



General Assembly

**Bill No. 5043**

February Session, 2008

LCO No. 627

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Referred to Committee on Transportation

Introduced by:

REP. CAFERO, 142<sup>nd</sup> Dist.

SEN. MCKINNEY, 28<sup>th</sup> Dist.

***AN ACT CONCERNING TEEN DRIVERS.***

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

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2 repealed and the following is substituted in lieu thereof (*Effective*  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

4 (j) The commissioner shall suspend the operator's license or  
5 nonresident operating privilege of a person under twenty-one years of  
6 age who did not contact the department to schedule a hearing, who  
7 failed to appear at a hearing or against whom, after a hearing the  
8 commissioner held pursuant to subsection (h) of this section, as of the  
9 effective date contained in the suspension notice or the date the  
10 commissioner renders a decision whichever is later, for twice the  
11 appropriate period of time specified in subsection (i) of this section  
12 except that, in the case of a person who is sixteen or seventeen years of  
13 age at the time of the alleged offense, the period of suspension shall be  
14 for not less than one year.

15 Sec. 2. Subsection (a) of section 14-227f of the general statutes is  
16 repealed and the following is substituted in lieu thereof (*Effective*  
17 *October 1, 2008*):

18 (a) Any person whose motor vehicle operator's license or  
19 nonresident operating privilege is suspended under subsection (g) of  
20 section 14-227a for a conviction of a violation of subsection (a) of said  
21 section or under section 14-227b for a second or subsequent time, or  
22 who is sixteen or seventeen years of age and whose license is  
23 suspended under section 14-227b, shall participate in a treatment  
24 program which includes an assessment of the degree of alcohol abuse  
25 and treatment, as appropriate, approved by the Commissioner of  
26 Motor Vehicles. The commissioner shall not reinstate the operator's  
27 license or nonresident operating privilege or any such person until  
28 such person submits evidence to the commissioner that such person  
29 has satisfactorily completed the treatment program. Any person whose  
30 certificate is suspended or revoked pursuant to section 15-133, 15-140l  
31 or 15-140n shall participate in such treatment program.

32 Sec. 3. Subsection (c) of section 14-36 of the 2008 supplement to the  
33 general statutes is repealed and the following is substituted in lieu  
34 thereof (*Effective October 1, 2008*):

35 (c) (1) On or after January 1, 1997, a person who is sixteen or  
36 seventeen years of age and who has not had a motor vehicle operator's  
37 license or right to operate a motor vehicle in this state suspended or  
38 revoked may apply to the Commissioner of Motor Vehicles for a  
39 learner's permit. The commissioner may issue a learner's permit to an  
40 applicant after the applicant has passed a vision screening and test as  
41 to knowledge of the laws concerning motor vehicles and the rules of  
42 the road, has paid the fee required by subsection (v) of section 14-49 of  
43 the 2008 supplement to the general statutes and has filed a certificate,  
44 in such form as the commissioner prescribes, requesting or consenting  
45 to the issuance of the learner's permit and the motor vehicle operator's  
46 license, signed by (A) one or both parents or foster parents of the

47 applicant, as the commissioner requires, (B) the legal guardian of the  
48 applicant, (C) the applicant's spouse, if the spouse is eighteen years of  
49 age or older, or (D) if the applicant has no qualified spouse and such  
50 applicant's parent or foster parent or legal guardian is deceased,  
51 incapable, domiciled without the state or otherwise unavailable or  
52 unable to sign or file the certificate, the applicant's stepparent, or uncle  
53 or aunt by blood or marriage, provided such person is eighteen years  
54 of age or older. The commissioner may, for the more efficient  
55 administration of the commissioner's duties, appoint any drivers'  
56 school licensed in accordance with the provisions of section 14-69 or  
57 any secondary school providing instruction in motor vehicle operation  
58 and highway safety in accordance with section 14-36e to issue a  
59 learner's permit, subject to such standards and requirements as the  
60 commissioner may prescribe in regulations adopted in accordance  
61 with chapter 54. Each learner's permit shall expire on the date the  
62 holder of the permit is issued a motor vehicle operator's license or on  
63 the date the holder attains the age of eighteen years, whichever is  
64 earlier. (2) The learner's permit shall entitle the holder, while such  
65 holder has the permit in his or her immediate possession, to operate a  
66 motor vehicle on the public highways, provided such holder is under  
67 the instruction of, and accompanied by, a person who holds an  
68 instructor's license issued under the provisions of section 14-73 or a  
69 person twenty years of age or older who has been licensed to operate,  
70 for at least four years preceding the instruction, a motor vehicle of the  
71 same class as the motor vehicle being operated and who has not had  
72 his or her motor vehicle operator's license suspended by the  
73 commissioner during the four-year period preceding the instruction.  
74 (3) [For the period of three months after the date of issuance of such  
75 permit, unless] Unless the holder of the permit is under the instruction  
76 of and accompanied by a person who holds an instructor's license  
77 issued under the provisions of section 14-73, the holder shall not  
78 transport more than (A) one passenger who meets the provisions of  
79 subdivision (2) of this subsection, or (B) such holder's parents or legal  
80 guardian, at least one of whom holds a motor vehicle operator's

81 license. (4) [For the period beginning three months after the date of  
82 issuance of such permit and ending six months after the date of  
83 issuance of such permit, unless the holder is under the instruction of  
84 and accompanied by a person who holds an instructor's license issued  
85 under the provisions of section 14-73, such holder shall not transport  
86 any passenger other than as permitted under subdivision (2) or (3) of  
87 this subsection and any additional member or members of such  
88 holder's immediate family. (5)] The holder of a learner's permit who  
89 (A) is an active member of a certified ambulance service, as defined in  
90 section 19a-175, (B) has commenced an emergency vehicle operator's  
91 course that conforms to the national standard curriculum developed  
92 by the United States Department of Transportation, and (C) has had  
93 state and national criminal history records checks conducted by the  
94 certified ambulance service or by the municipality in which such  
95 ambulance service is provided, shall be exempt from the provisions of  
96 subdivisions (2) [, and (3) [and (4)] of this subsection only when such  
97 holder is en route to or from the location of the ambulance for  
98 purposes of responding to an emergency call. [(6)] (5) The  
99 commissioner may revoke any learner's permit used in violation of the  
100 limitations imposed by subdivision (2) [ or (3) [or (4)] of this  
101 subsection.

102 Sec. 4. Subsection (d) of section 14-36 of the general statutes is  
103 repealed and the following is substituted in lieu thereof (*Effective*  
104 *October 1, 2008*):

105 (d) (1) No motor vehicle operator's license shall be issued to any  
106 applicant who is sixteen or seventeen years of age unless the applicant  
107 has held a learner's permit and has satisfied the requirements specified  
108 in this subsection. The applicant shall (A) present to the commissioner  
109 a certificate of the successful completion (i) in a public secondary  
110 school, a state vocational school or a private secondary school of a full  
111 course of study in motor vehicle operation prepared as provided in  
112 section 14-36e, (ii) of training of similar nature provided by a licensed  
113 drivers' school approved by the commissioner, or (iii) of home training

114 in accordance with subdivision (2) of this subsection, including, in each  
115 case, or by a combination of such types of training, successful  
116 completion of not less than [twenty] fifty clock hours of behind-the-  
117 wheel, on-the-road instruction; (B) present to the commissioner a  
118 certificate of the successful completion of a course of not less than eight  
119 hours relative to safe driving practices, including a minimum of four  
120 hours on the nature and the medical, biological and physiological  
121 effects of alcohol and drugs and their impact on the operator of a  
122 motor vehicle, the dangers associated with the operation of a motor  
123 vehicle after the consumption of alcohol or drugs by the operator, the  
124 problems of alcohol and drug abuse and the penalties for alcohol and  
125 drug-related motor vehicle violations; and (C) pass an examination  
126 which shall include a comprehensive test as to knowledge of the laws  
127 concerning motor vehicles and the rules of the road and an on-the-road  
128 skills test as prescribed by the commissioner. At the time of application  
129 and examination for a motor vehicle operator's license, an applicant  
130 sixteen or seventeen years of age shall have held a learner's permit for  
131 not less than one hundred eighty days, except that an applicant who  
132 presents a certificate under subparagraph (A)(i) or subparagraph  
133 (A)(ii) of this subdivision shall have held a learner's permit for not less  
134 than one hundred twenty days and an applicant who is undergoing  
135 training and instruction by the handicapped driver training unit in  
136 accordance with the provisions of section 14-11b shall have held such  
137 permit for the period of time required by said unit. The Commissioner  
138 of Motor Vehicles shall approve the content of the safe driving  
139 instruction at drivers' schools, high schools and other secondary  
140 schools. Such hours of instruction required by this subdivision shall be  
141 included as part of or in addition to any existing instruction programs.  
142 Any fee charged for the course required under subparagraph (B) of  
143 this subdivision shall not exceed an amount prescribed by the  
144 commissioner by regulation, adopted in accordance with chapter 54.  
145 Any applicant sixteen or seventeen years of age who, while a resident  
146 of another state, completed the course required in subparagraph (A) of  
147 this subdivision, but did not complete the safe driving course required

148 in subparagraph (B) of this subdivision, shall complete the safe driving  
149 course, and any fee charged for the course shall not exceed an amount  
150 prescribed by the commissioner by regulation, adopted in accordance  
151 with chapter 54. The commissioner may waive any requirement in this  
152 subdivision, except for that in subparagraph (C) of this subdivision, in  
153 the case of an applicant sixteen or seventeen years of age who holds a  
154 valid motor vehicle operator's license issued by any other state,  
155 provided the commissioner is satisfied that the applicant has received  
156 training and instruction of a similar nature. (2) The commissioner may  
157 accept as evidence of sufficient training under subparagraph (A) of  
158 subdivision (1) of this subsection home training as evidenced by a  
159 written statement signed by the spouse of a married minor applicant,  
160 or by a parent, grandparent, foster parent or legal guardian of an  
161 applicant which states that the applicant has obtained a learner's  
162 permit and has successfully completed a driving course taught by the  
163 person signing the statement, that the signer has had an operator's  
164 license for at least four years preceding the date of the statement, and  
165 that the signer has not had such license suspended by the  
166 commissioner for at least four years preceding the date of the  
167 statement or, if the applicant has no spouse, parent, grandparent,  
168 foster parent or guardian so qualified and available to give the  
169 instruction, a statement signed by the applicant's stepparent, brother,  
170 sister, uncle or aunt, by blood or marriage, provided the person  
171 signing the statement is qualified. (3) If the commissioner requires a  
172 written test of any applicant under this section, the test shall be given  
173 in English or Spanish at the option of the applicant, provided the  
174 commissioner shall require that the applicant shall have sufficient  
175 understanding of English for the interpretation of traffic control signs.  
176 (4) The Commissioner of Motor Vehicles may adopt regulations, in  
177 accordance with the provisions of chapter 54, to implement the  
178 purposes of this subsection concerning the requirements for behind-  
179 the-wheel, on-the-road instruction and the content of safe driving  
180 instruction at drivers' schools, high schools and other secondary  
181 schools.

182 Sec. 5. Section 14-36g of the 2008 supplement to the general statutes  
183 is repealed and the following is substituted in lieu thereof (*Effective*  
184 *October 1, 2008*):

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

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

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

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

210 (4) No such person shall transport more passengers in a motor  
211 vehicle than the number of seat safety belts permanently installed in  
212 such motor vehicle, and each passenger shall wear a seat safety belt in

213 accordance with the provisions of section 14-100a, as amended by this  
214 act;

215 (5) No such person issued a motorcycle endorsement shall transport  
216 any passenger on a motorcycle for a period of six months after the date  
217 of issuance; and

218 (6) Except as provided in subsection (b) of this section, no such  
219 person shall operate a motor vehicle on any highway, as defined in  
220 section 14-1 of the 2008 supplement to the general statutes, at or after  
221 [midnight] 10:00 p.m. until and including 5:00 a.m. of the same day  
222 unless (A) such person is traveling for his or her employment or school  
223 or religious activities, (B) there is a medical necessity for such travel, or  
224 (C) such person is an assigned driver in a Safe Ride program  
225 sponsored by the American Red Cross, the Boy Scouts of America or  
226 other national public service organization.

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

236 (c) The Commissioner of Motor Vehicles may adopt regulations, in  
237 accordance with chapter 54, to implement the provisions of subsection  
238 (a) of this section.

239 (d) Any person who violates any provision of subsection (a) of this  
240 section shall be deemed to have committed an infraction. The  
241 Commissioner of Motor Vehicles, after notice and opportunity for a  
242 hearing, in accordance with chapter 54, may suspend the motor vehicle  
243 operator's license of any person who commits a [second or subsequent]

244 violation of the provisions of subsection (a) of this section. For a first  
245 violation, the commissioner may impose a suspension for a period of  
246 thirty days, and for a second or subsequent violation, the  
247 commissioner may suspend such person's operator's license for a  
248 period of six months or until such person attains the age of eighteen  
249 years, whichever is longer.

250 Sec. 6. Subsection (a) of section 14-50b of the general statutes is  
251 repealed and the following is substituted in lieu thereof (*Effective*  
252 *October 1, 2008*):

253 (a) Any person whose operator's license or right to operate a motor  
254 vehicle in this state has been suspended or revoked by the  
255 Commissioner of Motor Vehicles, or who has been disqualified from  
256 operating a commercial motor vehicle, shall pay a restoration fee [of  
257 one hundred twenty-five dollars] to said commissioner prior to the  
258 issuance to such person of a new operator's license or the restoration of  
259 such operator's license or such privilege to operate a motor vehicle or  
260 commercial motor vehicle. Such restoration fee shall be one hundred  
261 twenty-five dollars except that, in the case of a person suspended for a  
262 second or subsequent time for a violation of section 14-36g, as  
263 amended by this act, or for a second or subsequent time for a violation  
264 specified in subdivision (2) of subsection (b) of section 14-111, as  
265 amended by this act, such restoration fee shall be two hundred fifty  
266 dollars. Such restoration fee shall be in addition to any other fees  
267 provided by law.

268 Sec. 7. Subsection (c) of section 14-100a of the 2008 supplement to  
269 the general statutes is repealed and the following is substituted in lieu  
270 thereof (*Effective October 1, 2008*):

271 (c) (1) The operator of and any front seat passenger in a motor  
272 vehicle with a gross vehicle weight rating not exceeding ten thousand  
273 pounds or fire fighting apparatus originally equipped with seat safety  
274 belts complying with the provisions of the Code of Federal  
275 Regulations, Title 49, Section 571.209, as amended from time to time,

276 shall wear such seat safety belt while the vehicle is being operated on  
277 [the highways of this state] any highway, except [that a] as follows:

278 (A) A child six years of age and under shall be restrained as  
279 provided in subsection (d) of this section. Each operator of such  
280 vehicle shall secure or cause to be secured in a seat safety belt any  
281 passenger seven years of age or older and under sixteen years of age.

282 (B) No operator who is less than twenty years of age shall transport  
283 more passengers than the number of seat safety belts permanently  
284 installed in the motor vehicle being operated. Such operator and each  
285 passenger in such motor vehicle shall wear a seat safety belt at all  
286 times while the vehicle is being operated on any highway.

287 (2) The provisions of subdivision (1) of this subsection shall not  
288 apply to (A) any person whose physical disability or impairment  
289 would prevent restraint in such safety belt, provided such person  
290 obtains a written statement from a licensed physician containing  
291 reasons for such person's inability to wear such safety belt and  
292 including information concerning the nature and extent of such  
293 condition. Such person shall carry the statement on his or her person  
294 or in the motor vehicle at all times when it is being operated, or (B) an  
295 authorized emergency vehicle, other than fire fighting apparatus,  
296 responding to an emergency call or a motor vehicle operated by a rural  
297 letter carrier of the United States postal service while performing his or  
298 her official duties or by a person engaged in the delivery of  
299 newspapers.

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

303 (4) [On and after February 1, 1986, any] Any person who is twenty  
304 years of age or older who violates [the provisions] any provision of  
305 this subsection shall have committed an infraction and shall be fined  
306 fifteen dollars. Any person who is less than twenty years of age who

307 violates any provision of this subsection shall have committed an  
308 infraction and shall be fined ninety dollars. Points may not be assessed  
309 against the operator's license of any person who is twenty years of age  
310 or older who is convicted of such violation.

311 Sec. 8. Subsection (b) of section 14-111 of the general statutes is  
312 repealed and the following is substituted in lieu thereof (*Effective*  
313 *October 1, 2008*):

314 (b) (1) [Whenever] Except as provided in subdivision (2) of this  
315 subsection, whenever the holder of any motor vehicle operator's  
316 license has been convicted or has forfeited any bond taken or has  
317 received a suspended judgment or sentence for any of the following  
318 violations, the commissioner shall, without hearing, suspend [his] such  
319 person's operator's license as follows: For a first violation of subsection  
320 (a) of section 14-224 or section 14-110, 14-215 or 53a-119b, for a period  
321 of not less than one year and, for a subsequent violation thereof, for a  
322 period of not less than two years; for a violation of subsection (a) of  
323 section 14-222, for a period of not less than thirty days or more than  
324 ninety days and, for a subsequent violation thereof, for a period of not  
325 less than ninety days; for a violation of subsection (b) of section 14-224,  
326 for a period of not less than ninety days; for a first violation of  
327 subsection (b) of section 14-147, for a period of not less than ninety  
328 days and, for a subsequent violation thereof, for a period of not less  
329 than five years; for a first violation of subsection (c) of section 14-147,  
330 for a period of not less than thirty days and, for a subsequent violation  
331 thereof, for a period of not less than one year.

332 (2) Notwithstanding the provisions of section 14-111b, whenever the  
333 holder of any motor vehicle operator's license who is less than twenty  
334 years of age has been convicted or has forfeited any bond taken or has  
335 received a suspended judgment or sentence for any of the following  
336 violations, the commissioner shall, without hearing, suspend such  
337 person's operator's license as follows: For a first violation of section 14-  
338 219, for a period of forty-five days and, for a second violation thereof,

339 for a period of ninety days and, for a third or subsequent violation  
340 thereof, for a period of six months; for a first violation of subsection (a)  
341 of section 14-222, for a period of six months and, for a subsequent  
342 violation thereof, for a period of one year; for a violation of subsection  
343 (c) of section 14-224, for a period of six months and, for a subsequent  
344 violation thereof, for a period of one year; for a first violation of section  
345 14-296aa, for a period of thirty days and, for a second violation thereof,  
346 for a period of ninety days and, for a third or subsequent violation  
347 thereof, for a period of six months.

348 [(2)] (3) The commissioner may suspend the motor vehicle  
349 operator's license of any person (A) who was arrested for a felony, and  
350 (B) for whom there is an outstanding warrant for rearrest for failing to  
351 appear when legally called with regard to such felony. The suspension  
352 shall terminate no later than the date on which such person appears  
353 before the court with regard to such felony or such failure to appear.

354 Sec. 9. Subsection (a) of section 14-111g of the general statutes is  
355 repealed and the following is substituted in lieu thereof (*Effective*  
356 *October 1, 2008*):

357 (a) For the purposes of this subsection, "moving violation" means  
358 any violation of subsection (c) of section 14-36, section 14-36g, 14-218a,  
359 14-219, 14-222, 14-223, 14-230 to 14-249, inclusive, 14-279, 14-289b, 14-  
360 296aa, 14-299, 14-301, 14-302 or 14-303, and "suspension violation"  
361 means a violation of section 14-222a or 14-224, subsection (a) of section  
362 14-227a, or section 53a-56b, 53a-57 or 53a-60d. The Commissioner of  
363 Motor Vehicles may require any licensed motor vehicle operator who  
364 is twenty-four years of age or less, who has been convicted of a  
365 moving violation or a suspension violation, or both, committed on two  
366 or more occasions to attend a motor vehicle operator's retraining  
367 program. The commissioner may require any licensed motor vehicle  
368 operator over twenty-four years of age, who has been convicted of a  
369 moving violation or a suspension violation or a combination of said  
370 violations, committed on three or more occasions to attend a motor

371 vehicle operator's retraining program. The retraining program shall (1)  
 372 review principles of motor vehicle operation, (2) develop alternative  
 373 attitudes for those attitudes contributing to aggressive driving  
 374 behavior, and (3) emphasize the need to practice safe driving behavior.  
 375 The retraining program shall be offered by the Department of Motor  
 376 Vehicles or by any other organization conducting such a program  
 377 certified by the commissioner. The commissioner shall notify such  
 378 operator, in writing, of such requirement. A fee of not more than sixty  
 379 dollars shall be charged for the retraining program. The commissioner,  
 380 after notice and opportunity for hearing, may suspend the motor  
 381 vehicle operator's license of any such operator who fails to attend or  
 382 successfully complete the program until the operator successfully  
 383 completes the program. The hearing shall be limited to any claim of  
 384 impossibility of the operator to attend the retraining program, or to a  
 385 determination of mistake or misidentification.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	14-227b(j)
Sec. 2	<i>October 1, 2008</i>	14-227f(a)
Sec. 3	<i>October 1, 2008</i>	14-36(c)
Sec. 4	<i>October 1, 2008</i>	14-36(d)
Sec. 5	<i>October 1, 2008</i>	14-36g
Sec. 6	<i>October 1, 2008</i>	14-50b(a)
Sec. 7	<i>October 1, 2008</i>	14-100a(c)
Sec. 8	<i>October 1, 2008</i>	14-111(b)
Sec. 9	<i>October 1, 2008</i>	14-111g(a)

**Statement of Purpose:**

To implement the Governor's budget recommendations.

*[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.]*