



Substitute Senate Bill No. 298

Public Act No. 08-150

AN ACT CONCERNING THE DEPARTMENT OF MOTOR VEHICLES.

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

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 Section 14-1 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

Terms used in this chapter shall be construed as follows, unless another construction is clearly apparent from the language or context in which the term is used or unless the construction is inconsistent with the manifest intention of the General Assembly:

(1) "Activity vehicle" means a student transportation vehicle that is used to transport students in connection with school-sponsored events and activities, but is not used to transport students to and from school;

(2) "Agricultural tractor" means a tractor or other form of nonmuscular motive power used for transporting, hauling, plowing, cultivating, planting, harvesting, reaping or other agricultural purposes on any farm or other private property, or used for the purpose of transporting, from one farm to another, agricultural implements and farm products, provided the agricultural tractor is not used on any highway for transporting a pay load or for some other

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commercial purpose;

(3) "Antique, rare or special interest motor vehicle" means a motor vehicle twenty years old or older which is being preserved because of historic interest and which is not altered or modified from the original manufacturer's specifications;

(4) "Apparent candle power" means an illumination equal to the normal illumination in foot candles produced by any lamp or lamps, divided by the square of the distance in feet between the lamp or lamps and the point at which the measurement is made;

(5) "Authorized emergency vehicle" means (A) a fire department vehicle, (B) a police vehicle, or (C) a public service company or municipal department ambulance or emergency vehicle designated or authorized for use as an authorized emergency vehicle by the commissioner;

(6) "Auxiliary driving lamp" means an additional lighting device on a motor vehicle used primarily to supplement the general illumination in front of a motor vehicle provided by the motor vehicle's head lamps;

(7) "Bulb" means a light source consisting of a glass bulb containing a filament or substance capable of being electrically maintained at incandescence;

(8) "Camp trailer" includes any trailer designed for living or sleeping purposes and used exclusively for camping or recreational purposes;

(9) "Camp trailer registration" means the type of registration issued to any trailer that is for nonbusiness use and is limited to camp trailers and utility trailers;

(10) "Camp vehicle" means any motor vehicle that is regularly used

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to transport persons under eighteen years of age in connection with the activities of any youth camp, as defined in section 19a-420 of the 2008 supplement to the general statutes;

[(9)] (11) "Camper" means any motor vehicle designed or permanently altered in such a way as to provide temporary living quarters for travel, camping or recreational purposes;

[(10)] (12) "Combination registration" means the type of registration issued to a motor vehicle used for both private passenger and commercial purposes if such vehicle does not have a gross vehicle weight rating in excess of twelve thousand five hundred pounds;

[(11)] (13) "Commercial driver's license" or "CDL" means a license issued to an individual in accordance with the provisions of sections 14-44a to 14-44m, inclusive, which authorizes such individual to drive a commercial motor vehicle;

[(12)] (14) "Commercial driver's license information system" or "CDLIS" means the national database of holders of commercial driver's licenses established by the Federal Motor Carrier Safety Administration pursuant to Section 12007 of the Commercial Motor Vehicle Safety Act of 1986;

[(13)] (15) "Commercial motor vehicle" means a vehicle designed or used to transport passengers or property, except a vehicle used for farming purposes in accordance with 49 CFR 383.3(d), fire fighting apparatus or an emergency vehicle, as defined in section 14-283, or a recreational vehicle in private use, which (A) has a gross vehicle weight rating of twenty-six thousand and one pounds or more, or a gross combination weight rating of twenty-six thousand and one pounds or more, inclusive of a towed unit or units with a gross vehicle weight rating of more than ten thousand pounds; (B) is designed to transport sixteen or more passengers, including the driver, or is

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designed to transport more than ten passengers, including the driver, and is used to transport students under the age of twenty-one years to and from school; or (C) is transporting hazardous materials and is required to be placarded in accordance with 49 CFR 172, Subpart F, as amended, or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73;

[(14)] (16) "Commercial registration" means the type of registration required for any motor vehicle designed or used to transport merchandise, freight or persons in connection with any business enterprise, unless a more specific type of registration is authorized and issued by the commissioner for such class of vehicle;

[(15)] (17) "Commercial trailer" means a trailer used in the conduct of a business to transport freight, materials or equipment whether or not permanently affixed to the bed of the trailer;

(18) "Commercial trailer registration" means the type of registration issued to any commercial trailer;

[(16)] (19) "Commissioner" includes the Commissioner of Motor Vehicles and any assistant to the Commissioner of Motor Vehicles who is designated and authorized by, and who is acting for, the Commissioner of Motor Vehicles under a designation; except that the deputy commissioners of motor vehicles and the Attorney General are deemed, unless the Commissioner of Motor Vehicles otherwise provides, to be designated and authorized by, and acting for, the Commissioner of Motor Vehicles under a designation;

[(17)] (20) "Controlled substance" has the same meaning as in section 21a-240 and the federal laws and regulations incorporated in chapter 420b;

[(18)] (21) "Conviction" means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the

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law in a court of original jurisdiction or an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended or probated;

[(19)] (22) "Dealer" includes any person actively engaged in buying, selling or exchanging motor vehicles or trailers who has an established place of business in this state and who may, incidental to such business, repair motor vehicles or trailers, or cause them to be repaired by persons in his or her employ;

[(20)] (23) "Disqualification" means a withdrawal of the privilege to drive a commercial motor vehicle, which occurs as a result of (A) any suspension, revocation, or cancellation by the commissioner of the privilege to operate a motor vehicle; (B) a determination by the Federal Highway Administration, under the rules of practice for motor carrier safety contained in 49 CFR 386, as amended, that a person is no longer qualified to operate a commercial motor vehicle under the standards of 49 CFR 391, as amended; or (C) the loss of qualification which follows any of the convictions or administrative actions specified in section 14-44k of the 2008 supplement to the general statutes;

[(21)] (24) "Drive" means to drive, operate or be in physical control of a motor vehicle, including a motor vehicle being towed by another;

[(22)] (25) "Driver" means any person who drives, operates or is in physical control of a commercial motor vehicle, or who is required to hold a commercial driver's license;

[(23)] (26) "Driver's license" or "operator's license" means a valid Connecticut motor vehicle operator's license or a license issued by another state or foreign jurisdiction authorizing the holder thereof to operate a motor vehicle on the highways;

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[(24)] (27) "Employee" means any operator of a commercial motor vehicle, including full-time, regularly employed drivers, casual, intermittent or occasional drivers, drivers under contract and independent owner-operator contractors, who, while in the course of operating a commercial motor vehicle, are either directly employed by, or are under contract to, an employer;

[(25)] (28) "Employer" means any person, including the United States, a state or any political subdivision thereof, who owns or leases a commercial motor vehicle, or assigns a person to drive a commercial motor vehicle;

[(26)] (29) "Farm implement" means a vehicle designed and adapted exclusively for agricultural, horticultural or livestock-raising operations and which is not operated on a highway for transporting a pay load or for any other commercial purpose;

[(27)] (30) "Felony" means any offense as defined in section 53a-25 and includes any offense designated as a felony under federal law;

[(28)] (31) "Fatality" means the death of a person as a result of a motor vehicle accident;

[(29)] (32) "Foreign jurisdiction" means any jurisdiction other than a state of the United States;

[(30)] (33) "Fuels" means (A) all products commonly or commercially known or sold as gasoline, including casinghead and absorption or natural gasoline, regardless of their classification or uses, (B) any liquid prepared, advertised, offered for sale or sold for use, or commonly and commercially used, as a fuel in internal combustion engines, which, when subjected to distillation in accordance with the standard method of test for distillation of gasoline, naphtha, kerosene and similar petroleum products by "American Society for Testing Materials Method D-86", shows not less than ten per cent distilled

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(recovered) below 347 Fahrenheit (175 Centigrade) and not less than ninety-five per cent distilled (recovered) below 464 Fahrenheit (240 Centigrade); provided the term "fuels" shall not include commercial solvents or naphthas which distill, by "American Society for Testing Materials Method D-86", not more than nine per cent at 176 Fahrenheit and which have a distillation range of 150 Fahrenheit, or less, or liquefied gases which would not exist as liquids at a temperature of 60 Fahrenheit and a pressure of 14.7 pounds per square inch absolute, and (C) any liquid commonly referred to as "gasohol" which is prepared, advertised, offered for sale or sold for use, or commonly and commercially used, as a fuel in internal combustion engines, consisting of a blend of gasoline and a minimum of ten per cent by volume of ethyl or methyl alcohol;

[(31)] (34) "Garage" includes every place of business where motor vehicles are, for compensation, received for housing, storage or repair;

[(32)] (35) "Gross vehicle weight rating" or "GVWR" means the value specified by the manufacturer as the maximum loaded weight of a single or a combination (articulated) vehicle. The GVWR of a combination (articulated) vehicle commonly referred to as the "gross combination weight rating" or GCWR is the GVWR of the power unit plus the GVWR of the towed unit or units;

[(33)] (36) "Gross weight" means the light weight of a vehicle plus the weight of any load on the vehicle, provided, in the case of a tractor-trailer unit, "gross weight" means the light weight of the tractor plus the light weight of the trailer or semitrailer plus the weight of the load on the vehicle;

[(34)] (37) "Hazardous materials" has the same meaning as in 49 CFR 383.5;

[(35)] (38) "Head lamp" means a lighting device affixed to the front

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of a motor vehicle projecting a high intensity beam which lights the road in front of the vehicle so that it can proceed safely during the hours of darkness;

[(36)] (39) "High-mileage vehicle" means a motor vehicle having the following characteristics: (A) Not less than three wheels in contact with the ground; (B) a completely enclosed seat on which the driver sits; (C) a single or two cylinder, gasoline or diesel engine or an electric-powered engine; and (D) efficient fuel consumption;

[(37)] (40) "Highway" includes any state or other public highway, road, street, avenue, alley, driveway, parkway or place, under the control of the state or any political subdivision of the state, dedicated, appropriated or opened to public travel or other use;

[(38)] (41) "Imminent hazard" means the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begun to lessen the risk of that death, illness, injury or endangerment;

[(39)] (42) "Intersecting highway" includes any public highway which joins another at an angle whether or not it crosses the other;

[(40)] (43) "Light weight" means the weight of an unloaded motor vehicle as ordinarily equipped and ready for use, exclusive of the weight of the operator of the motor vehicle;

[(41)] (44) "Limited access highway" means a state highway so designated under the provisions of section 13b-27;

[(42)] (45) "Local authorities" includes the board of aldermen, common council, chief of police, warden and burgesses, board of selectmen or other officials having authority for the enactment or

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enforcement of traffic regulations within their respective towns, cities or boroughs;

[(43)] (46) "Maintenance vehicle" means any vehicle in use by the state or by any town, city, borough or district, any state bridge or parkway authority or any public service company, as defined in section 16-1 of the 2008 supplement to the general statutes, in the maintenance of public highways or bridges and facilities located within the limits of public highways or bridges;

[(44)] (47) "Manufacturer" means (A) a person, whether a resident or nonresident, engaged in the business of constructing or assembling new motor vehicles of a type required to be registered by the commissioner, for operation upon any highway, except a utility trailer, which are offered for sale in this state, or (B) a person who distributes new motor vehicles to new car dealers licensed in this state;

[(45)] (48) "Median divider" means an intervening space or physical barrier or clearly indicated dividing section separating traffic lanes provided for vehicles proceeding in opposite directions;

[(46)] (49) "Modified antique motor vehicle" means a motor vehicle twenty years old or older which has been modified for safe road use, including, but not limited to, modifications to the drive train, suspension, braking system and safety or comfort apparatus;

[(47)] (50) "Motor bus" includes any motor vehicle, except a taxicab, as defined in section 13b-95, operated in whole or in part on any street or highway in a manner affording a means of transportation by indiscriminately receiving or discharging passengers, or running on a regular route or over any portion of a regular route or between fixed termini;

[(48)] (51) "Motor home" means a vehicular unit designed to provide living quarters and necessary amenities which are built into an integral

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part of, or permanently attached to, a truck or van chassis;

[(49) "Motorcycle" means a motor vehicle, with or without a side car, having not more than three wheels in contact with the ground and a saddle or seat on which the rider sits or a platform on which the rider stands and includes bicycles having a motor attached, except bicycles propelled by means of a helper motor as defined in section 14-286, but does not include a vehicle having or designed to have a completely enclosed driver's seat and a motor which is not in the enclosed area;]

(52) "Motor-driven cycle" means any motorcycle, motor scooter, or bicycle with attached motor with a seat height of not less than twenty-six inches and a motor that produces five brake horsepower or less;

[(50)] (53) "Motor vehicle" means any vehicle propelled or drawn by any nonmuscular power, except aircraft, motor boats, road rollers, baggage trucks used about railroad stations or other mass transit facilities, electric battery-operated wheel chairs when operated by physically handicapped persons at speeds not exceeding fifteen miles per hour, golf carts operated on highways solely for the purpose of crossing from one part of the golf course to another, golf-cart-type vehicles operated on roads or highways on the grounds of state institutions by state employees, agricultural tractors, farm implements, such vehicles as run only on rails or tracks, self-propelled snow plows, snow blowers and lawn mowers, when used for the purposes for which they were designed and operated at speeds not exceeding four miles per hour, whether or not the operator rides on or walks behind such equipment, bicycles with helper motors as defined in section 14-286, as amended by this act, special mobile equipment as defined in subsection (i) of section 14-165, as amended by this act, mini-motorcycles, as defined in section 14-289] of the 2008 supplement to the general statutes, and any other vehicle not suitable for operation on a highway;

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(54) "Motorcycle" means a motor vehicle, with or without a side car, having not more than three wheels in contact with the ground and a saddle or seat on which the rider sits or a platform on which the rider stands, but does not include a motor-driven cycle, as defined in this section, or a vehicle having or designed to have a completely enclosed driver's seat and a motor which is not in the enclosed area;

[(51)] (55) "National Driver Registry" or "NDR" means the licensing information system and database operated by the National Highway Traffic Safety Administration and established pursuant to the National Driver Registry Act of 1982, as amended;

[(52)] (56) "New motor vehicle" means a motor vehicle, the equitable or legal title to which has never been transferred by a manufacturer, distributor or dealer to an ultimate consumer;

[(53)] (57) "Nonresident" means any person whose legal residence is in a state other than Connecticut or in a foreign country;

[(54)] (58) "Nonresident commercial driver's license" or "nonresident CDL" means a commercial driver's license issued by a state to an individual who resides in a foreign jurisdiction;

[(55)] (59) "Nonskid device" means any device applied to the tires, wheels, axles or frame of a motor vehicle for the purpose of increasing the traction of the motor vehicle;

[(56)] (60) "Number plate" means any sign or marker furnished by the commissioner on which is displayed the registration number assigned to a motor vehicle by the commissioner;

[(57)] (61) "Officer" includes any constable, state marshal, inspector of motor vehicles, state policeman or other official authorized to make arrests or to serve process, provided the officer is in uniform or displays the officer's badge of office in a conspicuous place when

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making an arrest;

[(58)] (62) "Operator" means any person who operates a motor vehicle or who steers or directs the course of a motor vehicle being towed by another motor vehicle and includes a driver as defined in subdivision [(22)] (25) of this section;

[(59)] (63) "Out-of-service order" means a temporary prohibition against driving a commercial motor vehicle or any other vehicle subject to the federal motor carrier safety regulations enforced by the commissioner pursuant to the commissioner's authority under section 14-8;

[(60)] (64) "Owner" means any person holding title to a motor vehicle, or having the legal right to register the same, including purchasers under conditional bills of sale;

[(61)] (65) "Parked vehicle" means a motor vehicle in a stationary position within the limits of a public highway;

[(62)] (66) "Passenger and commercial motor vehicle" means a motor vehicle used for private passenger and commercial purposes which is eligible for combination registration;

[(63)] (67) "Passenger motor vehicle" means a motor vehicle used for the private transportation of persons and their personal belongings, designed to carry occupants in comfort and safety, with a capacity of carrying not more than ten passengers including the operator thereof;

[(64)] (68) "Passenger registration" means the type of registration issued to a passenger motor vehicle unless a more specific type of registration is authorized and issued by the commissioner for such class of vehicle;

[(65)] (69) "Person" includes any individual, corporation, limited

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liability company, association, copartnership, company, firm, business trust or other aggregation of individuals but does not include the state or any political subdivision thereof, unless the context clearly states or requires;

[(66)] (70) "Pick-up truck" means a motor vehicle with an enclosed forward passenger compartment and an open rearward compartment used for the transportation of property;

[(67)] (71) "Pneumatic tires" means tires inflated or inflatable with air;

[(68)] (72) "Pole trailer" means a trailer which is (A) intended for transporting long or irregularly shaped loads such as poles, logs, pipes or structural members, which loads are capable of sustaining themselves as beams between supporting connections, and (B) designed to be drawn by a motor vehicle and attached or secured directly to the motor vehicle by any means including a reach, pole or boom;

[(69)] (73) "Recreational vehicle" includes the camper, camp trailer and motor home classes of vehicles;

[(70)] (74) "Registration" includes the certificate of motor vehicle registration and the number plate or plates used in connection with such registration;

[(71)] (75) "Registration number" means the identifying number or letters, or both, assigned by the commissioner to a motor vehicle;

[(72)] (76) "Resident", for the purpose of registering motor vehicles, includes any person [having a place of residence in] who is a legal resident of this state, [occupied by] as the commissioner may presume from the fact that such person occupies a place of dwelling in this state for more than six months in a year, or any person, firm or corporation

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owning or leasing a motor vehicle used or operated in intrastate business in this state, or a firm or corporation having its principal office or place of business in this state;

[(73)] (77) "School bus" means any school bus, as defined in section 14-275 of the 2008 supplement to the general statutes, including a commercial motor vehicle used to transport preschool, elementary school or secondary school students from home to school, from school to home, or to and from school-sponsored events, but does not include a bus used as a common carrier;

[(74)] (78) "Second" violation or "subsequent" violation means an offense committed not more than three years after the date of an arrest which resulted in a previous conviction for a violation of the same statutory provision, except in the case of a violation of section 14-215 of the 2008 supplement to the general statutes or 14-224 or subsection (a) of section 14-227a, "second" violation or "subsequent" violation means an offense committed not more than ten years after the date of an arrest which resulted in a previous conviction for a violation of the same statutory provision;

[(75)] (79) "Semitrailer" means any trailer type vehicle designed and used in conjunction with a motor vehicle so that some part of its own weight and load rests on or is carried by another vehicle;

[(76)] (80) "Serious traffic violation" means a conviction of any of the following offenses: (A) Speeding in excess of fifteen miles per hour or more over the posted speed limit, in violation of section 14-218a or 14-219; (B) reckless driving in violation of section 14-222; (C) following too closely in violation of section 14-240 or 14-240a; (D) improper or erratic lane changes, in violation of section 14-236; (E) driving a commercial motor vehicle without a valid commercial driver's license in violation of section 14-36a of the 2008 supplement to the general statutes, as amended by this act, or 14-44a; (F) failure to carry a commercial

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driver's license in violation of section 14-44a; (G) failure to have the proper class of license or endorsement, or violation of a license restriction in violation of section 14-44a; or (H) arising in connection with an accident related to the operation of a commercial motor vehicle and which resulted in a fatality;

[(77)] (81) "Service bus" includes any vehicle except a vanpool vehicle or a school bus designed and regularly used to carry ten or more passengers when used in private service for the transportation of persons without charge to the individual;

[(78)] (82) "Service car" means any motor vehicle used by a manufacturer, dealer or repairer for emergency motor vehicle repairs on the highways of this state, for towing or for the transportation of necessary persons, tools and materials to and from the scene of such emergency repairs or towing;

[(79)] (83) "Shoulder" means that portion of a highway immediately adjacent and contiguous to the travel lanes or main traveled portion of the roadway;

[(80)] (84) "Solid tires" means tires of rubber, or other elastic material approved by the Commissioner of Transportation, which do not depend on confined air for the support of the load;

[(81)] (85) "Spot lamp" or "spot light" means a lighting device projecting a high intensity beam, the direction of which can be readily controlled for special or emergency lighting as distinguished from ordinary road illumination;

[(82)] (86) "State" means any state of the United States and the District of Columbia unless the context indicates a more specific reference to the state of Connecticut;

[(83)] (87) "Stop" means complete cessation of movement;

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(88) "Student" means any person under the age of twenty-one years who is attending a preprimary, primary or secondary school program of education;

[(84)] (89) "Tail lamp" means a lighting device affixed to the rear of a motor vehicle showing a red light to the rear and indicating the presence of the motor vehicle when viewed from behind;

[(85)] (90) "Tank vehicle" means any commercial motor vehicle designed to transport any liquid or gaseous material within a tank that is either permanently or temporarily attached to the vehicle or its chassis which shall include, but not be limited to, a cargo tank and portable tank, as defined in 49 CFR 383.5, as amended, provided it shall not include a portable tank with a rated capacity not to exceed one thousand gallons;

[(86)] (91) "Tractor" or "truck tractor" means a motor vehicle designed and used for drawing a semitrailer;

[(87)] (92) "Tractor-trailer unit" means a combination of a tractor and a trailer or a combination of a tractor and a semitrailer;

[(88)] (93) "Trailer" means any rubber-tired vehicle without motive power drawn or propelled by a motor vehicle;

[(89)] (94) "Truck" means a motor vehicle designed, used or maintained primarily for the transportation of property;

[(90)] (95) "Ultimate consumer" means, with respect to a motor vehicle, the first person, other than a dealer, who in good faith purchases the motor vehicle for purposes other than resale;

[(91)] (96) "United States" means the fifty states and the District of Columbia;

[(92)] (97) "Used motor vehicle" includes any motor vehicle which

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has been previously separately registered by an ultimate consumer;

[(93)] (98) "Utility trailer" means a trailer designed and used to transport personal property, materials or equipment, whether or not permanently affixed to the bed of the trailer, with a manufacturer's GVWR of ten thousand pounds or less;

[(94)] (99) "Vanpool vehicle" includes all motor vehicles, the primary purpose of which is the daily transportation, on a prearranged nonprofit basis, of individuals between home and work, and which: (A) If owned by or leased to a person, or to an employee of the person, or to an employee of a local, state or federal government unit or agency located in Connecticut, are manufactured and equipped in such manner as to provide a seating capacity of at least seven but not more than fifteen individuals, or (B) if owned by or leased to a regional ride-sharing organization in the state recognized by the Commissioner of Transportation, are manufactured and equipped in such manner as to provide a seating capacity of at least six but not more than nineteen individuals;

[(95)] (100) "Vehicle" includes any device suitable for the conveyance, drawing or other transportation of persons or property, whether operated on wheels, runners, a cushion of air or by any other means. The term does not include devices propelled or drawn by human power or devices used exclusively on tracks;

[(96)] (101) "Vehicle identification number" or "VIN" means a series of Arabic numbers and Roman letters that is assigned to each new motor vehicle that is manufactured within or imported into the United States, in accordance with the provisions of 49 CFR 565, unless another sequence of numbers and letters has been assigned to a motor vehicle by the commissioner, in accordance with the provisions of section 14-149;

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[(97)] (102) "Wrecker" means a vehicle which is registered, designed, equipped and used for the purposes of towing or transporting wrecked or disabled motor vehicles for compensation or for related purposes by a person, firm or corporation licensed in accordance with the provisions of subpart (D) of part III of this chapter or a vehicle contracted for the consensual towing or transporting of one or more motor vehicles to or from a place of sale, purchase, salvage or repair. [;]

[(98)] "Camp vehicle" means any motor vehicle that is regularly used to transport persons under eighteen years of age in connection with the activities of any youth camp, as defined in section 19a-420.]

Sec. 2. Section 14-212 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

Terms used in this chapter shall be construed as follows, unless another construction is clearly apparent from the language or context in which the term is used or unless the construction is inconsistent with the manifest intention of the General Assembly:

(1) The following terms shall be construed as they are defined in section 14-1 of the 2008 supplement to the general statutes, as amended by this act: "Authorized emergency vehicle", "commissioner", "driver", "fuels", "gross weight", "head lamp", "high-mileage vehicle", "highway", "light weight", "limited access highway", "maintenance vehicle", "motor bus", "motorcycle", "motor vehicle registration", "nonresident", "nonskid device", "number plate", "officer", "operator", "owner", "passenger motor vehicle", "passenger and commercial motor vehicle", "person", "pneumatic tires", "pole trailer", "registration", "registration number", "second offense", "semitrailer", "shoulder", "solid tires", "stop", "subsequent offense", "tail lamp", "tractor", "tractor-trailer unit", "trailer", "truck" and "vanpool vehicle";

(2) "Carrier" means (A) any local or regional school district, any

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educational institution providing elementary or secondary education or any person, firm or corporation under contract to such district or institution engaged in the business of transporting school children; (B) any person, firm or corporation providing transportation for compensation exclusively to persons under the age of twenty-one years; or (C) any corporation, institution or nonprofit organization providing transportation as an ancillary service primarily to persons under the age of eighteen years;

(3) "Curb" includes the boundary of the traveled portion of any highway, whether or not the boundary is marked by a curbstone;

(4) "Intersection" means the area embraced within the prolongation of the lateral curb lines of two or more highways which join one another at an angle, whether or not one of the highways crosses the other;

(5) "Motor vehicle" includes all vehicles used on the public highways;

(6) "Parking area" means lots, areas or other accommodations for the parking of motor vehicles off the street or highway and open to public use with or without charge;

(7) "Rotary" or "roundabout" means a physical barrier legally placed or constructed at an intersection to cause traffic to move in a circuitous course;

(8) "Student" means any person under the age of twenty-one years who is attending a preprimary, primary or secondary school program of education;

[(8)] (9) "Student transportation vehicle" means any motor vehicle other than a registered school bus used by a carrier for the transportation of students, including children requiring special

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education; and

[(9)] (10) "Vehicle" is synonymous with "motor vehicle".

Sec. 3. Section 14-10 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) For the purposes of this section:

(1) "Disclose" means to engage in any practice or conduct to make available and make known, by any means of communication, personal information or highly restricted personal information contained in a motor vehicle record pertaining to an individual to any other individual, organization or entity;

(2) "Motor vehicle record" means any record that pertains to an operator's license, learner's permit, identity card, registration, certificate of title or any other document issued by the Department of Motor Vehicles;

(3) "Personal information" means information that identifies an individual and includes an individual's photograph or computerized image, Social Security number, operator's license number, name, address other than the zip code, telephone number, or medical or disability information, but does not include information on motor vehicle accidents or violations, or information relative to the status of an operator's license, registration or insurance coverage;

(4) "Highly restricted personal information" means an individual's photograph or computerized image, Social Security number or medical or disability information; and

(5) "Express consent" means an affirmative agreement given by the individual who is the subject of personal information that specifically

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grants permission to the department to release such information to the requesting party. Such agreement shall (A) be in writing or such other form as the commissioner may determine in regulations adopted in accordance with the provisions of chapter 54, and (B) specify a procedure for the individual to withdraw such consent, as provided in regulations adopted in accordance with the provisions of chapter 54.

(b) A number shall be assigned to each motor vehicle registration and operator's license and a record of all applications for motor vehicle registrations and operators' licenses issued shall be kept by the commissioner at the main office of the Department of Motor Vehicles.

(c) (1) All records of the Department of Motor Vehicles pertaining to the application for registration, and the registration, of motor vehicles of the current or previous three years shall be maintained by the commissioner at the main office of the department. Any such records over three years old may be destroyed at the discretion of the commissioner. (2) Before disclosing personal information pertaining to an applicant or registrant from such motor vehicle records or allowing the inspection of any such record containing such personal information in the course of any transaction conducted at such main office, the commissioner shall ascertain whether such disclosure is authorized under subsection (f) of this section, and require the person or entity making the request to (A) complete an application that shall be on a form prescribed by the commissioner, and (B) provide two forms of acceptable identification. An attorney-at-law admitted to practice in this state may provide his or her juris number to the commissioner in lieu of the requirements of subparagraph (B) of this subdivision. The commissioner may disclose such personal information or permit the inspection of such record containing such information only if such disclosure is authorized under subsection (f) of this section.

(d) The commissioner may disclose personal information from a motor vehicle record pertaining to an operator's license or a driving

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history or permit the inspection or copying of any such record or history containing such information in the course of any transaction conducted at the main office of the department only if such disclosure is authorized under subsection (f) of this section. Any such records over five years old may be destroyed at the discretion of the commissioner.

(e) In the event (1) a federal court judge, federal court magistrate or judge of the Superior Court, Appellate Court or Supreme Court of the state, (2) a member of a municipal police department or a member of the Division of State Police within the Department of Public Safety, (3) an employee of the Department of Correction, (4) an attorney-at-law who represents or has represented the state in a criminal prosecution, (5) a member or employee of the Board of Pardons and Paroles, (6) a judicial branch employee regularly engaged in court-ordered enforcement or investigatory activities, (7) a federal law enforcement officer who works and resides in this state, or (8) a state referee under section 52-434, submits a written request and furnishes such individual's business address to the commissioner, such business address only shall be disclosed or available for public inspection to the extent authorized by this section.

(f) The commissioner may disclose personal information from a motor vehicle record to:

(1) Any federal, state or local government agency in carrying out its functions or to any individual or entity acting on behalf of any such agency, or

(2) Any individual, organization or entity that signs and files with the commissioner, under penalty of false statement as provided in section 53a-157b, a statement on a form approved by the commissioner, together with such supporting documentation or information as the commissioner may require, that such information

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will be used for any of the following purposes:

(A) In connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor vehicle product alterations, recalls or advisories, performance monitoring of motor vehicles and dealers by motor vehicle manufacturers, motor vehicle market research activities including survey research, motor vehicle product and service communications and removal of nonowner records from the original owner records of motor vehicle manufacturers to implement the provisions of the federal Automobile Information Disclosure Act, 15 USC 1231 et seq., the Clean Air Act, 42 USC 7401 et seq., and 49 USC Chapters 301, 305 and 321 to 331, inclusive, as amended from time to time, and any provision of the general statutes enacted to attain compliance with said federal provisions;

(B) In the normal course of business by the requesting party, but only to confirm the accuracy of personal information submitted by the individual to the requesting party;

(C) In connection with any civil, criminal, administrative or arbitral proceeding in any court or government agency or before any self-regulatory body, including the service of process, an investigation in anticipation of litigation by an attorney-at-law or any individual acting on behalf of an attorney-at-law and the execution or enforcement of judgments and orders, or pursuant to an order of any court provided the requesting party is a party in interest to such proceeding;

(D) In connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor vehicle product alterations, recalls or advisories, performance monitoring of motor vehicles and motor vehicle parts and dealers, producing statistical reports and removal of nonowner records from the original owner records of motor vehicle manufacturers, provided the personal information is not published, disclosed or used to contact individuals except as permitted

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under subparagraph (A) of this subdivision;

(E) By any insurer or insurance support organization or by a self-insured entity or its agents, employees or contractors, in connection with the investigation of claims arising under insurance policies, antifraud activities, rating or underwriting;

(F) In providing any notice required by law to owners or lienholders named in the certificate of title of towed, abandoned or impounded motor vehicles;

(G) By an employer or its agent or insurer to obtain or verify information relating to a holder of a passenger endorsement or commercial driver's license required under 49 USC Chapter 313, and sections 14-44 to 14-44m, inclusive;

(H) In connection with any lawful purpose of a labor organization, as defined in section 31-77, provided (i) such organization has entered into a contract with the commissioner, on such terms and conditions as the commissioner may require, and (ii) the information will be used only for the purposes specified in the contract other than campaign or political purposes;

(I) For bulk distribution for surveys, marketing or solicitations provided the commissioner has obtained the express consent of the individual to whom such personal information pertains;

(J) For the purpose of preventing fraud by verifying the accuracy of personal information contained in a motor vehicle record, including an individual's photograph or computerized image, as submitted by an individual to a legitimate business or an agent, employee or contractor of a legitimate business, provided the individual has provided express consent in accordance with subdivision (5) of subsection (a) of this section;

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(K) Inclusion of personal information about persons who have indicated consent to become organ and tissue donors in a donor registry established by a procurement organization, as defined in section 19a-279a;

(L) By any private detective or private detective licensed in accordance with the provisions of chapter 534, in connection with an investigation involving matters concerning motor vehicles.

(g) Any person receiving personal information or highly restricted personal information from a motor vehicle record pursuant to subsection (f) of this section shall be entitled to use such information for any of the purposes set forth in said subsection for which such information may be disclosed by the commissioner. No such person may resell or redisclose the information for any purpose that is not set forth in subsection (f) of this section, or reasonably related to any such purpose.

(h) Notwithstanding any provision of this section, the disclosure of personal information from a motor vehicle record pursuant to subsection (f) of this section shall be subject to the provisions of section 14-50a concerning (1) the fees that shall be charged for copies of or information pertaining to motor vehicle records and (2) the authority of the commissioner to establish fees for information furnished on a volume basis in accordance with such terms and conditions regarding the use and distribution of such information as the commissioner may prescribe.

(i) Notwithstanding any provision of this section that restricts or prohibits the disclosure of personal information from a motor vehicle record, the commissioner may disclose personal information contained in any such record to any individual who is the subject of such personal information or to any person who certifies under penalty of false statement that such person has obtained the express consent of

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the subject of such personal information.

(j) Notwithstanding any provision of this section that permits the disclosure of personal information from a motor vehicle record, the commissioner may disclose highly restricted personal information contained in any such record only in accordance with the provisions of 18 USC 2721 et seq., as amended.

(k) Any person, including any officer, employee, agent or contractor of the Department of Motor Vehicles, who sells, transfers or otherwise discloses personal information or highly restricted personal information obtained from the Department of Motor Vehicles for any purpose not authorized by the provisions of this section shall be guilty of a class A misdemeanor.

[(k)] (l) The commissioner may adopt regulations in accordance with chapter 54 to implement the provisions of this section.

Sec. 4. Subsection (a) of section 14-12 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) No motor vehicle shall be operated or towed on any highway, except as otherwise expressly provided, unless it is registered with the commissioner, provided any motor vehicle may be towed for repairs or necessary work if it bears the markers of a licensed and registered dealer, manufacturer or repairer and provided any motor vehicle which is validly registered in another state may, for a period of sixty days following establishment by the owner of residence in this state, be operated on any highway without first being registered with the commissioner. Except as otherwise provided in this subsection (1) a person commits an infraction if he registers a motor vehicle he does not own or if he operates, or allows the operation of, an unregistered motor vehicle on a public highway or (2) a resident of this state who

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operates a motor vehicle he owns with marker plates issued by another state shall be fined not less than one hundred fifty dollars nor more than three hundred dollars. If the owner of a motor vehicle previously registered on an annual or biennial basis, the registration of which expired not more than thirty days previously, operates or allows the operation of such a motor vehicle, he shall be fined the amount designated for the infraction of failure to renew a registration, but his right to retain his operator's license shall not be affected. No operator other than the owner shall be subject to penalty for the operation of such a previously registered motor vehicle. As used in this subsection, the term "unregistered motor vehicle" includes any vehicle that is not eligible for registration by the commissioner due to the absence of necessary equipment or other characteristics of the vehicle that make it unsuitable for highway operation, unless the operation of such vehicle is expressly permitted by another provision of this chapter or chapter 248.

Sec. 5. Subsection (b) of section 14-16a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(b) The following vehicles, upon transfer of ownership, shall be presented for inspection, as directed by the commissioner, at any Department of Motor Vehicles office or any official emissions inspection station authorized by the Commissioner of Motor Vehicles to conduct such inspection: (1) All motor vehicles ten model years old or older which are registered in this state and which were originally used or designed as fire apparatus and which are of historical or special interest as determined by the commissioner, (2) all antique, rare or special interest motor vehicles, and (3) all modified antique motor vehicles. Any such vehicle shall be inspected to determine whether it is in good mechanical condition before registration can be issued to the new owner of such vehicle. The determination of the mechanical

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condition of a vehicle described in subdivisions (1) and (2) of this subsection shall be made by inspecting only the vehicle's original equipment and parts or the functional reproductions of the original equipment and parts. The mechanical condition of modified antique motor vehicles shall be determined by inspecting the original equipment and any functioning replacements of such equipment. The model year designation for the purpose of registration of a modified antique motor vehicle shall be the model year that the body of such vehicle most closely resembles. If the commissioner authorizes the contractor that operates the system of official emissions inspection stations or other business or firm, except a licensee of the department, to conduct the safety inspections required by this subsection, the commissioner may authorize the contractor or other business or firm to charge a fee, not to exceed fifteen dollars, for each such inspection. The commissioner may authorize any motor vehicle dealer or repairer, licensed in accordance with section 14-52 and meeting qualifications established by the commissioner, to make repairs to any motor vehicle that has failed an initial safety inspection and to certify to the commissioner that the motor vehicle is in compliance with the safety and equipment standards for registration. No such authorized dealer or repairer shall charge any additional fee to make such certification to the commissioner.

Sec. 6. Subsection (d) of section 14-34a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(d) At such time as the state of Connecticut may enter into and become a member of the International Registration Plan pursuant to subsection (a) of this section, the provisions of said plan, as it may be amended from time to time, which are concerned with the registration of any vehicle or the fees which relate to any such registration shall control whenever any special act or any provision of the general

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statutes, except subsection (c) of this section, conflicts with any provision of said plan. A copy of the plan, as it may be amended from time to time, shall be maintained on file by the Commissioner of Motor Vehicles at the main office of the department, and shall be available for public inspection.

Sec. 7. Subsection (g) of section 14-44e of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(g) The commissioner may issue a commercial driver's instruction permit to any person who holds a valid operator's license. Said permit may not be issued for a period to exceed six months. Only one renewal or reissuance may be granted within a two-year period. The holder of a commercial driver's instruction permit, may, unless otherwise disqualified or suspended, drive a commercial motor vehicle only when accompanied by the holder of a commercial driver's license [with] of the appropriate class and bearing endorsements for the type of vehicle being driven who occupies a seat beside the individual for the purpose of giving instruction in driving the commercial motor vehicle.

Sec. 8. Subsection (b) of section 14-42a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(b) The Commissioner of Motor Vehicles shall include in regulations adopted pursuant to [section] sections 14-36f and 14-78 a requirement that a description of the purposes and procedures of procurement organizations, as defined in section 19a-279a, be included in driver education programs.

Sec. 9. Subsection (w) of section 14-49 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu

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thereof (*Effective October 1, 2008*):

(w) In addition to the fee established for the issuance of motor vehicle number plates and except as provided in subsection (a) of section 14-21b and subsection (c) of section 14-253a of the 2008 supplement to the general statutes there shall be an additional safety fee of five dollars charged at the time of issuance of any reflectorized safety number plate or set of plates. All moneys derived from said safety fee shall be deposited in the Special Transportation Fund. The commissioner may waive said safety fee in the case of any person who submits a police report to the commissioner indicating that the number plate or set of number plates have been stolen or mutilated. [for the purpose of obtaining the sticker attached to the plate denoting the expiration date of the registration.]

Sec. 10. Section 14-67l of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) Upon receiving such certificate of approval, each applicant for a motor vehicle recycler's license shall present such certificate to the Commissioner of Motor Vehicles, together with a fee of [eighty] two hundred eighty dollars for the examination of the location or proposed location of each such motor vehicle recycler's yard or business, and shall pay a license fee of [two hundred] seven hundred five dollars to said commissioner for each motor vehicle recycler's yard or business. [On and after July 1, 1985, the fee for such examination shall be one hundred twenty dollars, on and after July 1, 1989, one hundred eighty dollars, on and after July 1, 1991, two hundred twenty-five dollars, and on and after July 1, 1993, two hundred eighty dollars. On and after July 1, 1985, the license fee shall be three hundred dollars, on and after July 1, 1989, four hundred fifty dollars, on and after July 1, 1991, five hundred sixty-three dollars, and on and after July 1, 1993, seven hundred and five dollars. Upon] Except as provided in subsection (b) of this section, upon receipt of such certificate of approval, the

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payment of the required license fee and observance of regulations required, a license shall be issued by the commissioner provided, however, the commissioner may refuse to grant a license to a person, firm or corporation to engage in the business of operating a motor vehicle recycler's yard if the applicant for such business license or an officer or major stockholder, if the applicant is a firm or corporation, has been convicted of a violation of any provision of laws pertaining to the business of a motor vehicle dealer or repairer, including a motor vehicle recycler, in the courts of the United States or of this state or any state of the United States, in accordance with the hearing requirements provided for in section 14-67p. Any license may be renewed from year to year upon payment of a fee of [~~one hundred~~] three hundred fifty dollars. [On and after July 1, 1985, the renewal fee shall be one hundred fifty dollars, on and after July 1, 1989, two hundred twenty-five dollars, on and after July 1, 1991, two hundred eighty dollars, and on and after July 1, 1993, three hundred fifty dollars.] Each such license shall be renewed annually according to renewal schedules established by the commissioner so as to effect staggered renewal of all such licenses. If the adoption of a staggered system results in the expiration of any license more or less than one year from its issuance, the commissioner may charge a prorated amount for such license fee. Each such licensee shall, instead of registering each motor vehicle owned by him, make application to the commissioner for a general distinguishing number and mark, and the commissioner may issue to the applicant a certificate of registration containing the distinguishing number and mark assigned to such licensee and, thereupon, each motor vehicle owned by such licensee shall be regarded as registered under such general distinguishing number and mark. No licensee may be issued more than three registrations under a general distinguishing number and mark in a year, unless he makes application for an additional registration to the commissioner, in such form and containing such information as he may require to substantiate such request. The commissioner may issue to each such licensee such

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additional registrations as he deems necessary. The licensee shall issue to each person driving such motor vehicle a document indicating that such person is validly entrusted with the vehicle, which document shall be carried in the motor vehicle. The commissioner shall determine the form and contents of this document. For the registration of motor vehicles under a general distinguishing number and mark, the commissioner shall charge a fee of [twenty] seventy dollars for each number plate furnished. [On and after July 1, 1985, such fee shall be thirty dollars, on and after July 1, 1989, forty-five dollars, on and after July 1, 1991, fifty-six dollars, and on and after July 1, 1993, seventy dollars.] Such licensee shall furnish financial responsibility satisfactory to the commissioner as defined in section 14-112. Such number plates may be used as provided for under section 14-67n.

(b) Each applicant for a recycler's license shall be required to certify that, to the best of such applicant's knowledge and belief, all the property to be used for the operation of the yard and business is in compliance with the provisions of all applicable provisions of title 22a and all regulations adopted by the Commissioner of Environmental Protection pursuant to the provisions of said title. Upon receipt of such certification and completed application, the Commissioner of Motor Vehicles shall notify the Commissioner of Environmental Protection. The notification shall include a statement of the location of the subject property and a legal description thereof. Within forty-five days of receipt of such notification, the Commissioner of Environmental Protection shall inform the Commissioner of Motor Vehicles if there is any reason to believe that the property that is proposed to be licensed is not in compliance with the above referenced statutory and regulatory requirements. If the Commissioner of Motor Vehicles is informed that there is any such reason to believe that the subject location is not in compliance with such requirements, said commissioner may (1) refuse to issue the license, or (2) issue the license subject to such conditions, including, but not limited to, the

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remediation of the conditions causing the suspected violation or violations, as are acceptable to the Commissioner of Environmental Protection.

Sec. 11. Section 14-73 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) No person shall be employed by any such school licensee to give instruction in driving a motor vehicle unless [he] such person is licensed to act as an instructor by the commissioner.

(b) Application for an instructor's license shall be in writing and shall contain such information as the commissioner requires. The applicant shall furnish evidence satisfactory to the commissioner that [he] such applicant (1) is of good moral character [and has never been convicted of a crime involving moral turpitude] considering such person's criminal record and record, if any, on the state child abuse and neglect registry established pursuant to section 17a-101k, as obtained and reviewed by the commissioner in accordance with the standards of section 14-44; (2) has held a license to drive a motor vehicle for the past four consecutive years and has a driving record satisfactory to the commissioner, including no record of a conviction for a drug or alcohol-related offense during such four-year period; (3) has had a recent medical examination by a physician licensed to practice within the state and the physician certifies that the applicant is physically fit to operate a motor vehicle and instruct in driving; (4) has received a high school diploma or has an equivalent academic education; and (5) has completed an instructor training course of forty-five clock hours given by a school or agency approved by the commissioner, except that any such course given by an institution under the jurisdiction of the board of trustees of the Connecticut State University system must be approved by the commissioner and the State Board of Education.

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(c) The commissioner may deny the application of any person for an instructor's license if he determines that the applicant has made a material false statement or concealed a material fact in connection with his application for the instructor's license.

(d) The commissioner shall conduct such written, oral and practical examinations as he deems necessary to determine whether an applicant has sufficient skill in the operation of motor vehicles to ensure their safe operation, a satisfactory knowledge of the motor vehicle laws and the ability to impart such skill and knowledge to others. If the applicant successfully completes the examinations and meets all other requirements of this section, the commissioner shall cause him to be fingerprinted and shall issue to him an instructor's license. The license shall be valid for use only in connection with the business of the drivers' school or schools listed on the license. If the applicant fails the examination, he may apply for reexamination after three months have elapsed. The license shall be valid for the calendar year within which it is issued, and renewals shall be for succeeding calendar years.

(e) The licensee shall be reexamined periodically in accordance with standards specified in regulations adopted under section 14-78. Persons licensed for the first time as instructors shall, in the three years following their initial licensure, attend seminars, annually, in traffic safety sponsored by the Department of Motor Vehicles or take an advanced instructor course of not less than forty-five clock hours in traffic safety. The course shall have been approved by the commissioner. Proof of compliance with the requirement for attendance at seminars or the taking of instruction shall be made before license renewals are issued. The seminars shall be self-sustaining.

(f) The fee for an instructor's license, or for any renewal thereof, shall be fifty dollars.

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Sec. 12. Subsection (a) of section 14-105 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) No television screen or other device of a similar nature, except a video display unit used for instrumentation purposes [or a closed video monitor for backing, provided such monitor screen is disabled blank no later than fifteen seconds after the transmission of a vehicle so equipped is shifted out of reverse,] shall be installed or used in this state in any position or location in a motor vehicle where it may be visible to the driver or where it may in any other manner interfere with the safe operation and control of the vehicle. The provisions of this subsection shall not apply to devices installed by the manufacturer of the motor vehicle meeting one or more of the following criteria: (1) A closed video monitor that is used only for backing or parking; (2) a video display unit or device that is capable of operation only when the vehicle is stationary and is automatically disabled whenever the wheels of the vehicle are in motion; or (3) a video display unit or device that is used to enhance or supplement the driver's view of the area immediately surrounding the vehicle to assist in low-speed maneuvering at not more than ten miles per hour around obstructions.

Sec. 13. Section 14-164i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) The Commissioner of Environmental Protection, in consultation with the Commissioner of Motor Vehicles, shall review the technical information concerning testing techniques, standards and instructions for emission control features and equipment relative to diesel-powered commercial motor vehicles, including such information available from the United States Environmental Protection Agency and information regarding standards issued by the Society of Automotive Engineers and shall, not later than January 1, 1997, establish a standard of minimum exhaust emission for all diesel-powered commercial motor

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vehicles operated on the highways of this state. In establishing such standard, the commissioner shall also review standards in effect in other states and in regions subject to federal air quality requirements and shall endeavor to maintain consistency with such standards. The standard shall be reviewed by the commissioner periodically and may be revised as the commissioner deems appropriate. Not later than July 1, 1997, the Commissioner of Motor Vehicles, in consultation with the Commissioner of Environmental Protection, shall select a method or methods for testing the exhaust emissions of diesel-powered commercial motor vehicles.

(b) [Not later than October 1, 1997, the] The Commissioner of Motor Vehicles shall provide for the [commencement] conduct of emissions inspections of diesel-powered commercial motor vehicles operated on the highways of this state using the method or methods selected by the commissioner under subsection (a) of this section. Such inspections [shall] may be performed in conjunction with any safety or weight inspection at any official weighing area or other location designated by the commissioner. In lieu of any such inspection performed by the commissioner, the commissioner may accept the results of an inspection performed (1) by agreement with an owner or operator of a fleet of diesel-powered commercial motor vehicles licensed by the commissioner pursuant to subsection (h) of section 14-164c of the 2008 supplement to the general statutes, or (2) by any licensed motor vehicle dealer or repairer authorized by the commissioner, pursuant to this section, to establish a diesel-powered commercial motor vehicle inspection station. The Commissioner of Motor Vehicles shall design a sticker to be affixed to the windshield of a diesel-powered commercial motor vehicle inspected in accordance with the provisions of this section, which shall bear the date of inspection.

(c) Any person, as defined in subsection (g) of this section, whose vehicle fails to pass an inspection under subsection (b) of this section

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shall have the vehicle repaired and, within forty-five consecutive calendar days, present proof of emissions-related repairs of such vehicle in such form as the commissioner shall require. The commissioner shall issue a two-year intrastate waiver from compliance with emissions standards to any such vehicle failing to meet such standards but complying with the minimum repair requirements. For purposes of this section, the minimum repair requirements for diesel-powered commercial motor vehicles shall be the expenditure of one thousand dollars towards emissions-related repairs of such vehicle. The Commissioner of Motor Vehicles shall suspend the commercial registration, issued pursuant to the provisions of this chapter, of any vehicle for which no proof of emissions-related repairs has been submitted within such forty-five-day period.

(d) When a diesel-powered commercial motor vehicle fails to [stop and] submit to an emissions inspection [performed] requested in conjunction with any safety or weight inspection at any official weighing area or other location designated by the commissioner, or fails to comply with any provision of this section, the commissioner shall (1) suspend the registration privilege to operate the vehicle on the highways of the state, and (2) notify the jurisdiction in which the vehicle is registered and request said jurisdiction to suspend the registration of the vehicle.

(e) The Commissioner of Motor Vehicles shall adopt regulations in accordance with the provisions of chapter 54 to implement the provisions of this section.

(f) No diesel-powered commercial motor vehicle shall be operated on the highways of this state unless such vehicle complies with the provisions of this section and the regulations adopted by the commissioner. Any person who operates or permits the operation of any such vehicle in violation of the provisions of this section or the regulations adopted by the commissioner shall be fined not more than

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two hundred dollars for a first violation and not more than five hundred dollars for a second or subsequent violation committed within one year after a previous violation.

(g) For the purposes of this section, (1) "commercial motor vehicle" shall not be construed to include a school bus, and (2) "person" shall mean the person holding title to the vehicle or having legal right to register the same, including a purchaser under a conditional bill of sale and a lessee for a term of more than thirty days.

Sec. 14. Subsection (c) of section 14-171 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(c) If the application refers to a vehicle last previously registered in another state or country, or by an Indian tribe recognized by the United States Bureau of Indian Affairs, the application shall contain or be accompanied by: (1) Any certificate of title issued by [the] such other state, [or] country or Indian tribe; (2) any other information and documents the commissioner reasonably requires to establish the ownership of the vehicle and the existence or nonexistence of security interests in it; and (3) evidence that the manufacturer's identification number of the vehicle was verified, by a means acceptable to the commissioner, or inspected by a licensed dealer in accordance with subsection (d) of section 14-99h.

Sec. 15. Subsection (c) of section 14-192 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(c) Motor vehicles leased to an agency of this state and motor vehicles owned by the state, [or] an agency of the state, or a municipality, as defined in section 7-245, shall be exempt from the fees imposed by this section.

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Sec. 16. Section 14-286 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) Each person operating a bicycle upon and along a sidewalk or across any roadway upon and along a crosswalk shall yield the right-of-way to any pedestrian and shall give an audible signal within a reasonable distance before overtaking and passing a pedestrian. Each person operating a bicycle or a motor-driven cycle upon a roadway shall within a reasonable distance give an audible signal before overtaking and passing a pedestrian or another bicycle operator. No person shall operate a bicycle upon or along a sidewalk or across a roadway upon and along a crosswalk if such operation is prohibited by any ordinance of any city, town or borough or by any regulation of the State Traffic Commission issued or adopted pursuant to the provisions of section 14-298.

(b) No person shall ride a [bicycle with a helper motor] motor-driven cycle unless that person holds a valid motor vehicle operator's license. No person shall operate a [bicycle with a helper motor at a rate of speed exceeding thirty miles per hour; nor shall any bicycle with a helper motor be operated] motor-driven cycle on any sidewalk, limited access highway or turnpike.

(c) (1) Notwithstanding the provisions of subsection (b) of this section, the Commissioner of Motor Vehicles may issue to a person who does not hold a valid operator's license a special permit that authorizes such person to ride a [bicycle with a helper motor] motor-driven cycle if (A) such person presents to the commissioner a certificate by a physician licensed to practice medicine in this state that such person is physically disabled, as defined in section 1-1f, other than blind, and that, in the physician's opinion, such person is capable of riding a [bicycle with a helper motor] motor-driven cycle, and (B) such person demonstrates to the Commissioner of Motor Vehicles that he is able to ride a bicycle [(i) without a helper motor] on level terrain,

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and [(ii) with a helper motor] a motor-driven cycle. (2) Such permit may contain limitations that the commissioner deems advisable for the safety of such person and for the public safety, including, but not limited to, the maximum speed of the [helper] motor such person may use. No person who holds a valid special permit under this subsection shall operate a [bicycle with a helper motor] motor-driven cycle in violation of any limitations imposed in the permit. Any person to whom a special permit is issued shall carry the permit at all times while operating the [bicycle with a helper motor] motor-driven cycle. Each permit issued under this subsection shall expire one year from the date of issuance.

(d) Notwithstanding the provisions of any statute or regulation to the contrary, the State Traffic Commission shall adopt regulations in accordance with the provisions of chapter 54 determining the conditions and circumstances under which bicycle traffic may be permitted on those bridges in the state on limited access highways which it designates to be safe for bicycle traffic. Bicycle traffic shall not be prohibited on any such bridges under such conditions and circumstances.

(e) As used in this section: (1) "Sidewalk" means any sidewalk laid out as such by any town, city or borough, and any walk which is reserved by custom for the use of pedestrians, or which has been specially prepared for their use. "Sidewalk" does not include crosswalks and does not include footpaths on portions of public highways outside thickly settled parts of towns, cities and boroughs, which are worn only by travel and are not improved by such towns, cities or boroughs or by abutters; (2) "bicycle" includes all vehicles propelled by the person riding the same by foot or hand power; [or a helper motor;] and (3) ["bicycle with a helper motor" means a bicycle with a seat height of not less than twenty-six inches that is powered by a motor having a capacity of less than fifty cubic centimeters piston

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displacement, rated not more than two brake horsepower, capable of a maximum speed of no more than thirty miles per hour and equipped with automatic transmission] "motor-driven cycle" means any motorcycle, motor scooter or bicycle with an attached motor with a seat height of not less than twenty-six inches and a motor that produces five brake horsepower or less.

(f) A person shall operate a motor-driven cycle on any public highway, the speed limit of which is greater than the maximum speed of the motor-driven cycle, only in the right hand lane available for traffic or upon a usable shoulder on the right side of the highway, except when preparing to make a left turn at an intersection or into or from a private road or driveway.

[(f)] (g) Any person who pleads not guilty of a violation of any [of the provisions] provision of this section shall be prosecuted within fifteen days of such plea.

[(g)] (h) No person may operate a high-mileage vehicle as defined in section 14-1 of the 2008 supplement to the general statutes, as amended by this act, on any sidewalk, limited access highway or turnpike.

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

Sec. 17. Subsection (a) of section 14-289g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) [On and after January 1, 1990, no] No person under eighteen years of age may (1) operate a motorcycle or a motor-driven cycle, as defined in section 14-1 of the 2008 supplement to the general statutes, as amended by this act, [and no person under the age of eighteen may] or (2) be a passenger on a motorcycle, unless such [person] operator or passenger is wearing protective headgear of a type which conforms to

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the minimum specifications established by regulations adopted under subsection (b) of this section.

Sec. 18. (NEW) (*Effective October 1, 2008*) In the case of any emergency situation described by the provisions of section 3-6a of the general statutes or section 28-1 of the 2008 supplement to the general statutes, or any other reason for which the Department of Motor Vehicles is closed or is unable to perform transactions with the public in an effective or secure manner, the Commissioner of Motor Vehicles, with the approval of the Governor, may extend the expiration date or the period of validity of any registration, license, permit, certificate or other form or credential issued by said commissioner in accordance with any provision of the general statutes. In any such case in which the commissioner exercises the authority granted by this section, the commissioner shall take such actions, as said commissioner deems necessary or appropriate, to inform the public and all law enforcement agencies of the extension of such expiration date or period of validity.

Sec. 19. Section 14-163d of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) At least once every six months, each owner of a motor vehicle described in subsection (a) of section 14-163c shall file with the Commissioner of Motor Vehicles evidence that the owner has in effect the security requirements imposed by law for each such motor vehicle. The evidence shall be filed in such form as the commissioner prescribes in accordance with a schedule established by the commissioner. At least once every two years, the evidence of security shall be accompanied by a motor carrier identification report that meets the requirements of 49 CFR 390.19, as amended from time to time. The report shall be in such form as the commissioner prescribes.

(b) The Commissioner of Motor Vehicles may establish a system to

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verify, by means of electronic communication, that an owner of a motor vehicle described in subsection (a) of section 14-163c has the security requirements imposed by law. If the commissioner uses such system to make an inquiry to any insurance company that is licensed to issue automobile liability insurance in this state, or to any data source maintained by the United States Department of Transportation pursuant to the provisions of Title 49, Part 387 of the Code of Federal Regulations, as amended, the commissioner may accept the results of such inquiry in lieu of a filing by the owner pursuant to subsection (a) of this section, for the period for which such filing is required.

[[b)] (c) In addition to other penalties provided by law, the Commissioner of Motor Vehicles, after notice and opportunity for hearing in accordance with chapter 54, shall suspend the registration of each motor vehicle registered in the name of any owner who fails to file a motor carrier identification report or to provide satisfactory evidence of the security requirements imposed by law.

[[c)] (d) Each filing made in accordance with the provisions of subsection (a) of this section by each for-hire motor carrier or private motor carrier of property or passengers, and each owner of any motor vehicle that transports hazardous materials, as described in subsection (a) of section 14-163c, shall provide satisfactory evidence of insurance coverage or other security in amounts not less than are required by the provisions of Title 49, Part 387 of the Code of Federal Regulations, as amended. Such requirement concerning the amount of security that must be evidenced to the commissioner may be made applicable by the commissioner to the initial registration of any such motor vehicle, including the registration of any motor vehicle under the International Registration Plan, in accordance with the provisions of section 14-34a, as amended by this act.

Sec. 20. Subsection (b) of section 14-36a of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu

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thereof (*Effective October 1, 2008*):

(b) A commercial driver's license which contains the endorsement "S" evidences that the holder meets the requirements of section 14-44 to operate a school bus or any vehicle described in subsection (c) of this section. A commercial driver's license may contain any of the following additional endorsements:

"P"- authorizes the operation of commercial motor vehicles designed to carry passengers;

"H"- authorizes the operation of vehicles transporting hazardous materials;

"N"- authorizes the operation of tank vehicles;

"X"- authorizes both hazardous materials and tank vehicles; and

"T"- authorizes the operation of vehicles with up to three trailing, nonpower units.

The commissioner may establish one or more restrictions on commercial driver's licenses of any class, in regulations adopted in accordance with the provisions of chapter 54. Subject to the provisions of subsection (b) of section 14-44d, a commercial driver's license of any class authorizes the holder of such license to operate any motor vehicle that may be operated by the holder of a class D operator's license.

Sec. 21. Section 14-65a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) The provisions of sections 14-51 to 14-65, inclusive, as amended by this act, shall not apply to dealers in trailers in the following classes: [(a)] (1) Trailers having a gross weight of three thousand pounds or less, and [(b)] (2) trailers sold as an accessory to and for the transportation of [(1)] (A) any snowmobile, [(2)] (B) any all-terrain

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vehicle, [(3)] (C) any boat, or [(4)] (D) any other powered or self-propelled recreational vehicle not required to be registered under this chapter but which is subject to the provisions of section 14-380.

(b) The Commissioner of Motor Vehicles, for the more efficient performance of said commissioner's duties, may allow a marine dealer, as defined in section 15-141, registered with the Commissioner of Environmental Protection, to: (1) Sell any trailers required to be registered in accordance with the provisions of this chapter; (2) issue temporary registrations; and (3) submit applications for permanent registrations, in accordance with the provisions of subsection (c) of section 14-12, and sections 14-61 and 14-61a.

Sec. 22. Section 14-188 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) Upon the satisfaction of a security interest in a vehicle for which the certificate of title is in the possession of the lienholder, the lienholder shall, within ten days after demand and, in any event, within thirty days, execute a release of the security interest, in the space provided therefor on the certificate or as the commissioner prescribes, and mail or deliver the certificate and release to the next lienholder named therein, or, if none, to the owner or any person who delivers to the lienholder an authorization from the owner to receive the certificate. The owner, other than a dealer holding the vehicle for resale, shall promptly cause the certificate and release to be mailed or delivered to the commissioner, who shall release the lienholder's rights on the certificate or issue a new certificate.

(b) If the security interest of the lienholder is maintained in the electronic title file pursuant to subsection (b) of section 14-175, such lienholder shall, upon the satisfaction of such security interest, [notify the commissioner within ten days of such satisfaction] execute a release of such security interest, and mail, deliver or electronically

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transmit such release to the next lienholder or, if none, to the owner or to any person who delivers or electronically transmits to the lienholder, an authorization from the owner to receive a certificate of title. Such [notification] release shall be provided in not more than ten days and shall be in such form and manner, and [shall] contain such information necessary to evidence the release of the lien and to identify the motor vehicle and the record of the certificate of title, as the commissioner [prescribes] may prescribe. The commissioner shall issue a certificate of title and present or mail such certificate to the owner or to the second lienholder, if any.

(c) Upon the satisfaction of a security interest in a vehicle for which the certificate of title is in the possession of a prior lienholder, the lienholder whose security interest is satisfied shall within ten days after demand and, in any event, within thirty days execute a release in the form the commissioner prescribes and deliver the release to the owner or any person who delivers to the lienholder an authorization from the owner to receive it. The lienholder in possession of the certificate of title shall either deliver the certificate to the owner, or the person authorized by the owner, for delivery to the commissioner or, upon receipt of the release, mail or deliver it with the certificate to the commissioner, who shall release the subordinate lienholder's rights on the certificate or issue a new certificate.

(d) A lienholder who does not comply with subsection (b) or (c) of this section and who has disappeared and cannot be located by the debtor shall be deemed for purposes of this section only to have released such security interest, if evidence satisfactory to the commissioner is filed concerning the disappearance of the lienholder, and the commissioner shall so note on the records of the department.

Sec. 23. Subsection (d) of section 14-276a of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

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(d) A carrier shall require each person whom it intends to employ to operate a school bus, as defined in section 14-275 of the 2008 supplement to the general statutes, or a student transportation vehicle, as defined in section 14-212, as amended by this act, to submit to a urinalysis drug test in accordance with the provisions of sections 31-51v and 31-51w and shall require each person it employs to operate such vehicles to submit to a urinalysis drug test on a random basis in accordance with the provisions of section 31-51x of the 2008 supplement to the general statutes, and the standards set forth in 49 CFR Parts 382 and 391. No carrier may employ any person who has received a positive test result for such test which was confirmed as provided in subdivisions (2) and (3) of section 31-51u. No carrier may continue to employ as a driver, for two years, any person who has received a positive test result for such test which was confirmed as provided in subdivisions (2) and (3) of subsection (a) of section 31-51u. No carrier may continue to employ as a driver, permanently, any person who has received a second positive test result for such test which was confirmed as provided in subdivisions (2) and (3) of subsection (a) of section 31-51u. The commissioner may, after notice and hearing, impose a civil penalty of not more than one thousand dollars for the first offense and two thousand five hundred dollars for each subsequent offense on any carrier which violates any provision of this subsection.

Sec. 24. (NEW) (*Effective October 1, 2008*) (a) On and after January 1, 2009, the Commissioner of Motor Vehicles shall issue Support Our Troops! commemorative number plates to express support for our troops. Such plates shall bear the words "Support Our Troops!" and the image adopted by the national association, Support Our Troops, Inc. No use shall be made of such plates, except as official registration marker plates.

(b) A fee of sixty dollars shall be charged for Support Our Troops!

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commemorative number plates, in addition to the regular fee or fees prescribed for the registration of a motor vehicle. Fifteen dollars of such fee shall be deposited in an account controlled by the Department of Motor Vehicles to be used for the cost of producing, issuing, renewing and replacing such number plates, and forty-five dollars of such fee shall be deposited in an account to be used by Connecticut Support Our Troops, Inc. for the purposes of subsection (c) of this section. No additional fee shall be charged in connection with the renewal of such number plates. No transfer fee shall be charged for the transfer of an existing registration to or from a registration with Support Our Troops! commemorative number plates. Such number plates shall have letters and numbers selected by the Commissioner of Motor Vehicles. The Commissioner of Motor Vehicles may establish a higher fee for number plates: (1) Which contain the numbers and letters from a previously issued number plate; (2) which contain letters in place of numbers, as authorized by section 14-49 of the 2008 supplement to the general statutes, as amended by this act, in addition to the fee or fees prescribed for registration under said section; and (3) which are low number plates, issued in accordance with section 14-160 of the general statutes, in addition to the fee or fees prescribed for registration under said section. All fees established and collected pursuant to this section, except the amount deposited in the account controlled by the Department of Motor Vehicles, shall be deposited in the "Support Our Troops!" commemorative account, established pursuant to subsection (c) of this section. The Commissioner of Motor Vehicles may adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to establish standards and procedures for the issuance, renewal and replacement of Support Our Troops! commemorative number plates.

(c) There is established the "Support Our Troops!" commemorative account which shall be a separate, nonlapsing account within the General Fund. The account shall contain any moneys required by law

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to be deposited in the account. The funds in said account shall be used by Connecticut Support Our Troops, Inc. for programs to assist troops, families of troops, and veterans. Connecticut Support Our Troops, Inc. may receive private donations to said account and any such donations shall be deposited in said account.

(d) The funds in the account shall be distributed quarterly by the Secretary of the Office of Policy and Management to Connecticut Support Our Troops, Inc.

Sec. 25. (NEW) (*Effective October 1, 2008*) (a) On and after January 1, 2009, the Commissioner of Motor Vehicles shall issue commemorative number plates of a design to express support for the nursing profession, raise awareness of the nursing shortage and provide scholarships for nursing education and training. Such design shall be determined by the Connecticut Nurses Foundation, with the approval of the commissioner. No use shall be made of such plates, except as official registration marker plates.

(b) A fee of sixty dollars shall be charged for such number plates, in addition to the regular fee or fees prescribed for the registration of a motor vehicle. Fifteen dollars of such fee shall be deposited in an account controlled by the Department of Motor Vehicles to be used for the cost of producing, issuing, renewing and replacing such number plates, and forty-five dollars of such fee shall be deposited in the account established under subsection (c) of this section. No additional fee shall be charged in connection with the renewal of such number plates. No transfer fee shall be charged for the transfer of an existing registration to or from a registration with commemorative nursing number plates. Such number plates shall have letters and numbers selected by the Commissioner of Motor Vehicles. The Commissioner of Motor Vehicles may establish a higher fee for number plates: (1) Which contain the numbers and letters from a previously issued number plate; (2) which contain letters in place of numbers as authorized by

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section 14-49 of the 2008 supplement to the general statutes, as amended by this act, in addition to the fee or fees prescribed for registration under said section; and (3) which are low number plates issued in accordance with section 14-160 of the general statutes, in addition to the fee or fees prescribed for registration under said section. All fees established and collected pursuant to this section, except the amount deposited in the account controlled by the department, shall be deposited in the "Nursing" commemorative account established pursuant to subsection (c) of this section. The Commissioner of Motor Vehicles may adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to establish standards and procedures for the issuance, renewal and replacement of commemorative nursing number plates.

(c) There is established the "Nursing" commemorative account which shall be a separate, nonlapsing account within the General Fund. The account shall contain any moneys required by law to be deposited in the account. The funds in the account shall be used by the Connecticut Nurses Foundation to provide scholarships for nursing education and training. The foundation may receive private donations to the account and any such donations shall be deposited in the account.

Sec. 26. Section 14-165 of the general statutes is amended by adding subdivision (14) as follows (*Effective from passage*):

(NEW) (14) "Special mobile agriculture vehicle" means a vehicle with an operator and agriculture support materials, operated upon or across any public highway, incidentally, in conjunction with the commercial operation of agriculture support. Commercial operation of agriculture support is limited to those services provided by a commercial entity to the agriculture industry and shall be limited to the spreading or spraying of materials to promote the growth of crops.

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Sec. 27. Section 14-25b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The commissioner may register any vehicle operated upon any public highway as special mobile equipment as defined in subsection (i) of section 14-165, as amended by this act, and may issue a special number plate which shall be displayed in a conspicuous place at the rear of such vehicle. The commissioner may issue a registration containing any limitation on the operation of any such vehicle which he deems necessary for its safe operation, provided such vehicle's movement on a highway shall be restricted from its place of storage to the construction site or from one construction site to another. No such vehicle shall be operated upon or across any highway during the times when lights are required as specified in section 14-96a unless it displays the lighted lamps required by sections 14-96b and 14-96c. Such vehicle shall not be used for the transportation of passengers or a payload when operating upon a highway, except that while operating on a highway construction project or on a construction project of any kind which requires the crossing of a highway, it may carry passengers or a payload to the extent required by the project. A vehicle registered as special mobile equipment shall be exempt from the equipment requirements specified in sections 14-80 to 14-106, inclusive, as amended by this act. The commissioner may require that a vehicle for which an application for special mobile equipment registration is submitted pass an inspection prior to the issuance of such registration and at such times as he deems necessary for the safe operation of such equipment. The commissioner shall charge an annual fee for such registration equal to one-half of the commercial registration fee for a vehicle having the same gross weight.

(b) The commissioner may register any vehicle operated upon any public highway as a special mobile agriculture vehicle, as defined in section 14-165, as amended by this act, and may issue a special number

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plate which shall be displayed in a conspicuous place at the rear of such vehicle. The commissioner may issue a registration containing any limitation on the operation of any such vehicle which he deems necessary for its safe operation, provided such vehicle's operation upon or across a highway shall be restricted as follows: (1) To or from its place of storage, (2) to or from an agriculture location, or (3) from one agriculture location to another. No such vehicle shall be operated upon or across any highway during any time when lights are required pursuant to section 14-96a. Such vehicle shall not be used for the transportation of passengers when operating upon or across a highway. A vehicle registered as a special mobile agriculture vehicle shall be exempt from the equipment requirements set forth in sections 14-80 to 14-106, inclusive, as amended by this act, and the provisions of section 14-262. The commissioner may require any vehicle, for which an application for registration as a special mobile agriculture vehicle is submitted, to pass an inspection prior to the issuance of such registration and at such times as he deems necessary for the safe operation of such vehicle. The commissioner shall charge an annual fee of four hundred dollars for the registration of such vehicle.

Sec. 28. (NEW) (*Effective October 1, 2008*) Any applicant for a motor vehicle operator's license who has not previously held a Connecticut motor vehicle operator's license and who does not hold a valid motor vehicle operator's license issued by any other state, or by any territory or possession of the United States, shall be subject to the requirements of subdivision (3) of subsection (e) of section 14-36 of the 2008 supplement to the general statutes and shall be required to present to the Commissioner of Motor Vehicles 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

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of alcohol or drugs by the operator, the problems of alcohol and drug abuse and the penalties for alcohol and drug-related motor vehicle violations.

Sec. 29. Section 14-65 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No person, firm or corporation shall engage in the business of selling motor vehicles at auction unless such person, firm or corporation is licensed as a new or used car dealer and has obtained an auction permit from the commissioner. Such auction permit may be issued at the discretion of the commissioner. The fee for such auction permit shall be twenty dollars.

(b) A totalled or salvaged motor vehicle with a certificate of title stamped "SALVAGE PARTS ONLY" shall be sold at auction in an area that is separate from any area in which other motor vehicles are being sold at auction.

(c) The provisions of this section shall not apply to a sale by a state marshal or to a private auction sale of motor vehicles, used by the seller, who is not a used car dealer as defined in section 14-51, in the operation of such seller's business or for personal use.

(d) The provisions of this section shall not apply to any person, firm or corporation engaged primarily in the business of conducting auction sales of construction equipment and other special mobile equipment, as defined in subdivision (9) of section 14-165, as amended by this act, and incidentally in auction sales of trailers and other motor vehicles, at a fixed location and place of business in this state, provided such person, firm or corporation was engaged in such business at such fixed location and place of business in this state on or before January 1, 2004. If such person, firm or corporation accepts motor vehicles on consignment from any licensed dealer, which motor vehicles are

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offered for sale to the public, such consigning dealer shall be required to obtain a permit in accordance with the provisions of subsection (a) of this section. Such consigning dealer shall be responsible for compliance with the provisions of sections 42-220 to 42-226a, inclusive.

(e) The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of this section.

(f) A violation of subsection (a) of this section shall be a class B misdemeanor. Each person, firm or corporation that conducts an auction sale in accordance with any of the provisions of this section shall be subject to the provisions of sections 14-149 and 14-149a and to the penalties provided for violations of said sections. The commissioner may, after notice and opportunity for a hearing, impose a civil penalty of two thousand dollars on any licensee who violates subsection (b) of this section or any regulation adopted pursuant to subsection (e) of this section.

(g) Notwithstanding the provisions of subsection (e) of section 14-62, a licensed new or used car dealer that has obtained an auction permit from the commissioner, in accordance with the provisions of this section, may sell a motor vehicle at a wholesale dealer auction on the condition that such dealer will present a duly assigned certificate of title to the purchaser of such motor vehicle not later than fourteen days following the date of such purchase. The failure of the dealer to present such certificate of title to the purchaser on or before such date shall, at the option of the purchaser, void the purchase of such motor vehicle. In order to void such purchase, the purchaser shall notify such dealer, within two business days following such fourteen day period, that such purchaser is exercising the right to void such purchase. Upon such notification, the seller shall refund the purchase price and shall be responsible for the payment of the round-trip transportation costs incurred by the purchaser, as evidenced by a copy of invoices or

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payment receipts.

Sec. 30. Subsections (a) and (b) of section 1-1h of the general statutes are repealed and the following is substituted in lieu thereof (*Effective January 1, 2009*):

(a) Any person who does not possess a valid motor vehicle operator's license may apply to the Department of Motor Vehicles for an identity card. The application for an identity card shall be accompanied by the birth certificate of the applicant or a certificate of identification of the applicant issued and authorized for such use by the Department of Correction. Such application shall include: (1) The applicant's name; (2) the applicant's address; (3) whether the address is permanent or temporary; (4) the applicant's [birthdate] date of birth; (5) notice to the applicant that false statements on such application are punishable under section 53a-157b; and (6) such other pertinent information as the Commissioner of Motor Vehicles deems necessary. A fee of [fifteen dollars] twenty-two dollars and fifty cents shall be paid to the department upon issuance to the applicant of an identity card which contains a picture of the applicant and specifies the applicant's height, sex and eye color. The applicant shall sign the application in the presence of an official of the department. The commissioner may waive the [fifteen-dollar] fee for any applicant who has voluntarily surrendered such applicant's motor vehicle operator's license or whose license has been refused by the commissioner pursuant to subdivision (4) of subsection (e) of section 14-36 of the 2008 supplement to the general statutes. The commissioner may waive the fee for any applicant who is a resident of a homeless shelter or other facility for homeless persons. The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to establish the procedure and qualifications for the issuance of an identity card to any such homeless applicant.

(b) An identity card shall expire within a period not exceeding

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[four] six years from the date of issuance of such card. Each such card shall indicate its date of expiration. Any person who holds an identity card shall be notified by the commissioner before its expiration and may renew such card in such manner as the commissioner shall prescribe upon payment of a fee of [fifteen dollars] twenty-two dollars and fifty cents.

Sec. 31. Section 14-106 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) The term "air conditioning equipment" or "equipment", as used or referred to in this section, means mechanical vapor compression refrigeration equipment which is used to cool the driver's or passenger compartment of any motor vehicle.

(b) Such equipment shall be manufactured, installed and maintained with due regard for the safety of the occupants of the vehicle and the public and shall not contain any refrigerant which is toxic to persons or which is flammable, unless such refrigerant is included in the list published by the United States Environmental Protection Agency as a safe alternative motor vehicle air conditioning substitute for chlorofluorocarbon-12 pursuant to 42 USC 7671k(c).

(c) The commissioner may adopt and enforce safety requirements, regulations and specifications, consistent with the requirements of this section, applicable to such equipment, which shall correlate with and, so far as possible, conform to the current recommended practice or standard applicable to such equipment approved by the Society of Automotive Engineers.

(d) No person shall have for sale, offer for sale, sell, equip or maintain any motor vehicle with any such equipment unless he is licensed under section 14-52 and such equipment complies with the requirements of this section.

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(e) No person shall operate on any highway any motor vehicle equipped with any air conditioning equipment unless such equipment complies with the requirements of this section.

(f) Violation of any provision of subsections (d) and (e) of this section shall be an infraction.

Sec. 32. Section 14-300 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) The traffic authority shall have power to designate, by appropriate devices or markers or by lines upon the surface of the highway, such crosswalks and intersections as, in its opinion, constitute an especial danger to pedestrians crossing the highway including, but not limited to, specially marked crosswalks in the vicinity of schools, which crosswalks shall have distinctive markings, in accordance with the regulations of the State Traffic Commission, to denote use of such crosswalks by school children; and may maintain suitable signs located at intervals along highways, particularly where there are no sidewalks, directing pedestrians to walk facing vehicular traffic.

(b) At any intersection where special pedestrian-control signals bearing the words "Walk" or "Don't Walk" are placed, pedestrians may cross the highway only as indicated by the signal. At any intersection where traffic is controlled by other traffic control signals or by police officers, pedestrians shall not cross the highway against a red or "Stop" signal and shall not cross at any place not a marked or unmarked crosswalk. A pedestrian started or starting across the highway on a "Walk" signal or on any such crosswalk on a green or "Go" signal shall have the right of way over all vehicles, including those making turns, until such pedestrian has reached the opposite curb or safety zone.

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(c) Except as provided in subsection (c) of section 14-300c, at any crosswalk marked as provided in subsection (a) of this section or any unmarked crosswalk, provided such crosswalks are not controlled by police officers or traffic control signals, each operator of a vehicle shall grant the right-of-way, and slow or stop such vehicle if necessary to so grant the right-of-way, to any pedestrian crossing the roadway within such crosswalk, provided such pedestrian steps off the curb or into the crosswalk at the entrance to a crosswalk or is within that half of the roadway upon which such operator of a vehicle is traveling or such pedestrian steps off the curb or into the crosswalk at the entrance to a crosswalk or is crossing the roadway within such crosswalk from that half of the roadway upon which such operator is not traveling. No operator of a vehicle approaching from the rear shall overtake and pass any vehicle the operator of which has stopped at any crosswalk marked as provided in subsection (a) of this section or any unmarked crosswalk to permit a pedestrian to cross the roadway. The operator of any vehicle crossing a sidewalk shall yield the right-of-way to each pedestrian and all other traffic upon such sidewalk. [The operator of any motor vehicle who violates this section shall be deemed to have committed an infraction and be fined ninety dollars.]

(d) The operator of a motor vehicle who approaches or comes into the immediate vicinity of a pedestrian who is blind, as defined in subsection (a) of section 1-1f, carrying a white cane or a white cane tipped with red, or a pedestrian being guided by a guide dog, shall reduce speed or stop, if necessary, to yield the right-of-way to such pedestrian. No person, except one who is blind, shall carry or use on any street or highway, or in any other public place, a cane or walking stick which is white in color or white, tipped with red.

(e) The operator of any motor vehicle who violates this section shall be deemed to have committed an infraction and be fined ninety dollars.

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[(d)] (f) In any civil action arising under subsection (c) or (d) of this section or sections 14-300b to 14-300d, inclusive, the doctrine of negligence per se shall not apply.

Sec. 33. Subsection (b) of section 51-164n of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(b) Notwithstanding any provision of the general statutes, any person who is alleged to have committed (1) a violation under the provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-283, 7-325, 7-393, 8-25 of the 2008 supplement to the general statutes, 8-27, 9-63, 9-296 of the 2008 supplement to the general statutes, 9-305, 9-322, 9-350, 10-193, 10-197, 10-198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, or 12-326g of the 2008 supplement to the general statutes, subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414, subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e) of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49 of the 2008 supplement to the general statutes, as amended by this act, 14-50a or 14-58, subsection (b) of section 14-66 of the 2008 supplement to the general statutes, section 14-66a, 14-66b or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-80h, section 14-97a, 14-100b, 14-103a of the 2008 supplement to the general statutes, 14-106a, 14-106c, 14-146, 14-152, 14-153 or 14-163b, a first violation as specified in subsection (f) of section 14-164i, as amended by this act, section 14-219 as specified in subsection (e) of said section, subdivision (1) of section 14-223a, section 14-240, 14-249, 14-250 or 14-253a of the 2008 supplement to the general statutes, subsection (a) of

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section 14-261a of the 2008 supplement to the general statutes, section 14-262, 14-264, 14-267a of the 2008 supplement to the general statutes, 14-269, as amended by this act, 14-270, 14-275a, 14-278 or 14-279, subsection (e) of section 14-283, section 14-291, 14-293b, 14-296aa, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of section 14-386a, section 15-33, subsection (a) of section 15-115, section 16-256, 16-256e, 16a-15 of the 2008 supplement to the general statutes or 16a-22, subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145 of the 2008 supplement to the general statutes, 17a-149, 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137 of the 2008 supplement to the general statutes or 17b-734, subsection (b) of section 17b-736, section 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b) of section 19a-87a, section 19a-91 of the 2008 supplement to the general statutes, 19a-105, 19a-107, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-257, 20-265 or 20-324e, subsection (a) of section 20-341 of the 2008 supplement to the general statutes, section 20-341l, 20-597, 20-608, 20-610, 21-30, 21-38, 21-39, 21-43, 21-47, 21-48, 21-63, 21-76a, 21a-21, 21a-25 of the 2008 supplement to the general statutes, 21a-26 or 21a-30, subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63 or 21a-77 of the 2008 supplement to the general statutes, subsection (b) of section 21a-79, section 21a-85, 21a-154, 21a-159, 22-13, 22-14, 22-15, 22-16, 22-29, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49, 22-54, 22-61, 22-89, 22-90, 22-98, 22-99, 22-100, 22-111o, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-326 or 22-342, subsection (b) or (e) of section 22-344, section 22-359, 22-366, 22-391 of the 2008 supplement to the general statutes, 22-413 of the 2008 supplement to the general statutes, 22-414 of the 2008 supplement to the general statutes, 22-415 of the 2008 supplement to the general statutes, 22a-66a of the 2008 supplement to the general statutes or 22a-246, subsection (a) of section 22a-250, subsection (e) of section 22a-256h, subsection (a) of section 22a-381d, section 22a-449 of the 2008 supplement to the general

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statutes, 22a-461, 23-37, 23-38, 23-46 of the 2008 supplement to the general statutes or 23-61b, subsection (a) or (b) of section 23-65, section 25-37, 25-40, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-49, 26-54, 26-59, 26-61, 26-64, 26-79, 26-89, 26-97 of the 2008 supplement to the general statutes, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138, 26-141, 26-207, 26-215, 26-224a, 26-227, 26-230, 26-294, 28-13 of the 2008 supplement to the general statutes, 29-6a, 29-109, 29-143o, 29-143z, 29-161y, 29-161z, 29-198, 29-210 of the 2008 supplement to the general statutes, 29-243, 29-277, 29-316, 29-318, 29-341 of the 2008 supplement to the general statutes, 29-381, 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12 of the 2008 supplement to the general statutes, 31-13 of the 2008 supplement to the general statutes, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-28, 31-32, 31-36, 31-38, 31-38a, 31-40, 31-44, 31-47, 31-48, 31-51, 31-51k, 31-52, 31-52a or 31-54, subsection (a) or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a of the 2008 supplement to the general statutes, 31-89b or 31-134, subsection (i) of section 31-273, section 31-288 of the 2008 supplement to the general statutes, 36a-787, 42-230, 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54, section 46a-59, 46b-22 of the 2008 supplement to the general statutes, 46b-24 of the 2008 supplement to the general statutes, 46b-34, 46b-38dd of the 2008 supplement to the general statutes, 46b-38gg of the 2008 supplement to the general statutes, 46b-38kk, 47-34a, 47-47, 49-8a, 49-16 or 53-133, [subsection (a) or (b) of section 53-211,] or section 53-212a, 53-249a, 53-252, 53-264, 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331, 53-344 or 53-450, or (2) a violation under the provisions of chapter 268, or (3) a violation of any regulation adopted in accordance with the provisions of section 12-484, 12-487 or 13b-410, or (4) a violation of any ordinance, regulation or bylaw of any town, city or borough, except violations of building codes and the health code, for which the penalty exceeds ninety dollars but does not exceed two hundred fifty dollars, unless such town, city or borough has established a payment and hearing procedure for such violation pursuant to section 7-152c, shall follow the procedures set forth in this section.

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Sec. 34. Subparagraph (A) of subdivision (82) of section 12-412 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(82) (A) The sale of and the storage, use or other consumption of any commercial motor vehicle, as defined in subparagraphs (A) and (B) of subdivision [(13)] (15) of subsection (a) of section 14-1 of the 2008 supplement to the general statutes, as amended by this act, that is operating pursuant to the provisions of section 13b-88 or 13b-89, during the period commencing upon its purchase and ending one year after the date of purchase, provided seventy-five per cent of its revenue from its days in service is derived from out-of-state trips or trips crossing state lines.

Sec. 35. Section 13b-38c of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

The Commissioner of Transportation is authorized to loan funds for the purpose of financing the acquisition of vanpool vehicles, as defined in [subdivision (94) of] section 14-1 of the 2008 supplement to the general statutes, as amended by this act, to any person, firm or organization.

Sec. 36. Section 13b-89a of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

The recipient of a permit pursuant to section 13b-89, who owns or operates a motor bus, as defined in [subdivision (47) of] section 14-1 of the 2008 supplement to the general statutes, as amended by this act, which has an upper and lower deck, may register such motor bus in this state, provided such motor bus complies with manufacturing and safety standards for motor buses established under federal statutes

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and regulations. The Commissioner of Transportation shall adopt regulations in accordance with this section.

Sec. 37. Subsection (e) of section 14-100a of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(e) (1) Any person who transports an individual who remains in a wheelchair while being transferred into and out of a vehicle, in any motor vehicle on the highways of this state, shall provide and require the use of a device designed to secure individuals in wheelchairs while transferring such individuals from the ground to the vehicle and from the time the motor vehicle is brought to a stop until such individuals are transferred from the vehicle to the ground. Such device shall be located in the motor vehicle at all times. The Commissioner of Motor Vehicles may, after consultation with the Departments of Transportation and Public Health, establish regulations to implement the provisions of this section and sections 13b-105 of the 2008 supplement to the general statutes and 14-102a of the 2008 supplement to the general statutes, subsection (d) of section 14-103 of the 2008 supplement to the general statutes, subsection (a) of section 14-275 of the 2008 supplement to the general statutes and subsection (a) of section 19a-180 of the 2008 supplement to the general statutes.

(2) The following motor vehicles registered in this state for the first time on or after October 1, 2007, that transport individuals who remain in wheelchairs while being transported, shall, in addition to the requirements of subdivision (1) of this subsection, install or provide and require the use of a device that secures the wheelchair to the motor vehicle's mechanical lift or otherwise prevents or seeks to prevent an individual in a wheelchair from falling from such mechanical lift or motor vehicle: (A) Motor vehicles in livery service, as defined in section 13b-101, (B) service buses, as defined in [subdivision (77) of] section 14-1 of the 2008 supplement to the general statutes, as amended

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by this act, (C) invalid coaches, as defined in subdivision (11) of section 19a-175, (D) vanpool vehicles, as defined in [subdivision (94) of] section 14-1 of the 2008 supplement to the general statutes, as amended by this act, (E) school buses, as defined in [subdivision (73) of] section 14-1 of the 2008 supplement to the general statutes, as amended by this act, (F) motor buses, as defined in [subdivision (47) of] section 14-1 of the 2008 supplement to the general statutes, as amended by this act, (G) student transportation vehicles, as defined in [subdivision (8) of] section 14-212, and (H) camp vehicles, as defined in [subdivision (98) of] section 14-1 of the 2008 supplement to the general statutes, as amended by this act. The provisions of this subsection shall also apply to all motor vehicles used by municipal, volunteer and commercial ambulance services, rescue services and management services, as defined in subdivision (19) of section 19a-175.

(3) Violation of any provision of this subsection is an infraction.

Sec. 38. Subsection (a) of section 38a-363 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) "Injury" means bodily injury, sickness or disease, including death resulting therefrom, accidentally caused and arising out of the ownership, maintenance or use of (1) a private passenger motor vehicle; or (2) a vehicle with a commercial registration, as defined in [subdivision (14) of subsection (a) of] section 14-1 of the 2008 supplement to the general statutes, as amended by this act.

Sec. 39. Section 14-290 of the general statutes is amended by adding subsection (d) as follows (*Effective October 1, 2008*):

(NEW) (d) A vehicle or vehicle combination used exclusively by the state or a municipality, or any authorized agent or contractor of the state or municipality, for the removal of leaves and similar, organic

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materials from any highway, road or street, shall be exempt from the provisions of sections 14-261, 14-261a and 14-262, provided such vehicle or vehicle combination is being operated by a person who is the holder of a commercial driver's license bearing a "T" endorsement.

Sec. 40. Section 14-11a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

The Commissioner of Motor Vehicles shall not issue a registration certificate in a name other than that of the owner of the vehicle or issue an operator's license in a name other than that of the applicant for such license, except when the statements made on the application for such certificate or license have been verified by the office of the Chief State's Attorney and such certificate or license is issued for the purposes of law enforcement activities in accordance with regulations adopted by the commissioner pursuant to chapter 54. The office of the Chief State's Attorney shall establish and transmit to the joint standing committee of the General Assembly having cognizance of matters relating to judiciary the proposed criteria to be used by the office of the Chief State's Attorney in such verification. Before such criteria shall be employed by the office of the Chief State's Attorney, said committee shall approve the same in writing. The commissioner is authorized to waive the fee for any registration certificate or operator's license issued in accordance with the provisions of this section.

Sec. 41. Subsections (b) and (c) of section 14-11c of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(b) The Motor Carrier Advisory Council shall consist of the following voting members: The Commissioners of Transportation, Motor Vehicles, Public Safety, Revenue Services, Economic and Community Development and Environmental Protection, or their designees, and any other commissioner of a state agency, or [his] such

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commissioner's designee, invited to participate. The Commissioner of Motor Vehicles or [his] the commissioner's designee shall organize and serve as [chairman] chairperson of the council. The council shall only make recommendations or take actions by a unanimous vote of all members present and voting. The council may make recommendations as the council deems appropriate to the United States Congress, the Governor or the General Assembly.

(c) The chairperson of the council shall convene a regular meeting semiannually, for the following purposes: (1) Prior to the commencement of each regular session of the General Assembly, the council shall meet concerning legislative proposals of the various state agencies and the representatives of the motor carrier industry; and (2) after the close of each regular session of the General Assembly, the council shall meet concerning the impacts and implementation of any legislation affecting the motor carrier industry. [; and (3) at the call of the chairman, provided the council shall meet, notwithstanding the provisions of subdivisions (1) and (2) of this subsection, at least semiannually] Additional meetings may be convened at the call of the chairperson.

Sec. 42. Subsection (a) of section 14-12g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) When a private passenger motor vehicle liability insurance policy has been cancelled and the Commissioner of Motor Vehicles determines that the owner of a registered motor vehicle is in violation of the mandatory security requirements of sections 14-12c and 38a-371, the commissioner shall issue to such owner a notice of suspension of the registration involved, provided the commissioner may decline to issue such notice if the registration of the motor vehicle is cancelled or if the commissioner cannot establish that such violation occurred for a period of more than fourteen days.

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Sec. 43. Subdivision (5) of subsection (a) of section 31-222 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(5) No provision of this chapter, except section 31-254 of the 2008 supplement to the general statutes, shall apply to any of the following types of service or employment, except when voluntarily assumed, as provided in section 31-223:

(A) Service performed by an individual in the employ of his son, daughter or spouse, and service performed by a child under the age of eighteen in the employ of his father or mother;

(B) Service performed in the employ of the United States government, any other state, any town or city of any other state, or any political subdivision or instrumentality of any of them; except that, to the extent that the Congress of the United States permits states to require any instrumentalities of the United States to make contributions to an unemployment fund under a state unemployment compensation law, all of the provisions of this chapter shall be applicable to such instrumentalities and to services performed for such instrumentalities; provided, if this state is not certified for any year by the Secretary of Labor under Section 3304 of the Federal Internal Revenue Code, the contributions required of such instrumentalities with respect to such year shall be refunded by the administrator from the fund in the same manner and within the same period as is provided in sections 31-268, 31-269, 31-270 and 31-271 with respect to contributions erroneously collected;

(C) Service with respect to which unemployment compensation is payable under an unemployment compensation plan established by an Act of Congress, provided the administrator is authorized to enter into agreements with the proper agencies under such Act of Congress, to provide reciprocal treatment to individuals who have, after acquiring

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potential rights to benefits under this chapter, acquired rights to unemployment compensation under such Act of Congress, or who have, after acquiring potential rights to unemployment compensation under such Act of Congress, acquired rights to benefits under this chapter, and provided further, in computing benefits the administrator shall disregard all wages paid by employers who fall within the definition of "employer" in Section 1(a) of the Federal Railroad Unemployment Insurance Act;

(D) Service performed in this state or elsewhere with respect to which contributions are required and paid under an unemployment compensation law of any other state;

(E) Service not in the course of the employer's trade or business performed in any calendar quarter by an employee, unless the cash remuneration paid for such service is fifty dollars or more and such service is performed by an individual who is regularly employed by such employer to perform such service. For purposes of this subparagraph, an individual shall be deemed to be regularly employed by an employer during a calendar quarter only if (i) on each of some twenty-four days during such quarter such individual performs for such employer for some portion of the day service not in the course of the employer's trade or business; or (ii) such individual was so employed by such employer in the performance of such service during the preceding calendar quarter;

(F) Service performed in any calendar quarter in the employ of any organization exempt from income tax under Section 501(a) of the Internal Revenue Code or under Section 521 of said code excluding any organization described in Section 401(a) of said code, if the remuneration for such service is less than fifty dollars;

(G) Service performed in the employ of a school, college, or university if such service is performed (i) by a student who is enrolled

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and is regularly attending classes at such school, college or university, or (ii) by the spouse of such a student, if such spouse is advised at the time such spouse commences to perform such service, that (I) the employment of such spouse to perform such service is provided under a program to provide financial assistance to such student by such school, college or university, and (II) such employment will not be covered by any program of unemployment insurance;

(H) Service performed as a student nurse in the employ of a hospital or a nurses' training school chartered pursuant to state law by an individual who is enrolled and is regularly attending classes in such nurses' training school, and service performed as an intern in the employ of a hospital by an individual who has completed a four years' course in a medical school chartered or approved pursuant to state law;

(I) Service performed by an individual under the age of eighteen in the delivery or distribution of newspapers or shopping news, not including delivery or distribution to any point for subsequent delivery or distribution;

(J) Service performed by an individual who is enrolled, at a nonprofit or public educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on, as a student in a full-time program, taken for credit at such institution, which combines academic instruction with work experience, if such service is an integral part of such program, and such institution has so certified to the employer, except that this subparagraph shall not apply to service performed in a program established for or on behalf of an employer or group of employers;

(K) Service performed by an individual as an insurance agent, other than an industrial life insurance agent, and service performed by an

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individual as a real estate salesperson, if all such service is performed for remuneration solely by way of commission;

(L) Service performed in the employ of a hospital, if such service is performed by a patient of the hospital, as defined in subsection (h) of this section;

(M) Service performed by an individual in the employ of any town, city or other political subdivision, provided such service is performed in lieu of payment of any delinquent tax payable to such town, city or other political subdivision; [and]

(N) Service performed by an individual as an outside sales representative of a for-profit travel agency if substantially all of such service is performed outside of any travel agency premises, and all such service is performed for remuneration solely by way of commission. For purposes of this subparagraph, an "outside sales representative" means an individual whose services to a for-profit travel agency are performed under such travel agency's Airlines Reporting Corporation accreditation, or the International Airlines Travel Agent Network endorsement; and

(O) Service performed by the operator of an escort motor vehicle, for an oversize vehicle, overweight vehicle or a vehicle with a load traveling upon any Connecticut highway pursuant to a permit required by section 14-270, and the regulations adopted pursuant to said section, provided the following conditions are met:

(i) The service is provided by an individual operator who is engaged in the business or trade of providing such escort motor vehicle;

(ii) The operator is, and has been, free from control and direction by any other business or other person in connection with the actual performance of such services;

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(iii) The operator owns his or her own vehicle, and statutorily required equipment, and exclusively employs this equipment in providing such services; and

(iv) The operator is treated as an independent contractor for all purposes, including, but not limited to, federal and state taxation, workers' compensation, choice of hours worked and choice to accept referrals from multiple entities without consequence.

Sec. 44. Subsection (c) of section 14-275 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(c) Each school bus shall be equipped with special automatic, electrically-operated flashing stop signals, which shall be independent and separate from the braking, stop and tail lights of standard equipment. Such flashing lights may include automatic traffic signalling devices showing red and amber lights and shall be so located that adequate warning will be afforded to both oncoming and overtaking traffic, except that each school bus manufactured on and after October 1, 1984, and registered for use in this state shall be equipped with an eight-light warning system, showing two red flashing stop signals and two amber flashing warning signals on the front and rear of the bus, and a stop semaphore. The commissioner may adopt standards for an eight-light warning system and standards and specifications for the construction of school buses and for equipment to be maintained on school buses consistent with the provisions of sections 14-275 to 14-281, inclusive. Both public and private owners of school buses shall maintain a record of such kinds of repairs made to such buses as the commissioner may require and such work record shall be available at all times to the commissioner and the commissioner's designated assistants. All such maintenance records shall be retained for a period of two years. Each school bus shall be equipped with emergency lighting equipment as provided by section

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14-97a, with a defrosting device as provided by section 14-97, with a system of mirrors as provided in the Code of Federal Regulations Title 49, Section 571.111, as amended, or with an outside mirror as provided by section 14-99 and a system of crossover mirrors designed and mounted so as to give the driver a view of the road from the front bumper forward to a point where direct observation is possible and along the left and right sides of the bus, with a signalling device as provided by section 14-101, and with chain nonskid devices for immediate use on at least one outside or inside rear tire on each side or tires designed to prevent skidding on all rear wheels when weather and highway conditions require such use. Commencing February 1, 1974, each new school bus with a vehicle air brake system shall be so equipped that the brake system is operated from a separate air reservoir tank other than the air reservoir tank used to operate any other compressed air or vacuum operated devices with which the school bus may be equipped. The seating requirements of section 14-273 shall be observed. Notwithstanding the provisions of section 14-98, school buses may be equipped with tires incorporating a metal nonskid device during the period from October fifteenth to April thirtieth, inclusive. Each school bus that is model year 2007 or newer shall be equipped with a crossing control arm mounted on the right end of the front bumper. The commissioner shall establish additional standards and requirements for such devices in regulations adopted in accordance with the provisions of chapter 54.

Sec. 45. Subsection (a) of section 14-36g of the 2008 supplement to the general statutes, as amended by section 4 of public act 08-32, 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 issued on and after August 1, 2008, and who is sixteen or seventeen years of age shall comply with the following requirements:

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(1) Except as provided in subsection (b) of this section, for the period of 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 six months after the date of issuance of such license and ending 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, as amended by this act;

(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 of issuance; and

(6) Except as provided in subsection (b) of this section, no such

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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 11:00 p.m. until and including 5:00 a.m. of the 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.

Sec. 46. Section 14-36g of the 2008 supplement to the general statutes, as amended by section 4 of public act 08-32, is amended by adding subsection (e) as follows (*Effective August 1, 2008*):

(NEW) (e) Notwithstanding the provisions of this section, the provisions of this section in effect July 31, 2008, shall be applicable to any person who is sixteen or seventeen years of age and who has been issued a motor vehicle operator's license prior to August 1, 2008.

Sec. 47. Subdivision (2) of subsection (b) of section 14-111 of the general statutes, as amended by section 6 of public act 08-32, is repealed and the following is substituted in lieu thereof (*Effective August 1, 2008*):

(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, or subdivision (4) of subsection (b) of section 14-219, 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

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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.

Sec. 48. Section 8 of public act 08-32 is repealed and the following is substituted in lieu thereof (*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, unless such person is emancipated in accordance with the provisions of section 46b-150b, of the general statutes, 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

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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 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, unless such person is emancipated in accordance with the provisions of section 46b-150b, of the general statutes, 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. 49. Subsection (b) of section 53a-19 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

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(b) Notwithstanding the provisions of subsection (a) of this section, a person is not justified in using deadly physical force upon another person if he or she knows that he or she can avoid the necessity of using such force with complete safety (1) by retreating, except that the actor shall not be required to retreat if he or she is in his or her dwelling, as defined in section 53a-100, or place of work and was not the initial aggressor, or if he or she is a peace officer or a special policeman appointed under section 29-18b, a Department of Motor Vehicles inspector appointed under section 14-8 and certified pursuant to section 7-294d, or a private person assisting such peace officer, [or] special policeman or motor vehicle inspector at his or her direction, and acting pursuant to section 53a-22, or (2) by surrendering possession of property to a person asserting a claim of right thereto, or (3) by complying with a demand that he or she abstain from performing an act which he or she is not obliged to perform.

Sec. 50. Section 53a-22 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) For purposes of this section, a reasonable belief that a person has committed an offense means a reasonable belief in facts or circumstances which if true would in law constitute an offense. If the believed facts or circumstances would not in law constitute an offense, an erroneous though not unreasonable belief that the law is otherwise does not render justifiable the use of physical force to make an arrest or to prevent an escape from custody. A peace officer, special policeman appointed under section 29-18b, Department of Motor Vehicles inspector appointed under section 14-8 and certified pursuant to section 7-294d, or an authorized official of the Department of Correction or the Board of Pardons and Paroles who is effecting an arrest pursuant to a warrant or preventing an escape from custody is justified in using the physical force prescribed in subsections (b) and (c) of this section unless such warrant is invalid and is known by such

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officer to be invalid.

(b) Except as provided in subsection (a) of this section, a peace officer, special policeman appointed under section 29-18b, Department of Motor Vehicles inspector appointed under section 14-8 and certified pursuant to section 7-294d, or authorized official of the Department of Correction or the Board of Pardons and Paroles is justified in using physical force upon another person when and to the extent that he or she reasonably believes such to be necessary to: (1) Effect an arrest or prevent the escape from custody of a person whom he or she reasonably believes to have committed an offense, unless he or she knows that the arrest or custody is unauthorized; or (2) defend himself or herself or a third person from the use or imminent use of physical force while effecting or attempting to effect an arrest or while preventing or attempting to prevent an escape.

(c) A peace officer, special policeman appointed under section 29-18b, Department of Motor Vehicles inspector appointed under section 14-8 and certified pursuant to section 7-294d, or authorized official of the Department of Correction or the Board of Pardons and Paroles is justified in using deadly physical force upon another person for the purposes specified in subsection (b) of this section only when he or she reasonably believes such to be necessary to: (1) Defend himself or herself or a third person from the use or imminent use of deadly physical force; or (2) effect an arrest or prevent the escape from custody of a person whom he or she reasonably believes has committed or attempted to commit a felony which involved the infliction or threatened infliction of serious physical injury and if, where feasible, he or she has given warning of his or her intent to use deadly physical force.

(d) Except as provided in subsection (e) of this section, a person who has been directed by a peace officer, special policeman appointed under section 29-18b, Department of Motor Vehicles inspector

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appointed under section 14-8 and certified pursuant to section 7-294d, or authorized official of the Department of Correction or the Board of Pardons and Paroles to assist such peace officer, special policeman, motor vehicle inspector or official to effect an arrest or to prevent an escape from custody is justified in using reasonable physical force when and to the extent that he or she reasonably believes such to be necessary to carry out such peace officer's, special policeman's, motor vehicle inspector's or official's direction.

(e) A person who has been directed to assist a peace officer, special policeman appointed under section 29-18b, Department of Motor Vehicles inspector appointed under section 14-8 and certified pursuant to section 7-294d, or authorized official of the Department of Correction or the Board of Pardons and Paroles under circumstances specified in subsection (d) of this section may use deadly physical force to effect an arrest or to prevent an escape from custody only when: (1) He or she reasonably believes such to be necessary to defend himself or herself or a third person from what he or she reasonably believes to be the use or imminent use of deadly physical force; or (2) he or she is directed or authorized by such peace officer, special policeman, motor vehicle inspector or official to use deadly physical force, unless he or she knows that the peace officer, special policeman, motor vehicle inspector or official himself or herself is not authorized to use deadly physical force under the circumstances.

(f) A private person acting on his or her own account is justified in using reasonable physical force upon another person when and to the extent that he or she reasonably believes such to be necessary to effect an arrest or to prevent the escape from custody of an arrested person whom he or she reasonably believes to have committed an offense and who in fact has committed such offense; but he or she is not justified in using deadly physical force in such circumstances, except in defense of person as prescribed in section 53a-19.

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Sec. 51. Section 53a-23 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

A person is not justified in using physical force to resist an arrest by a reasonably identifiable peace officer or special policeman appointed under section 29-18b, or a Department of Motor Vehicles inspector appointed under section 14-8 and certified pursuant to section 7-294d, whether such arrest is legal or illegal.

Sec. 52. Section 53a-167a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) A person is guilty of interfering with an officer when such person obstructs, resists, hinders or endangers any peace officer, special policeman appointed under section 29-18b, Department of Motor Vehicles inspector appointed under section 14-8 and certified pursuant to section 7-294d, or firefighter in the performance of such peace officer's, special policeman's or firefighter's duties.

(b) Interfering with an officer is a class A misdemeanor.

Sec. 53. Section 53a-167b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) A person is guilty of failure to assist a peace officer, special policeman, motor vehicle inspector, or firefighter when, commanded by a peace officer, special policeman appointed under section 29-18b, or Department of Motor Vehicles inspector appointed under section 14-8 and certified pursuant to section 7-294d, or firefighter authorized to command assistance, such person refuses to assist such peace officer, special policeman, motor vehicle inspector or firefighter in the execution of such peace officer's, special policeman's or firefighter's duties.

(b) Failure to assist a peace officer, special policeman, motor vehicle

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inspector or firefighter is a class A misdemeanor.

Sec. 54. Subsection (a) of section 53a-167c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) A person is guilty of assault of public safety or emergency medical personnel when, with intent to prevent a reasonably identifiable peace officer, special policeman appointed under section 29-18b, Department of Motor Vehicles inspector appointed under section 14-8 and certified pursuant to section 7-294d, firefighter or employee of an emergency medical service organization, as defined in section 53a-3 of the 2008 supplement to the general statutes, emergency room physician or nurse, employee of the Department of Correction, member or employee of the Board of Pardons and Paroles, probation officer, employee of the judicial branch assigned to provide pretrial secure detention and programming services to juveniles accused of the commission of a delinquent act, employee of the Department of Children and Families assigned to provide direct services to children and youths in the care or custody of the department, employee of a municipal police department assigned to provide security at the police department's lockup and holding facility or active individual member of a volunteer canine search and rescue team, as defined in section 5-249 of the 2008 supplement to the general statutes, from performing his or her duties, and while such peace officer, special policeman, motor vehicle inspector, firefighter, employee, physician, nurse, member, probation officer or active individual member is acting in the performance of his or her duties, (1) such person causes physical injury to such peace officer, special policeman, motor vehicle inspector, firefighter, employee, physician, nurse, member, probation officer or active individual member, or (2) such person throws or hurls, or causes to be thrown or hurled, any rock, bottle, can or other article, object or missile of any kind capable of

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causing physical harm, damage or injury, at such peace officer, special policeman, motor vehicle inspector, firefighter, employee, physician, nurse, member, probation officer or active individual member, or (3) such person uses or causes to be used any mace, tear gas or any like or similar deleterious agent against such peace officer, special policeman, motor vehicle inspector, firefighter, employee, physician, nurse, member, probation officer or active individual member, or (4) such person throws or hurls, or causes to be thrown or hurled, any paint, dye or other like or similar staining, discoloring or coloring agent or any type of offensive or noxious liquid, agent or substance at such peace officer, special policeman, motor vehicle inspector, firefighter, employee, physician, nurse, member, probation officer or active individual member, or (5) such person throws or hurls, or causes to be thrown or hurled, any bodily fluid including, but not limited to, urine, feces, blood or saliva at such peace officer, special policeman, motor vehicle inspector, firefighter, employee, physician, nurse, member, probation officer or active individual member.

Sec. 55. Section 21-11a of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) A scrap metal processor, as defined in section 14-67w, shall record, for all loads of scrap metal purchased or received by such processor, a description of such scrap metal, the weight of such metal, the price paid for such metal and the identification of the person who delivered such metal. Such scrap metal processor shall take a photograph of the motor vehicle delivering such scrap metal, including the license plate of such vehicle. Such scrap metal processor shall not be required to segregate scrap metal it receives from other materials on its premises and hold the same for five days except for wire that could be used in the transmission of telecommunications or data unless purchased from (1) a person registered pursuant to section

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29-402 of the 2008 supplement to the general statutes to engage in the business of demolition of buildings, or (2) a person who has already segregated such scrap metal pursuant to this chapter and such person provides such scrap metal processor with a written statement affirming such segregation. Upon receipt of a load of scrap metal which contains wire that could be used in the transmission of telecommunications or data, such scrap metal processor shall take a photograph of the motor vehicle delivering such scrap metal, including the license plate of such vehicle, and of such load of scrap metal containing wire that could be used in the transmission of telecommunications or data. Upon receipt of wire that could be used in the transmission of telecommunications or data, such scrap metal processor shall make a copy of the certificate of registration of such [person,] vehicle; record a description of the material received; and record a statement as to the location from which the material came.

(b) The scrap metal processor shall maintain the documents, photographs and other records required under subsection (a) of this section in good condition and shall retain such records for a period of not less than two years. Such records shall be open for inspection by law enforcement officials upon request during normal business hours.

(c) A scrap metal processor, junk dealer or junk yard owner or operator shall immediately notify a municipal law enforcement authority in the municipality in which such scrap metal processor, junk dealer or junk yard is located of the name, if known, and motor vehicle license plate number, if available, of any person offering to sell a bronze statue, plaque, historical marker, cannon, cannon ball, bell, lamp, lighting fixture, lamp post, architectural artifact or similar item to such scrap metal processor, junk dealer or junk yard owner or operator.

(d) No scrap metal processor, junk dealer or junk yard owner or operator may purchase or receive a stainless steel or aluminum alloy

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beer or other beverage keg container if such container is marked with an indicia of ownership of any person or entity other than the person or entity presenting such container for sale. For purposes of this subsection, "indicia of ownership" means words, symbols or a registered trademark printed, stamped, etched, attached or otherwise displayed on such container that identify the owner of such container.

(e) A scrap metal processor who has purchased scrap metal that is subsequently determined to have been stolen and is returned to the owner of such metal shall have a civil cause of action against the person from whom such metal was purchased.

(f) A first violation of subsection (a), (b), (c) or (d) of this section shall be a class C misdemeanor. A second violation of any of said subsections shall be a class B misdemeanor and a third or subsequent violation of any of said subsections shall be a class A misdemeanor.

Sec. 56. Subsection (b) of section 12-71 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(b) Except as otherwise provided by the general statutes, property subject to this section shall be valued at the same percentage of its then actual valuation as the assessors have determined with respect to the listing of real estate for the same year, except that any antique, rare or special interest motor vehicle, [for which number plates have been issued under section 14-20] as defined in section 14-1, as amended by this act, shall be assessed at a value of not more than five hundred dollars. The provisions of this section shall not include money or property actually invested in merchandise or manufacturing carried on out of this state or machinery or equipment which would be eligible for exemption under subdivision (72) of section 12-81 of the 2008 supplement to the general statutes once installed and which cannot begin or which has not begun manufacturing, processing or

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fabricating; or which is being used for research and development, including experimental or laboratory research and development, design or engineering directly related to manufacturing or being used for the significant servicing, overhauling or rebuilding of machinery and equipment for industrial use or the significant overhauling or rebuilding of other products on a factory basis or being used for measuring or testing or metal finishing or in the production of motion pictures, video and sound recordings.

Sec. 57. Section 14-36 of the 2008 supplement to the general statutes is amended by adding subsection (g) as follows (*Effective October 1, 2008*):

(NEW) (g) The commissioner may place a restriction on the motor vehicle operator's license of any person or on any special operator's permit issued to any person in accordance with the provisions of section 14-37a, as amended by this act, that restricts the holder of such license or permit to the operation of a motor vehicle that is equipped with an approved ignition interlock device, as defined in section 14-227j, for such time as the commissioner shall prescribe, if such person has been: (1) Convicted for a second time of a violation of subdivision (2) of subsection (a) of section 14-227a, and has served not less than one year of the prescribed period of suspension for such conviction, in accordance with the provisions of subsections (g) and (i) of section 14-227a; (2) ordered by the Superior Court not to operate any motor vehicle unless it is equipped with an approved ignition interlock device, in accordance with the provisions of section 14-227j; (3) granted a reversal or reduction of such person's license suspension or revocation, in accordance with the provisions of subsection (k) of section 14-111, as amended by this act; (4) issued a motor vehicle operator's license upon the surrender of an operator's license issued by another state and such previously held license contains a restriction to the operation of a motor vehicle equipped with an ignition interlock

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device; (5) convicted of a violation of section 53a-56b, as amended by this act, or section 53a-60d, as amended by this act; or (6) permitted by the commissioner to be issued or to retain an operator's license subject to reporting requirements concerning such person's physical condition, in accordance with the provisions of subsection (e) of this section and sections 14-45a to 14-46g, inclusive.

Sec. 58. Section 14-37a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) Any person whose operator's license has been suspended pursuant to any provision of this chapter or chapter 248, except pursuant to section 14-215 of the 2008 supplement to the general statutes for operating under suspension or pursuant to section 14-140 for failure to appear for [trial] any scheduled court appearance, and any person identified in subsection (g) of this section may make application to the Commissioner of Motor Vehicles for a special permit to operate a motor vehicle to and from such person's place of employment or, if such person is not employed at a fixed location, to operate a motor vehicle only in connection with, and to the extent necessary, to properly perform such person's business or profession.

(b) The commissioner may, in the commissioner's discretion upon a showing of significant hardship, grant each such application that is submitted in proper form and contains such information and attestation by the applicant as the commissioner may require. In determining whether to grant such application, the commissioner may also consider the driving record of the applicant and shall ascertain that the suspension is a final order that is not under appeal pursuant to section 4-183. A special operator's permit shall not be issued pursuant to this section to any person for the operation of a motor vehicle for which a public passenger transportation permit or commercial driver's license is required or to any person whose operator's license has been suspended previously pursuant to section 14-227a or 14-227b. A

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special operator's permit shall not be issued pursuant to this section to any person whose operator's license has been suspended pursuant to subparagraph (C) of subdivision (1) of subsection (i) of section 14-227b for refusing to submit to a blood, breath or urine test or analysis until such operator's license has been under suspension for a period of not less than ninety days. A person shall not be ineligible to be issued a special operator's permit under this section solely on the basis of being convicted of two violations of section 14-227a unless such second conviction is for a violation committed after a prior conviction.

(c) A special operator's permit issued pursuant to this section shall be of a distinctive format and shall include the expiration date and the legend "work only".

(d) Any person issued a special operator's permit pursuant to this section who operates a motor vehicle during the period of the permit for a purpose not authorized by the conditions of the permit shall, upon receipt of written report of a police officer, in such form as the commissioner may prescribe, of such unauthorized operation, be subject to a civil penalty of not more than five hundred dollars. Any person who makes improper use of a special operator's permit issued pursuant to this section or in any manner alters any such permit or who loans or sells such permit for use by another person shall be subject to the penalties provided by section 14-147.

(e) If a person issued a special operator's permit pursuant to this section has his operator's license suspended by the commissioner in connection with any motor vehicle violation or other offense for which suspension action is authorized, the special operator's permit shall be deemed revoked on the effective date of such suspension, and any such person with notice of the suspension who operates a motor vehicle shall be operating under suspension and shall be subject to double the penalties provided by the applicable provisions of subsection (b) of section 14-111 of the 2008 supplement to the general

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statutes, as amended by this act, and section 14-215 of the 2008 supplement to the general statutes.

(f) Any decision made by the commissioner under this section shall not be subject to appeal pursuant to the provisions of chapter 54 or any other provisions of the general statutes.

(g) Any person who is an applicant for a motor vehicle operator's license and whose license or privilege to operate a motor vehicle has been restricted by any other state in a manner that the commissioner deems to be substantially similar to the restrictions imposed by a special operator's permit issued in accordance with this section, may, in the discretion of the commissioner, be issued an operator's license together with a special operator's permit. The special operator's permit shall be required to be held by such person for such time as the commissioner prescribes.

[(g)] (h) The commissioner may adopt regulations in accordance with the provisions of chapter 54 to implement the provisions of this section.

Sec. 59. Subsection (b) of section 53a-56b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(b) Manslaughter in the second degree with a motor vehicle is a class C felony and the court shall suspend the motor vehicle operator's license or nonresident operating privilege of any person found guilty under this section for one year. The court shall also order such person not to operate any motor vehicle that is not equipped with an approved ignition interlock device, as defined in section 14-227j, for a period of two years after such person's operator's license or nonresident operating privilege is restored by the Commissioner of Motor Vehicles.

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Sec. 60. Subsection (b) of section 53a-60d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(b) Assault in the second degree with a motor vehicle is a class D felony and the court shall suspend the motor vehicle operator's license or nonresident operating privilege of any person found guilty under this section for one year. The court shall also order such person not to operate any motor vehicle that is not equipped with an approved ignition interlock device, as defined in section 14-227j, for a period of two years after such person's operator's license or nonresident operating privilege is restored by the Commissioner of Motor Vehicles.

Sec. 61. Subsection (b) of section 42-150u of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(b) The provisions of subsection (a) of this section shall not apply to (1) contracts between a consumer and an agency of the state or any political subdivision of the state or of the federal government, (2) negotiable instruments, [and] (3) contract provisions for late fees, prepayment penalties or default interest rates, and (4) contracts originated or held by a person, firm or corporation licensed by the Department of Motor Vehicles in accordance with the provisions of sections 14-52 or 14-67a.

Sec. 62. Section 14-111 of the general statutes is amended by adding subsection (l) as follows (*Effective October 1, 2008*):

(NEW) (l) Any person whose motor vehicle operator's license is suspended by the commissioner and whose license is subsequently restricted to the operation of a motor vehicle that is equipped with an approved, ignition interlock device who fails to comply with the requirements for the installation and use of such device in a motor

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vehicle owned or operated by such person, as set forth in regulations adopted by the commissioner in accordance with the provisions of subsection (i) of section 14-227a, shall be subject to the resuspension of such person's operator's license for such period of time, not to exceed the period of the original suspension, as the commissioner may prescribe.

Sec. 63. (*Effective October 1, 2008*) Section 53-211 of the general statutes is repealed.

Approved June 12, 2008