



# House of Representatives

**File No. 869**

General Assembly

January Session, 2011

**(Reprint of File No. 395)**

Substitute House Bill No. 6581  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
June 2, 2011

## **AN ACT MAKING REVISIONS TO MOTOR VEHICLE STATUTES.**

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

1 Section 1. Subsection (b) of section 1-1h of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July*  
3 *1, 2011*):

4 (b) An identity card shall expire within a period not exceeding six  
5 years from the date of issuance of such card. Each such card shall  
6 indicate its date of expiration. Any person who holds an identity card  
7 [shall] may be notified by the commissioner before its expiration and  
8 may renew such card in such manner as the commissioner shall  
9 prescribe upon payment of a fee of twenty-two dollars and fifty cents.  
10 The commissioner shall not provide notification by mail to the holder  
11 of an identity card if the United States Postal Service has determined  
12 that mail is undeliverable to such person at the address for such person  
13 that is in the records of the department.

14 Sec. 2. Subsection (d) of section 13b-59 of the general statutes is  
15 repealed and the following is substituted in lieu thereof (*Effective July*

16 1, 2011):

17 (d) "License, permit and fee revenues" means (1) all fees and other  
18 charges required by, or levied pursuant to sections 12-487, 13b-80 and  
19 13b-97, subsection (b) of section 14-12, sections 14-16a, 14-21c, as  
20 amended by this act, 14-44h, as amended by this act, and 14-44i,  
21 subsection (v) of section 14-49, subsections (b) and (f) of section 14-50,  
22 subdivisions [(5), (6), (7), (8), (11), (12) and (13)] (7) to (9), inclusive, of  
23 subsection (a) of section 14-50a, sections 14-52, as amended by this act,  
24 14-58, 14-67l and 14-69, as amended by this act, subsection (e) of  
25 section 14-73, as amended by this act, sections 14-96q and 14-103a,  
26 subsection (a) of section 14-164a, subsection (a) of section 14-192,  
27 subsection (d) of section 14-270, sections 14-319 and 14-320 and  
28 sections 13b-410a to 13b-410c, inclusive; (2) all aeronautics, waterways,  
29 and other fees and charges required by, or levied pursuant to sections  
30 13a-80 and 13a-80a, subsection (b) of section 13b-42 and subsections (b)  
31 and (c) of section 15-13; and (3) all motor vehicle related fines,  
32 penalties or other charges as defined in subsection (g);

33 Sec. 3. Subsection (f) of section 13b-59 of the general statutes is  
34 repealed and the following is substituted in lieu thereof (*Effective July*  
35 *1, 2011*):

36 (f) "Motor vehicle receipts" means all fees and other charges  
37 required by or levied pursuant to subsection (c) of section 14-12, as  
38 amended by this act, section 14-15, as amended by this act, subsection  
39 (a) of section 14-25a, section 14-28, subsection (b) of section 14-35,  
40 subsection (b) of section 14-41, as amended by this act, section 14-41a,  
41 as amended by this act, subsection (b) of section 14-44, sections 14-47  
42 and 14-48b, subsection (a) of section 14-49, subdivision (1) of  
43 subsection (b) of section 14-49, except as provided under subdivision  
44 (2) of subsection (b) of said section, subsections (c), (d), (e), (f), (g), (h),  
45 (i), (k), (l), (m), (n), (o), (p), (q), (s), (t), (u), (x), (y) and (aa) of section 14-  
46 49, section 14-49a, subsections (a) and (g) of section 14-50, subdivisions  
47 (1), (2), (3), (4), [(9), (10) and (14)] (5), (6) and (10) of subsection (a) of  
48 section 14-50a, sections 14-59, 14-61, as amended by this act, and 14-65,

49 subsection (c) of section 14-66, subsection (e) of section 14-67,  
50 subsection (f) of section 14-67a, sections 14-67d, 14-160 and 14-381, and  
51 subsection (b) of section 14-382;

52 Sec. 4. Section 14-3 of the general statutes is repealed and the  
53 following is substituted in lieu thereof (*Effective July 1, 2011*):

54 The Commissioner of Motor Vehicles shall enforce the provisions of  
55 the statutes concerning motor vehicles and the operators of such  
56 vehicles. [He] The commissioner shall administer, coordinate and  
57 control the operations of the department and shall be responsible for  
58 the overall supervision and direction of all facilities and activities of  
59 the department. [He] The commissioner shall have the authority to  
60 contract for such services, programs and facilities other than the  
61 purchase or lease of real property as may be necessary to carry out  
62 [his] the commissioner's responsibilities under and for the orderly  
63 administration of this chapter and chapters 247 to 255, inclusive. [He]  
64 The commissioner may retain and employ consultants and assistants  
65 on a contract or other basis for rendering professional, fiscal,  
66 engineering, technical or other assistance and advice. [He] The  
67 commissioner may enter into one or more agreements with  
68 independent contractors authorizing such contractors to provide  
69 programs and services on behalf of the department, provided any such  
70 agreement shall specify that the contractor may charge the  
71 department's customer a reasonable service fee, as established by the  
72 commissioner, from which the contractor shall be compensated. The  
73 commissioner shall submit to the Governor an annual report of his  
74 official acts, as provided in section 4-60. Said commissioner shall keep  
75 a record of proceedings and orders pertaining to the matters under his  
76 jurisdiction and of all licenses and certificates granted, refused,  
77 suspended or revoked by [him] the commissioner and of all reports  
78 sent to [his] the commissioner's office. The commissioner shall furnish  
79 without charge, for official use only, certified copies of certificates and  
80 licenses and documents relating thereto to officials of the state or any  
81 municipality therein, to officials of any other state or to any court in  
82 this state. Any certified copy of any document or record of the

83 commissioner, attested as a true copy by the commissioner, any  
84 deputy commissioner or chief of a division, shall be competent  
85 evidence in any court of this state of the facts therein contained.

86 Sec. 5. Subsections (c) to (e), inclusive, of section 14-10 of the general  
87 statutes are repealed and the following is substituted in lieu thereof  
88 (*Effective July 1, 2011*):

89 (c) (1) All records of the Department of Motor Vehicles pertaining to  
90 the application for registration, and the registration, of motor vehicles  
91 of the current or previous three years shall be maintained by the  
92 commissioner at the main office of the department. Any such records  
93 over three years old may be destroyed at the discretion of the  
94 commissioner. (2) Before disclosing personal information pertaining to  
95 an applicant or registrant from such motor vehicle records or allowing  
96 the inspection of any such record containing such personal information  
97 in the course of any transaction conducted at such main office, the  
98 commissioner shall ascertain whether such disclosure is authorized  
99 under subsection (f) of this section, and require the person or entity  
100 making the request to (A) complete an application that shall be on a  
101 form prescribed by the commissioner, and (B) provide [two forms of  
102 acceptable] personal identification satisfactory to the commissioner.  
103 An attorney-at-law admitted to practice in this state may provide his  
104 or her juris number to the commissioner in lieu of the requirements of  
105 subparagraph (B) of this subdivision. The commissioner may disclose  
106 such personal information or permit the inspection of such record  
107 containing such information only if such disclosure is authorized  
108 under subsection (f) of this section.

109 (d) The commissioner may disclose personal information from a  
110 motor vehicle record pertaining to an operator's license or a driving  
111 history or permit the inspection or copying of any such record or  
112 history containing such information in the course of any transaction  
113 conducted at the main office of the department only if such disclosure  
114 is authorized under subsection (f) of this section. Any such records  
115 over five years old may be destroyed at the discretion of the

116 commissioner.

117 (e) In the event (1) a federal court judge, federal court magistrate or  
118 judge of the Superior Court, Appellate Court or Supreme Court of the  
119 state, (2) a [member of a municipal police department] police officer, as  
120 defined in section 7-294a, or a member of the Division of State Police  
121 within the Department of Public Safety, (3) an employee of the  
122 Department of Correction, (4) an attorney-at-law who represents or  
123 has represented the state in a criminal prosecution, (5) a member or  
124 employee of the Board of Pardons and Paroles, (6) a judicial branch  
125 employee regularly engaged in court-ordered enforcement or  
126 investigatory activities, (7) an inspector employed by the Division of  
127 Criminal Justice, (8) a federal law enforcement officer who works and  
128 resides in this state, (9) a state referee under section 52-434, or (10) a  
129 lake patrolman appointed pursuant to subsection (a) of section 7-151b  
130 engaged in boating law enforcement, submits a written request and  
131 furnishes such individual's business address to the commissioner, such  
132 business address only shall be disclosed or available for public  
133 inspection to the extent authorized by this section.

134 Sec. 6. Subsection (c) of section 14-12 of the general statutes is  
135 repealed and the following is substituted in lieu thereof (*Effective July*  
136 *1, 2011*):

137 (c) The commissioner may, for the more efficient administration of  
138 the commissioner's duties, appoint licensed dealers meeting  
139 qualifications established by the commissioner pursuant to regulations  
140 adopted in accordance with the provisions of chapter 54, to issue new  
141 registrations for passenger motor vehicles, [and] motorcycles, campers,  
142 camp trailers, commercial trailers, service buses, school buses or trucks  
143 [with a gross vehicle weight up to and including twenty-six thousand  
144 pounds] when they are sold by a licensed dealer. The commissioner  
145 shall charge such dealer a fee of ten dollars for each new dealer issue  
146 form furnished for the purposes of this subsection. A person  
147 purchasing a motor vehicle [or motorcycle] from a dealer so appointed  
148 and registering the motor vehicle [or motorcycle] pursuant to this

149 section shall file an application with the dealer and pay, to the dealer, a  
150 fee in accordance with the provisions of [subsection (a) or (b) of]  
151 section 14-49. The commissioner shall prescribe the time and manner  
152 in which the application and fee shall be transmitted to the  
153 commissioner.

154 Sec. 7. Subsection (a) of section 14-15 of the general statutes is  
155 repealed and the following is substituted in lieu thereof (*Effective July*  
156 *1, 2011*):

157 (a) Any person, firm or corporation before engaging in the business  
158 of leasing or renting motor vehicles without drivers in this state and  
159 any person, firm or corporation which is the lessor of or rents any  
160 vehicle required to be registered under the provisions of section 14-15a  
161 shall make a sworn application to the Commissioner of Motor Vehicles  
162 for a license to engage in such leasing or renting. Each such application  
163 and each application for renewal shall be accompanied by a fee of  
164 three hundred dollars. Each such license shall be renewed biennially  
165 according to renewal schedules established by the commissioner so as  
166 to effect staggered renewal of all such licenses. If the adoption of a  
167 staggered system results in the expiration of any license more or less  
168 than one year from its issuance, the commissioner may charge a  
169 prorated amount for such license fee. Not less than forty-five days  
170 prior to the date of expiration of each such license, the commissioner  
171 shall [mail] send or transmit to each licensee, in such manner as the  
172 commissioner determines, an application for renewal. An application  
173 for renewal filed with the commissioner after the date of expiration  
174 shall be accompanied by a late fee of one hundred dollars provided the  
175 commissioner shall not renew any license under this subsection that  
176 has expired for more than forty-five days. No such license shall be  
177 transferred. Such licensee shall furnish proof of financial responsibility  
178 satisfactory to the commissioner, as provided by section 14-112 or 14-  
179 129, provided such licensee may furnish such proof separately with  
180 respect to each vehicle or each group of vehicles leased to any single  
181 lessee. Each application for such license shall contain the name and  
182 address of the owner and shall be accompanied by a surety bond as

183 required pursuant to section 14-52, as amended by this act. Each  
184 application for registration of a motor vehicle to be leased for a period  
185 of more than thirty days shall contain the name and address of the  
186 owner and the lessee of such vehicle. The owner of such vehicle shall  
187 disclose the name and address of any subsequent lessee of such vehicle  
188 to the commissioner in such manner as the commissioner may require.  
189 The commissioner shall ensure that such information relative to the  
190 lessee is available to the Connecticut on-line law enforcement  
191 communications teleprocessing system. Each person, firm or  
192 corporation licensed under the provisions of this subsection shall keep  
193 such books, records and accounts as the commissioner may require  
194 provided each licensee shall retain a copy of each rental or lease  
195 contract for a period of three years, which shall be subject to inspection  
196 by the commissioner or the commissioner's designee at all reasonable  
197 times. The provisions of this subsection shall not apply to any person,  
198 firm or corporation which, incidental to the conduct of its principal  
199 business, leases or rents any motor vehicle without a driver to other  
200 persons, firms or corporations whose principal business is the same as  
201 that of the lessor. Violation of any provision of this subsection shall be  
202 an infraction.

203 Sec. 8. Subsection (a) of section 14-21c of the general statutes is  
204 repealed and the following is substituted in lieu thereof (*Effective July*  
205 *1, 2011*):

206 (a) Upon the application of a person engaged in the manufacturing  
207 of motor vehicles or automotive equipment, the commissioner may  
208 issue interchangeable special number plates for motor vehicles used by  
209 the manufacturer in the experimental testing of such motor vehicles or  
210 automotive equipment, provided the application shall contain (1)  
211 information on the motor vehicle or motor vehicle parts manufactured,  
212 (2) a statement on the need for highway testing, (3) an affidavit stating  
213 that the special plates shall be used only in experimental testing, and  
214 (4) any other information the commissioner deems pertinent.

215 Sec. 9. Subsection (a) of section 14-22 of the general statutes is

216 repealed and the following is substituted in lieu thereof (*Effective July*  
217 *1, 2011*):

218 (a) A motor vehicle registration issued pursuant to this chapter shall  
219 expire in accordance with schedules established by the commissioner.  
220 If the expiration date of the registration of the motor vehicle, except the  
221 registration of a motor vehicle used to transport passengers for hire,  
222 falls on any day when offices of the commissioner are closed for  
223 business, the registration shall be deemed valid for the operation of the  
224 motor vehicle until midnight of the next day on which offices of the  
225 commissioner are open for business. The commissioner shall prescribe  
226 the date and manner of renewing registrations. Not less than forty-five  
227 days prior to the expiration of any valid registration, the department  
228 shall [mail] send or transmit, in such manner as the commissioner  
229 determines, an application for renewal to the registrant. In the case of a  
230 motor vehicle registered to a leasing company licensed pursuant to  
231 section 14-15, as amended by this act, the department may [mail] send  
232 or transmit, in such manner as the commissioner determines, an  
233 application for renewal of a leased vehicle to the lessee of such vehicle.  
234 The commissioner shall not be required to send or transmit a  
235 registrant's or lessee's application by mail if the United States Postal  
236 Service has determined that mail is undeliverable to such person at the  
237 address for such person that is in the records of the department. Except  
238 for the processing of such application at an official emissions  
239 inspection station as provided in subsection (b) of this section or by  
240 telephone as provided in subsection (c) of this section, the  
241 commissioner may require that the application be returned  
242 electronically or by mail in order to be processed and approved, with  
243 only such exceptions, on a hardship basis, as shall be established by  
244 the commissioner in regulations adopted pursuant to chapter 54.

245 Sec. 10. Subsection (e) of section 14-34a of the general statutes is  
246 repealed and the following is substituted in lieu thereof (*Effective July*  
247 *1, 2011*):

248 (e) Any commercial vehicle that is required to be registered in

249 another jurisdiction shall not operate on any highway of the state  
250 without being so registered. Any commercial vehicle that is registered  
251 in any other jurisdiction and is eligible for registration on an  
252 apportionment basis shall not be operated on any highway without  
253 such registration or a seventy-two-hour trip permit registration issued  
254 by the commissioner. Any person who owns any motor vehicle  
255 operated in violation of this subsection shall be fined five hundred  
256 dollars for the first offense, and for each subsequent offense, not less  
257 than one thousand dollars nor more than two thousand dollars, except  
258 if the motor vehicle has a gross vehicle weight rating of more than  
259 sixty thousand pounds, such owner shall be fined one thousand  
260 dollars for the first offense, and for each subsequent offense, not less  
261 than two thousand dollars nor more than four thousand dollars.

262 Sec. 11. Section 14-35a of the general statutes is repealed and the  
263 following is substituted in lieu thereof (*Effective July 1, 2011*):

264 (a) In any case where the Commissioner of Motor Vehicles is  
265 authorized or required by any section of this title to suspend the  
266 registration of a motor vehicle, the commissioner may, for the period  
267 that is specified for such suspension, suspend the privilege of the  
268 owner to transfer such suspended registration, to register any other  
269 motor vehicle or, in the case of a nonresident, to operate any motor  
270 vehicle on the highways of this state.

271 (b) No motor carrier, as defined in 49 CFR Section 390.5, as  
272 amended from time to time, shall operate any motor vehicle on the  
273 highways of this state, or knowingly permit such operation of any  
274 motor vehicle, the registration of which has been suspended or  
275 revoked by the commissioner, or by any federal agency acting  
276 pursuant to any provision of federal law.

277 (c) No motor carrier, as defined in 49 CFR Section 390.5, as amended  
278 from time to time, shall operate or cause to be operated any motor  
279 vehicle on the highways of this state if: (1) The Federal Motor Carrier  
280 Safety Administration has issued an order pursuant to 49 CFR Part 385

281 or 386, as amended from time to time, that prohibits such motor carrier  
282 from operating; or (2) such motor carrier is operating without  
283 operating authority or beyond the scope of such authority pursuant to  
284 49 CFR Section 392.9a, as amended from time to time.

285 [(c)] (d) Any motor carrier who violates the provisions of subsection  
286 (b) or (c) of this section shall, for a first offense, be fined not less than  
287 five hundred dollars or more than one thousand dollars, or imprisoned  
288 not more than ninety days, or both, and, for any subsequent offense, be  
289 fined not less than one thousand dollars or more than two thousand  
290 dollars, or imprisoned not more than one year, or both.

291 Sec. 12. Subsection (e) of section 14-36 of the general statutes is  
292 repealed and the following is substituted in lieu thereof (*Effective from*  
293 *passage*):

294 (e) (1) No motor vehicle operator's license shall be issued until (A)  
295 the applicant signs and files with the commissioner an application  
296 under oath, or made subject to penalties for false statement in  
297 accordance with section 53a-157b, and (B) the commissioner is satisfied  
298 that the applicant is sixteen years of age or older and is a suitable  
299 person to receive the license. (2) An applicant for a new motor vehicle  
300 operator's license shall, in the discretion of the commissioner, file, with  
301 the application, a copy of such applicant's birth certificate or other  
302 prima facie evidence of date of birth and evidence of identity. (3)  
303 Before granting a license to any applicant who has not previously held  
304 a Connecticut motor vehicle operator's license, or who has not  
305 operated a motor vehicle during the preceding two years, the  
306 commissioner shall require the applicant to demonstrate personally to  
307 the commissioner, a deputy or a motor vehicle inspector or an agent of  
308 the commissioner, in such manner as the commissioner directs, that  
309 the applicant is a proper person to operate motor vehicles of the class  
310 for which such applicant has applied, has sufficient knowledge of the  
311 mechanism of the motor vehicles to ensure their safe operation by him  
312 or her and has satisfactory knowledge of the laws concerning motor  
313 vehicles and the rules of the road. The knowledge test of an applicant

314 for a class D motor vehicle operator's license may be administered in  
315 such form as the commissioner deems appropriate, including audio,  
316 electronic or written testing. Such knowledge test shall be  
317 administered in English, Spanish or any language spoken at home by  
318 at least one per cent of the state's population, according to statistics  
319 prepared by the United States Census Bureau, based on the most  
320 recent decennial census. If any such applicant has held a license from a  
321 state, territory or possession of the United States where a similar  
322 examination is required, or if any such applicant is a person honorably  
323 separated from the United States armed forces who applies within two  
324 years following the separation and who, prior to the separation, held a  
325 military operator's license for motor vehicles of the same class as that  
326 for which such applicant has applied, the commissioner may waive  
327 part or all of the examination. When the commissioner is satisfied as to  
328 the ability and competency of any applicant, the commissioner may  
329 issue to such applicant a license, either unlimited or containing such  
330 limitations as the commissioner deems advisable, and specifying the  
331 class of motor vehicles which the licensee is eligible to operate. (4) If  
332 any applicant or operator license holder has any health problem which  
333 might affect such person's ability to operate a motor vehicle safely, the  
334 commissioner may require the applicant or license holder to  
335 demonstrate personally or otherwise establish that, notwithstanding  
336 such problem, such applicant or license holder is a proper person to  
337 operate a motor vehicle, and the commissioner may further require a  
338 certificate of such applicant's condition, signed by a medical authority  
339 designated by the commissioner, which certificate shall in all cases be  
340 treated as confidential by the commissioner. A license, containing such  
341 limitation as the commissioner deems advisable, may be issued or  
342 renewed in any case, but nothing in this section shall be construed to  
343 prevent the commissioner from refusing a license, either limited or  
344 unlimited, to any person or suspending a license of a person whom the  
345 commissioner determines to be incapable of safely operating a motor  
346 vehicle. Consistent with budgetary allotments, each motor vehicle  
347 operator's license issued to or renewed by a deaf or hearing impaired  
348 person shall, upon the request of such person, indicate such

349 impairment. Such person shall submit a certificate stating such  
350 impairment, in such form as the commissioner may require and signed  
351 by a licensed health care practitioner. (5) The issuance of a motor  
352 vehicle operator's license to any applicant who is the holder of a  
353 license issued by another state shall be subject to the provisions of  
354 sections 14-111c and 14-111k.

355 Sec. 13. Subsection (g) of section 14-36 of the general statutes is  
356 repealed and the following are substituted in lieu thereof (*Effective*  
357 *October 1, 2011*):

358 (g) The commissioner may place a restriction on the motor vehicle  
359 operator's license of any person or on any special operator's permit  
360 issued to any person in accordance with the provisions of section 14-  
361 37a that restricts the holder of such license or permit to the operation  
362 of a motor vehicle that is equipped with an approved ignition interlock  
363 device, as defined in section 14-227j, as amended by this act, for such  
364 time as the commissioner shall prescribe, if such person has been: (1)  
365 Convicted for a second time of a violation of subdivision (2) of  
366 subsection (a) of section 14-227a, and has served not less than one year  
367 of the prescribed period of suspension for such conviction, in  
368 accordance with the provisions of subsections (g) and (i) of section 14-  
369 227a; (2) ordered by the Superior Court not to operate any motor  
370 vehicle unless it is equipped with an approved ignition interlock  
371 device, in accordance with the provisions of section 14-227j, as  
372 amended by this act; (3) granted a reversal or reduction of such  
373 person's license suspension or revocation, in accordance with the  
374 provisions of subsection [(k)] (i) of section 14-111, as amended by this  
375 act; (4) issued a motor vehicle operator's license upon the surrender of  
376 an operator's license issued by another state and such previously held  
377 license contains a restriction to the operation of a motor vehicle  
378 equipped with an ignition interlock device; (5) convicted of a violation  
379 of section 53a-56b or 53a-60d; or (6) permitted by the commissioner to  
380 be issued or to retain an operator's license subject to reporting  
381 requirements concerning such person's physical condition, in  
382 accordance with the provisions of subsection (e) of this section and

383 sections 14-45a to 14-46g, inclusive.

384 Sec. 14. Section 14-36a of the general statutes, as amended by section  
385 34 of public act 10-110, is repealed and the following is substituted in  
386 lieu thereof (*Effective July 1, 2011*):

387 (a) A commercial driver's license issued in accordance with section  
388 14-44c, as amended by this act, shall be designated as class A, B or C, in  
389 accordance with the provisions of subsection (b) of section 14-44d. All  
390 other operators' licenses shall be designated as class D. A license of any  
391 class that also authorizes the operation of a motorcycle shall contain  
392 the designation "M". A license of any class that contains the  
393 designation "Q" indicates eligibility to operate fire apparatus.

394 (b) A commercial driver's license which contains the endorsement  
395 "S" evidences that the holder meets the requirements of section 14-44z,  
396 as amended by this act, to operate a school bus or any vehicle  
397 described in subsection (c) of this section. A commercial driver's  
398 license may contain any of the following additional endorsements:

399 "P"- authorizes the operation of commercial motor vehicles designed  
400 to carry passengers;

401 "H"- authorizes the operation of vehicles transporting hazardous  
402 materials;

403 "N"- authorizes the operation of tank vehicles;

404 "X"- authorizes both hazardous materials and tank vehicles; and

405 "T"- authorizes the operation of vehicles with up to three trailing,  
406 nonpower units.

407 The commissioner may establish one or more restrictions on  
408 commercial driver's licenses of any class, in regulations adopted in  
409 accordance with the provisions of chapter 54. Subject to the provisions  
410 of subsection (b) of section 14-44d, a commercial driver's license of any  
411 class authorizes the holder of such license to operate any motor vehicle

412 that may be operated by the holder of a class D operator's license.

413 (c) A commercial driver's license or a class D license that contains  
414 either of the following endorsements evidences that the holder meets  
415 the requirements of section 14-44, as amended by this act:

416 "V"- authorizes the transportation of passengers in a student  
417 transportation vehicle, as defined in section 14-212, or any vehicle that  
418 requires an "F" endorsement; and

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

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

424 (d) No person shall operate a motor vehicle in violation of the  
425 classification of the license issued to [him] such person.

426 (e) No employer shall knowingly require or permit an employee  
427 who is acting within the scope of such employee's employment to  
428 operate a motor vehicle in violation of the classification of such  
429 employee's license.

430 [(e)] (f) Any person who violates any provision of subsection (d) [or  
431 (e)] of this section shall, for a first offense, be deemed to have  
432 committed an infraction and be fined fifty dollars and, for a  
433 subsequent offense, shall be fined not more than one hundred dollars  
434 or imprisoned not more than thirty days, or both. Any employer who  
435 violates subsection (e) of this section shall be subject to a civil penalty  
436 of not more that one thousand dollars for a first violation and not more  
437 than two thousand five hundred dollars for a second or subsequent  
438 violation.

439 (g) The revocation, suspension or withdrawal of, or refusal to issue  
440 or renew an "S" endorsement, or any endorsement described in  
441 subsection (c) of this section, shall prohibit the licensee from operating

442 any public service passenger vehicle for which a passenger  
443 endorsement is required under this section. During the period of such  
444 revocation, suspension or withdrawal of, or after a refusal to issue or  
445 renew an "S" endorsement, or any endorsement described in  
446 subsection (c) of this section, the commissioner shall not issue any  
447 other passenger endorsement to such licensee.

448 Sec. 15. Section 14-36h of the general statutes is repealed and the  
449 following is substituted in lieu thereof (*Effective October 1, 2011*):

450 (a) Each motor vehicle operator's license issued by the  
451 Commissioner of Motor Vehicles in accordance with section 14-36, as  
452 amended by this act, and each identity card issued by said  
453 commissioner in accordance with section 1-1h, as amended by this act,  
454 shall contain the following: (1) The person's full legal name; (2) the  
455 person's date of birth; (3) the person's gender; (4) the person's height  
456 and eye color; (5) the person's assigned operator's license or identity  
457 card number; (6) the person's address of principal residence in this  
458 state; (7) the person's signature; and (8) the person's color photograph  
459 or digital image.

460 (b) If any person does not reside in any state, territory or possession  
461 of the United States because such person is on active military duty  
462 with the United States Armed Forces, and such person's home state of  
463 record is Connecticut, as reflected in the records of the Department of  
464 Defense, Department of Homeland Security or any department under  
465 which the United States Coast Guard operates, such person may obtain  
466 a Connecticut operator's license or identity card, provided such  
467 person: (1) Does not have an operator's license or identity card issued  
468 by another state, territory or possession of the United States, or  
469 surrenders any such license or identity card; (2) has a current APO or  
470 FPO mailing address; (3) designates such person's home address as 60  
471 State Street, Wethersfield, CT 06161; and (4) meets all other  
472 requirements for obtaining an operator's license or identity card in this  
473 state.

474        ~~[(b)]~~ (c) The commissioner shall provide that each such license or  
475 identity card document contains physical security features designed to  
476 prevent tampering, counterfeiting or duplication of the document.

477        ~~[(c)]~~ (d) Each such document shall also contain one or more  
478 machine-readable technology feature or component, including, but not  
479 limited to, a bar code or magnetic strip.

480        ~~[(d)]~~ (e) As used in this section, the term "full legal name" means the  
481 most complete version of the name that appears on a person's  
482 certificate of birth, official passport or other document or documents  
483 accepted by the Commissioner of Motor Vehicles to verify the person's  
484 identity, unless the person presents a marriage license or certificate, a  
485 certificate of civil union, a divorce decree or an order of a court of  
486 competent jurisdiction pertaining to a permanent change of the  
487 person's name.

488        Sec. 16. Subsections (b) and (c) of section 14-41 of the general  
489 statutes are repealed and the following is substituted in lieu thereof  
490 (*Effective from passage*):

491        (b) An original operator's license shall expire within a period not  
492 exceeding six years following the date of the operator's next birthday.  
493 The fee for such original license shall be computed at the rate of forty-  
494 four dollars for a four-year license, sixty-six dollars for a six-year  
495 license and eleven dollars per year or any part of a year. The  
496 commissioner may authorize an automobile club or association,  
497 licensed in accordance with the provisions of section 14-67 on or before  
498 July 1, 2007, to ~~[perform license renewals, renewals of]~~ issue duplicate  
499 licenses and identity cards pursuant to section 14-50a, renew licenses,  
500 renew identity cards issued pursuant to section 1-1h, as amended by  
501 this act, and conduct registration transactions at its office facilities. The  
502 commissioner may authorize such automobile clubs or associations to  
503 charge a convenience fee, which shall not exceed two dollars, to each  
504 applicant for a license or identity card renewal or duplication, or for a  
505 registration transaction.

506 (c) The commissioner [shall] may, at least fifteen days before the  
507 date on which each motor vehicle operator's license or identity card  
508 expires, notify the [operator] holder of such license or identity card of  
509 the expiration date, in a manner determined by the commissioner. The  
510 commissioner shall not provide such notification by mail to any such  
511 licensee or identity card holder if the United States Postal Service has  
512 determined that mail is undeliverable to the address for such person  
513 that is documented in the records of the Department of Motor  
514 Vehicles. Any previously licensed operator who operates a motor  
515 vehicle within sixty days after the expiration date of the operator's  
516 license without obtaining a renewal of the license shall be deemed to  
517 have failed to renew a motor vehicle operator's license and shall be  
518 fined in accordance with the amount designated for the infraction of  
519 failure to renew a motor vehicle operator's license. Any operator so  
520 charged shall not be prosecuted under section 14-36, as amended by  
521 this act, for the same act constituting a violation under this section but  
522 section 14-36, as amended by this act, shall apply after the sixty-day  
523 period.

524 Sec. 17. Section 14-41a of the general statutes is repealed and the  
525 following is substituted in lieu thereof (*Effective from passage*):

526 [(a)] An individual sixty-five years of age or older may renew a  
527 motor vehicle operator's license for either a two-year period or a six-  
528 year period. The fee for any license issued for a two-year period shall  
529 be twenty-two dollars.

530 [(b) Notwithstanding the provisions of subsection (a) of section 14-  
531 36h, the Commissioner of Motor Vehicles may waive the requirement  
532 that a motor vehicle operator's license issued to an operator sixty-five  
533 years of age or older bear a photograph of the operator upon written  
534 application by such operator and a showing of hardship, which shall  
535 include, but not be limited to, the proximity of such operator's  
536 residence to a Department of Motor Vehicles branch office providing  
537 license renewal services.]

538 Sec. 18. Subsection (a) of section 14-44 of the general statutes, as  
539 amended by section 35 of public act 10-110, is repealed and the  
540 following is substituted in lieu thereof (*Effective July 1, 2011*):

541 (a) (1) No person shall operate a commercial motor vehicle used for  
542 passenger transportation on any public highway of this state until such  
543 person has obtained a commercial driver's license with a passenger  
544 endorsement from the commissioner, except a nonresident who holds  
545 such license with such endorsement issued by another state. (2) No  
546 person shall operate a school bus until such person has obtained a  
547 commercial driver's license with a school bus endorsement, except that  
548 a person who holds such a license without such endorsements may  
549 operate a school bus without passengers for the purpose of road  
550 testing or moving the vehicle. (3) No person shall operate a student  
551 transportation vehicle, as defined in section 14-212, taxicab, motor  
552 vehicle in livery service, motor bus or service bus until such person has  
553 obtained an operator's license of the proper classification bearing an  
554 appropriate endorsement [of the appropriate type] from the  
555 commissioner, issued in accordance with the provisions of this section  
556 and section 14-36a, as amended by this act, except that a person who  
557 holds an operator's license without such endorsement may operate any  
558 such vehicle without passengers for the purpose of road testing or  
559 moving the vehicle. [(4) No person shall operate a student  
560 transportation vehicle, as defined in section 14-212, until such person  
561 has obtained an operator's license bearing an endorsement of the  
562 appropriate type from the commissioner issued in accordance with the  
563 provisions of this section and section 14-36a.]

564 Sec. 19. Subsection (c) of section 14-44a of the general statutes is  
565 repealed and the following is substituted in lieu thereof (*Effective July*  
566 *1, 2011*):

567 (c) Any person who violates the provisions of subsection (a) of this  
568 section shall operate a motor vehicle in violation of the classification of  
569 the license issued to him, and shall be subject to the penalties provided  
570 in subsection [(e)] (f) of section 14-36a, as amended by this act, and

571 section 14-44k, as amended by this act.

572 Sec. 20. Subsection (c) of section 14-44h of the general statutes is  
573 repealed and the following is substituted in lieu thereof (*Effective from*  
574 *passage*):

575 (c) The commissioner shall, at least fifteen days before the date on  
576 which each commercial driver's license expires, notify the operator of  
577 the expiration date in a manner determined by the commissioner. The  
578 commissioner shall not provide such notification by mail to any such  
579 licensee if the United States Postal Service has determined that mail is  
580 undeliverable to the address for such person that is documented in the  
581 records of the Department of Motor Vehicles. Any previously licensed  
582 operator who operates a commercial motor vehicle within sixty days  
583 after the expiration date of such operator license without obtaining a  
584 renewal of such license shall be deemed to have failed to renew a  
585 motor vehicle operator's license and shall be fined in accordance with  
586 the amount designated for the infraction of failure to renew a motor  
587 vehicle operator's license. Any operator so charged shall not be  
588 prosecuted under section 14-36, as amended by this act, for the same  
589 act constituting a violation under this section but said section 14-36  
590 shall apply after the sixty-day period.

591 Sec. 21. Subsections (h) and (i) of section 14-44k of the general  
592 statutes are repealed and the following is substituted in lieu thereof  
593 (*Effective July 1, 2011*):

594 (h) A person is disqualified for life if such person commits two or  
595 more of the offenses specified in subsection (b) of this section, or if  
596 such person is the subject of two or more findings by the commissioner  
597 under subsection (c) of this section, or any combination of those  
598 offenses or findings, arising from two or more separate incidents. A  
599 person is disqualified for life if the commissioner takes suspension  
600 actions against such person for two or more alcohol test refusals or test  
601 failures, or any combination of such actions, arising from two or more  
602 separate incidents. Any person disqualified for life, except a person

603 disqualified under subsection (g) of this section, who has both  
604 voluntarily enrolled in and successfully completed an appropriate  
605 rehabilitation program, as determined by the commissioner, may  
606 apply for reinstatement of such person's commercial driver's license,  
607 provided any such applicant shall not be eligible for reinstatement  
608 until such time as such person has served a minimum disqualification  
609 period of ten years. An application for reinstatement shall be  
610 accompanied by documentation satisfactory to the commissioner that  
611 such person has both voluntarily enrolled in and successfully  
612 completed a rehabilitation program that meets the requirements of  
613 section 14-227f, as amended by this act, and the regulations adopted  
614 pursuant to section 14-227f, as amended by this act. The commissioner  
615 shall not reinstate a commercial driver's license that was disqualified  
616 for life unless an applicant for reinstatement requests an  
617 administrative hearing in accordance with chapter 54, and offers  
618 evidence that the reinstatement of such applicant's commercial driver's  
619 license does not endanger the public safety or welfare. Such evidence  
620 shall include, but not be limited to, proof that such applicant has not  
621 been convicted of any offense involving alcohol, a controlled substance  
622 or a drug during a period of ten years following the date of such  
623 applicant's most recent lifetime disqualification. If a person whose  
624 commercial driver's license is reinstated under this subsection is  
625 subsequently convicted of another disqualifying offense, such person  
626 shall be permanently disqualified for life and shall be ineligible to  
627 reapply for a reduction of the lifetime disqualification. The following  
628 shall remain on the driving history record of a commercial motor  
629 vehicle operator or commercial driver's license holder for a period of  
630 fifty-five years, as required by 49 CFR Part 384, as amended from time  
631 to time: (1) Any offense specified in subsection (b) or (c) of this section,  
632 provided such offense occurred on or after December 29, 2006; (2) each  
633 of two or more offenses specified in subsection (b) or (c) of this section  
634 that occur within ten years of each other and result in a lifetime  
635 disqualification, regardless of when such offenses occur; (3) any  
636 conviction under subsection (g) of this section for using a motor  
637 vehicle in the commission of a felony involving the manufacture,

638 distribution or dispensing of a controlled substance, committed on or  
639 after January 1, 2005.

640 (i) (1) Except as provided in subdivision (2) of this subsection, any  
641 person who violates an out-of-service order shall be disqualified from  
642 operating a commercial motor vehicle: (A) For a period of not less than  
643 [ninety] one hundred eighty days or more than one year for a first  
644 violation; (B) for a period of not less than [one year] two years or more  
645 than five years for a second violation during any ten-year period,  
646 where such violations arose from separate incidents; and (C) for a  
647 period of not less than three years or more than five years for a third or  
648 subsequent violation during any ten-year period, where such  
649 violations arose from separate incidents.

650 (2) Any person who violates an out-of-service order while driving a  
651 vehicle transporting hazardous materials, required to be placarded  
652 under the Hazardous Materials Transportation Act, 49 USC 1801 to  
653 1813, inclusive, or a commercial motor vehicle designed to transport  
654 sixteen or more passengers, including the driver, shall be disqualified  
655 from operating a commercial motor vehicle: (A) For a period of not less  
656 than one hundred eighty days or more than two years for a first  
657 violation, and (B) for a period of not less than three years or more than  
658 five years for a second or subsequent violation during any ten-year  
659 period, where such violations arose from separate incidents.

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

666 Sec. 22. Subsection (a) of section 14-52 of the general statutes is  
667 repealed and the following is substituted in lieu thereof (*Effective from*  
668 *passage*):

669 (a) No person, firm or corporation may engage in the business of the

670 buying, selling, offering for sale or brokerage of any motor vehicle or  
671 the repairing of any motor vehicle without having been issued either a  
672 new car dealer's, a used car dealer's, a repairer's or a limited repairer's  
673 license. The license fee for each such license, payable to the  
674 Commissioner of Motor Vehicles, shall be as follows: (1) New motor  
675 vehicle dealer, seven hundred dollars; (2) used motor vehicle dealer,  
676 five hundred sixty dollars; and (3) repairer or limited repairer, three  
677 hundred forty dollars. Each such license shall be renewed biennially  
678 according to renewal schedules established by the commissioner so as  
679 to effect staggered renewal of all such licenses. If the adoption of a  
680 staggered system results in the expiration of any license more or less  
681 than one year from its issuance, the commissioner may charge a  
682 prorated amount for such license fee. Not less than forty-five days  
683 prior to the date of expiration of each such license, the commissioner  
684 shall [mail] send or transmit to each licensee, in a manner determined  
685 by the commissioner, an application for renewal. Any licensee which  
686 has not filed the application for renewal accompanied by the  
687 prescribed fee prior to the date of expiration of its license shall cease to  
688 engage in business. An application for renewal filed with the  
689 commissioner after the date of expiration shall be accompanied by a  
690 late fee of one hundred dollars. The commissioner shall not renew any  
691 license under this subsection which has expired for more than forty-  
692 five days.

693 Sec. 23. Subsection (a) of section 14-61 of the general statutes is  
694 repealed and the following is substituted in lieu thereof (*Effective*  
695 *October 1, 2011*):

696 (a) Any dealer licensed under the provisions of this subpart who in  
697 the opinion of the commissioner is qualified and sells or trades a  
698 passenger motor vehicle, motorcycle, camper, camp trailer, commercial  
699 trailer, service bus, school bus or truck [with a gross vehicle weight up  
700 to and including twenty-six thousand pounds] to a transferee who  
701 holds a current registration certificate for a passenger motor vehicle,  
702 motorcycle, camper, camp trailer, commercial trailer, service bus,  
703 school bus or truck [with a gross vehicle weight up to and including

704 twenty-six thousand pounds] registered in this state may issue a sixty-  
705 day temporary transfer of such registration to the vehicle transferred  
706 with an official stamp issued by the commissioner, under regulations  
707 adopted by the commissioner, to such dealer. The commissioner shall  
708 charge such dealer a fee of ten dollars for each new temporary dealer  
709 transfer form furnished for the purposes of this section. No dealer may  
710 make such temporary transfer of a registration unless the transferee  
711 surrenders the current registration certificate to the dealer indicating  
712 the disposition of the vehicle described thereon in the space provided  
713 on the reverse side of such certificate and unless the transferee is  
714 eighteen years of age or older. The dealer shall, within five days from  
715 the issuance of such temporary registration, submit to the  
716 commissioner an application together with all necessary documents  
717 for a permanent registration for the vehicle transferred. No such  
718 temporary registration may be issued if (1) the transferred passenger  
719 motor vehicle, motorcycle, camper, camp trailer, commercial trailer,  
720 service bus, school bus or truck [with a gross vehicle weight up to and  
721 including twenty-six thousand pounds] is used and was not  
722 previously registered in this state, unless the inspection requirements  
723 of section 14-12, as amended by this act, have been met, [or, if] (2) such  
724 motor vehicle is ten or more years old, unless the inspection  
725 requirements of section 14-16a have been met, or [if] (3) such motor  
726 vehicle has been declared a total loss by an insurance company, unless  
727 the inspection requirements of section 14-103a have been met.

728 Sec. 24. Section 14-69 of the general statutes is repealed and the  
729 following is substituted in lieu thereof (*Effective July 1, 2011*):

730 (a) No person shall engage in the business of conducting a drivers'  
731 school without being licensed by the Commissioner of Motor Vehicles.  
732 An application for a license shall be in writing and shall contain such  
733 information as the commissioner requires. Each applicant for a license  
734 shall be fingerprinted before such application is approved. The  
735 commissioner shall subject each applicant for a license [or the renewal  
736 of a license] to state and national criminal history records checks  
737 conducted in accordance with section 29-17a, and a check of the state

738 child abuse and neglect registry established pursuant to section 17a-  
739 101k. If any such applicant has a criminal record or is listed on the  
740 state child abuse and neglect registry, the commissioner shall make a  
741 determination of whether to issue [or renew] a license to conduct a  
742 drivers' school in accordance with the standards and procedures set  
743 forth in section 14-44, as amended by this act, and the regulations  
744 adopted pursuant to said section. If the application is approved, the  
745 applicant shall be granted a license upon the payment of a fee of three  
746 hundred fifty dollars and a deposit with the commissioner of cash or a  
747 bond of a surety company authorized to do business in this state,  
748 conditioned on the faithful performance by the applicant of any  
749 contract to furnish instruction, in either case in such amount as the  
750 commissioner may require, such cash or bond to be held by the  
751 commissioner to satisfy any execution issued against such school in a  
752 cause arising out of failure of such school to perform such contract. For  
753 each additional place of business of such school, the commissioner  
754 shall charge a fee of eighty-eight dollars. No license shall be required  
755 in the case of any board of education, or any public, private or  
756 parochial school, which conducts a course in driver education  
757 established in accordance with sections 14-36e and 14-36f. A license so  
758 issued shall be valid for one year. The commissioner shall issue a  
759 license certificate or certificates to each licensee, one of which shall be  
760 displayed in each place of business of the licensee. In case of the loss,  
761 mutilation or destruction of a certificate, the commissioner shall issue a  
762 duplicate upon proof of the facts and the payment of a fee of twenty  
763 dollars.

764 (b) The annual fee for the renewal of a license shall be three  
765 hundred fifty dollars and the annual renewal fee for each additional  
766 place of business shall be eighty-eight dollars. If the commissioner has  
767 not received a complete renewal application and all applicable renewal  
768 fees on or before the expiration date of an applicant's license, the  
769 commissioner shall charge such applicant, in addition to such renewal  
770 fees, a late fee of three hundred fifty dollars.

771 (c) Any person who engages in the business of conducting a drivers'

772 school without being licensed in accordance with this section shall be  
773 guilty of a class B misdemeanor.

774 Sec. 25. Section 14-73 of the general statutes is repealed and the  
775 following is substituted in lieu thereof (*Effective July 1, 2011*):

776 (a) No person shall be employed by any such school licensee to give  
777 instruction in driving a motor vehicle unless such person is licensed to  
778 act as an instructor by the commissioner.

779 (b) Application for an instructor's license shall be in writing and  
780 shall contain such information as the commissioner requires. Each  
781 applicant for a license shall be fingerprinted and shall furnish evidence  
782 satisfactory to the commissioner that such applicant (1) is of good  
783 moral character considering such person's state and national criminal  
784 history records checks conducted in accordance with section 29-17a,  
785 and record, if any, on the state child abuse and neglect registry  
786 established pursuant to section 17a-101k. If any applicant for a license  
787 or the renewal of a license has a criminal record or is listed on the state  
788 child abuse and neglect registry, the commissioner shall make a  
789 determination of whether to issue or renew an instructor's license in  
790 accordance with the standards and procedures set forth in section 14-  
791 44, as amended by this act, and the regulations adopted pursuant to  
792 said section; (2) has held a license to drive a motor vehicle for the past  
793 four consecutive years and has a driving record satisfactory to the  
794 commissioner, including no record of a conviction or administrative  
795 license suspension for a drug or alcohol-related offense during such  
796 four-year period; (3) has had a recent medical examination by a  
797 physician licensed to practice within the state and the physician  
798 certifies that the applicant is physically fit to operate a motor vehicle  
799 and instruct in driving; (4) has received a high school diploma or has  
800 an equivalent academic education; and (5) has completed an instructor  
801 training course of forty-five clock hours given by a school or agency  
802 approved by the commissioner, except that any such course given by  
803 an institution under the jurisdiction of the board of trustees of the  
804 Connecticut State University System shall be approved by the

805 commissioner and the State Board of Education. During the period of  
806 licensure, an instructor shall notify the commissioner, within forty-  
807 eight hours, of an arrest or conviction for a misdemeanor or felony, or  
808 an arrest, conviction or administrative license suspension for a drug or  
809 alcohol-related offense.

810 (c) The commissioner may deny the application of any person for an  
811 instructor's license if he determines that the applicant has made a  
812 material false statement or concealed a material fact in connection with  
813 his application for the instructor's license.

814 (d) The commissioner shall conduct such written, oral and practical  
815 examinations as he deems necessary to determine whether an  
816 applicant has sufficient skill in the operation of motor vehicles to  
817 ensure their safe operation, a satisfactory knowledge of the motor  
818 vehicle laws and the ability to impart such skill and knowledge to  
819 others. If the applicant successfully completes the examinations and  
820 meets all other requirements of this section, the commissioner shall  
821 issue an instructor's license to such applicant. The license shall be valid  
822 for use only in connection with the business of the drivers' school or  
823 schools listed on the license. If the applicant fails the examination, such  
824 applicant may apply for reexamination after one month. The license  
825 and the license renewal shall be valid for one year.

826 (e) The licensee shall be reexamined periodically in accordance with  
827 standards specified in regulations adopted under section 14-78.  
828 Persons licensed for the first time as instructors shall, in the three years  
829 following their initial licensure, attend seminars, annually, in traffic  
830 safety sponsored by the Department of Motor Vehicles or take an  
831 advanced instructor course of not less than forty-five clock hours in  
832 traffic safety approved by the commissioner. Proof of compliance with  
833 the requirement for attendance at seminars or the taking of instruction  
834 shall be made before license renewals are issued. The seminars shall be  
835 self-sustaining.

836 (f) The commissioner may establish, by regulations adopted in

837 accordance with the provisions of chapter 54, standards and  
838 procedures for the training and licensing of master instructors who are  
839 qualified to train driving instructors. The provisions of subsection (b)  
840 of this section and section 14-74 shall apply to master instructors.

841 (g) The fee for an instructor's license, or for any renewal thereof,  
842 shall be fifty dollars. The fee for a master instructor's license, or for any  
843 renewal thereof, shall be one hundred dollars. If the commissioner has  
844 not received a complete renewal application and fee on or before the  
845 expiration date of an applicant's license, such applicant shall be  
846 charged, in addition to the renewal fee, a late fee in an amount equal to  
847 the fee for such applicant's license.

848 (h) Any person who is not licensed in accordance with this section  
849 shall be guilty of a class B misdemeanor if such person: (1) Engages in  
850 the business of providing, for compensation, instruction in driving a  
851 motor vehicle; or (2) is employed by a drivers' school to give  
852 instruction in driving a motor vehicle.

853 Sec. 26. Subdivision (1) of subsection (a) of section 14-96p of the  
854 general statutes is repealed and the following is substituted in lieu  
855 thereof (*Effective from passage*):

856 (a) (1) No person shall display upon any motor vehicle any light  
857 visible from the front thereof other than white, yellow or amber, or any  
858 light other than red, yellow, amber or white visible from the rear  
859 thereof, except a light used with any school bus, without a special  
860 permit from the commissioner, in accordance with the provisions of  
861 subsection (c) of section 14-96q. [If the Department of Transportation  
862 obtains from the commissioner such a permit covering more than one  
863 motor vehicle operated by the department, it may display the lights  
864 allowed under the permit on each such vehicle without placing a copy  
865 of the permit in each vehicle.] Notwithstanding this subsection, no  
866 permit shall be required for motor vehicles that are (A) equipped with  
867 lights in accordance with this section and section 14-96q, (B) owned or  
868 leased by the federal government, the state of Connecticut or a

869 Connecticut municipality, (C) registered to such governmental entity,  
870 and (D) displaying government plates.

871 Sec. 27. Subsection (c) of section 14-99h of the general statutes is  
872 repealed and the following is substituted in lieu thereof (*Effective July*  
873 *1, 2011*):

874 (c) Each new car dealer, used car dealer or lessor shall charge  
875 reasonable rates for etching services and parts marking services  
876 rendered within the state pursuant to subsections (a) and (b) of this  
877 section and shall file a schedule of such rates with the Commissioner of  
878 Motor Vehicles. [not later than September first in each year.] Each such  
879 dealer or lessor may from time to time file an amended schedule of  
880 such rates with the commissioner. No such dealer or lessor may charge  
881 any rate for such etching services or parts marking services which is  
882 greater than the rates contained in the most recent schedule filed with  
883 the commissioner.

884 Sec. 28. Section 14-111 of the general statutes is repealed and the  
885 following is substituted in lieu thereof (*Effective October 1, 2011*):

886 (a) No provision of this chapter shall be construed to prohibit the  
887 commissioner from suspending or revoking any registration or any  
888 operator's license issued under the provisions of any statute relating to  
889 motor vehicles, or from suspending the right of any person to operate  
890 a motor vehicle in this state, or from suspending or revoking the right  
891 of any nonresident to operate, or the right to any operation of, any  
892 motor vehicle within this state, for any cause that he deems sufficient,  
893 with or without a hearing. Whenever any certificate of registration [or  
894 any operator's license or both are] is suspended or revoked, all  
895 evidence of the same shall be delivered forthwith to the commissioner  
896 or to any person authorized by [him] the commissioner to receive the  
897 same, and the commissioner or any person authorized by [him] the  
898 commissioner may seize such certificate of registration [or operator's  
899 license] and all evidence of the same. Except as otherwise provided by  
900 law, the commissioner may cancel any such suspension or revocation

901 and may return such certificate of registration or restore the operator's  
902 license either with or without an additional fee, provided no certificate  
903 of registration or operator's license which has been suspended for any  
904 definite term, except as provided in subsection (k) of this section, shall  
905 be returned or restored until the term of suspension has been  
906 completed. Any appeal taken from the action of the commissioner  
907 shall not act as a stay of suspension or revocation except with his  
908 consent. No service of process shall be necessary in connection with  
909 any of the prescribed activities of the commissioner, but a notice  
910 forwarded by bulk certified mail to the address of the person  
911 registered as owner or operator of any motor vehicle as shown by the  
912 records of the commissioner shall be sufficient notice to such person  
913 that the certificate of registration or operator's license is revoked or  
914 under suspension.

915 (b) (1) Except as provided in subdivision (2) of this subsection,  
916 whenever the holder of any motor vehicle operator's license has been  
917 convicted or has forfeited any bond taken or has received a suspended  
918 judgment or sentence for any of the following violations, the  
919 commissioner shall, without hearing, suspend such person's operator's  
920 license or privilege to operate a motor vehicle in this state as follows:  
921 For a first violation of subsection (a) of section 14-224 or section 14-110,  
922 14-215 or 53a-119b, for a period of not less than one year and, for a  
923 subsequent violation thereof, for a period of not less than two years;  
924 for a violation of subsection (a) of section 14-222 or subsection (c) of  
925 section 14-224, for a period of not less than thirty days or more than  
926 ninety days and, for a subsequent violation thereof, for a period of not  
927 less than ninety days; for a violation of subsection (b) of section 14-224,  
928 for a period of not less than ninety days and for a subsequent violation  
929 thereof, for a period of not less than one year; for a first violation of  
930 subsection (b) of section 14-147, for a period of not less than ninety  
931 days and, for a subsequent violation thereof, for a period of not less  
932 than five years; for a first violation of subsection (c) of section 14-147,  
933 for a period of not less than thirty days and, for a subsequent violation  
934 thereof, for a period of not less than one year.

935 (2) Notwithstanding the provisions of section 14-111b, whenever the  
936 holder of any motor vehicle operator's license or learner's permit who  
937 is less than eighteen years of age or whenever a person who does not  
938 hold an operator's license who is less than eighteen years of age has  
939 been convicted or has forfeited any bond taken or has received a  
940 suspended judgment or sentence for any of the following violations,  
941 the commissioner shall suspend such person's operator's license or  
942 privilege to obtain an operator's license as follows: For a first violation  
943 of subdivision (4) of subsection (a) of section 14-219 or subdivision (4)  
944 of subsection (b) of section 14-219, for a period of sixty days and, for a  
945 second violation thereof, for a period of ninety days and, for a third or  
946 subsequent violation thereof, for a period of six months; for a first  
947 violation of subsection (a) of section 14-222, for a period of six months  
948 and, for a subsequent violation thereof, for a period of one year; for a  
949 violation of subsection (c) of section 14-224, for a period of six months  
950 and, for a subsequent violation thereof, for a period of one year; for a  
951 first violation of section 14-296aa, as amended by this act, for a period  
952 of thirty days and, for a second violation thereof, for a period of ninety  
953 days and, for a third or subsequent violation thereof, for a period of six  
954 months.

955 [(3) The commissioner may suspend the motor vehicle operator's  
956 license of any person (A) who was arrested for a felony, and (B) for  
957 whom there is an outstanding warrant for rearrest for failing to appear  
958 when legally called with regard to such felony. The suspension shall  
959 terminate no later than the date on which such person appears before  
960 the court with regard to such felony or such failure to appear.]

961 (c) Repealed by P.A. 95-260, S. 23, 24, effective June 13, 1995.

962 [(d) Notice of the revocation or suspension of any license or  
963 registration shall be transmitted forthwith by the commissioner to the  
964 chief of police of the city or the prosecuting officers or selectmen of the  
965 town or borough in which the person whose license or registration  
966 certificate so suspended or revoked resides.]

967 [(e)] (d) The commissioner may hold hearings in each judicial  
968 district on all matters arising within such judicial district under the  
969 provisions of this chapter. He may use any court room, when the same  
970 is not in use by the court, for the purpose of holding hearings and may  
971 require the attendance of any officer authorized to serve criminal  
972 process, and such officer shall be under the direction of the  
973 commissioner. The fees of witnesses and officers shall be the same as in  
974 criminal cases before the Superior Court and shall be paid by the  
975 Treasurer upon order of the Comptroller.

976 [(f)] (e) The Superior Court may, by mandamus or other appropriate  
977 remedy, upon application of the commissioner, enforce any order  
978 issued by the commissioner under the provisions of this section.

979 [(g)] (f) In case of failure forthwith to return any certificate of  
980 registration, number plate or plates of any motor vehicle or operator's  
981 license upon order of the commissioner, no certificate of registration  
982 shall be issued for any motor vehicle licensed by the certificate not  
983 returned and no operator's license shall be issued to the negligent  
984 party within a period of one year except by an order of the  
985 commissioner.

986 [(h)] (g) When any person who does not hold a Connecticut  
987 operator's license is convicted or has his case nulled or is given a  
988 suspended judgment or sentence for a violation of any provision of  
989 section 14-36, as amended by this act, 14-110, 14-145, subsection (b) of  
990 section 14-147, 14-215, 14-224, subsection (a) of section 14-227a or 14-  
991 229, the commissioner shall not issue to him a nonresident or resident  
992 operator's license during such period as the commissioner may  
993 determine, which period shall not be less than the period provided for  
994 suspension in subsection (b) of this section or in subsection (g) of  
995 section 14-227a. When any person is convicted or has his case nulled or  
996 is given a suspended judgment or sentence for any violation of any of  
997 the provisions of section 14-12, as amended by this act, the  
998 commissioner shall not issue registration for any motor vehicle owned  
999 by such person until thirty days after application therefor.

1000 [(i)] (h) Whenever any person has been prosecuted for perjury or  
1001 false statement under the provisions of section 14-110 and the case has  
1002 been nolleed or a suspended sentence or judgment entered, and when  
1003 the false statement refers to the name or age or a former suspension or  
1004 former conviction of the applicant, the commissioner shall suspend or  
1005 withhold such applicant's license for a period of not less than thirty  
1006 days plus the period of time wherein the applicant was in possession  
1007 of the void license.

1008 [(j)] Before returning any registration certificate or any operator's  
1009 license which has been suspended or revoked, the commissioner may  
1010 require the owner of the motor vehicle or the operator to file with him  
1011 a surety company bond, conditioned as he directs and taken to the  
1012 state, as a condition precedent to the return of such certificate or  
1013 operator's license.]

1014 [(k)] (i) (1) Whenever any person has been convicted of any  
1015 violation of section 14-110, 14-147, 14-215, 14-222 or 14-224 and such  
1016 person's license has been suspended by the commissioner, [or, if such  
1017 person has had his or her license suspended in accordance with the  
1018 provisions of section 14-111c or 14-111n,] such person may make  
1019 application to the commissioner for the reversal or reduction of the  
1020 term of such suspension. Such application shall be in writing and shall  
1021 state specifically the reasons why such applicant believes that the  
1022 applicant is entitled to such reversal or reduction. The commissioner  
1023 shall consider each such application and the applicant's driver control  
1024 record, as defined in section 14-111h, and may grant a hearing to the  
1025 applicant in accordance with the provisions of chapter 54 and section  
1026 14-4a.

1027 (2) Any person whose license has been revoked in accordance with  
1028 subparagraph (C) of subdivision (3) of subsection (g) of section 14-227a  
1029 may, at any time after six years from the date of such revocation,  
1030 request a hearing before the commissioner, conducted in accordance  
1031 with the provisions of chapter 54, and the provisions of subdivision (1)  
1032 of this subsection for reversal or reduction of such revocation. The

1033 commissioner shall require such person to provide evidence that any  
1034 reversal or reduction of such revocation shall not endanger the public  
1035 safety or welfare. Such evidence shall include, but not be limited to,  
1036 proof that such person has successfully completed an alcohol  
1037 education and treatment program, and proof that such person has not  
1038 been convicted of any offense related to alcohol, controlled substances  
1039 or drugs during the preceding six years. The commissioner shall  
1040 require any person, as a condition of granting such reversal or  
1041 reduction, to install and maintain an approved ignition interlock  
1042 device, in accordance with the provisions of subsection (i) of section  
1043 14-227a. The approved ignition interlock device shall be installed and  
1044 maintained from the date such reversal or reduction is granted until  
1045 ten years has passed since the date of such revocation. The  
1046 commissioner may adopt regulations, in accordance with the  
1047 provisions of chapter 54, to establish standards to implement the  
1048 provisions of this section.

1049 [(1)] (j) Any person whose motor vehicle operator's license is  
1050 suspended by the commissioner and whose license is subsequently  
1051 restricted to the operation of a motor vehicle that is equipped with an  
1052 approved, ignition interlock device who fails to comply with the  
1053 requirements for the installation and use of such device in a motor  
1054 vehicle owned or operated by such person, as set forth in regulations  
1055 adopted by the commissioner in accordance with the provisions of  
1056 subsection (i) of section 14-227a, shall be subject to the resuspension of  
1057 such person's operator's license for such period of time, not to exceed  
1058 the period of the original suspension, as the commissioner may  
1059 prescribe.

1060 Sec. 29. Subsection (a) of section 14-163d of the general statutes is  
1061 repealed and the following is substituted in lieu thereof (*Effective July*  
1062 *1, 2011*):

1063 (a) At least once every [six months] year, each owner of a motor  
1064 vehicle described in subsection (a) of section 14-163c shall file with the  
1065 Commissioner of Motor Vehicles evidence that the owner has in effect

1066 the security requirements imposed by law for each such motor vehicle.  
1067 The evidence shall be filed in such form as the commissioner  
1068 prescribes in accordance with a schedule established by the  
1069 commissioner. [At least once every two years, the evidence of security  
1070 shall be accompanied by a motor carrier identification report that  
1071 meets the requirements of 49 CFR 390.19, as amended from time to  
1072 time. The report shall be in such form as the commissioner prescribes.]

1073 Sec. 30. Section 14-164b of the general statutes is repealed and the  
1074 following is substituted in lieu thereof (*Effective July 1, 2011*):

1075 For the purposes of this chapter, the following words and terms  
1076 shall be construed as follows, unless another meaning is clearly  
1077 apparent from the language or context:

1078 (1) "Commissioner" means the Commissioner of Motor Vehicles.

1079 (2) "Fleet" means a group of owned or leased motor vehicles subject  
1080 to emissions inspection pursuant to subsection (c) of section 14-164c  
1081 owned or leased by one person, firm, corporation, or governmental  
1082 entity.

1083 (3) "Fleet emissions inspection station" means an inspection station  
1084 owned or leased by the owner or operator of a fleet and licensed by the  
1085 commissioner for conducting emission inspections of fleet vehicles.

1086 (4) "Independent contractor" means any person, business, firm,  
1087 partnership, limited liability company or corporation with whom the  
1088 commissioner may enter into an agreement providing for the leasing,  
1089 construction, equipping, maintaining, staffing, management or  
1090 operation of official emissions inspection stations pursuant to this  
1091 chapter.

1092 (5) "Official emissions inspection station" means an emissions  
1093 inspection facility approved by the commissioner, whether placed in a  
1094 permanent structure or in a mobile unit for conveyance among various  
1095 locations within this state, including any such facility located on the

1096 premises of a licensed dealer or repairer, for the purpose of conducting  
1097 exhaust emissions inspections of all vehicles required to be inspected  
1098 pursuant to this chapter.

1099 (6) "Twenty-five or more years old", when used with respect to the  
1100 age of a motor vehicle, means that the difference between the model  
1101 year of such motor vehicle and the current calendar year is twenty-five  
1102 or more.

1103 Sec. 31. Subsection (a) of section 14-164c of the general statutes is  
1104 repealed and the following is substituted in lieu thereof (*Effective*  
1105 *October 1, 2011*):

1106 (a) No person shall fail to maintain in good working order or  
1107 remove, dismantle or otherwise cause to be inoperative any equipment  
1108 or feature constituting an operational element of the air pollution  
1109 control system or mechanism of a motor vehicle required by  
1110 regulations of the Commissioner of Environmental Protection to be  
1111 maintained or on the vehicle. Any such failure to maintain in good  
1112 working order or removal, dismantling or causing of inoperability  
1113 shall subject the owner thereof to revocation of registration for such  
1114 vehicle by the Commissioner of Motor Vehicles unless all parts and  
1115 equipment constituting elements of air pollution control have been  
1116 made operable and in good working order within [thirty] sixty days of  
1117 notice by said commissioner of such violation. Any such failure shall  
1118 be considered a failure to comply with the periodic inspection  
1119 requirements established under subsection (c) of this section. As used  
1120 in this section, motor vehicle shall have the same meaning as is  
1121 provided in section 14-1, as amended by this act.

1122 Sec. 32. Subdivision (1) of subsection (k) of section 14-164c of the  
1123 general statutes is repealed and the following is substituted in lieu  
1124 thereof (*Effective October 1, 2011*):

1125 (k) (1) The commissioner, with approval of the Secretary of the  
1126 Office of Policy and Management, shall establish, and from time to  
1127 time modify, the inspection fees, not to exceed twenty dollars for each

1128 biennial inspection or reinspection required pursuant to this chapter  
1129 for inspections performed at official emissions inspection stations.  
1130 Such fees shall be paid in a manner prescribed by the commissioner. If  
1131 the costs to the state of the emissions inspection program, including  
1132 administrative costs and payments to any independent contractor,  
1133 exceed the income from such fees, such excess costs shall be borne by  
1134 the state. Any person whose vehicle has been inspected at an official  
1135 emissions inspection station shall, if such vehicle is found not to  
1136 comply with any required standards, have the vehicle repaired and  
1137 have the right within sixty consecutive calendar days to return such  
1138 vehicle to the same official emissions inspection station for one  
1139 reinspection without charge, provided, where the sixtieth day falls on  
1140 a Sunday, legal holiday or a day on which the commissioner has  
1141 established that special circumstances or conditions exist that have  
1142 caused emissions inspection to be impracticable, such person may  
1143 return such vehicle for reinspection on the next day. The commissioner  
1144 shall assess a late fee of twenty dollars [for the emissions inspection of  
1145 a motor vehicle performed at an official emissions inspection station  
1146 later than thirty days after the expiration date of the assigned  
1147 inspection or reinspection period provided the] against the owner of a  
1148 motor vehicle that has not presented such motor vehicle for an  
1149 emissions inspection within thirty days following the expiration date  
1150 of the assigned inspection period, or that has not presented such motor  
1151 vehicle for a reinspection within sixty days following a test failure, or  
1152 both. The commissioner may waive such late fee when it is proven to  
1153 the commissioner's satisfaction that the failure to have the vehicle  
1154 inspected within thirty days of the assigned inspection period or  
1155 during the sixty-day reinspection period was due to exigent  
1156 circumstances. If ownership of the motor vehicle has been transferred  
1157 subsequent to the expiration date of the assigned inspection or  
1158 reinspection period and the new owner has such motor vehicle  
1159 inspected within thirty days of the registration of such motor vehicle,  
1160 the commissioner shall waive the late fee. If the thirtieth day falls on a  
1161 Sunday, legal holiday or a day on which the commissioner has  
1162 established that special circumstances or conditions exist that have

1163 caused emissions inspection to be impracticable, such vehicle may be  
1164 inspected on the next day and no late fee shall be assessed.

1165 Sec. 33. Subsection (n) of section 14-164c of the general statutes is  
1166 repealed and the following is substituted in lieu thereof (*Effective*  
1167 *October 1, 2011*):

1168 (n) No motor vehicle dealer licensed under section 14-52, as  
1169 amended by this act, shall sell any motor vehicle unless such motor  
1170 vehicle (1) is in compliance with subsections (c) and (d) of this section  
1171 and the regulations adopted by the commissioner, and (2) has passed  
1172 an emissions inspection conducted in accordance with said subsections  
1173 and regulations. No person, firm or corporation shall operate or allow  
1174 to be operated any motor vehicle that has not been inspected and  
1175 found to be in compliance with the provisions of subsections (c), (d)  
1176 and (i) of this section and the regulations adopted by the  
1177 commissioner. Operation in violation of said subsections or the  
1178 regulations adopted by the commissioner shall be an infraction for  
1179 each violation, except that the fine for a first violation shall be fifty  
1180 dollars. The commissioner may deny the issuance of registration to the  
1181 owner of a motor vehicle, or the renewal of registration to any such  
1182 owner, or suspend or revoke any registration that has been issued, if  
1183 such motor vehicle is not in compliance with the inspection  
1184 requirements of this chapter, or such owner has failed to pay any fee  
1185 required by the provisions of this chapter.

1186 Sec. 34. Section 14-188 of the general statutes is repealed and the  
1187 following is substituted in lieu thereof (*Effective July 1, 2011*):

1188 (a) Upon the satisfaction of a security interest in a vehicle for which  
1189 the certificate of title is in the possession of the lienholder, the  
1190 lienholder shall, within ten days after demand and, in any event,  
1191 within thirty days, execute a release of the security interest, in the  
1192 space provided therefor on the certificate or as the commissioner  
1193 prescribes, and mail or deliver the certificate and release to the next  
1194 lienholder named therein, or, if none, to the owner or any person who

1195 delivers to the lienholder an authorization from the owner to receive  
1196 the certificate. [The owner, other than a dealer holding the vehicle for  
1197 resale, shall promptly cause the certificate and release to be mailed or  
1198 delivered to the commissioner, who shall release the lienholder's rights  
1199 on the certificate or issue a new certificate.] The commissioner may  
1200 require such lienholder to electronically transmit to the Department of  
1201 Motor Vehicles a release of its security interest in a vehicle.

1202 (b) If the security interest of the lienholder is maintained in the  
1203 electronic title file pursuant to subsection (b) of section 14-175, such  
1204 lienholder shall, upon the satisfaction of such security interest, execute  
1205 a release of such security interest, and mail, deliver or electronically  
1206 transmit such release to the next lienholder or, if none, to the owner or  
1207 to any person who delivers or electronically transmits to the  
1208 lienholder, an authorization from the owner to receive a certificate of  
1209 title. Such release shall be provided in not more than ten days and  
1210 shall be in such form and manner, and contain such information  
1211 necessary to evidence the release of the lien and to identify the motor  
1212 vehicle and the record of the certificate of title, as the commissioner  
1213 may prescribe. The commissioner [shall issue a certificate of title and  
1214 present or mail such certificate to the owner or to the second  
1215 lienholder, if any] may require the lienholder to electronically transmit  
1216 to the Department of Motor Vehicles information pertaining to the  
1217 release of a security interest in a vehicle.

1218 (c) Upon the satisfaction of a security interest in a vehicle for which  
1219 the certificate of title is in the possession of a prior lienholder, the  
1220 lienholder whose security interest is satisfied shall within ten days  
1221 after demand and, in any event, within thirty days execute a release in  
1222 the form the commissioner prescribes and deliver the release to the  
1223 owner or any person who delivers to the lienholder an authorization  
1224 from the owner to receive it, and shall deliver or electronically transmit  
1225 such release to the prior lienholder. The lienholder in possession of the  
1226 certificate of title shall [either] deliver the certificate to the owner [,] or  
1227 the person authorized by the owner [, for delivery to the commissioner  
1228 or, upon receipt of the release, mail or deliver it with the certificate to

1229 the commissioner, who shall release the subordinate lienholder's rights  
1230 on the certificate or issue a new certificate.] to receive such title. The  
1231 commissioner may require a subordinate lienholder to electronically  
1232 transmit to the Department of Motor Vehicles, information pertaining  
1233 to the release of its security interest in a motor vehicle.

1234 (d) A lienholder who does not comply with subsection (b) or (c) of  
1235 this section and who has disappeared and cannot be located by the  
1236 debtor shall be deemed for purposes of this section only to have  
1237 released such security interest, if evidence satisfactory to the  
1238 commissioner is filed concerning the disappearance of the lienholder,  
1239 and the commissioner shall so note on the records of the department.

1240 Sec. 35. Subsection (b) of section 14-223 of the general statutes is  
1241 repealed and the following is substituted in lieu thereof (*Effective*  
1242 *October 1, 2011*):

1243 (b) No person operating a motor vehicle, when signaled to stop by  
1244 an officer in a police vehicle using an audible signal device or flashing  
1245 or revolving lights, shall increase the speed of the motor vehicle in an  
1246 attempt to escape or elude such police officer. Any person who violates  
1247 this subsection shall be guilty of a class A misdemeanor, except that, if  
1248 such violation causes the death or serious physical injury, as defined in  
1249 section 53a-3, of another person, such person shall be guilty of a class C  
1250 felony, and shall have such person's motor vehicle operator's license  
1251 suspended for one year for the first offense, except that the  
1252 Commissioner of Motor Vehicles may, after a hearing, as provided for  
1253 in subsection [(k)] (i) of section 14-111, as amended by this act, and  
1254 upon a showing of compelling mitigating circumstances, reinstate such  
1255 person's license before the expiration of such one-year period. For any  
1256 subsequent offense such person shall be guilty of a class C felony,  
1257 except that if any prior offense by such person under this subsection  
1258 caused, and such subsequent offense causes, the death or serious  
1259 physical injury, as defined in section 53a-3, of another person, such  
1260 person shall be guilty of a class C felony for which one year of the  
1261 sentence imposed may not be suspended or reduced by the court, and

1262 shall have such person's motor vehicle operator's license suspended for  
1263 not less than eighteen months nor more than two years, except that  
1264 said commissioner may, after a hearing, as provided for in subsection  
1265 [(k)] (i) of section 14-111, as amended by this act, and upon a showing  
1266 of compelling mitigating circumstances, reinstate such person's license  
1267 before such period.

1268 Sec. 36. Subsection (c) of section 14-227f of the general statutes is  
1269 repealed and the following is substituted in lieu thereof (*Effective July*  
1270 *1, 2011*):

1271 (c) Upon receipt of notification from the commissioner of the  
1272 requirement to participate in the program, such person may petition  
1273 the commissioner in writing for a waiver of such requirement on the  
1274 following grounds: (1) The petitioner is presently undergoing a  
1275 substantial treatment program for alcohol or drug addiction, or has  
1276 completed such a program subsequent to [his] such person's most  
1277 recent arrest, either as a result of an order of the Superior Court or on a  
1278 voluntary basis, and (2) the petitioner does not, in the opinion of a  
1279 licensed physician, physician assistant licensed pursuant to chapter  
1280 370 or advanced practice registered nurse licensed pursuant to chapter  
1281 378, based upon a personal examination, have a current addiction  
1282 problem which affects [his] such person's ability to operate a motor  
1283 vehicle in a safe manner. [or pose a significant risk of having such a  
1284 problem in the foreseeable future.] In reviewing and determining  
1285 whether to grant any such petition, the commissioner shall request and  
1286 give due consideration to the advice of the Motor Vehicle Operator's  
1287 License Medical Advisory Board. Any person aggrieved by the  
1288 decision of the commissioner may appeal such decision in accordance  
1289 with the provisions of chapter 54.

1290 Sec. 37. Subsection (e) of section 14-227j of the general statutes is  
1291 repealed and the following is substituted in lieu thereof (*Effective July*  
1292 *1, 2011*):

1293 (e) No provision of this section shall be construed to authorize the

1294 operation of a motor vehicle by any person whose motor vehicle  
1295 operator's license has been refused, suspended or revoked, or who  
1296 does not hold a valid motor vehicle operator's license. A court shall  
1297 inform the Commissioner of Motor Vehicles of each order made by it  
1298 pursuant to subsection (b) of this section. If any person who has been  
1299 ordered not to operate a motor vehicle unless such motor vehicle is  
1300 equipped with an ignition interlock device is the holder of a special  
1301 operator's permit [to operate a motor vehicle for employment  
1302 purposes,] issued by the commissioner under the provisions of section  
1303 14-37a, strict compliance with the terms of the order shall be deemed a  
1304 condition to hold such permit, and any failure to comply with such  
1305 order shall be sufficient cause for immediate revocation of the permit  
1306 by the commissioner.

1307 Sec. 38. Section 14-230a of the general statutes is repealed and the  
1308 following is substituted in lieu thereof (*Effective July 1, 2011*):

1309 On any divided limited access highway which provides more than  
1310 two lanes for traffic proceeding in the same direction, no operator of  
1311 any motor vehicle with a commercial registration, [or] motor bus, [or]  
1312 vehicle with trailer or school bus shall drive in the extreme left lane  
1313 where the State Traffic Commission so designates, except on the  
1314 direction of a police officer or except when access to or egress from  
1315 such highway is provided on the left, in which latter case [he] such  
1316 operator shall drive in such left lane only for such period as is  
1317 reasonably necessary to enter or leave such highway safely. Any  
1318 person who violates any provision of this section shall have committed  
1319 an infraction and shall be fined eighty-eight dollars.

1320 Sec. 39. Subsections (b) and (c) of section 14-253a of the general  
1321 statutes are repealed and the following is substituted in lieu thereof  
1322 (*Effective October 1, 2011*):

1323 (b) The Commissioner of Motor Vehicles shall accept applications  
1324 and renewal applications for [special license plates and] removable  
1325 windshield placards from (1) any person who is blind, as defined in

1326 section 1-1f; (2) any person with disabilities; (3) any parent or guardian  
1327 of any person who is blind or any person with disabilities, if such  
1328 person is under eighteen years of age at the time of application; (4) any  
1329 parent or guardian of any person who is blind or any person with  
1330 disabilities, if such person is unable to request or complete an  
1331 application; and (5) any organization which meets criteria established  
1332 by the commissioner and which certifies to the commissioner's  
1333 satisfaction that the vehicle for which a [plate or] placard is requested  
1334 is primarily used to transport persons who are blind or persons with  
1335 disabilities. Except as provided in subsection (c) of this section, on and  
1336 after October 1, 2011, the commissioner shall not accept applications  
1337 for special license plates, but shall accept renewal applications for such  
1338 plates that were issued prior to October 1, 2011. On and after January  
1339 1, 2010, no person shall be issued a placard in accordance with this  
1340 section unless such person is the holder of a valid motor vehicle  
1341 operator's license, or identification card issued in accordance with the  
1342 provisions of section 1-1h, as amended by this act. The commissioner is  
1343 authorized to adopt regulations for the issuance of placards to persons  
1344 who, by reason of hardship, do not hold or cannot obtain an operator's  
1345 license or identification card. The commissioner shall maintain a  
1346 record of each placard issued to any such person. Such applications  
1347 and renewal applications shall be on a form prescribed by the  
1348 commissioner. In the case of persons with disabilities, the application  
1349 and renewal application shall include: (A) Certification by a licensed  
1350 physician, a physician assistant, or an advanced practice registered  
1351 nurse licensed in accordance with the provisions of chapter 378, that  
1352 the applicant is disabled; (B) certification by a licensed physician, a  
1353 physician assistant, an advanced practice registered nurse licensed in  
1354 accordance with the provisions of chapter 378, or a member of the  
1355 handicapped driver training unit established pursuant to section 14-  
1356 11b, that the applicant meets the definition of a person with a disability  
1357 which limits or impairs the ability to walk, as defined in 23 CFR  
1358 Section 1235.2. In the case of persons who are blind, the application or  
1359 renewal application shall include certification of legal blindness made  
1360 by the Board of Education and Services for the Blind, an

1361 ophthalmologist or an optometrist. Any person who makes a  
1362 certification required by this subsection shall sign the application or  
1363 renewal application under penalty of false statement pursuant to  
1364 section 53a-157b. The commissioner, in said commissioner's discretion,  
1365 may accept the discharge papers of a disabled veteran, as defined in  
1366 section 14-254, in lieu of such certification. The commissioner may  
1367 require additional certification at the time of the original application or  
1368 at any time thereafter. If a person who has been requested to submit  
1369 additional certification fails to do so within thirty days of the request,  
1370 or if such additional certification is deemed by the commissioner to be  
1371 unfavorable to the applicant, the commissioner may refuse to issue or,  
1372 if already issued, suspend or revoke such special license plate or  
1373 placard. The commissioner shall not issue more than one placard per  
1374 applicant. The fee for the issuance of a temporary removable  
1375 windshield placard shall be five dollars. Any person whose application  
1376 has been denied or whose special license plate or placard has been  
1377 suspended or revoked shall be afforded an opportunity for a hearing  
1378 in accordance with the provisions of chapter 54.

1379 (c) Any person who [is eligible] meets the requirements to obtain a  
1380 [special license plate] removable windshield placard pursuant to  
1381 subsection (b) of this section and who has a [motor vehicle] motorcycle  
1382 registered in [his] such person's name [as a passenger vehicle,  
1383 passenger and commercial vehicle or motorcycle] shall be issued, upon  
1384 approval of the application, number plates in accordance with the  
1385 provisions of subsection (a) of section 14-21b, which shall bear letters  
1386 or numerals or any combination thereof followed by the international  
1387 access symbol. The registration of any [motor vehicle] motorcycle for  
1388 which a special license plate is issued shall expire and be renewed as  
1389 provided in section 14-22, as amended by this act, and be subject to the  
1390 fee provisions of section 14-49. No person shall be issued such number  
1391 plates for the registration of more than two [motor vehicles]  
1392 motorcycles. Any person eligible to obtain a special license plate  
1393 pursuant to this section who transfers the expired registration of a  
1394 [motor vehicle] motorcycle owned by [him] such person and replaces

1395 [his] such number plate with a special license plate shall be exempt  
1396 from payment of any fee for such transfer or replacement. A person  
1397 who obtains a special plate or plates under this subsection may also  
1398 obtain a removable windshield placard in accordance with subsection  
1399 (b) of this section.

1400 Sec. 40. Subsection (b) of section 14-267a of the general statutes is  
1401 repealed and the following is substituted in lieu thereof (*Effective July*  
1402 *1, 2011*):

1403 (b) The axle weight on any axle and the gross weight of any vehicle  
1404 or combination of vehicle and trailer or vehicle and semitrailer or any  
1405 other object, including its load, may not exceed the lesser of the  
1406 manufacturer's axle weight rating, the manufacturer's gross vehicle  
1407 weight rating or the following axle and gross weight limits: (1) [A two-  
1408 axle vehicle equipped with pneumatic tires, a gross weight of thirty-  
1409 two thousand pounds] The weight on any single axle shall not exceed  
1410 twenty-two thousand four hundred pounds or, in the case of axles  
1411 spaced less than six feet apart, eighteen thousand pounds on each axle;  
1412 (2) a two-axle vehicle [equipped with solid or pneumatic tires, the  
1413 weight on any single axle not to exceed eighteen thousand pounds, a]  
1414 shall comply with the axle requirements specified in subdivision (1) of  
1415 this subsection, and shall not exceed a maximum gross vehicle weight  
1416 of thirty-six thousand pounds; (3) a three-axle vehicle [equipped with  
1417 pneumatic tires, the weight on any single axle not to exceed twenty-  
1418 two thousand four hundred pounds or, in the case of axles spaced less  
1419 than six feet apart, eighteen thousand pounds,] shall comply with the  
1420 axle requirements specified in subdivision (1) of this subsection and  
1421 shall not exceed a maximum gross vehicle weight of fifty-three  
1422 thousand eight hundred pounds; (4) a three-axle combination of  
1423 vehicle and trailer or vehicle and semitrailer [, the weight on any single  
1424 axle not to exceed twenty-two thousand four hundred pounds or, in  
1425 the case of axles spaced less than six feet apart, eighteen thousand  
1426 pounds, a] shall comply with the axle requirements specified in  
1427 subdivision (1) of this subsection and shall not exceed a maximum  
1428 gross vehicle weight of fifty-eight thousand four hundred pounds; (5)

1429 a four-or-more-axle vehicle or combination of vehicle and trailer or  
1430 vehicle and semitrailer [equipped with pneumatic tires, the weight on  
1431 any single axle not to exceed twenty-two thousand four hundred  
1432 pounds or, in the case of axles spaced less than six feet apart, eighteen  
1433 thousand pounds, a] shall comply with the axle requirements specified  
1434 in subdivision (1) of this subsection and shall not exceed a maximum  
1435 gross vehicle weight of sixty-seven thousand four hundred pounds; (6)  
1436 a four-or-more-axle vehicle or combination of vehicle and trailer or  
1437 vehicle and semitrailer where the distance between the first and last  
1438 axle is not less than twenty-eight feet [, the weight on any single axle  
1439 not to exceed twenty-two thousand four hundred pounds or, in the  
1440 case of axles spaced less than six feet apart, eighteen thousand pounds,  
1441 a] shall comply with the axle requirements specified in subdivision (1)  
1442 of this subsection and shall not exceed a maximum gross vehicle  
1443 weight of seventy-three thousand pounds; [, provided in no event shall  
1444 the gross vehicle weight exceed seventy-three thousand pounds;] (7)  
1445 the gross vehicle weight of a bulk milk pickup tanker shall not exceed  
1446 ninety-nine thousand pounds, provided the weight of the bulk milk  
1447 pickup tanker is permitted under the federal-aid highway  
1448 amendments of 1974, 88 Stat. 2281, 23 USC 101 et seq., as amended  
1449 from time to time, and (8) notwithstanding the provisions of this  
1450 subsection and subsection (e) of this section, a vehicle or combination  
1451 of vehicle and semitrailer [equipped with pneumatic tires] may be  
1452 operated on any highway or bridge without a written permit, provided  
1453 [the weight on any single axle does not exceed twenty-two thousand  
1454 four hundred pounds or, in the case of axles spaced less than six feet  
1455 apart, eighteen thousand pounds] it is in compliance with the axle  
1456 requirements specified in subdivision (1) of this subsection, and  
1457 provided such vehicle or combination is in compliance with the  
1458 federal-aid highway amendments of 1974, 88 Stat. 2281, 23 USC 101 et  
1459 seq., as amended from time to time, including the gross vehicle weight  
1460 limit of eighty thousand pounds and the following weight distribution  
1461 formula:

$$\begin{array}{l}
 \text{T1} \\
 \text{T2} \\
 \text{T3}
 \end{array}
 \quad
 W = 500 \left( \left( \frac{LN}{N-1} \right) + 12N + 36 \right)$$

1462 Where  $W$  = overall gross weight on any group of two or more  
 1463 consecutive axles to the nearest five hundred pounds,  $L$  = distance in  
 1464 feet between the extreme of any group of two or more consecutive  
 1465 axles, and  $N$  = number of axles in group under consideration, except  
 1466 that two consecutive sets of tandem axles may carry a gross load of  
 1467 sixty-eight thousand pounds, provided the overall distance between  
 1468 the first and last axles of such consecutive sets of tandem axles is  
 1469 thirty-six feet or more.

1470 Sec. 41. Subsection (c) of section 14-276 of the general statutes is  
 1471 repealed and the following is substituted in lieu thereof (*Effective July*  
 1472 *1, 2011*):

1473 (c) Any carrier who fails to review the report made by the  
 1474 commissioner, pursuant to subsection (b) of this section, shall be  
 1475 subject to a civil penalty of one thousand dollars for the first violation,  
 1476 and two thousand five hundred dollars for each subsequent violation.  
 1477 Any carrier who fails to remove as an operator, pursuant to subsection  
 1478 (b) of this section, not later than [ten days] forty-eight hours after  
 1479 reviewing such report, any employee whose motor vehicle operator's  
 1480 license or endorsement to operate a school bus or student  
 1481 transportation vehicle has been withdrawn, suspended or revoked,  
 1482 shall be subject to a civil penalty of two thousand five hundred dollars  
 1483 for the first violation, and five thousand dollars for each subsequent  
 1484 violation. Upon appropriate justification presented to the  
 1485 commissioner by any carrier, the commissioner may make a  
 1486 determination to reduce any such penalty.

1487 Sec. 42. Subsection (a) of section 14-280 of the general statutes is  
 1488 repealed and the following is substituted in lieu thereof (*Effective July*  
 1489 *1, 2011*):

1490 (a) When a school bus used for any purpose other than the  
1491 transportation of children to and from schools or school activities,  
1492 private or public camps or any other activities [concerning the  
1493 transportation of] for which groups of children are transported, [all  
1494 lettering indicating the identity of school buses shall be covered and]  
1495 the special signals normally used when so engaged shall be left unused  
1496 or disconnected. Any student transportation vehicle when [used for]  
1497 engaged in the transportation of children to and from private or public  
1498 camps or [for] the transportation exclusively of children [and any  
1499 person or persons having charge of such children] to [any] activities,  
1500 except school activities, [when engaged in such transportation,] may  
1501 display a sign or signs, as described in subsection (b) of this section.  
1502 Any motor vehicle, other than a registered school bus, not owned by a  
1503 public, private or religious school, or under contract to such school,  
1504 when engaged in the transportation of school children to and from  
1505 school or school activities, may display a sign or signs, as described in  
1506 subsection (b) of this section. Any student transportation vehicle, when  
1507 engaged in the transportation of school children to and from school or  
1508 school activities, shall display a sign or signs, as described in  
1509 subsection (b) of this section. Any portable signs, as described in  
1510 subsection (b), that are permitted or required under this section shall  
1511 be removed or covered when the vehicle is not being used for the  
1512 purposes requiring or allowing the use of such signs as specified in  
1513 this section.

1514 Sec. 43. (NEW) (*Effective July 1, 2011*) (a) No person or motor carrier,  
1515 as defined in 49 CFR Section 390.5, as amended from time to time, shall  
1516 operate on the highways of this state any motor vehicle or combination  
1517 of motor vehicles described in subsection (a) of section 14-163c of the  
1518 general statutes unless it has had a periodic inspection as required  
1519 under 49 CFR Section 396.17, as amended from time to time, during  
1520 the preceding twelve months.

1521 (b) No person, dealer or repairer licensed in accordance with section  
1522 14-52 of the general statutes, as amended by this act, or motor carrier,  
1523 as defined in 49 CFR Section 390.5, as amended from time to time, shall

1524 perform a periodic inspection in a manner other than as prescribed in  
1525 49 CFR Sections 396.17, 396.19 and 396.21, as amended from time to  
1526 time.

1527 (c) No person, dealer or repairer licensed in accordance with section  
1528 14-52 of the general statutes, as amended by this act, or motor carrier,  
1529 as defined in 49 CFR Section 390.5, as amended from time to time, shall  
1530 make a false statement regarding the inspection or condition of any  
1531 vehicle or component that it is required to inspect under 49 CFR  
1532 Section 396.17, as amended from time to time, or regarding the repair  
1533 or repairs that it has undertaken on any vehicle or component that is  
1534 required to be inspected. In addition to the penalties prescribed by this  
1535 section, such person, licensed dealer or repairer or motor carrier may  
1536 be subject to the penalties prescribed in section 53a-157b of the general  
1537 statutes.

1538 (d) Any person, motor carrier or licensed dealer or repairer who  
1539 violates the provisions of subsection (a) or (b) of this section shall be  
1540 subject to the penalties prescribed in subsection (e) of section 14-163c  
1541 of the general statutes. In addition to any civil penalties prescribed in  
1542 subsection (e) of section 14-163c of the general statutes, any person,  
1543 motor carrier or licensed dealer or repairer who violates the provisions  
1544 of subsection (c) of this section shall, for a first offense, be fined not  
1545 more than one thousand dollars or imprisoned not more than ninety  
1546 days, or both, and, for any subsequent offense, be fined not less than  
1547 two thousand dollars or imprisoned not more than one year, or both.

1548 Sec. 44. Subsection (a) of section 15-144 of the general statutes are  
1549 repealed and the following is substituted in lieu thereof (*Effective July*  
1550 *1, 2011*):

1551 (a) Any owner desiring to obtain a vessel registration number or  
1552 registration decal shall apply to the Commissioner of Motor Vehicles  
1553 and shall file [evidence of ownership by affidavit or document] such  
1554 proof of ownership of the vessel as the commissioner may require.  
1555 Upon receipt of an application in proper form and the numbering fee,

1556 the Commissioner of Motor Vehicles shall assign a registration number  
1557 or registration decal and provide the owner with a temporary  
1558 certificate of number or temporary certificate of decal. The  
1559 Commissioner of Motor Vehicles shall issue two registration decals  
1560 and a permanent certificate. A registration decal shall be displayed on  
1561 each side of the vessel at the bow in a manner prescribed by the  
1562 Commissioner of Environmental Protection. The certificate shall state  
1563 the name of the owner, his address, a description of the vessel, its hull  
1564 identification number, the expiration date of the certificate and such  
1565 other information as the Commissioner of Environmental Protection  
1566 may prescribe by regulations. Such certificate shall be carried aboard  
1567 and shall be available for inspection upon the vessel for which it is  
1568 issued whenever the owner or any person authorized by him is aboard  
1569 such vessel, except that the certificate of number for a vessel which is  
1570 less than twenty-six feet and which is rented for noncommercial  
1571 purposes for less than twenty-four hours may be retained on shore by  
1572 the owner of such vessel or his agent at the place where such vessel  
1573 departs or returns. If such certificate is retained on shore, a rental  
1574 agreement signed by the owner or his agent and by the person renting  
1575 the vessel shall be carried aboard such vessel and shall be available for  
1576 inspection. Such rental agreement shall contain the vessel number  
1577 which appears on the certificate of number and the length of time for  
1578 which such vessel is rented.

1579 Sec. 45. Subsection (d) of section 15-144 of the general statutes is  
1580 repealed and the following is substituted in lieu thereof (*Effective July*  
1581 *1, 2011*):

1582 (d) Each certificate of number and certificate of registration issued  
1583 by the Commissioner of Motor Vehicles shall expire on the last day of  
1584 April of the year following its issuance. At least thirty days prior to the  
1585 expiration date of each certificate, the Commissioner of Motor Vehicles  
1586 [shall] may notify the owner, in a manner determined by the  
1587 commissioner, of such expiration and the certificate may be renewed  
1588 as prescribed by the Commissioner of Motor Vehicles upon application  
1589 and upon payment of the fee provided in subsection (b) of this section.

1590 The commissioner shall not provide such notification by mail to the  
1591 registrant if the United States Postal Service has determined that mail  
1592 is undeliverable to the address that is documented in the records of the  
1593 Department of Motor Vehicles for such person. The registration  
1594 number assigned to a vessel shall remain the same as long as the vessel  
1595 is registered in this state.

1596 Sec. 46. Section 21-10 of the general statutes is repealed and the  
1597 following is substituted in lieu thereof (*Effective July 1, 2011*):

1598 Any town may make reasonable ordinances with reference to the  
1599 licensing of junk dealers engaged in business therein, including the  
1600 imposition of a license fee in an amount to be fixed by the selectmen at  
1601 a sum not less than two dollars nor more than ten dollars a year, for  
1602 each team or vehicle used in connection with such business, for the  
1603 privilege of carrying on such business. Each such junk dealer shall  
1604 [register with the Department of Motor Vehicles, stating his name,  
1605 residence and post-office address, and the Commissioner of Motor  
1606 Vehicles shall issue to him a certificate of such registration, which  
1607 certificate shall be exhibited by such dealer to the selectmen or other  
1608 authority to whom he makes] make an application [in any town] for a  
1609 license [to carry on] in the town where such dealer is engaged in  
1610 business. [therein] Nothing in this section shall prohibit a junk dealer  
1611 or employee of such dealer from authorizing a person to enter a junk  
1612 yard owned by such dealer for the purpose of salvaging or collecting  
1613 parts or scraps for purchase from such dealer or employee. Except as  
1614 otherwise provided by special act, and except where there exists a duly  
1615 constituted local zoning or planning commission, any town, city or  
1616 borough may, by ordinance, regulate the establishment, location or  
1617 conduct of any junk yard within its territorial limits.

1618 Sec. 47. Subsection (a) of section 29-35 of the general statutes is  
1619 repealed and the following is substituted in lieu thereof (*Effective July*  
1620 *1, 2011*):

1621 (a) No person shall carry any pistol or revolver upon his or her

1622 person, except when such person is within the dwelling house or place  
1623 of business of such person, without a permit to carry the same issued  
1624 as provided in section 29-28. The provisions of this subsection shall not  
1625 apply to the carrying of any pistol or revolver by any parole officer or  
1626 peace officer of this state, or any Department of Motor Vehicles  
1627 inspector appointed under section 14-8 and certified pursuant to  
1628 section 7-294d, or parole officer or peace officer of any other state  
1629 while engaged in the pursuit of official duties, or federal marshal or  
1630 federal law enforcement agent, or to any member of the armed forces  
1631 of the United States, as defined in section 27-103, or of this state, as  
1632 defined in section 27-2, when on duty or going to or from duty, or to  
1633 any member of any military organization when on parade or when  
1634 going to or from any place of assembly, or to the transportation of  
1635 pistols or revolvers as merchandise, or to any person transporting any  
1636 pistol or revolver while contained in the package in which it was  
1637 originally wrapped at the time of sale and while transporting the same  
1638 from the place of sale to the purchaser's residence or place of business,  
1639 or to any person removing such person's household goods or effects  
1640 from one place to another, or to any person while transporting any  
1641 such pistol or revolver from such person's place of residence or  
1642 business to a place or individual where or by whom such pistol or  
1643 revolver is to be repaired or while returning to such person's place of  
1644 residence or business after the same has been repaired, or to any  
1645 person transporting a pistol or revolver in or through the state for the  
1646 purpose of taking part in competitions, taking part in formal pistol or  
1647 revolver training, repairing such pistol or revolver or attending any  
1648 meeting or exhibition of an organized collectors' group if such person  
1649 is a bona fide resident of the United States and is permitted to possess  
1650 and carry a pistol or revolver in the state or subdivision of the United  
1651 States in which such person resides, or to any person transporting a  
1652 pistol or revolver to and from a testing range at the request of the  
1653 issuing authority, or to any person transporting an antique pistol or  
1654 revolver, as defined in section 29-33. For the purposes of this  
1655 subsection, "formal pistol or revolver training" means pistol or  
1656 revolver training at a locally approved or permitted firing range or

1657 training facility, and "transporting a pistol or revolver" means  
1658 transporting a pistol or revolver that is unloaded and, if such pistol or  
1659 revolver is being transported in a motor vehicle, is not readily  
1660 accessible or directly accessible from the passenger compartment of the  
1661 vehicle or, if such pistol or revolver is being transported in a motor  
1662 vehicle that does not have a compartment separate from the passenger  
1663 compartment, such pistol or revolver shall be contained in a locked  
1664 container other than the glove compartment or console. Nothing in this  
1665 section shall be construed to prohibit the carrying of a pistol or  
1666 revolver during formal pistol or revolver training or repair.

1667 Sec. 48. Section 38a-685 of the general statutes is repealed and the  
1668 following is substituted in lieu thereof (*Effective January 1, 2012*):

1669 Any insurer who delivers or issues for delivery in this state liability  
1670 insurance policies for motorcycles shall offer a premium discount on  
1671 any such policy to any principal operator of a motorcycle who submits  
1672 to such insurer proof of successful completion of the novice or  
1673 advanced motorcycle training course offered by the Department of  
1674 Transportation or other entity approved by the Commissioner of  
1675 Motor Vehicles in accordance with section 14-40a, as amended by this  
1676 act. A minimum discount of ten per cent shall be applicable to  
1677 premium charges for any such policy delivered, issued for delivery or  
1678 renewed on or after October 1, 1987, such discount to be applicable for  
1679 a period of five years from the original effective date of the discount.  
1680 Such course shall be completed within one year prior to the initial  
1681 application of the discount or, for subsequent applications of the  
1682 discount, within one year prior to the expiration of the current  
1683 discount period. If proof of successful completion of such course is  
1684 submitted during the term of a policy, any premium modification shall  
1685 become effective upon the next renewal. The discount provided by this  
1686 section shall not be applicable to physical damage insurance coverage  
1687 for motorcycles.

1688 Sec. 49. Subsection (b) of section 53-341b of the general statutes is  
1689 repealed and the following is substituted in lieu thereof (*Effective July*

1690 1, 2011):

1691 (b) The provisions of subsection (a) of this section shall not apply to  
1692 the sale or delivery of body armor to (1) a sworn member or  
1693 authorized official of an organized local police department, the  
1694 Division of State Police within the Department of Public Safety, the  
1695 Division of Criminal Justice, the Department of Correction, [or] the  
1696 Board of Pardons and Paroles or the Department of Motor Vehicles, (2)  
1697 an authorized official of a municipality or the Department of  
1698 Administrative Services that purchases body armor on behalf of an  
1699 organized local police department, the Division of State Police within  
1700 the Department of Public Safety, the Division of Criminal Justice, the  
1701 Department of Correction, [or] the Board of Pardons and Paroles or the  
1702 Department of Motor Vehicles, (3) an authorized official of the Judicial  
1703 Branch who purchases body armor on behalf of a probation officer, or  
1704 (4) a member of the National Guard or the armed forces reserve.

1705 Sec. 50. (*Effective from passage*) The Commissioner of Motor Vehicles  
1706 shall conduct a study of alternatives for the performance of certain  
1707 functions of the Department of Motor Vehicles, such as privatization,  
1708 on-line services and off-site locations, for renewals of noncommercial  
1709 motor vehicle operator's licenses and registrations, and shall report  
1710 findings and recommendations, in accordance with the provisions of  
1711 section 11-4a of the general statutes, to the joint standing committee of  
1712 the General Assembly having cognizance of the Department of Motor  
1713 Vehicles, on or before January 11, 2012.

1714 Sec. 51. Subdivision (80) of section 14-1 of the general statutes is  
1715 repealed and the following is substituted in lieu thereof (*Effective from*  
1716 *passage*):

1717 (80) "Serious traffic violation" means a conviction of any of the  
1718 following offenses: (A) Excessive speeding, involving a single offense  
1719 in which the speed is fifteen miles per hour or more above the posted  
1720 speed limit, in violation of section 14-218a or 14-219; (B) reckless  
1721 driving in violation of section 14-222; (C) following too closely in

1722 violation of section 14-240 or 14-240a; (D) improper or erratic lane  
1723 changes, in violation of section 14-236; (E) [driving] typing, reading or  
1724 sending text or a text message with or from a mobile telephone or  
1725 mobile electronic device while operating a commercial motor vehicle,  
1726 in violation of subsection (e) of section 14-296aa, as amended by this  
1727 act; (F) operating a commercial motor vehicle without a valid  
1728 commercial driver's license in violation of section 14-36a, as amended  
1729 by this act, or 14-44a, as amended by this act; [(F)] (G) failure to carry a  
1730 commercial driver's license in violation of section 14-44a, as amended  
1731 by this act; [(G)] (H) failure to have the proper class of license or  
1732 endorsement, or violation of a license restriction in violation of section  
1733 14-44a, as amended by this act; or [(H) arising in connection with an  
1734 accident related to the operation of a commercial motor vehicle and  
1735 which resulted in a fatality;] (I) a violation of any provision of chapter  
1736 248, while operating a commercial motor vehicle, that results in the  
1737 death of another person.

1738 Sec. 52. Subdivision (79) of section 14-1 of the general statutes, as  
1739 amended by section 37 of public act 10-110, is repealed and the  
1740 following is substituted in lieu thereof (*Effective July 1, 2011*):

1741 (79) "Serious traffic violation" means a conviction of any of the  
1742 following offenses: (A) Excessive speeding, involving a single offense  
1743 in which the speed is fifteen miles per hour or more above the posted  
1744 speed limit, in violation of section 14-218a or 14-219; (B) reckless  
1745 driving in violation of section 14-222; (C) following too closely in  
1746 violation of section 14-240 or 14-240a; (D) improper or erratic lane  
1747 changes, in violation of section 14-236; (E) typing, reading or sending  
1748 text or a text message with or from a mobile telephone or mobile  
1749 electronic device in violation of subsection (e) of section 14-296aa, as  
1750 amended by this act, while operating a commercial motor vehicle; (F)  
1751 driving a commercial motor vehicle without a valid commercial  
1752 driver's license in violation of section 14-36a, as amended by this act, or  
1753 14-44a, as amended by this act; [(F)] (G) failure to carry a commercial  
1754 driver's license in violation of section 14-44a, as amended by this act;  
1755 [(G)] (H) failure to have the proper class of license or endorsement, or

1756 violation of a license restriction in violation of section 14-44a, as  
1757 amended by this act; or [(H) arising in connection with an accident  
1758 related to the operation of a commercial motor vehicle and which  
1759 resulted in a fatality;] (I) a violation of any provision of chapter 248,  
1760 while operating a commercial motor vehicle, that results in the death  
1761 of another person.

1762 Sec. 53. Section 14-296aa of the general statutes is repealed and the  
1763 following is substituted in lieu thereof (*Effective from passage*):

1764 (a) For purposes of this section, the following terms have the  
1765 following meanings:

1766 (1) "Mobile telephone" means a cellular, analog, wireless or digital  
1767 telephone capable of sending or receiving telephone communications  
1768 without an access line for service.

1769 (2) "Using" or "use" means holding a hand-held mobile telephone to,  
1770 or in the immediate proximity of, the user's ear.

1771 (3) "Hand-held mobile telephone" means a mobile telephone with  
1772 which a user engages in a call using at least one hand.

1773 (4) "Hands-free accessory" means an attachment, add-on, built-in  
1774 feature, or addition to a mobile telephone, whether or not permanently  
1775 installed in a motor vehicle, that, when used, allows the vehicle  
1776 operator to maintain both hands on the steering wheel.

1777 (5) "Hands-free mobile telephone" means a hand-held mobile  
1778 telephone that has an internal feature or function, or that is equipped  
1779 with an attachment or addition, whether or not permanently part of  
1780 such hand-held mobile telephone, by which a user engages in a call  
1781 without the use of either hand, whether or not the use of either hand is  
1782 necessary to activate, deactivate or initiate a function of such  
1783 telephone.

1784 (6) "Engage in a call" means talking into or listening on a hand-held  
1785 mobile telephone, but does not include holding a hand-held mobile

1786 telephone to activate, deactivate or initiate a function of such  
1787 telephone.

1788 (7) "Immediate proximity" means the distance that permits the  
1789 operator of a hand-held mobile telephone to hear telecommunications  
1790 transmitted over such hand-held mobile telephone, but does not  
1791 require physical contact with such operator's ear.

1792 (8) "Mobile electronic device" means any hand-held or other  
1793 portable electronic equipment capable of providing data  
1794 communication between two or more persons, including a text  
1795 messaging device, a paging device, a personal digital assistant, a  
1796 laptop computer, equipment that is capable of playing a video game or  
1797 a digital video disk, or equipment on which digital photographs are  
1798 taken or transmitted, or any combination thereof, but does not include  
1799 any audio equipment or any equipment installed in a motor vehicle for  
1800 the purpose of providing navigation, emergency assistance to the  
1801 operator of such motor vehicle or video entertainment to the  
1802 passengers in the rear seats of such motor vehicle.

1803 (b) (1) Except as otherwise provided in this subsection and  
1804 subsections (c) and (d) of this section, no person shall operate a motor  
1805 vehicle upon a highway, as defined in section 14-1, as amended by this  
1806 act, while using a hand-held mobile telephone to engage in a call or  
1807 while using a mobile electronic device while such vehicle is in motion.  
1808 An operator of a motor vehicle who types, sends or reads a text  
1809 message with a hand-held mobile telephone or mobile electronic  
1810 device while such vehicle is in motion shall be in violation of this  
1811 section, except that if such operator is driving a commercial motor  
1812 vehicle, as defined in section 14-1, as amended by this act, such  
1813 operator shall be charged with a violation of subsection (e) of this  
1814 section.

1815 (2) An operator of a motor vehicle who holds a hand-held mobile  
1816 telephone to, or in the immediate proximity of, his or her ear while  
1817 such vehicle is in motion is presumed to be engaging in a call within

1818 the meaning of this section. The presumption established by this  
1819 subdivision is rebuttable by evidence tending to show that the  
1820 operator was not engaged in a call.

1821 (3) The provisions of this subsection shall not be construed as  
1822 authorizing the seizure or forfeiture of a hand-held mobile telephone  
1823 or a mobile electronic device, unless otherwise provided by law.

1824 (4) Subdivision (1) of this subsection [does] shall not apply to: (A)  
1825 The use of a hand-held mobile telephone for the sole purpose of  
1826 communicating with any of the following regarding an emergency  
1827 situation: An emergency response operator; a hospital, physician's  
1828 office or health clinic; an ambulance company; a fire department; or a  
1829 police department, or (B) any of the following persons while in the  
1830 performance of their official duties and within the scope of their  
1831 employment: A peace officer, as defined in subdivision (9) of section  
1832 53a-3, a firefighter or an operator of an ambulance or authorized  
1833 emergency vehicle, as defined in section 14-1, as amended by this act,  
1834 or a member of the armed forces of the United States, as defined in  
1835 section 27-103, while operating a military vehicle, or (C) the use of a  
1836 hands-free mobile telephone.

1837 (c) No person shall use a hand-held mobile telephone or other  
1838 electronic device, including those with hands-free accessories, or a  
1839 mobile electronic device while operating a moving school bus that is  
1840 carrying passengers, except that this subsection [does] shall not apply  
1841 to (1) a school bus driver who places an emergency call to school  
1842 officials, or (2) the use of a hand-held mobile telephone as provided in  
1843 subparagraph (A) of subdivision (4) of subsection (b) of this section.

1844 (d) No person under eighteen years of age shall use any hand-held  
1845 mobile telephone, including one with a hands-free accessory, or a  
1846 mobile electronic device while operating a moving motor vehicle on a  
1847 public highway, except as provided in subparagraph (A) of  
1848 subdivision (4) of subsection (b) of this section.

1849 (e) No person shall type, read or send text or a text message with or

1850 from a mobile telephone or mobile electronic device while operating a  
1851 commercial motor vehicle, as defined in section 14-1, as amended by  
1852 this act, except for the purpose of communicating with any of the  
1853 following regarding an emergency situation: An emergency response  
1854 operator; a hospital; physician's office or health clinic; an ambulance  
1855 company; a fire department or a police department.

1856 [(e)] (f) Except as provided in subsections (b) to [(d)] (e), inclusive,  
1857 of this section, no person shall engage in any activity not related to the  
1858 actual operation of a motor vehicle in a manner that interferes with the  
1859 safe operation of such vehicle on any highway, as defined in section  
1860 14-1, as amended by this act.

1861 [(f)] (g) Any law enforcement officer who issues a summons for a  
1862 violation of [subsection (b), (c), (d) or (i) of] this section shall record [,]  
1863 on [any] such summons, [form issued in connection with the matter,]  
1864 the specific nature of any distracted driving behavior observed by such  
1865 officer, [that contributed to the issuance of such summons.]

1866 [(g)] (h) Any person who violates [subsection (b) of] this section  
1867 shall be fined one hundred twenty-five dollars for a first violation,  
1868 [one] two hundred fifty dollars for a second violation and [two] four  
1869 hundred dollars for a third or subsequent violation.

1870 [(h) Any person who violates subsection (c) or (d) of this section  
1871 shall be fined not more than one hundred dollars.]

1872 (i) An operator of a motor vehicle who commits a moving violation,  
1873 as defined in subsection (a) of section 14-111g, as amended by this act,  
1874 while engaged in any activity prohibited [under subsection (e) of] by  
1875 this section shall be fined [one hundred dollars] in accordance with  
1876 subsection (h) of this section, in addition to any penalty or fine  
1877 imposed for the moving violation.

1878 (j) The state shall remit to a municipality twenty-five per cent of the  
1879 amount received with respect to each summons issued by such  
1880 municipality for a violation of this section. Each clerk of the Superior

1881 Court or the Chief Court Administrator, or any other official of the  
1882 Superior Court designated by the Chief Court Administrator, shall, on  
1883 or before the thirtieth day of January, April, July and October in each  
1884 year, certify to the Comptroller the amount due for the previous  
1885 quarter under this subsection to each municipality served by the office  
1886 of the clerk or official.

1887 Sec. 54. Section 14-111g of the general statutes is repealed and the  
1888 following is substituted in lieu thereof (*Effective October 1, 2011*):

1889 (a) For the purposes of this subsection, "moving violation" means  
1890 any violation of subsection (c) of section 14-36, section 14-36g, 14-218a,  
1891 14-219, 14-222, 14-223, as amended by this act, 14-230 to 14-249,  
1892 inclusive, 14-279, [or] 14-283, 14-289b, [subsection (d) of section] 14-  
1893 296aa, as amended by this act, or [section] 14-299 [, 14-301, 14-302 or] to  
1894 14-303, inclusive, and "suspension violation" means a violation of  
1895 section 14-222a or 14-224, subsection (a) of section 14-227a, or section  
1896 53a-56b, 53a-57 or 53a-60d. The Commissioner of Motor Vehicles may  
1897 require any motor vehicle operator who is twenty-four years of age or  
1898 less, who has been convicted of a moving violation or a suspension  
1899 violation, or both, committed on two or more occasions to attend a  
1900 motor vehicle operator's retraining program. The commissioner may  
1901 require any motor vehicle operator over twenty-four years of age, who  
1902 has been convicted of a moving violation or a suspension violation or a  
1903 combination of said violations, committed on three or more occasions  
1904 to attend a motor vehicle operator's retraining program. The  
1905 commissioner shall notify such operator, in writing, of such  
1906 requirement. A fee of not more than sixty dollars shall be charged for  
1907 the retraining program. The commissioner, after notice and  
1908 opportunity for hearing, may suspend the motor vehicle operator's  
1909 license of any such operator who fails to attend or successfully  
1910 complete the program until the operator successfully completes the  
1911 program. The hearing shall be limited to any claim of impossibility of  
1912 the operator to attend the retraining program, or to a determination of  
1913 mistake or misidentification.

1914 (b) The retraining program shall be taught by a designee of the  
1915 Commissioner of Motor Vehicles or by an instructor approved by the  
1916 commissioner and shall (1) review principles of motor vehicle  
1917 operation, (2) develop alternative attitudes for those attitudes  
1918 contributing to aggressive driving behavior, and (3) emphasize the  
1919 need to practice safe driving behavior. The retraining program shall be  
1920 offered by the Department of Motor Vehicles or by any other  
1921 organization certified by the commissioner to conduct such program.  
1922 Any drivers' school, as defined in section 14-68, that meets the  
1923 licensure requirements of part IV of this chapter shall be eligible to  
1924 seek certification to offer the motor vehicle operator's retraining  
1925 program. The commissioner shall determine the number of program  
1926 providers necessary to serve the needs of the public. Each organization  
1927 or drivers' school seeking certification or recertification to conduct  
1928 such retraining program shall submit an application to the department  
1929 in such form as the commissioner shall require and an application fee  
1930 of three hundred fifty dollars. Each such applicant shall: (A) Be  
1931 registered to do business in this state and continuously maintain good  
1932 standing with the office of the Secretary of the State; (B) file and  
1933 continuously maintain a surety bond in the amount of fifty thousand  
1934 dollars. Such bond shall be conditioned upon compliance with the  
1935 provisions of any state or federal law or regulation concerning the  
1936 conduct of an operator retraining program and provided as indemnity  
1937 for any loss or expense sustained by either the state or any person by  
1938 reason of any acts or omissions of the program provider. Such bond  
1939 shall be executed in the name of the State of Connecticut for the benefit  
1940 of any aggrieved party, but the penalty of the bond shall not be  
1941 invoked except upon order of the Commissioner of Motor Vehicles  
1942 after a hearing held before the commissioner in accordance with the  
1943 provisions of chapter 54; (C) have a permanent place of business in this  
1944 state where all operator retraining program records shall be  
1945 maintained and accessible to the commissioner during normal  
1946 business hours; (D) submit for approval by the commissioner a  
1947 detailed curriculum and lesson plan, including any changes to such  
1948 curriculum and lesson plan, which shall be used in each operator

1949 retraining class; and (E) electronically transmit information concerning  
1950 enrollment and class completion to the commissioner at such times  
1951 and in such form as the commissioner shall prescribe. Prior to the  
1952 certification of an applicant, the commissioner shall investigate the  
1953 applicant's character, driving history and criminal history. If the  
1954 applicant is a business entity, such investigation shall include the  
1955 principals and officers of such entity. The applicant shall submit to the  
1956 commissioner any information pertaining to current or past criminal or  
1957 civil actions. The certification of a program provider by the  
1958 commissioner shall not be transferable and shall be valid for a two-  
1959 year period. Recertification of a provider shall be at the discretion of  
1960 the commissioner and in such form and manner determined by the  
1961 commissioner.

1962 (c) Any person who is required to attend an operator retraining  
1963 program shall have such requirement and the completion date of such  
1964 requirement posted on such person's driving history record  
1965 maintained by the commissioner. The date of class completion shall  
1966 remain on such person's driving history record until such person has  
1967 attained thirty-six consecutive months without any additional moving  
1968 violations or suspension violations specified in subsection (a) of this  
1969 section being posted to such person's driving history record. Until the  
1970 completion of such thirty-six consecutive months the Commissioner of  
1971 Motor Vehicles shall suspend such person's operator's license or  
1972 operating privilege for: (1) Thirty days upon a first conviction for any  
1973 specified moving violation or suspension violation; (2) sixty days upon  
1974 a second conviction of any specified moving violation or suspension  
1975 violation; and (3) ninety days for a third or subsequent conviction of a  
1976 specified moving violation or suspension violation.

1977 [(c)] (d) The commissioner shall adopt regulations in accordance  
1978 with chapter 54 to implement the provisions of subsections (a) and (b)  
1979 of this section.

1980 Sec. 55. Subsection (a) of section 14-44c of the general statutes is  
1981 repealed and the following is substituted in lieu thereof (*Effective from*

1982 *passage*):

1983 (a) The application for a commercial driver's license or commercial  
1984 driver's instruction permit, shall include the following:

1985 (1) The full name and current mailing and residence address of the  
1986 person;

1987 (2) A physical description of the person, including sex, height and  
1988 eye color;

1989 (3) Date of birth;

1990 (4) The applicant's Social Security number;

1991 [(5) The person's color picture, to be taken by the commissioner or  
1992 his representative;]

1993 [(6)] (5) The person's statement, under oath, that he meets the  
1994 requirements for qualification contained in 49 CFR 391, as amended, or  
1995 does not expect to operate in interstate or foreign commerce;

1996 [(7)] (6) The person's statement, under oath, that the type of vehicle  
1997 in which the person has taken or intends to take the driving skills test  
1998 is representative of the type of motor vehicle the person operates or  
1999 intends to operate;

2000 [(8)] (7) The person's statement, under oath, that he is not subject to  
2001 disqualification, suspension, revocation or cancellation of operating  
2002 privileges in any state, and that he does not hold an operator's license  
2003 in any other state;

2004 [(9)] (8) The person's identification of all states in which such person  
2005 has been licensed to drive any type of motor vehicle during the last ten  
2006 years, and the person's statement, under oath that he does not hold an  
2007 operator's license in any other state; and

2008 [(10)] (9) The person's signature, and certification of the accuracy

2009 and completeness of the application, subject to the penalties of false  
2010 statement under section 53a-157b. The application shall be  
2011 accompanied by the fee prescribed in section 14-44h, as amended by  
2012 this act.

2013 Sec. 56. Subsections (b) and (c) of section 14-40a of the general  
2014 statutes are repealed and the following is substituted in lieu thereof  
2015 (*Effective from passage*):

2016 (b) A person who is sixteen years of age or older and who has not  
2017 had such a license suspended or revoked may apply to the  
2018 commissioner for a training permit. The commissioner may issue a  
2019 training permit, containing such limitation as said commissioner  
2020 deems advisable, to an applicant after the applicant has passed all  
2021 parts of the examination, other than the driving skills test, for a motor  
2022 vehicle operator's license with a motorcycle endorsement as required  
2023 by subsection (c) of this section. The training permit shall entitle the  
2024 applicant, while said applicant is in immediate possession of said  
2025 permit, to drive a motorcycle on the public highways, other than  
2026 multiple lane limited access highways, for a period of sixty days. A  
2027 training permit may be renewed, or a new permit issued, for an  
2028 additional period of sixty days. On and after January 1, 1990, each  
2029 applicant issued a training permit shall, while operating a motorcycle,  
2030 wear protective headgear of a type which conforms to the minimum  
2031 specifications established by regulations adopted under subsection (b)  
2032 of section 14-289g.

2033 (c) Before granting a motorcycle endorsement to any applicant who  
2034 has not held such an endorsement at any time within the preceding  
2035 two years, the commissioner shall require the applicant to present  
2036 evidence satisfactory to the commissioner that such applicant has  
2037 successfully completed a novice motorcycle training course conducted  
2038 by the Department of Transportation with federal funds available for  
2039 the purpose of such course, or by any firm or organization that  
2040 conducts such a course that uses the curriculum of the Motorcycle  
2041 Safety Foundation or other safety or educational organization that has

2042 developed a curriculum approved by the commissioner. If such  
2043 applicant has not obtained a training permit pursuant to subsection (b)  
2044 of this section, the applicant shall also pass an examination, other than  
2045 the driving skills test, demonstrating that the applicant is a proper  
2046 person to operate a motorcycle, has sufficient knowledge of the  
2047 mechanism of a motorcycle to ensure its safe operation by such  
2048 applicant, and has satisfactory knowledge of the law concerning  
2049 motorcycles and other motor vehicles and the rules of the road. When  
2050 the commissioner is satisfied as to the ability and competency of the  
2051 applicant, the commissioner may issue an endorsement to such  
2052 applicant, either unlimited or containing such limitations as the  
2053 commissioner deems advisable. If an applicant or motorcycle  
2054 endorsement holder has any health problem which might affect such  
2055 person's ability to operate a motorcycle safely, the commissioner may  
2056 require the applicant or endorsement holder to demonstrate personally  
2057 that, notwithstanding the problem, such person is a proper person to  
2058 operate a motorcycle, and the commissioner may further require a  
2059 certificate of the applicant's condition, signed by a medical authority  
2060 designated by the commissioner, which certificate shall, in all cases, be  
2061 treated as confidential by the commissioner. An endorsement,  
2062 containing such limitation as the commissioner deems advisable may  
2063 be issued or renewed in any case, but nothing in this section shall be  
2064 construed to prevent the commissioner from refusing an endorsement,  
2065 either limited or unlimited, to any person or suspending an  
2066 endorsement of a person whom the commissioner deems incapable of  
2067 safely operating a motorcycle.

2068 Sec. 57. Subsections (b) and (c) of section 14-52 of the general  
2069 statutes are repealed and the following is substituted in lieu thereof  
2070 (*Effective from passage*):

2071 (b) (1) Except as provided in subsection (c) of this section, each  
2072 applicant for a repairer's or a limited repairer's license shall furnish a  
2073 cash bond or a surety bond in the amount of five thousand dollars.

2074 (2) Except as provided in subsection (c) of this section, each

2075 applicant for a new car dealer's or a used car dealer's license shall  
2076 furnish a cash bond or a surety bond in the amount of fifty thousand  
2077 dollars.

2078 (3) Each applicant for a leasing or rental license issued pursuant to  
2079 section 14-15, who is engaged in the leasing or renting of motor  
2080 vehicles for periods of thirty days or more shall furnish a cash bond or  
2081 a surety bond in the amount of ten thousand dollars.

2082 (4) Each such bond required under subdivisions (1) to (3), inclusive,  
2083 of this subsection shall be conditioned upon the applicant or licensee  
2084 complying with the provisions of any state or federal law or regulation  
2085 relating to the conduct of such business and provided as indemnity for  
2086 any loss sustained by any person by reason of any acts of the licensee  
2087 constituting grounds for suspension or revocation of the license or  
2088 such licensee going out of business. [Such] Each cash bond shall be  
2089 deposited with the commissioner and each surety bond shall be  
2090 executed in the name of the state of Connecticut for the benefit of any  
2091 aggrieved party, but the penalty of the bond shall not be invoked  
2092 except upon order of the commissioner after a hearing held before said  
2093 commissioner in accordance with the provisions of chapter 54.

2094 (c) The commissioner may request information from any applicant  
2095 for a repairer's license or used car dealer's license concerning the  
2096 financial status and ability of such applicant to comply with the  
2097 requirements of this subpart and the regulations adopted thereunder.  
2098 The commissioner shall review such information to determine if the  
2099 applicant has sufficient financial resources to conduct the business in a  
2100 manner consistent with the reasonable security and protection of its  
2101 customers in regard to the duties and responsibilities imposed by the  
2102 provisions of this subpart and the regulations adopted thereunder. The  
2103 commissioner may refuse to issue a license if the applicant fails to  
2104 provide any such information requested or, if, after review by the  
2105 commissioner, the commissioner is not satisfied as to such applicant's  
2106 financial status. The commissioner may, in any case deemed  
2107 appropriate, grant a license on condition that the applicant post a cash

2108 bond or a surety bond, in accordance with the provisions of subsection  
2109 (b) of this section, in an amount prescribed by the commissioner that is  
2110 greater than the minimum amount required by the applicable  
2111 provisions of said subsection (b). Any applicant aggrieved by any  
2112 decision of the commissioner made pursuant to this subsection shall be  
2113 afforded an opportunity for hearing in accordance with the provisions  
2114 of chapter 54. The commissioner may adopt regulations in accordance  
2115 with chapter 54 to carry out the provisions of this subsection.

2116 Sec. 58. Subsection (d) of section 14-36 of the general statutes is  
2117 repealed and the following is substituted in lieu thereof (*Effective from*  
2118 *passage*):

2119 (d) (1) No motor vehicle operator's license shall be issued to any  
2120 applicant who is sixteen or seventeen years of age unless the applicant  
2121 has held a learner's permit and has satisfied the requirements specified  
2122 in this subsection. The applicant shall (A) present to the Commissioner  
2123 of Motor Vehicles a certificate of the successful completion (i) in a  
2124 public secondary school, a state vocational school or a private  
2125 secondary school of a full course of study in motor vehicle operation  
2126 prepared as provided in section 14-36e, (ii) of training of similar nature  
2127 provided by a licensed drivers' school approved by the commissioner,  
2128 or (iii) of home training in accordance with subdivision (2) of this  
2129 subsection, including, in each case, or by a combination of such types  
2130 of training, successful completion of: Not less than twenty clock hours  
2131 of behind-the-wheel, on-the-road instruction for applicants to whom a  
2132 learner's permit is issued before August 1, 2008; and not less than forty  
2133 clock hours of behind-the-wheel, on-the-road instruction for applicants  
2134 to whom a learner's permit is issued on or after August 1, 2008; (B)  
2135 present to the commissioner a certificate of the successful completion  
2136 of a course of not less than eight hours relative to safe driving  
2137 practices, including a minimum of four hours on the nature and the  
2138 medical, biological and physiological effects of alcohol and drugs and  
2139 their impact on the operator of a motor vehicle, the dangers associated  
2140 with the operation of a motor vehicle after the consumption of alcohol  
2141 or drugs by the operator, the problems of alcohol and drug abuse and

2142 the penalties for alcohol and drug-related motor vehicle violations; and  
2143 (C) pass an examination which [shall] may include a comprehensive  
2144 test as to knowledge of the laws concerning motor vehicles and the  
2145 rules of the road in addition to the test required under subsection (c) of  
2146 this section and shall include an on-the-road skills test as prescribed by  
2147 the commissioner. At the time of application and examination for a  
2148 motor vehicle operator's license, an applicant sixteen or seventeen  
2149 years of age shall have held a learner's permit for not less than one  
2150 hundred eighty days, except that an applicant who presents a  
2151 certificate under subparagraph (A)(i) or subparagraph (A)(ii) of this  
2152 subdivision shall have held a learner's permit for not less than one  
2153 hundred twenty days and an applicant who is undergoing training  
2154 and instruction by the handicapped driver training unit in accordance  
2155 with the provisions of section 14-11b shall have held such permit for  
2156 the period of time required by said unit. The Commissioner of Motor  
2157 Vehicles shall approve the content of the safe driving instruction at  
2158 drivers' schools, high schools and other secondary schools. Subject to  
2159 such standards and requirements as the commissioner may impose,  
2160 the commissioner may authorize any driver's school, licensed in good  
2161 standing in accordance with the provisions of section 14-69, as  
2162 amended by this act, or secondary school driver education program  
2163 authorized pursuant to the provisions of section 14-36e, to administer  
2164 the comprehensive test as to knowledge of the laws concerning motor  
2165 vehicles and the rules of the road, required pursuant to subparagraph  
2166 (C) of this subdivision, as part of the safe driving practices course  
2167 required pursuant to subparagraph (B) of this subdivision, and to  
2168 certify to the commissioner, under oath, the results of each such test  
2169 administered. Such hours of instruction required by this subdivision  
2170 shall be included as part of or in addition to any existing instruction  
2171 programs. Any fee charged for the course required under  
2172 subparagraph (B) of this subdivision shall not exceed one hundred  
2173 twenty-five dollars, unless the comprehensive test as to knowledge of  
2174 the laws concerning motor vehicles and the rules of the road is also  
2175 administered, in which case the fee shall not exceed one hundred fifty  
2176 dollars. Any applicant sixteen or seventeen years of age who, while a

2177 resident of another state, completed the course required in  
2178 subparagraph (A) of this subdivision, but did not complete the safe  
2179 driving course required in subparagraph (B) of this subdivision, shall  
2180 complete the safe driving course. The commissioner may waive any  
2181 requirement in this subdivision, except for that in subparagraph (C) of  
2182 this subdivision, in the case of an applicant sixteen or seventeen years  
2183 of age who holds a valid motor vehicle operator's license issued by any  
2184 other state, provided the commissioner is satisfied that the applicant  
2185 has received training and instruction of a similar nature. (2) The  
2186 commissioner may accept as evidence of sufficient training under  
2187 subparagraph (A) of subdivision (1) of this subsection home training as  
2188 evidenced by a written statement signed by the spouse of a married  
2189 minor applicant, or by a parent, grandparent, foster parent or legal  
2190 guardian of an applicant which states that the applicant has obtained a  
2191 learner's permit and has successfully completed a driving course  
2192 taught by the person signing the statement, that the signer has had an  
2193 operator's license for at least four years preceding the date of the  
2194 statement, and that the signer has not had such license suspended by  
2195 the commissioner for at least four years preceding the date of the  
2196 statement or, if the applicant has no spouse, parent, grandparent,  
2197 foster parent or guardian so qualified and available to give the  
2198 instruction, a statement signed by the applicant's stepparent, brother,  
2199 sister, uncle or aunt, by blood or marriage, provided the person  
2200 signing the statement is qualified. (3) If the commissioner requires a  
2201 written test of any applicant under this section, the test shall be given  
2202 in English or Spanish at the option of the applicant, provided the  
2203 commissioner shall require that the applicant shall have sufficient  
2204 understanding of English for the interpretation of traffic control signs.  
2205 (4) The Commissioner of Motor Vehicles may adopt regulations, in  
2206 accordance with the provisions of chapter 54, to implement the  
2207 purposes of this subsection concerning the requirements for behind-  
2208 the-wheel, on-the-road instruction, the content of safe driving  
2209 instruction at drivers' schools, high schools and other secondary  
2210 schools, and the administration and certification of required testing.

2211 Sec. 59. (NEW) (*Effective October 1, 2012*) The Department of Motor  
 2212 Vehicles, upon the written request of an incarcerated person who  
 2213 responds to a renewal notice for such person's operator's license, shall  
 2214 extend the expiration date of such person's operator's license for two  
 2215 years or thirty days following the date such person is released from  
 2216 incarceration, whichever occurs first.

2217 Sec. 60. (*Effective July 1, 2011*) Section 34 of public act 10-110 shall  
 2218 take effect July 1, 2012.

2219 Sec. 61. (*Effective July 1, 2011*) Section 37 of public act 10-110 shall  
 2220 take effect July 1, 2012.

|   |                        |                   |
|---|------------------------|-------------------|
| This act shall take effect as follows and shall amend the following sections: |                        |                   |
| Section 1   | <i>July 1, 2011</i>    | 1-1h(b)           |
| Sec. 2  | <i>July 1, 2011</i>    | 13b-59(d)         |
| Sec. 3  | <i>July 1, 2011</i>    | 13b-59(f)         |
| Sec. 4  | <i>July 1, 2011</i>    | 14-3              |
| Sec. 5  | <i>July 1, 2011</i>    | 14-10(c) to (e)   |
| Sec. 6  | <i>July 1, 2011</i>    | 14-12(c)          |
| Sec. 7  | <i>July 1, 2011</i>    | 14-15(a)          |
| Sec. 8  | <i>July 1, 2011</i>    | 14-21c(a)         |
| Sec. 9  | <i>July 1, 2011</i>    | 14-22(a)          |
| Sec. 10   | <i>July 1, 2011</i>    | 14-34a(e)         |
| Sec. 11   | <i>July 1, 2011</i>    | 14-35a            |
| Sec. 12   | <i>from passage</i>    | 14-36(e)          |
| Sec. 13   | <i>October 1, 2011</i> | 14-36(g)          |
| Sec. 14   | <i>July 1, 2011</i>    | 14-36a            |
| Sec. 15   | <i>October 1, 2011</i> | 14-36h            |
| Sec. 16   | <i>from passage</i>    | 14-41(b) and (c)  |
| Sec. 17   | <i>from passage</i>    | 14-41a            |
| Sec. 18   | <i>July 1, 2011</i>    | 14-44(a)          |
| Sec. 19   | <i>July 1, 2011</i>    | 14-44a(c)         |
| Sec. 20   | <i>from passage</i>    | 14-44h(c)         |
| Sec. 21   | <i>July 1, 2011</i>    | 14-44k(h) and (i) |
| Sec. 22   | <i>from passage</i>    | 14-52(a)          |
| Sec. 23   | <i>October 1, 2011</i> | 14-61(a)          |

|         |                 |                    |
|---------|-----------------|--------------------|
| Sec. 24 | July 1, 2011    | 14-69              |
| Sec. 25 | July 1, 2011    | 14-73              |
| Sec. 26 | from passage    | 14-96p(a)(1)       |
| Sec. 27 | July 1, 2011    | 14-99h(c)          |
| Sec. 28 | October 1, 2011 | 14-111             |
| Sec. 29 | July 1, 2011    | 14-163d(a)         |
| Sec. 30 | July 1, 2011    | 14-164b            |
| Sec. 31 | October 1, 2011 | 14-164c(a)         |
| Sec. 32 | October 1, 2011 | 14-164c(k)(1)      |
| Sec. 33 | October 1, 2011 | 14-164c(n)         |
| Sec. 34 | July 1, 2011    | 14-188             |
| Sec. 35 | October 1, 2011 | 14-223(b)          |
| Sec. 36 | July 1, 2011    | 14-227f(c)         |
| Sec. 37 | July 1, 2011    | 14-227j(e)         |
| Sec. 38 | July 1, 2011    | 14-230a            |
| Sec. 39 | October 1, 2011 | 14-253a(b) and (c) |
| Sec. 40 | July 1, 2011    | 14-267a(b)         |
| Sec. 41 | July 1, 2011    | 14-276(c)          |
| Sec. 42 | July 1, 2011    | 14-280(a)          |
| Sec. 43 | July 1, 2011    | New section        |
| Sec. 44 | July 1, 2011    | 15-144(a)          |
| Sec. 45 | July 1, 2011    | 15-144(d)          |
| Sec. 46 | July 1, 2011    | 21-10              |
| Sec. 47 | July 1, 2011    | 29-35(a)           |
| Sec. 48 | January 1, 2012 | 38a-685            |
| Sec. 49 | July 1, 2011    | 53-341b(b)         |
| Sec. 50 | from passage    | New section        |
| Sec. 51 | from passage    | 14-1(80)           |
| Sec. 52 | July 1, 2011    | 14-1(79)           |
| Sec. 53 | from passage    | 14-296aa           |
| Sec. 54 | October 1, 2011 | 14-111g            |
| Sec. 55 | from passage    | 14-44c(a)          |
| Sec. 56 | from passage    | 14-40a(b) and (c)  |
| Sec. 57 | from passage    | 14-52(b) and (c)   |
| Sec. 58 | from passage    | 14-36(d)           |
| Sec. 59 | October 1, 2012 | New section        |
| Sec. 60 | July 1, 2011    | New section        |
| Sec. 61 | July 1, 2011    | New section        |

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

| Agency Affected              | Fund-Effect       | FY 12 \$ | FY 13 \$ |
|------------------------------|-------------------|----------|----------|
| Department of Motor Vehicles | TF - Savings      | 200,000  | 200,000  |
| Judicial Dept.               | GF - Revenue Gain | 235,000  | 235,000  |

Note: TF=Transportation Fund; GF=General Fund

**Municipal Impact:** None

**Explanation**

A section by section fiscal impact is presented below. The other sections of the bill have no fiscal impact because they make technical, clarifying, or conforming changes to current practice or federal regulations.

Sections 1, 7, 9, 16, 20, 22, 27, 45, and 47 result in savings of approximately \$200,000 per year to the Special Transportation Fund as a result of eliminating mailing notices to addresses the United States Postal Service has determined that mail is undeliverable to the address on record at the Department of Motor Vehicles (DMV).

Sections 24 and 25 establish a class B misdemeanor for the operation of a driving school or to teach a person to drive in exchange for money without the appropriate license, which will result in a potential revenue gain of less than \$5,000 to the General Fund. The estimate assumes that the establishment of a class B misdemeanor for this offense will increase the likelihood that an estimated 10 offenders annually would be prosecuted and receive harsher penalties than

under current law.<sup>1</sup>

It is anticipated that the number of additional offenders placed on probation would be less than 10, and would not result in additional resources being required by the Judicial Department.

Section 50 requires the DMV to conduct a study and make recommendations on alternatives for non-commercial operator's license and registration system processes and would not result in additional cost to the agency.

Sections 51 through 53 increase the fines for second and third offenders for using a cell phone or texting while driving, which will result in a potential revenue gain to the General Fund of \$235,000. The estimate assumes 5% of offenders will re-offend, a similar number of convictions for this offense are made in the future and the total revenue collected will increase proportionally to current collections.<sup>2</sup>

Section 58 eliminates the requirement for a second written driving test for teen drivers and would result in efficiencies achieved by administering one test instead of two.

Section 59 extends the expiration date of an incarcerated person's operator's license renewal upon written request and is not anticipated to result in any fiscal impact to DMV.

Sections 60 and 61 delay the effective date for eliminating the operator's license endorsement for activity vehicles by one year, which will result in postponing the minimal fiscal impact (less than \$5,000) from FY 12 to FY 13 to DMV as a result of having to modify current regulations to reflect the endorsement revision in PA 10-110 sections 34 and 37.

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<sup>1</sup> In 2010, one fine was issued for practicing a craft without a license, totaling \$100 in revenue collected.

<sup>2</sup> In 2010, 31,565 convictions were made for using a cell phone or texting while driving, and \$1,801,267 in fine revenue was collected. The total revenue collected represents 60% of potential revenue that could have been collected.

House 'A' strikes the original bill and results in the fiscal impact stated above.

***The Out Years***

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

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**OLR Bill Analysis****sHB 6581 (as amended by House "A")\******AN ACT MAKING REVISIONS TO MOTOR VEHICLE STATUTES.*****SUMMARY:**

This bill makes a number of changes to motor vehicle laws. Among other things, it:

1. increases fines for using a cell phone or texting while driving and imposes additional penalties for texting while driving a commercial motor vehicle (§§ 51- 53);
2. requires school bus operators to remove a driver from a school bus within 48 hours, rather than 10 days, after learning that the Department of Motor Vehicles (DMV) has suspended or revoked his or her license or school bus endorsement (§ 41);
3. bars school buses, except in limited circumstances, from driving in the far left lane of limited access highways (§ 38);
4. imposes license suspensions on certain drivers who repeatedly commit certain traffic violations and increases the number of violations for which the DMV commissioner may do this (§ 54);
5. ends the distribution of handicapped license plates (except for motorcycles) but allows people who already have them to renew them (§ 39);
6. allows servicemen and women serving abroad to obtain driver's licenses and non-driver ID cards (§15);
7. requires certain driving tests to be given in certain languages, other than English and Spanish (§ 12);

8. eliminates the ability of certain drivers whose Connecticut license has been suspended because of certain motor vehicle convictions in other states from asking DMV to reverse or reduce the suspension, eliminates the commissioner's authority to suspend the license of people charged with a felony, and makes related changes (§ 28);
9. requires new and used car dealers to sell only vehicles that meet state emissions standards and have passed an emissions test (§ 33); and
10. makes it a crime to operate a driving school or teach people to drive, for pay, without the appropriate licenses (§§ 24 and 25).

It also requires DMV to conduct a privatization study; allows it to change the renewal notification process for registrations, licenses and other documents; authorizes it to contract with independent contractors for some services; and makes other substantive and conforming changes.

\*House Amendment "A" replaces the original bill. It eliminates several sections creating or changing certain fees, adds certain motor vehicle violations to those for which DMV can require a driver to attend a driver retraining program; and adds provisions on written tests for driver's licenses and licenses with motorcycle endorsements. It also allows applicants for certain DMV licenses to post cash bonds; bars motor vehicle dealers from selling a vehicle that has not passed an emissions inspection; tightens restrictions on drivers whose passenger endorsement has been suspended, revoked, withdrawn, or denied; bars municipalities from imposing certain restrictions on junkyards; and makes other minor and technical changes.

EFFECTIVE DATE: Various, see below

## **§ 1 — NOTIFICATION OF EXPIRING ID CARDS**

The bill allows, rather than requires, the DMV commissioner to notify non-driver ID card holders when an ID card is going to expire.

The commissioner will not notify an ID card holder when the U. S. Postal Service determines mail is not deliverable to him or her at the address in DMV records. (If the commissioner does choose to notify ID card holders, § 16 of this bill requires her to do so at least 15 days before the card is due to expire. )

EFFECTIVE DATE: July 1, 2011

### **§§ 2 & 3 — CONFORMING CHANGES**

These sections make conforming changes.

EFFECTIVE DATE: July 1, 2011

### **§ 4 — DMV CONTRACTS WITH INDEPENDENT CONTRACTORS**

The bill authorizes the commissioner to contract with independent contractors to provide programs and services on behalf of DMV, provided that the contracts specify that the contractors may charge DMV customers a reasonable service fee from which the contractor will be paid. The commissioner must set the fee.

EFFECTIVE DATE: July 1, 2011

### **§ 5 — DMV RECORDS AND PERSONAL INFORMATION**

The bill requires anyone seeking personal information from DMV registration records to provide the commissioner with personal identification she finds satisfactory, rather than two forms of acceptable identification.

By law, the DMV commissioner may disclose personal information from DMV records in certain circumstances. Under current law, municipal police officers, state troopers, and others may submit a written request to the commissioner asking that she make only their business address, rather than their home address, available to the public. The bill also allows all police officers, including certain constables, special police officers, and any member of a law enforcement unit who performs police duties, to make this request.

EFFECTIVE DATE: July 1, 2011

**§ 6 — VEHICLES ELIGIBLE FOR REGISTRATION THROUGH DEALERSHIPS**

The bill broadens the type of vehicles licensed motor vehicle dealers can register. By law, the commissioner may appoint licensed motor vehicle dealers to issue new registrations for motor vehicles, motorcycles, campers, camp trailers, and trucks with a gross vehicle weight of up to and including 26,000 pounds. The bill also allows licensed dealers to issue new registrations for commercial trailers and service and school buses. It eliminates the weight limit on trucks, allowing dealers to issue new registrations for any size truck. It makes conforming changes regarding registration fees.

By law, a commercial trailer is a trailer used by a business to carry freight, materials, or equipment. Service buses are vehicles designed and regularly used to carry at least 10 passengers without charge, not including vanpool vehicles and school buses.

EFFECTIVE DATE: July 1, 2011

**§ 7 — MOTOR VEHICLE RENTAL COMPANY LICENSES**

Motor vehicle rental companies must have a DMV license to conduct their business. Under current law, the commissioner must mail these companies a license renewal form at least 45 days before the license expires. The bill instead allows the commissioner to send or transmit the renewal application as she deems appropriate. As under current law, she must do so at least 45 days before the license expires.

EFFECTIVE DATE: July 1, 2011

**§ 8 — EXPERIMENTAL TESTING OF MOTOR VEHICLES**

By law, the commissioner may issue special number plates to automotive equipment manufacturers for motor vehicles used to test this equipment. The bill allows her to also issue such plates to motor vehicle manufacturers testing motor vehicles. Manufacturers must include information on these vehicles when they apply for the plates.

EFFECTIVE DATE: July 1, 2011

**§ 9 — MOTOR VEHICLE REGISTRATION RENEWALS**

The bill allows the commissioner to send or transmit, as she deems appropriate, an application to renew motor vehicle registrations. Under current law she must send the renewal form by mail. As under current law, she must notify vehicle owners at least 45 days before the current registration expires. She may also send or transmit, as she deems appropriate, rather than mail, an application for renewal of leased vehicle to the lessees. Under the bill, the commissioner will not notify any registrant or car lessee if the U. S. Postal Service has determined that mail cannot be delivered to that person at the address in DMV records. Current law requires a registrant or lessee to return the renewal application to DMV by mail in most cases. The bill also authorizes the commissioner to require them to return the renewal application electronically.

EFFECTIVE DATE: July 1, 2011

**§ 10 — COMMERCIAL MOTOR VEHICLE REGISTRATION AND FINES**

The bill bars commercial vehicles required to be registered in another state from operating in Connecticut without that registration. A violator generally faces a \$500 fine for a first offense, and between \$1,000 and \$2,000 for subsequent offenses (see below).

The law already bars commercial vehicles eligible for registration on an “apportionment” basis from operating in Connecticut without either that registration or a DMV-issued 72-hour trip permit registration. “Apportioned” registration fees are based on registration in a vehicle’s home state and fees paid to other jurisdictions based on the distance the vehicle travels there.

Fines for operators of commercial vehicles that violate these provisions depend on vehicle weight. Under current law, trucks with a gross weight of more than 60,000 pounds are subject to fines of \$ 1,000 for a first violation and between \$2,000 and \$4,000 for each subsequent

violation. The bill specifies that these fines are based on the vehicles' gross vehicle weight rating, rather than their gross weight. By law, gross vehicle weight rating is a vehicle's maximum loaded weight, as specified by the manufacturer.

EFFECTIVE DATE: July 1, 2011

### **§ 11 — MOTOR CARRIERS**

The bill bars any private motor carrier (truck companies) from operating vehicles in the state if (1) the Federal Motor Carrier Safety Administration (FMCSA) has ordered it to stop operating because of violations of safety fitness procedures or certain other rules of practice or (2) it is operating without authority or beyond the scope of that authority under FMCSA regulations. It subjects violators to fines of between \$500 and \$1,000 and imprisonment for up to 90 days for a first offense, and fines of between \$1,000 and \$2,000 and imprisonment for up to one year for subsequent offenses.

EFFECTIVE DATE: July 1, 2011

### **§ 12 — DRIVER'S TESTS**

The bill allows the commissioner to give a driver's test for a class D (noncommercial) license in any form she deems appropriate, including in written, electronic, or audio form. She must give the test in English, Spanish, and any language spoken at home by at least 1% of the state's population, based on the most recent U. S. census. Current law already requires certain written tests to be in English and Spanish. According to the 2000 census, other languages spoken at home by at least 1% of the state population age five and older are French, Italian, Polish, and Portuguese.

EFFECTIVE DATE: Upon passage

### **§ 13 — CONFORMING CHANGES**

This section makes conforming changes.

EFFECTIVE DATE: October 1, 2011

**§ 14 — EMPLOYEES DRIVING IN VIOLATION OF LICENSE CLASSIFICATION**

The bill prohibits employers from knowingly requiring or permitting an employee acting in the scope of his or her employment from driving a commercial motor vehicle in violation of the employee's license classification. Commercial motor vehicles include trucks, buses, and certain vehicles transporting hazardous waste. Commercial driver's licenses (CDL) are classified as either "A", "B", or "C" depending on a vehicle's weight and type. Employers who violate the bill are subject to a maximum civil penalty of \$1,000 for a first violation and \$ 2,500 for subsequent violations.

By law, the commissioner requires license holders to have an "S," "V," or "F" endorsement to operate certain types of passenger motor vehicles. A "V" endorsement allows the operation of a student transportation vehicle; an "F" endorsement allows the operation of a taxi, livery vehicle, service bus, or motor bus. An "S" endorsement allows a license holder to drive school buses and most of the above vehicles.

The bill bars (1) anyone with an "S," "V," or "F" endorsement from operating any other vehicle for which a passenger endorsement is required if the "S," "V," or "F" endorsement has been suspended, revoked, or withdrawn, or if DMV has refused to issue or renew it, and (2) the commissioner from issuing any other passenger endorsement to an individual whose "S," "V," or "F" endorsement is suspended, revoked, withdrawn, not issued or not renewed.

By regulation, a holder of a class "D" (non-commercial) license who operates or intends to operate any fire apparatus may apply for a "Q" endorsement (Conn. Agency Regs. § 14-36a-1.) The bill specifies that a "Q" endorsement on any class license (commercial or non-commercial) qualifies the license holder to operate fire apparatus.

EFFECTIVE DATE: July 1, 2011

**§ 15 — DRIVER'S LICENSES FOR STATE RESIDENTS ON ACTIVE MILITARY DUTY**

The bill allows a state resident in the U. S. Armed Forces stationed outside the U. S. on active military duty to get a driver's license or non-driver's ID card if he or she (1) does not have, or surrenders, a license or ID card from another state, U. S. territory, or possession; (2) has a current Army Post Office or Fleet Post Office mailing address; (3) designates his or her home address as 60 State Street, Wethersfield, CT 06161 (DMV's central office); and (4) meets all other requirements for getting a license or ID card. Residence in Connecticut must be reflected in the records of the U. S. Defense Department, Department of Homeland Security, or a department that oversees the U. S. Coast Guard.

EFFECTIVE DATE: October 1, 2011

**§ 16 — LICENSE AND ID CARD RENEWAL NOTICE**

Current law requires the commissioner to notify the holder of a driver's license at least 15 days before it is due to expire. The bill allows, rather than requires, her to notify a license holder of the expiration date in a manner she determines and also allows her to do the same for holders of non-driver ID cards. If she does notify the license and card holders, she must do so at least 15 days before the license or card expires. Under the bill, the commissioner will not notify any license or ID card holder if the U. S. Postal Service determines it can no longer deliver mail for the person to the address in DMV records.

It authorizes automobile clubs and associations, which already can renew licenses and ID cards, to also issue duplicate licenses and ID cards. The clubs and associations can charge a fee of up to \$ 2 for each duplicate. They may already charge this fee for the renewals. The bill also makes technical changes.

EFFECTIVE DATE: Upon passage

**§ 17 — PHOTO IDENTIFICATION OF DRIVERS AGE 65 OR OLDER**

The bill eliminates the commissioner's ability to waive the requirement that a driver's license for people age 65 or older include a photograph. Under current law she may waive this requirement if the operator asks for the waiver in writing and shows evidence of hardship, such as living too far from a DMV office.

EFFECTIVE DATE: Upon passage

#### **§ 18 — APPROPRIATE LICENSE ENDORSEMENTS**

The bill eliminates a redundant provision and specifies that drivers need licenses of the proper classification bearing the appropriate endorsement to operate various vehicles.

EFFECTIVE DATE: July 1, 2011

#### **§ 19 — CONFORMING CHANGES**

This section makes conforming changes.

EFFECTIVE DATE: July 1, 2011

#### **§ 20 — COMMERCIAL DRIVER'S LICENSE RENEWALS**

By law, the commissioner must notify CDL holders at least 15 days before their licenses expire. The bill allows her to notify them in a manner she determines and exempts her from notifying any CDL holder if the U. S. Postal Service has determined mail cannot be delivered to the person at the address in DMV records.

EFFECTIVE DATE: Upon passage

#### **§ 21 — REINSTATEMENT OF CDL HOLDERS DISQUALIFIED FOR LIFE**

By law, the commissioner may disqualify for life CDL holders who commit two or more of certain offenses, including driving under the influence (DUI). Disqualified drivers cannot drive a commercial motor vehicle.

By law, CDL holders disqualified for life (except those disqualified for using a motor vehicle to commit a felony involving making,

distributing, or dispensing a controlled substance) may apply for reinstatement if they (1) have voluntarily enrolled in and successfully completed, an appropriate rehabilitation program and (2) served at least 10 years of the disqualification period. The bill requires the applicant to provide documentation satisfying the commissioner that the applicant has both voluntarily enrolled in, and successfully completed, the rehabilitation program and that the program meets state statutory and regulatory requirements.

The bill prohibits the commissioner from reinstating a CDL holder disqualified for life unless the applicant requests an administrative hearing and provides evidence that the reinstatement does not endanger the public safety or welfare. Such evidence must include proof the applicant has not been convicted of any offense involving alcohol, a drug, or a controlled substance for 10 years following the date of his or her most recent lifetime disqualification. If a driver disqualified for life is reinstated and later convicted of another disqualifying offense, he or she is permanently disqualified and ineligible for further reinstatement.

The bill requires the commissioner to maintain, for 55 years, a record of certain offenses by commercial vehicle operators and CDL holders, as required by federal law. These include (1) DUI, evading responsibility, using a motor vehicle to commit a felony and other offenses committed, if the offense occurred on or after December 29, 2006; (2) each of two or more of certain offenses that occur within 10 years of each other and result in a lifetime disqualification; and (3) using a motor vehicle to commit a felony involving the manufacture, distribution, or dispensing of a controlled substance, if the offense occurred on or after January 1, 2005.

The bill doubles the minimum penalty for a CDL holder who violates an out-of-service order (see BACKGROUND) from 90 to 180 days for a first violation and from one to two years for a second violation committed within 10 years of a previous violation. The maximum penalties remain unchanged.

Drivers who violate an out-of-service order are subject to a fine of between \$ 1,100 and \$ 2,750, the same penalties as under federal law. The bill conforms these penalties to the federal regulations as amended (49 CFR § 383. 53), so that the state penalties will change as the federal penalty does.

EFFECTIVE DATE: July 1, 2011

#### **§ 22 — DEALER LICENSE EXPIRATION AND RENEWAL**

The bill allows the commissioner to send or transmit, in a manner she determines, a license renewal application to holders of a new car, used car, repairer, or limited repairer license. Under current law, she must mail the application. As under current law, she must send or transmit the renewal application at least 45 days before the current license is due to expire.

EFFECTIVE DATE: Upon passage

#### **§ 23 — TEMPORARY REGISTRATION TRANSFER**

The bill broadens the types of vehicles for which licensed motor vehicle dealers and repairers may issue temporary registration transfers. Under current law, licensed dealers and repairers who sell or trade passenger cars, motorcycles, campers, camp trailers, or trucks weighing up to and including 26,000 pounds may issue a 60-day temporary registration transfer to someone who holds a current registration for these vehicles. The bill allows dealers and repairers who sell or trade commercial trailers, service buses, and school buses to do this. It eliminates the 26,000- pound weight limit for trucks, so that a dealer or repairer selling or trading any size truck may also these issue temporary transfers.

EFFECTIVE DATE: October 1, 2011

#### **§ 24 — OPERATING A DRIVING SCHOOL**

Under current law, the commissioner must check state and national criminal history records and the state child abuse and neglect registry when people seek a license, or license renewal, to operate a driving

school. She must consider these in determining whether to issue or renew a license. The bill eliminates the need to run these checks, or make such a determination, when people seek to renew a license. It makes operating a driver's school without a license a class B misdemeanor, punishable by a fine of up to \$1,000, up to six months in prison, or both.

EFFECTIVE DATE: July 1, 2011

### **§ 25 — ILLEGAL DRIVING INSTRUCTORS**

The bill makes it a class B misdemeanor for anyone without a driving instructor's license to (1) teach people to drive, for pay or (2) teach driving at a driving school.

EFFECTIVE DATE: July 1, 2011

### **§ 26 — DISPLAYING LIGHTS ON MOTOR VEHICLES**

Under current law, no one can display certain lights on a vehicle without a special permit from the commissioner. Current law allows the Department of Transportation (DOT) to get a permit from the DMV commissioner for multiple vehicles without having to place a copy of the permit in each vehicle displaying the lights. The bill eliminates this provision and instead allows vehicles (1) owned or leased by the U. S. government, the state, or a municipality; (2) registered to that governmental entity; and (3) displaying government plates, to display these lights without a permit.

EFFECTIVE DATE: Upon passage

### **§ 27 — ETCHING SERVICES**

The bill eliminates a requirement that new and used car dealers and lessors annually file rate schedules for etching and parts marking with DMV. But they still must submit a rate schedule and may amend it from time to time.

EFFECTIVE DATE: July 1, 2011

**§ 28 — DRIVER'S LICENSE RESTORATION**

The bill eliminates the ability of a person whose Connecticut license has been suspended by the DMV for certain motor vehicle convictions in other states to ask the commissioner to reverse or reduce the suspension.

Under current law, the commissioner may suspend or revoke a registration certificate or operator's license and may seize the item if the registration or license holder does not return it. The bill eliminates the requirement that a license holder return the license to the commissioner and the commissioner's ability to seize it. It authorizes the commissioner to restore a revoked or suspended license, rather than physically return it.

It eliminates the commissioner's authority to (1) suspend the driver's license of people charged with a felony or for whom there is an outstanding warrant for failing to appear on a felony charge and (2) require a motor vehicle owner or operator to file a surety bond before the commissioner returns a suspended or revoked registration or license. It also eliminates a requirement that the commissioner notify certain municipal and police officials when she revokes or suspends a license or registration of someone living in their city or town.

EFFECTIVE DATE: October 1, 2011

**§ 29 — COMMERCIAL MOTOR VEHICLE FILINGS**

Current law requires owners of certain commercial motor vehicles to file with the commissioner, at least twice annually, evidence that he or she meets the legal security requirements for the vehicle. The bill reduces the filing requirement to at least once annually and eliminates a requirement that at least once every two years the owner also must furnish DMV a motor carrier identification report that meets federal requirements.

EFFECTIVE DATE: July 1, 2011

**§ 30 — EXEMPTION OF OLDER VEHICLES FROM EMISSIONS TESTING**

By law, motor vehicles manufactured “twenty-five or more years ago” are exempt from emissions testing. The bill defines “twenty-five or more years old,” when used in connection with a motor vehicle, to mean that the difference between the vehicle’s model year and the current calendar year is at least 25 years.

EFFECTIVE DATE: July 1, 2011

**§ 31 — EMISSIONS SYSTEM RESTORATION PERIOD**

The law requires car owners to maintain their vehicle’s emissions control system in good working order and prohibits them from rendering the system inoperable. It allows the commissioner to revoke the registration of anyone who does not restore the system to operating condition within 30 days after the commissioner notifies him or her of a violation. The bill doubles, to 60 days, the time the car owner has to restore the system to working order.

EFFECTIVE DATE: October 1, 2011

**§ 32 — EMISSIONS RE-INSPECTION LATE FEE**

By law, the commissioner may impose a \$20 late fee on anyone who does not have his or her vehicle inspected within 30 days after the end of its assigned inspection or re-inspection period. The law also allows anyone whose vehicle fails its initial emissions test to return within 60 days for a free re-inspection.

The bill extends the grace period during which someone may bring a vehicle in for re-inspection and conforms it to the 60 day period for the free re-inspection, by requiring the commissioner to impose a late fee when someone fails to have a car re-inspected within 60 days of a test failure.

Under current law, the commissioner may waive the \$ 20 late fee if she finds that failure to have the vehicle inspected within 30 days of the assigned inspection or re-inspection period was because of an

emergency. The bill instead specifies that she may waive the fee if she finds that this was the reason the vehicle owner failed to have the vehicle inspected within 30 days of the assigned inspection period or during the 60 day re-inspection period.

EFFECTIVE DATE: October 1, 2011

### **§ 33 — DEALERS TO SELL VEHICLES THAT MEET EMISSIONS STANDARDS**

The bill prohibits licensed new and used motor vehicle dealers and licensed repairers and limited repairers from selling a motor vehicle that does not meet state emissions standards and has not passed an emissions inspection. A violation is an infraction. The fine for a first offense is fixed at \$50.

EFFECTIVE DATE: October 1, 2011

### **§ 34 — VEHICLE LIENS**

The bill allows the DMV commissioner to require that certain notifications regarding security interests be sent to DMV electronically.

The law requires most holders of a security interest in a vehicle, upon satisfaction of the interest (e. g., after a car owner pays off a car loan), to release the security interest and mail or deliver the release and certificate of title to the next lien holder or the vehicle owner. Current law requires the owner (unless it is a dealer holding the vehicle for resale) promptly to mail or deliver the certificate and release to the commissioner, who must release the lien holder's rights on the certificate or issue a new one. The bill instead allows the commissioner to require that the lien holder send its release of the security interest to DMV electronically.

By law, the commissioner may keep an electronic title file. If a lien holder's security interest is kept in that file, the lien holder, once the security interest is satisfied, must release the security interest and mail, deliver, or electronically send the release to the next lien holder or owner. Under current law, the commissioner must issue a certificate of

title and present or mail it to the owner or second lien holder, if any. The bill instead allows the commissioner to require the first lien holder to send DMV information about the release of the security interest electronically.

The law requires that, on the satisfaction of a security interest in a vehicle where the title is held by a prior lien holder, the lien holder whose security interest is satisfied must execute its release and deliver it to the owner. The bill requires him or her to also deliver or send the release electronically to the prior lien holder. Current law requires the lien holder holding the title to either (1) deliver the certificate to the owner for delivery to the commissioner, or, (2) on receiving the release, mail or deliver it with the certificate of title to the commissioner, who must release the subordinate lien holder's rights on the certificate or issue a new one. The bill instead requires the lien holder holding the title to deliver it to the owner and allows the commissioner to require a subordinate lien holder to send DMV information about the release of its security interest electronically.

EFFECTIVE DATE: July 1, 2011

### **§ 35 — CONFORMING CHANGES**

This section makes conforming changes.

EFFECTIVE DATE: October 1, 2011

### **§ 36 — ALCOHOL AND DRUG ADDICTION TREATMENT PROGRAM**

By law, certain people whose license is suspended for DUI must take part in an alcohol and drug addiction treatment program. Under current law, such an individual may ask the commissioner to waive this requirement if (1) he or she is already participating in, or has completed such a program, and (2) a licensed physician states, based on a personal examination, that the individual does not have a current addiction problem that affects his or her ability to drive safely and is not a significant risk of having such a problem in the foreseeable future.

Under the bill, a physician no longer needs to find that an individual is not a significant risk of having an addiction problem in the foreseeable future. The bill also allows licensed physician assistants and advanced practice registered nurses to determine, based on a personal exam, that an individual does not have a current addiction problem affecting his or her ability to drive safely. As with licensed physicians, the physician assistants and nurses are not required to also find that an individual does not pose a significant risk of having an addiction problem in the foreseeable future.

EFFECTIVE DATE: July 1, 2011

### **§ 37 — SPECIAL OPERATOR'S PERMIT**

A special operator's permit allows a person whose license has been suspended to drive only for the limited purposes of going to and from (1) work or (2) an accredited higher education institution. Current law allows the commissioner to condition issuance of a special permit to drive to work on the driver operating only a vehicle equipped with an ignition interlock device. The bill also allows her to impose this condition when she issues a special permit for educational purposes.

EFFECTIVE DATE: July 1, 2011

### **§ 38 — SCHOOL BUSES BARRED FROM DRIVING IN EXTREME LEFT LANE**

The bill prohibits, on those sections designated by the State Traffic Commission (STC), school buses from driving in the extreme left lane of a divided limited access highway with more than two lanes for traffic traveling in the same direction. Current law prohibits commercial motor vehicles, motor buses, and vehicles with trailers from using this lane in areas where the STC has so designated. As with these other vehicles, a school bus may drive in the extreme left lane at a police officer's direction or when access to or from the highway is on the left. In these cases, the school bus driver can drive in the extreme left lane for as long as reasonably necessary to enter or leave the highway safely. A violation is an infraction, punishable by an \$ 88 fine.

EFFECTIVE DATE: July 1, 2011

**§ 39 — LICENSE PLATES FOR PEOPLE WITH DISABILITIES**

Starting October 1, 2011, the bill eliminates the commissioner’s ability to issue new special license plates for those people eligible for handicapped placards, except for these individuals with motorcycles. But it allows the commissioner to accept renewal applications for plates issued before that date. The commissioner must still issue removable windshield placards for these individuals. An eligible individual with a motorcycle registration may also obtain a removable windshield placard.

EFFECTIVE Date: October 1, 2011

**§ 40 — WEIGHT RESTRICTIONS FOR COMMERCIAL VEHICLES**

The bill changes the weight restrictions for two-axle commercial motor vehicles and eliminates weight distinctions for commercial vehicles based on whether they have solid or pneumatic tires.

Under current law, a vehicle and its load may not exceed the manufacturer’s axle weight rating, its gross vehicle weight rating, or specific gross weight limits. The bill specifies that the vehicle and its load cannot exceed the lesser of the manufacturer’s axle weight rating, the manufacturer’s gross vehicle weight rating, or specified axle and gross weight limits.

It specifies that no two-axle vehicle may exceed a maximum gross vehicle weight of 36,000 pounds. Current law limits two-axle vehicles with pneumatic tires to a gross weight of 32,000 pounds. It applies the current weight limit of 22,400 pounds per axle, or, in the case of axles less than six feet apart, 18,000 pounds per axle, which now applies to most vehicles with three or more axles, to two axle vehicles.

EFFECTIVE DATE: July 1, 2011

**§ 41 — SCHOOL BUS DRIVERS WITH SUSPENDED LICENSES**

By law, the DMV commissioner must report at least twice monthly

to school boards and school bus operators on school bus and student transportation vehicle drivers whose license or school bus or student transportation vehicle endorsement has been suspended, revoked, or withdrawn. The boards and operators must review these reports. Under current law, the school board or school bus operator has 10 days from reviewing such a report to remove a driver whose license or endorsement has been suspended, revoked, or withdrawn. The bill instead requires the board or operator to remove the driver within 48 hours of reviewing the report. By law, violators are subject to a civil penalty of \$ 2,500 for the first violation and \$ 5,000 for each subsequent violation.

EFFECTIVE DATE: July 1, 2011

#### **§ 42 — SCHOOL BUS SIGNS AND SIGNALS**

The bill eliminates a requirement that school buses used for an activity other than carrying children cover any lettering identifying the bus. By law, unchanged by the bill, a school bus that is not carrying children, must not use, or must disconnect, any special signals it uses when transporting children.

Current law allows student transportation vehicles to display certain signs when, among other things, they carry only children, and anyone in charge of the children, to any non-school activity. Under the bill, these vehicles cannot display these signs if they are carrying anyone (presumably an adult) in charge of the children. It specifies that these legally required or permitted portable signs must be removed or covered when a vehicle is not being used for the purposes requiring or allowing them.

EFFECTIVE DATE: July 1, 2011

#### **§ 43 — COMMERCIAL VEHICLE INSPECTIONS**

The bill bars any person or motor carrier from operating a commercial motor vehicle or combination of such vehicles in Connecticut unless the vehicle has had a federally required periodic

inspection in the previous 12 months. It prohibits any person, motor carrier dealer, or repairer from conducting such an inspection in any manner other than that prescribed in federal regulations. Anyone who violates these provisions is guilty of an infraction for a first offense, and may face a civil penalty for subsequent offenses of between \$ 1,000 and \$ 10,000.

Any dealer, repairer, motor carrier, or other person who makes a false statement regarding the inspection or condition of any vehicle or component he or she is required to inspect, or regarding the repair or repairs he or she made on any such vehicle or component, faces a (1) fine of up to \$ 1,000, up to 90 days in prison, or both, for a first offense, and a fine of at least \$ 2,000, up to one year in prison, or both, for subsequent offenses, and (2) civil penalty of between \$ 1,000 and \$ 10,000. Such violators also may be subject to the penalties for 2<sup>nd</sup> degree false statement: a fine of up to \$ 2,000, up to one year in prison, or both.

EFFECTIVE DATE: July 1, 2011

#### **§ 44 — REGISTERING A VESSEL**

The bill requires that an owner seeking to get a vessel registration number or decal must file with the DMV commissioner proof of ownership that she may require, rather than an affidavit or document proving ownership.

EFFECTIVE DATE: July 1, 2011

#### **§ 45 — RENEWAL OF VESSEL REGISTRATION**

By law, each vessel certificate of number or certificate of registration expires on April 30 of the year after it is issued. The commissioner must notify the owner of the expiration at least 30 days before the expiration date. The bill allows, rather than requires, the commissioner to notify vessel owners, in a manner she chooses, when their certificate of number or certificate of registration is going to expire. If she does notify them, she must do at least 30 days before the expiration date, as

under current law. Under the bill, the commissioner will not notify a vessel owner if the U. S. Postal Service has determined it cannot deliver mail to the address in DMV's records.

EFFECTIVE DATE: July 1, 2011

**§ 46 — JUNK DEALER REGISTRATION**

The bill eliminates a requirement that junk dealers register with DMV and receive and display a DMV certificate. In most instances it leaves regulation of the establishment, location and conduct of junk yards to local authorities. Under the bill, a town ordinance cannot prohibit a junk dealer or employee from allowing anyone to enter the dealer's junkyard to salvage or collect parts or scraps to buy from the dealer or employee.

EFFECTIVE DATE: July 1, 2011

**§ 47 — PISTOL CARRY PERMITS FOR DMV INSPECTORS**

The bill exempts legally appointed and certified DMV inspectors from the need to obtain a permit to carry a pistol or revolver in the course of their official duties. The law already exempts parole and peace officers, federal marshals, and others from this requirement.

EFFECTIVE DATE: July 1, 2011

**§ 48 — DISCOUNT PREMIUMS FOR MOTORCYCLE OPERATORS**

The law requires insurers to offer discount premiums to any motorcycle operators who prove they successfully completed a DOT motorcycle course. The bill requires insurers to also offer the premium to motorcycle operators who offer proof of successfully completing a motorcycle course offered by anyone else DMV approves.

EFFECTIVE DATE: January 1, 2012

**§ 49 — BODY ARMOR SALES**

The law requires anyone selling or delivering body armor in the state to meet personally with the buyer or recipient when the delivery

or sale takes place. Current law exempts police officers and certain others from this requirement. The bill also exempts sworn members or authorized officials of DMV and authorized town or state administrative services officials who buy body armor on behalf of DMV.

EFFECTIVE DATE: July 1, 2011

**§ 50 — DMV PRIVATIZATION STUDY**

The bill requires the DMV commissioner to study alternatives for the performance of certain DMV functions, such as privatization, on-line services, and off-site location, for renewal of non-commercial driver’s licenses and registrations. She must report her findings and recommendations to the Transportation Committee by January 11, 2012.

EFFECTIVE DATE: Upon passage

**§§ 51-53 — CHANGES IN THE CELL PHONE LAW**

The bill increases certain fines for using a cell phone or texting while driving and applies them to other distracted driving violations. It specifies that texting while driving a commercial motor vehicle is a violation and adds it to those offenses whose violation can lead to disqualification from operating a commercial motor vehicle. But it allows texting from these vehicles in an emergency.

By law, certain offenses are considered “serious traffic violations,” a conviction of two or more of which can disqualify a CDL holder from operating a commercial motor vehicle for specified periods of time. The bill eliminates a provision making an accident resulting in a death related to the operation of a commercial motor vehicle a serious traffic violation. The bill eliminates this provision. It instead requires, for a serious traffic violation to occur, that the commercial vehicle driver must have violated a law concerning the rules of the road, resulting in another person’s death.

The bill makes texting while operating a commercial motor vehicle a

“serious traffic violation.” But it allows these drivers to type, read, or send text or a text message from a mobile phone or mobile electronic device to the following in an emergency:

1. emergency response operator;
2. hospital, physician’s office, or health clinic;
3. ambulance company;
4. fire department; or
5. police department.

**Fines**

The bill increases the fines for using a cell phone or texting while driving, as shown in the table below:

**Table 1: Fines for Illegally Using or Texting from a Cell Phone While Driving**

| Offense    | Current Law | Under the Bill |
|------------|-------------|----------------|
| First      | \$100       | \$125          |
| Second     | \$150       | \$250          |
| Subsequent | \$200       | \$400          |

Current law imposes maximum \$ 100 fines, regardless of the number of offenses, for anyone driving while using a hand-held or hands-free cell phone or mobile electronic device who (1) is operating a moving school bus carrying passengers or (2) is under age 18. The bill eliminates these exemptions, subjecting these people to the above fines. It also applies these fines to drivers who text while driving a commercial motor vehicle or engage in distracted driving.

Current law also imposes a \$ 100 fine on a driver who commits a moving violation, such as speeding or reckless driving, while engaged

in distracted driving. The \$ 100 fine is in addition to any fine imposed for the moving violation. The bill imposes the above fines on these offenders and applies them to individuals charged with illegally using or texting on a cell phone, including drivers (1) of commercial motor vehicles; (2) of school buses carrying passengers; and (3) under age 18, who commit a moving violation. The additional fines for second and subsequent violations would apparently apply to the second and subsequent times a person commits a moving violation while illegally using or texting on a cell phone or otherwise engaged in distracted driving.

Current law requires law enforcement officers who issue tickets for cell phone, texting, or moving violations to record the specific nature of the distracted driving behavior the officer saw that led to the issuance of the ticket. The bill instead requires the officer to record on the summons the nature of any distracted driving behavior he observed in connection with any violation of the bill, including distracted driving and commercial motor vehicle texting violations.

EFFECTIVE DATE: Upon passage, except a conforming change is effective July 1, 2011

#### **§ 54 — MULTIPLE MOVING VIOLATIONS**

By law, DMV can require a driver who commits a certain number of specific moving or suspension violations to attend a four-hour driver retraining program. There is no limit on the number of times an individual can take the program. A driver who continues to commit violations that put him or her over the statutory limit must repeat the program; the state generally cannot suspend a driver's license solely for continuing to commit these types of offenses.

Under the bill anyone required to attend the retraining program must have the requirement and completion date posted on his or her driving record. The date of course completion must remain on the record until the driver has completed 36 consecutive months without any subsequent moving or suspension violations. If the driver commits

such a violation before the 36 months expire, the commissioner must suspend his license for 30 days. If he or she commits a second violation within the 36-month period, the commissioner must suspend his or her license for 60 days. The commissioner must suspend the license for 90 days for each subsequent conviction within the 36-month period.

The bill adds the following violations to those moving violations for which DMV may require a driver to attend the retraining program: (1) obstructing emergency vehicles (CGS § 14-283), (2) crosswalk violations (CGS § 14-300), and (3) any violation of the cell phone law. (Under current law, only the illegal use of a cell phone by a driver under age 18 is considered a moving violation for purposes of the retraining program.)

EFFECTIVE DATE: October 1, 2011

**§ 55 — PERSONAL COLOR PHOTO NO LONGER REQUIRED FOR CDL APPLICANTS**

The bill eliminates a requirement that an application for a CDL or CDL instruction permit include a color picture of the applicant. In practice, DMV takes a photograph of the applicant.

EFFECTIVE DATE: Upon passage

**§ 56 — WRITTEN MOTORCYCLE TEST**

PA 10-153 eliminated a requirement that an applicant for a motorcycle endorsement demonstrate to DMV's satisfaction that he or she can operate a motorcycle, has sufficient knowledge of the motorcycle's mechanism to operate it safely, and has satisfactory knowledge of the laws concerning motorcycles, other motor vehicles, and the rules of the road. It eliminated the commissioner's authority to waive the on-road skills portion of license examination for an applicant who presents evidence of passing a motorcycle training course. The bill requires applicants who have successfully completed the motorcycle training course but not obtained a motorcycle training permit to pass a test, other than the driving skills test, demonstrating that they meet the above requirements.

EFFECTIVE DATE: Upon passage

**§ 57 — CASH BOND ALLOWED FOR CERTAIN DMV LICENSE APPLICANTS**

By law, applicants for certain DMV licenses must furnish surety bonds. Applicants for a repairer's or limited repairer's license must furnish a \$5,000 bond; applicants for a leasing or rental license must furnish a \$10,000 bond; and applicants for a new car dealer's or used car dealer's license must furnish a \$50,000 bond. The bill allows these applicants to alternatively furnish a cash bond in these amounts. It requires the cash bond to be deposited with the commissioner and makes conforming changes.

EFFECTIVE DATE: Upon passage

**§ 58 — SECOND KNOWLEDGE TEST FOR 16 AND 17-YEAR-OLD LICENSE APPLICANTS**

The bill allows, rather than requires, DMV to administer a second written knowledge test to 16- and 17-year-old driver's license applicants. By law, these applicants must have already taken and passed a test on motor vehicles laws and the rules of the road to get a learner's permit, which they need to get a license (CGS § 14-36 (c)).

EFFECTIVE DATE: Upon passage

**§ 59 — EXTENDING EXPIRATION DATE FOR PRISONER'S DRIVER'S LICENSES**

The bill requires DMV, on a prisoner's written request, to extend the expiration date of his or her license for two years, or 30 days after the prisoner is released, whichever occurs first.

EFFECTIVE DATE: October 1, 2012

**§ 60 & 61 — DELAYING ELIMINATION OF THE "ACTIVITY VEHICLE" CATEGORY**

PA 10-110 eliminated, starting July 1, 2011, the vehicle category of, and corresponding "A" license endorsement for, "activity vehicles," a subcategory of student transportation vehicle. They are used to

transport students in connection with school sponsored events and activities, but not to bring them to or from school. The bill delays for one year the date this provision takes effect.

EFFECTIVE DATE: July 1, 2012

**BACKGROUND**

***Out-of- Service Order***

An out-of-service order is an order (1) issued by a police officer, state policeman, or motor vehicle inspector under the authority of CGS § 14-8, or by an authorized official of the U. S. Federal Motor Carrier Safety Administration (FMCSA), to prohibit a commercial motor vehicle from being operated on any highway or to prohibit a driver from operating a commercial motor vehicle or (2) issued by FMCSA to prohibit a motor carrier, as defined in 49 CFR 386. 2, from engaging in commercial motor vehicle operations (CGS § 14-1(62)).

**COMMITTEE ACTION**

Transportation Committee

Joint Favorable Substitute

Yea 36 Nay 0 (03/18/2011)

Appropriations Committee

Joint Favorable

Yea 51 Nay 1 (05/23/2011)

Public Safety and Security Committee

Joint Favorable

Yea 16 Nay 0 (05/27/2011)