



General Assembly

Amendment

January Session, 2009

LCO No. 8851

SB0108108851SD0

Offered by:
SEN. DEFRONZO, 6th Dist.

To: Senate Bill No. 1081

File No. 356

Cal. No. 289

(As Amended)

"AN ACT CONCERNING THE FUNCTIONS OF THE DEPARTMENT OF MOTOR VEHICLES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 14-44e of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) The [commissioner] Commissioner of Motor Vehicles shall not
6 issue a commercial driver's license to any person unless such person is
7 a resident of this state and has passed a knowledge and skills test for
8 driving a commercial motor vehicle which complies with the
9 minimum federal standards established by 49 CFR 383, Subparts G
10 and H, as amended, and has satisfied all other requirements of this
11 section and sections 14-44b, 14-44c and 14-44g, in addition to other
12 requirements for an operator's license imposed by the general statutes
13 and regulations of the commissioner.

14 (b) The commissioner shall not issue a commercial driver's license or
15 a commercial driver's instruction permit to any person who has a
16 physical or psychobehavioral impairment that affects such person's
17 ability to operate a commercial motor vehicle safely. In determining
18 whether to issue a commercial driver's license in any individual case,
19 the commissioner shall apply the standards set forth in 49 CFR 391.41,
20 as amended. Any person who is denied a commercial driver's license
21 or a commercial driver's instruction permit, or whose license or permit
22 is suspended, revoked or cancelled pursuant to this subsection shall be
23 granted an opportunity for a hearing in accordance with the provisions
24 of chapter 54.

25 (c) The commissioner may waive the skills test required under
26 subsection (a) of this section in the case of an applicant for a
27 commercial driver's license who meets the requirements of 49 CFR
28 383.77, as amended or, in the case of an applicant for a school bus
29 endorsement who meets the requirements of 49 CFR 383.123, as
30 amended.

31 (d) A commercial driver's license shall not be issued to any person
32 subject to disqualification from driving a commercial motor vehicle or
33 subject to suspension, revocation or cancellation of operating
34 privileges in any state. Each applicant for an endorsement to drive a
35 vehicle transporting hazardous materials shall be subject to the
36 requirements of 49 USC 5103a, as administered by the United States
37 Transportation Security Administration. The commissioner may refuse
38 to issue a hazardous materials endorsement, or may suspend or revoke
39 any such endorsement, held by any person who is the subject of a
40 notification received from the Transportation Security Administration,
41 in accordance with the provisions of 49 CFR 1572.5, as amended.

42 (e) An operator's license shall not be issued to any person who holds
43 an operator's license issued by any other state, unless such person first
44 surrenders such license or licenses to the commissioner. The
45 commissioner shall return every license surrendered hereunder to the
46 issuing state for cancellation.

47 (f) The commissioner may refuse to issue a commercial driver's
48 license, or may issue a commercial driver's license subject to
49 compliance with such condition as the commissioner may prescribe, to
50 any person whose motor vehicle operator's license, privilege to operate
51 a motor vehicle in this state or license endorsement is under
52 suspension or is subject to any pending action by the commissioner
53 that may result in suspension.

54 (g) The commissioner may issue a commercial driver's instruction
55 permit to any person who holds a valid operator's license. Said permit
56 may [not] be issued for a period [to exceed] not exceeding six months,
57 [. Only] and may be reissued or renewed, until June 30, 2011, for
58 periods not exceeding six months. On and after July 1, 2011, only one
59 renewal or reissuance may be granted within a two-year period. The
60 holder of a commercial driver's instruction permit, may, unless
61 otherwise disqualified or suspended, drive a commercial motor vehicle
62 [only when] if such holder is accompanied by the holder of a
63 commercial driver's license of the appropriate class and bearing
64 endorsements for the type of vehicle being driven who occupies a seat
65 beside the individual for the purpose of giving instruction in driving
66 the commercial motor vehicle."