



General Assembly

**Substitute Bill No. 414**

February Session, 2010

\* \_\_\_\_\_SB00414TRA\_\_031610\_\_\_\_\_\*

**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2 the general statutes is repealed and the following is substituted in lieu  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22 general statutes is repealed and the following is substituted in lieu  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 Section 14-44k of the general statutes is repealed and the  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	<i>July 1, 2010</i>	14-49(o)
Sec. 2	<i>July 1, 2010</i>	14-44j(g)(2)
Sec. 3	<i>July 1, 2010</i>	14-44k
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>July 1, 2010</i>	14-22(a)
Sec. 6	<i>October 1, 2010</i>	54-56e(c)
Sec. 7	<i>October 1, 2010</i>	14-100a(c)(1)
Sec. 8	<i>from passage</i>	14-267b(a)
Sec. 9	<i>October 1, 2010</i>	14-16c(a)
Sec. 10	<i>from passage</i>	14-67m(a) and (b)
Sec. 11	<i>October 1, 2010</i>	New section
Sec. 12	<i>July 1, 2010</i>	14-46
Sec. 13	<i>October 1, 2010</i>	14-52(b)(2)
Sec. 14	<i>July 1, 2010</i>	14-64
Sec. 15	<i>July 1, 2010</i>	14-163c(a)
Sec. 16	<i>from passage</i>	14-36k
Sec. 17	<i>from passage</i>	14-164c(k)(1)
Sec. 18	<i>July 1, 2010</i>	14-115a
Sec. 19	<i>October 1, 2010</i>	14-219(c)
Sec. 20	<i>July 1, 2010</i>	14-61
Sec. 21	<i>from passage</i>	14-58(b)
Sec. 22	<i>July 1, 2010</i>	14-41(a) and (b)
Sec. 23	<i>from passage</i>	14-163
Sec. 24	<i>from passage</i>	14-18(a)
Sec. 25	<i>from passage</i>	14-253a(a) and (b)
Sec. 26	<i>October 1, 2010</i>	54-56g(h)
Sec. 27	<i>October 1, 2010</i>	14-9a
Sec. 28	<i>from passage</i>	14-227b(i)
Sec. 29	<i>October 1, 2010</i>	14-10(e)
Sec. 30	<i>October 1, 2010</i>	14-10(f)
Sec. 31	<i>October 1, 2010</i>	52-63(f)
Sec. 32	<i>October 1, 2010</i>	14-111g
Sec. 33	<i>October 1, 2010</i>	42-133dd(b)
Sec. 34	<i>July 1, 2010</i>	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.*