hazardous

688 materials and is required to be placarded in accordance with 49 CFR
689 172, Subpart F, as amended, or any quantity of a material listed as a
690 select agent or toxin in 42 CFR Part 73.

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

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

699 (16) "Commissioner" includes the Commissioner of Motor Vehicles
700 and any assistant to the Commissioner of Motor Vehicles who is
701 designated and authorized by, and who is acting for, the
702 Commissioner of Motor Vehicles under a designation; except that the
703 deputy commissioners of motor vehicles and the Attorney General are
704 deemed, unless the Commissioner of Motor Vehicles otherwise
705 provides, to be designated and authorized by, and acting for, the
706 Commissioner of Motor Vehicles under a designation;

707 (17) "Controlled substance" has the same meaning as in section 21a-
708 240 and the federal laws and regulations incorporated in chapter 420b;

709 (18) "Conviction" means an unvacated adjudication of guilt, or a
710 determination that a person has violated or failed to comply with the
711 law in a court of original jurisdiction or an authorized administrative
712 tribunal, an unvacated forfeiture of bail or collateral deposited to
713 secure the person's appearance in court, the payment of a fine or court
714 cost, including payment to the Centralized Infractions Bureau in
715 accordance with section 51-164n of the 2006 supplement to the general
716 statutes or 51-164o, or violation of a condition of release without bail,
717 regardless of whether or not the penalty is rebated, suspended or
718 probated.

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

724 (20) "Disqualification" means a withdrawal of the privilege to drive
725 a commercial motor vehicle, which occurs as a result of (A) any
726 suspension, revocation, or cancellation by the commissioner of the
727 privilege to operate a motor vehicle; (B) a determination by the Federal
728 Highway Administration, under the rules of practice for motor carrier
729 safety contained in 49 CFR 386, as amended, that a person is no longer
730 qualified to operate a commercial motor vehicle under the standards of
731 49 CFR 391, as amended; or (C) the loss of qualification which follows
732 any of the convictions or administrative actions specified in section 14-
733 44k, as amended by this act;

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

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

739 (23) "Driver's license" or "operator's license" means a valid
740 Connecticut motor vehicle operator's license or a license issued by
741 another state or foreign jurisdiction authorizing the holder thereof to
742 operate a motor vehicle on the highways;

743 (24) "Employee" means any operator of a commercial motor vehicle,
744 including full-time, regularly employed drivers, casual, intermittent or
745 occasional drivers, drivers under contract and independent, owner-
746 operator contractors, who, while in the course of operating a
747 commercial motor vehicle, are either directly employed by, or are
748 under contract to, an employer;

749 (25) "Employer" means any person, including the United States, a

750 state or any political subdivision thereof, who owns or leases a
751 commercial motor vehicle, or assigns a person to drive a commercial
752 motor vehicle;

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

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

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

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

763 (30) "Fuels" means (A) all products commonly or commercially
764 known or sold as gasoline, including casinghead and absorption or
765 natural gasoline, regardless of their classification or uses, (B) any liquid
766 prepared, advertised, offered for sale or sold for use, or commonly and
767 commercially used, as a fuel in internal combustion engines, which,
768 when subjected to distillation in accordance with the standard method
769 of test for distillation of gasoline, naphtha, kerosene and similar
770 petroleum products by "American Society for Testing Materials
771 Method D-86", shows not less than ten per cent distilled (recovered)
772 below 347 Fahrenheit (175 Centigrade) and not less than ninety-five
773 per cent distilled (recovered) below 464 Fahrenheit (240 Centigrade);
774 provided the term "fuels" shall not include commercial solvents or
775 naphthas which distill, by "American Society for Testing Materials
776 Method D-86", not more than nine per cent at 176 Fahrenheit and
777 which have a distillation range of 150 Fahrenheit, or less, or liquefied
778 gases which would not exist as liquids at a temperature of 60
779 Fahrenheit and a pressure of 14.7 pounds per square inch absolute,
780 and (C) any liquid commonly referred to as "gasohol" which is
781 prepared, advertised, offered for sale or sold for use, or commonly and

782 commercially used, as a fuel in internal combustion engines, consisting
783 of a blend of gasoline and a minimum of ten per cent by volume of
784 ethyl or methyl alcohol;

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

787 (32) "Gross vehicle weight rating" or "GVWR" means the value
788 specified by the manufacturer as the maximum loaded weight of a
789 single or a combination (articulated) vehicle, [or its registered gross
790 weight, whichever is greater.] The GVWR of a combination
791 (articulated) vehicle commonly referred to as the "gross combination
792 weight rating" or GCWR is the GVWR of the power unit plus the
793 GVWR of the towed unit or units;

794 (33) "Gross weight" means the light weight of a vehicle plus the
795 weight of any load on the vehicle, provided, in the case of a tractor-
796 trailer unit, "gross weight" means the light weight of the tractor plus
797 the light weight of the trailer or semitrailer plus the weight of the load
798 on the vehicle;

799 (34) "Hazardous materials" has the same meaning as in [Section 103
800 of the Hazardous Materials Transportation Act, 49 USC 1801 et seq.] 49
801 CFR 383.5;

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

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

811 (37) "Highway" includes any state or other public highway, road,

812 street, avenue, alley, driveway, parkway or place, under the control of
813 the state or any political subdivision of the state, dedicated,
814 appropriated or opened to public travel or other use;

815 (38) "Imminent hazard" means the existence of a condition that
816 presents a substantial likelihood that death, serious illness, severe
817 personal injury or a substantial endangerment to health, property, or
818 the environment may occur before the reasonably foreseeable
819 completion date of a formal proceeding begun to lessen the risk of that
820 death, illness, injury or endangerment;

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

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

826 (41) "Limited access highway" means a state highway so designated
827 under the provisions of section 13b-27;

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

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

837 (44) "Manufacturer" means (A) a person, whether a resident or
838 nonresident, engaged in the business of constructing or assembling
839 new motor vehicles of a type required to be registered by the
840 commissioner, for operation upon any highway, except a utility trailer,
841 which are offered for sale in this state, or (B) a person who distributes

842 new motor vehicles to new car dealers licensed in this state;

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

846 [(46) "Minibike" or "minicycle" means any two or three wheel
847 motorcycle having one or more of the following characteristics: (A)
848 Ten inches (254 mm) or less nominal wheel rim diameter; (B) forty
849 inches or less wheel base; (C) twenty-five inches or less seat height
850 measured at the lowest point on the top of the seat cushion without
851 rider; (D) a propelling engine having a piston displacement of 50 c.c. or
852 less;]

853 [(47)] ~~(46)~~ "Modified antique motor vehicle" means a motor vehicle
854 twenty years old or older which has been modified for safe road use,
855 including, but not limited to, modifications to the drive train,
856 suspension, braking system and safety or comfort apparatus;

857 [(48)] ~~(47)~~ "Motor bus" includes any motor vehicle, except a taxicab,
858 as defined in section 13b-95, operated in whole or in part on any street
859 or highway in a manner affording a means of transportation by
860 indiscriminately receiving or discharging passengers, or running on a
861 regular route or over any portion of a regular route or between fixed
862 termini;

863 [(49)] ~~(48)~~ "Motor home" means a vehicular unit designed to provide
864 living quarters and necessary amenities which are built into an integral
865 part of, or permanently attached to, a truck or van chassis;

866 [(50)] ~~(49)~~ "Motorcycle" means a motor vehicle, with or without a
867 side car, having not more than three wheels in contact with the ground
868 and a saddle or seat on which the rider sits or a platform on which the
869 rider stands and includes bicycles having a motor attached, except
870 bicycles propelled by means of a helper motor as defined in section
871 14-286, as amended by this act, but does not include a vehicle having
872 or designed to have a completely enclosed driver's seat and a motor

873 which is not in the enclosed area;

874 [(51)] (50) "Motor vehicle" means any vehicle propelled or drawn by
875 any nonmuscular power, except aircraft, motor boats, road rollers,
876 baggage trucks used about railroad stations or other mass transit
877 facilities, electric battery-operated wheel chairs when operated by
878 physically handicapped persons at speeds not exceeding fifteen miles
879 per hour, golf carts operated on highways solely for the purpose of
880 crossing from one part of the golf course to another, golf cart type
881 vehicles operated on roads or highways on the grounds of state
882 institutions by state employees, agricultural tractors, farm implements,
883 such vehicles as run only on rails or tracks, self-propelled snow plows,
884 snow blowers and lawn mowers, when used for the purposes for
885 which they were designed and operated at speeds not exceeding four
886 miles per hour, whether or not the operator rides on or walks behind
887 such equipment, bicycles with helper motors as defined in section 14-
888 286, as amended by this act, special mobile equipment as defined in
889 subsection (i) of section 14-165, as amended, mini-motorcycle, as
890 defined in section 14-289j, as amended by this act, and any other
891 vehicle not suitable for operation on a highway;

892 [(52)] (51) "National Driver Registry" or "NDR" means the licensing
893 information system and database operated by the National Highway
894 Traffic Safety Administration and established pursuant to the National
895 Driver Registry Act of 1982, as amended;

896 [(53)] (52) "New motor vehicle" means a motor vehicle, the equitable
897 or legal title to which has never been transferred by a manufacturer,
898 distributor or dealer to an ultimate consumer;

899 [(54)] (53) "Nonresident" means any person whose legal residence is
900 in a state other than Connecticut or in a foreign country;

901 [(55)] (54) "Nonresident commercial driver's license" or "nonresident
902 CDL" means a commercial driver's license issued by a state to an
903 individual who resides in a foreign jurisdiction;

904 [(56)] (55) "Nonskid device" means any device applied to the tires,
905 wheels, axles or frame of a motor vehicle for the purpose of increasing
906 the traction of the motor vehicle;

907 [(57)] (56) "Number plate" means any sign or marker furnished by
908 the commissioner on which is displayed the registration number
909 assigned to a motor vehicle by the commissioner;

910 [(58)] (57) "Officer" includes any constable, state marshal, inspector
911 of motor vehicles, state policeman or other official authorized to make
912 arrests or to serve process, provided the officer is in uniform or
913 displays the officer's badge of office in a conspicuous place when
914 making an arrest;

915 [(59)] (58) "Operator" means any person who operates a motor
916 vehicle or who steers or directs the course of a motor vehicle being
917 towed by another motor vehicle and includes a driver as defined in
918 subdivision (22) of this section;

919 [(60)] (59) "Out-of-service order" means a temporary prohibition
920 against driving a commercial motor vehicle or any other vehicle
921 subject to the federal motor carrier safety regulations enforced by the
922 commissioner pursuant to the commissioner's authority under section
923 14-8;

924 [(61)] (60) "Owner" means any person holding title to a motor
925 vehicle, or having the legal right to register the same, including
926 purchasers under conditional bills of sale;

927 [(62)] (61) "Parked vehicle" means a motor vehicle in a stationary
928 position within the limits of a public highway;

929 [(63)] (62) "Passenger and commercial motor vehicle" means a motor
930 vehicle used for private passenger and commercial purposes which is
931 eligible for combination registration;

932 [(64)] (63) "Passenger motor vehicle" means a motor vehicle used for
933 the private transportation of persons and their personal belongings,

934 designed to carry occupants in comfort and safety, with a capacity of
935 carrying not more than ten passengers including the operator thereof;

936 [(65)] (64) "Passenger registration" means the type of registration
937 issued to a passenger motor vehicle unless a more specific type of
938 registration is authorized and issued by the commissioner for such
939 class of vehicle;

940 [(66)] (65) "Person" includes any individual, corporation, limited
941 liability company, association, copartnership, company, firm, business
942 trust or other aggregation of individuals but does not include the state
943 or any political subdivision thereof, unless the context clearly states or
944 requires;

945 [(67)] (66) "Pick-up truck" means a motor vehicle with an enclosed
946 forward passenger compartment and an open rearward compartment
947 used for the transportation of property;

948 [(68)] (67) "Pneumatic tires" means tires inflated or inflatable with
949 air;

950 [(69)] (68) "Pole trailer" means a trailer which is (A) intended for
951 transporting long or irregularly shaped loads such as poles, logs, pipes
952 or structural members, which loads are capable of sustaining
953 themselves as beams between supporting connections, and (B)
954 designed to be drawn by a motor vehicle and attached or secured
955 directly to the motor vehicle by any means including a reach, pole or
956 boom;

957 [(70)] (69) "Recreational vehicle" includes the camper, camp trailer
958 and motor home classes of vehicles;

959 [(71)] (70) "Registration" includes the certificate of motor vehicle
960 registration and the number plate or plates used in connection with
961 such registration;

962 [(72)] (71) "Registration number" means the identifying number or
963 letters, or both, assigned by the commissioner to a motor vehicle;

964 [(73)] (72) "Resident", for the purpose of registering motor vehicles,
965 includes any person having a place of residence in this state, occupied
966 by such person for more than six months in a year, or any person, firm
967 or corporation owning or leasing a motor vehicle used or operated in
968 intrastate business in this state, or a firm or corporation having its
969 principal office or place of business in this state;

970 [(74)] (73) "School bus" means any school bus, as defined in section
971 14-275, including a commercial motor vehicle used to transport
972 preschool, elementary school or secondary school students from home
973 to school, from school to home, or to and from school-sponsored
974 events, but does not include a bus used as a common carrier;

975 [(75)] (74) "Second" violation or "subsequent" violation means an
976 offense committed not more than three years after the date of an arrest
977 which resulted in a previous conviction for a violation of the same
978 statutory provision, except in the case of a violation of section 14-215,
979 as amended, or 14-224 or subsection (a) of section 14-227a, as amended,
980 "second" violation or "subsequent" violation means an offense
981 committed not more than ten years after the date of an arrest which
982 resulted in a previous conviction for a violation of the same statutory
983 provision;

984 [(76)] (75) "Semitrailer" means any trailer type vehicle designed and
985 used in conjunction with a motor vehicle so that some part of its own
986 weight and load rests on or is carried by another vehicle;

987 [(77)] (76) "Serious traffic violation" means a conviction of any of the
988 following offenses: (A) Speeding in excess of fifteen miles per hour or
989 more over the posted speed limit, in violation of section 14-218a or 14-
990 219; (B) reckless driving in violation of section 14-222; (C) following too
991 closely in violation of section 14-240 or 14-240a; (D) improper or erratic
992 lane changes, in violation of section 14-236; (E) driving a commercial
993 motor vehicle without a valid commercial driver's license in violation
994 of section 14-36a, as amended, or 14-44a; (F) failure to carry a
995 commercial driver's license in violation of section 14-44a; (G) failure to

996 have the proper class of license or endorsement, or violation of a
997 license restriction in violation of section 14-44a; or (H) arising in
998 connection with an accident related to the operation of a commercial
999 motor vehicle and which resulted in a fatality;

1000 [(78)] (77) "Service bus" includes any vehicle except a vanpool
1001 vehicle or a school bus designed and regularly used to carry ten or
1002 more passengers when used in private service for the transportation of
1003 persons without charge to the individual;

1004 [(79)] (78) "Service car" means any motor vehicle used by a
1005 manufacturer, dealer or repairer for emergency motor vehicle repairs
1006 on the highways of this state, for towing or for the transportation of
1007 necessary persons, tools and materials to and from the scene of such
1008 emergency repairs or towing;

1009 [(80)] (79) "Shoulder" means that portion of a highway immediately
1010 adjacent and contiguous to the travel lanes or main traveled portion of
1011 the roadway;

1012 [(81)] (80) "Solid tires" means tires of rubber, or other elastic material
1013 approved by the Commissioner of Transportation, which do not
1014 depend on confined air for the support of the load;

1015 [(82)] (81) "Spot lamp" or "spot light" means a lighting device
1016 projecting a high intensity beam, the direction of which can be readily
1017 controlled for special or emergency lighting as distinguished from
1018 ordinary road illumination;

1019 [(83)] (82) "State" means any state of the United States and the
1020 District of Columbia unless the context indicates a more specific
1021 reference to the state of Connecticut;

1022 [(84)] (83) "Stop" means complete cessation of movement;

1023 [(85)] (84) "Tail lamp" means a lighting device affixed to the rear of a
1024 motor vehicle showing a red light to the rear and indicating the
1025 presence of the motor vehicle when viewed from behind;

1026 ~~[(86)]~~ (85) "Tank vehicle" means any commercial motor vehicle
1027 designed to transport any liquid or gaseous material within a tank that
1028 is either permanently or temporarily attached to the vehicle or its
1029 chassis which shall include, but not be limited to, a cargo tank and
1030 portable tank, as defined in 49 CFR 383.5, as amended, provided it
1031 shall not include a portable tank with a rated capacity not to exceed
1032 one thousand gallons;

1033 ~~[(87)]~~ (86) "Tractor" or "truck tractor" means a motor vehicle
1034 designed and used for drawing a semitrailer;

1035 ~~[(88)]~~ (87) "Tractor-trailer unit" means a combination of a tractor and
1036 a trailer or a combination of a tractor and a semitrailer;

1037 ~~[(89)]~~ (88) "Trailer" means any rubber-tired vehicle without motive
1038 power drawn or propelled by a motor vehicle;

1039 ~~[(90)]~~ (89) "Truck" means a motor vehicle designed, used or
1040 maintained primarily for the transportation of property;

1041 ~~[(91)]~~ (90) "Ultimate consumer" means, with respect to a motor
1042 vehicle, the first person, other than a dealer, who in good faith
1043 purchases the motor vehicle for purposes other than resale;

1044 ~~[(92)]~~ (91) "United States" means the fifty states and the District of
1045 Columbia;

1046 ~~[(93)]~~ (92) "Used motor vehicle" includes any motor vehicle which
1047 has been previously separately registered by an ultimate consumer;

1048 ~~[(94)]~~ (93) "Utility trailer" means a trailer designed and used to
1049 transport personal property, materials or equipment, whether or not
1050 permanently affixed to the bed of the trailer, with a manufacturer's
1051 GVWR of ten thousand pounds or less;

1052 ~~[(95)]~~ (94) "Vanpool vehicle" includes all motor vehicles, the primary
1053 purpose of which is the daily transportation, on a prearranged
1054 nonprofit basis, of individuals between home and work, and which:

1055 (A) If owned by or leased to a person, or to an employee of the person,
1056 or to an employee of a local, state or federal government unit or agency
1057 located in Connecticut, are manufactured and equipped in such
1058 manner as to provide a seating capacity of at least seven but not more
1059 than fifteen individuals, or (B) if owned by or leased to a regional ride-
1060 sharing organization in the state recognized by the Commissioner of
1061 Transportation, are manufactured and equipped in such manner as to
1062 provide a seating capacity of at least six but not more than nineteen
1063 individuals;

1064 [(96)] (95) "Vehicle" includes any device suitable for the conveyance,
1065 drawing or other transportation of persons or property, whether
1066 operated on wheels, runners, a cushion of air or by any other means.
1067 The term does not include devices propelled or drawn by human
1068 power or devices used exclusively on tracks;

1069 [(97)] (96) "Vehicle identification number" or "VIN" means a series of
1070 Arabic numbers and Roman letters that is assigned to each new motor
1071 vehicle that is manufactured within or imported into the United States,
1072 in accordance with the provisions of 49 CFR 565, unless another
1073 sequence of numbers and letters has been assigned to a motor vehicle
1074 by the commissioner, in accordance with the provisions of section 14-
1075 149;

1076 [(98)] (97) "Wrecker" means a vehicle which is registered, designed,
1077 equipped and used for the purposes of towing or transporting
1078 wrecked or disabled motor vehicles for compensation or for related
1079 purposes by a person, firm or corporation licensed in accordance with
1080 the provisions of subpart (D) of part III of this chapter or a vehicle
1081 contracted for the consensual towing or transporting of a motor vehicle
1082 to or from a place of sale, purchase, salvage or repair;

1083 [(99)] (98) "Camp vehicle" means any motor vehicle that is regularly
1084 used to transport persons under eighteen years of age in connection
1085 with the activities of any youth camp, as defined in section 19a-420.

1086 Sec. 16. Subsection (e) of section 14-286 of the general statutes is

1087 repealed and the following is substituted in lieu thereof (*Effective from*
1088 *passage*):

1089 (e) As used in this section: (1) "Sidewalk" means any sidewalk laid
1090 out as such by any town, city or borough, and any walk which is
1091 reserved by custom for the use of pedestrians, or which has been
1092 specially prepared for their use. "Sidewalk" does not include
1093 crosswalks and does not include footpaths on portions of public
1094 highways outside thickly settled parts of towns, cities and boroughs,
1095 which are worn only by travel and are not improved by such towns,
1096 cities or boroughs or by abutters; (2) "bicycle" includes all vehicles
1097 propelled by the person riding the same by foot or hand power or a
1098 helper motor; and (3) ["helper motor" means a motor having a capacity
1099 of less than fifty cubic centimeters piston displacement, rated not more
1100 than two brake horsepower, capable of a maximum speed of no more
1101 than thirty miles per hour and equipped with automatic transmission]
1102 "bicycle with a helper motor" means a bicycle with a seat height of not
1103 less than twenty-six inches that is powered by a motor having a
1104 capacity of less than fifty cubic centimeters piston displacement, rated
1105 not more than two brake horsepower, capable of a maximum speed of
1106 no more than thirty miles per hour and equipped with automatic
1107 transmission.

1108 Sec. 17. Section 14-289j of the 2006 supplement to the general
1109 statutes is repealed and the following is substituted in lieu thereof
1110 (*Effective from passage*):

1111 (a) For the purposes of this section, "mini-motorcycle" means a
1112 vehicle, as defined in section 14-1, as amended by this act, that (1) has
1113 not more than three wheels in contact with the ground, (2) [is
1114 equipped with or is designed to have a seat on which the rider may
1115 sit,] has a manufactured seat height of less than twenty-six inches
1116 measured at the lowest point on top of the seat cushion without the
1117 rider, and (3) is propelled by an engine having a piston displacement
1118 of less than 50 c.c. [or less, (4) is capable of a speed in excess of twenty
1119 miles per hour, and (5) is not eligible to be registered as a motor

1120 vehicle under section 14-12.]

1121 (b) No person shall operate a mini-motorcycle or ride as a passenger
1122 on a mini-motorcycle on any highway [] or public sidewalk. [or public
1123 property of this state.] No owner of a mini-motorcycle shall permit a
1124 person to operate the owner's mini-motorcycle or to ride as a
1125 passenger on the owner's mini-motorcycle on any highway [] or
1126 public sidewalk. [or public property of this state.]

1127 (c) Except on private property owned by the operator of a mini-
1128 motorcycle, no person shall operate a mini-motorcycle or ride as a
1129 passenger on a mini-motorcycle on any private property in this state
1130 unless such operator has in the operator's possession written
1131 permission from the owner of the private property to operate such
1132 mini-motorcycle and, as the case may be, to carry a passenger on such
1133 property.

1134 (d) Except on private property owned by the owner of the mini-
1135 motorcycle, no owner of a mini-motorcycle shall permit a person to
1136 operate the owner's mini-motorcycle or to ride as a passenger on the
1137 owner's mini-motorcycle on any private property in this state unless
1138 such operator has in the operator's possession written permission from
1139 the owner of the private property to operate such mini-motorcycle
1140 and, as the case may be, to carry a passenger on such property.

1141 (e) Any police officer who issues a summons for the alleged
1142 violation of subsection (b), (c) or (d) of this section shall cause the mini-
1143 motorcycle that was being operated to be impounded for a period of
1144 forty-eight hours after the issuance of such summons. The owner of
1145 such mini-motorcycle may reclaim such mini-motorcycle after the
1146 expiration of such forty-eight-hour period upon payment of all
1147 transportation and storage costs.

1148 (f) No person may offer for sale, lease or rent a mini-motorcycle
1149 unless such mini-motorcycle has a warning label that gives warning
1150 information about the safe and legal use of a mini-motorcycle and
1151 about the limitations on use and the possible consequences of use in

1152 violation of such limitations, set forth in subsections (b) to (e),
1153 inclusive, of this section. Such person, on sale, lease or rent of a mini-
1154 motorcycle, shall give a written clear and conspicuous statement,
1155 separate from the warning label, to the purchaser, lessee or renter of
1156 such mini-motorcycle containing such warning information.
1157 Advertisements for mini-motorcycles and oral communications of a
1158 person offering for sale, lease or rent a mini-motorcycle shall not
1159 contain information inconsistent with any information required in this
1160 section. Until regulations required in subsection (g) of this section are
1161 adopted, persons offering for sale, lease or rent of a mini-motorcycle
1162 shall display such warning information, advertise and make oral
1163 communications in a manner consistent with the provisions of this
1164 section. The provisions of this subsection do not apply to any person
1165 selling fewer than five used mini-motorcycles in one calendar year,
1166 provided any person claiming inapplicability of the provisions of this
1167 subsection shall have the burden of proving such inapplicability.

1168 (g) On or before [January] October 1, 2006, the Department of Motor
1169 Vehicles shall adopt regulations, in accordance with the provisions of
1170 chapter 54, that set forth the warning information required in this
1171 section and manner of display of such warning information, establish
1172 reasonable transportation and storage fees and otherwise implement
1173 the provisions of this section.

1174 (h) Nothing in this section shall prohibit a municipality from
1175 adopting more restrictive limitations on the use and sale, lease or rent
1176 of mini-motorcycles.

1177 (i) Violation of any provision of this section shall be an infraction.

1178 Sec. 18. Section 14-44e of the general statutes is repealed and the
1179 following is substituted in lieu thereof (*Effective July 1, 2006*):

1180 (a) The commissioner shall not issue a commercial driver's license to
1181 any person unless such person is a resident of this state and has passed
1182 a knowledge and skills test for driving a commercial motor vehicle
1183 which complies with the minimum federal standards established by 49

1184 CFR 383, Subparts G and H, as amended, and has satisfied all other
1185 requirements of this section and sections 14-44b, 14-44c and 14-44g, in
1186 addition to other requirements for an operator's license imposed by the
1187 general statutes and regulations of the commissioner.

1188 (b) The commissioner shall not issue a commercial driver's license to
1189 any person who has a physical or psychobehavioral impairment that
1190 affects such person's ability to operate a commercial motor vehicle
1191 safely. In determining whether to issue a commercial driver's license in
1192 any individual case, the commissioner shall apply the standards set
1193 forth in 49 CFR 391.41, as amended, unless it is established that the
1194 person will operate such vehicle only in this state, in which case the
1195 commissioner shall apply the standards set forth in this chapter and in
1196 regulations adopted thereunder. Any person who is denied a
1197 commercial driver's license, or whose license is suspended, revoked or
1198 cancelled pursuant to this subsection shall be granted an opportunity
1199 for a hearing in accordance with the provisions of chapter 54.

1200 (c) The commissioner may waive the skills test required under
1201 subsection (a) of this section in the case of an applicant for a
1202 commercial driver's license who meets the requirements of 49 CFR
1203 383.77, as amended or, in the case of an applicant for a school bus
1204 endorsement who meets the requirements of 49 CFR 383.123, as
1205 amended.

1206 (d) A commercial driver's license shall not be issued to any person
1207 subject to disqualification from driving a commercial motor vehicle or
1208 subject to suspension, revocation or cancellation of operating
1209 privileges in any state. Each applicant for an endorsement to drive a
1210 vehicle transporting hazardous materials shall be subject to the
1211 requirements of 49 USC 5103a, as administered by the United States
1212 Transportation Security Administration. The commissioner may refuse
1213 to issue a hazardous materials endorsement, or may suspend or revoke
1214 any such endorsement, held by any person who is the subject of a
1215 notification received from the Transportation Security Administration,
1216 in accordance with the provisions of 49 CFR 1572.5, as amended.

1217 (e) An operator's license shall not be issued to any person who holds
1218 an operator's license issued by any other state, unless such person first
1219 surrenders such license or licenses to the commissioner. The
1220 commissioner shall return every license surrendered hereunder to the
1221 issuing state for cancellation.

1222 (f) The commissioner may refuse to issue a commercial driver's
1223 license, or may issue a commercial driver's license subject to
1224 compliance with such condition as the commissioner may prescribe, to
1225 any person whose motor vehicle operator's license, privilege to operate
1226 a motor vehicle in this state or license endorsement is under
1227 suspension.

1228 ~~[(f)]~~ (g) The commissioner may issue a commercial driver's
1229 instruction permit to any person who holds a valid operator's license.
1230 Said permit may not be issued for a period to exceed six months. Only
1231 one renewal or reissuance may be granted within a two-year period.
1232 The holder of a commercial driver's instruction permit, may, unless
1233 otherwise disqualified, drive a commercial motor vehicle only when
1234 accompanied by the holder of a commercial driver's license with
1235 appropriate endorsements for the type of vehicle being driven who
1236 occupies a seat beside the individual for the purpose of giving
1237 instruction in driving the commercial motor vehicle.

1238 Sec. 19. Section 14-44k of the 2006 supplement to the general statutes
1239 is repealed and the following is substituted in lieu thereof (*Effective*
1240 *July 1, 2006*):

1241 (a) A driver who is disqualified or subject to an out-of-service order
1242 shall not drive a commercial motor vehicle. An employer shall not
1243 knowingly permit or require a driver who is disqualified to drive a
1244 commercial motor vehicle.

1245 (b) In addition to any other penalties provided by law, and except as
1246 provided in subsection (d) of this section, a person is disqualified from
1247 operating a commercial motor vehicle for one year if convicted of one
1248 violation of (1) operating any motor vehicle while under the influence

1249 of intoxicating liquor or drugs or both under section 14-227a, as
1250 amended, (2) operating a commercial motor vehicle while having a
1251 blood alcohol concentration of four-hundredths of one per cent, or
1252 more, (3) evasion of responsibility [, involving a commercial motor
1253 vehicle,] under section 14-224, (4) using any motor vehicle in the
1254 commission of any felony, as defined in section 14-1, as amended by
1255 this act, (5) operating a commercial motor vehicle while the operator's
1256 commercial driver's license is revoked, suspended or cancelled, or
1257 while the operator is disqualified from operating a commercial motor
1258 vehicle, or (6) causing a fatality through the negligent or reckless
1259 operation of a commercial motor vehicle, as evidenced by a conviction
1260 of a violation of section 53a-56b, 53a-57, 53a-60d or 14-222a.

1261 (c) In addition to any other penalties provided by law, and except as
1262 provided in subsection (d) of this section, a person is disqualified from
1263 operating a commercial motor vehicle for one year if the commissioner
1264 finds that such person has refused to submit to a test to determine such
1265 person's blood alcohol concentration while operating any motor
1266 vehicle, or has failed such a test when given, pursuant to the
1267 provisions of section 14-227b, as amended, or pursuant to the
1268 provisions of a law of any other state that is deemed by the
1269 commissioner to be substantially similar to section 14-227b, as
1270 amended. For the purpose of this subsection, a person shall be deemed
1271 to have failed such a test if, when driving a commercial motor vehicle,
1272 the ratio of alcohol in the blood of such person was four-hundredths of
1273 one per cent or more of alcohol, by weight, or if, when driving any
1274 other motor vehicle, the ratio of alcohol in the blood of such person
1275 was eight-hundredths of one per cent or more of alcohol, by weight.

1276 (d) If a person commits any of the disqualifying offenses identified
1277 in subsection (b) of this section or is the subject of a finding by the
1278 commissioner under subsection (c) of this section while driving a
1279 vehicle transporting hazardous materials, required to be placarded
1280 under the Hazardous Materials Transportation Act, 49 USC 1801 to
1281 1813, inclusive, as amended, such person shall be disqualified for a
1282 period of three years.

1283 (e) In addition to any other penalties provided by law, a person is
1284 disqualified from operating a commercial motor vehicle for (1) sixty
1285 days if convicted of failure to stop at a railroad grade crossing, in
1286 violation of section 14-249, as amended, or 14-250, as amended, while
1287 operating a commercial motor vehicle, (2) one hundred twenty days if
1288 convicted of a second violation of section 14-249, as amended, or 14-
1289 250, as amended, while operating a commercial motor vehicle, and (3)
1290 one year if convicted of a third or subsequent violation of section 14-
1291 249, as amended, or 14-250, as amended, while operating a commercial
1292 motor vehicle, during any three-year period.

1293 (f) In addition to any other penalties provided by law, a person is
1294 disqualified from operating a commercial motor vehicle for a period of
1295 not less than sixty days if convicted of two serious traffic violations, as
1296 defined in section 14-1, as amended by this act, or one hundred twenty
1297 days if convicted of three serious traffic violations, committed while
1298 operating any motor vehicle arising from separate incidents occurring
1299 within a three-year period. The period of any disqualification for a
1300 subsequent offense imposed under this subsection shall commence
1301 immediately after the period of any other disqualification imposed on
1302 such person.

1303 (g) Any person who uses any motor vehicle in the commission of a
1304 felony involving the manufacture, distribution or dispensing of a
1305 controlled substance shall be disqualified for life.

1306 (h) A person is disqualified for life if such person commits two or
1307 more of the offenses specified in subsection (b) of this section, or if
1308 such person is the subject of two or more findings by the commissioner
1309 under subsection (c) of this section, or any combination of those
1310 offenses or findings, arising from two or more separate incidents. A
1311 person is disqualified for life if the commissioner takes suspension
1312 actions against such person for two or more alcohol test refusals or test
1313 failures, or any combination of such actions, arising from two or more
1314 separate incidents. Any person disqualified for life, except a person
1315 disqualified under subsection (g) of this section, who has both

1316 voluntarily enrolled in and successfully completed an appropriate
1317 rehabilitation program, as determined by the commissioner, may
1318 apply for reinstatement of such person's commercial driver's license,
1319 provided any such applicant shall not be eligible for reinstatement
1320 until such time as such person has served a minimum disqualification
1321 period of ten years. If a person whose commercial driver's license is
1322 reinstated is subsequently convicted of another disqualifying offense,
1323 such person shall be permanently disqualified for life and shall be
1324 ineligible to reapply for a reduction of the lifetime disqualification.

1325 (i) (1) Except as provided in subdivision (2) of this subsection, any
1326 person who violates an out-of-service order shall be disqualified from
1327 operating a commercial motor vehicle: (A) For a period of not less than
1328 ninety days or more than one year for a first violation; (B) for a period
1329 of not less than one year or more than five years for a second violation
1330 during any ten-year period, where such violations arose from separate
1331 incidents; and (C) for a period of not less than three years or more than
1332 five years for a third or subsequent violation during any ten-year
1333 period, where such violations arose from separate incidents.

1334 (2) Any person who violates an out-of-service order while driving a
1335 vehicle transporting hazardous materials, required to be placarded
1336 under the Hazardous Materials Transportation Act, 49 USC 1801 to
1337 1813, inclusive, or a commercial motor vehicle designed to transport
1338 sixteen or more passengers, including the driver, shall be disqualified
1339 from operating a commercial motor vehicle: (A) For a period of not less
1340 than one hundred eighty days or more than two years for a first
1341 violation, and (B) for a period of not less than three years or more than
1342 five years for a second or subsequent violation during any ten-year
1343 period, where such violations arose from separate incidents.

1344 (3) In addition to the penalties provided in subdivision (1) or (2) of
1345 this subsection, any person who violates an out-of-service order shall
1346 be subject to a civil penalty of not less than one thousand one hundred
1347 dollars or more than two thousand seven hundred fifty dollars.

1348 (j) Any holder of a commercial driver's license whose driving is
1349 determined by the Federal Motor Carrier Safety Administration to
1350 constitute an imminent hazard, as defined in section 14-1, as amended
1351 by this act, shall be disqualified from operating a commercial motor
1352 vehicle. The period of disqualification may not exceed thirty days
1353 unless the commissioner is satisfied that the Federal Motor Carrier
1354 Safety Administration has complied with the procedures for review
1355 and hearing set forth in 49 CFR 383.52.

1356 (k) After taking disqualification action, or suspending, revoking or
1357 cancelling a commercial driver's license, the commissioner shall
1358 update the commissioner's records to reflect such action within ten
1359 days. After taking disqualification action, or suspending, revoking or
1360 cancelling the operating privileges of a commercial driver who is
1361 licensed in another state, the commissioner shall notify the licensing
1362 state of such action within ten days. Such notification shall identify the
1363 violation that caused such disqualification, suspension, cancellation or
1364 revocation. The period of any disqualification imposed under this
1365 subsection shall be concurrent with the period of any other
1366 disqualification or suspension imposed on such commercial driver.

1367 Sec. 20. Subsection (d) of section 14-163c of the general statutes is
1368 repealed and the following is substituted in lieu thereof (*Effective July*
1369 *1, 2006*):

1370 (d) Any state or municipal police officer or motor vehicle inspector
1371 may (1) inspect any motor vehicle specified in subsection (a) of this
1372 section in operation and examine its operator to determine compliance
1373 with the provisions of 49 CFR 382 to 397, inclusive, as amended, (2)
1374 enter upon the premises of any motor carrier, as defined in 49 CFR
1375 390.5, as amended, for the purpose of inspecting records maintained
1376 by such carrier, (3) conduct a safety rating procedure, in accordance
1377 with the provisions of 49 CFR 385, as amended, for any motor carrier
1378 that owns or operates any motor vehicle identified in subsection (a) of
1379 this section and, subject to notice and opportunity for hearing in
1380 accordance with the provisions of chapter 54, order any motor carrier

1381 with an unsatisfactory safety rating to cease operations until such time
1382 as it achieves a satisfactory rating, (4) declare a motor vehicle or its
1383 operator out of service as provided in 49 CFR 395.13 and 396.9, as
1384 amended, or (5) issue an infractions complaint under the provisions of
1385 this section, provided such officer or inspector meets the standards
1386 established by the commissioner, in consultation with the
1387 Commissioner of Public Safety, in regulations adopted in accordance
1388 with the provisions of chapter 54.

1389 Sec. 21. Subsection (f) of section 54-56g of the general statutes is
1390 repealed and the following is substituted in lieu thereof (*Effective July*
1391 *1, 2006*):

1392 (f) The provisions of this section shall not be applicable in the case of
1393 any person charged with a violation of section 14-227a, as amended,
1394 while operating a commercial motor vehicle, as defined in section 14-1,
1395 as amended by this act, or who is the holder of a commercial driver's
1396 license, as defined in said section 14-1.

1397 Sec. 22. Subsection (c) of section 14-40a of the general statutes is
1398 repealed and the following is substituted in lieu thereof (*Effective*
1399 *October 1, 2006*):

1400 (c) Before granting a motorcycle endorsement to any applicant who
1401 has not held such an endorsement at any time within the preceding
1402 two years, the commissioner shall require the applicant to demonstrate
1403 personally to the commissioner, a deputy or a motor vehicle inspector
1404 or an agent of the commissioner, in such manner as the commissioner
1405 directs, that the applicant is a proper person to operate a motorcycle,
1406 has sufficient knowledge of the mechanism of a motorcycle to ensure
1407 its safe operation by such applicant, and has satisfactory knowledge of
1408 the law concerning motorcycles and other motor vehicles and the rules
1409 of the road. [On and after January 1, 1990, an] An applicant under the
1410 age of eighteen shall also [demonstrate] present evidence satisfactory
1411 to the commissioner that such applicant has successfully completed a
1412 novice motorcycle training course [offered] conducted by the

1413 Department of Transportation or [approved by the Commissioner of
1414 Motor Vehicles] by any firm or organization that conducts such a
1415 course that uses the curriculum of the Motorcycle Safety Foundation or
1416 other safety or educational organization that has developed a
1417 curriculum approved by the commissioner. The commissioner may
1418 waive the on-road skills portion of the examination for the
1419 endorsement for any such applicant or an applicant who is eighteen
1420 years of age or older who presents evidence of satisfactorily
1421 completing a motorcycle training course. If an applicant has had a
1422 license or held such an endorsement from a state where a similar
1423 examination or course is required, the commissioner may waive part
1424 or all of any such requirement. When the commissioner is satisfied as
1425 to the ability and competency of the applicant, the commissioner may
1426 issue an endorsement to such applicant, either unlimited or containing
1427 such limitations as the commissioner deems advisable. If an applicant
1428 or motorcycle endorsement holder has any health problem which
1429 might affect such person's ability to operate a motorcycle safely, the
1430 commissioner may require the applicant or endorsement holder to
1431 demonstrate personally that, notwithstanding the problem, such
1432 person is a proper person to operate a motorcycle, and the
1433 commissioner may further require a certificate of the applicant's
1434 condition, signed by a medical authority designated by the
1435 commissioner, which certificate shall, in all cases, be treated as
1436 confidential by the commissioner. An endorsement, containing such
1437 limitation as the commissioner deems advisable may be issued or
1438 renewed in any case, but nothing in this section shall be construed to
1439 prevent the commissioner from refusing an endorsement, either
1440 limited or unlimited, to any person or suspending an endorsement of a
1441 person whom the commissioner deems incapable of safely operating a
1442 motorcycle.

1443 Sec. 23. Section 14-99h of the general statutes is repealed and the
1444 following is substituted in lieu thereof (*Effective October 1, 2006*):

1445 (a) Each new car dealer or used car dealer, as defined in section 14-
1446 51, or lessor licensed under the provisions of section 14-15 shall offer

1447 the purchaser or lessee of a new or used motor vehicle, at the time of
1448 sale or lease, the optional service of etching the complete identification
1449 number of the vehicle on a lower corner of the windshield and on each
1450 side or rear window in such vehicle. Each such dealer or lessor may
1451 etch the complete identification number of a motor vehicle on any such
1452 vehicle in its inventory prior to its sale or lease provided it specifies the
1453 charge for such service separately on the order for the sale of the motor
1454 vehicle as prescribed by the provisions of section 14-62.

1455 (b) If a new car dealer or used car dealer, as defined in section 14-51,
1456 offers the purchaser of a new or used motor vehicle, at the time of sale,
1457 the optional service of marking vehicle components with the complete
1458 vehicle identification number, the dealer shall specify the charge for
1459 such service separately on the order for the sale of the motor vehicle as
1460 prescribed by the provisions of section 14-62. The commissioner may
1461 adopt regulations, in accordance with chapter 54, to implement the
1462 provisions of this subsection. Such regulations may provide standards
1463 for the marking of component parts in a secure manner, and for
1464 telephone or on-line access to a secure database of vehicles including
1465 motorcycles and parts that have been marked and registered in such
1466 database. Such regulations may also provide for the marking of parts
1467 used to replace parts that have been marked in accordance with the
1468 provisions of this subsection, by repairers licensed in accordance with
1469 section 14-52. Each new or used dealer that sells a motorcycle shall
1470 offer to the purchaser to mark the complete vehicle identification
1471 number on the component parts of said motorcycle. Such service shall
1472 be subject to the regulations and standards adopted by the
1473 commissioner in accordance with this subsection.

1474 (c) Each new car dealer, used car dealer or lessor shall charge
1475 reasonable rates for etching services and parts marking services
1476 rendered within the state pursuant to subsections (a) and (b) of this
1477 section and shall file a schedule of such rates with the Commissioner of
1478 Motor Vehicles not later than September first in each year. Each such
1479 dealer or lessor may from time to time file an amended schedule of
1480 such rates with the commissioner. No such dealer or lessor may charge

1481 any rate for such etching services or parts marking services which is
1482 greater than the rates contained in the most recent schedule filed with
1483 the commissioner.

1484 (d) A motor vehicle dealer, licensed in accordance with section 14-52
1485 and meeting qualifications established by the commissioner, may
1486 verify a manufacturer's vehicle identification number to satisfy any
1487 provision requiring such verification in this chapter, or chapter 246a or
1488 247. Such verification shall be provided in a written affidavit signed by
1489 such a motor vehicle dealer, or his designee, and submitted to the
1490 commissioner. Such affidavit shall contain a statement that the
1491 manufacturer's vehicle identification number corresponds to such
1492 number (1) on the manufacturer's or importer's certificate of origin, if
1493 the motor vehicle is new, or (2) on a current certificate of title, for all
1494 other vehicles. Such affidavit shall also contain a statement that the
1495 vehicle identification number has not been mutilated, altered or
1496 removed.

1497 (e) Any person violating the provisions of subsection (c) of this
1498 section, shall be subject to the penalties of false statement, provided for
1499 in sections 14-110 and 53a-157b.

1500 (f) The commissioner may adopt regulations, in accordance with
1501 chapter 54, to implement the provisions of this section.

1502 Sec. 24. Section 14-111g of the general statutes is repealed and the
1503 following is substituted in lieu thereof (*Effective October 1, 2006*):

1504 (a) For the purposes of this subsection, "moving violation" means
1505 any violation of section 14-218a, 14-219, 14-222, 14-223, 14-230 to 14-
1506 249, inclusive, as amended, 14-279, 14-289b, 14-299, 14-301, 14-302 or
1507 14-303, and "suspension violation" means a violation of section 14-222a
1508 or 14-224, subsection (a) of section 14-227a, as amended, or section 53a-
1509 56b, 53a-57 or 53a-60d. The Commissioner of Motor Vehicles may
1510 require any licensed motor vehicle operator who is twenty-four years
1511 of age or less, who has been convicted of a moving violation or a
1512 suspension violation, or both, committed on two or more occasions to

1513 attend a motor vehicle operator's retraining program. The
 1514 commissioner may require any licensed motor vehicle operator over
 1515 twenty-four years of age, who has been convicted of a moving
 1516 violation or a suspension violation or a combination of said violations,
 1517 committed on three or more occasions to attend a motor vehicle
 1518 operator's retraining program. The retraining program shall (1) review
 1519 principles of motor vehicle operation, (2) develop alternative attitudes
 1520 for those attitudes contributing to aggressive driving behavior, and (3)
 1521 emphasize the need to practice safe driving behavior. The retraining
 1522 program shall be offered by the Department of Motor Vehicles or by
 1523 any other organization conducting such a program certified by the
 1524 commissioner. The commissioner shall notify such operator, in
 1525 writing, of such requirement. A fee of not more than [~~sixty~~] ninety-nine
 1526 dollars shall be charged for the retraining program. The commissioner,
 1527 after notice and opportunity for hearing, may suspend the motor
 1528 vehicle operator's license of any such operator who fails to attend or
 1529 successfully complete the program until the operator successfully
 1530 completes the program. The hearing shall be limited to any claim of
 1531 impossibility of the operator to attend the retraining program, or to a
 1532 determination of mistake or misidentification.

1533 (b) The commissioner, after notification of and approval by the
 1534 Secretary of the Office of Policy and Management, may deduct and
 1535 retain from the fees collected in accordance with subsection (a) of this
 1536 section, an amount not to exceed ten dollars per fee, for the cost of
 1537 implementing the motor vehicle retraining program established in
 1538 subsection (a) of this section.

1539 (c) The commissioner shall adopt regulations in accordance with
 1540 chapter 54 to implement the provisions of subsections (a) and (b) of
 1541 this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	4a-78

Sec. 2	<i>from passage</i>	14-36(d)
Sec. 3	<i>from passage</i>	14-36e(b)
Sec. 4	<i>from passage</i>	14-42
Sec. 5	<i>July 1, 2006</i>	14-65i(a)
Sec. 6	<i>from passage</i>	14-79
Sec. 7	<i>from passage</i>	10-298(c)
Sec. 8	<i>from passage</i>	14-46d
Sec. 9	<i>from passage</i>	14-36g(a)(6)
Sec. 10	<i>October 1, 2006</i>	14-44
Sec. 11	<i>October 1, 2006</i>	14-276
Sec. 12	<i>from passage</i>	14-105
Sec. 13	<i>from passage</i>	14-29(a)
Sec. 14	<i>from passage</i>	14-253a
Sec. 15	<i>from passage</i>	14-1(a)
Sec. 16	<i>from passage</i>	14-286(e)
Sec. 17	<i>from passage</i>	14-289j
Sec. 18	<i>July 1, 2006</i>	14-44e
Sec. 19	<i>July 1, 2006</i>	14-44k
Sec. 20	<i>July 1, 2006</i>	14-163c(d)
Sec. 21	<i>July 1, 2006</i>	54-56g(f)
Sec. 22	<i>October 1, 2006</i>	14-40a(c)
Sec. 23	<i>October 1, 2006</i>	14-99h
Sec. 24	<i>October 1, 2006</i>	14-111g

TRA *Joint Favorable Subst.*

ED *Joint Favorable*

FIN *Joint Favorable*