



General Assembly

February Session, 2012

Raised Bill No. 5167

LCO No. 932

00932_____TRA

Referred to Committee on Transportation

Introduced by:
(TRA)

**AN ACT CONCERNING MINOR AND TECHNICAL REVISIONS TO THE
MOTOR VEHICLE LAWS.**

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

1 Section 1. Subsection (i) of section 54-76l of the 2012 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2012*):

4 (i) The records of any youth adjudged a youthful offender for a
5 violation of section 14-215 or 14-222, subsection (b) of section 14-223 or
6 subsection (b) or (c) of section 14-224 shall be disclosed to the
7 Department of Motor Vehicles for administrative use in determining
8 whether suspension of such person's motor vehicle operator's license is
9 warranted. [The commissioner shall suspend the motor vehicle
10 operator's license of such youth for six months for a first offense and
11 one year for a second or subsequent offense.] Such records disclosed
12 pursuant to this subsection shall not be further disclosed.

13 Sec. 2. Subsection (b) of section 14-111 of the 2012 supplement to the
14 general statutes is repealed and the following is substituted in lieu
15 thereof (*Effective October 1, 2012*):

16 (b) (1) Except as provided in subdivision (2) or (3) of this subsection,
17 whenever the holder of any motor vehicle operator's license has been
18 convicted or has forfeited any bond taken or has received a suspended
19 judgment or sentence for any of the following violations, the
20 commissioner shall, without hearing, suspend such person's operator's
21 license or privilege to operate a motor vehicle in this state as follows:
22 For a first violation of subsection (a) of section 14-224 or section 14-110,
23 14-215 or 53a-119b, for a period of not less than one year and, for a
24 subsequent violation thereof, for a period of not less than two years;
25 for a violation of subsection (a) of section 14-222 or subsection (c) of
26 section 14-224, for a period of not less than thirty days or more than
27 ninety days and, for a subsequent violation thereof, for a period of not
28 less than ninety days; for a violation of subsection (b) of section 14-224,
29 for a period of not less than ninety days and for a subsequent violation
30 thereof, for a period of not less than one year; for a first violation of
31 subsection (b) of section 14-147, for a period of not less than ninety
32 days and, for a subsequent violation thereof, for a period of not less
33 than five years; for a first violation of subsection (c) of section 14-147,
34 for a period of not less than thirty days and, for a subsequent violation
35 thereof, for a period of not less than one year.

36 (2) Notwithstanding the provisions of section 14-111b and except as
37 provided in subdivision (3) of this subsection, whenever the holder of
38 any motor vehicle operator's license or learner's permit who is less
39 than eighteen years of age or whenever a person who does not hold an
40 operator's license who is less than eighteen years of age has been
41 convicted or has forfeited any bond taken or has received a suspended
42 judgment or sentence for any of the following violations, the
43 commissioner shall suspend such person's operator's license or
44 privilege to obtain an operator's license as follows: For a first violation
45 of subdivision (4) of subsection (a) of section 14-219 or subdivision (4)
46 of subsection (b) of section 14-219, for a period of sixty days and, for a
47 second violation thereof, for a period of ninety days and, for a third or
48 subsequent violation thereof, for a period of six months; for a first
49 violation of subsection (a) of section 14-222, for a period of six months

50 and, for a subsequent violation thereof, for a period of one year; for a
51 violation of subsection (c) of section 14-224, for a period of six months
52 and, for a subsequent violation thereof, for a period of one year; for a
53 first violation of section 14-296aa, for a period of thirty days and, for a
54 second violation thereof, for a period of ninety days and, for a third or
55 subsequent violation thereof, for a period of six months.

56 (3) The commissioner shall suspend the motor vehicle operator's
57 license of any youth adjudged a youthful offender for a violation of
58 section 14-215 or 14-222, subsection (b) of section 14-223 or subsection
59 (b) or (c) of section 14-224 for six months for a first offense and one
60 year for a second or subsequent offense.

61 Sec. 3. Subsection (b) of section 14-36i of the general statutes is
62 repealed and the following is substituted in lieu thereof (*Effective*
63 *October 1, 2012*):

64 (b) If any person operating a motor vehicle, subject to the provisions
65 of section 14-36g, is stopped by a police officer and arrested or issued a
66 summons by such officer for [(A) violating] a violation of subdivision
67 (4) of subsection (a) of section 14-219, [(B) operating a motor vehicle
68 under the influence of alcohol or any drug or both in violation of]
69 section 14-227a or 14-227g, [(C) engaging in racing a motor vehicle on a
70 public highway in violation of] subsection (c) of section 14-224, or [(D)
71 operating a motor vehicle recklessly in violation of] section 14-222, the
72 motor vehicle operator's license of such person shall be suspended for
73 a period of forty-eight hours commencing on the date and time such
74 person is arrested or such summons is issued, and such officer, acting
75 on behalf of the Commissioner of Motor Vehicles, shall immediately
76 seize and take possession of such person's motor vehicle operator's
77 license and cause such motor vehicle to be removed. In order to regain
78 possession of such person's operator's license after such forty-eight-
79 hour period, such person and, unless such person is emancipated in
80 accordance with the provisions of section 46b-150b, such person's
81 parent or legal guardian shall appear in person at the police

82 department, state police barracks or other location designated by the
83 police officer, and sign a written acknowledgement of the return of
84 such license. No restoration fee shall be required to be paid to the
85 commissioner, in accordance with the provisions of section 14-50b, but
86 the police officer shall make a written report of the violation and the
87 suspension action, in such form and containing such information as
88 the commissioner shall prescribe, and shall file or transmit such report
89 to the commissioner in such time and manner as the commissioner
90 shall prescribe.

91 Sec. 4. Section 14-111e of the 2012 supplement to the general statutes
92 is repealed and the following is substituted in lieu thereof (*Effective*
93 *October 1, 2012*):

94 (a) (1) The Commissioner of Motor Vehicles shall suspend, for a
95 period of one hundred fifty days, the motor vehicle operator's license
96 or nonresident operating privilege of any person under the age of
97 twenty-one who has been convicted of a violation of section 30-88a
98 involving the misuse of an operator's license.

99 (2) The commissioner shall suspend, for a period of sixty days, the
100 motor vehicle operator's license or nonresident operating privilege of
101 any person under the age of twenty-one who has been convicted of a
102 violation of subdivision (1) of subsection (b) of section 30-89,
103 subsection (a) of section 21a-279a or subsection (d) of section 21a-267.

104 (3) The commissioner shall suspend, for a period of thirty days, the
105 motor vehicle operator's license or nonresident operating privilege of
106 any person under the age of twenty-one who has been convicted of a
107 violation of subdivision (2) of subsection (b) of section 30-89. [The
108 commissioner shall conform any suspension for violation of section 30-
109 89 that is in effect on June 25, 2007, to comply with the provisions of
110 this section.]

111 (b) Any person under the age of twenty-one who has not been
112 issued a motor vehicle operator's license under section 14-36 and who

113 has been convicted of a violation of section 30-88a [involving the
114 misuse of an operator's license,] or section 30-89, [involving the
115 purchase and possession of alcoholic liquor by a minor,] subsection (e)
116 of section 1-1h, [involving the misuse of an identity card,] subsection
117 (a) of section 21a-279a or subsection (d) of section 21a-267 shall not be
118 issued a new operator's license by the commissioner under section 14-
119 36 until a period of one hundred fifty days has elapsed from the date
120 all applicable requirements for any such license have been satisfied by
121 the applicant.

122 Sec. 5. Section 14-21q of the general statutes is repealed and the
123 following is substituted in lieu thereof (*Effective October 1, 2012*):

124 (a) On and after January 1, 2004, the Commissioner of Motor
125 Vehicles shall issue childhood cancer awareness commemorative
126 number plates of a design to enhance public awareness of state efforts
127 to treat and cure childhood cancer. The design shall be determined by
128 agreement between the Commissioner of Public Health and the
129 Commissioner of Motor Vehicles. No use shall be made of such plates
130 except as official registration marker plates.

131 (b) A fee of fifty dollars shall be charged for childhood cancer
132 awareness commemorative number plates, in addition to the regular
133 fee or fees prescribed for the registration of a motor vehicle. Fifteen
134 dollars of such fee shall be deposited in an account controlled by the
135 Department of Motor Vehicles to be used for the cost of producing,
136 issuing, renewing and replacing such number plates and thirty-five
137 dollars of such fee shall be deposited in an account controlled by the
138 Secretary of the Office of Policy and Management for purposes of
139 section 14-21r. Such number plates shall have letters and numbers
140 selected by the Commissioner of Motor Vehicles. The commissioner
141 may establish a higher fee for: (1) Number plates that contain the
142 numbers and letters from a previously issued number plate; (2)
143 number plates that contain letters in place of numbers as authorized by
144 section 14-49, in addition to the fee or fees prescribed for registration

145 under said section; [14-40;] and (3) number plates that are low number
146 plates issued in accordance with section 14-160, in addition to the fee
147 or fees prescribed for registration under said section. [14-160.] All fees
148 established and collected pursuant to this section, except moneys
149 designated for administrative costs of the Department of Motor
150 Vehicles, shall be deposited in the childhood cancer awareness account
151 established pursuant to section 14-21r.

152 (c) A renewal fee of fifteen dollars shall be charged for renewal [or]
153 of registration of a motor vehicle bearing childhood cancer awareness
154 commemorative number plates, in addition to the regular fee or fees
155 prescribed for renewal of registration of a motor vehicle. Five dollars
156 of the renewal fee shall be designated for administrative costs of the
157 Department of Motor Vehicles. No additional renewal fee shall be
158 charged for renewal of registration for any motor vehicle bearing
159 childhood cancer awareness commemorative number plates which
160 contain letters in place of numbers, or low number plates, in excess of
161 the renewal fee for childhood cancer awareness commemorative
162 number plates with letters and numbers selected by the Commissioner
163 of Motor Vehicles. No transfer fee shall be charged for transfer of an
164 existing registration to or from a registration with childhood cancer
165 awareness commemorative number plates.

166 (d) The Commissioner of Motor Vehicles, in consultation with the
167 Commissioner of Public Health, may adopt regulations, in accordance
168 with the provisions of chapter 54, to establish standards and
169 procedures for the issuance, renewal and replacement of childhood
170 cancer awareness commemorative number plates.

171 Sec. 6. Subsections (c) and (d) of section 14-163e of the 2012
172 supplement to the general statutes are repealed and the following is
173 substituted in lieu thereof (*Effective from passage*):

174 (c) No person, dealer or repairer licensed in accordance with section
175 14-52 or motor carrier, as defined in 49 CFR Section 390.5, as amended
176 from time to time, shall knowingly make a false statement regarding

177 the inspection or condition of any vehicle or component that it is
178 required to inspect under 49 CFR Section 396.17, as amended from
179 time to time, or regarding the repair or repairs that it has undertaken
180 on any vehicle or component that is required to be inspected. In
181 addition to the civil penalties prescribed by this section, [such] any
182 person, licensed dealer or repairer or motor carrier [may be subject to
183 the penalties prescribed in] who violates the provisions of this
184 subsection shall be charged with a violation of section 53a-157b.

185 (d) [Any] For a first or subsequent violation of subsection (a), (b) or
186 (c) of this section, a person, motor carrier or licensed dealer or repairer
187 [who violates the provisions of subsection (a) or (b) of this section]
188 shall, after notice and opportunity for a hearing held in accordance
189 with chapter 54, be subject to the civil penalties [prescribed] authorized
190 in subsection (e) of section 14-163c and prescribed under section 49
191 CFR 396.17. [In addition to any civil penalties prescribed in subsection
192 (e) of section 14-163c, any person, motor carrier or licensed dealer or
193 repairer who violates the provisions of subsection (c) of this section
194 shall, for a first offense, be fined not more than one thousand dollars or
195 imprisoned not more than ninety days, or both, and, for any
196 subsequent offense, be fined not less than two thousand dollars or
197 imprisoned not more than one year, or both.]

198 Sec. 7. Subsection (a) of section 14-11b of the 2012 supplement to the
199 general statutes is repealed and the following is substituted in lieu
200 thereof (*Effective from passage*):

201 (a) There shall be within the Bureau of Rehabilitative Services a unit
202 for the purpose of evaluating and training persons with disabilities in
203 the operation of motor vehicles. There shall be assigned to the driver
204 training unit for persons with disabilities such staff as is necessary for
205 the orderly administration of the driver training program for persons
206 with disabilities. The personnel assigned to the driver training unit for
207 persons with disabilities shall, while engaged in the evaluation [,] or
208 instruction [or examination] of a person with disabilities, have the

209 authority and immunities with respect to such activities as are granted
210 under the general statutes to motor vehicle inspectors. When a person
211 with disabilities has successfully completed the driver training
212 program for persons with disabilities, the driver consultant shall
213 certify such completion in writing to the Commissioner of Motor
214 Vehicles and shall recommend any license restrictions or limitations to
215 be placed on the license of such person. The Commissioner of Motor
216 Vehicles may accept such certification in lieu of the driving skills
217 portion of the examination prescribed under subsection (e) of section
218 14-36. Provided such person with disabilities has met all other
219 requirements for obtaining a license, the Commissioner of Motor
220 Vehicles shall issue a license with such restrictions recommended by
221 the driver consultant.

222 Sec. 8. Section 14-46d of the general statutes is repealed and the
223 following is substituted in lieu thereof (*Effective from passage*):

224 Any reports or records received or issued by the department,
225 commissioner, board or any of its members [pursuant to sections 14-
226 46a to 14-46g, inclusive, or section 10-298] or the driver consultant and
227 staff of the driver training program for persons with disabilities
228 established pursuant to section 14-11b, as amended by this act, for the
229 purpose of determining whether [such] an individual meets the health
230 standards of motor vehicle operator licensure, shall be for the
231 confidential use of the commissioner, driver consultant, driver training
232 program staff and the board and, except as may be required by state or
233 federal law, shall not be made available to any person, or to any
234 federal, state or local governmental agency and shall not be used as
235 evidence at any trial. Such reports or records, however, may be made
236 available to the individual who is the subject of such reports or records
237 or to his authorized representative and may be used at proceedings
238 conducted under chapter 54 or this chapter. Any person conducting an
239 examination or furnishing any report or record pursuant to sections
240 14-46a to 14-46g, inclusive, as amended by this act, may be compelled
241 to testify on such reports or records at any such proceedings. A

242 member of the board may not be compelled to testify in any other
243 proceeding as to any facts concerning the medical condition of any
244 person known by such member as a result of a review of such reports
245 or records relative to such person except upon order of the court if the
246 interests of justice so require.

247 Sec. 9. Section 14-289i of the general statutes is repealed (*Effective*
248 *October 1, 2012*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	54-761(i)
Sec. 2	<i>October 1, 2012</i>	14-111(b)
Sec. 3	<i>October 1, 2012</i>	14-36i(b)
Sec. 4	<i>October 1, 2012</i>	14-111e
Sec. 5	<i>October 1, 2012</i>	14-21q
Sec. 6	<i>from passage</i>	14-163e(c) and (d)
Sec. 7	<i>from passage</i>	14-11b(a)
Sec. 8	<i>from passage</i>	14-46d
Sec. 9	<i>October 1, 2012</i>	14-289i

Statement of Purpose:

To make various technical corrections to the state's motor vehicle laws.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]