



General Assembly

February Session, 2012

Raised Bill No. 5169

LCO No. 930

00930_____TRA

Referred to Committee on Transportation

Introduced by:
(TRA)

AN ACT ESTABLISHING INSTRUCTION PERMITS AND ELIMINATING AN OBSOLETE FEE.

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

1 Section 1. Subsection (a) of section 14-10 of the 2012 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective January 1, 2013*):

4 (a) For the purposes of this section:

5 (1) "Disclose" means to engage in any practice or conduct to make
6 available and make known, by any means of communication, personal
7 information or highly restricted personal information contained in a
8 motor vehicle record pertaining to an individual to any other
9 individual, organization or entity;

10 (2) "Motor vehicle record" means any record that pertains to an
11 operator's license, [learner's] instruction permit, identity card,
12 registration, certificate of title or any other document issued by the
13 Department of Motor Vehicles;

14 (3) "Personal information" means information that identifies an

15 individual and includes an individual's photograph or computerized
16 image, Social Security number, operator's license number, name,
17 address other than the zip code, telephone number, electronic mail
18 address, or medical or disability information, but does not include
19 information on motor vehicle accidents or violations, or information
20 relative to the status of an operator's license, registration or insurance
21 coverage;

22 (4) "Highly restricted personal information" means an individual's
23 photograph or computerized image, Social Security number or medical
24 or disability information; and

25 (5) "Express consent" means an affirmative agreement given by the
26 individual who is the subject of personal information that specifically
27 grants permission to the department to release such information to the
28 requesting party. Such agreement shall (A) be in writing or such other
29 form as the commissioner may determine in regulations adopted in
30 accordance with the provisions of chapter 54, and (B) specify a
31 procedure for the individual to withdraw such consent, as provided in
32 regulations adopted in accordance with the provisions of chapter 54.

33 Sec. 2. Subsections (b) to (d), inclusive, of section 14-36 of the 2012
34 supplement to the general statutes are repealed and the following is
35 substituted in lieu thereof (*Effective January 1, 2013*):

36 (b) (1) A person eighteen years of age or older who does not hold a
37 motor vehicle operator's license may not operate a motor vehicle
38 [without a motor vehicle operator's license] on the public highways of
39 the state for the purpose of instruction until such person has applied
40 for and obtained an adult instruction permit from the commissioner.
41 Such person shall not be eligible for an adult instruction permit if [(A)]
42 such person has [not] had a [Connecticut] motor vehicle operator's
43 license suspended or revoked. [, and (B) such person] An adult
44 instruction permit shall entitle the holder, while such holder has the
45 permit in his or her immediate possession, to operate a motor vehicle
46 on the public highways, provided such holder is under the instruction

47 of, and accompanied by, a person who holds an instructor's license
48 issued under the provisions of section 14-73 or a person twenty years
49 of age or older who has been licensed to operate, for at least four years
50 preceding the instruction, a motor vehicle of the same class as the
51 motor vehicle being operated and who has not had his or her motor
52 vehicle operator's license suspended by the commissioner during the
53 four-year period preceding the instruction. (2) A person holding a
54 valid out-of-state motor vehicle operator's license may operate a motor
55 vehicle for a period of thirty days following such person's
56 establishment of residence in Connecticut, if the motor vehicle is of the
57 same class as that for which his or her out-of-state motor vehicle
58 operator's license was issued. (3) No person may cause or permit the
59 operation of a motor vehicle by a person under sixteen years of age.

60 (c) (1) [On or after January 1, 1997, a] A person who is sixteen or
61 seventeen years of age and who has not had a motor vehicle operator's
62 license or right to operate a motor vehicle in this state suspended or
63 revoked may apply to the Commissioner of Motor Vehicles for a
64 [learner's] youth instruction permit. The commissioner may issue a
65 [learner's] youth instruction permit to an applicant after the applicant
66 has passed a vision screening and test as to knowledge of the laws
67 concerning motor vehicles and the rules of the road, has paid the fee
68 required by subsection (v) of section 14-49, as amended by this act, and
69 has filed a certificate, in such form as the commissioner prescribes,
70 requesting or consenting to the issuance of the [learner's] youth
71 instruction permit and the motor vehicle operator's license, signed by
72 (A) one or both parents or foster parents of the applicant, as the
73 commissioner requires, (B) the legal guardian of the applicant, (C) the
74 applicant's spouse, if the spouse is eighteen years of age or older, or
75 (D) if the applicant has no qualified spouse and such applicant's parent
76 or foster parent or legal guardian is deceased, incapable, domiciled
77 without the state or otherwise unavailable or unable to sign or file the
78 certificate, the applicant's stepparent, grandparent, or uncle or aunt by
79 blood or marriage, provided such person is eighteen years of age or
80 older. The commissioner may, for the more efficient administration of

81 the commissioner's duties, appoint any drivers' school licensed in
82 accordance with the provisions of section 14-69 or any secondary
83 school providing instruction in motor vehicle operation and highway
84 safety in accordance with section 14-36e to issue a [learner's] youth
85 instruction permit, subject to such standards and requirements as the
86 commissioner may prescribe in regulations adopted in accordance
87 with chapter 54. Each [learner's] youth instruction permit shall expire
88 two years from the date of issuance, on the date the holder of the
89 permit is issued a motor vehicle operator's license or on the date the
90 holder attains the age of eighteen years, whichever is earlier. (2) The
91 [learner's] youth instruction permit shall entitle the holder, while such
92 holder has the permit in his or her immediate possession, to operate a
93 motor vehicle on the public highways, provided such holder is under
94 the instruction of, and accompanied by, a person who holds an
95 instructor's license issued under the provisions of section 14-73 or a
96 person twenty years of age or older who has been licensed to operate,
97 for at least four years preceding the instruction, a motor vehicle of the
98 same class as the motor vehicle being operated and who has not had
99 his or her motor vehicle operator's license suspended by the
100 commissioner during the four-year period preceding the instruction.
101 (3) Unless the holder of the permit is under the instruction of and
102 accompanied by a person who holds an instructor's license issued
103 under the provisions of section 14-73, no passenger in addition to the
104 person providing instruction shall be transported unless such
105 passenger is a parent or legal guardian of the holder of the permit. (4)
106 The holder of a [learner's] youth instruction permit who (A) is an
107 active member of a certified ambulance service, as defined in section
108 19a-175, (B) has commenced an emergency vehicle operator's course
109 that conforms to the national standard curriculum developed by the
110 United States Department of Transportation, and (C) has had state and
111 national criminal history records checks conducted by the certified
112 ambulance service or by the municipality in which such ambulance
113 service is provided, shall be exempt from the provisions of
114 subdivisions (2) and (3) of this subsection only when such holder is en

115 route to or from the location of the ambulance for purposes of
116 responding to an emergency call. (5) The commissioner may revoke
117 any [learner's] youth instruction permit used in violation of the
118 limitations imposed by subdivision (2) or (3) of this subsection.

119 (d) (1) No motor vehicle operator's license shall be issued to any
120 applicant who is sixteen or seventeen years of age unless the applicant
121 has held a [learner's] youth instruction permit and has satisfied the
122 requirements specified in this subsection. The applicant shall (A)
123 present to the Commissioner of Motor Vehicles a certificate of the
124 successful completion (i) in a public secondary school, a state
125 vocational school or a private secondary school of a full course of
126 study in motor vehicle operation prepared as provided in section 14-
127 36e, (ii) of training of similar nature provided by a licensed drivers'
128 school approved by the commissioner, or (iii) of home training in
129 accordance with subdivision (2) of this subsection, including, in each
130 case, or by a combination of such types of training, successful
131 completion of: Not [less than twenty clock hours of behind-the-wheel,
132 on-the-road instruction for applicants to whom a learner's permit is
133 issued before August 1, 2008; and not] less than forty clock hours of
134 behind-the-wheel, on-the-road instruction for applicants to whom a
135 [learner's] youth instruction permit is issued on or after August 1,
136 2008; (B) present to the commissioner a certificate of the successful
137 completion of a course of not less than eight hours relative to safe
138 driving practices, including a minimum of four hours on the nature
139 and the medical, biological and physiological effects of alcohol and
140 drugs and their impact on the operator of a motor vehicle, the dangers
141 associated with the operation of a motor vehicle after the consumption
142 of alcohol or drugs by the operator, the problems of alcohol and drug
143 abuse and the penalties for alcohol and drug-related motor vehicle
144 violations; and (C) pass an examination which may include a
145 comprehensive test as to knowledge of the laws concerning motor
146 vehicles and the rules of the road in addition to the test required under
147 subsection (c) of this section and shall include an on-the-road skills test
148 as prescribed by the commissioner. At the time of application and

149 examination for a motor vehicle operator's license, an applicant sixteen
150 or seventeen years of age shall have held a [learner's] youth instruction
151 permit for not less than one hundred eighty days, except that an
152 applicant who presents a certificate under subparagraph (A)(i) or
153 subparagraph (A)(ii) of this subdivision shall have held a [learner's]
154 youth instruction permit for not less than one hundred twenty days
155 and an applicant who is undergoing training and instruction by the
156 handicapped driver training unit in accordance with the provisions of
157 section 14-11b shall have held such permit for the period of time
158 required by said unit. The Commissioner of Motor Vehicles shall
159 approve the content of the safe driving instruction at drivers' schools,
160 high schools and other secondary schools. Subject to such standards
161 and requirements as the commissioner may impose, the commissioner
162 may authorize any drivers' school, licensed in good standing in
163 accordance with the provisions of section 14-69, or secondary school
164 driver education program authorized pursuant to the provisions of
165 section 14-36e, to administer the comprehensive test as to knowledge
166 of the laws concerning motor vehicles and the rules of the road,
167 required pursuant to subparagraph (C) of this subdivision, as part of
168 the safe driving practices course required pursuant to subparagraph
169 (B) of this subdivision, and to certify to the commissioner, under oath,
170 the results of each such test administered. Such hours of instruction
171 required by this subdivision shall be included as part of or in addition
172 to any existing instruction programs. Any fee charged for the course
173 required under subparagraph (B) of this subdivision shall not exceed
174 one hundred twenty-five dollars, unless the comprehensive test as to
175 knowledge of the laws concerning motor vehicles and the rules of the
176 road is also administered, in which case the fee shall not exceed one
177 hundred fifty dollars. Any applicant sixteen or seventeen years of age
178 who, while a resident of another state, completed the course required
179 in subparagraph (A) of this subdivision, but did not complete the safe
180 driving course required in subparagraph (B) of this subdivision, shall
181 complete the safe driving course. The commissioner may waive any
182 requirement in this subdivision, except for that in subparagraph (C) of

183 this subdivision, in the case of an applicant sixteen or seventeen years
184 of age who holds a valid motor vehicle operator's license issued by any
185 other state, provided the commissioner is satisfied that the applicant
186 has received training and instruction of a similar nature. (2) The
187 commissioner may accept as evidence of sufficient training under
188 subparagraph (A) of subdivision (1) of this subsection home training as
189 evidenced by a written statement signed by the spouse of a married
190 minor applicant, or by a parent, grandparent, foster parent or legal
191 guardian of an applicant which states that the applicant has obtained a
192 [learner's] youth instruction permit and has successfully completed a
193 driving course taught by the person signing the statement, that the
194 signer has had an operator's license for at least four years preceding
195 the date of the statement, and that the signer has not had such license
196 suspended by the commissioner for at least four years preceding the
197 date of the statement or, if the applicant has no spouse, parent,
198 grandparent, foster parent or guardian so qualified and available to
199 give the instruction, a statement signed by the applicant's stepparent,
200 brother, sister, uncle or aunt, by blood or marriage, provided the
201 person signing the statement is qualified. (3) If the commissioner
202 requires a written test of any applicant under this section, the test shall
203 be given in English or Spanish at the option of the applicant, provided
204 the commissioner shall require that the applicant shall have sufficient
205 understanding of English for the interpretation of traffic control signs.
206 (4) The Commissioner of Motor Vehicles may adopt regulations, in
207 accordance with the provisions of chapter 54, to implement the
208 purposes of this subsection concerning the requirements for behind-
209 the-wheel, on-the-road instruction, the content of safe driving
210 instruction at drivers' schools, high schools and other secondary
211 schools, and the administration and certification of required testing.

212 Sec. 3. Section 14-36j of the general statutes is repealed and the
213 following is substituted in lieu thereof (*Effective January 1, 2013*):

214 (a) The Commissioner of Motor Vehicles shall amend the
215 regulations adopted pursuant to sections 14-36f and 14-78 concerning

216 the content of safe driving instruction courses offered at drivers'
217 schools, high schools and other secondary schools to require the eight
218 hours of instruction required by such regulations to include, for
219 applicants to whom a learner's permit or youth instruction permit is
220 issued, [on or after August 1, 2008,] two hours of instruction
221 concerning the statutory provisions, including penalties, applicable to
222 drivers who are less than eighteen years of age, the dangers of teenage
223 driving, the cognitive development of adolescents, the responsibilities
224 and liabilities of parents of teenage drivers, and related topics deemed
225 by the commissioner to be appropriate.

226 (b) A parent or guardian of any such applicant to whom a learner's
227 permit or youth instruction permit is issued on or after August 1, 2008,
228 who is less than eighteen years of age, shall attend such two hours of
229 instruction with such applicant. Before any such applicant is permitted
230 to take the driver's test, such applicant shall provide an affidavit to the
231 commissioner, signed under penalty of false statement, by an official of
232 the driver's school, high school or other secondary school by which
233 such course was conducted, that a parent or guardian attended the two
234 hours of instruction required by subsection (a) of this section with such
235 applicant.

236 Sec. 4. Subsections (b) and (c) of section 14-40a of the 2012
237 supplement to the general statutes are repealed and the following is
238 substituted in lieu thereof (*Effective January 1, 2013*):

239 (b) A person who is sixteen years of age or older and who has not
240 had such a license suspended or revoked may apply to the
241 commissioner for a [training] motorcycle instruction permit. The
242 commissioner may issue a [training] motorcycle instruction permit,
243 containing such limitation as said commissioner deems advisable, to
244 an applicant after the applicant has passed all parts of the examination,
245 other than the driving skills test, for a motor vehicle operator's license
246 with a motorcycle endorsement as required by subsection (c) of this
247 section. The [training] motorcycle instruction permit shall entitle the

248 applicant, while said applicant is in immediate possession of said
249 permit, to drive a motorcycle on the public highways, other than
250 multiple lane limited access highways, for a period of sixty days. A
251 [training] motorcycle instruction permit may be renewed, or a new
252 permit issued, for an additional period of sixty days. [On and after
253 January 1, 1990, each] Each applicant issued a [training] motorcycle
254 instruction permit shall, while operating a motorcycle, wear protective
255 headgear of a type which conforms to the minimum specifications
256 established by regulations adopted under subsection (b) of section 14-
257 289g.

258 (c) Before granting a motorcycle endorsement to any applicant who
259 has not held such an endorsement at any time within the preceding
260 two years, the commissioner shall require the applicant to present
261 evidence satisfactory to the commissioner that such applicant has
262 successfully completed a novice motorcycle training course conducted
263 by the Department of Transportation with federal funds available for
264 the purpose of such course, or by any firm or organization that
265 conducts such a course that uses the curriculum of the Motorcycle
266 Safety Foundation or other safety or educational organization that has
267 developed a curriculum approved by the commissioner. If such
268 applicant has not obtained a [training] motorcycle instruction permit
269 pursuant to subsection (b) of this section, the applicant shall also pass
270 an examination, other than the driving skills test, demonstrating that
271 the applicant is a proper person to operate a motorcycle, has sufficient
272 knowledge of the mechanism of a motorcycle to ensure its safe
273 operation by such applicant, and has satisfactory knowledge of the law
274 concerning motorcycles and other motor vehicles and the rules of the
275 road. When the commissioner is satisfied as to the ability and
276 competency of the applicant, the commissioner may issue an
277 endorsement to such applicant, either unlimited or containing such
278 limitations as the commissioner deems advisable. If an applicant or
279 motorcycle endorsement holder has any health problem which might
280 affect such person's ability to operate a motorcycle safely, the
281 commissioner may require the applicant or endorsement holder to

282 demonstrate personally that, notwithstanding the problem, such
283 person is a proper person to operate a motorcycle, and the
284 commissioner may further require a certificate of the applicant's
285 condition, signed by a medical authority designated by the
286 commissioner, which certificate shall, in all cases, be treated as
287 confidential by the commissioner. An endorsement, containing such
288 limitation as the commissioner deems advisable may be issued or
289 renewed in any case, but nothing in this section shall be construed to
290 prevent the commissioner from refusing an endorsement, either
291 limited or unlimited, to any person or suspending an endorsement of a
292 person whom the commissioner deems incapable of safely operating a
293 motorcycle.

294 Sec. 5. Subsection (b) of section 14-44i of the general statutes is
295 repealed and the following is substituted in lieu thereof (*Effective July*
296 *1, 2012*):

297 (b) There shall be charged for each commercial driver's license
298 knowledge test a fee of sixteen dollars. There shall be charged for each
299 commercial driver's license skills test a fee of thirty dollars. There shall
300 be charged for each commercial driver's [license learner's] instruction
301 permit a fee of ten dollars.

302 Sec. 6. Subsection (v) of section 14-49 of the 2012 supplement to the
303 general statutes is repealed and the following is substituted in lieu
304 thereof (*Effective January 1, 2013*):

305 (v) There shall be charged for each motor vehicle [learner's] adult or
306 youth instruction permit or renewal thereof a fee of nineteen dollars.
307 There shall be charged for each motorcycle [training] instruction
308 permit or renewal thereof a fee of sixteen dollars.

309 Sec. 7. Subdivision (2) of subsection (b) of section 14-111 of the 2012
310 supplement to the general statutes is repealed and the following is
311 substituted in lieu thereof (*Effective January 1, 2013*):

312 (2) Notwithstanding the provisions of section 14-111b, whenever the
313 holder of any motor vehicle operator's license or [learner's] youth
314 instruction permit who is less than eighteen years of age or whenever a
315 person who does not hold an operator's license who is less than
316 eighteen years of age has been convicted or has forfeited any bond
317 taken or has received a suspended judgment or sentence for any of the
318 following violations, the commissioner shall suspend such person's
319 operator's license or privilege to obtain an operator's license as follows:
320 For a first violation of subdivision (4) of subsection (a) of section 14-219
321 or subdivision (4) of subsection (b) of section 14-219, for a period of
322 sixty days and, for a second violation thereof, for a period of ninety
323 days and, for a third or subsequent violation thereof, for a period of six
324 months; for a first violation of subsection (a) of section 14-222, for a
325 period of six months and, for a subsequent violation thereof, for a
326 period of one year; for a violation of subsection (c) of section 14-224,
327 for a period of six months and, for a subsequent violation thereof, for a
328 period of one year; for a first violation of section 14-296aa, for a period
329 of thirty days and, for a second violation thereof, for a period of ninety
330 days and, for a third or subsequent violation thereof, for a period of six
331 months.

332 Sec. 8. Section 14-214 of the general statutes is repealed and the
333 following is substituted in lieu thereof (*Effective January 1, 2013*):

334 Any licensed operator, being twenty years of age or older and
335 having had an operator's license to operate a motor vehicle of the same
336 class as the motor vehicle being operated for at least four years
337 preceding the date of such instruction, may instruct a person sixteen or
338 seventeen years of age who holds a [learner's] youth instruction permit
339 issued in accordance with subsection (c) of section 14-36, as amended
340 by this act, or a person who is eighteen years of age or older who holds
341 an adult instruction permit, in the operation of a motor vehicle. Any
342 person so instructing another in the use of any motor vehicle shall be
343 responsible for the operation thereof. Violation of any provision of this
344 section shall be an infraction.

345 Sec. 9. Subsection (b) of section 14-41 of the 2012 supplement to the
 346 general statutes is repealed and the following is substituted in lieu
 347 thereof (*Effective January 1, 2013*):

348 (b) An original operator's license shall expire within a period not
 349 exceeding six years following the date of the operator's next birthday.
 350 The fee for such [original] license shall be [computed at the rate of
 351 forty-eight dollars for a four-year license,] seventy-two dollars [for a
 352 six-year license] and twelve dollars per year or any part of a year. The
 353 commissioner may authorize an automobile club or association,
 354 licensed in accordance with the provisions of section 14-67 on or before
 355 July 1, 2007, to issue duplicate licenses and identity cards pursuant to
 356 section 14-50a, renew licenses, renew identity cards issued pursuant to
 357 section 1-1h and conduct registration transactions at its office facilities.
 358 The commissioner may authorize such automobile clubs or
 359 associations to charge a convenience fee, which shall not exceed two
 360 dollars, to each applicant for a license or identity card renewal or
 361 duplication, or for a registration transaction.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2013</i>	14-10(a)
Sec. 2	<i>January 1, 2013</i>	14-36(b) to (d)
Sec. 3	<i>January 1, 2013</i>	14-36j
Sec. 4	<i>January 1, 2013</i>	14-40a(b) and (c)
Sec. 5	<i>July 1, 2012</i>	14-44i(b)
Sec. 6	<i>January 1, 2013</i>	14-49(v)
Sec. 7	<i>January 1, 2013</i>	14-111(b)(2)
Sec. 8	<i>January 1, 2013</i>	14-214
Sec. 9	<i>January 1, 2013</i>	14-41(b)

Statement of Purpose:

To amend certain motor vehicle statutes to replace the term "learner's permit" with "instruction permit", to establish an adult instruction permit and to remove the fee for four-year licenses, which the department no longer issues.

[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.]