



General Assembly

January Session, 2007

Raised Bill No. 1099

LCO No. 3682

03682_____TRA

Referred to Committee on Transportation

Introduced by:
(TRA)

**AN ACT CONCERNING LICENSE ENDORSEMENTS FOR
OPERATORS OF COMMERCIAL MOTOR VEHICLES USED FOR
PASSENGER TRANSPORTATION.**

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

1 Section 1. Section 14-44 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2007*):

3 (a) (1) No person shall operate a commercial motor vehicle used for
4 passenger transportation on any public highway of this state until he
5 has obtained a commercial driver's license with a passenger
6 endorsement from the commissioner, except a nonresident who holds
7 such license with such endorsement issued by another state. (2) No
8 person shall operate a school bus until he has obtained a commercial
9 driver's license with a school bus endorsement, except that a person
10 who holds such a license without such endorsements may operate a
11 school bus without passengers for the purpose of road testing or
12 moving the vehicle. (3) No person shall operate a student
13 transportation vehicle, as defined in section 14-212, activity vehicle,
14 camp vehicle, taxicab, motor vehicle in livery service, motor bus or
15 service bus until he has obtained an operator's license bearing an

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

18 (b) No operator's license bearing an endorsement shall be issued or
19 renewed in accordance with the provisions of this section or section 14-
20 36a, until the commissioner, or his authorized representative, is
21 satisfied that the applicant is a proper person to receive such an
22 operator's license bearing an endorsement, holds a valid motor vehicle
23 operator's license, or, if necessary for the class of vehicle operated, a
24 commercial driver's license and is at least eighteen years of age. Each
25 applicant for such a permit, an operator's license bearing an
26 endorsement or the renewal of such a license shall furnish the
27 commissioner, or his authorized representative, with satisfactory
28 evidence, which may be required to be under oath, [to prove that he
29 has no] regarding such applicant's criminal record, that [he] such
30 applicant has not been convicted of a violation of subsection (a) of
31 section 14-227a within five years of the date of application and that no
32 reason exists for a refusal to grant or renew such an operator's license
33 bearing an endorsement. Each applicant for such an operator's license
34 bearing an endorsement shall submit with his application proof
35 satisfactory to the commissioner that he has passed a physical
36 examination which has been taken within ninety days prior to his
37 application, and which is in compliance with safety regulations
38 established from time to time by the United States Department of
39 Transportation. Each applicant for renewal of such license shall
40 present evidence that such applicant is in compliance with the medical
41 qualifications established in 49 CFR 391, as amended. Each applicant
42 for such an operator's license bearing an endorsement shall be
43 fingerprinted before the license bearing an endorsement is issued.

44 (c) The commissioner may issue, withhold, renew, suspend, cancel
45 or revoke, any endorsement required to operate a motor vehicle that
46 transports passengers, as provided in subsection (c) of section 14-36a.
47 The commissioner may, in making his decision, consider the [age,
48 accident and] criminal record of the applicant or license holder,

49 including, but not limited to, the information provided in accordance
50 with the provisions of subsections (d) and (e) of this section. In
51 addition, the age, accident record, moral character and physical
52 condition of any such applicant or endorsement holder and such other
53 matters as the commissioner may determine. The commissioner may
54 require any such applicant or endorsement holder to furnish the
55 statements of two or more reputable citizens, which may be required
56 to be under oath, vouching for the good character or other
57 qualifications of the applicant or endorsement holder.

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

66 (e) Prior to issuing an operator's license bearing a school
67 endorsement, the commissioner shall require each applicant to submit
68 to state and national criminal history records checks. The criminal
69 history records checks required pursuant to this subsection shall be
70 conducted in accordance with section 29-17a. If notice of a state or
71 national criminal history record is received, the commissioner may,
72 subject to the provisions of section 46a-80, refuse to issue an operator's
73 license bearing such endorsement and, in such case, shall immediately
74 notify the applicant, in writing, of such refusal. [Subject to the
75 provisions of section 46a-80, if notice of a national criminal history
76 record is received, the commissioner may withdraw the operator's
77 license bearing a school endorsement immediately and, in such case,
78 shall immediately notify the holder of such license and the holder's
79 employer, in writing, of such withdrawal.]

80 (f) Notwithstanding any other provision of this section, the

81 commissioner shall not issue an endorsement to transport school
82 children and shall suspend any such endorsement that has been
83 issued, to any person who has been convicted of a violation specified
84 in section 10-145i, or convicted of any provision of federal law, or of
85 the law of any other state, the violation of which involves conduct that
86 is substantially similar to a violation specified in section 10-145i, if any
87 part of the sentence of such conviction has not been completed, or has
88 been completed during the past five years.

89 [(f)] (g) Any applicant who is refused an operator's license bearing
90 an endorsement or the renewal of such a license, or whose operator's
91 license bearing an endorsement or the renewal of such a license is
92 withdrawn or revoked on account of a criminal record, shall be
93 entitled to a hearing if requested in writing within twenty days. The
94 hearing shall be conducted in accordance with the requirements of
95 chapter 54 and the applicant may appeal from the final decision
96 rendered therein in accordance with section 4-183.

97 [(g)] (h) Notwithstanding the provisions of section 14-10, the
98 commissioner may furnish to any board of education or to any public
99 or private organization that is actively engaged in providing public
100 transportation, including the transportation of school children, a report
101 containing the names and motor vehicle operator license numbers of
102 each person who has been issued an operator's license with one or
103 more endorsements, authorizing such person to transport passengers
104 in accordance with the provisions of section 14-36a, but whose license
105 or any such endorsement has been withdrawn, suspended or revoked
106 by the commissioner in accordance with the provisions of this section,
107 or any other provision of this title. The report shall be issued and
108 updated periodically in accordance with a schedule to be established
109 by the commissioner. Such report may be transmitted or otherwise
110 made available to authorized recipients by electronic means.

111 [(h)] (i) Violation of any provision of this section shall be an
112 infraction.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	14-44

Statement of Purpose:

To amend the application process for any commercial vehicle operator seeking a license endorsement to transport passengers, and to prohibit any person who has been convicted of a violation specified in section 10-145i of the general statutes, or convicted of any provision of federal law, or of the law of any other state, the violation of which involves conduct that is substantially similar to a violation specified in said section 10-145i from receiving a endorsement to transport students.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]