



Senate

General Assembly

File No. 265

February Session, 2010

Substitute Senate Bill No. 414

Senate, April 1, 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 MAKING REVISIONS TO STATUTES CONCERNING THE DEPARTMENT OF MOTOR VEHICLES.

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

1 Section 1. Subsection (o) of section 14-49 of the 2010 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2010*):

4 (o) No registration fee [or operator's license fee] shall be charged in
5 respect to any motor vehicle owned by a municipality, as defined in
6 section 7-245, any other governmental agency or a military agency and
7 used exclusively for the conduct of official business. No registration fee
8 shall be charged for any motor vehicle owned by or leased to a transit
9 district and used exclusively to provide public transportation. No fee
10 shall be charged for the registration of ambulances owned by hospitals
11 or any nonprofit civic organization approved by the commissioner, but
12 a fee of twenty dollars shall be charged for the inspection of any such
13 ambulance. No fee shall be charged for the registration of fire
14 department apparatus as provided by section 14-19. No registration fee

15 shall be charged to a disabled veteran, as defined in section 14-254,
16 residing in this state for the registration of three passenger, camper or
17 passenger and commercial motor vehicles leased or owned by such
18 veteran in any registration year, provided such vehicles shall not be
19 used for hire. No registration fee shall be charged for any motor
20 vehicle leased to an agency of this state on or after June 4, 1982.

21 Sec. 2. Subdivision (2) of subsection (g) of section 14-44j of the
22 general statutes is repealed and the following is substituted in lieu
23 thereof (*Effective July 1, 2010*):

24 (2) Any employer which knowingly permits or requires a driver to
25 operate a commercial motor vehicle in violation of an out-of-service
26 order shall be subject to [a] the civil [penalty of not less than two
27 thousand seven hundred fifty dollars or more than eleven thousand
28 dollars] penalties prescribed in 49 CFR Section 383.53, as amended
29 from time to time.

30 Sec. 3. Section 14-44k of the general statutes is repealed and the
31 following is substituted in lieu thereof (*Effective July 1, 2010*):

32 (a) A driver who is disqualified or subject to an out-of-service order
33 shall not drive a commercial motor vehicle. An employer shall not
34 knowingly permit or require a driver who is disqualified to drive a
35 commercial motor vehicle.

36 (b) In addition to any other penalties provided by law, and except as
37 provided in subsection (d) of this section, a person is disqualified from
38 operating a commercial motor vehicle for one year if convicted of [one]
39 a violation of (1) operating any motor vehicle while under the
40 influence of intoxicating liquor or drugs, or both, under section 14-
41 227a, (2) operating a commercial motor vehicle while having a blood
42 alcohol concentration of four-hundredths of one per cent, or more, (3)
43 evasion of responsibility under section 14-224, (4) using any motor
44 vehicle in the commission of any felony, as defined in section 14-1, [or]
45 (5) operating a commercial motor vehicle while the operator's
46 commercial driver's license is revoked, suspended or cancelled, or

47 while the operator is disqualified from operating a commercial motor
48 vehicle, or (6) operating a commercial motor vehicle while using a
49 hand-held mobile telephone or mobile electronic device under section
50 14-296aa. In addition to any other penalties provided by law, and
51 except as provided in subsection (d) of this section, a person is
52 disqualified from operating a commercial motor vehicle for a period of
53 not more than two years if convicted of one violation of causing a
54 fatality through the negligent or reckless operation of a commercial
55 motor vehicle, as evidenced by a conviction of a violation of section 14-
56 222a, 53a-56b, 53a-57 or 53a-60d. The disqualification periods in this
57 subsection shall also apply to convictions under the provisions of law
58 of another state, of offenses deemed by the commissioner to be
59 substantially similar to the offenses described in this subsection.

60 (c) In addition to any other penalties provided by law, and except as
61 provided in subsection (d) of this section, a person is disqualified from
62 operating a commercial motor vehicle for one year if the commissioner
63 finds that such person has refused to submit to a test to determine such
64 person's blood alcohol concentration while operating any motor
65 vehicle, or has failed such a test when given, pursuant to the
66 provisions of section 14-227b, as amended by this act, or pursuant to
67 the provisions of a law of any other state that is deemed by the
68 commissioner to be substantially similar to section 14-227b, as
69 amended by this act. For the purpose of this subsection, a person shall
70 be deemed to have failed such a test if, when driving a commercial
71 motor vehicle, the ratio of alcohol in the blood of such person was
72 four-hundredths of one per cent or more of alcohol, by weight, or if,
73 when driving any other motor vehicle, the ratio of alcohol in the blood
74 of such person was eight-hundredths of one per cent or more of
75 alcohol, by weight.

76 (d) If a person commits any of the disqualifying offenses identified
77 in subsection (b) of this section or is the subject of a finding by the
78 commissioner under subsection (c) of this section while driving a
79 vehicle transporting hazardous materials, required to be placarded
80 under the Hazardous Materials Transportation Act, 49 USC 1801 to

81 1813, inclusive, as amended, such person shall be disqualified for a
82 period of three years.

83 (e) In addition to any other penalties provided by law, a person is
84 disqualified from operating a commercial motor vehicle for (1) sixty
85 days if convicted of failure to stop at a railroad grade crossing, in
86 violation of section 14-249 or 14-250, while operating a commercial
87 motor vehicle, (2) one hundred twenty days if convicted of a second
88 violation of section 14-249 or 14-250 while operating a commercial
89 motor vehicle, and (3) one year if convicted of a third or subsequent
90 violation of section 14-249 or 14-250 while operating a commercial
91 motor vehicle, during any three-year period. The disqualification
92 periods in this subsection shall also apply to convictions under the
93 provisions of law of another state, of offenses deemed by the
94 commissioner to be substantially similar to the offenses described in
95 this subsection.

96 (f) In addition to any other penalties provided by law, a person is
97 disqualified from operating a commercial motor vehicle for a period of
98 not less than sixty days if convicted of two serious traffic violations, as
99 defined in section 14-1, or one hundred twenty days if convicted of
100 three serious traffic violations, committed while operating any motor
101 vehicle arising from separate incidents occurring within a three-year
102 period. The period of any disqualification for a subsequent offense
103 imposed under this subsection shall commence immediately after the
104 period of any other disqualification imposed on such person. The
105 disqualification periods in this subsection shall also apply to
106 convictions under the provisions of law of another state, of offenses
107 deemed by the commissioner to constitute serious traffic violations, as
108 defined in section 14-1.

109 (g) Any person who uses any motor vehicle in the commission of a
110 felony involving the manufacture, distribution or dispensing of a
111 controlled substance shall be disqualified for life.

112 (h) A person is disqualified for life if such person commits two or
113 more of the offenses specified in subsection (b) of this section, or if

114 such person is the subject of two or more findings by the commissioner
115 under subsection (c) of this section, or any combination of those
116 offenses or findings, arising from two or more separate incidents. A
117 person is disqualified for life if the commissioner takes suspension
118 actions against such person for two or more alcohol test refusals or test
119 failures, or any combination of such actions, arising from two or more
120 separate incidents. Any person disqualified for life, except a person
121 disqualified under subsection (g) of this section, who has both
122 voluntarily enrolled in and successfully completed an appropriate
123 rehabilitation program, as determined by the commissioner, may
124 apply for reinstatement of such person's commercial driver's license,
125 provided any such applicant shall not be eligible for reinstatement
126 until such time as such person has served a minimum disqualification
127 period of ten years. If a person whose commercial driver's license is
128 reinstated is subsequently convicted of another disqualifying offense,
129 such person shall be permanently disqualified for life and shall be
130 ineligible to reapply for a reduction of the lifetime disqualification.

131 (i) (1) Except as provided in subdivision (2) of this subsection, any
132 person who violates an out-of-service order shall be disqualified from
133 operating a commercial motor vehicle: (A) For a period of not less than
134 [ninety] one hundred eighty days or more than one year for a first
135 violation; (B) for a period of not less than [one year] two years or more
136 than five years for a second violation during any ten-year period,
137 where such violations arose from separate incidents; and (C) for a
138 period of not less than three years or more than five years for a third or
139 subsequent violation during any ten-year period, where such
140 violations arose from separate incidents.

141 (2) Any person who violates an out-of-service order while driving a
142 vehicle transporting hazardous materials, required to be placarded
143 under the Hazardous Materials Transportation Act, 49 USC 1801 to
144 1813, inclusive, or a commercial motor vehicle designed to transport
145 sixteen or more passengers, including the driver, shall be disqualified
146 from operating a commercial motor vehicle: (A) For a period of not less
147 than one hundred eighty days or more than two years for a first

148 violation, and (B) for a period of not less than three years or more than
149 five years for a second or subsequent violation during any ten-year
150 period, where such violations arose from separate incidents.

151 (3) In addition to the penalties provided in subdivision (1) or (2) of
152 this subsection, any person who violates an out-of-service order shall
153 be subject to [a] the civil [penalty of not less than one thousand one
154 hundred dollars or more than two thousand seven hundred fifty
155 dollars] penalties prescribed in 49 CFR Section 383.53, as amended
156 from time to time.

157 (j) Any holder of a commercial driver's license whose driving is
158 determined by the Federal Motor Carrier Safety Administration to
159 constitute an imminent hazard, as defined in section 14-1, shall be
160 disqualified from operating a commercial motor vehicle. The period of
161 disqualification may not exceed thirty days unless the commissioner is
162 satisfied that the Federal Motor Carrier Safety Administration has
163 complied with the procedures for review and hearing set forth in 49
164 CFR 383.52. The period of any disqualification imposed under this
165 subsection shall be concurrent with the period of any other
166 disqualification or suspension imposed on such commercial driver.

167 (k) After taking disqualification action, or suspending, revoking or
168 cancelling a commercial driver's license, the commissioner shall
169 update the commissioner's records to reflect such action within ten
170 days. After taking disqualification action, or suspending, revoking or
171 cancelling the operating privileges of a commercial driver who is
172 licensed in another state, the commissioner shall notify the licensing
173 state of such action within ten days. Such notification shall identify the
174 violation that caused such disqualification, suspension, cancellation or
175 revocation.

176 Sec. 4. (NEW) (*Effective from passage*) A tow dolly shall be exempt
177 from the registration requirements of chapter 246 of the general
178 statutes. As used in this section "tow dolly" means a two-wheeled
179 vehicle without motive power (1) that is towed by a motor vehicle, (2)
180 that is designed and used to tow another motor vehicle, and (3) upon

181 which the front or rear wheels of the towed motor vehicle are mounted
182 while the other wheels of the towed motor vehicle remain in contact
183 with the ground.

184 Sec. 5. Subsection (a) of section 14-22 of the general statutes is
185 repealed and the following is substituted in lieu thereof (*Effective July*
186 *1, 2010*):

187 (a) A motor vehicle registration issued pursuant to this chapter shall
188 expire in accordance with schedules established by the commissioner.
189 If the expiration date of the registration of the motor vehicle, except the
190 registration of a motor vehicle used to transport passengers for hire,
191 falls on any day when offices of the commissioner are closed for
192 business, the registration shall be deemed valid for the operation of the
193 motor vehicle until midnight of the next day on which offices of the
194 commissioner are open for business. The commissioner shall prescribe
195 the date and manner of renewing registrations. Not less than forty-five
196 days prior to the expiration of any valid registration, the
197 [commissioner] department shall [cause to be mailed] mail an
198 application for renewal to the registrant. [an application for renewal.]
199 In the case of a motor vehicle registered to a leasing company licensed
200 pursuant to section 14-15, the department may mail an application for
201 renewal of a leased vehicle to the lessee of such vehicle. Except for the
202 processing of such application at an official emissions inspection
203 station as provided in subsection (b) of this section or by telephone as
204 provided in subsection (c) of this section, the commissioner may
205 require that the application be returned by mail in order to be
206 processed and approved, with only such exceptions, on a hardship
207 basis, as shall be established by the commissioner in regulations [,]
208 adopted pursuant to chapter 54.

209 Sec. 6. Subsection (c) of section 54-56e of the general statutes is
210 repealed and the following is substituted in lieu thereof (*Effective*
211 *October 1, 2010*):

212 (c) This section shall not be applicable: (1) To any person charged
213 with a class A felony, a class B felony, except a violation of section 53a-

214 122 that does not involve the use, attempted use or threatened use of
215 physical force against another person, or a violation of section 14-227a,
216 subdivision (2) of subsection (a) of section 53-21, section 53a-56b, 53a-
217 60d, 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b, 53a-90a, 53a-
218 196e or 53a-196f, (2) to any person charged with a crime or motor
219 vehicle violation who, as a result of the commission of such crime or
220 motor vehicle violation, causes the death of another person, (3) to any
221 person accused of a family violence crime as defined in section 46b-38a
222 who (A) is eligible for the pretrial family violence education program
223 established under section 46b-38c, or (B) has previously had the
224 pretrial family violence education program invoked in such person's
225 behalf, (4) to any person charged with a violation of section 21a-267 or
226 21a-279 who (A) is eligible for the pretrial drug education program
227 established under section 54-56i, or (B) has previously had the pretrial
228 drug education program invoked in such person's behalf, (5) unless
229 good cause is shown, to any person charged with a class C felony, [or]
230 (6) to any person charged with a violation of section 9-359 or 9-359a, or
231 (7) to any person charged with a motor vehicle violation if such person
232 holds a commercial driver's license, or was operating a commercial
233 motor vehicle, as defined in section 14-1, at the time of the violation.

234 Sec. 7. Subdivision (1) of subsection (c) of section 14-100a of the
235 general statutes is repealed and the following is substituted in lieu
236 thereof (*Effective October 1, 2010*):

237 (c) (1) The operator of and any front seat passenger in [a] any motor
238 vehicle [with a gross vehicle weight rating not exceeding ten thousand
239 pounds] or fire fighting apparatus originally equipped with seat safety
240 belts complying with the provisions of [the Code of Federal
241 Regulations, Title 49, Section 571.209] 49 CFR 571.209, as amended
242 from time to time, shall wear such seat safety belt while the vehicle is
243 being operated on any highway, except as follows:

244 (A) A child six years of age and under shall be restrained as
245 provided in subsection (d) of this section;

246 (B) The operator of such vehicle shall secure or cause to be secured

247 in a seat safety belt any passenger seven years of age or older and
248 under sixteen years of age; and

249 (C) If the operator of such vehicle is under eighteen years of age,
250 such operator and each passenger in such vehicle shall wear such seat
251 safety belt while the vehicle is being operated on any highway.

252 Sec. 8. Subsection (a) of section 14-267b of the general statutes is
253 repealed and the following is substituted in lieu thereof (*Effective from*
254 *passage*):

255 (a) The provisions of subdivisions (1), (2), (3), (4) and ~~[(7)]~~ (8) of
256 subsection (b) of section ~~[14a-267a]~~ 14-267a shall not apply to any
257 motor bus, as defined in section 14-1, if such motor bus complies with
258 the weight limits specified in 23 CFR 658.17.

259 Sec. 9. Subsection (a) of section 14-16c of the general statutes is
260 repealed and the following is substituted in lieu thereof (*Effective*
261 *October 1, 2010*):

262 (a) (1) (A) Any insurance company which takes possession of a
263 motor vehicle for which a certificate of title has been issued in this
264 state, that has been declared a total loss and that is offered for sale in
265 this state by such insurance company or its agent as a result of the
266 settlement of a claim for damage or theft, shall stamp the word
267 "SALVAGE" in one-inch-high letters not to exceed three inches in
268 length on the vehicle's certificate of title and shall attach to such
269 certificate of title a copy of the appraiser's damage report for such
270 totalled motor vehicle, except that if the insurance company
271 determines that such motor vehicle has ten or more major component
272 parts which are damaged beyond repair and must be replaced, the
273 insurance company shall stamp the words "SALVAGE PARTS ONLY"
274 in one-inch-high letters not to exceed three inches in length on the
275 vehicle's certificate of title. A copy of such certificate shall be sent by
276 the insurance company to the Department of Motor Vehicles. If the
277 Commissioner of Motor Vehicles determines that salvage information
278 required to be reported by an insurance company to the National

279 Motor Vehicle Title Information System under 49 USC Sections 30501
280 to 30505, inclusive, and 28 CFR Sections 25.51 to 25.57, inclusive, is
281 available to the department on a regular basis from the National Motor
282 Vehicle Title Information System, the commissioner may discontinue
283 the requirement that an insurance company submit a copy of such
284 certificate to the department. (B) Any insurance company which takes
285 possession of a motor vehicle for which a certificate of title has been
286 issued in any state other than this state that has been declared a total
287 loss and that is offered for sale in this state by such insurance company
288 or its agent as a result of the settlement of a claim for damage or theft,
289 shall attach to such certificate of title a copy of the appraiser's damage
290 report for such totalled motor vehicle.

291 (2) (A) Any person, firm or corporation which is a self-insurer and
292 owns a motor vehicle for which a certificate of title has been issued in
293 this state, that has been declared a total loss and that is offered for sale
294 in this state by such self-insurer or its agent, shall stamp the word
295 "SALVAGE" in one-inch-high letters not to exceed three inches in
296 length on the vehicle's certificate of title and shall attach to such
297 certificate of title a copy of the appraiser's damage report for such
298 totalled motor vehicle, except that if such self-insurer determines that
299 such motor vehicle has ten or more major component parts which are
300 damaged beyond repair and must be replaced, the self-insurer shall
301 stamp the words "SALVAGE PARTS ONLY" in one-inch-high letters
302 not to exceed three inches in length on the motor vehicle's certificate of
303 title. Any person, firm or corporation which is insured other than by
304 means of self-insurance and owns such a motor vehicle, shall forward
305 the vehicle's certificate of title to the company insuring such vehicle or
306 the company paying the totalled claim. Such insurer shall stamp the
307 word "SALVAGE" in one-inch-high letters not to exceed three inches in
308 length on the certificate of title except that if the insurance company
309 determines that such motor vehicle has ten or more major component
310 parts which are damaged beyond repair and must be replaced, the
311 insurer taking possession of such motor vehicle shall stamp the words
312 "SALVAGE PARTS ONLY" in one-inch-high letters not to exceed three
313 inches in length on the motor vehicle's certificate of title and shall

314 return such certificate to such person, firm or corporation. A copy of
315 such certificate shall be sent by the person, firm or corporation to the
316 Department of Motor Vehicles. If the Commissioner of Motor Vehicles
317 determines that salvage information required to be reported by a self-
318 insurer to the National Motor Vehicle Title Information System under
319 49 USC Sections 30501 to 30505, inclusive, and 28 CFR Sections 25.51 to
320 25.57, inclusive, is available to the department on a regular basis from
321 the National Motor Vehicle Title Information System, the
322 commissioner may discontinue the requirement that a self-insurer
323 submit a copy of such certificate to the department. (B) Any person,
324 firm or corporation which is a self-insurer and owns a motor vehicle
325 for which a certificate of title has been issued in any state other than
326 this state that has been declared a total loss and that is offered for sale
327 in this state by such self-insurer or its agent, shall attach to such
328 certificate of title a copy of the appraiser's damage report for such
329 totalled motor vehicle.

330 (3) For purposes of this subsection, "major component part" shall
331 have the same meaning as provided in subdivision (2) of subsection (a)
332 of section 14-149a.

333 Sec. 10. Subsections (a) and (b) of section 14-67m of the general
334 statutes are repealed and the following is substituted in lieu thereof
335 (*Effective from passage*):

336 (a) Each motor vehicle recycler licensee shall maintain a suitable
337 office and keep accurate records of all motor vehicles or major
338 component parts thereof received, dismantled or sold. Such records
339 may be handwritten, typewritten or computer-generated. Such
340 records, vehicles and parts shall be available for inspection during
341 regular business hours by one or more representatives of the
342 Department of Motor Vehicles, the Division of State Police within the
343 Department of Public Safety or any organized local police department.
344 Such inspection shall include examination of the recycler's premises to
345 determine the accuracy of the required records. Such records shall
346 include the make, year, engine number, if any, and identification

347 number of each vehicle, the name and address of the person from
348 whom each vehicle or part was received and to whom each vehicle or
349 part was sold, if a sale occurred, and the date of such receipt and sale.
350 The records shall be maintained for a period of two years after each
351 receipt or sale. Twice a month, each such licensee shall mail to the
352 Commissioner of Motor Vehicles a list of all motor vehicles received,
353 stating the make, year, engine number, if any, and identification
354 number of each such vehicle. The list, on a form approved by the
355 commissioner, shall be mailed or delivered to the commissioner on or
356 before the twentieth day of each month, covering the first fifteen days
357 of that month, and on or before the fifth day of each month, covering
358 the sixteenth through the last day of the preceding month. A recycler
359 shall report the information contained on such lists to the National
360 Motor Vehicle Title Information System under 49 USC Section 30504.
361 Nothing in this subsection shall be construed to require the
362 department to report any of such information to said title information
363 system.

364 (b) No motor vehicle recycler licensee may receive a motor vehicle
365 unless the licensee receives the vehicle's certificate of title, if the vehicle
366 is required to have title, or a copy of the vehicle's certificate of title
367 made by an insurance company pursuant to section 14-16c, as
368 amended by this act, at the time of receipt of the vehicle. Upon receipt
369 of any such certificate or copy, such licensee shall stamp on it the word
370 "JUNKED" in one-inch-high letters not to exceed three inches in length.
371 Any certificate of title received, other than a title acquired for use in
372 connection with the licensee's business, shall accompany the list sent
373 pursuant to subsection (a) of this section. Any such copy received shall
374 be maintained for as long as the junk is on the licensee's premises. If
375 the Commissioner of Motor Vehicles determines that information
376 concerning junked motor vehicles required to be reported by a licensee
377 to the National Motor Vehicle Title Information System under 49 USC
378 Sections 30501 to 30505, inclusive, and 28 CFR Sections 25.51 to 25.57,
379 inclusive, is available to the department on a regular basis from the
380 National Motor Vehicle Title Information System, the commissioner
381 may discontinue the requirement that a licensee submit to the

382 department (1) a list of vehicles or parts received, in accordance with
383 the provisions of subsection (a) of this section, and (2) certificates of
384 title or copies of such certificates, in accordance with the provisions of
385 this subsection.

386 Sec. 11. (NEW) (*Effective October 1, 2010*) (a) Before the
387 Commissioner of Motor Vehicles issues a motor vehicle operator's
388 license, commercial driver's license or identity card to any person who
389 is not a citizen or national of the United States, the commissioner shall
390 verify that such person has been lawfully admitted for permanent or
391 temporary residence in the United States.

392 (b) The commissioner shall not accept an application for a motor
393 vehicle operator's license, commercial driver's license or identity card
394 from any person who is not a citizen or national of the United States
395 unless it is accompanied by valid, documentary evidence that the
396 person:

397 (1) Is an alien lawfully admitted for permanent or temporary
398 residence in the United States;

399 (2) Has conditional permanent resident status in the United States;

400 (3) Has an approved application for asylum in the United States or
401 has entered into the United States in refugee status;

402 (4) Has a valid, unexpired nonimmigrant visa or nonimmigrant visa
403 status for entry into the United States;

404 (5) Has a pending application for asylum in the United States;

405 (6) Has a pending or approved application for temporary protected
406 status in the United States;

407 (7) Has approved deferred action status; or

408 (8) Has a pending application for adjustment of status to that of an
409 alien lawfully admitted for (A) permanent residence in the United
410 States, or (B) conditional permanent resident status in the United

411 States.

412 (c) If an applicant for an operator's license, commercial driver's
413 license or identity card under subsection (b) of this section provides
414 evidence that such applicant has the status described in any provision
415 of subdivisions (4) to (8), inclusive, of subsection (b) of this section, or
416 otherwise indicates that such applicant's presence in the United States
417 is, pursuant to any provision of federal law, of limited duration and if
418 the commissioner determines that such applicant has satisfied all other
419 requirements for the issuance of such license, the commissioner shall
420 issue a limited-term motor vehicle operator's license, commercial
421 driver's license or identity card. Such license or identity card shall be
422 valid only during the applicant's authorized stay in the United States
423 or, if there is no definite end to the authorized period of stay, for one
424 year. The expiration date of any license or identity card issued under
425 this section shall be clearly displayed on such license or card, and shall
426 clearly indicate that it is of limited duration. The name or other means
427 of identification of the department employee who issues or renews any
428 license or identity card shall be entered into the records of the
429 department. The commissioner shall not grant an application for
430 renewal or for an extension of the term of any such license or identity
431 card unless the holder of such license or identity card presents
432 evidence that an authorized official or agency of the United States
433 government has extended such holder's period of authorized stay. The
434 fee for a motor vehicle operator's license, commercial driver's license
435 or identity card issued for a limited term shall be prorated annually in
436 accordance with the provisions of section 1-1h, 14-41 or 14-44h of the
437 general statutes, as applicable.

438 Sec. 12. Section 14-46 of the general statutes is repealed and the
439 following is substituted in lieu thereof (*Effective July 1, 2010*):

440 Any physician, [may] physician assistant licensed pursuant to
441 chapter 370 or advanced practice registered nurse licensed pursuant to
442 chapter 378 shall report to the Department of Motor Vehicles, in
443 writing, the name, age and address of any person diagnosed by him or

444 her to have any chronic health problem which in [the physician's] his
445 or her judgment will significantly affect the person's ability to safely
446 operate a motor vehicle, or to have recurrent periods of
447 unconsciousness uncontrolled by medical treatment. [Any] The Board
448 of Education and Services for the Blind or any optometrist [may] shall
449 report to the department, in writing, the name, age and address of any
450 person known by [him] the board or optometrist to have a vision
451 problem which in the board's or optometrist's judgment will
452 significantly affect the person's ability to safely operate a motor
453 vehicle. Such reports shall be for the information of the commissioner
454 in enforcing state motor vehicle laws, and shall be kept confidential
455 and used solely for the purpose of determining the eligibility of any
456 person to operate a motor vehicle on the highways of this state. No
457 civil action may be brought against any person who, in good faith,
458 provides a report pursuant to this section.

459 Sec. 13. Subdivision (2) of subsection (b) of section 14-52 of the
460 general statutes is repealed and the following is substituted in lieu
461 thereof (*Effective October 1, 2010*):

462 (2) Except as provided in subsection (c) of this section, each
463 applicant for a new car dealer's or a used car dealer's license shall
464 furnish a surety bond in the amount of [twenty] fifty thousand dollars.

465 Sec. 14. Section 14-64 of the general statutes is repealed and the
466 following is substituted in lieu thereof (*Effective July 1, 2010*):

467 The commissioner may suspend or revoke the license or licenses of
468 any licensee or impose a civil penalty of not more than one thousand
469 dollars for each violation on any licensee or both, when, after notice
470 and hearing, the commissioner finds that the licensee (1) has violated
471 any provision of any statute or regulation of any state or any federal
472 statute or regulation pertaining to its business as a licensee or has
473 failed to comply with the terms of a final decision and order of any
474 state department or federal agency concerning any such provision; or
475 (2) has failed to maintain such records of transactions concerning the
476 purchase, sale or repair of motor vehicles or major component parts, as

477 required by such regulations as shall be adopted by the commissioner,
478 for a period of two years after such purchase, sale or repairs, provided
479 the records shall include the vehicle identification number and the
480 name and address of the person from whom each vehicle or part was
481 purchased and to whom each vehicle or part was sold, if a sale
482 occurred; or (3) has failed to allow inspection of such records by the
483 commissioner or the commissioner's representative during normal
484 business hours, provided written notice stating the purpose of the
485 inspection is furnished to the licensee, or has failed to allow inspection
486 of such records by any representative of the Division of State Police
487 within the Department of Public Safety or any organized local police
488 department, which inspection may include examination of the
489 premises to determine the accuracy of such records; or (4) has made a
490 false statement as to the condition, prior ownership or prior use of any
491 motor vehicle sold, exchanged, transferred, offered for sale or repaired
492 if the licensee knew or should have known that such statement was
493 false; or (5) is not qualified to conduct the licensed business, applying
494 the standards of section 14-51 and the applicable regulations; or (6) has
495 violated any provision of sections 42-221 to 42-226, inclusive; or (7) has
496 failed to fully execute or provide the buyer with (A) an order as
497 described in section 14-62, (B) the properly assigned certificate of title,
498 or (C) a temporary transfer or new issue of registration; or (8) has
499 failed to deliver a motor vehicle free and clear of all liens, unless
500 written notification is given to the buyer stating such motor vehicle
501 shall be purchased subject to a lien; or (9) has violated any provision of
502 sections 14-65f to 14-65j, inclusive; or (10) has used registration number
503 plates issued by the commissioner, in violation of the provisions and
504 standards set forth in sections 14-59 and 14-60 and the applicable
505 regulations; or (11) has failed to secure or to account for or surrender
506 to the commissioner on demand official registration plates or any other
507 official materials in its custody; or (12) has been convicted, or if the
508 licensee is a firm or corporation, an officer or major stockholder has
509 been convicted, of a violation of any provision of laws pertaining to the
510 business of a motor vehicle dealer or repairer including a motor
511 vehicle recycler, or of any violation involving fraud, larceny or

512 deprivation or misappropriation of property, in the courts of the
513 United States or of any state, or has failed to make full disclosure of
514 any such conviction. In addition to, or in lieu of, the imposition of any
515 other penalties authorized by this section, the commissioner may order
516 any such licensee to make restitution to any aggrieved customer.

517 Sec. 15. Subsection (a) of section 14-163c of the 2010 supplement to
518 the general statutes is repealed and the following is substituted in lieu
519 thereof (*Effective July 1, 2010*):

520 (a) The Commissioner of Motor Vehicles may adopt regulations, in
521 accordance with the provisions of chapter 54, which incorporate by
522 reference the standards set forth in 49 CFR Parts 382 to 397, inclusive,
523 as amended. Such regulations, adopted by reference to the provisions
524 of 49 CFR Parts 382 to 397, inclusive, as amended, may be made
525 applicable to any motor vehicle or motor carrier, as defined in 49 CFR
526 Part 390, which (1) is in intrastate commerce and has a gross vehicle
527 weight rating or gross combination weight rating or gross vehicle
528 weight or gross combination weight of eighteen thousand one or more
529 pounds; or (2) is in interstate commerce and has a gross vehicle weight
530 rating or gross combination weight rating or gross vehicle weight or
531 gross combination weight of ten thousand one or more pounds; or (3)
532 (A) is [a service bus, as defined in section 14-1] designed or used to
533 transport more than eight passengers, including the driver, for
534 compensation, or (B) is designed or used to transport more than fifteen
535 passengers, including the driver, and is not used to transport
536 passengers for compensation; or (4) is used in the transportation of
537 hazardous materials in a quantity requiring placarding under the
538 Hazardous Materials Transportation Act, 49 USC App. 1801 to 1813,
539 inclusive, unless exempted under the provisions of the code or the
540 provisions of subsection (b) of this section.

541 Sec. 16. Section 14-36k of the 2010 supplement to the general statutes
542 is repealed and the following is substituted in lieu thereof (*Effective*
543 *from passage*):

544 If any person who is less than eighteen years of age is convicted of

545 operating a motor vehicle without an operator's license, in accordance
546 with the provisions of section 14-36 or subdivision (2) of section 14-
547 215b, the Commissioner of Motor Vehicles, upon determination that
548 such person [does] did not hold an operator's license at the time of the
549 offense, shall not issue an operator's license to such person or shall
550 suspend the operator's license of such person for a period of at least
551 one year.

552 Sec. 17. Subdivision (1) of subsection (k) of section 14-164c of the
553 2010 supplement to the general statutes is repealed and the following
554 is substituted in lieu thereof (*Effective from passage*):

555 (k) (1) The commissioner, with approval of the Secretary of the
556 Office of Policy and Management, shall establish, and from time to
557 time modify, the inspection fees, not to exceed twenty dollars for each
558 biennial inspection or reinspection required pursuant to this chapter
559 for inspections performed at official emissions inspection stations.
560 Such fees shall be paid in a manner prescribed by the commissioner. If
561 the costs to the state of the emissions inspection program, including
562 administrative costs and payments to any independent contractor,
563 exceed the income from such fees, such excess costs shall be borne by
564 the state. Any person whose vehicle has been inspected at an official
565 emissions inspection station shall, if such vehicle is found not to
566 comply with any required standards, have the vehicle repaired and
567 have the right within sixty consecutive calendar days to return such
568 vehicle to the same official emissions inspection station for one
569 reinspection without charge, provided, where the sixtieth day falls on
570 a Sunday, legal holiday or a day on which the commissioner has
571 established that special circumstances or conditions exist that have
572 caused emissions inspection to be impracticable, such person may
573 return such vehicle for reinspection on the next day. The commissioner
574 shall assess a late fee of twenty dollars for the emissions inspection of a
575 motor vehicle performed at an official emissions inspection station
576 later than thirty days after the expiration date of the assigned
577 inspection or reinspection period provided the commissioner may
578 waive such late fee when it is proven to the commissioner's satisfaction

579 that the failure to have the vehicle inspected within thirty days of the
580 assigned inspection or reinspection period was due to exigent
581 circumstances. If ownership of the motor vehicle has been transferred
582 subsequent to the expiration date of the assigned inspection or
583 reinspection period and the new owner has such motor vehicle
584 inspected within thirty days of the registration of such motor vehicle,
585 the commissioner shall waive the late fee. If the thirtieth day falls on a
586 Sunday, legal holiday or a day on which the commissioner has
587 established that special circumstances or conditions exist that have
588 caused emissions inspection to be impracticable, such vehicle may be
589 inspected on the next day and no late fee shall be assessed.

590 Sec. 18. Section 14-115a of the general statutes is repealed and the
591 following is substituted in lieu thereof (*Effective July 1, 2010*):

592 No process to compel the Commissioner of Motor Vehicles to
593 furnish a copy of [an abstract of a driver's history record] any
594 document from a motor vehicle record, as defined in section 14-10, as
595 amended by this act, of any person shall be issued unless such request
596 is in writing and unless at least seven working days have elapsed since
597 the receipt thereof by the commissioner.

598 Sec. 19. Subsection (c) of section 14-219 of the 2010 supplement to
599 the general statutes is repealed and the following is substituted in lieu
600 thereof (*Effective October 1, 2010*):

601 (c) Any person who violates any provision of subdivision (1) of
602 subsection (a) of this section or who operates a motor vehicle (1) on a
603 multiple lane, limited access highway at a rate of speed greater than
604 seventy miles per hour but not greater than eighty-five miles per hour,
605 or (2) on any other highway at a rate of speed greater than sixty miles
606 per hour but not greater than eighty-five miles per hour, shall be fined
607 not less than one hundred dollars nor more than one hundred fifty
608 dollars, provided any such person operating a [truck, as defined in
609 section 14-260n,] motor vehicle described in subsection (a) of section
610 14-163c, as amended by this act, shall be fined not less than one
611 hundred fifty dollars nor more than two hundred dollars.

612 Sec. 20. Section 14-61 of the 2010 supplement to the general statutes
613 is repealed and the following is substituted in lieu thereof (*Effective July*
614 *1, 2010*):

615 (a) Any dealer licensed under the provisions of [this] subpart (D) of
616 part III of chapter 246 who in the opinion of the commissioner is
617 qualified and sells or trades a passenger motor vehicle, motorcycle,
618 camper, camp trailer or truck with a gross vehicle weight up to and
619 including twenty-six thousand pounds to a transferee who holds a
620 current registration certificate for a passenger motor vehicle,
621 motorcycle, camper, camp trailer or truck with a gross vehicle weight
622 up to and including twenty-six thousand pounds registered in this
623 state may issue a sixty-day temporary transfer of such registration to
624 the vehicle transferred with an official stamp issued by the
625 commissioner, under regulations adopted by the commissioner, to
626 such dealer. The commissioner shall charge such dealer a fee of ten
627 dollars for each new temporary dealer transfer form furnished for the
628 purposes of this section. No dealer may make such temporary transfer
629 of a registration unless the transferee surrenders the current
630 registration certificate to the dealer indicating the disposition of the
631 vehicle described thereon in the space provided on the reverse side of
632 such certificate and unless the transferee is eighteen years of age or
633 older. The dealer shall, within five days from the issuance of such
634 temporary registration, submit to the commissioner an application
635 together with all necessary documents for a permanent registration for
636 the vehicle transferred. No such temporary registration may be issued
637 if the transferred passenger motor vehicle, motorcycle, camper, camp
638 trailer or truck with a gross vehicle weight up to and including twenty-
639 six thousand pounds is used and was not previously registered in this
640 state unless the inspection requirements of section 14-12 have been met
641 or, if such motor vehicle is ten or more years old, unless the inspection
642 requirements of section 14-16a have been met, or if such motor vehicle
643 has been declared a total loss by an insurance company, unless the
644 inspection requirements of section 14-103a have been met.

645 (b) The commissioner may require any dealer who is authorized to

646 issue a temporary transfer of registration in accordance with
647 subsection (a) of this section or a new registration in accordance with
648 subsection (c) of section 14-12 to file each application for a permanent
649 registration by electronic transmission of an electronic record if the
650 commissioner determines that the dealer files, on average, ten or more
651 such applications for permanent registration each month with the
652 Department of Motor Vehicles. The provisions of this subsection do
653 not preclude any such dealer from filing an application for a
654 permanent registration in person at any branch office of the
655 department.

656 (c) If any dealer licensed under subpart (D) of part III of chapter 246
657 holds a dealer license that is no longer valid or if any such licensed
658 dealer is no longer conducting its licensed business, such dealer shall
659 return to the commissioner, within five business days of such license
660 becoming invalid or the termination of such business, (1) any number
661 plates or other materials supplied by the commissioner to enable such
662 dealer to issue new registrations under subsection (c) of section 14-12
663 or to complete the temporary transfer of registrations under subsection
664 (a) of this section, and (2) any unused application forms for new
665 registrations or registration transfers. A violation of any provision of
666 this subsection shall be an infraction.

667 Sec. 21. Subsection (b) of section 14-58 of the 2010 supplement to the
668 general statutes is repealed and the following is substituted in lieu
669 thereof (*Effective from passage*):

670 (b) Each such licensee shall, instead of registering each motor
671 vehicle owned by such licensee or temporarily in such licensee's
672 custody, make application to the commissioner for a general
673 distinguishing number and mark, and the commissioner may issue to
674 the applicant a certificate or certificates of registration containing the
675 distinguishing number and mark assigned to such applicant, and
676 made in a form and containing any further information that the
677 commissioner may determine, and, thereupon, each motor vehicle
678 owned by the applicant or temporarily in the applicant's custody shall

679 be regarded as registered under and having assigned to it such general
680 distinguishing number and mark until sold. For the registration of all
681 motor vehicles [] registered under a general distinguishing number
682 and mark, the commissioner shall charge a fee at the rate of seventy
683 dollars per year. No new car dealer may be issued more than one such
684 registration for each ten sales transactions in a year [or] and no
685 repairer or limited repairer may be issued more than three
686 registrations in a year, unless such licensee makes application for an
687 additional registration to the commissioner, in such form and
688 containing such information as the commissioner may require to
689 substantiate such request. No used car dealer may be issued more than
690 three such registrations in a year, provided an additional registration
691 may be issued for each ten sales transactions in excess of thirty such
692 transactions upon submission of such application for an additional
693 registration. The commissioner may issue to each such licensee such
694 additional registrations as the commissioner deems necessary. The
695 commissioner may withdraw any registration previously issued or
696 may limit the number of registrations which any licensee is eligible to
697 receive or to hold, [in any case where the] if the commissioner
698 determines that a licensee does not require such number of
699 registrations or if a licensee has been found to be in violation of any of
700 the provisions of section 14-64, as amended by this act.

701 Sec. 22. Subsections (a) and (b) of section 14-41 of the 2010
702 supplement to the general statutes are repealed and the following is
703 substituted in lieu thereof (*Effective July 1, 2010*):

704 (a) Except as provided in section 14-41a, each motor vehicle
705 operator's license shall be renewed every six years or every four years
706 on the date of the operator's birthday in accordance with a schedule to
707 be established by the commissioner. Upon every other renewal of a
708 motor vehicle operator's license, the commissioner may issue such
709 license without the personal appearance of the licensee if (1) such
710 licensee has a digital image on file with the commissioner, and (2) such
711 licensee has fulfilled all other requirements for such renewal. On and
712 after July 1, 2011, the Commissioner of Motor Vehicles shall screen the

713 vision of each motor vehicle operator prior to every other renewal of
714 the operator's license of such operator in accordance with a schedule
715 adopted by the commissioner. Such screening requirement shall apply
716 to every other renewal following the initial screening. In lieu of the
717 vision screening by the commissioner, such operator may submit the
718 results of a vision screening conducted by a licensed health care
719 professional qualified to conduct such screening on a form prescribed
720 by the commissioner during the twelve months preceding such
721 renewal. No motor vehicle operator's license may be renewed unless
722 the operator passes such vision screening. The commissioner shall
723 adopt regulations, in accordance with the provisions of chapter 54, to
724 implement the provisions of this subsection related to the
725 administration of vision screening.

726 (b) An original operator's license shall expire within a period not
727 exceeding six years following the date of the operator's next birthday.
728 The fee for such original license shall be computed at the rate of forty-
729 four dollars for a four-year license, sixty-six dollars for a six-year
730 license and eleven dollars per year [for] or any part of a year. [thereof.]
731 The commissioner may authorize an automobile club or association,
732 licensed in accordance with the provisions of section 14-67 on or before
733 July 1, 2007, to perform license renewals, renewals of identity cards
734 issued pursuant to section 1-1h and registration transactions at its
735 office facilities. The commissioner may authorize such automobile
736 clubs or associations to charge a convenience fee, which shall not
737 exceed two dollars, [to each applicant] for each renewal or registration
738 transaction.

739 Sec. 23. Section 14-163 of the general statutes is repealed and the
740 following is substituted in lieu thereof (*Effective from passage*):

741 (a) The commissioner shall compile information concerning motor
742 vehicles and snowmobiles subject to property taxation pursuant to
743 section 12-71 using the records of the Department of Motor Vehicles
744 and information reported by owners of motor vehicles and
745 snowmobiles. In addition to any other information the owner of a

746 motor vehicle or snowmobile is required to file with the commissioner
747 by law, such owner shall provide the commissioner with the name of
748 the town in which such owner's motor vehicle or snowmobile is to be
749 set in the list for property tax purposes, pursuant to section 12-71. On
750 or before December 1, 2004, and annually thereafter, the commissioner
751 shall [furnish] provide to each assessor in this state a list identifying
752 motor vehicles and snowmobiles that are subject to property taxation
753 in each such assessor's town. Said list shall include the names and
754 addresses of the owners of such motor vehicles and snowmobiles,
755 [together with] and the vehicle identification numbers for all such
756 vehicles for which such numbers are available.

757 (b) On or before October 1, 2004, and annually thereafter, the
758 commissioner shall [furnish] provide to each assessor in this state a list
759 identifying motor vehicles and snowmobiles in each such assessor's
760 town that were registered subsequent to the first day of October of the
761 assessment year immediately preceding, but prior to the first day of
762 August in such assessment year, and that are subject to property
763 taxation on a supplemental list pursuant to section 12-71b. In addition
764 to the information for each such vehicle and snowmobile specified
765 under subsection (a) of this section that is available to the
766 commissioner, the list provided under this subsection shall include a
767 code related to the date of registration of each such vehicle or
768 snowmobile.

769 (c) No assessor shall disclose any information contained in any list
770 provided by the commissioner pursuant to subsections (a) and (b) of
771 this section if the commissioner is not required to provide such
772 information or if such information is protected from disclosure under
773 state or federal law.

774 Sec. 24. Subsection (a) of section 14-18 of the 2010 supplement to the
775 general statutes is repealed and the following is substituted in lieu
776 thereof (*Effective from passage*):

777 (a) (1) Each motor vehicle for which one number plate has been
778 issued shall, while in use or operation upon any public highway,

779 display in a conspicuous place at the rear of such vehicle the number
780 plate. [Each such motor vehicle shall also display a sticker on the
781 number plate or elsewhere] The commissioner may issue a sticker
782 denoting the expiration date of the registration. Such sticker shall be
783 displayed in such place on the vehicle [,] as the commissioner may
784 direct. [, denoting the expiration date of the registration.] Such sticker
785 may contain the corresponding letters and numbers of the registration
786 and number plate [, as assigned] issued by the commissioner.

787 (2) Each motor vehicle for which two number plates have been
788 issued shall, while in use or operation upon any public highway,
789 display in a conspicuous place at the front and the rear of such vehicle
790 the number plates. [Each such motor vehicle shall also display a sticker
791 on the rear number plate or elsewhere] The commissioner may issue a
792 sticker denoting the expiration date of the registration. Such sticker
793 shall be displayed in such place on the vehicle [,] as the commissioner
794 may direct. [, denoting the expiration date of the registration, which]
795 Such sticker may contain the corresponding letters and numbers of the
796 number plate [, as assigned] issued by the commissioner.

797 Sec. 25. Subsections (a) and (b) of section 14-253a of the 2010
798 supplement to the general statutes are repealed and the following is
799 substituted in lieu thereof (*Effective from passage*):

800 (a) For the purposes of this section:

801 (1) "Special license plate" means a license plate displaying the
802 international symbol of access in a size identical to that of the letters or
803 numerals on the plate and in a color that contrasts with the
804 background color of the plate;

805 (2) "Removable windshield placard" means a two-sided, hanger-
806 style placard which bears on both of its sides: (A) The international
807 symbol of access in a height of three inches or more centered on such
808 placard and colored white on a blue background; (B) a unique
809 identification number; (C) a date of expiration; and (D) a statement
810 indicating that the Connecticut Department of Motor Vehicles issued

811 such placard;

812 (3) "Temporary removable windshield placard" means a placard
813 that is the same as a removable windshield placard except that the
814 international symbol of access appears on a red background; and

815 (4) "Person with disabilities" means a person with disabilities which
816 limit or impair the ability to walk, as defined in 23 CFR [Part] Section
817 1235.2.

818 (b) The Commissioner of Motor Vehicles shall accept applications
819 and renewal applications for special license plates and removable
820 windshield placards from (1) any person who is blind, as defined in
821 section 1-1f; (2) any person with disabilities; (3) any parent or guardian
822 of any person who is blind or any person with disabilities, if such
823 person is under eighteen years of age at the time of application; (4) any
824 parent or guardian of any person who is blind or any person with
825 disabilities, if such person is unable to request or complete an
826 application; and (5) any organization which meets criteria established
827 by the commissioner and which certifies to the commissioner's
828 satisfaction that the vehicle for which a plate or placard is requested is
829 primarily used to transport persons who are blind or persons with
830 disabilities. On and after January 1, 2010, no person shall be issued a
831 placard in accordance with this section unless such person is the
832 holder of a valid motor vehicle operator's license, or identification card
833 issued in accordance with the provisions of section 1-1h. The
834 commissioner is authorized to adopt regulations for the issuance of
835 placards to persons who, by reason of hardship, do not hold or cannot
836 obtain an operator's license or identification card. The commissioner
837 shall maintain a record of each placard issued to any such person. Such
838 applications and renewal applications shall be on a form prescribed by
839 the commissioner, [and shall include certification of disability from a
840 licensed physician, physician's assistant or advanced practice
841 registered nurse, licensed in accordance with the provisions of chapter
842 378, or certification of legal blindness from the Board of Education and
843 Services for the Blind, an ophthalmologist or an optometrist. In the

844 case of persons with disabilities, the application shall also include
845 certification from a licensed physician, an advanced practice registered
846 nurse, licensed in accordance with the provisions of chapter 378, or a
847 member of the handicapped driver training unit established pursuant
848 to section 14-11b that the applicant meets the definition of persons
849 with disabilities which limit or impair the ability to walk, as defined in
850 23 CFR Section 1235.2.] In the case of persons with disabilities, the
851 application and renewal application shall include: (A) Certification by
852 a licensed physician, a physician's assistant, or an advanced practice
853 registered nurse licensed in accordance with the provisions of chapter
854 378, that the applicant is disabled; (B) certification by a licensed
855 physician, a physician's assistant, an advanced practice registered
856 nurse licensed in accordance with the provisions of chapter 378, or a
857 member of the handicapped driver training unit established pursuant
858 to section 14-11b, that the applicant meets the definition of a person
859 with a disability which limits or impairs the ability to walk, as defined
860 in 23 CFR Section 1235.2. In the case of persons who are blind, the
861 application or renewal application shall include certification of legal
862 blindness made by the Board of Education and Services for the Blind,
863 an ophthalmologist or an optometrist. Any person who makes a
864 certification required by this subsection shall sign the application or
865 renewal application under penalty of false statement pursuant to
866 section 53a-157b. The commissioner, in said commissioner's discretion,
867 may accept the discharge papers of a disabled veteran, as defined in
868 section 14-254, in lieu of such certification. The commissioner may
869 require additional certification at the time of the original application or
870 at any time thereafter. If a person who has been requested to submit
871 additional certification fails to do so within thirty days of the request,
872 or if such additional certification is deemed by the commissioner to be
873 unfavorable to the applicant, the commissioner may refuse to issue or,
874 if already issued, suspend or revoke such special license plate or
875 placard. The commissioner shall not issue more than one placard per
876 applicant. The fee for the issuance of a temporary removable
877 windshield placard shall be five dollars. Any person whose application
878 has been denied or whose special license plate or placard has been

879 suspended or revoked shall be afforded an opportunity for a hearing
880 in accordance with the provisions of chapter 54.

881 Sec. 26. Subsection (h) of section 54-56g of the 2010 supplement to
882 the general statutes is repealed and the following is substituted in lieu
883 thereof (*Effective October 1, 2010*):

884 (h) The provisions of this section shall not be applicable in the case
885 of (1) any person charged with a violation of section 14-227a while
886 operating a commercial motor vehicle, as defined in section 14-1; or (2)
887 any person charged with a violation of section 14-227a who holds a
888 commercial driver's license, as defined in section 14-1.

889 Sec. 27. Section 14-9a of the general statutes is repealed and the
890 following is substituted in lieu thereof (*Effective October 1, 2010*):

891 (a) The Department of Motor Vehicles shall, subject to the
892 provisions of section 31-51i, require each external applicant for a
893 position of employment with the department (1) to state whether the
894 applicant has ever been convicted of a crime, to state whether criminal
895 charges are pending against the applicant at the time of the application
896 and, if so, to identify the charges and court in which they are pending,
897 and (2) if offered employment with the department, to be fingerprinted
898 and to submit to state and national criminal history records checks.
899 The criminal history records checks required by this section shall be in
900 accordance with section 29-17a.

901 (b) The Department of Motor Vehicles, subject to the provisions of
902 section 31-51i and the standards set forth in 6 CFR Section 37.45, shall
903 require each employee who is involved in the manufacture or
904 production of drivers' licenses or identity cards or who has the ability
905 to affect the identity information that appears on a driver's license or
906 an identity card to submit to a background check that includes name-
907 based and fingerprint-based criminal history records checks of federal
908 and state repository records. Upon receipt of the criminal history
909 record of any such employee, the department shall evaluate such
910 record by applying the criteria set forth in 6 CFR Section 37.45(b)(1).

911 The department shall not employ any such employee with a
912 disqualifying criminal offense, as set forth in 6 CFR Section
913 37.45(b)(1)(i) or 37.45(b)(1)(ii), in a position described in this
914 subsection, and shall not employ any such employee with a
915 disqualifying condition, as set forth in 6 CFR Section 37.45(b)(1)(iii) or
916 37.45(b)(1)(iv), until such condition is no longer applicable.

917 Sec. 28. Subsection (i) of section 14-227b of the 2010 supplement to
918 the general statutes is repealed and the following is substituted in lieu
919 thereof (*Effective from passage*):

920 (i) Except as provided in subsection (j) of this section, the
921 commissioner shall suspend the operator's license or nonresident
922 operating privilege of a person who did not contact the department to
923 schedule a hearing, who failed to appear at a hearing, or against
924 whom, [after] as the result of a hearing [,] held by the commissioner
925 [held] pursuant to subsection (h) of this section, as of the effective date
926 contained in the suspension notice, [or the date the commissioner
927 renders a decision, whichever is later,] for a period of: (1) (A) Except as
928 provided in subparagraph (B) of this subdivision, ninety days, if such
929 person submitted to a test or analysis and the results of such test or
930 analysis indicated that such person had an elevated blood alcohol
931 content, (B) one hundred twenty days, if such person submitted to a
932 test or analysis and the results of such test or analysis indicated that
933 the ratio of alcohol in the blood of such person was sixteen-hundredths
934 of one per cent or more of alcohol, by weight, or (C) six months if such
935 person refused to submit to such test or analysis, (2) if such person has
936 previously had such person's operator's license or nonresident
937 operating privilege suspended under this section, (A) except as
938 provided in subparagraph (B) of this subdivision, nine months if such
939 person submitted to a test or analysis and the results of such test or
940 analysis indicated that such person had an elevated blood alcohol
941 content, (B) ten months if such person submitted to a test or analysis
942 and the results of such test or analysis indicated that the ratio of
943 alcohol in the blood of such person was sixteen-hundredths of one per
944 cent or more of alcohol, by weight, and (C) one year if such person

945 refused to submit to such test or analysis, and (3) if such person has
946 two or more times previously had such person's operator's license or
947 nonresident operating privilege suspended under this section, (A)
948 except as provided in subparagraph (B) of this subdivision, two years
949 if such person submitted to a test or analysis and the results of such
950 test or analysis indicated that such person had an elevated blood
951 alcohol content, (B) two and one-half years if such person submitted to
952 a test or analysis and the results of such test or analysis indicated that
953 the ratio of alcohol in the blood of such person was sixteen-hundredths
954 of one per cent or more of alcohol, by weight, and (C) three years if
955 such person refused to submit to such test or analysis.

956 Sec. 29. Subsection (e) of section 14-10 of the general statutes is
957 repealed and the following is substituted in lieu thereof (*Effective*
958 *October 1, 2010*):

959 (e) In the event (1) a federal court judge, federal court magistrate or
960 judge of the Superior Court, Appellate Court or Supreme Court of the
961 state, (2) a member of a municipal police department or a member of
962 the Division of State Police within the Department of Public Safety, (3)
963 an employee of the Department of Correction, (4) an attorney-at-law
964 who represents or has represented the state in a criminal prosecution,
965 (5) a member or employee of the Board of Pardons and Paroles, (6) a
966 judicial branch employee regularly engaged in court-ordered
967 enforcement or investigatory activities, (7) an inspector employed by
968 the Division of Criminal Justice, (8) a federal law enforcement officer
969 who works and resides in this state, [or] (9) a state referee under
970 section 52-434, or (10) a lake patrolman appointed pursuant to
971 subsection (a) of section 7-151b engaged in boating law enforcement,
972 submits a written request and furnishes such individual's business
973 address to the commissioner, such business address only shall be
974 disclosed or available for public inspection to the extent authorized by
975 this section.

976 Sec. 30. Subsection (f) of section 14-10 of the general statutes is
977 repealed and the following is substituted in lieu thereof (*Effective*

978 *October 1, 2010*):

979 (f) The commissioner may disclose personal information from a
980 motor vehicle record to:

981 (1) Any federal, state or local government agency in carrying out its
982 functions or to any individual or entity acting on behalf of any such
983 agency, or

984 (2) Any individual, organization or entity that signs and files with
985 the commissioner, under penalty of false statement as provided in
986 section 53a-157b, a statement on a form approved by the
987 commissioner, together with such supporting documentation or
988 information as the commissioner may require, that such information
989 will be used for any of the following purposes:

990 (A) In connection with matters of motor vehicle or driver safety and
991 theft, motor vehicle emissions, motor vehicle product alterations,
992 recalls or advisories, performance monitoring of motor vehicles and
993 dealers by motor vehicle manufacturers, motor vehicle market research
994 activities including survey research, motor vehicle product and service
995 communications and removal of nonowner records from the original
996 owner records of motor vehicle manufacturers to implement the
997 provisions of the federal Automobile Information Disclosure Act, 15
998 USC 1231 et seq., the Clean Air Act, 42 USC 7401 et seq., and 49 USC
999 Chapters 301, 305 and 321 to 331, inclusive, as amended from time to
1000 time, and any provision of the general statutes enacted to attain
1001 compliance with said federal provisions;

1002 (B) In the normal course of business by the requesting party, but
1003 only to confirm the accuracy of personal information submitted by the
1004 individual to the requesting party;

1005 (C) In connection with any civil, criminal, administrative or arbitral
1006 proceeding in any court or government agency or before any self-
1007 regulatory body, including the service of process, an investigation in
1008 anticipation of litigation by an attorney-at-law or any individual acting

1009 on behalf of an attorney-at-law and the execution or enforcement of
1010 judgments and orders, or pursuant to an order of any court provided
1011 the requesting party is a party in interest to such proceeding;

1012 (D) In connection with matters of motor vehicle or driver safety and
1013 theft, motor vehicle emissions, motor vehicle product alterations,
1014 recalls or advisories, performance monitoring of motor vehicles and
1015 motor vehicle parts and dealers, producing statistical reports and
1016 removal of nonowner records from the original owner records of
1017 motor vehicle manufacturers, provided the personal information is not
1018 published, disclosed or used to contact individuals except as permitted
1019 under subparagraph (A) of this subdivision;

1020 (E) By any insurer or insurance support organization or by a self-
1021 insured entity or its agents, employees or contractors, in connection
1022 with the investigation of claims arising under insurance policies,
1023 antifraud activities, rating or underwriting;

1024 (F) In providing any notice required by law to owners or lienholders
1025 named in the certificate of title of towed, abandoned or impounded
1026 motor vehicles;

1027 (G) By an employer or its agent or insurer to obtain or verify
1028 information relating to a holder of a passenger endorsement or
1029 commercial driver's license required under 49 USC Chapter 313, and
1030 sections 14-44 to 14-44m, inclusive;

1031 (H) In connection with any lawful purpose of a labor organization,
1032 as defined in section 31-77, provided (i) such organization has entered
1033 into a contract with the commissioner, on such terms and conditions as
1034 the commissioner may require, and (ii) the information will be used
1035 only for the purposes specified in the contract other than campaign or
1036 political purposes;

1037 (I) For bulk distribution for surveys, marketing or solicitations
1038 provided the commissioner has obtained the express consent of the
1039 individual to whom such personal information pertains;

1040 (J) For the purpose of preventing fraud by verifying the accuracy of
1041 personal information contained in a motor vehicle record, including an
1042 individual's photograph or computerized image, as submitted by an
1043 individual to a legitimate business or an agent, employee or contractor
1044 of a legitimate business, provided the individual has provided express
1045 consent in accordance with subdivision (5) of subsection (a) of this
1046 section;

1047 (K) Inclusion of personal information about persons who have
1048 indicated consent to become organ and tissue donors in a donor
1049 registry established by a procurement organization, as defined in
1050 section 19a-279a;

1051 (L) By any private detective or private detective licensed in
1052 accordance with the provisions of chapter 534, in connection with an
1053 investigation involving matters concerning motor vehicles;

1054 (M) By a state marshal, for use in the performance of duties under
1055 the provisions of section 6-38a. Such information shall be provided
1056 telephonically or electronically within a reasonable time.

1057 Sec. 31. Subsection (f) of section 52-63 of the general statutes is
1058 repealed and the following is substituted in lieu thereof (*Effective*
1059 *October 1, 2010*):

1060 (f) The officer serving such process upon the Commissioner of
1061 Motor Vehicles shall leave with the commissioner, at the time of
1062 service, a fee of [twenty] fifty dollars, which fee shall be taxed in favor
1063 of the plaintiff in his costs if he prevails in the action. The
1064 Commissioner of Motor Vehicles shall keep a record of each such
1065 process and the day and hour of service.

1066 Sec. 32. Section 14-111g of the general statutes is repealed and the
1067 following is substituted in lieu thereof (*Effective October 1, 2010*):

1068 (a) For the purposes of this subsection, "moving violation" means
1069 any violation of subsection (c) of section 14-36, section 14-36g, 14-218a,
1070 14-219, as amended by this act, 14-222, 14-223, 14-230 to 14-249,

1071 inclusive, 14-279 or 14-289b, subsection (d) of section 14-296aa, or
1072 section 14-299, 14-301, 14-302 or 14-303, and "suspension violation"
1073 means a violation of section 14-222a or 14-224, subsection (a) of section
1074 14-227a, or section 53a-56b, 53a-57 or 53a-60d. The Commissioner of
1075 Motor Vehicles may require any licensed motor vehicle operator who
1076 is twenty-four years of age or less, who has been convicted of a
1077 moving violation or a suspension violation, or both, committed on two
1078 or more occasions to attend a motor vehicle operator's retraining
1079 program. The commissioner may require any licensed motor vehicle
1080 operator over twenty-four years of age, who has been convicted of a
1081 moving violation or a suspension violation or a combination of said
1082 violations, committed on three or more occasions to attend a motor
1083 vehicle operator's retraining program. The retraining program shall (1)
1084 review principles of motor vehicle operation, (2) develop alternative
1085 attitudes for those attitudes contributing to aggressive driving
1086 behavior, and (3) emphasize the need to practice safe driving behavior.
1087 The retraining program shall be offered by the Department of Motor
1088 Vehicles or by any other organization [conducting such a program]
1089 certified by the commissioner, to conduct such a program. The
1090 commissioner shall certify the number of organizations necessary to
1091 serve the needs of the public. The commissioner shall notify such
1092 operator, in writing, of such requirement. A fee of not more than sixty
1093 dollars shall be charged for the retraining program. The commissioner,
1094 after notice and opportunity for hearing, may suspend the motor
1095 vehicle operator's license of any such operator who fails to attend or
1096 successfully complete the program until the operator successfully
1097 completes the program. The hearing shall be limited to any claim of
1098 impossibility of the operator to attend the retraining program, or to a
1099 determination of mistake or misidentification.

1100 (b) Any drivers' school, as defined in section 14-68, that meets the
1101 licensure requirements of part IV of chapter 246 shall be eligible to
1102 offer the motor vehicle operator's retraining program.

1103 [(b)] (c) The commissioner, after notification of and approval by the
1104 Secretary of the Office of Policy and Management, may deduct and

1105 retain from the fees collected in accordance with subsection (a) of this
1106 section, an amount not to exceed ten dollars per fee, for the cost of
1107 implementing the motor vehicle retraining program established in
1108 subsection (a) of this section.

1109 [(c)] (d) The commissioner shall adopt regulations in accordance
1110 with chapter 54 to implement the provisions of subsections (a) and
1111 [(b)] (c) of this section.

1112 Sec. 33. Subsection (b) of section 42-133dd of the general statutes is
1113 repealed and the following is substituted in lieu thereof (*Effective*
1114 *October 1, 2010*):

1115 (b) This section shall not apply to (1) the relocation of an existing
1116 dealer within that dealer's area of responsibility under its franchise,
1117 provided that the relocation shall not be at a site within six miles of a
1118 licensed dealer for the same line make of motor vehicle, [or] (2) the
1119 appointment of a dealer in the same relevant market area, within one
1120 year, at either the same location or within a two-mile radius from a
1121 predecessor dealer who ceased operations, or (3) the sale of new or
1122 used motor vehicles by a licensed new motor vehicle dealer at a public
1123 display of motor vehicles sponsored by an association of licensed new
1124 motor vehicle dealers representing more than seventy-five per cent of
1125 such dealers in the state. Such display shall be permitted annually, for
1126 a period not exceeding four consecutive days.

1127 Sec. 34. Section 14-111a of the general statutes is repealed. (*Effective*
1128 *July 1, 2010*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2010	14-49(o)
Sec. 2	July 1, 2010	14-44j(g)(2)
Sec. 3	July 1, 2010	14-44k
Sec. 4	from passage	New section
Sec. 5	July 1, 2010	14-22(a)
Sec. 6	October 1, 2010	54-56e(c)

Sec. 7	October 1, 2010	14-100a(c)(1)
Sec. 8	from passage	14-267b(a)
Sec. 9	October 1, 2010	14-16c(a)
Sec. 10	from passage	14-67m(a) and (b)
Sec. 11	October 1, 2010	New section
Sec. 12	July 1, 2010	14-46
Sec. 13	October 1, 2010	14-52(b)(2)
Sec. 14	July 1, 2010	14-64
Sec. 15	July 1, 2010	14-163c(a)
Sec. 16	from passage	14-36k
Sec. 17	from passage	14-164c(k)(1)
Sec. 18	July 1, 2010	14-115a
Sec. 19	October 1, 2010	14-219(c)
Sec. 20	July 1, 2010	14-61
Sec. 21	from passage	14-58(b)
Sec. 22	July 1, 2010	14-41(a) and (b)
Sec. 23	from passage	14-163
Sec. 24	from passage	14-18(a)
Sec. 25	from passage	14-253a(a) and (b)
Sec. 26	October 1, 2010	54-56g(h)
Sec. 27	October 1, 2010	14-9a
Sec. 28	from passage	14-227b(i)
Sec. 29	October 1, 2010	14-10(e)
Sec. 30	October 1, 2010	14-10(f)
Sec. 31	October 1, 2010	52-63(f)
Sec. 32	October 1, 2010	14-111g
Sec. 33	October 1, 2010	42-133dd(b)
Sec. 34	July 1, 2010	Repealer section

Statement of Legislative Commissioners:

References to sections of the Code of Federal Regulations (CFR) were made more specific. In section 9(a)(1)(A), "self-insurer" was changed to "insurance company" to avoid a conflict with provisions re self-insurers in section 9(a)(2)(A). In section 19(c), the reference to "motor vehicle or combination of motor vehicles" was changed to "motor vehicle described in subsection (a) of section 14-163c" for accuracy.

TRA *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 and OLR Bill Analysis

sSB 414

AN ACT MAKING REVISIONS TO STATUTES CONCERNING THE DEPARTMENT OF MOTOR VEHICLES.

OFA SUMMARY IMPACT:

State Impact:

Agency Affected	Fund-Effect	FY 11 \$	FY 12 \$
Department of Motor Vehicles	TF - See Below	See Below	See Below

Note: TF=Transportation Fund

Municipal Impact: None

Explanation

A section-by-section fiscal impact analysis is presented in conjunction with the bill summary.

OLR SUMMARY:

This bill:

1. requires the Department of Motor Vehicles (DMV) commissioner to verify whether applicants for driver's licenses and identity cards who are not U.S. citizens have been lawfully admitted to the U.S., and to issue limited term licenses in certain cases (§11) ;
2. requires the commissioner to conduct state and federal criminal history records checks of DMV employees who make or produce driver's licenses or identity cards or who are able to affect the identify information that appears on them (§ 27);
3. requires, rather than allows, certain health professionals to

- report to DMV health conditions that may impair an individual's ability to safely operate a motor vehicle (§12);
4. makes it a crime for certain health professionals to falsely certify in writing that a driver requires a handicapped placard (§ 25);
 5. prohibits municipal assessors from disclosing information they receive from DMV that the department is not required to disclose or is otherwise protected by state or federal law (§ 23);
 6. allows, rather than requires, the commissioner to issue registration stickers (§ 24);
 7. authorizes the commissioner to renew a driver's license without the licensee's personal appearance at every other renewal (§ 22); and
 8. bars from eligibility for the pretrial accelerated rehabilitation program individuals charged with a motor vehicle violation who (a) hold a commercial driver's license or (b) were operating a commercial motor vehicle at the time of the violation (§ 6).

The bill also makes a number of changes to laws affecting commercial driver's license (CDL) holders, seat belts, motor vehicle dealers and repairers, and motor vehicle recyclers. It also makes technical changes.

EFFECTIVE DATE: Various, see below.

§ 1 — ELIMINATES LAW BARRING DMV FROM CHARGING A DRIVER'S LICENSE FEE FOR CERTAIN VEHICLES

OFA Fiscal Impact

State Impact: None

Municipal Impact: None

Explanation

This section is not anticipated to result in any fiscal impact to the Department of Motor Vehicles (DMV).

OLR Analysis

The bill eliminates an obsolete reference to a law barring DMV from charging an operator's license fee with respect to any municipal, governmental, or military motor vehicle used exclusively to conduct official business. This change has no practical effect because operators of these vehicles must hold an operator's license that is valid for the type of vehicle they drive.

EFFECTIVE DATE: July 1, 2010

§ 2 — PENALTY FOR PERMITTING A DRIVER TO OPERATE A VEHICLE IN VIOLATION OF AN OUT-OF-SERVICE ORDER

OFA Fiscal Impact

State Impact: None

Municipal Impact: None

Explanation

Requiring the Department of Motor Vehicles (DMV) to conform out-of-service penalties to federal regulations by September 4, 2010 will not result in a fiscal impact.

OLR Analysis

The current penalty for employers who knowingly permit or require a driver to operate a commercial motor vehicle in violation of an out-of-service order is a fine of between \$2,750 and \$11,000, the same as the penalty under federal regulations (49 CFR § 383.53). The bill conforms the state penalty to the federal regulations as amended, so that the state penalty changes as the federal penalty does. An out-of-service order is a temporary prohibition against driving a commercial motor vehicle that is subject to federal motor carrier safety regulations. Commercial motor vehicles are vehicles designed or used to transport

passengers or property, including trucks with a gross vehicle weight rating of 26,001 or more pounds, certain vehicles transporting hazardous materials, and certain commercial and school buses.

EFFECTIVE DATE: July 1, 2010

§ 3 — VIOLATION OF OUT-OF-SERVICE ORDERS

OFA Fiscal Impact

State Impact: Potential Revenue Impact

Municipal Impact: None

Explanation

This section conforms various DMV penalties to the federal regulations so that the state penalties amounts are linked to the federal penalties could result in potential future revenue impact fiscal when the federal penalties are revised.

OLR Analysis

By law, a driver who is disqualified or subject to an out-of-service order cannot drive a commercial motor vehicle, and an employer cannot knowingly permit or require a driver to do so. Drivers who violate certain laws are disqualified from driving commercial motor vehicles for specific periods of time.

The bill applies the various disqualification periods applicable in some, but not all, of these cases to drivers convicted of offenses in other states that the commissioner deems substantially similar to offenses that would call for their disqualification in Connecticut. For example, it applies these disqualification periods to violations in other states that result in 60-day disqualifications in Connecticut, such as committing two or more serious traffic violations, but not to violations that result in a lifetime disqualification in Connecticut, such as using a motor vehicle to distribute a controlled substance.

By law, a person is disqualified from driving a commercial motor vehicle for one year if he or she is convicted of violating one of several specific laws. The bill adds to these violations a conviction for illegally using a hand-held cell phone or mobile electronic device while operating a commercial motor vehicle.

The bill doubles the minimum disqualification period for anyone violating most out-of-service orders from 90 to 180 days for a first violation, and from one to two years for a second violation during a 10-year period. The maximum disqualification periods, unchanged by the bill, are one year for a first violation and five years for a second violation in a 10-year period.

Drivers who violate an out-of-service order are subject to a fine of between \$1,100 and \$2,750, the same as now exists under federal law. The bill conforms these state penalties to the federal regulations as amended (49 CFR § 383.53), so that the state penalty changes as the federal penalty does.

EFFECTIVE DATE: July 1, 2010

§ 4 — TOW DOLLY EXEMPT FROM REGISTRATION

OFA Fiscal Impact

State Impact: None

Municipal Impact: None

Explanation

This section conforms statutory language to current practice into statute which has no fiscal impact.

OLR Analysis

The bill exempts a “tow dolly” from motor vehicle registration requirements. It defines a tow dolly as a two-wheeled vehicle without motive power (1) that is towed by a motor vehicle and designed and

used to tow another motor vehicle and (2) on which the front or rear wheels of the towed motor vehicle are mounted while the towed vehicle's remaining wheels stay in contact with the ground.

EFFECTIVE DATE: Upon passage

§ 5 — REGISTRATION RENEWAL APPLICATIONS FOR LEASED VEHICLES

OFA Fiscal Impact

State Impact: None

Municipal Impact: None

Explanation

This section conforms statutory language to current practice into statute which has no fiscal impact.

OLR Analysis

The bill allows DMV to mail registration renewal applications to lessees of leased vehicles that are registered to licensed leasing companies.

EFFECTIVE DATE: July 1, 2010

§ 6 — COMMERCIAL DRIVERS BARRED FROM ACCELERATED REHABILITATION

OFA Fiscal Impact

State Impact: None

Municipal Impact: None

Explanation

This section is not anticipated to result in any fiscal impact to the Department of Motor Vehicles (DMV).

OLR Analysis

The law excludes certain people charged with crimes or motor vehicle violations from eligibility for the accelerated pretrial rehabilitation program. The bill adds to those ineligible for the program individuals charged with motor vehicle violations who (1) hold a CDL or (2) were operating a commercial motor vehicle at the time the violation took place.

EFFECTIVE DATE: October 1, 2010

§ 7 — EXPANSION OF SEAT BELT REQUIREMENT**OFA Fiscal Impact**

State Impact: None

Municipal Impact: None

Explanation

This section is not anticipated to result in any fiscal impact to the Department of Motor Vehicles (DMV).

OLR Analysis

The bill eliminates the maximum weight limit on motor vehicles whose front seat passengers are required to wear seat belts, thereby requiring operators and front seat passengers to wear seat belts in any motor vehicle when it is being operated, rather than just those operators and front seat passengers in vehicles with a gross vehicle weight rating of 10,000 pounds or less.

EFFECTIVE DATE: October 1, 2010

§ 8 – Technical correction**OFA Fiscal Impact**

State Impact: None

Municipal Impact: None

Explanation

This section makes technical revision to statutory references and has no fiscal impact.

OLR Analysis

EFFECTIVE DATE: Upon passage

§ 9 — ELIMINATING A REQUIREMENT THAT DMV RECEIVE A COPY OF A CERTIFICATE OF TITLE IN CERTAIN CIRCUMSTANCES

OFA Fiscal Impact

State Impact: Minimal Savings

Municipal Impact: None

Explanation

Allowing the DMV to accept titles of motor vehicles declared a total loss filed electronically in lieu of actual copies of certificates will result in minimal savings due to operating efficiencies.

OLR Analysis

The law imposes certain requirements on insurance companies that take possession of a motor vehicle with a Connecticut title that has been declared a total loss, and which the company offers for sale in Connecticut. The requirements include attaching to the certificate of title a copy of the appraiser's damage report. Current law requires that insurance companies send a copy of this certificate to DMV. The bill allows the commissioner to discontinue the requirement that the companies send DMV this copy if he finds that salvage information federal law requires the insurance company to report to the National

Motor Vehicle Title Information System (49 CFR §§ 30501 to 30505 and 28 CFR §§ 25.51 to 25.57 is regularly available to DMV.

The bill gives the commissioner the same authority under the same conditions in the case of a self-insurer offering for sale in Connecticut a motor vehicle with Connecticut title that has been declared a total loss.

EFFECTIVE DATE: October 1, 2010

§ 10 — MOTOR VEHICLE RECYCLER REQUIREMENTS

OFA Fiscal Impact

State Impact: Minimal Savings

Municipal Impact: None

Explanation

Allowing DMV to accept recyclers' reporting filing requirements electronically in lieu of actual copies will result in minimal savings due to operating efficiencies.

OLR Analysis

Recyclers store unregistered motor vehicles no longer intended for use, and used and discarded motor vehicle parts. The law requires licensed motor vehicle recyclers to mail to DMV, twice monthly, a list of all motor vehicles received. The bill requires recyclers to also report this information to the National Motor Vehicle Title Information System (49 USC § 30504). It exempts DMV from reporting any of the information in these records to this system.

The law also requires that a licensed recycler receive a vehicle's certificate of title, or a copy of it, when receiving a motor vehicle. These certificates, or copies of them, must accompany the list of motor vehicles recyclers send to DMV. Under the bill, if the commissioner determines that information concerning junked motor vehicles the licensee must report to the National Motor Vehicle Title Information

System is regularly available to DMV from the national system, he may discontinue the requirement that licensed recyclers submit to DMV (1) the list of vehicles or parts received and (2) certificates of title or copies of these certificates.

EFFECTIVE DATE: Upon passage

§ 11 — LIMITED DURATION DRIVER'S LICENSES AND IDENTITY CARDS

OFA Fiscal Impact

State Impact: None

Municipal Impact: None

Explanation

This section conforms statutory language to Real-ID requirements into statute will not result in a fiscal impact to DMV.

OLR Analysis

The bill requires the DMV commissioner, before issuing a driver's license or identity card to anyone who is not a U.S. citizen or national, to verify that the individual has been lawfully admitted for permanent or temporary U.S. residency. An applicant for a license or identity card must submit valid, documentary evidence that he or she:

1. is an alien lawfully admitted for permanent or temporary residency in the U.S.;
2. has conditional permanent resident status;
3. has an approved application for asylum in the U.S. or has entered the U.S. in refugee status;
4. has a valid, unexpired nonimmigrant visa or nonimmigrant visa status for entry into the U.S.;

5. has a pending application for asylum in the U.S.;
6. has a pending or approved application for temporary protected status in the U.S.;
7. has approved deferred action status; or
8. has a pending application for adjustment of status to that of an alien lawfully admitted for (a) permanent residence in the U.S., or (b) conditional permanent resident status in the U.S.

The commissioner must issue a limited term license or identity card if (1) an applicant provides evidence of his or her status in any of categories 4 through 8 above, or otherwise indicates that his or her presence in the U.S. is limited by federal law and (2) the commissioner determines that the applicant has met all other statutory conditions.

This license or card is valid only during the applicant's authorized stay in the U.S. or for one year if there is no definite end to the authorized period of stay. The expiration date must be clearly displayed on the license or identity card, and clearly indicate it is of limited duration.

The bill requires DMV to record the name or use some other means of identifying DMV employees who issue or renew licenses or identity cards.

Under the bill, the commissioner cannot grant an application for renewal or extension of the license term unless the license holder presents evidence that an authorized federal official or agency has extended the license holder's period of authorized stay. The fee for a limited term license or identity card must be pro-rated annually, according to law.

EFFECTIVE DATE: October 1, 2010

§ 12 — MANDATORY REPORTING REQUIREMENTS

OFA Fiscal Impact**State Impact:** None**Municipal Impact:** None**Explanation**

This section is not anticipated to result in any fiscal impact to the Department of Motor Vehicles (DMV).

OLR Analysis

The bill requires, rather than allows, physicians to report to DMV, in writing, the name, age, and address of any patient with (1) a chronic health problem the physician believes will adversely affect his or her ability to safely operate a motor vehicle or (2) recurring periods of unconsciousness uncontrolled by medical treatment. It adds licensed physician assistants and advance practice registered nurses to those health professionals who must report this information.

It similarly requires, rather than allows, optometrists to report to DMV the name, age, and address of anyone the optometrist believes has a vision problem that would significantly affect his or her ability to safely operate a motor vehicle. It adds the Board of Education and Services for the Blind as a mandated reporter for people with vision problems.

The bill prohibits anyone from suing these mandated reporters if they make a report to DMV in good faith.

EFFECTIVE DATE: July 1, 2010

§ 13 — SURETY BOND INCREASE**OFA Fiscal Impact****State Impact:** None

Municipal Impact: None

Explanation

This section is not anticipated to result in any fiscal impact to the Department of Motor Vehicles (DMV).

OLR Analysis

The bill increases, from \$20,000 to \$50,000, the amount of a surety bond required of applicants for a new or used car dealer's license.

EFFECTIVE DATE: October 1, 2010

§ 14 — SUSPENSION OR REVOCATION OF DEALER OR REPAIRER LICENSES

OFA Fiscal Impact

Agency Affected	Fund-Effect	FY 11 \$	FY 12 \$
Department of Motor Vehicles	GF - Revenue Gain	Potential Minimal	Potential Minimal

Note: General=Transportation Fund

Municipal Impact: None

Explanation

The revenue gain from DMV impose sanctions is anticipated to be minimal (less than \$10,000) annually.

OLR Analysis

Current law authorizes the DMV commissioner to suspend or revoke the license of a motor vehicle dealer or repairer, or impose a civil penalty of up to \$1,000 per violation, for a number of specified reasons. The bill also allows him to impose these sanctions if the license holder (1) has been convicted either in federal or any state court of a violation (a) of any law pertaining to the motor vehicle dealer, repairer, or recycler business or (b) involving fraud, larceny, or deprivation or misappropriation of property; or (2) has failed to

disclose such a conviction. The commissioner may similarly impose these penalties on a licensed firm or corporation if an officer or major stockholder has been convicted of these violations. As under current law, the commissioner must first provide notice and a hearing.

EFFECTIVE DATE: July 1, 2010

§ 15 — APPLYING FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION REGULATIONS TO CERTAIN MOTOR VEHICLES

OFA Fiscal Impact

State Impact: None

Municipal Impact: None

Explanation

This section conforms statutory language to federal regulation into statute which has no fiscal impact. It also makes a technical revision to statute language which has no fiscal impact.

OLR Analysis

By law, the commissioner may adopt regulations incorporating Federal Motor Carrier Safety Administration standards and apply them to certain motor vehicles or motor carriers. The bill authorizes the commissioner to apply these federal regulations to motor vehicles designed or used to carry more than (1) eight passengers, including the driver, for compensation or (2) 15 passengers, including the driver, but not for compensation. These definitions conform to federal regulations for commercial motor vehicles (49 CFR § 390.5).

Under current law, the commissioner may apply the federal standards to all vehicles designed to transport more than 15 passengers, including the driver, regardless of whether they are transported for compensation. Current law also allows the commissioner to apply the federal standards to “service buses,” which

are vehicles, other than vanpool vehicles or school buses, designed and regularly used to carry at least 10 passengers in private service without charge to the individual (CGS § 14-1 (81)).

The bill's effect is to (1) extend the federal standards to vehicles that carry between eight and 15 passengers for compensation and (2) remove from these federal standards those vehicles carrying between 10 and 15 passengers for no compensation.

EFFECTIVE DATE: July 1, 2010

§ 16 — LICENSE SUSPENSION FOR PERSONS UNDER 18 YEARS OLD

OFA Fiscal Impact

State Impact: None

Municipal Impact: None

Explanation

This section clarifies statutory language enacted in 2009 by adding specific conditions into statute which has no fiscal impact.

OLR Analysis

Under current law, the commissioner cannot issue a driver's license for at least one year to anyone under age 18 who (1) is convicted of operating without a license and (2) does not have a license at the time of the conviction.

The bill instead bases the commissioner's action on whether the offender had a license at the time of the offense. It allows the commissioner to (1) suspend or (2) refuse to issue a driver's license, for one year, to a person under age 18 convicted of driving without a license if the commissioner determines the offender did not have a license at the time the offense occurred.

EFFECTIVE DATE: Upon passage

§ 17 — EMISSIONS RE-INSPECTION LATE FEE**OFA Fiscal Impact**

Agency Affected	Fund-Effect	FY 11 \$	FY 12 \$
Department of Motor Vehicles	TF - Revenue Gain	Potential Minimal	Potential Minimal

Note: TF=Transportation Fund

Municipal Impact: None

Explanation

The revenue gain from the late fee applied to past due emission re-inspection anticipated to be minimal (less than \$1,000) annually.

OLR Analysis

Current law imposes a \$20 late fee if a motor vehicle's emission inspection is performed more than 30 days after the initial assigned inspection date. Anyone whose motor vehicle fails its emission test may return within 60 days for a free re-inspection. The bill allows the commissioner to also charge the \$20 late fee for an emissions inspection (apparently also for an emissions re-inspection) performed more than 30 days after the expiration date of the assigned re-inspection. As with inspections, the commissioner may waive the late fee for the re-inspection if (1) he finds the delay was due to exigent circumstances or (2) ownership of the vehicle was transferred after the re-inspection, if the new owner has the vehicle inspected within 30 days of registering it.

EFFECTIVE DATE: Upon passage

§ 18 — SERVING PROCESS ON DMV**OFA Fiscal Impact**

State Impact: None

Municipal Impact: None

Explanation

This section is not anticipated to result in any fiscal impact to the

Department of Motor Vehicles (DMV).

OLR Analysis

The bill requires that any process to compel the DMV commissioner to provide a copy of any document from a motor vehicle record, as defined by law (1) must be in writing and (2) cannot be issued until at least seven working days have elapsed since the commissioner received the request for the document. Under current law, these conditions only apply to the process to compel the commissioner to provide a copy of an abstract of a driver's history record.

EFFECTIVE DATE: July 1, 2010

§ 19 — IMPOSING ENHANCED SPEEDING FINES ON COMMERCIAL VEHICLES

OFA Fiscal Impact

State Impact: None

Municipal Impact: None

OFA Fiscal Impact

Agency Affected	Fund-Effect	FY 11 \$	FY 12 \$
Judicial Dept.	GF - Revenue Gain	Minimal	Minimal
Correction, Dept.	GF - Cost	Potential	Potential

Note: GF=General Fund

Municipal Impact: None

Explanation

This section expands the types of vehicles subject to a fine of \$150 to \$200 for operating a truck on: (1) a multiple lane, limited access highway at speeds of between 70 and 85 mph, and (2) any other highway at speeds of between 60 and 85 mph. In 2008 a total of 692 truck speeding violations (traveling at speeds of 60-85 mph) were committed totaling \$182,576 collected in revenue.

OLR Analysis

The law imposes certain fines on people convicted of speeding, depending on the speed, where the speeding occurred, and the type of vehicle. The fine is between \$150 and \$200 on anyone operating a truck on (1) a multiple lane, limited access highway at speeds between 70 and 85 mph and (2) any other highway at speeds between 60 and 85 mph.

The bill expands the types of vehicles subject to the fine. It imposes the fine on anyone operating a motor vehicle (1) in intrastate commerce with a gross vehicle weight rating or gross combination weight rating of 18,001 or more pounds; (2) in interstate commerce with a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds; (3) designed or used to transport more than eight passengers, including the driver, for compensation; (4) designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or (5) used to transport hazardous materials in a quantity requiring placarding under the Hazardous Materials Transportation Act (49 USC App. 1801 et seq.), unless exempted by law.

EFFECTIVE DATE: October 1, 2010

§ 20 — DEALER’S RETURN OF NUMBER PLATES

OFA Fiscal Impact

Agency Affected	Fund-Effect	FY 11 \$	FY 12 \$
Judicial Dept.	GF - Revenue Gain	Minimal	Minimal
Correction, Dept.	GF - Cost	Potential	Potential

Note: GF=General Fund

Municipal Impact: None

Explanation

This section makes it an infraction if a licensed motor vehicle dealer does not return number plates, unused application forms and/or other materials the commissioner supplied to enable the dealer to issue new registrations, or complete the temporary transfer of registrations to the

commissioner of the Department of Motor Vehicles. An infraction is punishable by a fine of \$75 - \$136, and is payable by mail to the Centralized Infractions Bureau of the Judicial Department.¹ Any revenue gain from this infraction would be minimal.

OLR Analysis

The bill requires licensed motor vehicle dealers (1) whose dealer licenses are no longer valid or (2) who are no longer in business to return to the commissioner, within five business days of the license expiration or termination of the business, any (1) number plates or other materials the commissioner supplied to enable the dealer to issue new registrations or complete the temporary transfer of registrations and (2) unused application forms for new registrations or registration transfers. Failure to do so is an infraction.

EFFECTIVE DATE: July 1, 2010

§ 21 — LIMITING DEALERS' REGISTRATIONS

OFA Fiscal Impact

State Impact: None

Municipal Impact: None

Explanation

This section conforms statutory language to current practice into statute which has no fiscal impact.

OLR Analysis

By law, the commissioner may withdraw a registration he issued a car dealer or repairer, or limit the number of registrations that a dealer

¹ In accordance with CGS 51-164m, the judges of the Superior Court establish and maintain a schedule of fines to be paid for the violation of the sections of the general statutes deemed to be infraction. No such fine may be less than \$35 or more than \$90. In addition to this "base" fine, a cost of \$35 (pursuant to CGS 54-143a) and a fee of between \$4 and \$11 (pursuant to CGS 51-56a(c)) would be included.

or repairer may receive, in cases where the licensee has violated certain motor vehicle laws. The bill also allows him to withdraw a registration or limit the number of them a dealer or repairer may receive if the commissioner finds that the dealer or repairer does not need so many of them.

EFFECTIVE DATE: Upon passage

§ 22 — PERSONAL APPEARANCE NOT NEEDED FOR CERTAIN DRIVER'S LICENSE RENEWALS

OFA Fiscal Impact

State Impact: Minimal Savings

Municipal Impact: None

Explanation

This section conforms statutory language to Real-ID requirements into statute will not result in a fiscal impact to DMV. Allowing the AAA to renew non-driver license identity cards will result in minimal savings due to operating efficiencies.

OLR Analysis

The bill authorizes the commissioner to renew a driver's license at every other renewal without the licensee's personal appearance in cases where DMV has a digital image of the licensee on file and the licensee has fulfilled all other renewal requirements.

Current law allows automobile clubs and associations to perform license renewals at their office locations. They may charge a convenience fee of up to \$2 for each transaction. The bill allows them to also renew identity cards for non-drivers and conduct registration transactions, and to charge a maximum \$2 convenience fee for each of these transactions.

EFFECTIVE DATE: July 1, 2010

§ 23 — ASSESSORS BARRED FROM DISCLOSING CERTAIN INFORMATION

OFA Fiscal Impact

State Impact: None

Municipal Impact: None

Explanation

This section is not anticipated to result in any fiscal impact to the Department of Motor Vehicles (DMV).

OLR Analysis

By law, the commissioner must annually provide information to each municipal tax assessor for motor vehicles and snowmobiles subject to property taxes in the assessor's town. The information must include the names and addresses of the owners, and the identification number of each vehicle. The bill prohibits assessors from disclosing any information that the commissioner provides if (1) the commissioner is not required to disclose the information or (2) it is protected from disclosure under state or federal law.

EFFECTIVE DATE: Upon passage

§ 24 — REGISTRATION STICKERS

OFA Fiscal Impact

Agency Affected	Fund-Effect	FY 11 \$	FY 12 \$
Department of Motor Vehicles	TF - Savings	\$821,000	\$821,000

Note: TF=Transportation Fund

Municipal Impact: None

Explanation

Eliminating the mandatory requirement for DMV to issue

registration stickers will result an annual savings of \$821,000 to the Transportation Fund if DMV discontinues issuing new stickers.

It should be noted that a similar provision was included in sHB 5018 (the Appropriations Act, as favorably reported from the Appropriations Committee) for FY 11.

OLR Analysis

Current law requires motorists to display on their rear number plates or elsewhere on their vehicles a sticker noting the date their vehicle registration expires. The bill leaves issuance of these stickers and their placement on the vehicle to the commissioner’s discretion. It requires motorists to place such a sticker, if issued, where the commissioner directs.

EFFECTIVE DATE: Upon passage

§ 25 — HANDICAPPED PLACARDS

OFA Fiscal Impact

Agency Affected	Fund-Effect	FY 11 \$	FY 12 \$
Judicial Dept.	GF - Revenue Gain	Minimal	Minimal
Correction, Dept.	GF - Cost	Potential	Potential

Note: GF=General Fund

Municipal Impact: None

Explanation

This section classifies intentionally making a false certificate in order to receive a handicapped parking placard as a second-degree false statement, which is a class A misdemeanor punishable by up to one year in prison, a \$2,000 fine, or both. In 2008, 82 people were convicted of making a second-degree false statement, totaling \$4,660 in fines collected. To the extent that these changes concerning handicapped parking placards increase the likelihood that offenders would be prosecuted or receive harsher penalties than currently provided for, a potential revenue gain from criminal fines and potential cost for

incarceration and/or probation supervision in the community would result. On average, it costs the state \$3,736 to supervise an offender on probation in the community as compared to \$47,425 to incarcerate the offender.

OLR Analysis

By law, persons with disabilities must present certain certifications to the commissioner verifying they are eligible for handicapped parking placards when seeking or renewing a placard. People with disabilities must present certifications of disability from (1) a licensed physician, (2) physician's assistant, or (3) an advance practice registered nurse. They also must include certification that they meet the definition of a person with a disability that limits or impairs their ability to walk from (1) a licensed physician, (2) advance practice registered nurse, or (3) a member of the handicapped driver training unit. The bill adds a physician's assistant to those who can issue the latter certification. By law, people who are blind and eligible for handicapped placards require certification of legal blindness from an ophthalmologist, optometrist, or the Board of Education and Services for the Blind.

The bill requires that people who make these certifications sign the application or renewal application under the penalty of second-degree false statement (CGS § 53a-157b). A person is guilty of this crime if he or she intentionally makes a false written statement under oath or on a form bearing notice to the effect that a false statement is punishable, which he or she does not believe to be true and is intended to mislead a public servant in his official function. Second-degree false statement is a class A misdemeanor punishable by up to one year in prison, a fine of up to \$2,000, or both.

EFFECTIVE DATE: Upon passage

§ 26 — CDL HOLDERS INELIGIBLE FOR PRETRIAL ALCOHOL EDUCATION PROGRAM.

OFA Fiscal Impact**State Impact:** None**Municipal Impact:** None**Explanation**

This section conforms statutory language to current practice and federal requirements into statute which has no fiscal impact.

OLR Analysis

The bill prohibits anyone with a commercial driver's license who is charged with driving under the influence from taking part in the pretrial alcohol education program, regardless of whether they were operating a commercial motor vehicle. The law already prohibits drivers from taking part in the program if they were operating a commercial motor vehicle when they were charged with driving under the influence.

EFFECTIVE DATE: October 1, 2010

§ 27 — CRIMINAL BACKGROUND CHECK FOR DMV EMPLOYEES**OFA FISCAL IMPACT****State Impact:** None**Municipal Impact:** None**Explanation**

This section conforms statutory language to Real-ID requirements into statute will not result in a fiscal impact to DMV. A federal grant to assist states to comply with Real-ID requirements will fund the background check for about 250 DMV employees.

OLR Analysis

Current law requires DMV to subject new employees to state and national criminal history records checks. The bill requires DMV to run formal background checks on all employees who make or produce driver's licenses or identity cards or who have the ability to affect the identity information that appears on them. DMV must conduct a background check that includes name- and fingerprint-based criminal history records checks of federal and state records to determine if the employee has a disqualifying criminal offense under federal law or a disqualifying condition.

DMV must evaluate the criminal history record of any such employee according to the criteria set forth in federal law. If DMV determines such an employee has been convicted of a disqualifying crime, the employee cannot remain employed in such a position. If the employee is found subject to any disqualifying condition, the employee cannot be employed in that position until the disqualifying condition no longer applies.

Federal law (6 CFR § 37.45 (b) (1) and 49 CFR § 1572.103) lists permanent and interim disqualifying crimes. Permanent disqualifying crimes include espionage, sedition, treason, terrorism, and murder. Interim disqualifying crimes include assault with intent to murder, kidnapping, hostage taking, and rape. An interim crime is disqualifying if the employee (1) was convicted of the crime or admits having committed acts that constitute the crime's essential elements in the seven years preceding the date of employment in the covered position or (2) was released from prison within five years before the start of employment in the covered position.

Under federal law (6 CFR § 37.45 (b) (1) (iii) and (iv)), an employee who is wanted or under indictment for a permanent or interim disqualifying crime is disqualified from employment until he or she is no longer wanted or the warrant is released. When a fingerprint-based check finds an arrest for a disqualifying crime without noting a disposition, the state must determine the charge's disposition.

EFFECTIVE DATE: October 1, 2010

§ 28 — LICENSE SUSPENSION DEADLINE**OFA Fiscal Impact****State Impact:** None**Municipal Impact:** None**Explanation**

This section conforms statutory language to current practice into statute which has no fiscal impact.

OLR Analysis

By law, the DMV commissioner must suspend the driver's license of a person arrested for driving under the influence who refuses to take a breath test or whose test results indicate an elevated blood alcohol level (administrative per se). A driver whose license has been suspended is entitled to a hearing. Current law requires the commissioner to suspend the driver's license or nonresident operating privilege of a person (1) who fails to contact DMV to schedule a hearing, (2) fails to appear at the hearing, or (3) against whom the commissioner rendered a decision, by either (a) the effective date of the suspension notice or (b) the date the commissioner renders a decision against the driver, whichever is later. The bill requires him to suspend the license or operating privilege by the suspension notice's effective date.

EFFECTIVE DATE: Upon passage

§ 29 — EXEMPTION FOR LAKE PATROLMEN**OFA Fiscal Impact****State Impact:** None**Municipal Impact:** None**Explanation**

This section is not anticipated to result in any fiscal impact to the Department of Motor Vehicles (DMV).

OLR Analysis

The bill adds lake patrolmen enforcing boating laws to those people, such as judges and law enforcement officers, who may ask the DMV commissioner, in writing, to disclose or make publicly available their business address rather than home address. Lake patrolmen are appointed by the environmental protection commissioner (CGS § 7-151b).

EFFECTIVE DATE: October 1, 2010

§ 30 — STATE MARSHALS ENTITLED TO INFORMATION FROM DMV RECORDS

OFA Fiscal Impact

Agency Affected	Fund-Effect	FY 11 \$	FY 12 \$
Department of Motor Vehicles	TF - Cost	\$250,000	\$35,000 to \$50,000

Note: TF=Transportation Fund

Municipal Impact: None

Explanation

There is a one-time cost of \$250,000 in FY 11 and an on-going cost between \$35,000 and \$50,000 beginning in FY 12 to DMV to provide online access to motor vehicle records to state marshals. The one-time \$250,000 cost is for DMV to hire a consultant to develop and implement the mandated online access system. The on-going costs for software license, maintenance and for fees charged by DOIT and COLLECT is anticipated to be in the range of \$35,000 to \$50,000 annually.

OLR Analysis

The bill adds state marshals to those people to whom the commissioner may lawfully disclose personal information from motor

vehicle records. The state marshal may only use the information in executing or serving process according to law. The commissioner must provide the information by telephone or electronically within a reasonable time.

The law already allows the commissioner to disclose personal information from a motor vehicle record to individuals or organizations that require the information in connection with any civil, criminal, administrative, or arbitral proceeding, including the service of process.

By law, anyone seeking the information must sign and file with DMV, under penalty of false statement (CGS § 53a-157b), a statement that the information will only be used for the purpose allowed.

EFFECTIVE DATE: October 1, 2010

§ 31 — PROCESS SERVER’S FEE

OFA Fiscal Impact

Agency Affected	Fund-Effect	FY 11 \$	FY 12 \$
Department of Motor Vehicles	GF - Revenue Gain	\$130,000	\$130,000

Note: GF=General Fund

Municipal Impact: None

Explanation

Increasing the fee from \$20 to \$50 is expected to result in an annual revenue gain of \$130,000 to the General Fund.

OLR Analysis

By law, drivers and owners are deemed to have authorized the commissioner to receive process in a civil action resulting from the operator’s or owner’s negligence or alleged negligence in the operation of a motor vehicle. The bill increases, from \$20 to \$50, the fee the serving officer must leave with the commissioner. As under current law, the fee is taxed in the plaintiff’s favor if he prevails in the legal

action.

EFFECTIVE DATE: October 1, 2010

§ 32 —DRIVER’S RETRAINING PROGRAM

OFA Fiscal Impact

State Impact: None

Municipal Impact: None

Explanation

This section is not anticipated to result in any fiscal impact to the Department of Motor Vehicles (DMV).

OLR Analysis

Current law allows the commissioner to require that violators of certain motor vehicle laws attend a motor vehicle operator’s retraining program. The program is offered by DMV or by any organization that conducts a program the commissioner certifies. The bill requires the commissioner to certify the number of such organizations needed to serve the public, and makes licensed driver’s schools eligible to offer such a program.

EFFECTIVE DATE: October 1, 2010

§ 33 — ESTABLISHMENT OF NEW FRANCHISES IN A MARKET AREA

OFA Fiscal Impact

State Impact: None

Municipal Impact: None

Explanation

This section is not anticipated to result in any fiscal impact to the Department of Motor Vehicles (DMV).

OLR Analysis

Certain notice and hearing requirements apply to manufacturers or distributors seeking to enter into a franchise establishing a new dealer or relocating an existing dealer into a relevant market area where the same motor vehicle line make is represented. These requirements do not apply in certain cases. The bill adds to the exemptions from these requirements the sale of new or used motor vehicles by a licensed new motor vehicle dealer at a public display of motor vehicles sponsored by an association of licensed new motor vehicle dealers representing more than 75% of these dealers in the state. These displays must be permitted annually for up to four consecutive days.

EFFECTIVE DATE: October 1, 2010

§ 34 — REPEAL OF LAW BARRING MINORS FROM POSSESSING ALCOHOL IN A MOTOR VEHICLE**OFA Fiscal Impact**

State Impact: None

Municipal Impact: None

Explanation

This section is not anticipated to result in any fiscal impact to the Department of Motor Vehicles (DMV).

OLR Analysis

The bill repeals the law making it illegal for minors to possess alcohol in a motor vehicle. Under the law, the minor may be summoned for a hearing at DMV, and his or her driver's license revoked for up to 60 days. Another law prohibits minors from possessing alcoholic liquor on a public street or highway (CGS § 30-89 (b)). Under this law, a first offense is an infraction, and subsequent offenses subject the minor to fines of between \$200 and \$500.

EFFECTIVE DATE: July 1, 2010

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 36 Nay 0 (03/16/2010)