



Senate

General Assembly

File No. 229

February Session, 2010

Substitute Senate Bill No. 340

Senate, March 31, 2010

The Committee on Transportation reported through SEN. DEFRONZO of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

**AN ACT CONCERNING PUBLIC SERVICE LICENSE
ENDORSEMENTS, ACTIVITY VEHICLES, AND THE DEFINITIONS OF
"CARRIER" AND "STUDENT TRANSPORTATION VEHICLE".**

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

1 Section 1. Subsection (c) of section 14-36a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2010*):

4 (c) A commercial driver's license or a class D license that contains
5 [any] either of the following endorsements evidences that the holder
6 meets the requirements of section 14-44:

7 "V"- authorizes the transportation of passengers in a student
8 transportation vehicle, as defined in section 14-212, or any vehicle that
9 requires an ["A" or] "F" endorsement; and

10 ["A"- authorizes the transportation of passengers in an activity
11 vehicle, as defined in section 14-1, or any vehicle that requires an "F"
12 endorsement; and]

13 "F"- authorizes the transportation of passengers in a taxicab, motor
14 vehicle in livery service, service bus or motor bus.

15 The commissioner may establish one or more endorsements or
16 restrictions on class D licenses, in accordance with regulations adopted
17 in accordance with the provisions of chapter 54.

18 Sec. 2. Subsection (a) of section 14-44 of the 2010 supplement to the
19 general statutes is repealed and the following is substituted in lieu
20 thereof (*Effective October 1, 2010*):

21 (a) (1) No person shall operate a commercial motor vehicle used for
22 passenger transportation on any public highway of this state until such
23 person has obtained a commercial driver's license with a passenger
24 endorsement from the commissioner, except a nonresident who holds
25 such license with such endorsement issued by another state. (2) No
26 person shall operate a school bus until such person has obtained a
27 commercial driver's license with a school bus endorsement, except that
28 a person who holds such a license without such endorsements may
29 operate a school bus without passengers for the purpose of road
30 testing or moving the vehicle. (3) No person shall operate a student
31 transportation vehicle, as defined in section 14-212, [activity vehicle,]
32 taxicab, motor vehicle in livery service, motor bus or service bus until
33 such person has obtained an operator's license bearing an endorsement
34 of the appropriate type from the commissioner issued in accordance
35 with the provisions of this section and section 14-36a, except that a
36 person who holds an operator's license without such endorsement may
37 operate any such vehicle without passengers for the purpose of road
38 testing or moving the vehicle. (4) No person shall operate a student
39 transportation vehicle, as defined in section 14-212, [or activity vehicle]
40 until such person has obtained an operator's license bearing an
41 endorsement of the appropriate type from the commissioner issued in
42 accordance with the provisions of this section and section 14-36a, as
43 amended by this act.

44 Sec. 3. Section 14-212 of the general statutes is repealed and the
45 following is substituted in lieu thereof (*Effective October 1, 2010*):

46 Terms used in this chapter shall be construed as follows, unless
47 another construction is clearly apparent from the language or context
48 in which the term is used or unless the construction is inconsistent
49 with the manifest intention of the General Assembly:

50 (1) The following terms shall be construed as they are defined in
51 section 14-1: "Authorized emergency vehicle", "commissioner",
52 "driver", "fuels", "gross weight", "head lamp", "high-mileage vehicle",
53 "highway", "light weight", "limited access highway", "maintenance
54 vehicle", "motor bus", "motorcycle", "motor vehicle registration",
55 "nonresident", "nonskid device", "number plate", "officer", "operator",
56 "owner", "passenger motor vehicle", "passenger and commercial motor
57 vehicle", "person", "pneumatic tires", "pole trailer", "registration",
58 "registration number", "second offense", "semitrailer", "shoulder",
59 "solid tires", "stop", "subsequent offense", "tail lamp", "tractor", "tractor-
60 trailer unit", "trailer", "truck" and "vanpool vehicle";

61 (2) "Carrier" means (A) any local or regional school district, any
62 educational institution providing elementary or secondary education
63 or any person, firm or corporation under contract to such district or
64 institution engaged in the business of transporting [school children;]
65 students, or (B) any person, firm or corporation [providing
66 transportation for compensation exclusively to] engaged in the
67 business of transporting primarily persons under the age of twenty-
68 one years for compensation; [or (C) any corporation, institution or
69 nonprofit organization providing transportation as an ancillary service
70 primarily to persons under the age of eighteen years;]

71 (3) "Curb" includes the boundary of the traveled portion of any
72 highway, whether or not the boundary is marked by a curbstone;

73 (4) "Intersection" means the area embraced within the prolongation
74 of the lateral curb lines of two or more highways which join one
75 another at an angle, whether or not one of the highways crosses the
76 other;

77 (5) "Motor vehicle" includes all vehicles used on the public

78 highways;

79 (6) "Parking area" means lots, areas or other accommodations for the
80 parking of motor vehicles off the street or highway and open to public
81 use with or without charge;

82 (7) "Rotary" or "roundabout" means a physical barrier legally placed
83 or constructed at an intersection to cause traffic to move in a circuitous
84 course;

85 (8) "Student" means any person under the age of twenty-one years
86 who is attending a preprimary, primary or secondary school program
87 of education;

88 (9) "Student transportation vehicle" means any motor vehicle other
89 than a registered school bus used by a carrier for the transportation of
90 students [, including children requiring special education] to or from
91 school, school programs or school sponsored events; and

92 (10) "Vehicle" [is synonymous with] has the same meaning as
93 "motor vehicle".

94 Sec. 4. Section 14-1 of the 2010 supplement to the general statutes is
95 repealed and the following is substituted in lieu thereof (*Effective*
96 *October 1, 2010*):

97 Terms used in this chapter shall be construed as follows, unless
98 another construction is clearly apparent from the language or context
99 in which the term is used or unless the construction is inconsistent
100 with the manifest intention of the General Assembly:

101 [(1) "Activity vehicle" means a student transportation vehicle that is
102 used to transport students in connection with school-sponsored events
103 and activities, but is not used to transport students to and from
104 school;]

105 [(2)] (1) "Agricultural tractor" means a tractor or other form of
106 nonmuscular motive power used for transporting, hauling, plowing,

107 cultivating, planting, harvesting, reaping or other agricultural
108 purposes on any farm or other private property, or used for the
109 purpose of transporting, from one farm to another, agricultural
110 implements and farm products, provided the agricultural tractor is not
111 used on any highway for transporting a pay load or for some other
112 commercial purpose;

113 [(3)] (2) "Antique, rare or special interest motor vehicle" means a
114 motor vehicle twenty years old or older which is being preserved
115 because of historic interest and which is not altered or modified from
116 the original manufacturer's specifications;

117 [(4)] (3) "Apparent candle power" means an illumination equal to
118 the normal illumination in foot candles produced by any lamp or
119 lamps, divided by the square of the distance in feet between the lamp
120 or lamps and the point at which the measurement is made;

121 [(5)] (4) "Authorized emergency vehicle" means (A) a fire
122 department vehicle, (B) a police vehicle, or (C) a public service
123 company or municipal department ambulance or emergency vehicle
124 designated or authorized for use as an authorized emergency vehicle
125 by the commissioner;

126 [(6)] (5) "Auxiliary driving lamp" means an additional lighting
127 device on a motor vehicle used primarily to supplement the general
128 illumination in front of a motor vehicle provided by the motor
129 vehicle's head lamps;

130 [(7)] (6) "Bulb" means a light source consisting of a glass bulb
131 containing a filament or substance capable of being electrically
132 maintained at incandescence;

133 [(8)] (7) "Camp trailer" includes any trailer designed for living or
134 sleeping purposes and used exclusively for camping or recreational
135 purposes;

136 [(9)] (8) "Camp trailer registration" means the type of registration
137 issued to any trailer that is for nonbusiness use and is limited to camp

138 trailers and utility trailers;

139 [(10)] (9) "Camp vehicle" means any motor vehicle that is regularly
140 used to transport persons under eighteen years of age in connection
141 with the activities of any youth camp, as defined in section 19a-420;

142 [(11)] (10) "Camper" means any motor vehicle designed or
143 permanently altered in such a way as to provide temporary living
144 quarters for travel, camping or recreational purposes;

145 [(12)] (11) "Combination registration" means the type of registration
146 issued to a motor vehicle used for both private passenger and
147 commercial purposes if such vehicle does not have a gross vehicle
148 weight rating in excess of twelve thousand five hundred pounds;

149 [(13)] (12) "Commercial driver's license" or "CDL" means a license
150 issued to an individual in accordance with the provisions of sections
151 14-44a to 14-44m, inclusive, which authorizes such individual to drive
152 a commercial motor vehicle;

153 [(14)] (13) "Commercial driver's license information system" or
154 "CDLIS" means the national database of holders of commercial driver's
155 licenses established by the Federal Motor Carrier Safety
156 Administration pursuant to Section 12007 of the Commercial Motor
157 Vehicle Safety Act of 1986;

158 [(15)] (14) "Commercial motor vehicle" means a vehicle designed or
159 used to transport passengers or property, except a vehicle used for
160 farming purposes in accordance with 49 CFR 383.3(d), fire fighting
161 apparatus or an emergency vehicle, as defined in section 14-283, or a
162 recreational vehicle in private use, which (A) has a gross vehicle
163 weight rating of twenty-six thousand and one pounds or more, or a
164 gross combination weight rating of twenty-six thousand and one
165 pounds or more, inclusive of a towed unit or units with a gross vehicle
166 weight rating of more than ten thousand pounds; (B) is designed to
167 transport sixteen or more passengers, including the driver, or is
168 designed to transport more than ten passengers, including the driver,

169 and is used to transport students under the age of twenty-one years to
170 and from school; or (C) is transporting hazardous materials and is
171 required to be placarded in accordance with 49 CFR 172, Subpart F, as
172 amended, or any quantity of a material listed as a select agent or toxin
173 in 42 CFR Part 73;

174 [(16)] (15) "Commercial registration" means the type of registration
175 required for any motor vehicle designed or used to transport
176 merchandise, freight or persons in connection with any business
177 enterprise, unless a more specific type of registration is authorized and
178 issued by the commissioner for such class of vehicle;

179 [(17)] (16) "Commercial trailer" means a trailer used in the conduct
180 of a business to transport freight, materials or equipment whether or
181 not permanently affixed to the bed of the trailer;

182 [(18)] (17) "Commercial trailer registration" means the type of
183 registration issued to any commercial trailer;

184 [(19)] (18) "Commissioner" includes the Commissioner of Motor
185 Vehicles and any assistant to the Commissioner of Motor Vehicles who
186 is designated and authorized by, and who is acting for, the
187 Commissioner of Motor Vehicles under a designation; except that the
188 deputy commissioners of motor vehicles and the Attorney General are
189 deemed, unless the Commissioner of Motor Vehicles otherwise
190 provides, to be designated and authorized by, and acting for, the
191 Commissioner of Motor Vehicles under a designation;

192 [(20)] (19) "Controlled substance" has the same meaning as in section
193 21a-240 and the federal laws and regulations incorporated in chapter
194 420b;

195 [(21)] (20) "Conviction" means an unvacated adjudication of guilt, or
196 a determination that a person has violated or failed to comply with the
197 law in a court of original jurisdiction or an authorized administrative
198 tribunal, an unvacated forfeiture of bail or collateral deposited to
199 secure the person's appearance in court, the payment of a fine or court

200 cost, or violation of a condition of release without bail, regardless of
201 whether or not the penalty is rebated, suspended or probated;

202 [(22)] (21) "Dealer" includes any person actively engaged in buying,
203 selling or exchanging motor vehicles or trailers who has an established
204 place of business in this state and who may, incidental to such
205 business, repair motor vehicles or trailers, or cause them to be repaired
206 by persons in his or her employ;

207 [(23)] (22) "Disqualification" means a withdrawal of the privilege to
208 drive a commercial motor vehicle, which occurs as a result of (A) any
209 suspension, revocation, or cancellation by the commissioner of the
210 privilege to operate a motor vehicle; (B) a determination by the Federal
211 Highway Administration, under the rules of practice for motor carrier
212 safety contained in 49 CFR 386, as amended, that a person is no longer
213 qualified to operate a commercial motor vehicle under the standards of
214 49 CFR 391, as amended; or (C) the loss of qualification which follows
215 any of the convictions or administrative actions specified in section 14-
216 44k;

217 [(24)] (23) "Drive" means to drive, operate or be in physical control
218 of a motor vehicle, including a motor vehicle being towed by another;

219 [(25)] (24) "Driver" means any person who drives, operates or is in
220 physical control of a commercial motor vehicle, or who is required to
221 hold a commercial driver's license;

222 [(26)] (25) "Driver's license" or "operator's license" means a valid
223 Connecticut motor vehicle operator's license or a license issued by
224 another state or foreign jurisdiction authorizing the holder thereof to
225 operate a motor vehicle on the highways;

226 [(27)] (26) "Employee" means any operator of a commercial motor
227 vehicle, including full-time, regularly employed drivers, casual,
228 intermittent or occasional drivers, drivers under contract and
229 independent owner-operator contractors, who, while in the course of
230 operating a commercial motor vehicle, are either directly employed by,

231 or are under contract to, an employer;

232 [(28)] (27) "Employer" means any person, including the United
233 States, a state or any political subdivision thereof, who owns or leases
234 a commercial motor vehicle, or assigns a person to drive a commercial
235 motor vehicle;

236 [(29)] (28) "Farm implement" means a vehicle designed and adapted
237 exclusively for agricultural, horticultural or livestock-raising
238 operations and which is not operated on a highway for transporting a
239 pay load or for any other commercial purpose;

240 [(30)] (29) "Felony" means any offense as defined in section 53a-25
241 and includes any offense designated as a felony under federal law;

242 [(31)] (30) "Fatality" means the death of a person as a result of a
243 motor vehicle accident;

244 [(32)] (31) "Foreign jurisdiction" means any jurisdiction other than a
245 state of the United States;

246 [(33)] (32) "Fuels" means (A) all products commonly or
247 commercially known or sold as gasoline, including casinghead and
248 absorption or natural gasoline, regardless of their classification or uses,
249 (B) any liquid prepared, advertised, offered for sale or sold for use, or
250 commonly and commercially used, as a fuel in internal combustion
251 engines, which, when subjected to distillation in accordance with the
252 standard method of test for distillation of gasoline, naphtha, kerosene
253 and similar petroleum products by "American Society for Testing
254 Materials Method D-86", shows not less than ten per cent distilled
255 (recovered) below 347° Fahrenheit (175° Centigrade) and not less than
256 ninety-five per cent distilled (recovered) below 464° Fahrenheit (240°
257 Centigrade); provided the term "fuels" shall not include commercial
258 solvents or naphthas which distill, by "American Society for Testing
259 Materials Method D-86", not more than nine per cent at 176°
260 Fahrenheit and which have a distillation range of 150° Fahrenheit, or
261 less, or liquefied gases which would not exist as liquids at a

262 temperature of 60° Fahrenheit and a pressure of 14.7 pounds per
263 square inch absolute, and (C) any liquid commonly referred to as
264 "gasohol" which is prepared, advertised, offered for sale or sold for
265 use, or commonly and commercially used, as a fuel in internal
266 combustion engines, consisting of a blend of gasoline and a minimum
267 of ten per cent by volume of ethyl or methyl alcohol;

268 [(34)] (33) "Garage" includes every place of business where motor
269 vehicles are, for compensation, received for housing, storage or repair;

270 [(35)] (34) "Gross vehicle weight rating" or "GVWR" means the value
271 specified by the manufacturer as the maximum loaded weight of a
272 single or a combination (articulated) vehicle. The GVWR of a
273 combination (articulated) vehicle commonly referred to as the "gross
274 combination weight rating" or GCWR is the GVWR of the power unit
275 plus the GVWR of the towed unit or units;

276 [(36)] (35) "Gross weight" means the light weight of a vehicle plus
277 the weight of any load on the vehicle, provided, in the case of a tractor-
278 trailer unit, "gross weight" means the light weight of the tractor plus
279 the light weight of the trailer or semitrailer plus the weight of the load
280 on the vehicle;

281 [(37)] (36) "Hazardous materials" has the same meaning as in 49 CFR
282 383.5;

283 [(38)] (37) "Head lamp" means a lighting device affixed to the front
284 of a motor vehicle projecting a high intensity beam which lights the
285 road in front of the vehicle so that it can proceed safely during the
286 hours of darkness;

287 [(39)] (38) "High-mileage vehicle" means a motor vehicle having the
288 following characteristics: (A) Not less than three wheels in contact with
289 the ground; (B) a completely enclosed seat on which the driver sits; (C)
290 a single or two cylinder, gasoline or diesel engine or an electric-
291 powered engine; and (D) efficient fuel consumption;

292 [(40)] (39) "Highway" includes any state or other public highway,

293 road, street, avenue, alley, driveway, parkway or place, under the
294 control of the state or any political subdivision of the state, dedicated,
295 appropriated or opened to public travel or other use;

296 [(41)] (40) "Imminent hazard" means the existence of a condition that
297 presents a substantial likelihood that death, serious illness, severe
298 personal injury or a substantial endangerment to health, property, or
299 the environment may occur before the reasonably foreseeable
300 completion date of a formal proceeding begun to lessen the risk of that
301 death, illness, injury or endangerment;

302 [(42)] (41) "Intersecting highway" includes any public highway
303 which joins another at an angle whether or not it crosses the other;

304 [(43)] (42) "Light weight" means the weight of an unloaded motor
305 vehicle as ordinarily equipped and ready for use, exclusive of the
306 weight of the operator of the motor vehicle;

307 [(44)] (43) "Limited access highway" means a state highway so
308 designated under the provisions of section 13b-27;

309 [(45)] (44) "Local authorities" includes the board of aldermen,
310 common council, chief of police, warden and burgesses, board of
311 selectmen or other officials having authority for the enactment or
312 enforcement of traffic regulations within their respective towns, cities
313 or boroughs;

314 [(46)] (45) "Maintenance vehicle" means any vehicle in use by the
315 state or by any town, city, borough or district, any state bridge or
316 parkway authority or any public service company, as defined in
317 section 16-1, in the maintenance of public highways or bridges and
318 facilities located within the limits of public highways or bridges;

319 [(47)] (46) "Manufacturer" means (A) a person, whether a resident or
320 nonresident, engaged in the business of constructing or assembling
321 new motor vehicles of a type required to be registered by the
322 commissioner, for operation upon any highway, except a utility trailer,
323 which are offered for sale in this state, or (B) a person who distributes

324 new motor vehicles to new car dealers licensed in this state;

325 [(48)] (47) "Median divider" means an intervening space or physical
326 barrier or clearly indicated dividing section separating traffic lanes
327 provided for vehicles proceeding in opposite directions;

328 [(49)] (48) "Modified antique motor vehicle" means a motor vehicle
329 twenty years old or older which has been modified for safe road use,
330 including, but not limited to, modifications to the drive train,
331 suspension, braking system and safety or comfort apparatus;

332 [(50)] (49) "Motor bus" includes any motor vehicle, except a taxicab,
333 as defined in section 13b-95, operated in whole or in part on any street
334 or highway in a manner affording a means of transportation by
335 indiscriminately receiving or discharging passengers, or running on a
336 regular route or over any portion of a regular route or between fixed
337 termini;

338 [(51)] (50) "Motor home" means a vehicular unit designed to provide
339 living quarters and necessary amenities which are built into an integral
340 part of, or permanently attached to, a truck or van chassis;

341 [(52)] (51) "Motor-driven cycle" means any motorcycle, motor
342 scooter, or bicycle with attached motor with a seat height of not less
343 than twenty-six inches and a motor that produces five brake
344 horsepower or less;

345 [(53)] (52) "Motor vehicle" means any vehicle propelled or drawn by
346 any nonmuscular power, except aircraft, motor boats, road rollers,
347 baggage trucks used about railroad stations or other mass transit
348 facilities, electric battery-operated wheel chairs when operated by
349 physically handicapped persons at speeds not exceeding fifteen miles
350 per hour, golf carts operated on highways solely for the purpose of
351 crossing from one part of the golf course to another, golf-cart-type
352 vehicles operated on roads or highways on the grounds of state
353 institutions by state employees, agricultural tractors, farm implements,
354 such vehicles as run only on rails or tracks, self-propelled snow plows,

355 snow blowers and lawn mowers, when used for the purposes for
356 which they were designed and operated at speeds not exceeding four
357 miles per hour, whether or not the operator rides on or walks behind
358 such equipment, motor-driven cycles as defined in section 14-286,
359 special mobile equipment as defined in subsection (i) of section 14-165,
360 mini-motorcycles, as defined in section 14-289j, and any other vehicle
361 not suitable for operation on a highway;

362 [(54)] (53) "Motorcycle" means a motor vehicle, with or without a
363 side car, having not more than three wheels in contact with the ground
364 and a saddle or seat on which the rider sits or a platform on which the
365 rider stands, but does not include a motor-driven cycle, as defined in
366 this section, or a vehicle having or designed to have a completely
367 enclosed driver's seat and a motor which is not in the enclosed area;

368 [(55)] (54) "National Driver Registry" or "NDR" means the licensing
369 information system and database operated by the National Highway
370 Traffic Safety Administration and established pursuant to the National
371 Driver Registry Act of 1982, as amended;

372 [(56)] (55) "New motor vehicle" means a motor vehicle, the equitable
373 or legal title to which has never been transferred by a manufacturer,
374 distributor or dealer to an ultimate consumer;

375 [(57)] (56) "Nonresident" means any person whose legal residence is
376 in a state other than Connecticut or in a foreign country;

377 [(58)] (57) "Nonresident commercial driver's license" or "nonresident
378 CDL" means a commercial driver's license issued by a state to an
379 individual who resides in a foreign jurisdiction;

380 [(59)] (58) "Nonskid device" means any device applied to the tires,
381 wheels, axles or frame of a motor vehicle for the purpose of increasing
382 the traction of the motor vehicle;

383 [(60)] (59) "Number plate" means any sign or marker furnished by
384 the commissioner on which is displayed the registration number
385 assigned to a motor vehicle by the commissioner;

386 [(61)] (60) "Officer" includes any constable, state marshal, inspector
387 of motor vehicles, state policeman or other official authorized to make
388 arrests or to serve process, provided the officer is in uniform or
389 displays the officer's badge of office in a conspicuous place when
390 making an arrest;

391 [(62)] (61) "Operator" means any person who operates a motor
392 vehicle or who steers or directs the course of a motor vehicle being
393 towed by another motor vehicle and includes a driver as defined in
394 subdivision [(25)] (24) of this section;

395 [(63)] (62) "Out-of-service order" means an order (A) issued by a
396 police officer, state policeman, or motor vehicle inspector under the
397 authority of section 14-8, or by an authorized official of the United
398 States Federal Motor Carrier Safety Administration pursuant to any
399 provision of federal law, to prohibit a commercial motor vehicle from
400 being operated on any highway, or to prohibit a driver from operating
401 a commercial motor vehicle, or (B) issued by the Federal Motor Carrier
402 Safety Administration, pursuant to any provision of federal law, to
403 prohibit any motor carrier, as defined in Section 386.2 of Title 49 of the
404 Code of Federal Regulations, from engaging in commercial motor
405 vehicle operations;

406 [(64)] (63) "Owner" means any person holding title to a motor
407 vehicle, or having the legal right to register the same, including
408 purchasers under conditional bills of sale;

409 [(65)] (64) "Parked vehicle" means a motor vehicle in a stationary
410 position within the limits of a public highway;

411 [(66)] (65) "Passenger and commercial motor vehicle" means a motor
412 vehicle used for private passenger and commercial purposes which is
413 eligible for combination registration;

414 [(67)] (66) "Passenger motor vehicle" means a motor vehicle used for
415 the private transportation of persons and their personal belongings,
416 designed to carry occupants in comfort and safety, with a capacity of

417 carrying not more than ten passengers including the operator thereof;

418 [(68)] (67) "Passenger registration" means the type of registration
419 issued to a passenger motor vehicle unless a more specific type of
420 registration is authorized and issued by the commissioner for such
421 class of vehicle;

422 [(69)] (68) "Person" includes any individual, corporation, limited
423 liability company, association, copartnership, company, firm, business
424 trust or other aggregation of individuals but does not include the state
425 or any political subdivision thereof, unless the context clearly states or
426 requires;

427 [(70)] (69) "Pick-up truck" means a motor vehicle with an enclosed
428 forward passenger compartment and an open rearward compartment
429 used for the transportation of property;

430 [(71)] (70) "Pneumatic tires" means tires inflated or inflatable with
431 air;

432 [(72)] (71) "Pole trailer" means a trailer which is (A) intended for
433 transporting long or irregularly shaped loads such as poles, logs, pipes
434 or structural members, which loads are capable of sustaining
435 themselves as beams between supporting connections, and (B)
436 designed to be drawn by a motor vehicle and attached or secured
437 directly to the motor vehicle by any means including a reach, pole or
438 boom;

439 [(73)] (72) "Recreational vehicle" includes the camper, camp trailer
440 and motor home classes of vehicles;

441 [(74)] (73) "Registration" includes the certificate of motor vehicle
442 registration and the number plate or plates used in connection with
443 such registration;

444 [(75)] (74) "Registration number" means the identifying number or
445 letters, or both, assigned by the commissioner to a motor vehicle;

446 [(76)] (75) "Resident", for the purpose of registering motor vehicles,
447 includes any person who is a legal resident of this state, as the
448 commissioner may presume from the fact that such person occupies a
449 place of dwelling in this state for more than six months in a year, or
450 any person, firm or corporation owning or leasing a motor vehicle
451 used or operated in intrastate business in this state, or a firm or
452 corporation having its principal office or place of business in this state;

453 [(77)] (76) "School bus" means any school bus, as defined in section
454 14-275, including a commercial motor vehicle used to transport
455 preschool, elementary school or secondary school students from home
456 to school, from school to home, or to and from school-sponsored
457 events, but does not include a bus used as a common carrier;

458 [(78)] (77) "Second" violation or "subsequent" violation means an
459 offense committed not more than three years after the date of an arrest
460 which resulted in a previous conviction for a violation of the same
461 statutory provision, except in the case of a violation of section 14-215
462 or 14-224 or subsection (a) of section 14-227a, "second" violation or
463 "subsequent" violation means an offense committed not more than ten
464 years after the date of an arrest which resulted in a previous conviction
465 for a violation of the same statutory provision;

466 [(79)] (78) "Semitrailer" means any trailer type vehicle designed and
467 used in conjunction with a motor vehicle so that some part of its own
468 weight and load rests on or is carried by another vehicle;

469 [(80)] (79) "Serious traffic violation" means a conviction of any of the
470 following offenses: (A) Excessive speeding, involving a single offense
471 in which the speed is fifteen miles per hour or more above the posted
472 speed limit, in violation of section 14-218a or 14-219; (B) reckless
473 driving in violation of section 14-222; (C) following too closely in
474 violation of section 14-240 or 14-240a; (D) improper or erratic lane
475 changes, in violation of section 14-236; (E) driving a commercial motor
476 vehicle without a valid commercial driver's license in violation of
477 section 14-36a or 14-44a; (F) failure to carry a commercial driver's
478 license in violation of section 14-44a; (G) failure to have the proper

479 class of license or endorsement, or violation of a license restriction in
480 violation of section 14-44a; or (H) arising in connection with an
481 accident related to the operation of a commercial motor vehicle and
482 which resulted in a fatality;

483 [(81)] (80) "Service bus" includes any vehicle except a vanpool
484 vehicle or a school bus designed and regularly used to carry ten or
485 more passengers when used in private service for the transportation of
486 persons without charge to the individual;

487 [(82)] (81) "Service car" means any motor vehicle used by a
488 manufacturer, dealer or repairer for emergency motor vehicle repairs
489 on the highways of this state, for towing or for the transportation of
490 necessary persons, tools and materials to and from the scene of such
491 emergency repairs or towing;

492 [(83)] (82) "Shoulder" means that portion of a highway immediately
493 adjacent and contiguous to the travel lanes or main traveled portion of
494 the roadway;

495 [(84)] (83) "Solid tires" means tires of rubber, or other elastic material
496 approved by the Commissioner of Transportation, which do not
497 depend on confined air for the support of the load;

498 [(85)] (84) "Spot lamp" or "spot light" means a lighting device
499 projecting a high intensity beam, the direction of which can be readily
500 controlled for special or emergency lighting as distinguished from
501 ordinary road illumination;

502 [(86)] (85) "State" means any state of the United States and the
503 District of Columbia unless the context indicates a more specific
504 reference to the state of Connecticut;

505 [(87)] (86) "Stop" means complete cessation of movement;

506 [(88)] (87) "Student" means any person under the age of twenty-one
507 years who is attending a preprimary, primary or secondary school
508 program of education;

509 [(89)] (88) "Tail lamp" means a lighting device affixed to the rear of a
510 motor vehicle showing a red light to the rear and indicating the
511 presence of the motor vehicle when viewed from behind;

512 [(90)] (89) "Tank vehicle" means any commercial motor vehicle
513 designed to transport any liquid or gaseous material within a tank that
514 is either permanently or temporarily attached to the vehicle or its
515 chassis which shall include, but not be limited to, a cargo tank and
516 portable tank, as defined in 49 CFR 383.5, as amended, provided it
517 shall not include a portable tank with a rated capacity not to exceed
518 one thousand gallons;

519 [(91)] (90) "Tractor" or "truck tractor" means a motor vehicle
520 designed and used for drawing a semitrailer;

521 [(92)] (91) "Tractor-trailer unit" means a combination of a tractor and
522 a trailer or a combination of a tractor and a semitrailer;

523 [(93)] (92) "Trailer" means any rubber-tired vehicle without motive
524 power drawn or propelled by a motor vehicle;

525 [(94)] (93) "Truck" means a motor vehicle designed, used or
526 maintained primarily for the transportation of property;

527 [(95)] (94) "Ultimate consumer" means, with respect to a motor
528 vehicle, the first person, other than a dealer, who in good faith
529 purchases the motor vehicle for purposes other than resale;

530 [(96)] (95) "United States" means the fifty states and the District of
531 Columbia;

532 [(97)] (96) "Used motor vehicle" includes any motor vehicle which
533 has been previously separately registered by an ultimate consumer;

534 [(98)] (97) "Utility trailer" means a trailer designed and used to
535 transport personal property, materials or equipment, whether or not
536 permanently affixed to the bed of the trailer;

537 [(99)] (98) "Vanpool vehicle" includes all motor vehicles, the primary

538 purpose of which is the daily transportation, on a prearranged
539 nonprofit basis, of individuals between home and work, and which:
540 (A) If owned by or leased to a person, or to an employee of the person,
541 or to an employee of a local, state or federal government unit or agency
542 located in Connecticut, are manufactured and equipped in such
543 manner as to provide a seating capacity of at least seven but not more
544 than fifteen individuals, or (B) if owned by or leased to a regional ride-
545 sharing organization in the state recognized by the Commissioner of
546 Transportation, are manufactured and equipped in such manner as to
547 provide a seating capacity of at least six but not more than nineteen
548 individuals;

549 [(100)] (99) "Vehicle" includes any device suitable for the
550 conveyance, drawing or other transportation of persons or property,
551 whether operated on wheels, runners, a cushion of air or by any other
552 means. The term does not include devices propelled or drawn by
553 human power or devices used exclusively on tracks;

554 [(101)] (100) "Vehicle identification number" or "VIN" means a series
555 of Arabic numbers and Roman letters that is assigned to each new
556 motor vehicle that is manufactured within or imported into the United
557 States, in accordance with the provisions of 49 CFR 565, unless another
558 sequence of numbers and letters has been assigned to a motor vehicle
559 by the commissioner, in accordance with the provisions of section 14-
560 149;

561 [(102)] (101) "Wrecker" means a vehicle which is registered,
562 designed, equipped and used for the purposes of towing or
563 transporting wrecked or disabled motor vehicles for compensation or
564 for related purposes by a person, firm or corporation licensed in
565 accordance with the provisions of subpart (D) of part III of this chapter
566 or a vehicle contracted for the consensual towing or transporting of
567 one or more motor vehicles to or from a place of sale, purchase,
568 salvage or repair.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	14-36a(c)
Sec. 2	<i>October 1, 2010</i>	14-44(a)
Sec. 3	<i>October 1, 2010</i>	14-212
Sec. 4	<i>October 1, 2010</i>	14-1

Statement of Legislative Commissioners:

In the second paragraph of section 1(c), the reference to "A" endorsement was bracketed for consistency with the third paragraph.

TRA *Joint Favorable Subst.-LCO*

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 11 \$	FY 12 \$
Department of Motor Vehicles	TF - See Below	Minimal	Minimal

Note: TF=Transportation Fund

Municipal Impact: None

Explanation

The bill will result in the Department of Motor Vehicles (DMV) having to modify current regulations to reflect the endorsement revision in this bill. This will result in a minimal fiscal impact (less than \$5,000) to DMV.

The bill also clarifies the definition of "Carrier" and has no fiscal impact.

The Out Years

The annualized ongoing fiscal impact identified above would not continue into the future subject to inflation.

OLR Bill Analysis**SB 340*****AN ACT CONCERNING PUBLIC SERVICE LICENSE ENDORSEMENTS, ACTIVITY VEHICLES, AND THE DEFINITIONS OF "CARRIER" AND "STUDENT TRANSPORTATION VEHICLE".*****SUMMARY:**

Under motor vehicle law, a carrier includes a person, firm, or corporation that, for compensation, provides transportation exclusively to people under age 21. Carriers are subject to certain laws and regulations. This bill (1) expands the class of carriers to include those people, firms, and corporations engaged in providing transportation primarily for people under age 21 for compensation and (2) exempts from carrier laws and regulations corporations, institutions, and nonprofit organizations that do not provide transportation primarily for people younger than 18 as their main purpose.

The bill specifies that a "student transportation vehicle" is any motor vehicle, except for a registered school bus, that transports students to or from (1) school, (2) school programs, or (3) school sponsored events. It eliminates the subcategory of, and corresponding operator's license endorsement for, "activity vehicles." Under current law, these are a type of student transportation vehicle that brings students to school-sponsored events and activities, but does not bring them to or from school.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2010

CARRIER REQUIREMENTS

The bill exempts from carrier laws and regulations corporations,

institutions, and nonprofit organizations for whom transporting primarily people younger than 18 is an ancillary service. Among other things, the laws concerning carriers require the motor vehicle commissioner to regulate the (1) inspection, registration, operation and maintenance of any motor vehicle that carriers use to transport children requiring special education and (2) licensing of operators of these vehicles (CGS § 14-275c). It requires carriers to check, at least twice monthly, the commissioner's report on the status of the carrier's student transportation vehicle drivers' operator's licenses and endorsements (CGS § 14-276 (b)). It requires carriers to require student transportation vehicle operators to take urinalysis drug tests, and bars carriers from employing anyone who tests positive (CGS § 14-276a (d)).

COMMITTEE ACTION

Transportation Committee

Joint Favorable

Yea 36 Nay 0 (03/14/2010)