



Substitute House Bill No. 5748

Public Act No. 08-32

AN ACT CONCERNING TEENAGE DRIVERS.

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

Section 1. Subsection (j) of section 14-227b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective August 1, 2008*):

(j) The commissioner shall suspend the operator's license or nonresident operating privilege of a person under twenty-one years of age who did not contact the department to schedule a hearing, who failed to appear at a hearing or against whom, after a hearing the commissioner held pursuant to subsection (h) of this section, as of the effective date contained in the suspension notice or the date the commissioner renders a decision whichever is later, for twice the appropriate period of time specified in subsection (i) of this section, except that, in the case of a person who is sixteen or seventeen years of age at the time of the alleged offense, the period of suspension for a first offense shall be one year if such person submitted to a test or analysis and the results of such test or analysis indicated that such person had an elevated blood alcohol content or eighteen months if such person refused to submit to such test or analysis.

Sec. 2. Subsection (c) of section 14-36 of the 2008 supplement to the

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general statutes is repealed and the following is substituted in lieu thereof (*Effective August 1, 2008*):

(c) (1) On or after January 1, 1997, a person who is sixteen or seventeen years of age and who has not had a motor vehicle operator's license or right to operate a motor vehicle in this state suspended or revoked may apply to the Commissioner of Motor Vehicles for a learner's permit. The commissioner may issue a learner's permit to an applicant after the applicant has passed a vision screening and test as to knowledge of the laws concerning motor vehicles and the rules of the road, has paid the fee required by subsection (v) of section 14-49 of the 2008 supplement to the general statutes and has filed a certificate, in such form as the commissioner prescribes, requesting or consenting to the issuance of the learner's permit and the motor vehicle operator's license, signed by (A) one or both parents or foster parents of the applicant, as the commissioner requires, (B) the legal guardian of the applicant, (C) the applicant's spouse, if the spouse is eighteen years of age or older, or (D) if the applicant has no qualified spouse and such applicant's parent or foster parent or legal guardian is deceased, incapable, domiciled without the state or otherwise unavailable or unable to sign or file the certificate, the applicant's stepparent, or uncle or aunt by blood or marriage, provided such person is eighteen years of age or older. The commissioner may, for the more efficient administration of the commissioner's duties, appoint any drivers' school licensed in accordance with the provisions of section 14-69 or any secondary school providing instruction in motor vehicle operation and highway safety in accordance with section 14-36e to issue a learner's permit, subject to such standards and requirements as the commissioner may prescribe in regulations adopted in accordance with chapter 54. Each learner's permit shall expire on the date the holder of the permit is issued a motor vehicle operator's license or on the date the holder attains the age of eighteen years, whichever is earlier. (2) The learner's permit shall entitle the holder, while such

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holder has the permit in his or her immediate possession, to operate a motor vehicle on the public highways, provided such holder is under the instruction of, and accompanied by, a person who holds an instructor's license issued under the provisions of section 14-73 or a person twenty years of age or older who has been licensed to operate, for at least four years preceding the instruction, a motor vehicle of the same class as the motor vehicle being operated and who has not had his or her motor vehicle operator's license suspended by the commissioner during the four-year period preceding the instruction.

(3) [For the period of three months after the date of issuance of such permit, unless] Unless the holder of the permit is under the instruction of and accompanied by a person who holds an instructor's license issued under the provisions of section 14-73, [the holder shall not transport more than (A) one passenger who meets the provisions of subdivision (2) of this subsection, or (B) such holder's parents or legal guardian, at least one of whom holds a motor vehicle operator's license. (4) For the period beginning three months after the date of issuance of such permit and ending six months after the date of issuance of such permit, unless the holder is under the instruction of and accompanied by a person who holds an instructor's license issued under the provisions of section 14-73, such holder shall not transport any passenger other than as permitted under subdivision (2) or (3) of this subsection and any additional member or members of such holder's immediate family. (5) no passenger in addition to the person providing instruction shall be transported unless such passenger is a parent or legal guardian of the holder of the permit. (4) The holder of a learner's permit who (A) is an active member of a certified ambulance service, as defined in section 19a-175, (B) has commenced an emergency vehicle operator's course that conforms to the national standard curriculum developed by the United States Department of Transportation, and (C) has had state and national criminal history records checks conducted by the certified ambulance service or by the municipality in which such ambulance service is provided, shall be

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exempt from the provisions of subdivisions (2) [~~]~~ and (3) [~~and (4)~~] of this subsection only when such holder is en route to or from the location of the ambulance for purposes of responding to an emergency call. [~~(6)~~] (5) The commissioner may revoke any learner's permit used in violation of the limitations imposed by subdivision (2) [~~]~~ or (3) [~~or (4)~~] of this subsection.

Sec. 3. Subsection (d) of section 14-36 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective August 1, 2008*):

(d) (1) No motor vehicle operator's license shall be issued to any applicant who is sixteen or seventeen years of age unless the applicant has held a learner's permit and has satisfied the requirements specified in this subsection. The applicant shall (A) present to the commissioner a certificate of the successful completion (i) in a public secondary school, a state vocational school or a private secondary school of a full course of study in motor vehicle operation prepared as provided in section 14-36e, (ii) of training of similar nature provided by a licensed drivers' school approved by the commissioner, or (iii) of home training in accordance with subdivision (2) of this subsection, including, in each case, or by a combination of such types of training, successful completion of: [~~not~~] Not less than twenty clock hours of behind-the-wheel, on-the-road instruction for applicants to whom a learner's permit is issued before August 1, 2008; and not less than forty clock hours of behind-the-wheel, on-the-road instruction for applicants to whom a learner's permit is issued on or after August 1, 2008; (B) present to the commissioner a certificate of the successful completion of a course of not less than eight hours relative to safe driving practices, including a minimum of four hours on the nature and the medical, biological and physiological effects of alcohol and drugs and their impact on the operator of a motor vehicle, the dangers associated with the operation of a motor vehicle after the consumption of alcohol

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or drugs by the operator, the problems of alcohol and drug abuse and the penalties for alcohol and drug-related motor vehicle violations; and (C) pass an examination which [shall] may include a comprehensive test as to knowledge of the laws concerning motor vehicles and the rules of the road in addition to the test required under subsection (c) of this section and shall include an on-the-road skills test as prescribed by the commissioner. At the time of application and examination for a motor vehicle operator's license, an applicant sixteen or seventeen years of age shall have held a learner's permit for not less than one hundred eighty days, except that an applicant who presents a certificate under subparagraph (A)(i) or subparagraph (A)(ii) of this subdivision shall have held a learner's permit for not less than one hundred twenty days and an applicant who is undergoing training and instruction by the handicapped driver training unit in accordance with the provisions of section 14-11b shall have held such permit for the period of time required by said unit. The Commissioner of Motor Vehicles shall approve the content of the safe driving instruction at drivers' schools, high schools and other secondary schools. Such hours of instruction required by this subdivision shall be included as part of or in addition to any existing instruction programs. Any fee charged for the course required under subparagraph (B) of this subdivision shall not exceed an amount prescribed by the commissioner by regulation, adopted in accordance with chapter 54. Any applicant sixteen or seventeen years of age who, while a resident of another state, completed the course required in subparagraph (A) of this subdivision, but did not complete the safe driving course required in subparagraph (B) of this subdivision, shall complete the safe driving course, and any fee charged for the course shall not exceed an amount prescribed by the commissioner by regulation, adopted in accordance with chapter 54. The commissioner may waive any requirement in this subdivision, except for that in subparagraph (C) of this subdivision, in the case of an applicant sixteen or seventeen years of age who holds a valid motor vehicle operator's license issued by any other state,

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provided the commissioner is satisfied that the applicant has received training and instruction of a similar nature. (2) The commissioner may accept as evidence of sufficient training under subparagraph (A) of subdivision (1) of this subsection home training as evidenced by a written statement signed by the spouse of a married minor applicant, or by a parent, grandparent, foster parent or legal guardian of an applicant which states that the applicant has obtained a learner's permit and has successfully completed a driving course taught by the person signing the statement, that the signer has had an operator's license for at least four years preceding the date of the statement, and that the signer has not had such license suspended by the commissioner for at least four years preceding the date of the statement or, if the applicant has no spouse, parent, grandparent, foster parent or guardian so qualified and available to give the instruction, a statement signed by the applicant's stepparent, brother, sister, uncle or aunt, by blood or marriage, provided the person signing the statement is qualified. (3) If the commissioner requires a written test of any applicant under this section, the test shall be given in English or Spanish at the option of the applicant, provided the commissioner shall require that the applicant shall have sufficient understanding of English for the interpretation of traffic control signs. (4) The Commissioner of Motor Vehicles may adopt regulations, in accordance with the provisions of chapter 54, to implement the purposes of this subsection concerning the requirements for behind-the-wheel, on-the-road instruction and the content of safe driving instruction at drivers' schools, high schools and other secondary schools.

Sec. 4. Section 14-36g of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective August 1, 2008*):

(a) Each person who holds a motor vehicle operator's license and

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who is sixteen or seventeen years of age shall comply with the following requirements:

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

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

(3) No such person shall operate any motor vehicle for which a public passenger transportation permit is required in accordance with the provisions of section 14-44 of the 2008 supplement to the general statutes or a vanpool vehicle, as defined in section 14-1 of the 2008 supplement to the general statutes;

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

(5) No such person issued a motorcycle endorsement shall transport any passenger on a motorcycle for a period of six months after the date

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of issuance; and

(6) Except as provided in subsection (b) of this section, no such person shall operate a motor vehicle on any highway, as defined in section 14-1 of the 2008 supplement to the general statutes, at or after [midnight] 11:00 p.m. until and including 5:00 a.m. of the [same] following day unless (A) such person is traveling for his or her employment or school or religious activities, (B) there is a medical necessity for such travel, or (C) such person is an assigned driver in a Safe Ride program sponsored by the American Red Cross, the Boy Scouts of America or other national public service organization.

(b) A person who holds a motor vehicle operator's license and who is sixteen or seventeen years of age shall not be subject to the restrictions on the number or type of passengers specified in subdivision (1) or (2) of subsection (a) of this section, or to the restrictions specified in subdivision (6) of said subsection (a), if such person is an active member of a volunteer fire company or department, a volunteer ambulance service or company or an emergency medical service organization and if such person is responding to an emergency or is carrying out his or her duties as such active member.

(c) The Commissioner of Motor Vehicles may adopt regulations, in accordance with chapter 54, to implement the provisions of subsection (a) of this section. Such regulations may provide exceptions to the provisions of subdivision (2) of subsection (a) of this section for a single parent under the age of eighteen for the purposes of transporting the child of such parent to day care, child care and education facilities, medical appointments, and for such other purposes as may be determined by the commissioner.

(d) Any person who violates any provision of subsection (a) of this section shall be deemed to have committed an infraction. The Commissioner of Motor Vehicles [, after notice and opportunity for a

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hearing, in accordance with chapter 54, may] shall suspend the motor vehicle operator's license of any person who [commits a second or subsequent violation of] violates the provisions of subsection (a) of this section for a period of thirty days for a first violation, and for a period of six months or until such person attains the age of eighteen years, whichever is longer, for a second violation.

Sec. 5. Subsection (c) of section 14-100a of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective August 1, 2008*):

(c) (1) The operator of and any front seat passenger in a motor vehicle with a gross vehicle weight rating not exceeding ten thousand pounds or fire fighting apparatus originally equipped with seat safety belts complying with the provisions of the Code of Federal Regulations, Title 49, Section 571.209, as amended from time to time, shall wear such seat safety belt while the vehicle is being operated on [the highways of this state] any highway, except [that a] as follows:

(A) A child six years of age and under shall be restrained as provided in subsection (d) of this section; [. Each]

(B) The operator of such vehicle shall secure or cause to be secured in a seat safety belt any passenger seven years of age or older and under sixteen years of age; and

(C) If the operator of such vehicle is under eighteen years of age, such operator and each passenger in such vehicle shall wear such seat safety belt while the vehicle is being operated on any highway.

(2) The provisions of subdivision (1) of this subsection shall not apply to (A) any person whose physical disability or impairment would prevent restraint in such safety belt, provided such person obtains a written statement from a licensed physician containing reasons for such person's inability to wear such safety belt and

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including information concerning the nature and extent of such condition. Such person shall carry the statement on his or her person or in the motor vehicle at all times when it is being operated, or (B) an authorized emergency vehicle, other than fire fighting apparatus, responding to an emergency call or a motor vehicle operated by a rural letter carrier of the United States postal service while performing his or her official duties or by a person engaged in the delivery of newspapers.

(3) Failure to wear a seat safety belt shall not be considered as contributory negligence nor shall such failure be admissible evidence in any civil action.

(4) [On and after February 1, 1986, any person] Any operator of a motor vehicle, who is eighteen years of age or older, and any passenger in such motor vehicle, who violates [the provisions] any provision of this subsection shall have committed an infraction and shall be fined fifteen dollars. Any operator of a motor vehicle who is under eighteen years of age and any passenger in such motor vehicle who violates any provision of this subsection shall have committed an infraction and shall be fined seventy-five dollars. Points may not be assessed against the operator's license of any person convicted of such violation.

Sec. 6. Subsection (b) of section 14-111 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective August 1, 2008*):

(b) (1) [Whenever] Except as provided in subdivision (2) of this subsection, whenever the holder of any motor vehicle operator's license has been convicted or has forfeited any bond taken or has received a suspended judgment or sentence for any of the following violations, the commissioner shall, without hearing, suspend [his] such person's operator's license as follows: For a first violation of subsection

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(a) of section 14-224 or section 14-110, 14-215 or 53a-119b, for a period of not less than one year and, for a subsequent violation thereof, for a period of not less than two years; for a violation of subsection (a) of section 14-222, for a period of not less than thirty days or more than ninety days and, for a subsequent violation thereof, for a period of not less than ninety days; for a violation of subsection (b) of section 14-224, for a period of not less than ninety days; for a first violation of subsection (b) of section 14-147, for a period of not less than ninety days and, for a subsequent violation thereof, for a period of not less than five years; for a first violation of subsection (c) of section 14-147, for a period of not less than thirty days and, for a subsequent violation thereof, for a period of not less than one year.

(2) Notwithstanding the provisions of section 14-111b, whenever the holder of any motor vehicle operator's license who is less than eighteen years of age has been convicted or has forfeited any bond taken or has received a suspended judgment or sentence for any of the following violations, the commissioner shall suspend such person's operator's license as follows: For a first violation of subdivision (4) of subsection (a) of section 14-219, as amended by this act, for a period of sixty days and, for a second violation thereof, for a period of ninety days and, for a third or subsequent violation thereof, for a period of six months; for a first violation of subsection (a) of section 14-222, for a period of six months and, for a subsequent violation thereof, for a period of one year; for a violation of subsection (c) of section 14-224, for a period of six months and, for a subsequent violation thereof, for a period of one year; for a first violation of section 14-296aa, for a period of thirty days and, for a second violation thereof, for a period of ninety days and, for a third or subsequent violation thereof, for a period of six months.

[(2)] (3) The commissioner may suspend the motor vehicle operator's license of any person (A) who was arrested for a felony, and (B) for whom there is an outstanding warrant for rearrest for failing to

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appear when legally called with regard to such felony. The suspension shall terminate no later than the date on which such person appears before the court with regard to such felony or such failure to appear.

Sec. 7. Subsection (a) of section 14-111g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective August 1, 2008*):

(a) For the purposes of this subsection, "moving violation" means any violation of subsection (c) of section 14-36, as amended by this act, section 14-36g, as amended by this act, 14-218a, 14-219, 14-222, 14-223, 14-230 to 14-249, inclusive, 14-279, 14-289b, subsection (d) of section 14-296aa, 14-299, 14-301, 14-302 or 14-303, and "suspension violation" means a violation of section 14-222a or 14-224, subsection (a) of section 14-227a, or section 53a-56b, 53a-57 or 53a-60d. The Commissioner of Motor Vehicles may require any licensed motor vehicle operator who is twenty-four years of age or less, who has been convicted of a moving violation or a suspension violation, or both, committed on two or more occasions to attend a motor vehicle operator's retraining program. The commissioner may require any licensed motor vehicle operator over twenty-four years of age, who has been convicted of a moving violation or a suspension violation or a combination of said violations, committed on three or more occasions to attend a motor vehicle operator's retraining program. The retraining program shall (1) review principles of motor vehicle operation, (2) develop alternative attitudes for those attitudes contributing to aggressive driving behavior, and (3) emphasize the need to practice safe driving behavior. The retraining program shall be offered by the Department of Motor Vehicles or by any other organization conducting such a program certified by the commissioner. The commissioner shall notify such operator, in writing, of such requirement. A fee of not more than sixty dollars shall be charged for the retraining program. The commissioner, after notice and opportunity for hearing, may suspend the motor

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vehicle operator's license of any such operator who fails to attend or successfully complete the program until the operator successfully completes the program. The hearing shall be limited to any claim of impossibility of the operator to attend the retraining program, or to a determination of mistake or misidentification.

Sec. 8. (NEW) (*Effective August 1, 2008*) (a) If a police officer issues an infractions complaint to any person for a violation of the provisions of section 14-36g of the 2008 supplement to the general statutes, as amended by this act, the motor vehicle operator's license of such person shall be suspended for a period of forty-eight hours commencing on the date and time such complaint is issued, and such officer, acting on behalf of the Commissioner of Motor Vehicles, shall immediately seize and take possession of such person's motor vehicle operator's license and may cause such vehicle to be removed. In order to regain possession of such person's operator's license, after such forty-eight-hour period, such person and such person's parent or legal guardian shall appear in person at the police department, state police barracks or other location designated by the police officer, and sign a written acknowledgement of the return of such license. No restoration fee shall be required to be paid to the commissioner, in accordance with the provisions of section 14-50b of the general statutes, but the police officer shall make a written report of the violation and the suspension action, in such form and containing such information as the commissioner shall prescribe, and shall file or transmit such report to the commissioner in such time and manner as the commissioner shall prescribe.

(b) If any person operating a motor vehicle, subject to the provisions of section 14-36g of the 2008 supplement to the general statutes, as amended by this act, is stopped by a police officer and arrested or issued a summons by such officer for (A) violating subdivision (4) of subsection (a) of section 14-219 of the general statutes, as amended by

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this act, (B) operating a motor vehicle under the influence of alcohol or any drug or both in violation of section 14-227a or 14-227g of the general statutes, (C) engaging in racing a motor vehicle on a public highway in violation of subsection (c) of section 14-224 of the general statutes, or (D) operating a motor vehicle recklessly in violation of section 14-222 of the general statutes, the motor vehicle operator's license of such person shall be suspended for a period of forty-eight hours commencing on the date and time such person is arrested or such summons is issued, and such officer, acting on behalf of the Commissioner of Motor Vehicles, shall immediately seize and take possession of such person's motor vehicle operator's license and cause such motor vehicle to be removed. In order to regain possession of such person's operator's license after such forty-eight-hour period, such person and such person's parent or legal guardian shall appear in person at the police department, state police barracks or other location designated by the police officer, and sign a written acknowledgement of the return of such license. No restoration fee shall be required to be paid to the commissioner, in accordance with the provisions of section 14-50b of the general statutes, but the police officer shall make a written report of the violation and the suspension action, in such form and containing such information as the commissioner shall prescribe, and shall file or transmit such report to the commissioner in such time and manner as the commissioner shall prescribe.

Sec. 9. (NEW) (*Effective August 1, 2008*) (a) The Commissioner of Motor Vehicles shall amend the regulations adopted pursuant to section 14-36f of the general statutes concerning the content of safe driving instruction courses offered at drivers' schools, high schools and other secondary schools to require the eight hours of instruction required by such regulations to include, for applicants to whom a learner's permit is issued on or after August 1, 2008, two hours of instruction concerning the statutory provisions, including penalties, applicable to drivers who are less than eighteen years of age, the

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dangers of teenage driving, the cognitive development of adolescents, the responsibilities and liabilities of parents of teenage drivers, and related topics deemed by the commissioner to be appropriate.

(b) A parent or guardian of any such applicant to whom a learner's permit is issued on or after August 1, 2008, who is less than eighteen years of age, shall attend such two hours of instruction with such applicant. Before any such applicant is permitted to take the driver's test, such applicant shall provide an affidavit to the commissioner, signed under penalty of false statement, by an official of the driver's school, high school or other secondary school by which such course was conducted, that a parent or guardian attended the two hours of instruction required by subsection (a) of this section with such applicant.

Sec. 10. Subsection (a) of section 54-76b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective August 1, 2008*):

(a) For the purposes of sections 54-76b to 54-76n, inclusive, as amended by this act:

(1) "Youth" means (A) a minor who has reached the age of sixteen years but has not reached the age of eighteen years at the time of the alleged offense, or (B) a child who has been transferred to the regular criminal docket of the Superior Court pursuant to section 46b-127 of the 2008 supplement to the general statutes; and

(2) "Youthful offender" means a youth who (A) is charged with the commission of a crime which is not a class A felony or a violation of section 14-222a, subsection (a) of section 14-224, section 14-227a, 14-227g, subdivision (2) of subsection (a) of section 53-21 of the 2008 supplement to the general statutes or section 53a-70, 53a-70a, 53a-70b, 53a-71 of the 2008 supplement to the general statutes, 53a-72a or 53a-

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72b, except a violation involving consensual sexual intercourse or sexual contact between the youth and another person who is thirteen years of age or older but under sixteen years of age, and (B) has not previously been convicted of a felony in the regular criminal docket of the Superior Court or been previously adjudged a serious juvenile offender or serious juvenile repeat offender, as defined in section 46b-120 of the 2008 supplement to the general statutes.

Sec. 11. Subsection (a) of section 54-76c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective August 1, 2008*):

(a) In any case where an information or complaint has been laid charging a defendant with the commission of a crime, and where it appears that the defendant is a youth, such defendant shall be presumed to be eligible to be adjudged a youthful offender and the court having jurisdiction shall, but only as to the public, order the court file sealed, unless such defendant (1) is charged with the commission of a crime which is a class A felony or a violation of section 14-222a, subsection (a) of section 14-224, section 14-227a, 14-227g, subdivision (2) of subsection (a) of section 53-21 of the 2008 supplement to the general statutes or section 53a-70, 53a-70a, 53a-70b, 53a-71 of the 2008 supplement to the general statutes, 53a-72a or 53a-72b, except a violation involving consensual sexual intercourse or sexual contact between the youth and another person who is thirteen years of age or older but under sixteen years of age, or (2) has been previously convicted of a felony in the regular criminal docket of the Superior Court or been previously adjudged a serious juvenile offender or serious juvenile repeat offender, as defined in section 46b-120 of the 2008 supplement to the general statutes. Except as provided in subsection (b) of this section, upon motion of the prosecuting official, the court may order that an investigation be made of such defendant under section 54-76d, for the purpose of determining

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whether such defendant is ineligible to be adjudged a youthful offender, provided the court file shall remain sealed, but only as to the public, during such investigation.

Sec. 12. Section 54-76*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective August 1, 2008*):

(a) The records or other information of a youth, other than a youth arrested for or charged with the commission of a crime which is a class A felony or a violation of section 14-222a, subsection (a) of section 14-224, section 14-227a, 14-227g, subdivision (2) of subsection (a) of section 53-21 of the 2008 supplement to the general statutes or section 53a-70, 53a-70a, 53a-70b, 53a-71 of the 2008 supplement to the general statutes, 53a-72a or 53a-72b, except a violation involving consensual sexual intercourse or sexual contact between the youth and another person who is thirteen years of age or older but under sixteen years of age, including fingerprints, photographs and physical descriptions, shall be confidential and shall not be open to public inspection or be disclosed except as provided in this section, but such fingerprints, photographs and physical descriptions submitted to the State Police Bureau of Identification of the Division of State Police within the Department of Public Safety at the time of the arrest of a person subsequently adjudged, or subsequently presumed or determined to be eligible to be adjudged, a youthful offender shall be retained as confidential matter in the files of the bureau and be opened to inspection only as provided in this section. Other data ordinarily received by the bureau, with regard to persons arrested for a crime, shall be forwarded to the bureau to be filed, in addition to such fingerprints, photographs and physical descriptions, and be retained in the division as confidential information, open to inspection only as provided in this section.

(b) The records of any such youth, or any part thereof, may be disclosed to and between individuals and agencies, and employees of

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such agencies, providing services directly to the youth, including law enforcement officials, state and federal prosecutorial officials, school officials in accordance with section 10-233h, court officials, the Division of Criminal Justice, the Court Support Services Division, the Board of Pardons and Paroles and an advocate appointed pursuant to section 54-221 for a victim of a crime committed by the youth. Such records shall also be available to the attorney representing the youth, in any proceedings in which such records are relevant, to the parents or guardian of such youth, until such time as the youth reaches the age of majority or is emancipated, and to the youth upon his or her emancipation or attainment of the age of majority, provided proof of the identity of such youth is submitted in accordance with guidelines prescribed by the Chief Court Administrator. Such records disclosed pursuant to this subsection shall not be further disclosed.

(c) The records of any such youth, or any part thereof, may be disclosed upon order of the court to any person who has a legitimate interest in the information and is identified in such order. Records or information disclosed pursuant to this subsection shall not be further disclosed.

(d) The records of any such youth, or any part thereof, shall be available to the victim of the crime committed by such youth to the same extent as the record of the case of a defendant in a criminal proceeding in the regular criminal docket of the Superior Court is available to a victim of the crime committed by such defendant. The court shall designate an official from whom such victim may request such information. Information disclosed pursuant to this subsection shall not be further disclosed.

(e) Any reports and files held by the Court Support Services Division regarding any such youth who served a period of probation may be accessed and disclosed by employees of the division for the purpose of performing the duties contained in section 54-63b.

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(f) Information concerning any such youth who has escaped from an institution to which such youth has been committed or for whom an arrest warrant has been issued may be disclosed by law enforcement officials.

(g) The information contained in and concerning the issuance of any protective order issued in a case in which a person is presumed or determined to be eligible to be adjudged a youthful offender shall be entered in the registry of protective orders pursuant to section 51-5c and may be further disclosed as specified in said section.

(h) The records of any youth adjudged a youthful offender for a violation of section 14-222, subsection (b) or (c) of section 14-224, section 14-215 or subsection (b) of section 14-223 shall be disclosed to the Department of Motor Vehicles for administrative use in determining whether suspension of such person's motor vehicle operator's license is warranted. The commissioner shall suspend the motor vehicle operator's license of such youth for six months for a first offense and one year for a second or subsequent offense. Such records disclosed pursuant to this subsection shall not be further disclosed.

[[h)] (i) The provisions of this section, as amended by public act 05-232, apply to offenses committed after January 1, 2006, and do not affect any cases pending on said date or any investigations involving offenses committed prior to said date.

Sec. 13. Section 14-219 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective August 1, 2008*):

(a) No person shall operate any motor vehicle (1) upon any highway, road or any parking area for ten cars or more, at such a rate of speed as to endanger the life of any occupant of such motor vehicle, but not the life of any other person than such an occupant; or (2) at a rate of speed greater than fifty-five miles per hour upon any highway

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other than a highway specified in subsection (b) of section 14-218a for which a speed limit has been established in accordance with the provisions of said subsection; [or] (3) at a rate of speed greater than sixty-five miles per hour upon any highway specified in subsection (b) of section 14-218a for which a speed limit has been established in accordance with the provisions of said subsection; or (4) if such person is under eighteen years of age, upon any highway or road for which a speed limit of less than sixty-five miles per hour has been established in accordance with subsection (a) of section 14-218a, at a rate of speed twenty miles per hour or more above such speed limit.

(b) Any person who operates a motor vehicle (1) on a multiple lane, limited access highway other than a highway specified in subsection (b) of section 14-218a for which a speed limit has been established in accordance with the provisions of said subsection at a rate of speed greater than fifty-five miles per hour but not greater than seventy miles per hour, [or] (2) on a multiple lane, limited access highway specified in subsection (b) of section 14-218a for which a speed limit has been established in accordance with the provisions of said subsection at a rate of speed greater than sixty-five miles per hour but not greater than seventy miles per hour, [or] (3) on any other highway at a rate of speed greater than fifty-five miles per hour but not greater than sixty miles per hour, or (4) if such person is under eighteen years of age, upon any highway or road for which a speed limit of less than sixty-five miles per hour has been established in accordance with subsection (a) of section 14-218a, at a rate of speed twenty miles per hour or more above such speed limit, shall commit an infraction, provided any such person operating a truck, as defined in section 14-260n of the 2008 supplement to the general statutes, shall have committed a violation and shall be fined not less than one hundred dollars nor more than one hundred fifty dollars.

(c) Any person who violates any provision of subdivision (1) of

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subsection (a) of this section or who operates a motor vehicle (1) on a multiple lane, limited access highway at a rate of speed greater than seventy miles per hour but not greater than eighty-five miles per hour, or (2) on any other highway at a rate of speed greater than sixty miles per hour but not greater than eighty-five miles per hour, shall be fined not less than one hundred dollars nor more than one hundred fifty dollars, provided any such person operating a truck, as defined in section 14-260n of the 2008 supplement to the general statutes, shall be fined not less than one hundred fifty dollars nor more than two hundred dollars.

(d) No person shall be subject to prosecution for a violation of both subsection (a) of this section and subsection (a) of section 14-222 because of the same offense.

(e) Notwithstanding any provision of the general statutes to the contrary, any person who violates subdivision (1) of subsection (a) of this section, subdivision (1) or (2) of subsection (b) of this section while operating a truck, as defined in section 14-260n of the 2008 supplement to the general statutes, or subdivision (1) of subsection (c) of this section while operating a motor vehicle or a truck, as defined in section 14-260n of the 2008 supplement to the general statutes, shall follow the procedures set forth in section 51-164n of the 2008 supplement to the general statutes.

Approved April 21, 2008