



General Assembly

Substitute Bill No. 64

February Session, 2010

* _____SB00064LAB__030410_____*

**AN ACT CONCERNING THE DENIAL OF UNEMPLOYMENT
COMPENSATION BENEFITS TO CERTAIN DRIVERS WHO ARE
UNEMPLOYED AS A RESULT OF BEING DENIED A SPECIAL
OPERATOR'S PERMIT.**

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

1 Section 1. Section 14-37a of the 2010 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2010*):

4 (a) Any person whose operator's license has been suspended
5 pursuant to any provision of this chapter or chapter 248, except
6 pursuant to section 14-215 for operating under suspension or pursuant
7 to section 14-140 for failure to appear for any scheduled court
8 appearance, and any person identified in subsection (g) of this section
9 may make application to the Commissioner of Motor Vehicles for (1) a
10 special "work" permit to operate a motor vehicle to and from such
11 person's place of employment or, if such person is not employed at a
12 fixed location, to operate a motor vehicle only in connection with, and
13 to the extent necessary, to properly perform such person's business or
14 profession, or (2) a special "education" permit to operate a motor
15 vehicle to and from an accredited institution of higher education in
16 which such person is enrolled.

17 (b) The commissioner may, in the commissioner's discretion upon a

18 showing of significant hardship, grant each such application that is
19 submitted in proper form and contains such information and
20 attestation by the applicant as the commissioner may require. With
21 respect to an application for an education permit, an applicant shall
22 also be required to submit a schedule of the time and location of all
23 classes or other required educational activities attended by such
24 applicant. Such schedule shall be attested to by the registrar of such
25 educational institution. In determining whether to grant such
26 application, the commissioner may also consider the driving record of
27 the applicant and shall ascertain that the suspension is a final order
28 that is not under appeal pursuant to section 4-183. A special operator's
29 permit shall not be issued pursuant to this section to any person for the
30 operation of a motor vehicle for which a public passenger
31 transportation permit, livery license or permit or commercial driver's
32 license is required or to any person whose operator's license has been
33 suspended previously pursuant to section 14-227a or 14-227b. A
34 special operator's permit shall not be issued pursuant to this section to
35 any person whose operator's license has been suspended pursuant to
36 subparagraph (C) of subdivision (1) of subsection (i) of section 14-227b
37 for refusing to submit to a blood, breath or urine test or analysis until
38 such operator's license has been under suspension for a period of not
39 less than ninety days. A person shall not be ineligible to be issued a
40 special operator's permit under this section solely on the basis of being
41 convicted of two violations of section 14-227a unless such second
42 conviction is for a violation committed after a prior conviction. No
43 individual whose operator's license has been suspended previously
44 pursuant to section 14-227a or 14-227b, who becomes unemployed as a
45 result of being denied a special operator's permit pursuant to this
46 section, shall be eligible to collect unemployment compensation
47 benefits pursuant to chapter 567.

48 (c) A special operator's permit issued pursuant to this section shall
49 be of a distinctive format and shall include the expiration date and the
50 legend "work only" or "education only".

51 (d) Any person issued a special operator's permit pursuant to this

52 section who operates a motor vehicle during the period of the permit
53 for a purpose not authorized by the conditions of the permit shall,
54 upon receipt of written report of a police officer, in such form as the
55 commissioner may prescribe, of such unauthorized operation, be
56 subject to a civil penalty of not more than five hundred dollars. Any
57 person who makes improper use of a special operator's permit issued
58 pursuant to this section or in any manner alters any such permit or
59 who loans or sells such permit for use by another person shall be
60 subject to the penalties provided by section 14-147.

61 (e) If a person issued a special operator's permit pursuant to this
62 section has his operator's license suspended by the commissioner in
63 connection with any motor vehicle violation or other offense for which
64 suspension action is authorized, the special operator's permit shall be
65 deemed revoked on the effective date of such suspension, and any
66 such person with notice of the suspension who operates a motor
67 vehicle shall be operating under suspension and shall be subject to
68 double the penalties provided by the applicable provisions of
69 subsection (b) of section 14-111 and section 14-215.

70 (f) Any decision made by the commissioner under this section shall
71 not be subject to appeal pursuant to the provisions of chapter 54 or any
72 other provisions of the general statutes.

73 (g) Any person who is an applicant for a motor vehicle operator's
74 license and whose license or privilege to operate a motor vehicle has
75 been restricted by any other state in a manner that the commissioner
76 deems to be substantially similar to the restrictions imposed by a
77 special operator's permit issued in accordance with this section, may,
78 in the discretion of the commissioner, be issued an operator's license
79 together with a special operator's permit. The special operator's permit
80 shall be required to be held by such person for such time as the
81 commissioner prescribes.

82 (h) The commissioner may adopt regulations in accordance with the
83 provisions of chapter 54 to implement the provisions of this section.

84 Sec. 2. (NEW) (*Effective October 1, 2010*) No individual whose
85 operator's license has been suspended previously pursuant to section
86 14-227a or 14-227b of the general statutes, who becomes unemployed
87 as a result of being denied a special operator's permit pursuant to
88 section 14-37a of the general statutes, as amended by this act, shall be
89 eligible to collect unemployment compensation benefits pursuant to
90 chapter 567 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	14-37a
Sec. 2	<i>October 1, 2010</i>	New section

LAB *Joint Favorable Subst.*

Statement of Legislative Commissioners:

In line 31, "or permit" was added for accuracy and to achieve the intent of the committee.