



General Assembly

**Amendment**

January Session, 2007

LCO No. 8302

\*HB0695508302HDO\*

Offered by:

REP. FLEISCHMANN, 18<sup>th</sup> Dist.

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

SEN. GAFFEY, 13<sup>th</sup> Dist.

SEN. DEFRONZO, 6<sup>th</sup> Dist.

To: Subst. House Bill No. 6955

File No. 327

Cal. No. 280

**"AN ACT CONCERNING OPERATOR'S LICENSES BEARING A SCHOOL BUS ENDORSEMENT."**

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- 1 Strike line 18, and insert the following in lieu thereof: "section 14-212  
2 [] or activity vehicle [, camp vehicle, taxicab, motor"  
3 In line 30, insert an opening bracket before "such" and insert a  
4 closing bracket after "permit,"  
5 In line 33, insert an opening bracket before "which"  
6 In line 34, insert a closing bracket after "be"  
7 In line 51, bracket the ", " after "revoke"  
8 In line 77, after "state" insert "or national"  
9 In line 78, after "record" insert "or notification that the applicant is  
10 listed as a perpetrator of abuse on the state child abuse registry"

11 established pursuant to section 17a-101k" and after "may" insert ",  
12 subject to the provisions of section 46a-80,"

13 Strike lines 81 to 85, inclusive, and insert the following in lieu  
14 thereof:

15 "[Subject to the provisions of section 46a-80, if notice of a national  
16 criminal history record is received, the commissioner may withdraw  
17 the operator's license bearing a school endorsement immediately and,  
18 in such case, shall immediately notify the holder of such license and  
19 the holders' employer, in writing, of such withdrawal.]"

20 Strike lines 86 to 89, inclusive, in their entirety

21 In line 90, strike "notify the applicant, in writing, of such refusal."

22 After line 93, insert "(f) Notwithstanding any other provision of this  
23 section, the commissioner shall not issue an operator's license bearing  
24 an endorsement to transport passengers who are students, and shall  
25 suspend any such endorsement that has been issued, to any person  
26 who has been convicted of a serious criminal offense, as determined by  
27 the commissioner, or convicted of any provision of federal law or the  
28 law of any other state, the violation of which involves conduct that is  
29 substantially similar to a violation determined by the commissioner to  
30 be a serious criminal offense, if any part of the sentence of such  
31 conviction has not been completed, or has been completed during the  
32 preceding five years. The commissioner shall adopt regulations, in  
33 accordance with chapter 54, to implement the provisions of this  
34 subsection."

35 In line 94, bracket "(f)" and insert "(g)" after the closing bracket

36 In line 102, bracket "(g)" and insert "(h)" after the closing bracket

37 In line 117, bracket "(h)" and insert "(i)" after the closing bracket

38 Strike section 2 in its entirety and renumber the remaining sections  
39 and internal references accordingly

40 In line 138, strike "or continue to employ"

41 In line 140, after "31-51u.", insert "No carrier may continue to  
42 employ as a driver, for two years, any person who has received a  
43 positive test result for such test which was confirmed as provided in  
44 subdivisions (2) and (3) of subsection (a) of section 31-51u. No carrier  
45 may continue to employ as a driver, permanently, any person who has  
46 received a second positive test result for such test which was  
47 confirmed as provided in subdivisions (2) and (3) of subsection (a) of  
48 section 31-51u."

49 In line 142, strike the brackets around "one thousand" and strike  
50 "two thousand five hundred"

51 In line 142, after "for" insert "the first offense and two thousand five  
52 hundred dollars for"

53 In line 143, after "each" insert "subsequent"

54 In line 162, strike "five thousand" and insert "two thousand five  
55 hundred" in lieu thereof, and strike "ten" and insert "five" in lieu  
56 thereof

57 Strike lines 165 to 170, inclusive, in their entirety and substitute the  
58 following in lieu thereof:

59 "(b) Not less than twice per month, a carrier shall review the report  
60 made by the Commissioner of Motor Vehicles, in accordance with the  
61 provisions of subsection (h) of section 14-44, as amended by this act,  
62 with reference to the name and motor vehicle operator's license  
63 number of each person such carrier employs to operate a school bus, as  
64 defined in section 14-275, or a student transportation vehicle, as  
65 defined in section 14-212. If, according to such report, any such  
66 employee's motor vehicle operator's license or endorsement to operate  
67 a school bus or student transportation vehicle has been withdrawn,  
68 suspended or revoked, such carrier shall prohibit such employee from  
69 operating a school bus or student transportation vehicle.

70 (c) Any carrier who fails to submit a list of each person it employs to  
71 operate a school bus or student transportation vehicle, pursuant to  
72 subsection (b) of this section, shall be subject to a civil penalty of one  
73 thousand dollars for the first violation, and two thousand five hundred  
74 dollars for each subsequent violation. Any carrier who fails to remove  
75 as an operator, pursuant to subsection (b) of this section, not later than  
76 ten days after reviewing such report, any employee whose motor  
77 vehicle operator's license or endorsement to operate a school bus or  
78 student transportation vehicle has been withdrawn, suspended or  
79 revoked, shall be subject to a civil penalty of two thousand five  
80 hundred dollars for the first violation, and five thousand dollars for  
81 each subsequent violation. Upon appropriate justification presented to  
82 the commissioner by any carrier, the commissioner may make a  
83 determination to reduce any such penalty."

84 Strike lines 171 to 173, inclusive, in their entirety

85 Strike section 6 in its entirety and renumber remaining sections and  
86 internal references accordingly

87 After the last section, add the following and renumber sections and  
88 internal references accordingly:

89 "Sec. 501. Subsection (c) of section 14-261b of the general statutes is  
90 repealed and the following is substituted in lieu thereof (*Effective July*  
91 *1, 2007*):

92 (c) Any employer who fails to comply with the provisions of this  
93 section shall be subject to a civil penalty of [three hundred] one  
94 thousand dollars which shall be imposed by the Commissioner of  
95 Motor Vehicles after notice and opportunity for a hearing pursuant to  
96 the provisions of chapter 54. The commissioner shall impose a civil  
97 penalty of [one thousand] two thousand five hundred dollars for any  
98 subsequent failure to comply by such employer."