Offered by:
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To: Senate Bill No. 1081
File No. 356
Cal. No. 289

(As Amended)

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

Strike subsection (b) of section 37 in its entirety and insert in lieu thereof the following:

"(b) The Commissioner of Motor Vehicles shall accept applications and renewal applications for special license plates and removable windshield placards from (1) any person who is blind, as defined in section 1-1f; (2) any person with disabilities; [which limit or impair the ability to walk, as defined in 23 CFR Part 1235.2;] (3) any parent or guardian of any [blind] person who is blind or any person with disabilities, [who] if such person is under eighteen years of age at the time of application; [and] (4) any parent or guardian of any person who is blind or any person with disabilities, if such person is unable to request or complete an application; and (5) any organization which meets criteria established by the commissioner and which certifies to
the commissioner's satisfaction that the vehicle for which a plate or
placard is requested is primarily used to transport \{blind\} persons who
are blind or persons with disabilities, \{which limit or impair their
ability to walk\}. On and after January 1, 2010, no person shall be issued
a placard in accordance with this section unless such person is the
holder of a valid motor vehicle operator's license, or identification card
issued in accordance with the provisions of section 1-1h. The
commissioner is authorized to adopt regulations for the issuance of
placards to persons who, by reason of hardship, do not hold or cannot
obtain an operator's license or identification card. The commissioner
shall maintain a record of each placard issued to any such person. Such
applications and renewal applications shall be on a form prescribed by
the commissioner and shall include certification of disability from a
licensed physician, \{physician's assistant or advanced practice
registered nurse, licensed in accordance with the provisions of chapter
378\}, or certification of legal blindness from the Board of Education
and Services for the Blind, an ophthalmologist or an optometrist. In the
case of persons with disabilities, \{which limit or impair the ability to
walk\}, the application shall also include certification from a licensed
physician \{, an advanced practice registered nurse, licensed in
accordance with the provisions of chapter 378\}, or a member of the
handicapped driver training unit established pursuant to section 14-
11b that the applicant meets the definition of persons with disabilities
which limit or impair the ability to walk, as defined in 23 CFR Section
1235.2. The commissioner, in said commissioner's discretion, may
accept the discharge papers of a disabled veteran, as defined in section
14-254, in lieu of such certification. The commissioner may require
additional certification at the time of the original application or at any
time thereafter. If a person who has been requested to submit
additional certification fails to do so within thirty days of the request,
or if such additional certification is deemed by the commissioner to be
unfavorable to the applicant, the commissioner may refuse to issue or,
if already issued, suspend or revoke such special license plate or
\{removable windshield\} placard. The commissioner shall not \{be
required to\} issue more than one \{removable windshield\} placard per
applicant. The fee for the issuance of a temporary removable windshield placard shall be five dollars. Any person whose application has been denied or whose special license plate or [removable windshield] placard has been suspended or revoked shall be afforded an opportunity for a hearing in accordance with the provisions of chapter 54.'

Strike section 61 in its entirety and insert in lieu thereof the following:

"Sec. 61. (NEW) (Effective from passage) With respect to a dealer, manufacturer or distributor, as defined in section 14-133r of the general statutes, of motor homes, as defined in section 14-1 of the general statutes, the provisions of sections 42-133r to 14-133ee, inclusive, of the general statutes applicable to any such dealer, manufacturer or distributor shall be the provisions of said sections 42-133r to 14-133e, inclusive, in effect on January 1, 2009."

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

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

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

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

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

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

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

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

(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] not exceeding six months.
[. Only] and may be reissued or renewed, until June 30, 2011, for
periods not exceeding six months. On and after July 1, 2011, 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] if such holder is accompanied by the holder of a
commercial driver's license 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."