

R-39 Rev. 03/2012  
(Title page)

**IMPORTANT:** Read instructions on back of last page (Certification Page) before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations

State of Connecticut  
**REGULATION**  
of

NAME OF AGENCY

**Department of Motor Vehicles**

**Concerning**

SUBJECT MATTER OF REGULATION

**Ignition Interlock Devices**

**Section 1. Sections 14-227a-11a and 14-227a-12a of the Regulations of Connecticut State Agencies are amended and the following is substituted in lieu thereof:**

**Ignition Interlock Devices**

**Sec. 14-227a-11a. Scope**

(a) The purpose of sections 14-227a-11a to 14-227a-[27a]28a, inclusive, of the Regulations of Connecticut State Agencies is to implement the provisions of the Connecticut General Statutes governing the installation and use of ignition interlock devices in motor vehicles. These sections include, inter alia, the procedures for the approval of ignition interlock devices, for the proper calibration and maintenance of such devices, for the installation of such devices by a person approved and authorized by the Department of Motor Vehicles, and for permitting a person to operate a motor vehicle after his or her Connecticut operator's license or non resident operating privilege has been suspended [for one year] due to a conviction for a first, second or subsequent violation of subsection (a) of section 14-227a of the Connecticut General Statutes.

(b) Sections 14-227a-11a to 14-227a-[27a]28a, inclusive, of the Regulations of Connecticut State Agencies shall apply only to those devices installed under authority of subsection (g) and (i) of section 14-227a, section 14-227j and [section 14-227k] subsection (i) of section 14-111 of the Connecticut General Statutes or any successor statutes.

**Sec. 14-227a-12a. Definitions**

As used in sections 14-227a-11a to 14-227a-[27a]28a, inclusive, of the Regulations of Connecticut State Agencies:

(1) "Alcohol set point" or "start-up set point" is the breath alcohol concentration at or above which the device, as defined herein, shall prevent the motor vehicle in which it

is installed from starting. The alcohol set point is .025% in accordance with subsection (a) of section 14-227j.

[(1)] (2) “Applicant” means a manufacturer or its authorized representative seeking the Department’s approval of an ignition interlock device;

[(2)] (3) “Approval” means meeting and maintaining the requirements for placement on a list of approved ignition interlock devices;

(4) “Circumvent” means an overt attempt to bypass the ignition interlock device by providing samples other than the natural unfiltered breath of the operator, or by starting the vehicle without using the ignition switch, or any other act intended to allow the vehicle to start or continue to operate without the operator first taking and passing a breath test;

[(3)] (5) “Commissioner” means the Commissioner of Motor Vehicles;

(6) “CSSD” means the Court Support Services Division of the Judicial Branch of the State of Connecticut;

[(4)] (7) “Department” means the department of motor vehicles;

[(5)] (8) “Device” means an ignition interlock device or breath alcohol ignition interlock device;

(9) “Failed rolling re-test” means a breath test taken by the operator of a vehicle equipped with an ignition interlock device while the vehicle is running that shows the operator has a BAC at or greater than .025%.

(10) “Failed start-up test” means a breath test taken by the operator of a vehicle equipped with an ignition interlock device prior to starting the vehicle’s ignition which registers a BAC of .025% or above, and which prevents the vehicle from starting;

[(6)] (11) “Ignition interlock device,” or “IID,” also known as “breath alcohol ignition interlock device,” shall have the meaning set forth in subsection (a) of section 14-227j of the Connecticut General Statutes, and shall meet the model specifications as defined herein;

[(7)] (12) “Independent testing laboratory” means a testing laboratory or analytical chemist not affiliated with a manufacturer of ignition interlock devices that is qualified to test ignition interlock devices or reference samples;

[(8)] (13) “Installer” means a manufacturer’s representative who is authorized to install, maintain and remove an ignition interlock device;

[(9)] (14) “Manufacturer” means any person engaged in the manufacturing or assembling of ignition interlock devices;

[(10)] (15) “Model specifications” means the Model Specifications for Breath Alcohol Ignition Interlock Devices (BAIID) of the National Highway Traffic Safety Administration, published in Federal Register Volume 57, Number 67, pages 11772-11787, or any amendment thereto;

[(11)] (16) “Owner” has the meaning set forth in subdivision (61) of subsection (a) of section 14-1 of the Connecticut General Statutes, and includes a lessee of a motor vehicle;

[(12)] (17) “Purge” means the process whereby a device cleanses or removes a previous breath test sample from the device and specifically removes residual alcohol; [and]

(18) “Rolling re-test means a breath test required within randomly variable intervals while an operator is driving a vehicle equipped with an IID to ensure that the operator’s BAC remains below the alcohol set point;

[(13)] (19) “Security” means the protection and safeguards incorporated into ignition interlock devices to ensure proper performance and to ensure against failure caused either by inherent defects or human tampering that causes the device not to operate as designated[.] ;

(20) “Service center” means a physical location in Connecticut where IIDs are installed, serviced and removed and includes mobile service units;

(21) “Service period” is the interval between service visits;

(22) “Service visit” means a required visit by the operator to a service center to have an IID inspected, monitored or maintained. An initial service visit shall be conducted within thirty (30) days of IID installation, and regularly thereafter in service periods of twenty-five (25) to thirty (30) days;

(23) “Tampering” means an overt attempt to physically alter or disable an IID, or disconnect it from its power source, or remove, alter or deface physical anti-tampering measures, so an operator is able to start or continue to operate the vehicle without taking and passing a required breath test;

(24) “Violation” is one of the following acts or omissions by a person who is required to operate with an IID:

(a) Failing to appear for an IID service visit within five days of the scheduled service date;

(b) A second or subsequent occasion of failing a rolling re-test;

(c) Failing to submit to a rolling retest;

(d) Tampering with or attempting to tamper with or circumventing or attempting to circumvent the IID, based upon a report to the commissioner and CSSD from the manufacturer or installer;

(e) Operating a vehicle without a required IID;

(f) Removing an IID without authorization;

(g) Requesting or soliciting another person to blow into or otherwise activate the device for the purpose of providing the restricted driver with an operable motor vehicle.

**Sec. 2. Section 14-227a-14a of the Regulations of Connecticut State Agencies is amended and the following is substituted in lieu thereof:**

**Sec. 14-227a-14a. Application for approval of device**

(a) An applicant seeking approval of an [ignition interlock device] IID shall apply to the commissioner on such forms as the commissioner may prescribe.

(b) The applicant shall certify the following with respect to each make or model device for which approval is sought:

- (1) The device does not impede the safe operation of the vehicle;
- (2) [Bypass] Circumvention and tampering opportunities are minimized;
- (3) The device correlates accurately with established measures of blood alcohol levels;
- (4) The device performs accurately and reliably in an unsupervised environment;
- (5) The device requires a proper and accurate measure of blood alcohol levels;
- (6) The device operates reliably over a range of motor vehicle environments or motor vehicle manufacturing standards;
- (7) The device provides an electronic [log] record of the driver's experience with the device;
- (8) Regardless of make or model, or the fact that the device is leased or sold, it meets the requirements of sections 14-227a-11a to 14-227a-[27a]28a, inclusive, of the Regulations of Connecticut State Agencies;
- (9) The device uses a fuel cell sensor;
- (10) The device [will] shall be recalibrated[,] and inspected and data from the device shall be downloaded [not more than] every [sixty (60)] thirty (30) days; and
- (11) Breath test results [will] shall not be subject to interference or alteration by radio signals.

(c) An applicant shall provide the commissioner with the following information:

- (1) The name and address of the manufacturer;
- (2) The name and model number of the device;
- (3) A detailed description of the device and its principal of operation, including instructions for its installation and operation;
- (4) Technical specifications descriptive of the device's accuracy, security, data collection and recording, tamper detection and environmental features;
- (5) A certificate from an insurance company authorized to do business in Connecticut providing evidence that the manufacturer holds product liability insurance with minimum liability limits of one hundred thousand dollars (\$100,000) per occurrence, with three hundred thousand (\$300,000) aggregate total. The liability covered shall include defects in product design and materials, as well as workmanship during manufacture, calibration, installation and removal. The proof of insurance shall include a statement from the insurance carrier that thirty (30) days notice shall be given to the commissioner prior to cancellation;
- (6) A copy of drawings, schematics, installation manual and wiring protocols for the device and its components if requested, and to the extent such information is not claimed to be proprietary or would be subject to public disclosure;
- (7) A list with the name, address, and license number of any person or firm that has been certified as qualified to install, maintain, calibrate or remove the applicant's device;
- (8) Such other information as the commissioner may require.

(d) The applicant shall submit an affidavit to the commissioner, certifying that the individual submitting the application is authorized by the manufacturer to act on its behalf.

(e) The applicant shall agree that it [will] shall bear the costs associated with processing the application, including the costs of providing the commissioner with an affidavit from an independent testing laboratory regarding the make and model of device for which approval is sought.

(f) The applicant shall provide an affidavit from an independent testing laboratory certifying that the make and model of device submitted for approval meets or exceeds all requirements set in sections 14-227a-11a to 14-227a-[27a]28a, inclusive, of the Regulations of Connecticut State Agencies. Such affidavit shall further provide:

(1) The name and location of the independent testing laboratory;

(2) The address and telephone number of the independent testing laboratory;

(3) A description of the tests performed;

(4) Copies of the data and results of the testing procedures; and

(5) The names and qualifications of the individuals performing the tests.

(g) The applicant shall agree to provide the commissioner with written notification of any denial, suspension or revocation by any government authority of an approval of its device within thirty (30) days of the date that the manufacturer receives notice of such action.

**Sec. 3. Sections 14-227a-19a to 14-227a-27a, inclusive, of the Regulations of Connecticut State Agencies are amended and the following is substituted in lieu thereof:**

**Sec. 14-227a-19a. Approval of IID installers**

(a) In order to install, inspect, maintain, calibrate or remove an IID [device], a person or firm [must] shall be identified on a current official list of installers submitted to the commissioner by each manufacturer of an approved IID [device]. Each installer shall be trained and certified by the manufacturer. Each manufacturer shall provide to the commissioner such information concerning each of its installers as the commissioner may request, including an estimate of the charges of each such installer to install, inspect, maintain, calibrate and remove an IID [device]. Each installer shall have at least one fixed location with a street address in Connecticut that serves as its base of operations and at which records are maintained.

(b) If the commissioner has reason to believe that any installer is performing its responsibilities in any manner that is detrimental to, and not in the best interests of, the administration of any provision of sections 14-227a-11a to 14-227a-[27a]28a, inclusive, of the Regulations of Connecticut State Agencies, including any matter set forth in section 14-227a-24a of the Regulations of Connecticut State Agencies, the commissioner shall notify the manufacturer to take appropriate action to rectify the situation, up to and including the revocation of the certification of such installer.

(c) An Installer shall be authorized to install, maintain, calibrate or remove only that device, or devices, listed in the manufacturer's certification letter.

(d) No installer shall permit customers or other unauthorized persons to observe the installation, servicing, calibration or removal of a device.

**Sec. 14-227a-20a. Installation of IID [device]**

(a) Prior to installing an IID [device], the Installer shall obtain a written authorization to perform the work from the owner of the motor vehicle, on an invoice signed by the owner, which shall include an estimate of the cost of installation, together with a written copy of the list of costs for periodic inspection of the device, maintenance, calibration and removal.

(b) The Installer shall provide the department with written notification whenever an IID [device] is installed in or removed from a motor vehicle in accordance with sections 14-227a- 11a to 14-227a-[27a]28a, inclusive, of the Regulations of Connecticut State Agencies. The notification shall include the name and operator's license number of the person who requested to have the device installed or removed from a motor vehicle, the odometer reading of the vehicle in which the device is to be installed or removed and a description of the motor vehicle, including the vehicle identification number.

**Sec. 14-227a-21a. Maintenance and calibration of IID [device]**

(a) At the time of installation, the Installer shall provide the owner of the motor vehicle with a written schedule of required inspections. The Installer shall inspect the IID [device not less than] every [sixty (60)] thirty (30) days to insure that the device is working properly and, in this regard, shall perform any necessary maintenance or calibration and shall record the mileage from the vehicle's odometer. If the manufacturer or installer removes and replaces an existing device, or any part thereof, in connection with the maintenance or calibration of the device, such removal and replacement shall be completed at a service center.

**Sec. 14-227a-22a. [Inspection notification] Reports of operator default or violation**

(a) The Installer, manufacturer or manufacturer's representative shall [provide immediate written notification to the department if a motor vehicle is not presented for a scheduled inspection or if evidence is found that there has been tampering with the device, or that the device has been removed or disabled] immediately file a report with the commissioner, CSSD, and such other entities as the commissioner designates in such manner as the commissioner requires, upon discovering: (1) Evidence of circumventing, disabling or tampering with a device; (2) Failing a rolling re-test; (3) Failing to submit to a rolling re-test; (4) A failed start-up test; (5) A missed service visit; (6) Removal of the device.

(b) The report shall include the following information: (1) Name and position of the person submitting the report; (2) Date and time of the incident or violation giving rise to the report; (3) Reason for the report and if applicable, documentation to support the report; (4) Driver's name and driver license number; (5) Registration number and vehicle identification number of the vehicle in which the device is installed.

#### **Sec. 14-227a-23a. Maintenance of records**

The Installer, manufacturer or manufacturer's representative shall keep a record of the installation, inspection, maintenance, calibration and removal of each IID [device]. The record shall be maintained for a period of five (5) years, and shall be made available for inspection by the department at any time upon twenty-four (24) hours notice.

#### **Sec. 14-227a-24a. Suspension or revocation of installer**

(a) A manufacturer shall suspend or revoke a person's or firm's authorization as an Installer for any of the following reasons:

(1) The Installer failed to properly install, inspect, maintain, calibrate or remove an IID [device];

(2) The Installer failed to make a required report to the commissioner in accordance with sections 14-227a-11a to 14-227a-[27a]28a, inclusive, of the Regulations of Connecticut State Agencies;

(3) The Installer failed to make or maintain the records in accordance with sections 14-227a-11a to 14-227a-[27a]28a, inclusive, of the Regulations of Connecticut State Agencies;

(4) The Installer tampers with the IID [device]; or

(5) Any other reasonable cause related to the installation, inspection, maintenance, calibration or removal of an IID [device].

(b) The manufacturer shall notify the commissioner promptly in writing of any action taken pursuant to subsection (a) of this section.

#### **Sec. 14-227a-25a. List of approved IIDs [devices] and installers**

The department shall maintain an official list of approved IIDs [s], of manufacturers, and of certified Installers. The department also shall maintain contact information, including toll free telephone numbers, for manufacturers whose IIDs [devices] have been approved. Such list and information shall be made available to any person who seeks to have an IID [device] installed in accordance with sections 14-227a-11a to 14-227a-[27a]28a, inclusive, of the Regulations of State Agencies.

**Sec. 14-227a-26a. Permission to operate motor vehicle with an IID [device]**

(a) Any person who is ordered by the Superior Court not to operate any motor vehicle unless such motor vehicle is equipped with an IID [device] shall apply to the commissioner for permission to install and use such a device in all motor vehicles owned by such person or operated by such person. The commissioner shall grant such permission if: (1) the commissioner has received reliable information that such order has been made, including any special conditions imposed by the court and (2) such person's license or operating privilege is not under suspension by the commissioner or is currently scheduled, as of a date certain, to be suspended for any reason or cause other than an existing suspension pursuant to section 14-227b of the Connecticut General Statutes.

(b) Any person who is convicted of a first or second violation as indicated on such person's driving history as maintained by the commissioner, of subdivision (1) or (2) of subsection (a) of section 14-227a of the Connecticut General Statutes and, as a consequence, has had his or her motor vehicle operator's license or nonresident operating privileges suspended, shall apply to the commissioner for permission to operate a motor vehicle that is equipped with an approved IID [device]. The commissioner shall grant such permission if: (1) such person has been [suspended] convicted on or after [September 1, 2003] January 1, 2012 and has served not less than [one year] forty-five days of such suspension; (2) such person has installed an approved IID [device] in each motor vehicle owned or to be used by such person, and (3) such person's license or operating privilege is not under suspension by the commissioner or currently scheduled, as of a date certain, to be suspended for any other reason or cause other than an existing suspension pursuant to section 14-227b of the Connecticut General Statutes.

(c) The commissioner shall not restore the motor vehicle operator's license or operating privilege of any person who is convicted of a first or second violation of subdivision (1) or (2) of subsection (a) of section 14-227a of the Connecticut General Statutes, until such person has installed an approved IID [device] in each of the driver's motor vehicles, as defined in 23 Code of Federal Regulations, section 1275.3 (b), and shall not authorize the removal of the device until such person has maintained it for the period of time required by law, including any extension of such period that is imposed by the commissioner pursuant to subsection (b) of section 14-227a-27a of the Regulations of Connecticut State Agencies.

(d) The commissioner shall establish a procedure for any person identified in subsections (a), (b) or (c) of this section to obtain permission to operate a motor vehicle that is equipped with an approved IID [device]. The procedure shall require each such person to complete and execute a written application, which shall contain such information and affirmations by such person as the commissioner may prescribe. Prior to having an approved IID [device] installed, any person seeking to operate a motor vehicle equipped with an approved IID [device] may request a preliminary determination from the department as to whether such person otherwise meets the

requirements, as stated in subsections (a) and (b) of this section, for such person's application to be granted. The commissioner shall make available for review by CSSD application materials and driver records of all persons who apply for IIDs.

(e) If permission is granted to a person by the commissioner under subsection (d) of this section, the department shall place a notation on the official record of such person's license or Connecticut operating privilege, to indicate that such license or privilege is restricted, and that the holder is authorized [by the commissioner] to operate motor vehicles that are equipped with an approved, properly functioning IID, and no other motor vehicles. Such restriction shall be known as an IID restriction. The commissioner may place the designation "IID" or similar designation, on the operator's license record of any person who is granted permission to operate a motor vehicle in accordance with the provisions of this section. The department shall take steps necessary to furnish information concerning each IID restriction to the Connecticut On-Line Law Enforcement [Telecommunications] Communications Teleprocessing System (COLLECT system) [operated by the Department of Public Safety].

(f) If permission as described herein is granted by the commissioner, it shall be the responsibility of such person to have each motor vehicle, owned or operated by such person, that is equipped with the IID [device] inspected by the Installer [not less than] every [sixty (60)] thirty (30) days to insure that the device is operating properly, and that the device is properly maintained and calibrated.

(g) The person shall be provided with a document by the department evidencing the fact that the commissioner has granted such person permission to operate a specific vehicle or vehicles equipped with an IID [device]. This document shall be kept in the vehicle whenever the person is operating the vehicle.

(h) A person who has been ordered by a court to operate only a vehicle equipped with an IID as described in subsection (a) hereof shall not be permitted to remove the IID until the Commissioner receives documentation from such court that the order is no longer in effect. A person who is authorized to operate with an IID as a result of a conviction under subdivision (1) or (2) of subsection (a) of section 14-227a of the Connecticut General Statutes, as described in subsection (b) hereof, shall not remove an IID until the Commissioner notifies such person that he or she has fulfilled the IID restriction.

**Sec. 14-227a-27a. Suspension or revocation of permission to operate with an IID [device]**

(a) The commissioner [may] shall suspend or revoke a person's permission to operate a motor vehicle equipped with [a] an IID [device], in accordance with sections 14-227a-11a to 14-227a-[27a]28a, inclusive, of the Regulations of Connecticut State Agencies [for the following reasons:] in the event that such person is convicted of an offense or violation of law that requires a suspension of the license or operating privilege. After such person serves the license or privilege suspension, the IID restriction shall resume

for the duration of the original IID period, and shall be extended for the length of time that such suspension was in effect and if applicable, for any additional time specified in subsection (b) of this section.

(b) For each violation of the IID restriction, as defined in section 14-227a-12a of the Regulations of Connecticut State Agencies, the duration of the operator's IID restriction shall be extended by thirty (30) days. The unauthorized removal of a device shall also result in an additional extension of the IID restriction for a period equal to the time that the operator did not have a device on a motor vehicle.

[(1) The person fails to have the IID device inspected not less than every sixty (60) days;

(2) The person tampers with or causes another to tamper with the installed IID device; or

(3) The person's operator's license or privilege is suspended by the commissioner for any reason.]

[(b)](c) The [person] operator shall be provided with written notice and an opportunity for a hearing, held in accordance with the provisions of Chapter 54 of the Connecticut General Statutes, to contest the proposed suspension or revocation [at a hearing to be held in accordance with the provisions of Chapter 54 of the Connecticut General Statutes] of permission to operate with an IID or for the extension of the IID period under one or more provisions of sections 14-227a-11a through 14-227a-28a of the Regulations of Connecticut State Agencies.

[(c)](d) In addition to taking any action authorized by subsections (a) and (b) of this section, if the commissioner becomes aware of any reliable information that a person who has been permitted to operate a motor vehicle equipped with an [device] IID has requested or solicited another person to blow into an [ignition interlock device] IID or to start a motor vehicle equipped with an [ignition interlock device] IID for the purpose of providing such person with an operable motor vehicle, in violation of subsection (a) of section 14-227k of the Connecticut General Statutes, or that such person or any other person has tampered with, altered or bypassed the operation of IID [device] in order to use such vehicle for transportation purposes in violation of subsection (b) of section 14-227k of the Connecticut General Statutes, the commissioner shall report such information to the appropriate law enforcement or prosecuting authority, and may take any action authorized in subsection (a) of this section. If the commissioner receives reliable information that an operator has requested or solicited another person to provide a breath sample for the IID, the commissioner may require that such person install a device with biometric capabilities or that is equipped with a camera.

**Sec. 4. The Regulations of Connecticut State Agencies are amended by adding section 14-227a-28a as follows:**

**(NEW) Sec. 14-227a-28a. Third or subsequent convictions**

Sections 14-227a-11a through 14-227a-27a of the Regulations of Connecticut State Agencies shall apply to the installation and use of an IID authorized after a hearing held in accordance with section 14-111(i)(2) as the result of a third or subsequent conviction for a violation of subdivision (1) or (2) of subsection (a) of section 14-227a of the Connecticut General Statutes.

**Statement of Purpose**

*Pursuant to CGS Section 4-170(b)(3), "Each proposed regulation shall have a statement of its purpose following the final section of the regulation." Enter the statement here.*

The purpose of these amendments is to implement the changes to Connecticut law governing the installation and use of ignition interlock devices as a result of Sections 51, 52, 53, 54, 55, and 56 of Public Act 2011-48.

**Summary of Main Provisions:** The proposed regulation does the following:

- 1) Defines new terms that are used in the regulations;
- 2) Establishes additional criteria and responsibilities for manufacturers of ignition interlock devices;
- 3) Extends the ignition interlock device requirement to any person who is convicted of a first offense of subdivision (1) or (2) of subsection (a) of section 14-227a of the Connecticut General Statutes and reduces the suspension period associated with such conviction;
- 4) Strengthens the current regulations regarding the ignition interlock device requirement by establishing certain reporting violations of participants;
- 5) Establishes IID restriction violations to be reported to the Commissioner and the CSSD; and
- 6) Provides for an extension of time a driver must operate a motor vehicle with an ignition interlock device when a driver commits a violation of the IID restriction.

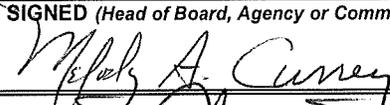
**Legal Effects of the Regulation:** The regulation sets forth comprehensive changes regarding the installation, use, reporting requirements, and administrative penalties for manufacturers of ignition interlock devices and for drivers mandated to use such device.

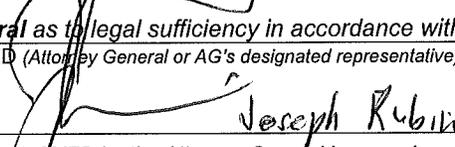
R-39 Rev. 03/2012  
(Certification page—see Instructions on back)

### CERTIFICATION

*This certification statement must be completed in full, including items 3 and 4, if they are applicable.*

- 1) I hereby certify that the above (check one)  Regulations  Emergency Regulations
- 2) are (check all that apply)  adopted  amended  repealed by this agency pursuant to the following authority(ies): (complete all that apply)
  - a. Connecticut General Statutes section(s) 14-227a.
  - b. Public Act Number(s) \_\_\_\_\_.  
(Provide public act number(s) if the act has not yet been codified in the Connecticut General Statutes.)
- 3) And I further certify that notice of intent to adopt, amend or repeal said regulations was published in the **Connecticut Law Journal** on August 7, 2012;  
(Insert date of notice publication if publication was required by CGS Section 4-168.)
- 4) And that a public hearing regarding the proposed regulations was held on n/a;  
(Insert date(s) of public hearing(s) held pursuant to CGS Section 4-168(a)(7), if any, or pursuant to other applicable statute.)
- 5) And that said regulations are **EFFECTIVE** (check one, and complete as applicable)
  - When filed with the Secretary of the State
  - OR  on (insert date) \_\_\_\_\_

DATE <u>9/11/12</u>	SIGNED (Head of Board, Agency or Commission) 	OFFICIAL TITLE, DULY AUTHORIZED Commissioner of Motor Vehicles
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<b>APPROVED</b> by the Attorney General as to legal sufficiency in accordance with CGS Section 4-169, as amended		
DATE <u>10/11/12</u>	SIGNED (Attorney General or AG's designated representative) 	OFFICIAL TITLE, DULY AUTHORIZED ASSOC. ATTY. GENERAL

Proposed regulations are **DEEMED APPROVED** by the Attorney General in accordance with CGS Section 4-169, as amended, if the attorney General fails to give notice to the agency of any legal insufficiency within thirty (30) days of the receipt of the proposed regulation.  
(For Regulation Review Committee Use ONLY)

- Approved  Rejected without prejudice
- Approved with technical corrections  Disapproved in part, (Indicate Section Numbers disapproved only)
- Deemed approved pursuant to CGS Section 4-170(c)

By the Legislative Regulation Review Committee in accordance with CGS Section 4-170, as amended	DATE	SIGNED (Administrator, Legislative Regulation Review Committee)
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Two certified copies received and filed and one such copy forwarded to the Commission on Official Legal Publications in accordance with CGS Section 4-172, as amended.

DATE	SIGNED (Secretary of the State)	BY
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(For Secretary of the State Use ONLY)

**GENERAL INSTRUCTIONS**

1. All regulations proposed for adoption, amendment or repeal, *except* emergency regulations, must be presented to the Attorney General for his/her determination of legal sufficiency. (See CGS Section 4-169.)
2. After approval by the Attorney General, the original and one electronic copy (in Word format) of all regulations proposed for adoption, amendment or repeal must be presented to the Legislative Regulation Review Committee for its action. (See CGS Sections 4-168 and 4-170 as amended by Public Act 11-150, Sections 18 and 19.)
3. Each proposed regulation section must include the appropriate regulation section number and a section heading. (See CGS Section 4-172.)
4. New language added to an existing regulation must be in underlining or CAPITAL LETTERS, as determined by the Regulation Review Committee. (See CGS 4-170(b).)
5. Existing language to be deleted must be enclosed in brackets [ ]. (See CGS 4-170(b).)
6. A completely new regulation or a new section of an existing regulation must be preceded by the word "(NEW)" in capital letters. (See CGS Section 4-170(b).)
7. The proposed regulation must have a statement of its purpose following the final section of the regulation. (See CGS Section 4-170(b).)
8. The Certification Statement portion of the form must be completed, including all applicable information regarding *Connecticut Law Journal* notice publication date(s) and public hearing(s). (See more specific instructions below.)
9. Additional information regarding rules and procedures of the Legislative Regulation Review Committee can be found on the Committee's web site: <http://www.cga.ct.gov/rr/>.
10. A copy of the Legislative Commissioners' Regulations Drafting Manual is located on the LCO website at [http://www.cga.ct.gov/lco/pdfs/Regulations\\_Drafting\\_Manual.pdf](http://www.cga.ct.gov/lco/pdfs/Regulations_Drafting_Manual.pdf).

**CERTIFICATION STATEMENT INSTRUCTIONS**

(Numbers below correspond to the numbered sections of the statement)

1. Indicate whether the regulation is a regular or an emergency regulation adopted under the provisions of CGS Section 4-168(f).
2.
  - a) Indicate whether the regulations contains newly adopted sections, amendments to existing sections, and/or repeals existing sections. Check all cases that apply.
  - b) Indicate the specific legal authority that authorizes or requires adoption, amendment or repeal of the regulation. If the relevant public act has been codified in the most current biennial edition of the *Connecticut General Statutes*, indicate the relevant statute number(s) instead of the public act number. If the public act has not yet been codified, indicate the relevant public act number.
3. Except for emergency regulations adopted under CGS 4-168(f), and technical amendments to an existing regulation adopted under CGS 4-168(g), an agency must publish notice of its intent to adopt a regulation in the *Connecticut Law Journal*. Enter the date of notice publication.
4. CGS Section 4-168(a)(7) prescribes requirements for the holding of an agency public hearing regarding proposed regulations. Enter the date(s) of the hearing(s) held under that section, if any; also enter the date(s) of any hearing(s) the agency was required to hold under the provisions of any other law.
5. As applicable, enter the effective date of the regulation here, or indicate that it is effective upon filing with the Secretary of the State. Please note the information below.

Regulations are effective upon filing with the Secretary of the State or at a later specified date. See CGS Section 4-172(b) which provides that each regulation is effective upon filing, or, if a later date is required by statute or specified in the regulation, the later date is the effective date. An effective date may not precede the effective date of the public act requiring or permitting the regulation. Emergency regulations are effective immediately upon filing with the Secretary of the State, or at a stated date less than twenty days thereafter.