



House of Representatives

General Assembly

File No. 822

January Session, 2009

Substitute House Bill No. 5648

House of Representatives, April 29, 2009

The Committee on Appropriations reported through REP. GERAGOSIAN of the 25th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT REQUIRING MANDATORY RETESTING OF KNOWLEDGE OF DRIVING LAWS PRIOR TO THE ISSUANCE OF A MOTOR VEHICLE OPERATOR'S LICENSE TO A PERSON WHO IS SIXTEEN OR SEVENTEEN YEARS OF AGE.

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

1 Section 1. Subsection (d) of section 14-36 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2009*):

4 (d) (1) No motor vehicle operator's license shall be issued to any
5 applicant who is sixteen or seventeen years of age unless the applicant
6 has held a learner's permit and has satisfied the requirements specified
7 in this subsection. The applicant shall (A) present to the
8 [commissioner] Commissioner of Motor Vehicles a certificate of the
9 successful completion (i) in a public secondary school, a state
10 vocational school or a private secondary school of a full course of
11 study in motor vehicle operation prepared as provided in section 14-

12 36e, (ii) of training of similar nature provided by a licensed drivers'
13 school approved by the commissioner, or (iii) of home training in
14 accordance with subdivision (2) of this subsection, including, in each
15 case, or by a combination of such types of training, successful
16 completion of: Not less than twenty clock hours of behind-the-wheel,
17 on-the-road instruction for applicants to whom a learner's permit is
18 issued before August 1, 2008; and not less than forty clock hours of
19 behind-the-wheel, on-the-road instruction for applicants to whom a
20 learner's permit is issued on or after August 1, 2008; (B) present to the
21 commissioner a certificate of the successful completion of a course of
22 not less than eight hours relative to safe driving practices, including a
23 minimum of four hours on the nature and the medical, biological and
24 physiological effects of alcohol and drugs and their impact on the
25 operator of a motor vehicle, the dangers associated with the operation
26 of a motor vehicle after the consumption of alcohol or drugs by the
27 operator, the problems of alcohol and drug abuse and the penalties for
28 alcohol and drug-related motor vehicle violations; and (C) pass an
29 examination, administered by the department within existing
30 budgetary resources, which [may] shall include a comprehensive test
31 as to knowledge of the laws concerning motor vehicles and the rules of
32 the road in addition to the test required under subsection (c) of this
33 section and shall include an on-the-road skills test as prescribed by the
34 commissioner. At the time of application and examination for a motor
35 vehicle operator's license, an applicant sixteen or seventeen years of
36 age shall have held a learner's permit for not less than one hundred
37 eighty days, except that an applicant who presents a certificate under
38 subparagraph (A)(i) or subparagraph (A)(ii) of this subdivision shall
39 have held a learner's permit for not less than one hundred twenty days
40 and an applicant who is undergoing training and instruction by the
41 handicapped driver training unit in accordance with the provisions of
42 section 14-11b shall have held such permit for the period of time
43 required by said unit. The Commissioner of Motor Vehicles shall
44 approve the content of the safe driving instruction at drivers' schools,
45 high schools and other secondary schools. Such hours of instruction
46 required by this subdivision shall be included as part of or in addition

47 to any existing instruction programs. Any fee charged for the course
48 required under subparagraph (B) of this subdivision shall not exceed
49 an amount prescribed by the commissioner by regulation, adopted in
50 accordance with chapter 54. Any applicant sixteen or seventeen years
51 of age who, while a resident of another state, completed the course
52 required in subparagraph (A) of this subdivision, but did not complete
53 the safe driving course required in subparagraph (B) of this
54 subdivision, shall complete the safe driving course, and any fee
55 charged for the course shall not exceed an amount prescribed by the
56 commissioner by regulation, adopted in accordance with chapter 54.
57 The commissioner may waive any requirement in this subdivision,
58 except for that in subparagraph (C) of this subdivision, in the case of
59 an applicant sixteen or seventeen years of age who holds a valid motor
60 vehicle operator's license issued by any other state, provided the
61 commissioner is satisfied that the applicant has received training and
62 instruction of a similar nature. (2) The commissioner may accept as
63 evidence of sufficient training under subparagraph (A) of subdivision
64 (1) of this subsection home training as evidenced by a written
65 statement signed by the spouse of a married minor applicant, or by a
66 parent, grandparent, foster parent or legal guardian of an applicant
67 which states that the applicant has obtained a learner's permit and has
68 successfully completed a driving course taught by the person signing
69 the statement, that the signer has had an operator's license for at least
70 four years preceding the date of the statement, and that the signer has
71 not had such license suspended by the commissioner for at least four
72 years preceding the date of the statement or, if the applicant has no
73 spouse, parent, grandparent, foster parent or guardian so qualified and
74 available to give the instruction, a statement signed by the applicant's
75 stepparent, brother, sister, uncle or aunt, by blood or marriage,
76 provided the person signing the statement is qualified. (3) If the
77 commissioner requires a written test of any applicant under this
78 section, the test shall be given in English or Spanish at the option of the
79 applicant, provided the commissioner shall require that the applicant
80 shall have sufficient understanding of English for the interpretation of
81 traffic control signs. (4) The Commissioner of Motor Vehicles may

82 adopt regulations, in accordance with the provisions of chapter 54, to
83 implement the purposes of this subsection concerning the
84 requirements for behind-the-wheel, on-the-road instruction and the
85 content of safe driving instruction at drivers' schools, high schools and
86 other secondary schools.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	14-36(d)

APP *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Department of Motor Vehicles	TF - Cost	500,000	500,000
Comptroller Misc. Accounts (Fringe Benefits) ¹	TF - Cost	127,150	127,150

Note: TF=Transportation Fund

Municipal Impact: None

Explanation

There is an ongoing cost of \$627,150 to the Department of Motor Vehicles (DMV) to implement the second knowledge test before issuing a driver's license to persons under age 18. The DMV will require 10 additional Motor Vehicle License Agents at a cost of \$50,000 each plus fringes to administer and process the additional testing requirement mandated under the bill.

The requirement that DMV implement a second knowledge test within available appropriations will likely result in one of four outcomes: (1) DMV will proceed with hiring staff and will require a deficiency appropriation during FY 10; (2) DMV will delay the hiring of staff and implementation of the additional test pending the approval of additional appropriations in future fiscal years; (3) DMV

¹ The fringe benefit costs for state employees are budgeted centrally in the Miscellaneous Accounts administered by the Comptroller on an actual cost basis. The following is provided for estimated costs associated with additional personnel. The estimated non-pension fringe benefit rate as a percentage of payroll is 25.43%. Fringe benefit costs for new positions do not initially include pension costs as the state's pension contribution is based upon the 6/30/08 actuarial valuation for the State Employees Retirement System (SERS) which certifies the contribution for FY 10 and FY 11. Therefore, new positions will not impact the state's pension contribution until FY 12 after the next scheduled certification on 6/30/2010.

will shift administrative resources from other department priorities, thereby impacting existing departmental programs; or (4) DMV will not implement the second knowledge test provision of this bill.

The Out Years

State Impact:

Agency Affected	Fund-Effect	FY 12 \$	FY 13 \$	FY 14 \$
Department of Motor Vehicles	TF - Cost*	515,000	530,450	546,364
Comptroller Misc. Accounts (Fringe Benefits)	TF - Cost*	130,965	134,894	138,941

Note: TF=Transportation Fund

*These figures have been adjusted for inflation at a rate of 3%

Municipal Impact: None

OLR Bill Analysis**sHB 5648*****AN ACT REQUIRING MANDATORY RETESTING OF KNOWLEDGE OF DRIVING LAWS PRIOR TO THE ISSUANCE OF A MOTOR VEHICLE OPERATOR'S LICENSE TO A PERSON WHO IS SIXTEEN OR SEVENTEEN YEARS OF AGE.*****SUMMARY:**

By law, someone under age 18 may be issued a learner's permit only after passing both a vision screening and knowledge test on the motor vehicle laws and rules of the road (CGS § 14-36(c)). Currently, the motor vehicle commissioner may also administer, at his discretion, a comprehensive knowledge test at the time the person is issued a driver's license. The bill makes this second knowledge test mandatory, to be administered within existing budgetary resources. Thus, under the bill, the commissioner must give two knowledge tests to anyone under age 18—one when issuing the learner's permit and another when issuing the driver's license.

EFFECTIVE DATE: October 1, 2009

BACKGROUND***Current Testing Policy***

The law was changed in 2008 to give the commissioner discretion to administer a second knowledge test. Since October 2008, the comprehensive knowledge has been given at the time the learner's permit is issued and no knowledge test has been required at the licensing stage.

Legislative History

The House referred the bill (File 361) to the Appropriations Committee on April 7. The committee reported it favorably on April 15 with the added stipulation that DMV administer the second

knowledge test within existing budgetary resources.

COMMITTEE ACTION

Transportation Committee

Joint Favorable

Yea 36 Nay 0 (03/16/2009)

Appropriations Committee

Joint Favorable Substitute

Yea 55 Nay 0 (04/15/2009)