



General Assembly

Amendment

February Session, 2008

LCO No. 3987

HB0574803987HDO

Offered by:

REP. AMANN, 118th Dist.
REP. GUERRERA, 29th Dist.
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To: Subst. House Bill No. 5748

File No. 469

Cal. No. 253

"AN ACT CONCERNING TEENAGE DRIVERS."

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

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4 repealed and the following in substituted in lieu thereof (*Effective*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

6 (j) The commissioner shall suspend the operator's license or
7 nonresident operating privilege of a person under twenty-one years of
8 age who did not contact the department to schedule a hearing, who
9 failed to appear at a hearing or against whom, after a hearing the
10 commissioner held pursuant to subsection (h) of this section, as of the

11 effective date contained in the suspension notice or the date the
12 commissioner renders a decision whichever is later, for twice the
13 appropriate period of time specified in subsection (i) of this section,
14 except that, in the case of a person who is sixteen or seventeen years of
15 age at the time of the alleged offense, the period of suspension for a
16 first offense shall be one year if such person submitted to a test or
17 analysis and the results of such test or analysis indicated that such
18 person had an elevated blood alcohol content or eighteen months if
19 such person refused to submit to such test or analysis.

20 Sec. 2. Subsection (c) of section 14-36 of the 2008 supplement to the
21 general statutes is repealed and the following is substituted in lieu
22 thereof (*Effective August 1, 2008*):

23 (c) (1) On or after January 1, 1997, a person who is sixteen or
24 seventeen years of age and who has not had a motor vehicle operator's
25 license or right to operate a motor vehicle in this state suspended or
26 revoked may apply to the Commissioner of Motor Vehicles for a
27 learner's permit. The commissioner may issue a learner's permit to an
28 applicant after the applicant has passed a vision screening and test as
29 to knowledge of the laws concerning motor vehicles and the rules of
30 the road, has paid the fee required by subsection (v) of section 14-49 of
31 the 2008 supplement to the general statutes and has filed a certificate,
32 in such form as the commissioner prescribes, requesting or consenting
33 to the issuance of the learner's permit and the motor vehicle operator's
34 license, signed by (A) one or both parents or foster parents of the
35 applicant, as the commissioner requires, (B) the legal guardian of the
36 applicant, (C) the applicant's spouse, if the spouse is eighteen years of
37 age or older, or (D) if the applicant has no qualified spouse and such
38 applicant's parent or foster parent or legal guardian is deceased,
39 incapable, domiciled without the state or otherwise unavailable or
40 unable to sign or file the certificate, the applicant's stepparent, or uncle
41 or aunt by blood or marriage, provided such person is eighteen years
42 of age or older. The commissioner may, for the more efficient
43 administration of the commissioner's duties, appoint any drivers'
44 school licensed in accordance with the provisions of section 14-69 or

45 any secondary school providing instruction in motor vehicle operation
46 and highway safety in accordance with section 14-36e to issue a
47 learner's permit, subject to such standards and requirements as the
48 commissioner may prescribe in regulations adopted in accordance
49 with chapter 54. Each learner's permit shall expire on the date the
50 holder of the permit is issued a motor vehicle operator's license or on
51 the date the holder attains the age of eighteen years, whichever is
52 earlier. (2) The learner's permit shall entitle the holder, while such
53 holder has the permit in his or her immediate possession, to operate a
54 motor vehicle on the public highways, provided such holder is under
55 the instruction of, and accompanied by, a person who holds an
56 instructor's license issued under the provisions of section 14-73 or a
57 person twenty years of age or older who has been licensed to operate,
58 for at least four years preceding the instruction, a motor vehicle of the
59 same class as the motor vehicle being operated and who has not had
60 his or her motor vehicle operator's license suspended by the
61 commissioner during the four-year period preceding the instruction.
62 (3) [For the period of three months after the date of issuance of such
63 permit, unless] Unless the holder of the permit is under the instruction
64 of and accompanied by a person who holds an instructor's license
65 issued under the provisions of section 14-73, [the holder shall not
66 transport more than (A) one passenger who meets the provisions of
67 subdivision (2) of this subsection, or (B) such holder's parents or legal
68 guardian, at least one of whom holds a motor vehicle operator's
69 license. (4) For the period beginning three months after the date of
70 issuance of such permit and ending six months after the date of
71 issuance of such permit, unless the holder is under the instruction of
72 and accompanied by a person who holds an instructor's license issued
73 under the provisions of section 14-73, such holder shall not transport
74 any passenger other than as permitted under subdivision (2) or (3) of
75 this subsection and any additional member or members of such
76 holder's immediate family. (5)] no passenger in addition to the person
77 providing instruction shall be transported unless such passenger is a
78 parent or legal guardian of the holder of the permit. (4) The holder of a
79 learner's permit who (A) is an active member of a certified ambulance

80 service, as defined in section 19a-175, (B) has commenced an
81 emergency vehicle operator's course that conforms to the national
82 standard curriculum developed by the United States Department of
83 Transportation, and (C) has had state and national criminal history
84 records checks conducted by the certified ambulance service or by the
85 municipality in which such ambulance service is provided, shall be
86 exempt from the provisions of subdivisions (2) [~~and~~] and (3) [~~and~~] (4) of
87 this subsection only when such holder is en route to or from the
88 location of the ambulance for purposes of responding to an emergency
89 call. [~~(6)~~] (5) The commissioner may revoke any learner's permit used
90 in violation of the limitations imposed by subdivision (2) [~~or~~] or (3) [~~or~~]
91 (4) of this subsection.

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

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

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

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

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

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

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

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

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

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

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

211 (6) Except as provided in subsection (b) of this section, no such
212 person shall operate a motor vehicle on any highway, as defined in
213 section 14-1 of the 2008 supplement to the general statutes, at or after
214 [~~midnight~~] 11:00 p.m. until and including 5:00 a.m. of the [~~same~~]

215 following day unless (A) such person is traveling for his or her
216 employment or school or religious activities, (B) there is a medical
217 necessity for such travel, or (C) such person is an assigned driver in a
218 Safe Ride program sponsored by the American Red Cross, the Boy
219 Scouts of America or other national public service organization.

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

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

237 (d) Any person who violates any provision of subsection (a) of this
238 section shall be deemed to have committed an infraction. The
239 Commissioner of Motor Vehicles [, after notice and opportunity for a
240 hearing, in accordance with chapter 54, may] shall suspend the motor
241 vehicle operator's license of any person who [commits a second or
242 subsequent violation of] violates the provisions of subsection (a) of this
243 section for a period of thirty days for a first violation, and for a period
244 of six months or until such person attains the age of eighteen years,
245 whichever is longer, for a second violation.

246 Sec. 5. Subsection (c) of section 14-100a of the 2008 supplement to

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

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

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

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

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

264 (2) The provisions of subdivision (1) of this subsection shall not
265 apply to (A) any person whose physical disability or impairment
266 would prevent restraint in such safety belt, provided such person
267 obtains a written statement from a licensed physician containing
268 reasons for such person's inability to wear such safety belt and
269 including information concerning the nature and extent of such
270 condition. Such person shall carry the statement on his or her person
271 or in the motor vehicle at all times when it is being operated, or (B) an
272 authorized emergency vehicle, other than fire fighting apparatus,
273 responding to an emergency call or a motor vehicle operated by a rural
274 letter carrier of the United States postal service while performing his or
275 her official duties or by a person engaged in the delivery of
276 newspapers.

277 (3) Failure to wear a seat safety belt shall not be considered as

278 contributory negligence nor shall such failure be admissible evidence
279 in any civil action.

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

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

293 (b) (1) [Whenever] Except as provided in subdivision (2) of this
294 subsection, whenever the holder of any motor vehicle operator's
295 license has been convicted or has forfeited any bond taken or has
296 received a suspended judgment or sentence for any of the following
297 violations, the commissioner shall, without hearing, suspend [his] such
298 person's operator's license as follows: For a first violation of subsection
299 (a) of section 14-224 or section 14-110, 14-215 or 53a-119b, for a period
300 of not less than one year and, for a subsequent violation thereof, for a
301 period of not less than two years; for a violation of subsection (a) of
302 section 14-222, for a period of not less than thirty days or more than
303 ninety days and, for a subsequent violation thereof, for a period of not
304 less than ninety days; for a violation of subsection (b) of section 14-224,
305 for a period of not less than ninety days; for a first violation of
306 subsection (b) of section 14-147, for a period of not less than ninety
307 days and, for a subsequent violation thereof, for a period of not less
308 than five years; for a first violation of subsection (c) of section 14-147,
309 for a period of not less than thirty days and, for a subsequent violation
310 thereof, for a period of not less than one year.

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

327 [(2)] (3) The commissioner may suspend the motor vehicle
328 operator's license of any person (A) who was arrested for a felony, and
329 (B) for whom there is an outstanding warrant for rearrest for failing to
330 appear when legally called with regard to such felony. The suspension
331 shall terminate no later than the date on which such person appears
332 before the court with regard to such felony or such failure to appear.

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

336 (a) For the purposes of this subsection, "moving violation" means
337 any violation of subsection (c) of section 14-36, as amended by this act,
338 section 14-36g, as amended by this act, 14-218a, 14-219, 14-222, 14-223,
339 14-230 to 14-249, inclusive, 14-279, 14-289b, subsection (d) of section 14-
340 296aa, 14-299, 14-301, 14-302 or 14-303, and "suspension violation"
341 means a violation of section 14-222a or 14-224, subsection (a) of section
342 14-227a, or section 53a-56b, 53a-57 or 53a-60d. The Commissioner of
343 Motor Vehicles may require any licensed motor vehicle operator who

344 is twenty-four years of age or less, who has been convicted of a
345 moving violation or a suspension violation, or both, committed on two
346 or more occasions to attend a motor vehicle operator's retraining
347 program. The commissioner may require any licensed motor vehicle
348 operator over twenty-four years of age, who has been convicted of a
349 moving violation or a suspension violation or a combination of said
350 violations, committed on three or more occasions to attend a motor
351 vehicle operator's retraining program. The retraining program shall (1)
352 review principles of motor vehicle operation, (2) develop alternative
353 attitudes for those attitudes contributing to aggressive driving
354 behavior, and (3) emphasize the need to practice safe driving behavior.
355 The retraining program shall be offered by the Department of Motor
356 Vehicles or by any other organization conducting such a program
357 certified by the commissioner. The commissioner shall notify such
358 operator, in writing, of such requirement. A fee of not more than sixty
359 dollars shall be charged for the retraining program. The commissioner,
360 after notice and opportunity for hearing, may suspend the motor
361 vehicle operator's license of any such operator who fails to attend or
362 successfully complete the program until the operator successfully
363 completes the program. The hearing shall be limited to any claim of
364 impossibility of the operator to attend the retraining program, or to a
365 determination of mistake or misidentification.

366 Sec. 8. (NEW) (*Effective August 1, 2008*) (a) If a police officer issues an
367 infractions complaint to any person for a violation of the provisions of
368 section 14-36g of the 2008 supplement to the general statutes, as
369 amended by this act, the motor vehicle operator's license of such
370 person shall be suspended for a period of forty-eight hours
371 commencing on the date and time such complaint is issued, and such
372 officer, acting on behalf of the Commissioner of Motor Vehicles, shall
373 immediately seize and take possession of such person's motor vehicle
374 operator's license and may cause such vehicle to be removed. In order
375 to regain possession of such person's operator's license, after such
376 forty-eight-hour period, such person and such person's parent or legal
377 guardian shall appear in person at the police department, state police

378 barracks or other location designated by the police officer, and sign a
379 written acknowledgement of the return of such license. No restoration
380 fee shall be required to be paid to the commissioner, in accordance
381 with the provisions of section 14-50b of the general statutes, but the
382 police officer shall make a written report of the violation and the
383 suspension action, in such form and containing such information as
384 the commissioner shall prescribe, and shall file or transmit such report
385 to the commissioner in such time and manner as the commissioner
386 shall prescribe.

387 (b) If any person operating a motor vehicle, subject to the provisions
388 of section 14-36g of the 2008 supplement to the general statutes, as
389 amended by this act, is stopped by a police officer and arrested or
390 issued a summons by such officer for (A) violating subdivision (4) of
391 subsection (a) of section 14-219 of the general statutes, as amended by
392 this act, (B) operating a motor vehicle under the influence of alcohol or
393 any drug or both in violation of section 14-227a or 14-227g of the
394 general statutes, (C) engaging in racing a motor vehicle on a public
395 highway in violation of subsection (c) of section 14-224 of the general
396 statutes, or (D) operating a motor vehicle recklessly in violation of
397 section 14-222 of the general statutes, the motor vehicle operator's
398 license of such person shall be suspended for a period of forty-eight
399 hours commencing on the date and time such person is arrested or
400 such summons is issued, and such officer, acting on behalf of the
401 Commissioner of Motor Vehicles, shall immediately seize and take
402 possession of such person's motor vehicle operator's license and cause
403 such motor vehicle to be removed. In order to regain possession of
404 such person's operator's license after such forty-eight-hour period,
405 such person and such person's parent or legal guardian shall appear in
406 person at the police department, state police barracks or other location
407 designated by the police officer, and sign a written acknowledgement
408 of the return of such license. No restoration fee shall be required to be
409 paid to the commissioner, in accordance with the provisions of section
410 14-50b of the general statutes, but the police officer shall make a
411 written report of the violation and the suspension action, in such form

412 and containing such information as the commissioner shall prescribe,
413 and shall file or transmit such report to the commissioner in such time
414 and manner as the commissioner shall prescribe.

415 Sec. 9. (NEW) (*Effective August 1, 2008*) (a) The Commissioner of
416 Motor Vehicles shall amend the regulations adopted pursuant to
417 section 14-36f of the general statutes concerning the content of safe
418 driving instruction courses offered at drivers' schools, high schools
419 and other secondary schools to require the eight hours of instruction
420 required by such regulations to include, for applicants to whom a
421 learner's permit is issued on or after August 1, 2008, two hours of
422 instruction concerning the statutory provisions, including penalties,
423 applicable to drivers who are less than eighteen years of age, the
424 dangers of teenage driving, the cognitive development of adolescents,
425 the responsibilities and liabilities of parents of teenage drivers, and
426 related topics deemed by the commissioner to be appropriate.

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

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

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

442 (1) "Youth" means (A) a minor who has reached the age of sixteen
443 years but has not reached the age of eighteen years at the time of the

444 alleged offense, or (B) a child who has been transferred to the regular
445 criminal docket of the Superior Court pursuant to section 46b-127 of
446 the 2008 supplement to the general statutes; and

447 (2) "Youthful offender" means a youth who (A) is charged with the
448 commission of a crime which is not a class A felony or a violation of
449 section 14-222a, subsection (a) of section 14-224, section 14-227a, 14-
450 227g, subdivision (2) of subsection (a) of section 53-21 of the 2008
451 supplement to the general statutes or section 53a-70, 53a-70a, 53a-70b,
452 53a-71 of the 2008 supplement to the general statutes, 53a-72a or 53a-
453 72b, except a violation involving consensual sexual intercourse or
454 sexual contact between the youth and another person who is thirteen
455 years of age or older but under sixteen years of age, and (B) has not
456 previously been convicted of a felony in the regular criminal docket of
457 the Superior Court or been previously adjudged a serious juvenile
458 offender or serious juvenile repeat offender, as defined in section 46b-
459 120 of the 2008 supplement to the general statutes.

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

463 (a) In any case where an information or complaint has been laid
464 charging a defendant with the commission of a crime, and where it
465 appears that the defendant is a youth, such defendant shall be
466 presumed to be eligible to be adjudged a youthful offender and the
467 court having jurisdiction shall, but only as to the public, order the
468 court file sealed, unless such defendant (1) is charged with the
469 commission of a crime which is a class A felony or a violation of
470 section 14-222a, subsection (a) of section 14-224, section 14-227a, 14-
471 227g, subdivision (2) of subsection (a) of section 53-21 of the 2008
472 supplement to the general statutes or section 53a-70, 53a-70a, 53a-70b,
473 53a-71 of the 2008 supplement to the general statutes, 53a-72a or 53a-
474 72b, except a violation involving consensual sexual intercourse or
475 sexual contact between the youth and another person who is thirteen
476 years of age or older but under sixteen years of age, or (2) has been

477 previously convicted of a felony in the regular criminal docket of the
478 Superior Court or been previously adjudged a serious juvenile
479 offender or serious juvenile repeat offender, as defined in section 46b-
480 120 of the 2008 supplement to the general statutes. Except as provided
481 in subsection (b) of this section, upon motion of the prosecuting
482 official, the court may order that an investigation be made of such
483 defendant under section 54-76d, for the purpose of determining
484 whether such defendant is ineligible to be adjudged a youthful
485 offender, provided the court file shall remain sealed, but only as to the
486 public, during such investigation.

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

489 (a) The records or other information of a youth, other than a youth
490 arrested for or charged with the commission of a crime which is a class
491 A felony or a violation of section 14-222a, subsection (a) of section 14-
492 224, section 14-227a, 14-227g, subdivision (2) of subsection (a) of
493 section 53-21 of the 2008 supplement to the general statutes or section
494 53a-70, 53a-70a, 53a-70b, 53a-71 of the 2008 supplement to the general
495 statutes, 53a-72a or 53a-72b, except a violation involving consensual
496 sexual intercourse or sexual contact between the youth and another
497 person who is thirteen years of age or older but under sixteen years of
498 age, including fingerprints, photographs and physical descriptions,
499 shall be confidential and shall not be open to public inspection or be
500 disclosed except as provided in this section, but such fingerprints,
501 photographs and physical descriptions submitted to the State Police
502 Bureau of Identification of the Division of State Police within the
503 Department of Public Safety at the time of the arrest of a person
504 subsequently adjudged, or subsequently presumed or determined to
505 be eligible to be adjudged, a youthful offender shall be retained as
506 confidential matter in the files of the bureau and be opened to
507 inspection only as provided in this section. Other data ordinarily
508 received by the bureau, with regard to persons arrested for a crime,
509 shall be forwarded to the bureau to be filed, in addition to such
510 fingerprints, photographs and physical descriptions, and be retained in

511 the division as confidential information, open to inspection only as
512 provided in this section.

513 (b) The records of any such youth, or any part thereof, may be
514 disclosed to and between individuals and agencies, and employees of
515 such agencies, providing services directly to the youth, including law
516 enforcement officials, state and federal prosecutorial officials, school
517 officials in accordance with section 10-233h, court officials, the Division
518 of Criminal Justice, the Court Support Services Division, the Board of
519 Pardons and Paroles and an advocate appointed pursuant to section
520 54-221 for a victim of a crime committed by the youth. Such records
521 shall also be available to the attorney representing the youth, in any
522 proceedings in which such records are relevant, to the parents or
523 guardian of such youth, until such time as the youth reaches the age of
524 majority or is emancipated, and to the youth upon his or her
525 emancipation or attainment of the age of majority, provided proof of
526 the identity of such youth is submitted in accordance with guidelines
527 prescribed by the Chief Court Administrator. Such records disclosed
528 pursuant to this subsection shall not be further disclosed.

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

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

542 (e) Any reports and files held by the Court Support Services

543 Division regarding any such youth who served a period of probation
544 may be accessed and disclosed by employees of the division for the
545 purpose of performing the duties contained in section 54-63b.

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

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

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

564 [(h)] (i) The provisions of this section, as amended by public act 05-
565 232, apply to offenses committed after January 1, 2006, and do not
566 affect any cases pending on said date or any investigations involving
567 offenses committed prior to said date.

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

570 (a) No person shall operate any motor vehicle (1) upon any
571 highway, road or any parking area for ten cars or more, at such a rate
572 of speed as to endanger the life of any occupant of such motor vehicle,
573 but not the life of any other person than such an occupant; or (2) at a

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

585 (b) Any person who operates a motor vehicle (1) on a multiple lane,
586 limited access highway other than a highway specified in subsection
587 (b) of section 14-218a for which a speed limit has been established in
588 accordance with the provisions of said subsection at a rate of speed
589 greater than fifty-five miles per hour but not greater than seventy
590 miles per hour, [or] (2) on a multiple lane, limited access highway
591 specified in subsection (b) of section 14-218a for which a speed limit
592 has been established in accordance with the provisions of said
593 subsection at a rate of speed greater than sixty-five miles per hour but
594 not greater than seventy miles per hour, [or] (3) on any other highway
595 at a rate of speed greater than fifty-five miles per hour but not greater
596 than sixty miles per hour, or (4) if such person is under eighteen years
597 of age, upon any highway or road for which a speed limit of less than
598 sixty-five miles per hour has been established in accordance with
599 subsection (a) of section 14-218a, at a rate of speed twenty miles per
600 hour or more above such speed limit, shall commit an infraction,
601 provided any such person operating a truck, as defined in section 14-
602 260n of the 2008 supplement to the general statutes, shall have
603 committed a violation and shall be fined not less than one hundred
604 dollars nor more than one hundred fifty dollars.

605 (c) Any person who violates any provision of subdivision (1) of
606 subsection (a) of this section or who operates a motor vehicle (1) on a
607 multiple lane, limited access highway at a rate of speed greater than

608 seventy miles per hour but not greater than eighty-five miles per hour,
 609 or (2) on any other highway at a rate of speed greater than sixty miles
 610 per hour but not greater than eighty-five miles per hour, shall be fined
 611 not less than one hundred dollars nor more than one hundred fifty
 612 dollars, provided any such person operating a truck, as defined in
 613 section 14-260n of the 2008 supplement to the general statutes, shall be
 614 fined not less than one hundred fifty dollars nor more than two
 615 hundred dollars.

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

619 (e) Notwithstanding any provision of the general statutes to the
 620 contrary, any person who violates subdivision (1) of subsection (a) of
 621 this section, subdivision (1) or (2) of subsection (b) of this section while
 622 operating a truck, as defined in section 14-260n of the 2008 supplement
 623 to the general statutes, or subdivision (1) of subsection (c) of this
 624 section while operating a motor vehicle or a truck, as defined in section
 625 14-260n of the 2008 supplement to the general statutes, shall follow the
 626 procedures set forth in section 51-164n of the 2008 supplement to the
 627 general statutes."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>August 1, 2008</i>	14-227b(j)
Sec. 2	<i>August 1, 2008</i>	14-36(c)
Sec. 3	<i>August 1, 2008</i>	14-36(d)
Sec. 4	<i>August 1, 2008</i>	14-36g
Sec. 5	<i>August 1, 2008</i>	14-100a(c)
Sec. 6	<i>August 1, 2008</i>	14-111(b)
Sec. 7	<i>August 1, 2008</i>	14-111g(a)
Sec. 8	<i>August 1, 2008</i>	New section
Sec. 9	<i>August 1, 2008</i>	New section
Sec. 10	<i>August 1, 2008</i>	54-76b(a)
Sec. 11	<i>August 1, 2008</i>	54-76c(a)
Sec. 12	<i>August 1, 2008</i>	54-76l

Sec. 13	<i>August 1, 2008</i>	14-219
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