



House of Representatives

File No. 890

General Assembly

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(Reprint of File No. 323)

House Bill No. 6033
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 31, 2013

**AN ACT CONCERNING DISTRACTED DRIVING AND REVISIONS TO
THE MOTOR VEHICLE STATUTES.**

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

1 Section 1. Section 1-24 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2013*):

3 The following officers may administer oaths: (1) The clerks of the
4 Senate, the clerks of the House of Representatives and the chairpersons
5 of committees of the General Assembly or of either branch thereof,
6 during its session; (2) state officers, as defined in subsection (t) of
7 section 9-1, judges and clerks of any court, family support magistrates,
8 judge trial referees, justices of the peace, commissioners of the Superior
9 Court, notaries public, town clerks and assistant town clerks, in all
10 cases where an oath may be administered, except in a case where the
11 law otherwise requires; (3) commissioners on insolvent estates,
12 auditors, arbitrators and committees, to parties and witnesses, in all
13 cases tried before them; (4) assessors and boards of assessment
14 appeals, in cases coming before them; (5) commissioners appointed by

15 governors of other states to take the acknowledgment of deeds, in the
16 discharge of their official duty; (6) the moderator of a school district
17 meeting, in such meeting, to the clerk of such district, as required by
18 law; (7) the first selectman, in any matter before the board of
19 selectmen; (8) the Chief Medical Examiner, Deputy Medical Examiner
20 and assistant medical examiners of the Office of the Medical Examiner,
21 in any matter before them; (9) registrars of vital statistics, in any matter
22 before them; (10) any chief inspector or inspector appointed pursuant
23 to section 51-286; (11) registrars of voters, deputy registrars, assistant
24 registrars, and moderators, in any matter before them; (12) special
25 assistant registrars, in matters provided for in subsections (b) and (c) of
26 section 9-19b and section 9-19c; (13) the Commissioner of Emergency
27 Services and Public Protection and any sworn member of any local
28 police department or the Division of State Police within the
29 Department of Emergency Services and Public Protection, in all
30 affidavits, statements, depositions, complaints or reports made to or by
31 any member of any local police department or said Division of State
32 Police or any constable who is under the supervision of said
33 commissioner or any of such officers of said Division of State Police
34 and who is certified under the provisions of sections 7-294a to 7-294e,
35 inclusive, and performs criminal law enforcement duties; (14) judge
36 advocates of the United States Army, Navy, Air Force and Marine
37 Corps, law specialists of the United States Coast Guard, adjutants,
38 assistant adjutants, acting adjutants and personnel adjutants,
39 commanding officers, executive officers and officers whose rank is
40 lieutenant commander or major, or above, of the armed forces, as
41 defined in section 27-103, to persons serving with or in the armed
42 forces, as defined in said section, or their spouses; (15) investigators,
43 deputy investigators, investigative aides, secretaries, clerical assistants,
44 social workers, social worker trainees, paralegals and certified legal
45 interns employed by or assigned to the Public Defender Services
46 Commission in the performance of their assigned duties; (16) bail
47 commissioners and intake, assessment and referral specialists
48 employed by the Judicial Department in the performance of their
49 assigned duties; (17) juvenile matter investigators employed by the

50 Division of Criminal Justice in the performance of their assigned
51 duties; (18) the chairperson of the Connecticut Siting Council or the
52 chairperson's designee; (19) the presiding officer at an agency hearing
53 under section 4-177b; (20) family relations counselors employed by the
54 Judicial Department and support enforcement officers and
55 investigators employed by the Department of Social Services Bureau of
56 Child Support Enforcement and the Judicial Department, in the
57 performance of their assigned duties; (21) the chairperson, vice-
58 chairperson, members and employees of the Board of Pardons and
59 Paroles, in the performance of their assigned duties; (22) the
60 Commissioner of Correction or the commissioner's designee; [and] (23)
61 sworn law enforcement officers, appointed under section 26-5, within
62 the Department of Energy and Environmental Protection, in all
63 affidavits, statements, depositions, complaints or reports made to or by
64 any such sworn law enforcement officer; and (24) sworn motor vehicle
65 inspectors acting under the authority of section 14-8.

66 Sec. 2. (*Effective from passage*) (a) There is established a task force to
67 study issues concerning the prevention of distracted driving in the
68 state. Such task force shall (1) evaluate the effectiveness of existing
69 laws prohibiting distracted driving, (2) examine distracted driving
70 enforcement, (3) consider any federal efforts to prevent distracted
71 driving, (4) consider any distracted driving efforts in other states, and
72 (5) develop recommendations, including any necessary legislative
73 changes, to prevent distracted driving in Connecticut.

74 (b) The task force shall consist of the following members:

75 (1) One appointed by the speaker of the House of Representatives;

76 (2) One appointed by the president pro tempore of the Senate;

77 (3) One appointed by the majority leader of the House of
78 Representatives;

79 (4) One appointed by the majority leader of the Senate;

80 (5) One appointed by the minority leader of the House of
81 Representatives;

82 (6) One appointed by the minority leader of the Senate;

83 (7) The Commissioner of Motor Vehicles, or the commissioner's
84 designee;

85 (8) The Commissioner of Transportation, or the commissioner's
86 designee; and

87 (9) The chairpersons and ranking members of the joint standing
88 committee of the General Assembly having cognizance of matters
89 relating to transportation.

90 (c) Any member of the task force appointed under subsection (b) of
91 this section may be a member of the General Assembly.

92 (d) All appointments to the task force shall be made not later than
93 thirty days after the effective date of this section. Any vacancy shall be
94 filled by the appointing authority.

95 (e) The speaker of the House of Representatives and the president
96 pro tempore of the Senate shall select the chairpersons of the task force
97 from among the members of the task force. Such chairpersons shall
98 schedule the first meeting of the task force, which shall be held not
99 later than sixty days after the effective date of this section.

100 (f) The administrative staff of the joint standing committee of the
101 General Assembly having cognizance of matters relating to
102 transportation shall serve as administrative staff of the task force.

103 (g) Not later than January 1, 2014, the task force shall submit a
104 report on its findings and recommendations to the joint standing
105 committee of the General Assembly having cognizance of matters
106 relating to transportation, in accordance with the provisions of section
107 11-4a of the general statutes. The task force shall terminate on the date
108 that it submits such report or January 1, 2014, whichever is later.

109 Sec. 3. Subdivision (52) of section 14-1 of the general statutes is
110 repealed and the following is substituted in lieu thereof (*Effective July*
111 *1, 2013*):

112 (52) "Motor-driven cycle" means any motorcycle, motor scooter, or
113 bicycle with attached motor with a seat height of not less than twenty-
114 six inches and a motor [that produces five brake horsepower or less]
115 having a capacity of less than fifty cubic centimeters piston
116 displacement;

117 Sec. 4. Subdivision (63) of section 14-1 of the general statutes is
118 repealed and the following is substituted in lieu thereof (*Effective July*
119 *1, 2013*):

120 (63) "Out-of-service order" means an order (A) issued by a [police
121 officer, state policeman, or motor vehicle inspector under the authority
122 of section 14-8] person having inspection authority, as defined in
123 regulations adopted by the commissioner pursuant to section 14-163c,
124 as amended by this act, or by an authorized official of the United States
125 Department of Transportation Federal Motor Carrier Safety
126 Administration pursuant to any provision of federal law, to prohibit [a
127 commercial] any motor vehicle specified in subsection (a) of section 14-
128 163c, as amended by this act, from being operated on any highway, or
129 to prohibit a driver from operating [a commercial] any such motor
130 vehicle, or (B) issued by the United States Department of
131 Transportation Federal Motor Carrier Safety Administration, pursuant
132 to any provision of federal law, to prohibit any motor carrier, as
133 defined in Section 386.2 of Title 49 of the Code of Federal Regulations,
134 from engaging in commercial motor vehicle operations;

135 Sec. 5. Subdivision (80) of section 14-1 of the general statutes is
136 repealed and the following is substituted in lieu thereof (*Effective July*
137 *1, 2013*):

138 (80) "Serious traffic violation" means a conviction of any of the
139 following offenses: (A) Excessive speeding, involving a single offense
140 in which the speed is fifteen miles per hour or more above the posted

141 speed limit, in violation of section 14-218a or 14-219; (B) reckless
142 driving in violation of section 14-222; (C) following too closely in
143 violation of section 14-240 or 14-240a; (D) improper or erratic lane
144 changes, in violation of section 14-236; (E) using a hand-held mobile
145 telephone or other electronic device or typing, reading or sending text
146 or a text message with or from a mobile telephone or mobile electronic
147 device in violation of subsection (e) of section 14-296aa, as amended by
148 this act, while operating a commercial motor vehicle; (F) driving a
149 commercial motor vehicle without a valid commercial driver's license
150 in violation of section 14-36a, as amended by this act, or 14-44a; (G)
151 failure to carry a commercial driver's license in violation of section 14-
152 44a; (H) failure to have the proper class of license or endorsement, or
153 violation of a license restriction in violation of section 14-44a; or (I) a
154 violation of any provision of chapter 248, [while operating a
155 commercial motor vehicle,] by an operator who holds a commercial
156 driver's license or instruction permit that results in the death of
157 another person;

158 Sec. 6. Section 14-9a of the general statutes is amended by adding
159 subsection (c) as follows (*Effective October 1, 2013*):

160 (NEW) (c) In accordance with 49 CFR 384.228 and subject to the
161 provisions of section 31-51i, the Department of Motor Vehicles shall
162 require any person who is to be employed as a knowledge or skills test
163 examiner for commercial driver's license applicants to submit to a
164 nation-wide criminal background check prior to the department
165 certifying such person to administer any such test. Each such
166 background check shall include name-based and fingerprint-based
167 criminal history records checks of federal and state repository records.
168 The department shall maintain a record of the results of such criminal
169 background checks and shall not certify any examiner to administer
170 commercial driver's license tests who: (1) Was convicted of a felony
171 within the past ten years; or (2) was convicted of any crime involving
172 fraudulent activities.

173 Sec. 7. Subsection (a) of section 14-12b of the general statutes is

174 repealed and the following is substituted in lieu thereof (*Effective*
175 *October 1, 2013*):

176 (a) No motor vehicle registration shall be issued by the
177 commissioner for any private passenger motor vehicle, as defined in
178 subsection (e) of section 38a-363, or a vehicle with a commercial
179 registration, as defined in section 14-1, as amended by this act, unless
180 (1) the application for registration is accompanied by a current
181 automobile insurance identification card containing the information
182 required in section 38a-364, as amended by this act, or a copy of a
183 current insurance policy or endorsement issued by a company licensed
184 to issue such insurance in this state or an approved self-insurer or
185 issued pursuant to the plan established under section 38a-329,
186 verifying that the applicant has the required security coverage, and (2)
187 the applicant signs and files with the commissioner, under penalty of
188 false statement as provided for in section 53a-157b, a statement on a
189 form approved by the commissioner that the owner of the vehicle has
190 provided and will continuously maintain throughout the registration
191 period the minimum security required by section 38a-371. In the case
192 of an owner with a vehicle located outside of the United States or
193 Canada, the commissioner may accept in lieu of the insurance
194 identification card required to be presented for issuance of the
195 registration, an affidavit, in such form as the commissioner shall
196 require, executed by the owner and stating that the vehicle will not be
197 operated in the United States or Canada. In the case of a special use
198 registration issued pursuant to subsection (j) of section 14-12, the
199 commissioner may, in lieu of proof of insurance as otherwise required
200 by this section, accept proof, satisfactory to the commissioner, of
201 substantially equivalent or similar insurance issued by an insurer
202 licensed to transact business in the state in which the motor vehicle is
203 to be registered. The commissioner may require an applicant for
204 renewal of a motor vehicle registration for any private passenger
205 motor vehicle or vehicle with a commercial registration to sign and file
206 with the commissioner, under penalty of false statement as provided
207 for in section 53a-157b, a statement on a form approved by the

208 commissioner that the owner of the vehicle will continuously maintain
209 throughout the registration period the minimum security required by
210 said section 38a-371. Such form shall call for and contain the name of
211 the applicant's insurance company and policy number.

212 Sec. 8. Subsection (a) of section 14-15 of the general statutes is
213 repealed and the following is substituted in lieu thereof (*Effective July*
214 *1, 2013*):

215 (a) Any person, firm or corporation before engaging in the business
216 of leasing or renting motor vehicles without drivers in this state and
217 any person, firm or corporation which is the lessor of or rents any
218 vehicle required to be registered under the provisions of section 14-15a
219 shall make a sworn application to the Commissioner of Motor Vehicles
220 for a license to engage in such leasing or renting. Each such application
221 and each application for renewal shall be accompanied by a fee of
222 three hundred dollars. Each such license shall be renewed biennially
223 according to renewal schedules established by the commissioner so as
224 to effect staggered renewal of all such licenses. If the adoption of a
225 staggered system results in the expiration of any license more or less
226 than one year from its issuance, the commissioner may charge a
227 prorated amount for such license fee. Not less than forty-five days
228 prior to the date of expiration of each such license, the commissioner
229 shall send or transmit to each licensee, in such manner as the
230 commissioner determines, an application for renewal. An application
231 for renewal filed with the commissioner after the date of expiration
232 shall be accompanied by a late fee of one hundred dollars provided the
233 commissioner shall not renew any license under this subsection that
234 has expired for more than forty-five days. No such license shall be
235 transferred. Such licensee shall furnish proof of financial responsibility
236 satisfactory to the commissioner specifying that coverage is for all
237 owned vehicles, as provided by section 14-112 or 14-129, [provided
238 such licensee may furnish such proof separately with respect to each
239 vehicle or each group of vehicles leased to any single lessee] regardless
240 of the duration of the lease or rental period. Each application for such
241 license shall contain the name and address of the owner and shall be

242 accompanied by a surety bond as required pursuant to section 14-52.
243 Each application for registration of a motor vehicle to be leased for a
244 period of more than thirty days shall contain the name and address of
245 the owner and the lessee of such vehicle. The owner of such vehicle
246 shall disclose the name and address of any subsequent lessee of such
247 vehicle to the commissioner in such manner as the commissioner may
248 require. The commissioner shall ensure that such information relative
249 to the lessee is available to the Connecticut on-line law enforcement
250 communications teleprocessing system. Each person, firm or
251 corporation licensed under the provisions of this subsection shall keep
252 such books, records and accounts as the commissioner may require
253 provided each licensee shall retain a copy of each rental or lease
254 contract for a period of three years, which shall be subject to inspection
255 by the commissioner or the commissioner's designee at all reasonable
256 times. The provisions of this subsection shall not apply to any person,
257 firm or corporation which, incidental to the conduct of its principal
258 business, leases or rents any motor vehicle without a driver to other
259 persons, firms or corporations whose principal business is the same as
260 that of the lessor. Violation of any provision of this subsection shall be
261 an infraction.

262 Sec. 9. Subsection (a) of section 14-33 of the general statutes is
263 repealed and the following is substituted in lieu thereof (*Effective*
264 *October 1, 2013*):

265 (a) Subject to the provisions of subsection (e) of this section, if any
266 property tax, or any installment thereof, laid by any city, town,
267 borough or other taxing district upon a registered motor vehicle or
268 snowmobile remains unpaid, the tax collector of such city, town,
269 borough or other taxing district shall notify the Commissioner of
270 Motor Vehicles of such delinquency in accordance with [listings and
271 schedules of dates] guidelines and procedures established by the
272 commissioner, [and on forms prescribed and furnished by the
273 commissioner, specifying the name and address of the person against
274 whom such tax has been assessed, the date when such tax was due and
275 the registration number, if known to the collector.] The commissioner

276 shall not issue registration for such motor vehicle or snowmobile for
277 the next registration period if, according to the commissioner's records,
278 it is then owned by the person against whom such tax has been
279 assessed or by any person to whom such vehicle has not been
280 transferred by bona fide sale. Unless notice has been received by the
281 commissioner under the provisions of section 14-33a, as amended by
282 this act, no such registration shall be issued until [a receipt evidencing
283 the payment of such tax or certificate of abatement of such tax or other
284 satisfactory evidence] the commissioner receives notification that the
285 tax obligation has been legally discharged; [has been presented to the
286 commissioner;] nor shall the commissioner register any other motor
287 vehicle, [or] snowmobile, all-terrain vehicle or vessel in the name of
288 such person, [until a receipt evidencing the payment of such tax or a
289 certificate of abatement of such tax or other satisfactory evidence that
290 the tax obligation has been legally discharged has been presented to
291 the commissioner,] except that the commissioner may continue to
292 register other vehicles owned by a leasing or rental firm licensed
293 pursuant to section 14-15, as amended by this act, [if the commissioner
294 is satisfied that arrangements have been made to discharge such tax
295 obligation,] and may issue such registration to any private owner of
296 three or more paratransit vehicles in direct proportion to the
297 percentage of total tax due on such vehicles which has been paid and
298 notice of payment on which has been received. The Commissioner of
299 Motor Vehicles may immediately suspend or cancel all motor vehicle,
300 [or] snowmobile, all-terrain vehicle or vessel registrations issued in the
301 name of any person (1) who has been reported as delinquent and
302 whose registration was renewed through an error or through the
303 production of false evidence that the delinquent tax on any motor
304 vehicle or snowmobile had been paid, or (2) who has been reported by
305 a tax collector as having paid a property tax on a motor vehicle or
306 snowmobile with a check which was dishonored by a bank and such
307 tax remains unpaid. Any person aggrieved by any action of the
308 commissioner under this section may appeal therefrom in the manner
309 provided in section 14-134. For the purposes of this subsection,
310 "paratransit vehicle" means a motor bus, taxicab or motor vehicle in

311 livery service operated under a certificate of convenience and necessity
312 issued by the Department of Transportation or by a transit district and
313 which is on call or demand or used for the transportation of
314 passengers for hire.

315 Sec. 10. Section 14-33a of the general statutes is repealed and the
316 following is substituted in lieu thereof (*Effective October 1, 2013*):

317 When a taxpayer who was reported to the Commissioner of Motor
318 Vehicles as delinquent in taxes by a tax collector in accordance with
319 section 14-33, as amended by this act, is no longer delinquent, the tax
320 collector shall immediately notify the Commissioner of Motor Vehicles
321 [, on forms prescribed and furnished by him, specifying the name,
322 address and registration number to be removed from the motor vehicle
323 delinquent tax list] in accordance with guidelines and procedures
324 established by the commissioner.

325 Sec. 11. Section 14-36a of the general statutes is repealed and the
326 following is substituted in lieu thereof (*Effective July 1, 2013*):

327 (a) A commercial driver's license issued in accordance with section
328 14-44c shall be designated as class A, B or C, in accordance with the
329 provisions of subsection (b) of section 14-44d. All other operators'
330 licenses shall be designated as class D. A license of any class that also
331 authorizes the operation of a motorcycle shall contain the designation
332 "M". [A license of any class that contains the designation "Q" indicates
333 eligibility to operate fire apparatus.]

334 (b) A commercial driver's license which contains the endorsement
335 "S" evidences that the holder meets the requirements of section 14-44 to
336 operate a school bus or any vehicle described in subsection (c) of this
337 section. A commercial driver's license may contain any of the
338 following additional endorsements:

339 "P"- authorizes the operation of commercial motor vehicles designed
340 to carry passengers;

341 "H"- authorizes the operation of vehicles transporting hazardous
342 materials;

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

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

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

347 The commissioner may establish one or more restrictions on
348 commercial driver's licenses of any class, in regulations adopted in
349 accordance with the provisions of chapter 54. Subject to the provisions
350 of subsection (b) of section 14-44d, a commercial driver's license of any
351 class authorizes the holder of such license to operate any motor vehicle
352 that may be operated by the holder of a class D operator's license.

353 (c) A commercial driver's license or a class D license that contains
354 any of the following endorsements evidences that the holder meets the
355 requirements of section 14-44:

356 "V"- authorizes the transportation of passengers in a student
357 transportation vehicle, as defined in section 14-212, or any vehicle that
358 requires an "A" or "F" endorsement;

359 "A"- authorizes the transportation of passengers in an activity
360 vehicle, as defined in section 14-1, as amended by this act, or any
361 vehicle that requires an "F" endorsement; and

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

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

367 (d) A license of any class that contains the designation "Q" indicates
368 eligibility to operate fire apparatus. A "Q" endorsement shall signify

369 that the holder has been trained to operate fire apparatus in
370 accordance with standards established by the Commission on Fire
371 Prevention and Control. No such endorsement shall be issued to any
372 person until he or she demonstrates personally to the commissioner, or
373 the commissioner's designee, including the Connecticut Fire Academy,
374 any regional fire school or the chief local fire official of any
375 municipality as defined in section 7-323j, by means of testing in a
376 representative vehicle that such person possesses the skills necessary
377 for operation of fire apparatus.

378 [(d)] (e) No person shall operate a motor vehicle in violation of the
379 classification of the license issued to such person.

380 [(e)] (f) No employer shall knowingly require or permit an
381 employee who is acting within the scope of such employee's
382 employment to operate a motor vehicle in violation of the classification
383 of such employee's license.

384 [(f)] (g) (1) Any person who violates any provision of subsection
385 [(d)] (e) of this section shall, for a first offense, be deemed to have
386 committed an infraction and be fined fifty dollars and, for a
387 subsequent offense, be guilty of a class D misdemeanor.

388 (2) Any employer who violates subsection [(e)] (f) of this section
389 shall be subject to a civil penalty of not more than one thousand dollars
390 for a first violation and not more than two thousand five hundred
391 dollars for a second or subsequent violation.

392 [(g)] (h) The revocation, suspension or withdrawal of, or refusal to
393 issue or renew an "S" endorsement, or any endorsement described in
394 subsection (c) of this section, shall prohibit the licensee from operating
395 any public service passenger vehicle for which a passenger
396 endorsement is required under this section. During the period of such
397 revocation, suspension or withdrawal of, or after a refusal to issue or
398 renew an "S" endorsement, or any endorsement described in
399 subsection (c) of this section, the commissioner shall not issue any
400 other passenger endorsement to such licensee.

401 Sec. 12. Subsection (a) of section 14-36h of the general statutes is
402 repealed and the following is substituted in lieu thereof (*Effective July*
403 *1, 2013*):

404 (a) Each motor vehicle operator's license issued by the
405 Commissioner of Motor Vehicles in accordance with section 14-36, as
406 amended by this act, and each identity card issued by said
407 commissioner in accordance with section 1-1h shall contain the
408 following: (1) The person's full legal name; (2) the person's date of
409 birth; (3) the person's gender; (4) the person's height and eye color; (5)
410 the person's assigned operator's license or identity card number; (6) the
411 person's address of principal residence in this state; (7) the person's
412 signature; (8) the person's [color] photograph or digital image; and (9)
413 if applicable, the person's status as a veteran, as provided in subsection
414 (e) of this section.

415 Sec. 13. Subsection (a) of section 14-37a of the general statutes is
416 repealed and the following is substituted in lieu thereof (*Effective July*
417 *1, 2013*):

418 (a) Any person whose operator's license has been suspended
419 pursuant to any provision of this chapter or chapter 248, except
420 pursuant to section 14-215 for operating under suspension or pursuant
421 to section 14-140 for failure to appear for any scheduled court
422 appearance, and any person identified in subsection (g) of this section
423 may make application to the Commissioner of Motor Vehicles for (1) a
424 special "work" permit to operate a motor vehicle to and from such
425 person's place of employment or, if such person is not employed at a
426 fixed location, to operate a motor vehicle only in connection with, and
427 to the extent necessary, to properly perform such person's business or
428 profession, or (2) a special "education" permit to operate a motor
429 vehicle to and from an [accredited] institution of higher education or a
430 private occupational school, as defined in section 10a-22a, in which
431 such person is enrolled. No such special "education" permit shall be
432 issued to any student enrolled in a high school under the jurisdiction
433 of a local or regional board of education, a high school under the

434 jurisdiction of a regional educational service center, a charter school, a
435 regional agricultural science and technology education center or a
436 technical high school. Such application shall be accompanied by an
437 application fee of one hundred dollars.

438 Sec. 14. Subsection (c) of section 14-40a of the general statutes is
439 repealed and the following is substituted in lieu thereof (*Effective July*
440 *1, 2013*):

441 (c) Before granting a motorcycle endorsement to any applicant who
442 has not held such an endorsement at any time within the preceding
443 two years, the commissioner shall require the applicant to present
444 evidence satisfactory to the commissioner that such applicant has
445 successfully completed a novice motorcycle training course conducted
446 by the Department of Transportation with federal funds available for
447 the purpose of such course, or by any firm or organization that
448 conducts such a course that uses the curriculum of the Motorcycle
449 Safety Foundation or other safety or educational organization that has
450 developed a curriculum approved by the commissioner. If such
451 applicant has not obtained a motorcycle instruction permit pursuant to
452 subsection (b) of this section, the applicant shall also pass an
453 examination, other than the driving skills test, demonstrating that the
454 applicant is a proper person to operate a motorcycle, has sufficient
455 knowledge of the mechanism of a motorcycle to ensure its safe
456 operation by such applicant, and has satisfactory knowledge of the law
457 concerning motorcycles and other motor vehicles and the rules of the
458 road. The commissioner may waive the requirement of such
459 examination for any applicant who presents documentation that such
460 applicant: (1) Is on active military duty with the armed forces of the
461 United States; (2) is stationed outside the state; and (3) completed a
462 novice motorcycle training course conducted by any firm or
463 organization using the curriculum of the Motorcycle Safety
464 Foundation not earlier than two years prior to the date of such
465 applicant's application. When the commissioner is satisfied as to the
466 ability and competency of the applicant, the commissioner may issue
467 an endorsement to such applicant, either unlimited or containing such

468 limitations as the commissioner deems advisable. If an applicant or
469 motorcycle endorsement holder has any health problem which might
470 affect such person's ability to operate a motorcycle safely, the
471 commissioner may require the applicant or endorsement holder to
472 demonstrate personally that, notwithstanding the problem, such
473 person is a proper person to operate a motorcycle, and the
474 commissioner may further require a certificate of the applicant's
475 condition, signed by a medical authority designated by the
476 commissioner, which certificate shall, in all cases, be treated as
477 confidential by the commissioner. An endorsement, containing such
478 limitation as the commissioner deems advisable may be issued or
479 renewed in any case, but nothing in this section shall be construed to
480 prevent the commissioner from refusing an endorsement, either
481 limited or unlimited, to any person or suspending an endorsement of a
482 person whom the commissioner deems incapable of safely operating a
483 motorcycle.

484 Sec. 15. Subsection (b) of section 14-41 of the general statutes is
485 repealed and the following is substituted in lieu thereof (*Effective*
486 *October 1, 2013*):

487 (b) An original operator's license shall expire within a period not
488 exceeding six years following the date of the operator's next birthday.
489 The fee for such license shall be seventy-two dollars, [and twelve
490 dollars per year or any part of a year.] The commissioner may
491 authorize an automobile club or association, licensed in accordance
492 with the provisions of section 14-67 on or before July 1, 2007, to issue
493 duplicate licenses and identity cards pursuant to section 14-50a, renew
494 licenses, renew identity cards issued pursuant to section 1-1h and
495 conduct registration transactions at its office facilities. The
496 commissioner may authorize such automobile clubs or associations to
497 charge a convenience fee, which shall not exceed [two] three dollars, to
498 each applicant for a license or identity card renewal or duplication, or
499 for a registration transaction.

500 Sec. 16. Section 14-41a of the general statutes is repealed and the

501 following is substituted in lieu thereof (*Effective October 1, 2013*):

502 An individual sixty-five years of age or older may renew a motor
503 vehicle operator's license for either a two-year period or a six-year
504 period. The fee for any license issued for a two-year period shall be
505 [~~twenty-two~~] twenty-four dollars.

506 Sec. 17. Subsection (a) of section 14-44i of the general statutes is
507 repealed and the following is substituted in lieu thereof (*Effective*
508 *October 1, 2013*):

509 (a) There shall be charged a fee of [~~sixty~~] seventy dollars for each
510 renewal of a commercial driver's license.

511 Sec. 18. Subsection (h) of section 14-44k of the general statutes is
512 repealed and the following is substituted in lieu thereof (*Effective*
513 *October 1, 2013*):

514 (h) A person is disqualified for life if such person commits two or
515 more of the offenses specified in subsection (b) of this section, or if
516 such person is the subject of two or more findings by the commissioner
517 under subsection (c) of this section, or any combination of those
518 offenses or findings, arising from two or more separate incidents. A
519 person is disqualified for life if the commissioner takes suspension
520 actions against such person for two or more alcohol test refusals or test
521 failures, or any combination of such actions, arising from two or more
522 separate incidents. Any person disqualified for life, except a person
523 disqualified under subsection (g) of this section, who has both
524 voluntarily enrolled in and successfully completed an appropriate
525 rehabilitation program, as determined by the commissioner, may
526 apply for reinstatement of such person's commercial driver's license or
527 commercial driver's instruction permit, provided any such applicant
528 shall not be eligible for reinstatement until such time as such person
529 has served a minimum disqualification period of ten years. An
530 application for reinstatement shall be accompanied by documentation
531 satisfactory to the commissioner that such person has both voluntarily
532 enrolled in and successfully completed a program established and

533 operated by the Department of Mental Health and Addiction Services
534 pursuant to chapter 319j, a program operated through a substance
535 abuse treatment facility licensed in accordance with section 19a-491 or
536 the equivalent of either program offered in another state. The
537 commissioner shall not reinstate a commercial driver's license or
538 commercial driver's instruction permit that was disqualified for life
539 unless an applicant for reinstatement requests an administrative
540 hearing in accordance with chapter 54, and offers evidence that the
541 reinstatement of such applicant's commercial driver's license or
542 commercial driver's instruction permit does not endanger the public
543 safety or welfare. Such evidence shall include, but not be limited to,
544 proof that such applicant has not been convicted of any offense
545 involving alcohol, a controlled substance or a drug during a period of
546 ten years following the date of such applicant's most recent lifetime
547 disqualification. If a person whose commercial driver's license or
548 commercial driver's instruction permit is reinstated under this
549 subsection is subsequently convicted of another disqualifying offense,
550 such person shall be permanently disqualified for life and shall be
551 ineligible to reapply for a reduction of the lifetime disqualification. The
552 following shall remain on the driving history record of a commercial
553 motor vehicle operator or commercial driver's license or commercial
554 driver's instruction permit holder for a period of fifty-five years, as
555 required by 49 CFR Part 384, as amended from time to time: (1) Any
556 offense specified in subsection (b) or (c) of this section, provided such
557 offense occurred on or after December 29, 2006; (2) each of two or more
558 offenses specified in subsection (b) or (c) of this section that occur
559 within ten years of each other and result in a lifetime disqualification,
560 regardless of when such offenses occur; (3) any conviction under
561 subsection (g) of this section for using a motor vehicle in the
562 commission of a felony involving the manufacture, distribution or
563 dispensing of a controlled substance, committed on or after January 1,
564 2005.

565 Sec. 19. Subsection (k) of section 14-44k of the general statutes is
566 repealed and the following is substituted in lieu thereof (*Effective July*

567 1, 2013):

568 (k) After taking disqualification action, or suspending, revoking or
569 cancelling a commercial driver's license or commercial driver's
570 instruction permit, the commissioner shall update the commissioner's
571 records to reflect such action within ten days. After taking
572 disqualification action, or suspending, revoking or cancelling the
573 operating privileges of a commercial motor vehicle operator or a
574 commercial driver who is licensed or holds a commercial driver's
575 instruction permit in another state, the commissioner shall notify the
576 licensing state of such action within ten days. Such notification shall
577 identify the violation that caused such disqualification, suspension,
578 cancellation or revocation.

579 Sec. 20. Subsection (f) of section 14-49 of the general statutes is
580 repealed and the following is substituted in lieu thereof (*Effective*
581 *October 1, 2013*):

582 (f) For the registration of each electric motor vehicle, the
583 commissioner shall charge a fee of [fifteen dollars for each year or part
584 thereof. On and after July 1, 2011, the fee shall be nineteen dollars]
585 thirty-eight dollars biennially.

586 Sec. 21. Subsection (a) of section 14-50 of the general statutes is
587 repealed and the following is substituted in lieu thereof (*Effective*
588 *October 1, 2013*):

589 (a) Subject to the provisions of subsection (c) of section 14-41, there
590 shall be charged a fee of [sixty-five] seventy-two dollars for each
591 renewal of a motor vehicle operator's license issued for a period of six
592 years and an additional fee of twelve dollars for each year or part
593 thereof for each passenger endorsement.

594 Sec. 22. Section 14-60 of the general statutes is repealed and the
595 following is substituted in lieu thereof (*Effective July 1, 2013*):

596 (a) No dealer or repairer may rent or allow or cause to be rented, or

597 operate or allow or cause to be operated for hire, or use or allow or
598 cause to be used for the purpose of conveying passengers or
599 merchandise or freight for hire, any motor vehicle registered under a
600 general distinguishing number and mark. No dealer or repairer may
601 loan a motor vehicle or number plate or both to any person except for
602 (1) the purpose of demonstration of a motor vehicle owned by such
603 dealer, [or] (2) when a motor vehicle owned by or lawfully in the
604 custody of such person is undergoing repairs by such dealer or
605 repairer, or (3) when such person has purchased a motor vehicle from
606 such dealer, the registration of which [by him] is pending, and in any
607 case for not more than thirty days in any year, provided such person
608 shall furnish proof to the dealer or repairer that he has liability and
609 property damage insurance which will cover any damage to any
610 person or property caused by the operation of the loaned motor
611 vehicle, motor vehicle on which the loaned number plate is displayed
612 or both. Such person's insurance shall be the prime coverage. If the
613 person to whom the dealer or repairer loaned the motor vehicle or the
614 number plate did not, at the time of such loan, have in force any such
615 liability and property damage insurance, such person and such dealer
616 or repairer shall be jointly liable for any damage to any person or
617 property caused by the operation of the loaned motor vehicle or a
618 motor vehicle on which the loaned number plate is displayed. Each
619 dealer or repairer shall keep a record of each loaned number plate
620 showing the date loaned, the vehicle identification number of the
621 vehicle on which such plate is displayed, the date returned and the
622 name, address and operator's license number of the person operating
623 any vehicle with such loaned number plate. Such dealer or repairer
624 shall give a copy of this record to each person to whom such plate or
625 vehicle and plate are loaned which shall be carried in the motor vehicle
626 at all times when operated upon a public highway. This record shall be
627 retained by the dealer or repairer for a period of six months from the
628 date on which the number plate or motor vehicle or both were loaned
629 and such record shall be available during business hours for
630 examination by any police officer or inspector designated by the
631 Commissioner of Motor Vehicles.

632 (b) Any licensed dealer or repairer may operate or cause to be
633 operated by a bona fide full-time employee [such] a motor vehicle
634 owned by such dealer or repairer for (1) use in connection with [his]
635 such dealer's or repairer's business, (2) the pickup and delivery of parts
636 for such dealer and repairer, and (3) [his] such employee's personal
637 use, or by a part-time employee for use only in connection with the
638 business of such dealer or repairer. Each dealer or repairer shall
639 maintain a record of the following: (A) Each number plate issued by
640 the commissioner to such dealer or repairer, (B) the name, address and
641 occupation of the bona fide full-time employee or part-time employee
642 to whom such plate has been assigned, (C) the date of assignment of
643 each such plate, and (D) the exact location of each unassigned plate.
644 For the purposes of this subsection, "bona fide full-time employee"
645 means a person who is employed by a licensed dealer or repairer for
646 not less than thirty-five hours per week and appears on the records of
647 such employer as an employee for whom social security, withholding
648 tax and all deductions required by law have been made and "part-time
649 employee" means a person who is employed by a licensed dealer or
650 repairer for less than thirty-five hours per week and appears on the
651 records of such employer as an employee for whom Social Security,
652 withholding tax and all deductions required by law have been made.

653 Sec. 23. Section 14-62 of the general statutes is repealed and the
654 following is substituted in lieu thereof (*Effective October 1, 2013*):

655 (a) Each sale shall be evidenced by an order properly signed by both
656 the buyer and seller, a copy of which shall be furnished to the buyer
657 when executed, and an invoice upon delivery of the motor vehicle,
658 both of which shall contain the following information: (1) Make of
659 vehicle; (2) year of model, whether sold as new or used, and on invoice
660 the identification number; (3) deposit, and (A) if the deposit is not
661 refundable, the words "No Refund of Deposit" shall appear at this
662 point, and (B) if the deposit is conditionally refundable, the words
663 "Conditional Refund of Deposit" shall appear at this point, followed by
664 a statement giving the conditions for refund, and (C) if the deposit is
665 unconditionally refundable, the words "Unconditional Refund" shall

666 appear at this point; (4) cash selling price; (5) finance charges, and (A)
667 if these charges do not include insurance, the words "No Insurance"
668 shall appear at this point, and (B) if these charges include insurance, a
669 statement shall appear at this point giving the exact type of coverage;
670 (6) allowance on motor vehicle traded in, if any, and description of the
671 same; (7) stamped or printed in a size equal to at least ten-point bold
672 type on the face of both order and invoice one of the following forms:
673 (A) "This motor vehicle not guaranteed", or (B) "This motor vehicle is
674 guaranteed", followed by a statement as to the terms of such
675 guarantee, which statement shall not apply to household furnishings
676 of any trailer; (8) if the motor vehicle is new but has been subject to use
677 by the seller or use in connection with his business as a dealer, the
678 word "demonstrator" shall be clearly displayed on the face of both
679 order and invoice; (9) any dealer conveyance fee or processing fee and
680 a statement that such fee is not payable to the state of Connecticut
681 printed in at least ten-point bold type on the face of both order and
682 invoice. For the purposes of this subdivision, "dealer conveyance fee"
683 or "processing fee" means a fee charged by a dealer to recover
684 reasonable costs for processing all documentation and performing
685 services related to the closing of a sale, including, but not limited to,
686 the registration and transfer of ownership of the motor vehicle which
687 is the subject of the sale.

688 (b) No dealer shall include in the selling price a dealer preparation
689 charge for any item or service for which he is reimbursed by the
690 manufacturer or any item or service not specifically ordered by the
691 buyer and itemized on the invoice.

692 (c) Each dealer shall provide a written statement to the buyer or
693 prominently display a sign in the area of his place of business in which
694 sales are negotiated which shall specify the amount of any conveyance
695 or processing fee charged by such dealer, the services performed by
696 the dealer for such fee, that such fee is not payable to the state of
697 Connecticut and that the buyer may elect, where appropriate, to
698 submit the documentation required for the registration and transfer of
699 ownership of the motor vehicle which is the subject of the sale to the

700 Commissioner of Motor Vehicles, in which case the dealer shall reduce
701 such fee by a proportional amount. The Commissioner of Motor
702 Vehicles shall determine the size, typeface and arrangement of such
703 information.

704 (d) No dealer licensed under the provisions of section 14-52 shall
705 sell any used motor vehicle without furnishing to the buyer, at the
706 time of sale, a valid certificate of title, the assignment and warranty of
707 title by such dealer or other evidence of title issued by another state or
708 country, where applicable, disclosing the existence of any lien, security
709 interest in or other encumbrance on the vehicle. Any dealer that
710 violates this subsection shall be guilty of a class B misdemeanor.

711 (e) No person, firm or corporation shall sell a motor vehicle at a
712 public or private auction without furnishing to the buyer, at the time of
713 sale, a valid certificate of title, the assignment and warranty of title by
714 such person, firm or corporation, or other evidence of title issued by
715 another state or country, where applicable, disclosing the existence of
716 any lien, security interest in or other encumbrance on the vehicle.

717 (f) The provisions of subsection (d) of this section shall not apply to
718 the sale of any used motor vehicle by a new car dealer to a person, firm
719 or corporation which, pursuant to a lease contract option, purchases
720 such vehicle at the end of the lease term provided (1) such vehicle is
721 registered in this state in accordance with the provisions of section 14-
722 12, (2) the certificate of title for such vehicle is in the possession of a
723 lessor licensed under the provisions of section 14-15, as amended by
724 this act, (3) subsequent to such sale, such vehicle is registered in the
725 name of the prior lessee, and (4) such dealer obtains the certificate of
726 title from such lessor and transmits all necessary documents and fees
727 to the commissioner not later than five days following the issuance of a
728 motor vehicle registration for such vehicle.

729 (g) Before offering any used motor vehicle for retail sale, the selling
730 dealer shall complete a comprehensive safety inspection of such
731 vehicle. Such safety inspection shall cover all applicable equipment

732 and components contained in sections 14-80 to 14-106d, inclusive, and
733 such inspection shall be evidenced on a form approved by the
734 commissioner. The selling dealer shall attest to such form under the
735 penalty of false statement, as prescribed in section 53a-157b, and shall
736 state that the vehicle has undergone any necessary repairs and has
737 been deemed to be in condition for legal operation on any highway of
738 this state. In the event defects are found but not repaired, and the
739 vehicle is not subject to any warranty under [subsection (a) of section
740 42-224] section 42-221, the selling dealer shall note all such defects on
741 the form and may sell such vehicle in "as is" condition. Any vehicle
742 sold in "as is" condition with one or more defects in the equipment or
743 components shall have the retail purchase order, invoice, title and
744 assignment documents prominently marked as "not in condition for
745 legal operation on the highways" with an explanation of defects noted
746 on such retail purchase order, invoice and safety inspection form. A
747 dealer selling any vehicle pursuant to this subsection shall require a
748 purchaser to acknowledge the vehicle condition by obtaining such
749 purchaser's signature on the retail purchase order, invoice and safety
750 inspection forms, copies of which shall be furnished to the buyer upon
751 execution. No dealer shall charge any fee to a customer for the
752 completion of such safety inspection or for any repairs required to
753 remedy defects discovered during such safety inspection pursuant to
754 this subsection, except that nothing herein shall (1) limit or otherwise
755 regulate the retail sales price charged by a dealer for a vehicle that has
756 been inspected or repaired prior to sale; or (2) negate or preempt any
757 provisions of chapter 743f. This subsection shall not apply to fees for
758 any inspection or any work performed under the terms of a lease buy
759 back. Any dealer that fails to conduct the safety inspection required in
760 this subsection shall be guilty of a class B misdemeanor.

761 (h) No dealer licensed under section 14-52, as amended by this act,
762 shall deliver or permit a retail purchaser to take possession or delivery
763 of any used motor vehicle until such purchaser has paid in full for the
764 vehicle or until financing offered by the dealer for such vehicle has
765 been approved by the lending institution or other entity through

766 which any financing agreement has been made. Any dealer that
767 violates this subsection shall be guilty of a class B misdemeanor.

768 Sec. 24. Subsection (b) of section 14-63 of the general statutes is
769 repealed and the following is substituted in lieu thereof (*Effective July*
770 *1, 2013*):

771 (b) The Commissioner of Motor Vehicles shall adopt regulations, in
772 accordance with the provisions of chapter 54, establishing (1) a
773 procedure whereby customers of dealers and repairers may file
774 complaints with the Department of Motor Vehicles concerning the
775 operations of and services provided by any such licensees, and (2) a
776 procedure specifying the circumstances under which a licensee may
777 stipulate to a complaint and waive such licensee's right to an
778 administrative hearing. Such regulations shall provide for the
779 commissioner to contact each licensee that is the subject of a complaint
780 in order to notify such licensee of the complaint and to relate to such
781 licensee the particular matters alleged by the complainant. [The
782 commissioner shall] If the commissioner determines that the facts as
783 alleged give rise to one or more violations of law related to the
784 licensee's business, the commissioner may attempt to mediate a
785 voluntary resolution of the complaint acceptable to the complainant
786 and the licensee. Such regulations shall also provide that, if an
787 acceptable resolution to the complaint is not achieved, the
788 commissioner shall complete the commissioner's investigation of the
789 facts and shall, if the commissioner has reason to believe that the
790 licensee has violated any provision of section 14-64, proceed to take
791 any action authorized under the provisions of section 14-64. If, after
792 such an investigation, the commissioner elects not to take action
793 against the licensee, the commissioner shall notify both the
794 complainant and the licensee in writing. Such notice shall include a
795 brief statement of the reasons why the commissioner has taken no
796 action. The commissioner shall also inform the complainant and the
797 licensee that an unresolved complaint exists and that, unless the
798 commissioner has determined that the allegations, even if true, fail to
799 state a violation of applicable statutory or regulatory standards, the

800 same shall be recorded in the records of the department pertaining to
801 such licensee until such time as the licensee submits to the
802 commissioner satisfactory evidence, signed by the complainant or the
803 complainant's attorney, that the claim has been resolved by agreement
804 with the complainant or submits to the department satisfactory
805 evidence of final adjudication in favor of such licensee. An agreement
806 between the licensee and the complainant shall not preclude the
807 commissioner from proceeding to take action if the commissioner has
808 reason to believe that the licensee has violated any provision of section
809 14-64. A decision by the commissioner not to take action against the
810 licensee shall be without prejudice to the claim of the customer; and
811 neither the fact that the department has determined not to proceed nor
812 the notice furnished to the parties, in accordance with this subsection,
813 shall be admissible in any civil action.

814 Sec. 25. Subsection (f) of section 14-65 of the general statutes is
815 repealed and the following is substituted in lieu thereof (*Effective July*
816 *1, 2013*):

817 (f) A violation of subsection (a) of this section shall be a class B
818 misdemeanor. Each person, firm or corporation that conducts an
819 auction sale in accordance with any of the provisions of this section
820 shall be subject to the provisions of sections 14-149 and 14-149a and to
821 the penalties provided for violations of said sections. Each such
822 person, firm or corporation that sells any motor vehicle with an
823 odometer reading that has been turned back or changed on the most
824 recent assignment of ownership prior to the auction sale shall be
825 subject to the penalties provided in section 14-106b. The commissioner
826 may, after notice and opportunity for a hearing, impose a civil penalty
827 of two thousand dollars on any licensee who violates subsection (b) of
828 this section or any regulation adopted pursuant to subsection (e) of
829 this section.

830 Sec. 26. Section 14-66 of the general statutes is repealed and the
831 following is substituted in lieu thereof (*Effective October 1, 2013*):

832 (a) (1) No person, firm or corporation shall engage in the business of
833 operating a wrecker for the purpose of towing or transporting motor
834 vehicles, including motor vehicles which are disabled, inoperative or
835 wrecked or are being removed in accordance with the provisions of
836 section 14-145, as amended by this act, 14-150, as amended by this act,
837 or 14-307, unless such person, firm or corporation is a motor vehicle
838 dealer or repairer licensed under the provisions of subpart (D) of this
839 part. (2) The commissioner shall establish and publish a schedule of
840 uniform rates and charges for the nonconsensual towing and
841 transporting of motor vehicles and for the storage of motor vehicles
842 which shall be just and reasonable. Upon petition of any person, firm
843 or corporation licensed in accordance with the provisions of this
844 section, but not more frequently than once every two years, the
845 commissioner shall reconsider the established rates and charges and
846 shall amend such rates and charges if the commissioner, after
847 consideration of the factors stated in this subdivision, determines that
848 such rates and charges are no longer just and reasonable. In
849 establishing and amending such rates and charges, the commissioner
850 may consider factors, including, but not limited to, the Consumer Price
851 Index, rates set by other jurisdictions, charges for towing and
852 transporting services provided pursuant to a contract with an
853 automobile club or automobile association licensed under the
854 provisions of section 14-67 and rates published in standard service
855 manuals. The commissioner shall hold a public hearing for the purpose
856 of obtaining additional information concerning such rates and charges.
857 (3) With respect to the nonconsensual towing or transporting and the
858 storage of motor vehicles, no such person, firm or corporation shall
859 charge more than the rates and charges published by the
860 commissioner. Any person aggrieved by any action of the
861 commissioner under the provisions of this section may take an appeal
862 therefrom in accordance with section 4-183, except venue for such
863 appeal shall be in the judicial district of New Britain.

864 (b) The commissioner, or an inspector authorized by the
865 commissioner, shall examine each wrecker, including its number,

866 equipment and identification, and shall determine the mechanical
867 condition of such wrecker and whether or not it is properly equipped
868 to do the work intended. A wrecker shall be deemed properly
869 equipped if there are two flashing yellow lights installed and mounted
870 on such wrecker that (1) show in all directions at all times, and (2)
871 indicate the full width of such wrecker. Such lights shall be mounted
872 not less than eight feet above the road surface and as close to the back
873 of the cab of such wrecker as practicable. Such lights shall be in
874 operation when such wrecker is towing a vehicle and when such
875 wrecker is at the scene of an accident or the location of a disabled
876 motor vehicle. In addition, each wrecker shall be equipped with a spot
877 light mounted so that its beam of light is directed toward the hoisting
878 equipment in the rear of such wrecker. The hoisting equipment of each
879 wrecker shall be of sufficient capacity to perform the service intended
880 and shall be securely mounted to the frame of such vehicle. A fire
881 extinguisher shall be carried at all times on each wrecker which shall
882 be in proper working condition, mounted in a permanent bracket on
883 each wrecker and have a minimum rating of eight bc. A set of three
884 flares in operating condition shall be carried at all times on each
885 wrecker and shall be used between the periods of one-half hour after
886 sunset and one-half hour before sunrise when the wrecker is parked on
887 a highway while making emergency repairs or preparing to pick up a
888 disabled vehicle to remove it from a highway or adjoining property.
889 No registrant or operator of any wrecker shall offer to give any
890 gratuities or inducements of any kind to any police officer or other
891 person in order to obtain towing business or recommendations for
892 towing or storage of, or estimating repairs to, disabled vehicles. No
893 licensee shall require the owner to sign a contract for the repair of such
894 owner's damaged vehicle as part of the towing consideration or to sign
895 an order for the repair of, or authorization for estimate until the tow
896 job has been completed. No licensee shall tow a vehicle in such a
897 negligent manner as to cause further damage to the vehicle being
898 towed.

899 (c) Each wrecker used for towing or transporting motor vehicles

900 shall be registered as a wrecker by the commissioner for a fee of one
901 hundred twenty-five dollars. Each such registration shall be renewed
902 biennially according to renewal schedules established by the
903 commissioner so as to effect staggered renewal of all such
904 registrations. If the adoption of a staggered system results in the
905 expiration of any registration more or less than two years from its
906 issuance, the commissioner may charge a prorated amount for such
907 registration fee.

908 (d) An owner of a wrecker may apply to the commissioner for a
909 general distinguishing number and number plate for the purpose of
910 displaying such number plate on a motor vehicle temporarily in the
911 custody of such owner and being towed or transported by such owner.
912 The commissioner shall issue such number and number plate to an
913 owner of a wrecker (1) who has complied with the requirements of this
914 section, and (2) whose wrecker is equipped in accordance with
915 subsection (b) of this section. The commissioner shall charge a fee to
916 cover the cost of issuance and renewal of such number plates.

917 (e) With respect to the nonconsensual towing or transporting of a
918 motor vehicle, no licensee may tow or transport a vehicle to the
919 premises of any person, firm or corporation engaged in the storage of
920 vehicles for compensation unless such person, firm or corporation
921 adheres to the storage charges published by the commissioner.

922 (f) The provisions of this section shall not apply to [: (1) Any] any
923 person, firm, [or] corporation [licensed as a motor vehicle dealer under
924 the provisions of subpart (D) of this part, towing] or association: (1)
925 Towing or transporting a motor vehicle, [for salvage purposes,]
926 provided such person, firm, [or] corporation or association is licensed
927 as a motor vehicle dealer pursuant to the provisions of subpart (D) of
928 this part and does not offer direct towing or [wrecker service]
929 transporting to the public or engage in nonconsensual towing or
930 transporting; (2) [any person, firm or corporation] operating as an
931 automobile club or automobile association licensed under section 14-
932 67; (3) [any person, firm or corporation] operating as a motor vehicle

933 recycler licensed under section 14-67l or any contractor of such
934 recycler, provided such recycler or its contractor does not offer towing
935 or transporting to the public or engage in nonconsensual towing or
936 transporting; (4) [any person, firm or corporation engaged] engaging
937 in the business of repossession of motor vehicles for lending
938 institutions, provided it does not offer direct towing or transporting
939 unless licensed as a motor vehicle dealer under the provisions of
940 subpart (D) of this part; [or] (5) [any person, firm or corporation]
941 towing motor vehicles owned or leased by such person, firm,
942 association or corporation; (6) towing or transporting motor vehicles
943 for hire, with the appropriate operating authority, as defined in 49 CFR
944 390.5, as amended from time to time, provided such person, firm,
945 corporation or association does not offer towing or transporting to the
946 public or engage in nonconsensual towing or transporting; or (7)
947 towing motor vehicles to or from an auction conducted by a dealer
948 licensed pursuant to the provisions of subpart (D) of this part,
949 provided such person, firm, corporation or association does not offer
950 direct towing or transporting to the public or engage in nonconsensual
951 towing or transporting.

952 (g) For the purposes of this section, "nonconsensual towing or
953 transporting" means the towing or transporting of a motor vehicle in
954 accordance with the provisions of section 14-145, as amended by this
955 act, or for which arrangements are made by order of a law enforcement
956 officer or traffic authority, as defined in section 14-297.

957 (h) Any person, firm, corporation or association that violates the
958 provisions of this section shall, for a first offense, be deemed to have
959 committed an infraction and for a second or subsequent offense, shall
960 be guilty of a class D misdemeanor.

961 Sec. 27. Section 14-69 of the general statutes is repealed and the
962 following is substituted in lieu thereof (*Effective July 1, 2013*):

963 (a) No person shall engage in the business of conducting a drivers'
964 school without being licensed by the Commissioner of Motor Vehicles.

965 An application for a license shall be in writing and shall contain such
966 information as the commissioner requires. Each applicant for a license
967 shall be fingerprinted before such application is approved. The
968 commissioner shall subject each applicant for a license to state and
969 national criminal history records checks conducted in accordance with
970 section 29-17a, and a check of the state child abuse and neglect registry
971 established pursuant to section 17a-101k. If any such applicant has a
972 criminal record or is listed on the state child abuse and neglect registry,
973 the commissioner shall make a determination of whether to issue a
974 license to conduct a drivers' school in accordance with the standards
975 and procedures set forth in section 14-44 and the regulations adopted
976 pursuant to said section. If the application is approved, the applicant
977 shall be granted a license upon the payment of a fee of seven hundred
978 dollars and a deposit with the commissioner of cash or a bond of a
979 surety company authorized to do business in this state, conditioned on
980 the faithful performance by the applicant of any contract to furnish
981 instruction, in either case in such amount as the commissioner may
982 require, such cash or bond to be held by the commissioner to satisfy
983 any execution issued against such school in a cause arising out of
984 failure of such school to perform such contract. For each additional
985 place of business of such school, the commissioner shall charge a fee of
986 one hundred seventy-six dollars, except if the licensee opens an
987 additional place of business with one year or less remaining on the
988 term of its license, the commissioner shall charge a fee of eighty-eight
989 dollars for each such additional place of business for the year or any
990 part thereof remaining on the term of such license. No license shall be
991 required in the case of any board of education, or any public, private
992 or parochial school, which conducts a course in driver education
993 established in accordance with sections 14-36e and 14-36f. A license so
994 issued shall be valid for two years. The commissioner shall issue a
995 license certificate or certificates to each licensee, one of which shall be
996 displayed in each place of business of the licensee. In case of the loss,
997 mutilation or destruction of a certificate, the commissioner shall issue a
998 duplicate upon proof of the facts and the payment of a fee of twenty
999 dollars.

1000 (b) The biennial fee for the renewal of a license shall be seven
1001 hundred dollars and the biennial renewal fee for each additional place
1002 of business shall be one hundred seventy-six dollars, except if the
1003 licensee opens an additional place of business with one year or less
1004 remaining on the term of its license, the commissioner shall charge a
1005 fee of eighty-eight dollars for each such additional place of business for
1006 the year or any part thereof remaining on the term of such license. If
1007 the commissioner has not received a complete renewal application and
1008 all applicable renewal fees on or before the expiration date of an
1009 applicant's license, the commissioner shall charge such applicant, in
1010 addition to such renewal fees, a late fee of seven hundred dollars.

1011 (c) Any person who engages in the business of conducting a drivers'
1012 school without being licensed in accordance with this section shall be
1013 guilty of a class B misdemeanor.

1014 Sec. 28. Subsection (d) of section 14-73 of the general statutes is
1015 repealed and the following is substituted in lieu thereof (*Effective July*
1016 *1, 2013*):

1017 (d) The commissioner shall conduct such written, oral and practical
1018 examinations as he deems necessary to determine whether an
1019 applicant has sufficient skill in the operation of motor vehicles to
1020 ensure their safe operation, a satisfactory knowledge of the motor
1021 vehicle laws and the ability to impart such skill and knowledge to
1022 others. If the applicant successfully completes the examinations and
1023 meets all other requirements of this section, the commissioner shall
1024 issue an instructor's license to such applicant. The license shall be valid
1025 for use only in connection with [the business of the] a drivers' school or
1026 schools [listed on the license] licensed pursuant to section 14-69, as
1027 amended by this act. If the applicant fails the examination, such
1028 applicant may apply for reexamination after [one month] five days.
1029 The license and the license renewal shall be valid for two years.

1030 Sec. 29. Subsection (b) of section 14-145 of the general statutes is
1031 repealed and the following is substituted in lieu thereof (*Effective July*

1032 1, 2013):

1033 (b) When such motor vehicle is towed or otherwise removed by a
1034 wrecker licensed under section 14-66, as amended by this act, the
1035 licensee or operator of the wrecker shall notify the local police
1036 department of the tow or removal within two hours. Such notification
1037 shall be submitted in writing or transmitted by facsimile or electronic
1038 mail and the record of such notification shall be retained by such
1039 licensee in accordance with the provisions of section 14-66b. No such
1040 licensee or operator may charge a storage fee for such motor vehicle
1041 for the time it is stored prior to such notification. If the motor vehicle is
1042 not claimed by its owner within the time periods specified in
1043 subsection (e) of section 14-150, as amended by this act, the licensee or
1044 operator of the wrecker or of the garage where such motor vehicle is
1045 stored may dispose of it in accordance with the provisions of
1046 subsection (e) of section 14-150, as amended by this act.

1047 Sec. 30. Section 14-163c of the general statutes is repealed and the
1048 following is substituted in lieu thereof (*Effective July 1, 2013*):

1049 (a) The Commissioner of Motor Vehicles may adopt regulations, in
1050 accordance with the provisions of chapter 54, which incorporate by
1051 reference the standards set forth in 49 CFR Parts 382 to 397, inclusive,
1052 as amended. Such regulations, adopted by reference to the provisions
1053 of 49 CFR Parts 382 to 397, inclusive, as amended, may be made
1054 applicable to any motor vehicle or motor carrier, as defined in 49 CFR
1055 Part 390, which (1) is in intrastate commerce and has a gross vehicle
1056 weight rating or gross combination weight rating or gross vehicle
1057 weight or gross combination weight of eighteen thousand one or more
1058 pounds; or (2) is in interstate commerce and has a gross vehicle weight
1059 rating or gross combination weight rating or gross vehicle weight or
1060 gross combination weight of ten thousand one or more pounds; or (3)
1061 (A) is designed or used to transport more than eight passengers,
1062 including the driver, for compensation, [except a student
1063 transportation vehicle, as defined in section 14-212,] or (B) is designed
1064 or used to transport more than fifteen passengers, including the driver,

1065 and is not used to transport passengers for compensation; or (4) is used
1066 in the transportation of hazardous materials in a quantity requiring
1067 placarding under the Hazardous Materials Transportation Act, 49 USC
1068 App. 1801 to 1813, inclusive, unless exempted under the provisions of
1069 the code or the provisions of subsection (b) of this section.

1070 (b) The provisions relative to maximum hours of service for drivers
1071 as set forth in 49 CFR Part 395, and as adopted by reference in
1072 regulations adopted pursuant to subsection (a) of this section, shall not
1073 apply to any driver of a utility service vehicle, as defined in 49 CFR
1074 Section 395.2, as amended.

1075 (c) The Commissioner of Motor Vehicles may grant variations or
1076 exemptions from, or approve equivalent or alternate compliance with,
1077 particular provisions of 49 CFR Parts 382 to 397, inclusive, as amended,
1078 when strict compliance with such provisions would entail practical
1079 difficulty or unnecessary hardship or would be otherwise adjudged
1080 unwarranted, provided any such variation, exemption, approved
1081 equivalent or alternate compliance shall, in the opinion of the
1082 commissioner, secure the public safety.

1083 (d) Any state or municipal police officer or motor vehicle inspector
1084 may (1) inspect any motor vehicle specified in subsection (a) of this
1085 section in operation and examine its operator to determine compliance
1086 with the provisions of 49 CFR Parts 100 to 199, inclusive, as amended,
1087 and 49 CFR Parts 382 to 397, inclusive, as amended, (2) enter upon the
1088 premises of any motor carrier, as defined in 49 CFR Section 390.5, as
1089 amended, for the purpose of inspecting and copying records
1090 maintained by such motor carrier, (3) conduct a safety rating
1091 procedure, safety audit or compliance review, in accordance with the
1092 provisions of 49 CFR Part 385, as amended, for any motor carrier that
1093 owns or operates any motor vehicle identified in subsection (a) of this
1094 section and, subject to notice and opportunity for hearing in
1095 accordance with the provisions of chapter 54, order any motor carrier
1096 with an unsatisfactory safety rating to cease operations until such time
1097 as it achieves a satisfactory rating, (4) declare a motor vehicle or its

1098 operator out of service, [as provided in 49 CFR Section 395.13 and
1099 Section 396.9, as amended,] or (5) issue an infractions complaint under
1100 the provisions of this section, provided such officer or inspector meets
1101 the standards established by the commissioner, in consultation with
1102 the Commissioner of Emergency Services and Public Protection, in
1103 regulations adopted in accordance with the provisions of chapter 54.

1104 (e) (1) Any person who violates the provisions of this section or any
1105 regulations adopted under this section shall, for a first violation, have
1106 committed an infraction. (2) The commissioner may impose a civil
1107 penalty on any person for a second or subsequent violation of the
1108 provisions of this section or any regulations adopted under this section
1109 if the acts or conduct on which the conviction is based arise out of the
1110 operation of a motor vehicle in intrastate commerce and would, if such
1111 acts or conduct had occurred with respect to operation of a motor
1112 vehicle in interstate commerce, have subjected such person to a civil
1113 penalty under the provisions of 49 CFR Parts 382 to 397, inclusive, as
1114 amended. The commissioner may adopt regulations, in accordance
1115 with the provisions of chapter 54, to specify the amount of such civil
1116 penalty provided such amount shall be not less than one thousand
1117 dollars nor more than ten thousand dollars. Any person notified of the
1118 assessment of a civil penalty under the provisions of this subsection
1119 shall be entitled to an opportunity for an administrative hearing in
1120 accordance with the provisions of chapter 54. If any person fails to
1121 comply with the terms of a final decision and order of the
1122 commissioner made pursuant to this subsection, the commissioner
1123 may suspend any motor vehicle registration issued to such person or
1124 such person's privilege to register any motor vehicle in this state, or
1125 prohibit the operation of any motor vehicle owned or operated by such
1126 person, until such person complies with the terms of such final
1127 decision and order. As used in this section, "person" includes any
1128 motor carrier, as defined in 49 CFR Section 390.5, as amended.

1129 Sec. 31. Section 14-188 of the general statutes is amended by adding
1130 subsection (e) as follows (*Effective July 1, 2013*):

1131 (NEW) (e) Any security interest in a vehicle that was originally
1132 perfected by a financial institution or other institution that (1) is no
1133 longer in existence, and (2) did not execute a release of such security
1134 interest, in accordance with subsections (a) to (c), inclusive, of this
1135 section, shall be deemed to be dissolved not earlier than ten years after
1136 such security interest was perfected if the debtor's records cannot be
1137 located by any successor institution to such financial or other
1138 institution.

1139 Sec. 32. Subsection (h) of section 14-267a of the general statutes is
1140 repealed and the following is substituted in lieu thereof (*Effective July*
1141 *1, 2013*):

1142 (h) Whenever signs are displayed on a public highway, indicating
1143 that a scale is in operation and directing the driver of a [commercial
1144 vehicle] motor vehicle described in subsection (a) of section 14-163c, as
1145 amended by this act, to stop at the weighing area, the driver shall stop
1146 and, in accordance with the directions of any state police officer,
1147 [Department of Emergency Services and Public Protection employee
1148 designated by the Commissioner of Emergency Services and Public
1149 Protection,] local police officer, Department of Motor Vehicles
1150 inspector, or Department of [Transportation] Motor Vehicles employee
1151 designated by the Commissioner of [Transportation] Motor Vehicles,
1152 allow the vehicle to be weighed or inspected.

1153 Sec. 33. Section 14-267c of the general statutes is repealed and the
1154 following is substituted in lieu thereof (*Effective July 1, 2013*):

1155 The owner of a commercial motor vehicle that is equipped with an
1156 auxiliary power or idle reduction technology unit shall, subject to the
1157 conditions described in this section, be granted a weight tolerance
1158 exemption from the gross, total axle, total tandem or bridge formula
1159 weight limits established by section 14-267a, as amended by this act.
1160 Such weight tolerance exemption shall authorize the operation of such
1161 commercial motor vehicle with additional weight equal to the actual
1162 weight of the auxiliary power or idle reduction technology unit, but

1163 not exceeding [four] five hundred fifty pounds. Such exemption may
1164 be granted by any official or law enforcement officer authorized to
1165 enforce the provisions of said section 14-267a, as amended by this act.
1166 To qualify for a weight tolerance exemption, an owner may be
1167 required to produce a written certification of the weight of such unit,
1168 and to show, by means of a written certification or physical
1169 demonstration, that the unit is fully functional at all times. As used in
1170 this section, "auxiliary power or idle reduction technology unit" means
1171 an integrated system, other than the vehicle's engine, that provides
1172 heat, air conditioning, engine warming, electric components or power
1173 to do the work for which the vehicle is designed.

1174 Sec. 34. Subsection (e) of section 14-286 of the general statutes is
1175 repealed and the following is substituted in lieu thereof (*Effective July*
1176 *1, 2013*):

1177 (e) As used in this section: (1) "Sidewalk" means any sidewalk laid
1178 out as such by any town, city or borough, and any walk which is
1179 reserved by custom for the use of pedestrians, or which has been
1180 specially prepared for their use. "Sidewalk" does not include
1181 crosswalks and does not include footpaths on portions of public
1182 highways outside thickly settled parts of towns, cities and boroughs,
1183 which are worn only by travel and are not improved by such towns,
1184 cities or boroughs or by abutters; (2) "bicycle" includes all vehicles
1185 propelled by the person riding the same by foot or hand power; and
1186 (3) "motor-driven cycle" means any motorcycle, motor scooter or
1187 bicycle with an attached motor with a seat height of not less than
1188 twenty-six inches and a motor [that produces five brake horsepower or
1189 less] having a capacity of less than fifty cubic centimeters piston
1190 displacement.

1191 Sec. 35. Subsection (c) of section 14-286b of the general statutes is
1192 repealed and the following is substituted in lieu thereof (*Effective July*
1193 *1, 2013*):

1194 (c) No person riding upon any bicycle, motor-driven cycle, roller

1195 skates, skis, sled, skateboard, coaster, [or] toy vehicle or any other
1196 vehicle not designed or intended to be towed shall attach the same or
1197 [himself] such person to any vehicle moving or about to move on a
1198 public roadway nor shall the operator of such vehicle knowingly
1199 permit any person riding a bicycle, motor-driven cycle, roller skates,
1200 skis, skateboard, coaster, sled, [or] toy vehicle or any other vehicle not
1201 designed or intended to be towed to attach the same or [himself] such
1202 person to such vehicle so operated or about to be operated, provided
1203 any person operating a bicycle solely by foot or hand power may
1204 attach a bicycle trailer or semitrailer thereto, provided such trailer or
1205 semitrailer is designed for such attachment.

1206 Sec. 36. Section 14-289d of the general statutes is repealed and the
1207 following is substituted in lieu thereof (*Effective July 1, 2013*):

1208 (a) The Commissioner of Motor Vehicles shall issue regulations, in
1209 accordance with nationally accepted standards, concerning
1210 specifications for vision-protecting devices, including but not limited
1211 to goggles, glasses, face shields, windshields and wind screens for use
1212 by operators of motorcycles and motor-driven cycles.

1213 (b) Failure to wear either goggles, glasses or a face shield of a type
1214 which conforms to the minimum specifications as called for by such
1215 regulations shall be an infraction. The provisions of this subsection
1216 shall not apply to operators of motorcycles and motor-driven cycles
1217 equipped with a wind screen or windshield which conforms to the
1218 minimum specifications called for by such regulations.

1219 Sec. 37. Section 14-296aa of the general statutes is repealed and the
1220 following is substituted in lieu thereof (*Effective October 1, 2013*):

1221 (a) For purposes of this section, the following terms have the
1222 following meanings:

1223 (1) "Mobile telephone" means a cellular, analog, wireless or digital
1224 telephone capable of sending or receiving telephone communications
1225 without an access line for service.

1226 (2) "Using" or "use" means holding a hand-held mobile telephone to,
1227 or in the immediate proximity of, the user's ear.

1228 (3) "Hand-held mobile telephone" means a mobile telephone with
1229 which a user engages in a call using at least one hand.

1230 (4) "Hands-free accessory" means an attachment, add-on, built-in
1231 feature, or addition to a mobile telephone, whether or not permanently
1232 installed in a motor vehicle, that, when used, allows the vehicle
1233 operator to maintain both hands on the steering wheel.

1234 (5) "Hands-free mobile telephone" means a hand-held mobile
1235 telephone that has an internal feature or function, or that is equipped
1236 with an attachment or addition, whether or not permanently part of
1237 such hand-held mobile telephone, by which a user engages in a call
1238 without the use of either hand, whether or not the use of either hand is
1239 necessary to activate, deactivate or initiate a function of such
1240 telephone.

1241 (6) "Engage in a call" means talking into or listening on a hand-held
1242 mobile telephone, but does not include holding a hand-held mobile
1243 telephone to activate, deactivate or initiate a function of such
1244 telephone.

1245 (7) "Immediate proximity" means the distance that permits the
1246 operator of a hand-held mobile telephone to hear telecommunications
1247 transmitted over such hand-held mobile telephone, but does not
1248 require physical contact with such operator's ear.

1249 (8) "Mobile electronic device" means any hand-held or other
1250 portable electronic equipment capable of providing data
1251 communication between two or more persons, including a text
1252 messaging device, a paging device, a personal digital assistant, a
1253 laptop computer, equipment that is capable of playing a video game or
1254 a digital video disk, or equipment on which digital photographs are
1255 taken or transmitted, or any combination thereof, but does not include
1256 any audio equipment or any equipment installed in a motor vehicle for

1257 the purpose of providing navigation, emergency assistance to the
1258 operator of such motor vehicle or video entertainment to the
1259 passengers in the rear seats of such motor vehicle.

1260 (b) (1) Except as otherwise provided in this subsection and
1261 subsections (c) and (d) of this section, no person shall operate a motor
1262 vehicle upon a highway, as defined in section 14-1, as amended by this
1263 act, while using a hand-held mobile telephone to engage in a call or
1264 while using a mobile electronic device while such vehicle is in motion.
1265 An operator of a motor vehicle who types, sends or reads a text
1266 message with a hand-held mobile telephone or mobile electronic
1267 device while such vehicle is in motion shall be in violation of this
1268 section, except that if such operator is driving a commercial motor
1269 vehicle, as defined in section 14-1, as amended by this act, such
1270 operator shall be charged with a violation of subsection (e) of this
1271 section.

1272 (2) An operator of a motor vehicle who holds a hand-held mobile
1273 telephone to, or in the immediate proximity of, his or her ear while
1274 such vehicle is in motion is presumed to be engaging in a call within
1275 the meaning of this section. The presumption established by this
1276 subdivision is rebuttable by evidence tending to show that the
1277 operator was not engaged in a call.

1278 (3) The provisions of this subsection shall not be construed as
1279 authorizing the seizure or forfeiture of a hand-held mobile telephone
1280 or a mobile electronic device, unless otherwise provided by law.

1281 (4) Subdivision (1) of this subsection shall not apply to: (A) The use
1282 of a hand-held mobile telephone for the sole purpose of
1283 communicating with any of the following regarding an emergency
1284 situation: An emergency response operator; a hospital, physician's
1285 office or health clinic; an ambulance company; a fire department; or a
1286 police department, or (B) any of the following persons while in the
1287 performance of their official duties and within the scope of their
1288 employment: A peace officer, as defined in subdivision (9) of section

1289 53a-3, a firefighter or an operator of an ambulance or authorized
1290 emergency vehicle, as defined in section 14-1, as amended by this act,
1291 or a member of the armed forces of the United States, as defined in
1292 section 27-103, while operating a military vehicle, or (C) the use of a
1293 hand-held radio by a person with an amateur radio station license
1294 issued by the Federal Communications Commission, or (D) the use of a
1295 hands-free mobile telephone.

1296 (c) No person shall use a hand-held mobile telephone or other
1297 electronic device, including those with hands-free accessories, or a
1298 mobile electronic device while operating a moving school bus that is
1299 carrying passengers, except that this subsection shall not apply to (1) a
1300 school bus driver who places an emergency call to school officials, or
1301 (2) the use of a hand-held mobile telephone as provided in
1302 subparagraph (A) of subdivision (4) of subsection (b) of this section.

1303 (d) No person under eighteen years of age shall use any hand-held
1304 mobile telephone, including one with a hands-free accessory, or a
1305 mobile electronic device while operating a moving motor vehicle on a
1306 public highway, except as provided in subparagraph (A) of
1307 subdivision (4) of subsection (b) of this section.

1308 (e) No person shall use a hand-held mobile telephone or other
1309 electronic device or type, read or send text or a text message with or
1310 from a mobile telephone or mobile electronic device while operating a
1311 commercial motor vehicle, as defined in section 14-1, as amended by
1312 this act, except for the purpose of communicating with any of the
1313 following regarding an emergency situation: An emergency response
1314 operator; a hospital; physician's office or health clinic; an ambulance
1315 company; a fire department or a police department.

1316 (f) Except as provided in subsections (b) to (e), inclusive, of this
1317 section, no person shall engage in any activity not related to the actual
1318 operation of a motor vehicle in a manner that interferes with the safe
1319 operation of such vehicle on any highway, as defined in section 14-1,
1320 as amended by this act.

1321 (g) Any law enforcement officer who issues a summons for a
1322 violation of this section shall record on such summons the specific
1323 nature of any distracted driving behavior observed by such officer.

1324 (h) Any person who violates this section shall be fined one hundred
1325 [twenty-five] fifty dollars for a first violation, [two hundred fifty] three
1326 hundred dollars for a second violation and [four] five hundred dollars
1327 for a third or subsequent violation.

1328 (i) An operator of a motor vehicle who commits a moving violation,
1329 as defined in subsection (a) of section 14-111g, while engaged in any
1330 activity prohibited by this section shall be fined in accordance with
1331 subsection (h) of this section, in addition to any penalty or fine
1332 imposed for the moving violation.

1333 (j) The state shall remit to a municipality twenty-five per cent of the
1334 fine amount received for a violation of this section with respect to each
1335 summons issued by such municipality. Each clerk of the Superior
1336 Court or the Chief Court Administrator, or any other official of the
1337 Superior Court designated by the Chief Court Administrator, shall, on
1338 or before the thirtieth day of January, April, July and October in each
1339 year, certify to the Comptroller the amount due for the previous
1340 quarter under this subsection to each municipality served by the office
1341 of the clerk or official.

1342 (k) A record of any violation of this section shall appear on the
1343 driving history record or motor vehicle record, as defined in section
1344 14-10, of any person who commits such violation, and the record of
1345 such violation shall be available to any motor vehicle insurer in
1346 accordance with the provisions of section 14-10.

1347 Sec. 38. Section 14-381 of the general statutes is repealed and the
1348 following is substituted in lieu thereof (*Effective October 1, 2013*):

1349 Any owner required to register a snowmobile or all-terrain vehicle
1350 shall apply to the commissioner and shall file evidence of ownership
1351 by affidavit or document. Upon receipt of an application in proper

1352 form and the registration fee, the commissioner shall assign an
1353 identification number and provide the owner with a certificate of
1354 registration and registration plate. The registration plate, which shall
1355 be affixed by the owner, shall be displayed on the snowmobile or all-
1356 terrain vehicle at a place and in a manner prescribed by the
1357 commissioner. In addition to such registration plate, each snowmobile
1358 and all-terrain vehicle so registered shall display its registration
1359 number on each side of its front section, midway between the top and
1360 bottom of said front section, in letters or numbers at least three inches
1361 in height and made of a reflective material. The certificate of
1362 registration shall be carried on such snowmobile or all-terrain vehicle
1363 and shall be available for inspection whenever such snowmobile or all-
1364 terrain vehicle is being operated. The owner shall pay a fee of twenty
1365 dollars for each snowmobile or all-terrain vehicle so registered. Each
1366 such certificate of registration shall expire [biennially on the last day of
1367 March] two years after the date such certificate of registration was
1368 issued.

1369 Sec. 39. Subsection (b) of section 38a-364 of the general statutes is
1370 repealed and the following is substituted in lieu thereof (*Effective*
1371 *October 1, 2013*):

1372 (b) Each insurance company that issues private passenger motor
1373 vehicle liability insurance providing the security required by sections
1374 38a-19 and 38a-363 to 38a-388, inclusive, shall issue annually to each
1375 such insured an automobile insurance identification card, in duplicate,
1376 for each insured vehicle, one of which shall be presented to the
1377 commissioner as provided in section 14-12b, as amended by this act,
1378 and the other carried in the vehicle as provided in section 14-13. Except
1379 as provided in subsection (c) of this section, such card shall be effective
1380 for a period of one year and shall include the name of the insured and
1381 insurer, the policy number, the effective date of coverage, the year,
1382 make or model and vehicle identification number of the insured
1383 vehicle, the company code number assigned to the insurer by the
1384 National Association of Insurance Commissioners and an appropriate
1385 space wherein the insured may set forth the year, make or model and

1386 vehicle identification number of any private passenger motor vehicle
1387 that becomes covered as a result of a change in the covered vehicle
1388 during the effective period of the identification card. When an insured
1389 has five or more private passenger motor vehicles registered in this
1390 state, the insurer may use the designation "all owned vehicles" on each
1391 card in lieu of a specific vehicle description. Each insurance company
1392 that delivers, issues for delivery or renews such private passenger
1393 motor vehicle liability insurance in this state shall include on such
1394 card, the following notice, printed in capital letters and boldface type:

1395 NOTICE:

1396 YOU HAVE THE RIGHT TO CHOOSE THE LICENSED REPAIR
1397 SHOP WHERE THE DAMAGE TO YOUR MOTOR VEHICLE WILL
1398 BE REPAIRED.

1399 Sec. 40. Subsection (c) of section 38a-364 of the general statutes is
1400 repealed and the following is substituted in lieu thereof (*Effective*
1401 *October 1, 2013*):

1402 (c) Whenever a binder for such insurance is issued by an agent, the
1403 agent shall also issue a temporary identification card, in duplicate, for
1404 each covered vehicle effective for a period of sixty days from the date
1405 on which the binder becomes effective. Such temporary cards shall
1406 include the name of the insured and insurer, the company code
1407 number assigned to the insurer by the National Association of
1408 Insurance Commissioners, the printed name and signature of the agent
1409 or authorized representative, the effective date of the binder, the policy
1410 number or, if such number is not available, the agent's code number
1411 and the year, make or model and vehicle identification number of the
1412 insured vehicle.

1413 Sec. 41. Subsection (a) of section 38a-683 of the general statutes is
1414 repealed and the following is substituted in lieu thereof (*Effective July*
1415 *1, 2013*):

1416 (a) The premium charges for a private passenger nonfleet

1417 automobile under an automobile liability or physical damage
1418 insurance policy for any principal operator who has attained the age of
1419 sixty years and has submitted proof of successful completion of [a
1420 four-hour] an accident prevention course of not less than four hours
1421 approved by the Commissioner of Motor Vehicles shall be
1422 appropriately modified to reflect such operator's reduced exposure to
1423 loss. Such course shall be completed within one year prior to the initial
1424 application of the discount or, for subsequent applications of the
1425 discount, within one year of the expiration of the current discount
1426 period. If proof of successful completion of such course is submitted
1427 during the term of a policy, any premium modification shall become
1428 effective upon the next renewal. A minimum discount of five per cent
1429 shall be applicable to premium charges for such automobile for
1430 policies effective on and after July 1, 1983. The discount shall apply to
1431 the premium charges for the automobile for at least twenty-four
1432 months. This section shall not apply to any group automobile
1433 insurance policy issued pursuant to section 38a-803 under which
1434 premiums are broadly averaged for the group rather than determined
1435 individually.

1436 Sec. 42. Subsection (c) of section 54-33a of the general statutes is
1437 repealed and the following is substituted in lieu thereof (*Effective July*
1438 *1, 2013*):

1439 (c) A warrant may issue only on affidavit sworn to by the
1440 complainant or complainants before the judge or judge trial referee
1441 and establishing the grounds for issuing the warrant, which affidavit
1442 shall be part of the arrest file. If the judge or judge trial referee is
1443 satisfied that grounds for the application exist or that there is probable
1444 cause to believe that they exist, the judge or judge trial referee shall
1445 issue a warrant identifying the property and naming or describing the
1446 person, place or thing to be searched. The warrant shall be directed to
1447 any police officer of a regularly organized police department or any
1448 state police officer, to an inspector in the Division of Criminal Justice,
1449 [or] to a conservation officer, special conservation officer or patrolman
1450 acting pursuant to section 26-6 or to a sworn motor vehicle inspector

1451 acting under the authority of section 14-8. The warrant shall state the
1452 date and time of its issuance and the grounds or probable cause for its
1453 issuance and shall command the officer to search within a reasonable
1454 time the person, place or thing named, for the property specified. The
1455 inadvertent failure of the issuing judge or judge trial referee to state on
1456 the warrant the time of its issuance shall not in and of itself invalidate
1457 the warrant.

1458 Sec. 43. Subsection (c) of section 54-56e of the general statutes is
1459 repealed and the following is substituted in lieu thereof (*Effective*
1460 *January 1, 2014*):

1461 (c) This section shall not be applicable: (1) To any person charged
1462 with a class A felony, a class B felony, except a violation of section 53a-
1463 122 that does not involve the use, attempted use or threatened use of
1464 physical force against another person, or a violation of section 14-227a,
1465 as amended by this act, subdivision (2) of subsection (a) of section
1466 53-21, section 53a-56b, 53a-60d, 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-
1467 72a, 53a-72b, 53a-90a, 53a-196e or 53a-196f, (2) to any person charged
1468 with a crime or motor vehicle violation who, as a result of the
1469 commission of such crime or motor vehicle violation, causes the death
1470 of another person, (3) to any person accused of a family violence crime
1471 as defined in section 46b-38a who (A) is eligible for the pretrial family
1472 violence education program established under section 46b-38c, or (B)
1473 has previously had the pretrial family violence education program
1474 invoked in such person's behalf, (4) to any person charged with a
1475 violation of section 21a-267 or 21a-279 who (A) is eligible for the
1476 pretrial drug education program established under section 54-56i, or
1477 (B) has previously had the pretrial drug education program invoked in
1478 such person's behalf, (5) unless good cause is shown, to any person
1479 charged with a class C felony, [or] (6) to any person charged with a
1480 violation of section 9-359 or 9-359a, or (7) to any person charged with a
1481 motor vehicle violation (A) while operating a commercial motor
1482 vehicle, as defined in section 14-1, as amended by this act, or (B) who
1483 holds a commercial driver's license or commercial driver's instruction
1484 permit at the time of the violation.

1485 Sec. 44. Subsection (h) of section 54-56g of the general statutes is
1486 repealed and the following is substituted in lieu thereof (*Effective*
1487 *January 1, 2014*):

1488 (h) The provisions of this section shall not be applicable in the case
1489 of any person charged with a violation of section 14-227a, as amended
1490 by this act, (1) while operating a commercial motor vehicle, as defined
1491 in section 14-1, as amended by this act, or (2) who holds a commercial
1492 driver's license or commercial driver's instruction permit at the time of
1493 the violation.

1494 Sec. 45. Section 14-65f of the general statutes is repealed and the
1495 following is substituted in lieu thereof (*Effective October 1, 2013*):

1496 (a) (1) Prior to performing any repair work on a motor vehicle, a
1497 motor vehicle repair shop shall obtain a written authorization to
1498 perform the work, on an invoice signed by the customer, that includes
1499 an estimate in writing of the maximum cost to the customer of the
1500 parts and labor necessary for the specific job authorized. A repair shop
1501 shall not charge for work done or parts supplied without a written
1502 authorization or in excess of the estimate unless the customer gives
1503 consent orally or in writing.

1504 (2) In addition to, or as part of, the written authorization set forth in
1505 subdivision (1) of this subsection, a motor vehicle repair shop shall
1506 obtain a written acknowledgment that the customer is aware of his or
1507 her right to choose the licensed repair shop where the motor vehicle
1508 will be repaired. Such acknowledgment shall read as follows: "I am
1509 aware of my right to choose the licensed repair shop where the
1510 damage to the motor vehicle will be repaired." A repair shop shall not
1511 repair a motor vehicle without such acknowledgment, which may be
1512 transmitted by facsimile or by electronic mail.

1513 (b) If the repair shop is unable to estimate the cost of repair because
1514 the specific repairs to be performed are not known at the time the
1515 vehicle is delivered to the repair shop, the written authorization
1516 required by this section need not include an estimate of the maximum

1517 cost of parts and labor. In such a case, prior to commencing any
1518 repairs, the repair shop shall notify the customer of the work to be
1519 performed and the estimated maximum cost to the customer of the
1520 necessary parts and labor, obtain the customer's written or oral
1521 authorization and record such information on the invoice.

1522 (c) If, during the course of performing repair work, the repair shop
1523 discovers that repairs other than those authorized are needed or that
1524 the cost of authorized repairs will exceed the estimate, the repair shop
1525 shall not proceed with the repairs without first obtaining the
1526 customer's additional written or oral consent and recording such
1527 information on the invoice.

1528 (d) No repair shop shall have a claim against a motor vehicle for
1529 repairs, other than for repairs actually performed and authorized, in an
1530 amount greater than that authorized by the customer under the
1531 provisions of sections 14-65e to 14-65j, inclusive, as amended by this
1532 act.

1533 (e) If a motor vehicle is delivered to a repair shop at a time when the
1534 shop is not open for business, the authorization to repair the vehicle
1535 and the estimate of the cost of parts and labor may be given orally but
1536 shall be recorded on the invoice.

1537 (f) Unless requested by a customer, the requirement for a repair
1538 shop to furnish an advance written estimate shall not apply to repair
1539 work for which the total cost for parts and labor is less than fifty
1540 dollars.

1541 (g) Violation of any provision of this section shall be an infraction.

1542 Sec. 46. Section 14-65g of the general statutes is repealed and the
1543 following is substituted in lieu thereof (*Effective October 1, 2013*):

1544 (a) A customer may waive his right to the estimate of the costs of
1545 parts and labor required by section 14-65f, as amended by this act, only
1546 in writing in accordance with this section. Such a waiver shall include

1547 an authorization to perform reasonable and necessary repairs to
1548 remedy the problems complained of, at a cost not to exceed a fixed
1549 dollar amount. The waiver shall be signed by the customer and the
1550 customer shall be given a fully completed copy of the waiver at the
1551 time it is signed. No repair shop shall use waivers to evade its duties
1552 under sections 14-65e to 14-65j, inclusive, as amended by this act, and
1553 section 14-65l.

1554 (b) Every waiver shall be substantially in the following form:

1555 WAIVER OF ADVANCE ESTIMATE

1556 I voluntarily request that repairs be performed on my vehicle
1557 without an advance estimate of their cost. By signing this form, I
1558 authorize reasonable and necessary costs to remedy the problems
1559 complained of up to a maximum of \$..... The repair shop may not
1560 exceed this amount without my written or oral consent.

1561 Identification of Vehicle

1562 Date

1563 Time

1564

1565 Customer's Signature

1566 (c) The Commissioner of Motor Vehicles shall determine the size,
1567 type face and arrangement of the waiver form, consistent with
1568 subsection (b) of this section.

1569 (d) Each repair shop shall maintain a written record of oral consents
1570 and authorizations, which may be recorded on the invoice.

1571 (e) Prior to performing any repairs on a customer's vehicle, a repair
1572 shop shall record on the invoice in writing the following information:

1573 (1) The name and address of the customer and the telephone number

1574 at which the customer may be reached during normal working hours;
1575 (2) the date and approximate time the customer's vehicle was delivered
1576 to the repair shop; (3) the year, make and registration number of the
1577 customer's vehicle; (4) the odometer reading on the customer's vehicle;
1578 and (5) the specific repairs requested by the customer. If the customer
1579 has not requested specific repairs, the shop shall record a brief
1580 description of the nature of the problem that requires repair.

1581 (f) Any repair shop that charges for an estimate or diagnosis shall
1582 inform the customer of the amount of such charge before making the
1583 estimate or diagnosis and shall obtain the customer's consent, which
1584 consent shall be written if requested by the customer or if such charge
1585 is fifty dollars or more.

1586 (g) Violation of any provision of this section shall be an infraction.

1587 Sec. 47. Section 14-65h of the general statutes is repealed and the
1588 following is substituted in lieu thereof (*Effective October 1, 2013*):

1589 (a) All work done by a motor vehicle repair shop, including sublet
1590 repair work or repair work under warranty, shall be recorded on an
1591 invoice which shall specify the name and address of the repair shop,
1592 describe all service work done and parts supplied and state the cost of
1593 such service work and parts supplied, separately itemized. If any used
1594 parts are supplied, the invoice shall clearly state that fact. If any
1595 component system installed is composed of new and used parts, such
1596 invoice shall clearly state that fact. One copy of the invoice shall be
1597 given to the customer and one copy shall be retained by the motor
1598 vehicle repair shop. Any warranty made by a repair shop with respect
1599 to any repair work performed shall be stated in writing. If such written
1600 warranty does not include the cost of both parts and labor, it shall
1601 specifically state which is excluded from the scope of such warranty.

1602 (b) The motor vehicle repair shop shall make available to the
1603 customer, if requested by the customer at the time written or oral
1604 authorization is provided for work to be performed, all replaced parts,
1605 components or equipment. If the repair shop is required to return such

1606 parts, components or equipment to the manufacturer or other person
1607 under any warranty or rebuilding arrangement, the repair shop shall
1608 make them available to the customer for inspection only.

1609 (c) Violation of any provision of this section shall be an infraction.

1610 Sec. 48. Section 14-65i of the general statutes is repealed and the
1611 following is substituted in lieu thereof (*Effective October 1, 2013*):

1612 (a) Each motor vehicle repair shop shall prominently display a sign
1613 twenty-four inches by thirty-six inches in each area of its premises
1614 where work orders are placed by customers. The sign, which shall be
1615 in boldface type, shall read as follows:

1616 THIS ESTABLISHMENT IS LICENSED WITH THE
1617 STATE DEPARTMENT OF MOTOR VEHICLES.
1618 EACH CUSTOMER IS ENTITLED TO...

1619 _____

- 1620 1. A WRITTEN ESTIMATE FOR REPAIR WORK.
- 1621 2. A DETAILED INVOICE OF WORK DONE AND PARTS
1622 SUPPLIED.
- 1623 3. RETURN OF REPLACED PARTS, PROVIDED THE REQUEST IS
1624 MADE AT THE TIME WRITTEN OR ORAL AUTHORIZATION IS
1625 PROVIDED FOR WORK TO BE PERFORMED.

1626 _____

1627 NO REPAIR WORK MAY BE UNDERTAKEN ON A VEHICLE
1628 WITHOUT THE AUTHORIZATION OF THE CUSTOMER.

1629 NO CHARGES FOR REPAIR MAY BE MADE IN EXCESS OF THE
1630 WRITTEN ESTIMATE WITHOUT THE WRITTEN OR ORAL
1631 CONSENT OF THE CUSTOMER.

1632

1633 QUESTIONS CONCERNING THE ABOVE SHOULD BE DIRECTED
1634 TO THE MANAGER OF THIS REPAIR FACILITY.

1635 UNRESOLVED QUESTIONS REGARDING SERVICE WORK MAY BE
1636 SUBMITTED TO:

1637

1638 DEPARTMENT OF MOTOR VEHICLES

1639 DEALER REPAIR DIVISION

1640 60 STATE STREET, WETHERSFIELD, CONNECTICUT

1641 TELEPHONE:

1642 HOURS OF OPERATION:

1643 (b) Each motor vehicle repair shop shall post a sign, as required by
1644 this subsection, in each area of its premises where work orders are
1645 placed by customers. The sign shall state: (1) The hourly charge for
1646 labor; (2) the conditions, if any, under which the shop may impose
1647 charges for storage, and the amount of any such charges; and (3) the
1648 charge, if any, for a diagnosis.

1649 (c) Each motor vehicle repair shop shall prominently display a sign
1650 in each area of its premises where work orders are placed by
1651 customers. The sign, which shall be in boldface type, shall read as
1652 follows:

1653 NOTICE:

1654 THE CUSTOMER HAS THE RIGHT TO CHOOSE THE LICENSED
1655 REPAIR SHOP WHERE THE DAMAGE TO HIS OR HER MOTOR
1656 VEHICLE WILL BE REPAIRED.

1657 (d) The Commissioner of Motor Vehicles shall determine the size,

1658 type face and form of the signs required by this section.

1659 (e) Violation of any provision of this section shall be an infraction.

1660 Sec. 49. Section 14-65j of the general statutes is repealed and the
1661 following is substituted in lieu thereof (*Effective October 1, 2013*):

1662 (a) No repair shop shall make any statement to a customer which it
1663 knows or should know to be false or misleading. Such statements
1664 include, but are not limited to, statements as to the necessity of repairs,
1665 the condition of the customer's vehicle, and whether particular repairs
1666 have been performed by the shop.

1667 (b) No repair shop shall charge a customer for repairs which have
1668 not been performed.

1669 (c) A repair shop shall complete repairs on a motor vehicle on the
1670 same business day the vehicle is delivered to the repair shop by the
1671 customer, unless: (1) The customer is informed at the time the vehicle
1672 is delivered that repairs will not be completed on the day of delivery;
1673 (2) the customer consents to a later date of completion; or (3) as soon as
1674 it learns that repairs will not be completed on the day of delivery, the
1675 repair shop makes reasonable efforts to notify the customer and obtain
1676 consent but is unable to contact the customer. Such efforts shall be
1677 included in the record required by subsection (d) of section 14-65g, as
1678 amended by this act.

1679 (d) The Commissioner of Motor Vehicles shall adopt regulations in
1680 accordance with chapter 54 to carry out the provisions of sections 14-
1681 65e to 14-65j, inclusive, as amended by this act.

1682 (e) A violation of subsection (a) or (b) of this section shall be a class
1683 B misdemeanor.

1684 Sec. 50. Subsection (b) of section 14-36 of the general statutes is
1685 repealed and the following is substituted in lieu thereof (*Effective from*
1686 *passage*):

1687 (b) (1) A person eighteen years of age or older who does not hold a
1688 motor vehicle operator's license may not operate a motor vehicle on
1689 the public highways of the state for the purpose of instruction until
1690 such person has applied for and obtained an adult instruction permit
1691 from the commissioner. Such person shall not be eligible for an adult
1692 instruction permit if such person has had a motor vehicle operator's
1693 license or privilege suspended or revoked. An adult instruction permit
1694 shall entitle the holder, while such holder has the permit in his or her
1695 immediate possession, to operate a motor vehicle on the public
1696 highways, provided such holder is under the instruction of, and
1697 accompanied by, a person who holds an instructor's license issued
1698 under the provisions of section 14-73, as amended by this act, or a
1699 person twenty years of age or older who has been licensed to operate,
1700 for at least four years preceding the instruction, a motor vehicle of the
1701 same class as the motor vehicle being operated and who has not had
1702 his or her motor vehicle operator's license suspended by the
1703 commissioner during the four-year period preceding the instruction.
1704 The Commissioner of Motor Vehicles shall not issue a motor vehicle
1705 operator's license to any person holding an adult instruction permit
1706 who has held such permit for less than ninety days unless such person
1707 (A) is a member of the armed forces on active duty outside the state, or
1708 (B) has previously held a Connecticut motor vehicle operator's license.
1709 (2) A person holding a valid out-of-state motor vehicle operator's
1710 license may operate a motor vehicle for a period of thirty days
1711 following such person's establishment of residence in Connecticut, if
1712 the motor vehicle is of the same class as that for which his or her out-
1713 of-state motor vehicle operator's license was issued. (3) No person may
1714 cause or permit the operation of a motor vehicle by a person under
1715 sixteen years of age.

1716 Sec. 51. Subsection (g) of section 14-227a of the general statutes is
1717 repealed and the following is substituted in lieu thereof (*Effective July*
1718 *1, 2013*):

1719 (g) Any person who violates any provision of subsection (a) of this
1720 section shall: (1) For conviction of a first violation, (A) be fined not less

1721 than five hundred dollars or more than one thousand dollars, and (B)
1722 be (i) imprisoned not more than six months, forty-eight consecutive
1723 hours of which may not be suspended or reduced in any manner, or
1724 (ii) imprisoned not more than six months, with the execution of such
1725 sentence of imprisonment suspended entirely and a period of
1726 probation imposed requiring as a condition of such probation that
1727 such person perform one hundred hours of community service, as
1728 defined in section 14-227e, and (C) have such person's motor vehicle
1729 operator's license or nonresident operating privilege suspended for
1730 forty-five days and, as a condition for the restoration of such license,
1731 be required to install an ignition interlock device on each motor vehicle
1732 owned or operated by such person and, upon such restoration, be
1733 prohibited for the one-year period following such restoration from
1734 operating a motor vehicle unless such motor vehicle is equipped with
1735 a functioning, approved ignition interlock device, as defined in section
1736 14-227j; (2) for conviction of a second violation within ten years after a
1737 prior conviction for the same offense, (A) be fined not less than one
1738 thousand dollars or more than four thousand dollars, (B) be
1739 imprisoned not more than two years, one hundred twenty consecutive
1740 days of which may not be suspended or reduced in any manner, and
1741 sentenced to a period of probation requiring as a condition of such
1742 probation that such person: (i) Perform one hundred hours of
1743 community service, as defined in section 14-227e, (ii) submit to an
1744 assessment through the Court Support Services Division of the Judicial
1745 Branch of the degree of such person's alcohol or drug abuse, and (iii)
1746 undergo a treatment program if so ordered, and (C) (i) if such person is
1747 under twenty-one years of age at the time of the offense, have such
1748 person's motor vehicle operator's license or nonresident operating
1749 privilege suspended for forty-five days or until the date of such
1750 person's twenty-first birthday, whichever is longer, and, as a condition
1751 for the restoration of such license, be required to install an ignition
1752 interlock device on each motor vehicle owned or operated by such
1753 person and, upon such restoration, be prohibited for the three-year
1754 period following such restoration from operating a motor vehicle
1755 unless such motor vehicle is equipped with a functioning, approved

1756 ignition interlock device, as defined in section 14-227j, except that for
1757 the first year of such three-year period, such person's operation of a
1758 motor vehicle shall be limited to such person's transportation to or
1759 from work or school, an alcohol or drug abuse treatment program, [or]
1760 an ignition interlock device service center or an appointment with a
1761 probation officer, or (ii) if such person is twenty-one years of age or
1762 older at the time of the offense, have such person's motor vehicle
1763 operator's license or nonresident operating privilege suspended for
1764 forty-five days and, as a condition for the restoration of such license,
1765 be required to install an ignition interlock device on each motor vehicle
1766 owned or operated by such person and, upon such restoration, be
1767 prohibited for the three-year period following such restoration from
1768 operating a motor vehicle unless such motor vehicle is equipped with
1769 a functioning, approved ignition interlock device, as defined in section
1770 14-227j, except that for the first year of such three-year period, such
1771 person's operation of a motor vehicle shall be limited to such person's
1772 transportation to or from work or school, an alcohol or drug abuse
1773 treatment program, [or] an ignition interlock device service center or
1774 an appointment with a probation officer; and (3) for conviction of a
1775 third and subsequent violation within ten years after a prior conviction
1776 for the same offense, (A) be fined not less than two thousand dollars or
1777 more than eight thousand dollars, (B) be imprisoned not more than
1778 three years, one year of which may not be suspended or reduced in
1779 any manner, and sentenced to a period of probation requiring as a
1780 condition of such probation that such person: (i) Perform one hundred
1781 hours of community service, as defined in section 14-227e, (ii) submit
1782 to an assessment through the Court Support Services Division of the
1783 Judicial Branch of the degree of such person's alcohol or drug abuse,
1784 and (iii) undergo a treatment program if so ordered, and (C) have such
1785 person's motor vehicle operator's license or nonresident operating
1786 privilege permanently revoked upon such third offense, except that if
1787 such person's revocation is reversed or reduced pursuant to subsection
1788 (i) of section 14-111, such person shall be prohibited from operating a
1789 motor vehicle unless such motor vehicle is equipped with a
1790 functioning, approved ignition interlock device, as defined in section

1791 14-227j, for the time period prescribed in subdivision (2) of subsection
1792 (i) of section 14-111. For purposes of the imposition of penalties for a
1793 second or third and subsequent offense pursuant to this subsection, a
1794 conviction under the provisions of subsection (a) of this section in
1795 effect on October 1, 1981, or as amended thereafter, a conviction under
1796 the provisions of either subdivision (1) or (2) of subsection (a) of this
1797 section, a conviction under the provisions of section 53a-56b or 53a-60d
1798 or a conviction in any other state of any offense the essential elements
1799 of which are determined by the court to be substantially the same as
1800 subdivision (1) or (2) of subsection (a) of this section or section 53a-56b
1801 or 53a-60d, shall constitute a prior conviction for the same offense.

1802 Sec. 52. Subdivision (1) of subsection (i) of section 14-227a of the
1803 general statutes is repealed and the following is substituted in lieu
1804 thereof (*Effective July 1, 2013*):

1805 (i) (1) The Commissioner of Motor Vehicles shall permit a person
1806 whose license has been suspended in accordance with the provisions
1807 of subparagraph (C) of subdivision (1) or subparagraph (C)(i) or (C)(ii)
1808 of subdivision (2) of subsection (g) of this section to operate a motor
1809 vehicle if (A) such person has served the suspension required under
1810 said subparagraph, notwithstanding that such person has not
1811 completed serving any suspension required under subsection (i) of
1812 section 14-227b, and (B) such person has installed an approved ignition
1813 interlock device in each motor vehicle owned or to be operated by such
1814 person, and verifies to the commissioner, in such manner as the
1815 commissioner prescribes, that such device has been installed. For a
1816 period of one year after the installation of an ignition interlock device
1817 by a person who is subject to subparagraph (C)(i) or (C)(ii) of
1818 subdivision (2) of subsection (g) of this section, such person's operation
1819 of a motor vehicle shall be limited to such person's transportation to or
1820 from work or school, an alcohol or drug abuse treatment program, [or]
1821 an ignition interlock device service center or an appointment with a
1822 probation officer. Except as provided in sections 53a-56b and 53a-60d,
1823 no person whose license is suspended by the commissioner for any
1824 other reason shall be eligible to operate a motor vehicle equipped with

1825 an approved ignition interlock device.

1826 Sec. 53. Subdivision (6) of subsection (i) of section 14-227a of the
1827 general statutes is repealed and the following is substituted in lieu
1828 thereof (*Effective July 1, 2013*):

1829 (6) Whenever a person is permitted by the commissioner under this
1830 subsection to operate a motor vehicle if such person has installed an
1831 approved ignition interlock device in each motor vehicle owned or to
1832 be operated by such person, the commissioner shall indicate in the
1833 electronic record maintained by the commissioner pertaining to such
1834 person's operator's license or driving history that such person is
1835 restricted to operating a motor vehicle that is equipped with an
1836 ignition interlock device and, if applicable, that such person's
1837 operation of a motor vehicle is limited to such person's transportation
1838 to or from work or school, an alcohol or drug abuse treatment
1839 program, [or] an ignition interlock device service center or an
1840 appointment with a probation officer, and the duration of such
1841 restriction or limitation, and shall ensure that such electronic record is
1842 accessible by law enforcement officers. Any such person shall pay the
1843 commissioner a fee of one hundred dollars prior to the installation of
1844 such device.

1845 Sec. 54. Section 7-313a of the general statutes is repealed and the
1846 following is substituted in lieu thereof (*Effective October 1, 2013*):

1847 The authorities having the supervision of the fire department of any
1848 town, city, borough or district may appoint such number of fire
1849 department members or other persons, within available
1850 appropriations, as they deem necessary to be fire police officers of such
1851 municipality or district, who shall have the powers and perform the
1852 duties in such municipality or district as designated and authorized by
1853 the fire chief of such municipality or district, and such fire police
1854 officers may exercise such powers and duties in any other municipality
1855 or district while on duty with the fire department or with a
1856 cooperating fire department, where the department is engaged in

1857 mutual assistance. Such powers and duties shall include traffic control
1858 and regulation and may be exercised by such fire police during any
1859 fire drill or fire call or at any other time when such fire police are
1860 serving with the fire department, with any other fire department in
1861 another municipality or district or with any fire department rendering
1862 mutual assistance. Each such fire police officer while in the
1863 performance of fire police duties shall wear the badge of office in plain
1864 view of any observer. Each such fire police officer, while directing
1865 traffic in performance of the duties of fire police, shall (1) wear (A) a
1866 helmet with the words "Fire Police" in red letters on the front thereof,
1867 any other headgear that meets national, state and local traffic safety
1868 standards or a regulation fire-police dress uniform cap, and (B) a traffic
1869 safety vest, orange or lime green raincoat or any reflectorized orange
1870 or lime green outer clothing, that meets national, state and local traffic
1871 safety standards, (2) carry a flashlight, which shall have a red or
1872 orange wand and be capable of projecting a clear light for the purpose
1873 of illumination at nighttime, and (3) utilize hand-held or portable
1874 traffic control devices appropriate for the time of day, weather and
1875 traffic flow. Such helmet, cap, vest, raincoat or outer clothing, badge,
1876 traffic control equipment and flashlight may be supplied by the
1877 appointing municipality or district. Any person who violates this
1878 section by failing to obey any signal given by a fire police officer
1879 directing traffic in performance of the duties of fire police shall be
1880 deemed to have committed an infraction.

1881 Sec. 55. Subsection (d) of section 14-99h of the general statutes is
1882 repealed and the following is substituted in lieu thereof (*Effective July*
1883 *1, 2013*):

1884 (d) A motor vehicle dealer, licensed in accordance with section 14-52
1885 and meeting qualifications established by the commissioner, may
1886 verify a manufacturer's vehicle identification number to satisfy any
1887 provision requiring such verification in this chapter, or chapter 246a or
1888 247. Such verification shall be provided in a written affidavit signed by
1889 such a motor vehicle dealer, or his designee, and submitted to the
1890 commissioner. Such affidavit shall contain a statement that the

1891 manufacturer's vehicle identification number corresponds to such
1892 number (1) on the manufacturer's or importer's certificate of origin, if
1893 the motor vehicle is new, [or] (2) on a current certificate of title, [for all
1894 other vehicles] or (3) on a current motor vehicle registration document.
1895 Such affidavit shall also contain a statement that the vehicle
1896 identification number has not been mutilated, altered or removed.

1897 Sec. 56. Subdivision (1) of subsection (d) of section 14-36 of the
1898 general statutes is repealed and the following is substituted in lieu
1899 thereof (*Effective October 1, 2013*):

1900 (d) (1) No motor vehicle operator's license shall be issued to any
1901 applicant who is sixteen or seventeen years of age unless the applicant
1902 has held a youth instruction permit and has satisfied the requirements
1903 specified in this subsection. The applicant shall (A) present to the
1904 Commissioner of Motor Vehicles a certificate of the successful
1905 completion (i) in a public secondary school, a state technical high
1906 school or a private secondary school of a full course of study in motor
1907 vehicle operation prepared as provided in section 14-36e, (ii) of
1908 training of similar nature provided by a licensed drivers' school
1909 approved by the commissioner, or (iii) of home training in accordance
1910 with subdivision (2) of this subsection, including, in each case, or by a
1911 combination of such types of training, successful completion of: Not
1912 less than forty clock hours of behind-the-wheel, on-the-road
1913 instruction for applicants to whom a youth instruction permit is issued
1914 on or after August 1, 2008; (B) present to the commissioner a certificate
1915 of the successful completion of a course of not less than eight hours
1916 relative to safe driving practices, including a minimum of four hours
1917 on the nature and the medical, biological and physiological effects of
1918 alcohol and drugs and their impact on the operator of a motor vehicle,
1919 the dangers associated with the operation of a motor vehicle after the
1920 consumption of alcohol or drugs by the operator, the problems of
1921 alcohol and drug abuse and the penalties for alcohol and drug-related
1922 motor vehicle violations; and (C) pass an examination which may
1923 include a comprehensive test as to knowledge of the laws concerning
1924 motor vehicles and the rules of the road in addition to the test required

1925 under subsection (c) of this section and shall include an on-the-road
1926 skills test as prescribed by the commissioner. At the time of application
1927 and examination for a motor vehicle operator's license, an applicant
1928 sixteen or seventeen years of age shall have held a youth instruction
1929 permit for not less than one hundred eighty days, except that an
1930 applicant who presents a certificate under subparagraph (A)(i) or
1931 subparagraph (A)(ii) of this subdivision shall have held a youth
1932 instruction permit for not less than one hundred twenty days and an
1933 applicant who is undergoing training and instruction by the
1934 handicapped driver training unit in accordance with the provisions of
1935 section 14-11b shall have held such permit for the period of time
1936 required by said unit. The Commissioner of Motor Vehicles shall
1937 approve the content of the safe driving instruction at drivers' schools,
1938 high schools and other secondary schools. Subject to such standards
1939 and requirements as the commissioner may impose, the commissioner
1940 may authorize any drivers' school, licensed in good standing in
1941 accordance with the provisions of section 14-69, as amended by this
1942 act, or secondary school driver education program authorized
1943 pursuant to the provisions of section 14-36e, to administer the
1944 comprehensive test as to knowledge of the laws concerning motor
1945 vehicles and the rules of the road, required pursuant to subparagraph
1946 (C) of this subdivision, as part of the safe driving practices course
1947 required pursuant to subparagraph (B) of this subdivision, and to
1948 certify to the commissioner, under oath, the results of each such test
1949 administered. Such hours of instruction required by this subdivision
1950 shall be included as part of or in addition to any existing instruction
1951 programs. Any fee charged for the course required under
1952 subparagraph (B) of this subdivision shall not exceed [one hundred
1953 twenty-five dollars, unless the comprehensive test as to knowledge of
1954 the laws concerning motor vehicles and the rules of the road is also
1955 administered, in which case the fee shall not exceed] one hundred fifty
1956 dollars. Any applicant sixteen or seventeen years of age who, while a
1957 resident of another state, completed the course required in
1958 subparagraph (A) of this subdivision, but did not complete the safe
1959 driving course required in subparagraph (B) of this subdivision, shall

1960 complete the safe driving course. The commissioner may waive any
1961 requirement in this subdivision, except for that in subparagraph (C) of
1962 this subdivision, in the case of an applicant sixteen or seventeen years
1963 of age who holds a valid motor vehicle operator's license issued by any
1964 other state, provided the commissioner is satisfied that the applicant
1965 has received training and instruction of a similar nature.

1966 Sec. 57. Subsection (b) of section 14-275 of the general statutes is
1967 repealed and the following is substituted in lieu thereof (*Effective July*
1968 *1, 2013*):

1969 (b) Each school bus shall be painted a uniform yellow color known
1970 as "National School Bus Glossy Yellow", except for the fenders and
1971 trim which may be painted black and the roof which may be painted
1972 white, and shall have conspicuously painted on the rear and on the
1973 front of such vehicle, in black lettering of a size to be determined by
1974 the Commissioner of Motor Vehicles, the words "School Bus-Stop on
1975 Signal", except that each school bus equipped with an eight-light
1976 warning system shall have the words "School Bus" painted on the rear
1977 and on the front of such vehicle in such lettering. The sides of such
1978 vehicles may be inscribed with the words "School Bus", the school
1979 name or such other legend or device as may be necessary for purposes
1980 of identification or safety. Each school bus, and any student
1981 transportation vehicle, as defined in section 14-212, regularly used by
1982 any town, regional school district, private school or entity contracting
1983 with such town, regional school district or private school to transport
1984 school children to and from school or school activities, shall have
1985 conspicuously painted on the rear and sides of such bus or student
1986 transportation vehicle, in black lettering of a size to be determined by
1987 the commissioner, the name of the school bus company, the school bus
1988 company's telephone number and the school bus number or the name
1989 of the owner or operator of such student transportation vehicle, the
1990 telephone number of such owner or operator and the fleet number of
1991 such student transportation vehicle.

1992 Sec. 58. Subsection (j) of section 14-150 of the general statutes is

1993 repealed and the following is substituted in lieu thereof (*Effective July*
1994 *1, 2013*):

1995 (j) The Commissioner of Motor Vehicles shall adopt regulations, in
1996 accordance with the provisions of chapter 54, (1) specifying the
1997 circumstances under which title to any motor vehicle abandoned
1998 within the limits of any highway may be transferred to any person,
1999 firm or corporation towing such vehicle, and (2) establishing the
2000 procedure whereby such person, firm or corporation may obtain title
2001 to such motor vehicle. The commissioner may adopt regulations, in
2002 accordance with the provisions of chapter 54, specifying the
2003 circumstances under which the owner of a campground may dispose
2004 of a motor home or recreational vehicle abandoned on such owner's
2005 property and establishing procedures governing such disposal.

2006 Sec. 59. (NEW) (*Effective July 1, 2013*) Notwithstanding any
2007 provision of the general statutes or any regulation, no motor carrier
2008 and no person operating any motor vehicle described in subsection (a)
2009 of section 14-163c of the general statutes, as amended by this act, shall
2010 be ineligible to enter into a contract or to perform under a contract to
2011 provide commercial motor vehicle services to the state or any
2012 municipality due to the results of inspections of such motor carrier or
2013 any such motor vehicle conducted pursuant to section 14-163c of the
2014 general statutes, as amended by this act, unless at least ten such
2015 inspections of such motor vehicle or motor carrier have been
2016 conducted during the twenty-four months preceding the start date of
2017 any such contract.

2018 Sec. 60. Section 14-137a of the general statutes is repealed and the
2019 following is substituted in lieu thereof (*Effective October 1, 2013*):

2020 The Commissioner of Motor Vehicles shall adopt regulations in
2021 accordance with the provisions of chapter 54, setting forth the number
2022 of points chargeable against the owner of an operator's license for
2023 conviction of any violation of the motor vehicle laws deemed
2024 appropriate by the commissioner for the assessment of such points.

2025 Such regulations shall provide specific information as to the number of
 2026 points assessed for the conviction of each specified violation, the total
 2027 number of points which, in a period of time specified by the
 2028 commissioner, shall require a hearing before the commissioner or
 2029 permit automatic suspension without prior hearing, and the period of
 2030 time during which any such suspension shall extend. Such regulations
 2031 shall provide that (1) not less than two points shall be assessed for
 2032 conviction of a violation of subsection (d) of section 14-100a, (2) not
 2033 more than one point shall be assessed for conviction of a violation of
 2034 section 14-219 and (3) no points shall be assessed for an infraction or
 2035 any violation specified in subsection (b) of section 51-164n for which
 2036 the person sends payment of the fine and any additional fees or costs
 2037 established for such infraction or violation to the Centralized
 2038 Infractions Bureau in accordance with the provisions of subsection (c)
 2039 of section 51-164n, except not less than one point shall be assessed for
 2040 any violation of section 14-296aa, as amended by this act. If such
 2041 regulations provide for participation in a driver improvement course
 2042 or system for the owner of an operator's license, the commissioner may
 2043 charge a fee of fifty dollars for registration for such course or system.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2013	1-24
Sec. 2	from passage	New section
Sec. 3	July 1, 2013	14-1(52)
Sec. 4	July 1, 2013	14-1(63)
Sec. 5	July 1, 2013	14-1(80)
Sec. 6	October 1, 2013	14-9a
Sec. 7	October 1, 2013	14-12b(a)
Sec. 8	July 1, 2013	14-15(a)
Sec. 9	October 1, 2013	14-33(a)
Sec. 10	October 1, 2013	14-33a
Sec. 11	July 1, 2013	14-36a
Sec. 12	July 1, 2013	14-36h(a)
Sec. 13	July 1, 2013	14-37a(a)
Sec. 14	July 1, 2013	14-40a(c)
Sec. 15	October 1, 2013	14-41(b)

Sec. 16	<i>October 1, 2013</i>	14-41a
Sec. 17	<i>October 1, 2013</i>	14-44i(a)
Sec. 18	<i>October 1, 2013</i>	14-44k(h)
Sec. 19	<i>July 1, 2013</i>	14-44k(k)
Sec. 20	<i>October 1, 2013</i>	14-49(f)
Sec. 21	<i>October 1, 2013</i>	14-50(a)
Sec. 22	<i>July 1, 2013</i>	14-60
Sec. 23	<i>October 1, 2013</i>	14-62
Sec. 24	<i>July 1, 2013</i>	14-63(b)
Sec. 25	<i>July 1, 2013</i>	14-65(f)
Sec. 26	<i>October 1, 2013</i>	14-66
Sec. 27	<i>July 1, 2013</i>	14-69
Sec. 28	<i>July 1, 2013</i>	14-73(d)
Sec. 29	<i>July 1, 2013</i>	14-145(b)
Sec. 30	<i>July 1, 2013</i>	14-163c
Sec. 31	<i>July 1, 2013</i>	14-188
Sec. 32	<i>July 1, 2013</i>	14-267a(h)
Sec. 33	<i>July 1, 2013</i>	14-267c
Sec. 34	<i>July 1, 2013</i>	14-286(e)
Sec. 35	<i>July 1, 2013</i>	14-286b(c)
Sec. 36	<i>July 1, 2013</i>	14-289d
Sec. 37	<i>October 1, 2013</i>	14-296aa
Sec. 38	<i>October 1, 2013</i>	14-381
Sec. 39	<i>October 1, 2013</i>	38a-364(b)
Sec. 40	<i>October 1, 2013</i>	38a-364(c)
Sec. 41	<i>July 1, 2013</i>	38a-683(a)
Sec. 42	<i>July 1, 2013</i>	54-33a(c)
Sec. 43	<i>January 1, 2014</i>	54-56e(c)
Sec. 44	<i>January 1, 2014</i>	54-56g(h)
Sec. 45	<i>October 1, 2013</i>	14-65f
Sec. 46	<i>October 1, 2013</i>	14-65g
Sec. 47	<i>October 1, 2013</i>	14-65h
Sec. 48	<i>October 1, 2013</i>	14-65i
Sec. 49	<i>October 1, 2013</i>	14-65j
Sec. 50	<i>from passage</i>	14-36(b)
Sec. 51	<i>July 1, 2013</i>	14-227a(g)
Sec. 52	<i>July 1, 2013</i>	14-227a(i)(1)
Sec. 53	<i>July 1, 2013</i>	14-227a(i)(6)
Sec. 54	<i>October 1, 2013</i>	7-313a
Sec. 55	<i>July 1, 2013</i>	14-99h(d)

Sec. 56	<i>October 1, 2013</i>	14-36(d)(1)
Sec. 57	<i>July 1, 2013</i>	14-275(b)
Sec. 58	<i>July 1, 2013</i>	14-150(j)
Sec. 59	<i>July 1, 2013</i>	New section
Sec. 60	<i>October 1, 2013</i>	14-137a

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 14 \$	FY 15 \$
Legislative Mgmt.; Various State Agencies	GF - Cost	less than 1,000	None
Department of Motor Vehicles	TF - Revenue Gain	1,478,300	2,854,000
Department of Motor Vehicles	TF - Revenue Loss	217,250	428,500
Judicial Dept.	GF - Revenue Gain	620,000	620,000

Municipal Impact:

Municipalities	Effect	FY 14 \$	FY 15 \$
Various Municipalities	Potential Revenue Gain	See Below	See Below

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.

Section 2 is anticipated to result in a cost of less than \$1, 000 to agencies participating in the task force to reimburse legislators and agency staff for mileage expenses.

Section 8 requires blanket insurance coverage on all vehicles for leasing companies and results in an infraction. The full impact is indeterminate as this is a new offense.

Sections 9 and 10 make technical changes to municipal reporting requirements to the Department of Motor Vehicles (DMV) concerning delinquent taxpayers and includes all-terrain vehicles and vessels to the list of vehicles that DMV can decide not to register if a person is delinquent on their property taxes. This may result in a minimal revenue loss to the Transportation Fund in lost registration fees from vehicles that have outstanding delinquent property taxes due. To the extent that this provision results in the payment of delinquent taxes then municipalities would experience a revenue gain.

Section 12 allows DMV to have the option to use a non-color photograph on a motor vehicle license and does not result in a fiscal impact.

Section 14 is anticipated to result in a potential revenue loss up to \$1,000 in FY 14 and FY 15 to the Transportation Fund due to exempting certain active duty military members from a motor cycle knowledge and vision test. The fee for this test is \$40 and it is anticipated that a minimal amount of exemptions will occur.

Section 15 eliminates a \$12 motor vehicle license fee for up to a year when the license does not expire until more than six years after it is obtained. It is anticipated to result in a revenue loss to the Transportation Fund of \$211,250 in FY 14 and \$422,500 in FY 15.

Section 16 increases the fee for renewing a two-year license for people age 65 or older from \$22 to \$24 and is anticipated to result in a revenue gain to the Transportation Fund of \$50,000 in FY 14 and FY 15.

Section 17 increases the renewal fee for a Commercial Driver's License (CDL) from \$60 to \$70 which is anticipated to result in a revenue gain to the Transportation Fund of \$227,300 in FY 14 and \$303,000 in FY 15.

Section 21 increases a motor vehicle license renewal fee from \$65 to \$72 for a six year period and is anticipated to result in revenue gain to

the Transportation Fund of \$1.2 million in FY 14 and \$2.5 million in FY 15.

Section 23 will result in a potential revenue gain to the General Fund of \$10,000 by establishing a fine if a license dealer sells a car without a valid certificate of title. It is anticipated that relatively few offenses will occur or be charged.

Section 25 imposes fines on auctioneers who sell a vehicle at their auction house whose odometer was changed and is anticipated to result in a General Fund revenue gain of up to \$1,000. It is anticipated that relatively few offenses will occur or be charged.

Section 26 establishes an infraction for an operator of a wrecker who violates the provisions of CGS 14-66, which is anticipated to result in a revenue gain of \$5,000 to the General Fund. The bill also exempts additional vehicles from registration requirements, which will result in a revenue loss of \$5,000 to the Special Transportation Fund due to fewer motor vehicles that would pay the \$125 biennial registration fee.

Section 27 will result in a potential revenue gain to the Transportation Fund of \$1,000 for establishing a fee of \$88 for any driving school that opens an additional school within the timeframe of a two year license. It is anticipated that relatively few cases will occur.

Section 35 expands the statute pertaining to illegal towing to include all vehicles not designed to be towed such as motor-driven cycles and is anticipated to result in a revenue gain to the General Fund of up to \$1,000. It is anticipated that relatively few offenses will occur.

Section 36 requires a driver of a motor-driven cycle to wear eye protection and imposes an infraction which is anticipated to result in a revenue gain to the General Fund of up to \$1,000. It is anticipated that relatively few offenses will occur.

Section 37 results in an anticipated revenue gain of \$591,000 to the General Fund due to an increase of the fines for driving while

operating a cell phone. The bill increases the fine for a first violation from \$25 to \$50, a second violation from \$250 to \$300 and a third or subsequent violation from \$400 to \$500. In FY 12 there were 22,752 first violations, 344 second offenses, and 50 third and subsequent violations. The bill is also anticipated to result in a revenue gain to municipalities due to twenty five percent of the fines received from a summons issued by a municipality under this statute goes to the municipality.

Sections 45-49 establish violations for motor vehicle repair shops and is are anticipated to result in a revenue gain to the General fund of up to \$10,000 in FY 14 and FY 15.

Section 54 establishes an infraction for disobeying a fire police officer directing traffic which may result in a potential revenue gain to the General Fund of up to \$1,000. It is anticipated that relatively few offenses will occur.

Section 58 allows the owner of a campground to dispose of a motor home or recreational vehicle that has been abandoned on the campground premises. To the extent the vehicle is on state or municipal land, there will be a state or municipal cost to dispose of the vehicle.

Section 59 restricts motor carriers and persons operating motor vehicles from entering into contracts with the state or municipalities if they have had more than ten inspections within a twenty four month period. This may result in a cost to the state and municipalities to the extent that these contracts are not awarded to the lowest contractor.

House "A" struck the original bill and results in the fiscal impact as stated above.

The Out Years

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

OLR Bill Analysis**HB 6033 (as amended by House "A")******AN ACT CONCERNING MOTOR VEHICLE INSURANCE PROVIDERS AND DISTRACTED DRIVING.*****SUMMARY:**

This bill makes a number of changes to the motor vehicle laws, including:

1. increasing the fines for using a hand-held cell phone or other electronic device while driving, creating a task force to study prevention of distracted driving, and making other changes to the cell phone law (§§ 2, 37, & 60);
2. increasing driver's license renewal fees and changing other motor vehicle fees (§§ 15-17, 20-21);
3. requiring background checks of certain Department of Motor Vehicles (DMV) employees (§ 6);
4. allowing certain people convicted of driving under the influence of alcohol (DUI) to drive to probation appointments in the first year of driving only cars equipped with ignition interlock devices (§§ 51-53);
5. barring the motor vehicles commissioner from registering all-terrain vehicles (ATVs) and vessels of delinquent taxpayers (§§ 9-10);
6. criminalizing some offenses committed by motor vehicle repair shops and making other offenses an infraction (§§ 45-49);
7. waiving the motorcycle endorsement written test for certain

- servicemen and women (§ 14);
8. modifying what is considered a motor-driven cycle and requiring operators of these vehicles to wear eye protection (§§ 3, 34, & 36);
 9. modifying laws exempting certain tow truck companies (e.g., those towing interstate for hire) from state licensing, registration, and equipment laws (§ 26);
 10. making driving instructor licenses valid for use at any licensed driving school, rather than only at the school where the instructor works (§ 28);
 11. expanding the types of vehicles that must stop at state weigh stations (§ 32);
 12. prohibiting the DMV commissioner, with certain exceptions, from issuing a driver's license to people age 18 and older who hold an adult instruction permit unless they have held it for at least 90 days (§ 50);
 13. allowing sworn motor vehicle operators to administer oaths and serve search warrants (§§ 1, 42);
 14. prohibiting commercial driver's license (CDL) holders from taking part in certain pre-trial programs (§§ 43-44);
 15. changing other laws affecting CDL holders, including specifying who can issue "out-of-service" orders to truck drivers, and applying certain penalties to all CDL holders when a violation occurs, regardless of the type of vehicle they were driving (§§ 4-5, 37);
 16. modifying laws concerning driver's license photos and special operator permits (§§ 12-13); and
 17. allowing motor vehicle associations to charge \$3, rather than \$2,

for motor vehicle transactions (§ 15).

It also makes other changes affecting CDL holders, garages, and wreckers.

*House Amendment "A" adds a number of provisions relating to the motor vehicles laws to the underlying bill, which increases fines for violating the ban on using a cell phone while driving, and makes other changes to cell phone laws. Among other things, the amendment raises certain fees and modifies laws affecting CDL holders, tow truck operators, driver’s license applicants, motor vehicle inspectors and other DMV employees, and certain people convicted of DUI.

EFFECTIVE DATE: Various, see below.

§§ 1 & 42 — POWERS OF MOTOR VEHICLE INSPECTORS

The bill allows sworn DMV motor vehicle inspectors to administer oaths and serve search warrants when discharging their duties according to law.

EFFECTIVE DATE: July 1, 2013

§§ 2, 37, & 60 — INCREASING FINES AND OTHER CHANGES TO THE LAW BANNING THE USE OF CELL PHONES AND OTHER ELECTRONIC DEVICES WHILE DRIVING

The bill increases the fines for violating the ban on driving while operating a cell phone, texting, or engaging in any activity that interferes with a vehicle's safe operation, as shown in Table 1.

Table 1: Fines for Violating the Law

<i>Offense</i>	<i>Fine Under Current Law</i>	<i>Fine Under the Bill</i>
First	\$125	\$150
Second	\$250	\$300
Third and Subsequent	\$400	\$500

The bill requires that the record of such a violation appear in the violator's driving history or motor vehicle record and be made available to motor vehicle insurers. By law, motor vehicle insurers have access to motor vehicle records and personal information in connection with the investigation of claims arising under insurance policies, antifraud activities, rating, or underwriting (CGS § 14-10(d) and (f)(2)(E)).

It also requires the DMV commissioner to assess at least one point on the motor vehicle record of a driver who violates the law banning drivers from using a cell phone, texting, or engaging in any activity that interferes with a vehicle's safe operation.

Distracted Driving Task Force

The bill creates a task force to:

1. evaluate the effectiveness of existing distracted driving laws;
2. examine enforcement of those laws;
3. consider distracted driving measures taken by the federal government and other states; and
4. make recommendations, including legislation, to prevent distracted driving in the state.

It must report to the Transportation Committee by January 1, 2014 and terminates on that date or when it submits its report, whichever is later.

The task force has 12 members, including the commissioners of motor vehicles and transportation, or their designees, and the chairs and ranking members of the Transportation Committee. The six legislative leaders each appoint one member, and these appointees can be legislators.

Appointments must be made within 30 days of the bill's passage. Any vacancy must be filled by the appointing authority.

The House speaker and Senate president pro tempore must select the task force chairpersons from among task force members. (The bill does not specify the number of chairpersons.) The chairpersons must hold the task force's first meeting within 60 days after the bill's passage. The task force is staffed by the Transportation Committee's administrative staff.

EFFECTIVE DATE: October 1, 2013, except the task force provision is effective upon passage.

§§ 3 & 34 — MOTOR-DRIVEN CYCLES

The bill classifies a "motor-driven cycle" as a (1) motorcycle, (2) motor scooter, or (3) bicycle with an attached motor, where the motor has a piston displacement of less than 50 cubic centimeters. Under current law, motor-driven cycles are any of these vehicles whose motors produce five or less brake horsepower. As under current law, motor-driven cycles must have a seat at least 26 inches high. Motor-driven cycles are subject to laws restricting their use on highways, among other things.

EFFECTIVE DATE: July 1, 2013

§ 4 — OUT-OF-SERVICE ORDERS

The bill requires an "out-of-service" order (a temporary prohibition against driving a vehicle subject to Federal Motor Carrier Safety Administration (FMCSA) regulations) to be issued by a person with DMV inspection authority. By regulation, people with inspection authority include motor vehicle inspectors and state and municipal police officers who have satisfactorily completed 40 hours of on-the-job training and a course in FMCSA regulations, safety inspection procedures, and out-of-service criteria (Conn. Agency Regs. § 14-163c-9). Current law authorizes police and motor vehicle inspectors to inspect commercial motor vehicles, but does not require that they have

specific training or education. By law, authorized FMCSA officials can also issue out-of-service orders.

The bill increases the types of motor vehicles subject to out-of-service orders to include those:

1. weighing 18,001 or more pounds in intrastate commerce;
2. weighing 10,001 or more pounds in interstate commerce;
3. carrying more than eight passengers, including the driver, for compensation;
4. carrying more than 15 passengers, including the driver, not for compensation; or
5. used to transport certain hazardous waste.

Current law authorizes police and motor vehicle inspectors to issue out-of-service orders to prevent “commercial motor vehicles” from operating on highways. By law, commercial motor vehicles are vehicles:

1. with a gross vehicle or combination weight rating of at least 26,001 pounds, including a towed unit or units with a gross vehicle weight rating of at least 10,000 pounds;
2. designed to transport at least 16 passengers, including the driver;
3. designed to transport more than 10 passengers, including the driver, and brings students under age 21 to and from school; or
4. that transport certain hazardous materials.

The bill therefore adds to the vehicles subject to out-of-service orders those vehicles (1) weighing between 18,001 and 26,000 pounds in intrastate commerce, (2) weighing between 10,001 and 26,000 pounds in interstate commerce, (3) carrying between eight and 15

passengers for compensation. It appears to preclude placing out-of-service a vehicle carrying more than 10 but fewer than 15 students younger than age 21 to and from school.

EFFECTIVE DATE: July 1, 2013

§§ 5 & 37 — SERIOUS TRAFFIC VIOLATIONS

By law, certain offenses are considered “serious traffic violations,” the conviction of two or more of which disqualifies a CDL holder from operating a commercial motor vehicle (e.g., large truck) for specified periods of time (CGS § 14-44k (f)).

Under current law, the driver of a commercial vehicle commits a serious traffic violation if he or she violates a highway traffic law and causes the death of another person. The bill broadens the category of people for whom this is a serious traffic violation to include drivers who hold a CDL or commercial driver’s instruction permit at the time of the violation that caused the death, regardless of whether they were driving a commercial vehicle at the time.

The bill (1) prohibits people from using a hand-held cell phone or other electronic device for any purpose while driving a commercial motor vehicle and (2) adds this violation to those offenses considered a serious traffic violation. But it allows commercial motor vehicle operators to use a hand-held cell phone or other electronic device in an emergency. By law, typing, reading, or sending a text message from a cell phone or electronic device while driving a commercial motor vehicle is prohibited, except in an emergency, and is a serious traffic violation.

EFFECTIVE DATE: July 1, 2013, except for the provision barring drivers from using a hand-held cell phone or other electronic device while driving a commercial motor vehicle, which is effective October 1, 2013.

§ 6 — BACKGROUND CHECKS OF CERTAIN DMV EMPLOYEES

The bill complies with federal regulations (49 CFR 384.228) by

requiring anyone who is to administer a DMV knowledge or skills test to CDL applicants to undergo a national criminal background check before DMV certifies them to give such tests. The background checks must include name- and fingerprint-based criminal history checks of federal and state records. DMV must (1) keep a record of the background checks and (2) not certify any such examiner convicted of (a) a felony in the previous 10 years or (b) any crime involving fraud. The bill does not specify for how long DMV must retain the records.

EFFECTIVE DATE: October 1, 2013

§§ 7 & 39-40 — INSURANCE INFORMATION

The bill requires insurers offering passenger car insurance to include on annual and temporary insurance identification cards the company code number assigned to the insurer by the National Association of Insurance Commissioners. As under current law, the cards must be issued in duplicate. It bars the commissioner from issuing a motor vehicle registration for a passenger vehicle or vehicle with commercial registration unless the registration application includes a current insurance identification card containing this code number.

EFFECTIVE DATE: October 1, 2013

§ 8 — LEASE OR RENTAL COMPANY PROOF OF MOTOR VEHICLE INSURANCE

The bill requires that people, firms, and corporations that lease or rent motor vehicles furnish to DMV proof that their insurance covers all the vehicles they own, regardless of for how long they lease or rent them. Under current law, the licensee may furnish proof of insurance separately for each vehicle or each group of vehicles leased to a single lessee.

EFFECTIVE DATE: July 1, 2013

§§ 9-10 — REGISTERING VEHICLES OF DELINQUENT TAXPAYERS

By law, municipal tax collectors must notify DMV when the property tax on a registered motor vehicle or snowmobile is unpaid. DMV cannot register the motor vehicle or snowmobile, or any other motor vehicle or snowmobile belonging to the delinquent taxpayer, until the tax obligation has been met. Under current law, in certain cases (e.g., paying delinquent taxes on a motor vehicle or snowmobile with a check that bounced) the commissioner also may suspend all motor vehicle or snowmobile registrations in the delinquent taxpayer's name.

The bill additionally bars the commissioner from registering any ATV or vessel belonging to the delinquent taxpayer. It allows the commissioner to cancel, as well as suspend, all motor vehicle and snowmobile registrations in the delinquent taxpayer's name in certain cases and similarly allows her to suspend or cancel any ATV or vessel registrations in the taxpayer's name in those cases.

Notification Procedures

The bill modifies procedures tax collectors use to notify DMV of payment of a delinquent tax. Under current law, the tax collector must send the commissioner a receipt showing the tax has been paid, or other such evidence. The bill eliminates the requirement that a tax collector furnish evidence the tax has been paid, requiring only that the tax collector notify the commissioner that the tax obligation has been legally discharged.

The bill also requires tax collectors to notify the commissioner according to guidelines and procedures, rather than listings and schedules of dates, the commissioner establishes. It eliminates a requirement that the notification of delinquency be on forms the commissioner prescribes and furnishes, specifying certain information. It also eliminates a requirement that, when notifying the commissioner that a taxpayer is no longer delinquent, the tax collector include the name, address, and registration number to be removed from the motor vehicle delinquent tax list, instead requiring the tax collector to notify the commissioner according to the commissioner's guidelines and

procedures.

Leasing or Rental Firms

Current law allows the commissioner to continue to register vehicles, other than one on which a leasing or rental firm has not paid property taxes, if she is satisfied that the firm has arranged to pay the taxes it owes. The bill allows her to continue to register other vehicles for such a firm regardless of whether such arrangements have been made.

EFFECTIVE DATE: October 1, 2013

§ 11 — “Q” ENDORSEMENT TO DRIVE FIRE APPARATUS

By law, a “Q” designation on a driver’s license indicates that the license holder may operate a fire apparatus. DMV regulations require that anyone seeking such a designation, as authorized by the chief of the fire department, demonstrate to the commissioner or her designee that he or she has the skills necessary to drive a fire apparatus, including vehicles weighing more than 26,001 pounds (Conn. Agency Regs. § 14-36a-1).

The bill requires the holder of a Q endorsement to be trained to operate a fire apparatus according to Commission on Fire Prevention and Control standards. DMV cannot issue a Q endorsement until the applicant demonstrates personally to the commissioner or her designee, including (1) the Connecticut Fire Academy, (2) a regional fire school, or (3) the chief local fire official of any municipality, that he or she possesses the necessary skills. As under the regulations, the applicant must be tested in a representative vehicle.

By law, a person who operates a motor vehicle in violation of his or her license classification commits an infraction and faces a fine of \$50. Subsequent violations are punishable by up to 30 days in prison, a fine of up to \$250, or both. An employer who knowingly allows an employee to operate a vehicle in violation of the employee’s license classification faces a fine of up to \$1,000 for a first violation and up to

\$2,500 for subsequent violations.

EFFECTIVE DATE: July 1, 2013

§ 12 — BLACK AND WHITE LICENSE PHOTOS

The bill eliminates a requirement that the photograph on driver’s licenses and non-driver identification cards be in color.

EFFECTIVE DATE: July 1, 2013

§ 13 — SPECIAL EDUCATION DRIVER’S PERMIT

By law, certain people whose driver’s licenses have been suspended may apply for a special permit that allows them to drive to and from an accredited higher education institution in which they are enrolled. The bill allows holders of such a permit to also drive to a private occupational school, as defined by law, or to any higher education institution, regardless of whether it is accredited. It prohibits the commissioner from issuing a special education permit to students attending a (1) high school under the jurisdiction of a local or regional school board or regional educational service center, (2) charter school, (3) regional agricultural science and technology education center, or (4) technical high school.

EFFECTIVE DATE: July 1, 2013

§ 14 — WAIVER OF MOTORCYCLE TEST FOR SERVICEMEN AND WOMEN

Under current law, an applicant for a motorcycle license endorsement who has not gotten a motorcycle instruction permit must take a test showing that he or she is a proper person to operate a motorcycle, knows enough to operate it safely, and has a satisfactory knowledge of the rules of the road. The bill allows the DMV commissioner to waive this requirement for applicants who can produce documents showing that they (1) are on active military duty with the U.S. Armed Forces; (2) are stationed outside Connecticut; and (3) within two years before applying, have completed a novice motorcycle training course conducted by a firm using the Motorcycle

Safety Foundation curriculum.

EFFECTIVE DATE: July 1, 2013

§ 15 — CONVENIENCE FEE INCREASE AND ELIMINATION OF THE PARTIAL YEAR LICENSE FEE

The bill increases, from \$2 to \$3, the convenience fee that automobile clubs or associations (e.g., AAA) may charge a customer who renews or gets a copy of a driver's license or non-driver's identity card or conducts a registration transaction. It eliminates a \$12 driver's license fee for one year, or part of one. (An original driver's license is valid for six years following the date of the driver's next birthday. DMV charges the \$12 fee to applicants whose licenses do not expire until more than six years after they obtain them (e.g., someone who gets a license in January, but whose birthday is in September)).

EFFECTIVE DATE: October 1, 2013

§ 16 — TWO-YEAR LICENSE FEE

The bill increases, from \$22 to \$24, the fee for renewing a two-year license for people age 65 or older. By law, people age 65 or older may renew a license for either two or six years.

EFFECTIVE DATE: October 1, 2013

§ 17 — CDL RENEWAL FEE

The bill increases the renewal fee for a CDL from \$60 to \$70. A CDL is valid for four years.

EFFECTIVE DATE: October 1, 2013

§ 18 — COMMERCIAL DRIVER'S INSTRUCTION PERMIT DISQUALIFICATION

By law, the commissioner may disqualify for life CDL holders who commit two or more of certain offenses, including driving under the influence. Disqualified drivers cannot drive a commercial motor vehicle. The law allows certain disqualified drivers to apply for reinstatement of their CDL under certain conditions.

The bill similarly allows certain disqualified drivers holding commercial driver's instruction permits to apply for reinstatement, and applies to these permit holders the same conditions that apply to CDL holders. It provides that certain convictions and offenses remain on the driving history record of the permit holder for 55 years, as the law already requires for CDL holders.

EFFECTIVE DATE: October 1, 2013

§ 19 — COMMERCIAL DRIVER'S INSTRUCTION PERMIT NOTIFICATIONS

Under current law, the commissioner, after disqualifying a CDL holder or suspending, revoking, or cancelling a CDL, must note the action in her records within 10 days. If she takes such actions against a commercial driver licensed in another state, she must notify the licensing state of her action within 10 days. The bill requires her to also update her own records when taking these actions against someone holding a commercial driver's instruction permit. It requires her to notify the licensing state within 10 days when taking these actions against (1) a commercial motor vehicle operator licensed in another state or (2) someone who holds a commercial driver instruction permit from another state.

EFFECTIVE DATE: July 1, 2013.

§ 20 — ELECTRIC MOTOR VEHICLE REGISTRATION

The bill makes registration of electric motor vehicles biennial, rather than annual, and correspondingly changes the registration fee from \$19 annually to \$38 every two years.

EFFECTIVE DATE: October 1, 2013

§ 21 — LICENSE RENEWAL FEE INCREASE

The bill increases, from \$65 to \$72, the renewal fee for a driver's license to conform to the fee for an initial license. The bill retains the \$12 fee for a year or partial year for renewals, but eliminates these fees for initial licenses (see §15).

EFFECTIVE DATE: October 1, 2013

§ 22 — LOAN OF DEALER OR REPAIRER VEHICLES

Under current law, a motor vehicle dealer or repairer may loan a vehicle with a dealer or repairer plate or the plate itself to someone only (1) for a test drive; (2) when the person's vehicle is being repaired; or (3) for up to 30 days, when the person has bought a vehicle and its registration is pending. The bill specifies that the loan must be made, respectively, by the (1) dealer owning and demonstrating, (2) dealer or repairer repairing, or (3) dealer selling, the vehicle.

Current law allows a licensed dealer or repairer to permit a full-time employee to drive a vehicle with a dealer or repairer plate (1) in connection with business, (2) for the pickup or delivery of parts, and (3) the employee's personal use. The bill specifies that a full-time employee may drive a vehicle in these instances only if the vehicle belongs to the dealer or repairer for whom the employee works, and it is used in connection with the dealer or repairer's business or for picking up and delivering parts for the dealer or repairer.

By law, a part-time employee may drive such a vehicle only in connection with the dealer or repairer's business. Under the bill, a part-time employee is someone who (1) works for a dealer or repairer for less than 35 hours a week and (2) appears on the employer's records as an employee for whom Social Security, withholding tax, and all deductions required by law have been made.

EFFECTIVE DATE: July 1, 2013

§ 23 — MOTOR VEHICLE SALES VIOLATIONS AND "AS IS" SALES

The law prohibits a licensed dealer from selling a used motor vehicle without giving the buyer, at the time of sale, a valid certificate of title, the assignment and warranty of title by the dealer, or other evidence of title disclosing any lien, security interest in, or other encumbrance on, the vehicle. Under the bill, a dealer who commits such a violation is guilty of a class B misdemeanor, punishable by a

fine of up to \$1,000, up to six months in prison, or both.

The bill also makes it a class B misdemeanor for a licensed dealer to deliver, or permit a retail buyer to take possession or delivery of, any used motor vehicle until the buyer has paid in full, or financing offered by the dealer has been approved by the entity through which the financing agreement has been made.

“As Is” Sales

By law, motor vehicle dealers must conduct a comprehensive safety inspection and make needed repairs, without charge to the buyer, before offering any used motor vehicle for retail sale and must provide the buyer with certain documentation. If the inspection finds defects that the dealer does not repair, the dealer may sell the vehicle “as is” provided (1) he or she notes all the defects on the form and (2) the vehicle is not subject to a warranty as an “as is” sale according to law (CGS § 42-224(a)). The bill retains the requirement that the dealer note all the vehicle’s defects on a form, and makes a conforming change allowing him or her to sell it “as is” if the vehicle is also not subject to the implied and express warranties required for vehicles (1) costing more than \$3,000 or (2) less than seven years old, rather than subject to a warranty as an “as is” sale.

By law, the dealer must obtain the buyer’s signature on the retail purchase order, invoice, and safety inspection forms. The bill requires that the dealer provide the buyer with copies of these documents when they are signed.

Under the bill, a dealer who fails to conduct the required safety inspection commits a class B misdemeanor.

By law, the commissioner may (1) suspend or revoke the license of any licensee who she finds has violated any law or regulation pertaining to its business, and (2) impose a civil penalty of up to \$1,000 for each violation (CGS § 14-64).

EFFECTIVE DATE: October 1, 2013

§ 24 — MEDIATION BY DMV COMMISSIONER

The bill allows, but does not require, the DMV commissioner to attempt to mediate a voluntary resolution of a complaint against a licensed motor vehicle dealer or repairer if she determines the alleged facts indicate there is at least one violation of laws related to the licensee's business. Current law requires the commissioner to try to mediate a voluntary resolution of a complaint against a licensed dealer or repairer, whether or not this involves a potential violation.

EFFECTIVE DATE: July 1, 2013

§ 25 — PROHIBITING ODOMETER TAMPERING

The bill prohibits anyone who sells a motor vehicle at auction from selling a vehicle whose odometer was turned back or changed during the time it was owned immediately prior to the auction. It subjects the auctioneer to the same penalties imposed on those who turn back or change odometer readings. The penalties include a fine of up to \$2,000, up to one year in prison, or both; triple damages or \$1,500, whichever is greater; court costs and reasonable attorney's fees; and a civil penalty of up to \$1,000 per violation (CGS § 14-106b). A violation is also an unfair trade practice (See BACKGROUND).

EFFECTIVE DATE: July 1, 2013

§ 26 — EXEMPTIONS FROM CERTAIN WRECKER REQUIREMENTS

By law, certain people, firms, and corporations that operate tow trucks or wreckers are exempt from licensing, registration, and equipment requirements. The bill adds associations that operate tow trucks or wreckers to these exempt entities and expands the types of people, firms, corporations, and associations that are exempt.

At the same time, it subjects to the licensing, registration, and equipment requirements those people, firms, corporations, and associations that (1) offer direct towing or transporting services to the public or (2) engage in nonconsensual towing or transporting (towing

or transporting by order of police or a traffic authority).

Current law exempts licensed motor vehicle dealers who tow or transport motor vehicles for salvage purposes and do not offer direct towing or wrecker service to the public. The bill expands this exemption to include any licensed motor vehicle dealer that tows or transports as long as it does not (1) offer direct towing or transporting to the public or (2) engage in nonconsensual towing or transporting.

The bill applies the same restrictions (not offering towing services to the public or engaging in nonconsensual towing) to certain other already exempt and newly exempt entities. Specifically, it exempts people, firms, corporations, and associations that contract with motor vehicle recyclers, as long as the recycler or contractor does not engage in such activities. It requires that, to continue to remain exempt, people, firms, corporations, or associations that repossess motor vehicles for banks not engage in such activities. And, as long as they do not engage in such activities, it exempts: people, firms, corporations, or associations that (1) tow or transport motor vehicles interstate for hire, provided they have the appropriate federal operating authority, or (2) tow motor vehicles to or from an auction conducted by a licensed dealer according to law.

The bill imposes penalties on people, firms, corporations, or associations that violate laws pertaining to wrecker licensing, registration, equipment, or other matters. A first offense is an infraction; subsequent offenders face a fine of up to \$250, up to 30 days in prison, or both.

EFFECTIVE DATE: October 1, 2013

§ 27 — DRIVING SCHOOL FEES

Under current law, a licensed driving school must pay DMV a \$176 fee for each of its locations in addition to its main place of business. The bill requires the commissioner to charge a fee of \$88 for each additional location if the licensee opens it with one year or less

remaining on his or her two-year license. The \$88 fee applies to both initial and renewed licenses.

EFFECTIVE DATE: July 1, 2013

§ 28 — DRIVING INSTRUCTOR LICENSES

The bill makes a driving instructor's license valid at any state licensed driver's school and allows someone seeking such a license to apply to re-take the licensing exam test five days after failing one. Under current law, an instructor's license is valid only for the school or schools listed on the license, and an applicant must wait one month to apply for re-testing.

EFFECTIVE DATE: July 1, 2013

§ 29 — NOTIFICATION OF POLICE BY WRECKERS

The law requires a licensed wrecker to notify the local police department within two hours of towing a motor vehicle from private property. The bill requires the (1) notification to be in writing or sent by fax or email and (2) wrecker to retain the notification record as required by law. The law requires wreckers to keep records for two years and to make them available during business hours for inspection by police or DMV inspectors (CGS § 14-66b).

EFFECTIVE DATE: July 1, 2013

§ 30 — CHANGES CONCERNING FMCSA STANDARDS

By law, the commissioner may apply certain FMCSA standards to certain motor vehicles or motor carriers. These include health and safety, insurance, inspection and maintenance, hours of service, and drug and alcohol use testing standards. The bill authorizes her to apply these regulations to student transportation vehicles ((STVs) vehicles, not including school buses, used to transport students to or from school, school programs, or school-sponsored events). Current law exempts these vehicles from the federal regulations. (See §§ 32, 50, and 59 for other changes affecting STVs.)

The bill also (1) authorizes police officers and motor vehicle inspectors to inspect any vehicle subject to FMCSA standards to determine if they comply with federal regulations on the transport of hazardous materials and oil and pipeline safety, and (2) eliminates statutory references to federal out-of-service order regulations. Out-of-service orders are defined in state law.

EFFECTIVE DATE: July 1, 2013

§ 31 — DISSOLUTION OF SECURITY INTERESTS

The bill deems dissolved, 10 years after its perfection, any security interest in a motor vehicle originally perfected by a bank or other financial institution when (1) the institution is no longer in existence, (2) the institution did not release the security interest according to law, and (3) its successor institution cannot find the debtor's records.

EFFECTIVE DATE: July 1, 2013

§ 32 — WEIGH STATIONS

The bill requires drivers of certain motor vehicles, (which, under § 30 of the bill, include STVs) to stop at a weigh station, following the directions of a police officer, DMV inspector, or designated DMV employee, whenever highway signs indicate a weigh station is operating. Under current law, these drivers are required to follow the direction of police, DMV inspectors, and Department of Emergency Service and Public Protection, or Department of Transportation employees. The bill conforms the law to PA 11-51, which gave the DMV commissioner primary responsibility for staffing weigh stations and coordinating their operation.

Current law requires commercial vehicles, which the law does not define, to stop at weigh stations. The bill requires vehicles meeting the following criteria to stop at open weigh stations:

1. weighing 18,001 or more pounds in intrastate commerce;
2. weighing 10,001 or more pounds in interstate commerce;

3. carrying more than eight passengers, including the driver, for compensation;
4. carrying more than 15 passengers, including the driver, not for compensation; or
5. used to transport certain hazardous waste.

EFFECTIVE DATE: July 1, 2013

§ 33 — AUXILIARY POWER AND IDLE REDUCTION DEVICES

Under current law, the weight of an auxiliary power or idle reduction technology device, up to a maximum of 400 pounds, does not count against state truck weight limits. The bill increases the amount of this weight allowance to a maximum of 550 pounds.

EFFECTIVE DATE: July 1, 2013

§ 35 — ILLEGAL TOWING OF SKIERS, MOTOR-DRIVEN CYCLES, AND OTHERS

Current law prohibits anyone from attaching a bicycle, roller skates, sled, skateboard, coaster, or toy vehicle on which he or she is riding, or him or herself, to a vehicle moving or about to move on a public road, and bars the vehicle operator from knowingly permitting such a use. The bill adds to these prohibitions attaching for a tow, or knowingly towing, motor-driven cycles, skis, any other vehicle not intended or designed to be towed. A violation is an infraction.

EFFECTIVE DATE: July 1, 2013

§ 36 — EYE PROTECTION FOR MOTOR-DRIVEN CYCLE OPERATORS

The law requires the DMV commissioner to issue regulations on specifications for goggles, glasses, face shields, windshields, and wind screens for use by motorcycle operators. The bill requires her to do the same for operators of motor-driven cycles. Motor-driven cycle operators who fail to wear goggles, glasses, or face shields that meet the minimum specifications commit an infraction. The provisions do

not apply to operators of motor-driven cycles equipped with wind screens or windshields.

EFFECTIVE DATE: July 1, 2013

§ 38 — CHANGE IN SNOWMOBILE AND ATV RENEWAL DATES

The bill requires registration certificates for snowmobiles and ATVs to expire two years from the date they are issued, rather than biennially on March 31.

EFFECTIVE DATE: October 1, 2013

§ 41 — ACCIDENT PREVENTION COURSE FOR SENIOR DRIVERS

Under current law, drivers age 60 or older who have successfully completed a four-hour DMV-approved accident prevention course pay reduced insurance premiums. The bill requires the course to last at least four hours.

EFFECTIVE DATE: July 1, 2013

§§ 43-44 — CERTAIN CDL HOLDERS BARRED FROM ACCELERATED REHABILITATION AND PRE-TRIAL ALCOHOL EDUCATION PROGRAMS

The bill makes ineligible for the accelerated rehabilitation program anyone charged with a motor vehicle violation (1) while operating a commercial motor vehicle, or (2) who held a CDL or commercial driver's instruction permit at the time the violation occurred, regardless of the type of vehicle he or she was driving. Accelerated rehabilitation is a pretrial diversion program for people accused of crimes and motor vehicle violations which are (1) punishable by a prison term and (2) not of a serious nature.

The bill makes ineligible for the pre-trial alcohol education program anyone charged with DUI who held a commercial driver's license or commercial driver's instruction permit at the time of the violation, regardless of whether he or she was driving a commercial motor vehicle. Drivers charged with DUI while operating a commercial

motor vehicle are already ineligible for the program.

EFFECTIVE DATE: January 1, 2014

§§ 45-49 — REPAIR SHOP VIOLATIONS & PENALTIES

The law establishes a number of requirements for motor vehicle repair shops. Among other things, they must:

1. obtain written authorization to perform repairs of more than \$50 that includes a written estimate of the maximum cost to the customer and meet certain requirements if the customer waives his or her right to a written estimate (CGS §§ 14-65f and 14-65g);
2. record all work done on an itemized invoice and provide the customer, upon request, with all replaced parts (CGS § 14-65h); and
3. display a sign informing the customer of his or her rights (CGS § 14-65i).

The bill makes a violation of these and related laws an infraction (see BACKGROUND).

The bill makes it a class B misdemeanor for a repair shop to knowingly make a false or misleading statement to a customer or to charge a customer for repairs it has not made.

Under current law, a violation of the above provisions is punishable by a fine of up to \$100 (CGS § 14-164).

By law, the DMV commissioner may investigate possible violations of these laws and ask the attorney general to seek a temporary or permanent order prohibiting a repair shop from violating them (CGS § 14-65k). She may also, after notice and a hearing, (1) suspend or revoke the license of any licensee who she finds has violated any law or regulation pertaining to its business or (2) impose a civil penalty of up to \$1,000 for each violation, or both (CGS § 14-64).

EFFECTIVE DATE: October 1, 2013

§ 50 — MINIMUM TIME TO HOLD AN ADULT INSTRUCTION PERMIT

The bill prohibits the DMV commissioner from issuing a driver's license to a person age 18 or older who holds an adult instruction permit unless the applicant has held the permit for at least 90 days. The bill exempts from this requirement applicants who (1) are members of the armed forces on active duty outside the state or (2) have previously held a Connecticut driver's license. Current law does not specify for how long someone age 18 or older must hold an adult instruction permit before applying for a license.

The bill adds to those people age 18 or over who are ineligible for adult instruction permits anyone who has had his or her privilege to operate suspended or revoked. Current law bars those who have had a driver's license suspended or revoked. (Privilege to operate usually refers to holders of out-of-state licenses driving in Connecticut.)

EFFECTIVE DATE: Upon passage

§§ 51-53 — PROBATION APPOINTMENTS ALLOWED FOR CERTAIN DUI OFFENDERS

By law, a person with a second DUI conviction may operate only a motor vehicle equipped with an ignition interlock device for three years after the end of his or her 45-day license suspension. Current law additionally limits the driver, during the first year of this three-year period, to drive such vehicles only to or from (1) work, (2) school, (3) an alcohol or drug abuse treatment program, or (4) an ignition interlock service center. The bill allows these offenders to also drive to an appointment with a probation officer during the first year. The commissioner must note this restriction on the driver's electronic record, as she does for current ignition interlock restrictions. As under current law, she must ensure that law enforcement officers have access to the record.

EFFECTIVE DATE: July 1, 2013

§ 54 — DISOBEYING FIRE POLICE PERFORMING THEIR DUTIES

The bill makes it an infraction to disobey the signals of a fire police officer directing traffic while performing his or her duties. By law, fire police officers may direct traffic at the scene of a fire, at a fire drill, or any other time fire police are serving with a fire department. By law, fire police have the powers and perform the duties designated and authorized by fire chiefs, who may appoint fire police officers they deem necessary, within available appropriations.

EFFECTIVE DATE: October 1, 2013

§ 55 — VEHICLE IDENTIFICATION NUMBERS (VIN)

Current law requires a motor vehicle dealer to verify a manufacturer's VIN by providing the commissioner with a signed affidavit stating that the VIN corresponds to, for (1) new cars, the manufacturer's or importer's certificate of origin, and (2) other vehicles, the current title certificate. The bill retains the certificate of origin requirement for new vehicles. It allows the dealer to also submit a signed affidavit stating that the VIN of any vehicle corresponds to its current (1) title certificate or (2) registration document. As under current law, the affidavit also must state that the VIN has not been mutilated, altered, or removed.

EFFECTIVE DATE: July 1, 2013

§ 56 — DRIVING COURSE FEE FOR 16- AND 17-YEAR-OLDS

The bill sets a maximum \$150 fee for the safe driving practices course that 16- and 17-year-old driver's license applicants must take. Current law generally sets a maximum \$125 fee, but allows a fee of \$150 if the course includes the testing on comprehensive knowledge and rules of the road required for a license.

EFFECTIVE DATE: October 1, 2013

§ 57 — INFORMATION DISPLAYED ON STUDENT TRANSPORTATION VEHICLES

By law, a school bus must have the name of the bus company, the

company's telephone number, and the bus number painted conspicuously in black lettering on its sides and rear. The bill requires similar information (the name and telephone number of the owner or operator, and the vehicle's fleet number) to be painted on the sides and rear of an STV. It requires that this information be displayed on all buses and STVs used regularly by a town, school district, private school, or contracting entity to bring children to and from school or school activities. By law, a first violation of this requirement is an infraction, and subsequent violations are punishable by a fine of between \$100 and \$500.

EFFECTIVE DATE: July 1, 2013

§ 58 — MOTOR HOMES AND RECREATIONAL VEHICLES ABANDONED AT CAMPGROUNDS

The bill allows the motor vehicles commissioner to adopt regulations (1) specifying the circumstances in which a campground owner may dispose of a motor home or recreational vehicle abandoned on his or her property and (2) establishing procedures to govern the disposal.

EFFECTIVE DATE: July 1, 2013

§ 59 — TRUCKING CONTRACTS WITH THE STATE

The bill prohibits, regardless of any other law or regulation, any motor carrier (trucking company) or person driving a commercial motor vehicle (e.g., bus or large truck) from being ineligible to contract with the state or a municipality because of the results of safety inspections, unless at least 10 such inspections of the vehicle or company have been conducted during the 24 months preceding the contract's starting date. It does not specify whether or how many such tests the vehicle or company must pass or fail to remain eligible. Under the bill, this prohibition also applies to STVs (see § 30).

EFFECTIVE DATE: July 1, 2013

BACKGROUND

Infraction

An infraction is not a crime and the fine can be paid by mail without making a court appearance.

Unfair Trade Practice

The Connecticut Unfair Trade Practices Act (CUTPA) prohibits businesses from engaging in unfair and deceptive acts or practices. CUTPA allows the consumer protection commissioner to issue regulations defining what constitutes an unfair trade practice, investigate complaints, issue cease and desist orders, order restitution in cases involving less than \$5,000, enter into consent agreements, ask the attorney general to seek injunctive relief, and accept voluntary statements of compliance. It also allows individuals to sue. Courts may issue restraining orders; award actual and punitive damages, costs, and reasonable attorney's fees; and impose civil penalties of up to \$5,000 for willful violations and \$25,000 for violating a restraining order.

Point System

State regulations allow the motor vehicles commissioner to suspend the license of a driver who accumulates 11 or more points on his or her driving record. DMV regulations assign between one and five points to various motor vehicle violations, ranging from one point for operating at an unreasonable speed to five points for negligent homicide with a motor vehicle (Conn. Agency Regs. § 14-137a-5 et seq.). Points remain on a driver's record for two years from the date they are assessed.

Related Bills

SB 303 (File 332), reported favorably by the Veterans' Affairs Committee, allows the DMV commissioner to waive the motorcycle testing and vision test requirements for certain members of the Armed Forces.

sSB 975 (File 343), reported favorably by the Transportation Committee, specifies that the ban on using hand-held cell phones while driving applies when a vehicle is temporarily stopped because of

traffic, road conditions, or traffic control signs or signals.

HB 5250, passed by both the House and Senate, doubles the penalty for drivers who violate the cell phone ban in highway work zones.

COMMITTEE ACTION

Transportation Committee

Joint Favorable

Yea 32 Nay 2 (03/15/2013)

Finance, Revenue and Bonding Committee

Joint Favorable

Yea 48 Nay 1 (04/12/2013)