



General Assembly

Amendment

January Session, 2007

LCO No. 6557

HB0705606557HDO

Offered by:

REP. O'CONNOR, 35th Dist.

SEN. CRISCO, 17th Dist.

To: Subst. House Bill No. 7056

File No. 49

Cal. No. 82

**"AN ACT INCREASING THE FINANCIAL RESPONSIBILITY LIMITS
FOR MOTOR VEHICLE OPERATORS."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 14-112 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective January 1, 2008*):

5 (a) To entitle any person to receive or retain a motor vehicle
6 operator's license or a certificate of registration of any motor vehicle
7 when, in the opinion of the commissioner, such person has a record on
8 file with the commissioner which is sufficient, in the opinion of the
9 commissioner, to require evidence of financial responsibility for the
10 reasonable protection of other persons, the commissioner shall require
11 from such person proof of financial responsibility to satisfy any claim
12 for damages by reason of personal injury to, or the death of, any one
13 person, of twenty thousand dollars, or by reason of personal injury to,
14 or the death of, more than one person on account of any accident, of at

15 least forty thousand dollars, and for damage to property of at least ten
16 thousand dollars. On and after January 1, 2008, the commissioner shall
17 require from such person proof of financial responsibility to satisfy any
18 claim for damages by reason of personal injury to, or the death of, any
19 one person, of twenty-five thousand dollars, or by reason of personal
20 injury to, or the death of, more than one person on account of any
21 accident, of at least fifty thousand dollars, and for damage to property
22 of at least twenty-five thousand dollars, except that if proof of financial
23 responsibility is evidenced by a policy of insurance as described in
24 subsection (b) of this section, the commissioner shall require such
25 proof in such amounts in a policy delivered, issued for delivery or
26 renewed on or after January 1, 2008. When the commissioner requires
27 proof of financial responsibility from an operator or owner of any
28 motor vehicle, he may require proof in the amounts herein specified
29 for each vehicle operated or owned by such person. If any person fails
30 to furnish such proof, the commissioner shall, until such proof is
31 furnished, suspend or revoke the license of such person to operate a
32 motor vehicle or refuse to return any license which has been
33 suspended or revoked in accordance with the provisions of section 14-
34 111 or suspend or revoke the registration of any such motor vehicle or
35 vehicles or refuse thereafter to register any motor vehicle owned by
36 such person or refuse to register any motor vehicle transferred by him
37 if it does not appear to the commissioner's satisfaction that such
38 transfer is a bona fide sale, or, if such person is not a resident of this
39 state, withdraw from such person the privilege of operating any motor
40 vehicle in this state and the privilege of operation within this state of
41 any motor vehicle owned by him. Prior to such suspension, revocation
42 or withdrawal, notice thereof shall be given by the commissioner by a
43 notice forwarded by bulk certified mail to the address of such person
44 as shown by the records of the commissioner. No appeal taken from
45 the judgment of any court shall act as a stay to any action of the
46 commissioner authorized by the provisions of this section.

47 (b) Such proof of financial responsibility shall be furnished as is
48 satisfactory to the commissioner and may be evidence of the insuring

49 of the named insured or resident relative of the named insured against
50 loss on account of his legal liability for injury to or the death of persons
51 and damage to property in the respective amounts provided by this
52 section in the form of a certificate signed by any person authorized in
53 writing by an officer of any company authorized to issue such
54 insurance in this state or any agent of such company licensed under
55 the provisions of section 38a-769, showing that a policy of insurance in
56 such amounts, noncancellable except after ten days' written notice to
57 the commissioner, has been issued to the person furnishing such proof
58 and no insurance company or insurance agent shall refuse to make
59 such filing of evidence of insurance during the time such insurance
60 company has a valid policy in force covering the named insured or
61 resident relative of the named insured and such company may charge
62 a fee not to exceed ten dollars for such filing; or such proof may be the
63 bond of a surety company or a bond with individual surety owning
64 real estate, which bond shall be conditioned for the payment of such
65 amounts and shall not be cancellable except after ten days' written
66 notice to the commissioner. Such bond shall constitute a lien in favor of
67 the state upon the real estate of any surety, which lien shall exist in
68 favor of any holder of a judgment on account of damage caused by the
69 operation of such person's motor vehicle, upon the filing of notice to
70 that effect by the commissioner in the town clerk's office in the town
71 where such real estate is located. Such proof of financial responsibility
72 may also be evidence presented to the commissioner of a deposit by
73 such person with the State Treasurer of a sum of money or collateral,
74 the amount of which money or collateral shall be determined by and
75 shall be satisfactory to the commissioner. The State Treasurer shall
76 accept any such deposit and issue a receipt therefor, and, if such
77 deposit is a sum of money, the state shall pay interest thereon if so
78 directed by the Secretary of the Office of Policy and Management at a
79 rate not greater than the amount received by the state. The Treasurer
80 may deposit any money so received in any incorporated savings bank
81 located in this state. Whenever any agent of an insurance company
82 certifies to evidence of the insuring of any person, from whom proof of
83 financial responsibility has been required, by the company for which

84 such agent is authorized to solicit, negotiate or effect contracts of
85 insurance, such company shall notify the commissioner of the
86 cancellation or termination of the policy referred to in such certificate
87 at least ten days before the effective date of such cancellation or
88 termination, provided such notice shall not be required if such policy
89 is renewed by such company, and provided a policy subsequently
90 procured and referred to in a certificate filed with the commissioner
91 shall, on the effective date of such policy, terminate the policy referred
92 to in any certificate previously filed with respect to any motor vehicles
93 designated in both certificates or, in case of an operator's policy, with
94 respect to any operator designated in both certificates. Additional
95 evidence of financial responsibility shall be furnished the
96 commissioner at any time upon his request therefor.

97 (c) Such bond, money or collateral shall be held by the
98 commissioner or Treasurer, as the case may be, to satisfy any execution
99 issued against such person in any cause arising out of damage caused
100 by the operation of any motor vehicle owned or operated by such
101 person. Money or collateral so deposited shall not be subject to
102 attachment or execution unless such attachment or execution arises out
103 of an action for damages, including personal injury or death, as a result
104 of the operation of any motor vehicle. Any person who furnishes proof
105 of financial responsibility by a deposit of money or collateral shall,
106 upon the service of any writ or summons arising out of any action for
107 damages including personal injury or death caused by the operation of
108 any motor vehicle, give written notice of such service to the
109 commissioner, who shall require that additional evidence of financial
110 responsibility be furnished to satisfy any judgment in any other action.
111 If a judgment rendered against the principal on a surety or real estate
112 bond is not satisfied within thirty days after its rendition, the judgment
113 creditor may, for his own use and benefit and at his sole expense, bring
114 an action in the name of the state against the company or person
115 executing such bond. A reasonable sum, not exceeding ten dollars,
116 shall be charged for such investigation of the title of any surety's real
117 estate or of collateral so deposited and of the value of the same and for

118 the filing fee to be paid to the town clerk.

119 (d) Repealed by P.A. 73-549, S. 2, 4.

120 (e) The commissioner shall furnish any person who may have been
121 injured in person or property by any motor vehicle, upon written
122 request, with such information as has been furnished to him as
123 evidence of the financial responsibility of any operator or owner of any
124 motor vehicle.

125 (f) Any operator or any registrant whose operator's license or
126 certificate of registration has been suspended as herein provided or
127 whose policy of liability insurance or surety bond has been cancelled
128 or who fails to furnish additional evidence of financial responsibility
129 upon request of the commissioner, shall immediately return to the
130 commissioner his operator's license or certificate of registration and the
131 number plate or plates issued thereunder. If any person fails to return
132 to the commissioner the operator's license or certificate of registration
133 and the number plate or plates issued thereunder as provided herein,
134 the commissioner shall forthwith direct any motor vehicle inspector,
135 state policeman or other police officer to secure possession thereof and
136 to return the same to the office of the commissioner. Failure to return
137 such operator's license or such certificate and such number plate or
138 plates shall be an infraction.

139 (g) The commissioner may cancel such bond or return such
140 evidence of financial responsibility or the Treasurer may, with the
141 consent of the commissioner, return such money or collateral to the
142 person furnishing the same, provided one year shall have elapsed from
143 the date of the suspension of such license during which period such
144 person has not, in the opinion of the commissioner, violated any
145 provision of the motor vehicle laws referred to in subsection (a) of this
146 section. The commissioner may direct the return of any money or
147 collateral to the person who furnished the same upon the acceptance
148 and substitution of other evidence of financial responsibility or at any
149 time after one year from the expiration of any registration or license

150 issued to such person.

151 (h) Any person who forges or, without authority, signs any
152 evidence of financial responsibility required by the commissioner in
153 the administration of this section shall be fined not less than one
154 hundred dollars or imprisoned not more than thirty days or both.

155 (i) Any person from whom proof of financial responsibility has been
156 required may, at the end of twelve months, apply to the commissioner
157 for removal of such requirements in a manner as determined by the
158 commissioner. The commissioner or his authorized representative may
159 make such further investigation as may be deemed necessary and,
160 upon being satisfied that such applicant is entitled to such elimination
161 of financial requirements, may eliminate the same.

162 (j) To entitle any person to receive or retain a motor vehicle
163 operator's license or a certificate of registration of any motor vehicle
164 when, in the opinion of the commissioner, such person has violated
165 any of the provisions of the following-named sections and subsections:
166 Section 14-44, section 14-80h or 14-80i, sections 14-110, 14-147, 14-217,
167 14-219, sections 14-228, 14-275 to 14-281, inclusive, or subdivision (1) of
168 subsection (a) of section 53a-123 or any similar provision of the laws of
169 any other state or any territory, or who has been convicted of, or has
170 forfeited any bond taken for appearance for, or has received a
171 suspended judgment or sentence for, a violation of any of said
172 provisions, or a violation of any of the provisions of sections 14-230 to
173 14-247, inclusive, and 38a-371, within a twelve-month period following
174 a violation of any of said sections, the commissioner may require from
175 such person proof of financial responsibility to satisfy any claim for
176 damages by reason of personal injury to, or the death of, any one
177 person, of twenty thousand dollars, or by reason of personal injury to,
178 or the death of, more than one person on account of any accident, of at
179 least forty thousand dollars, and for damage to property of at least ten
180 thousand dollars. On and after January 1, 2008, the commissioner shall
181 require from such person proof of financial responsibility to satisfy any
182 claim for damages by reason of personal injury to, or the death of, any

183 one person, of twenty-five thousand dollars, or by reason of personal
 184 injury to, or the death of, more than one person on account of any
 185 accident, of at least fifty thousand dollars, and for damage to property
 186 of at least twenty-five thousand dollars, except that if proof of financial
 187 responsibility is evidenced by a policy of insurance as described in
 188 subsection (b) of this section, the commissioner shall require such
 189 proof in such amounts in a policy delivered, issued for delivery or
 190 renewed on or after January 1, 2008. When the commissioner requires
 191 proof of financial responsibility from an operator or owner of any
 192 motor vehicle, he may require proof in the amounts herein specified
 193 for each vehicle operated or owned by such person. If any person fails
 194 to furnish such proof, the commissioner shall, until such proof is
 195 furnished, suspend or revoke the license of such person to operate a
 196 motor vehicle or refuse to return any license which has been
 197 suspended or revoked in accordance with the provisions of section 14-
 198 111 or suspend or revoke the registration of any such motor vehicle or
 199 vehicles or refuse thereafter to register any motor vehicle owned by
 200 such person or refuse to register any motor vehicle transferred by him
 201 if it does not appear to the commissioner's satisfaction that such
 202 transfer is a bona fide sale, or, if such person is not a resident of this
 203 state, withdraw from such person the privilege of operating any motor
 204 vehicle in this state and the privilege of operation within this state of
 205 any motor vehicle owned by him. Prior to such suspension, revocation
 206 or withdrawal, notice thereof shall be given by the commissioner by a
 207 notice forwarded by bulk certified mail to the address of such person
 208 as shown by the records of the commissioner. No appeal taken from
 209 the judgment of any court shall act as a stay to any action of the
 210 commissioner authorized by the provisions of this section."

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2008	14-112