



General Assembly

**Amendment**

January Session, 2009

LCO No. 8906

**\*SB0108108906SD0\***

Offered by:

SEN. DEFRONZO, 6<sup>th</sup> Dist.

REP. GUERRERA, 29<sup>th</sup> 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 Strike subsection (b) of section 37 in its entirety and insert in lieu  
2 thereof the following:

3 "(b) The Commissioner of Motor Vehicles shall accept applications  
4 and renewal applications for special license plates and removable  
5 windshield placards from (1) any person who is blind, as defined in  
6 section 1-1f; (2) any person with disabilities; [which limit or impair the  
7 ability to walk, as defined in 23 CFR Part 1235.2;] (3) any parent or  
8 guardian of any [blind] person who is blind or any person with  
9 disabilities, [who] if such person is under eighteen years of age at the  
10 time of application; [and] (4) any parent or guardian of any person  
11 who is blind or any person with disabilities, if such person is unable to  
12 request or complete an application; and (5) any organization which  
13 meets criteria established by the commissioner and which certifies to

14 the commissioner's satisfaction that the vehicle for which a plate or  
15 placard is requested is primarily used to transport [blind] persons who  
16 are blind or persons with disabilities. [which limit or impair their  
17 ability to walk.] On and after January 1, 2010, no person shall be issued  
18 a placard in accordance with this section unless such person is the  
19 holder of a valid motor vehicle operator's license, or identification card  
20 issued in accordance with the provisions of section 1-1h. The  
21 commissioner is authorized to adopt regulations for the issuance of  
22 placards to persons who, by reason of hardship, do not hold or cannot  
23 obtain an operator's license or identification card. The commissioner  
24 shall maintain a record of each placard issued to any such person. Such  
25 applications and renewal applications shall be on a form prescribed by  
26 the commissioner and shall include certification of disability from a  
27 licensed physician, [physician's assistant or advanced practice  
28 registered nurse, licensed in accordance with the provisions of chapter  
29 378,] or certification of legal blindness from the Board of Education  
30 and Services for the Blind, an ophthalmologist or an optometrist. In the  
31 case of persons with disabilities, [which limit or impair the ability to  
32 walk,] the application shall also include certification from a licensed  
33 physician [, an advanced practice registered nurse, licensed in  
34 accordance with the provisions of chapter 378,] or a member of the  
35 handicapped driver training unit established pursuant to section 14-  
36 11b that the applicant meets the definition of persons with disabilities  
37 which limit or impair the ability to walk, as defined in 23 CFR Section  
38 1235.2. The commissioner, in said commissioner's discretion, may  
39 accept the discharge papers of a disabled veteran, as defined in section  
40 14-254, in lieu of such certification. The commissioner may require  
41 additional certification at the time of the original application or at any  
42 time thereafter. If a person who has been requested to submit  
43 additional certification fails to do so within thirty days of the request,  
44 or if such additional certification is deemed by the commissioner to be  
45 unfavorable to the applicant, the commissioner may refuse to issue or,  
46 if already issued, suspend or revoke such special license plate or  
47 [removable windshield] placard. The commissioner shall not [be  
48 required to] issue more than one [removable windshield] placard per

49 applicant. The fee for the issuance of a temporary removable  
50 windshield placard shall be five dollars. Any person whose application  
51 has been denied or whose special license plate or [removable  
52 windshield] placard has been suspended or revoked shall be afforded  
53 an opportunity for a hearing in accordance with the provisions of  
54 chapter 54."

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

57 "Sec. 61. (NEW) (*Effective from passage*) With respect to a dealer,  
58 manufacturer or distributor, as defined in section 14-133r of the  
59 general statutes, of motor homes, as defined in section 14-1 of the  
60 general statutes, the provisions of sections 42-133r to 14-133ee,  
61 inclusive, of the general statutes applicable to any such dealer,  
62 manufacturer or distributor shall be the provisions of said sections 42-  
63 133r to 14-133e, inclusive, in effect on January 1, 2009."

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

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

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

77 (b) The commissioner shall not issue a commercial driver's license or  
78 a commercial driver's instruction permit to any person who has a  
79 physical or psychobehavioral impairment that affects such person's

80 ability to operate a commercial motor vehicle safely. In determining  
81 whether to issue a commercial driver's license in any individual case,  
82 the commissioner shall apply the standards set forth in 49 CFR 391.41,  
83 as amended. Any person who is denied a commercial driver's license  
84 or a commercial driver's instruction permit, or whose license or permit  
85 is suspended, revoked or cancelled pursuant to this subsection shall be  
86 granted an opportunity for a hearing in accordance with the provisions  
87 of chapter 54.

88 (c) The commissioner may waive the skills test required under  
89 subsection (a) of this section in the case of an applicant for a  
90 commercial driver's license who meets the requirements of 49 CFR  
91 383.77, as amended or, in the case of an applicant for a school bus  
92 endorsement who meets the requirements of 49 CFR 383.123, as  
93 amended.

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

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

110 (f) The commissioner may refuse to issue a commercial driver's  
111 license, or may issue a commercial driver's license subject to

112 compliance with such condition as the commissioner may prescribe, to  
113 any person whose motor vehicle operator's license, privilege to operate  
114 a motor vehicle in this state or license endorsement is under  
115 suspension or is subject to any pending action by the commissioner  
116 that may result in suspension.

117 (g) The commissioner may issue a commercial driver's instruction  
118 permit to any person who holds a valid operator's license. Said permit  
119 may [not] be issued for a period [to exceed] not exceeding six months,  
120 [. Only] and may be reissued or renewed, until June 30, 2011, for  
121 periods not exceeding six months. On and after July 1, 2011, only one  
122 renewal or reissuance may be granted within a two-year period. The  
123 holder of a commercial driver's instruction permit, may, unless  
124 otherwise disqualified or suspended, drive a commercial motor vehicle  
125 [only when] if such holder is accompanied by the holder of a  
126 commercial driver's license of the appropriate class and bearing  
127 endorsements for the type of vehicle being driven who occupies a seat  
128 beside the individual for the purpose of giving instruction in driving  
129 the commercial motor vehicle."