



House of Representatives

General Assembly

File No. 368

January Session, 2013

Substitute House Bill No. 6495

House of Representatives, April 4, 2013

The Committee on Transportation reported through REP. GUERRERA of the 29th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING 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 Section 1-24 of the general statutes is repealed and the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. Subsection (a) of section 1-217 of the general statutes is
67 repealed and the following is substituted in lieu thereof (*Effective*
68 *October 1, 2013*):

69 (a) No public agency may disclose, under the Freedom of
70 Information Act, from its personnel, medical or similar files, the
71 residential address of any of the following persons employed by such
72 public agency:

73 (1) A federal court judge, federal court magistrate, judge of the
74 Superior Court, Appellate Court or Supreme Court of the state, or
75 family support magistrate;

76 (2) A sworn member of a municipal police department, a sworn
77 member of the Division of State Police within the Department of
78 Emergency Services and Public Protection, [or] a sworn law
79 enforcement officer within the Department of Energy and
80 Environmental Protection, or a sworn motor vehicle inspector acting
81 under the authority of section 14-8;

- 82 (3) An employee of the Department of Correction;
- 83 (4) An attorney-at-law who represents or has represented the state
84 in a criminal prosecution;
- 85 (5) An attorney-at-law who is or has been employed by the Division
86 of Public Defender Services or a social worker who is employed by the
87 Division of Public Defender Services;
- 88 (6) An inspector employed by the Division of Criminal Justice;
- 89 (7) A firefighter;
- 90 (8) An employee of the Department of Children and Families;
- 91 (9) A member or employee of the Board of Pardons and Paroles;
- 92 (10) An employee of the judicial branch;
- 93 (11) An employee of the Department of Mental Health and
94 Addiction Services who provides direct care to patients; or
- 95 (12) A member or employee of the Commission on Human Rights
96 and Opportunities.

97 Sec. 3. Subdivision (52) of section 14-1 of the general statutes is
98 repealed and the following is substituted in lieu thereof (*Effective July*
99 *1, 2013*):

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

105 Sec. 4. Subdivision (63) of section 14-1 of the general statutes is
106 repealed and the following is substituted in lieu thereof (*Effective July*
107 *1, 2013*):

108 (63) "Out-of-service order" means an order (A) issued by a [police

109 officer, state policeman, or motor vehicle inspector under the authority
110 of section 14-8] person having inspection authority, as defined in
111 regulations adopted by the commissioner pursuant to section 14-163c,
112 as amended by this act, or by an authorized official of the United States
113 Department of Transportation Federal Motor Carrier Safety
114 Administration pursuant to any provision of federal law, to prohibit [a
115 commercial] any motor vehicle specified in subsection (a) of section 14-
116 163c, as amended by this act, from being operated on any highway, or
117 to prohibit a driver from operating [a commercial] any such motor
118 vehicle, or (B) issued by the United States Department of
119 Transportation Federal Motor Carrier Safety Administration, pursuant
120 to any provision of federal law, to prohibit any motor carrier, as
121 defined in Section 386.2 of Title 49 of the Code of Federal Regulations,
122 from engaging in commercial motor vehicle operations;

123 Sec. 5. Subdivision (80) of section 14-1 of the general statutes is
124 repealed and the following is substituted in lieu thereof (*Effective July*
125 *1, 2013*):

126 (80) "Serious traffic violation" means a conviction of any of the
127 following offenses: (A) Excessive speeding, involving a single offense
128 in which the speed is fifteen miles per hour or more above the posted
129 speed limit, in violation of section 14-218a or 14-219; (B) reckless
130 driving in violation of section 14-222; (C) following too closely in
131 violation of section 14-240 or 14-240a; (D) improper or erratic lane
132 changes, in violation of section 14-236; (E) using a hand-held mobile
133 telephone or other electronic device or typing, reading or sending text
134 or a text message with or from a mobile telephone or mobile electronic
135 device in violation of subsection (e) of section 14-296aa while operating
136 a commercial motor vehicle; (F) driving a commercial motor vehicle
137 without a valid commercial driver's license in violation of section 14-
138 36a or 14-44a; (G) failure to carry a commercial driver's license in
139 violation of section 14-44a; (H) failure to have the proper class of
140 license or endorsement, or violation of a license restriction in violation
141 of section 14-44a; or (I) a violation of any provision of chapter 248,
142 [while operating a commercial motor vehicle,] by an operator who

143 holds a commercial driver's license or instruction permit that results in
144 the death of another person;

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

147 (NEW) (c) In accordance with 49 CFR 384.228 and subject to the
148 provisions of section 31-51i, the Department of Motor Vehicles shall:
149 (1) Require any person who is to be employed as a knowledge or skills
150 test examiner for commercial driver's license applicants to submit to a
151 nation-wide criminal background check prior to the department
152 certifying such person to administer any such test; and (2) require each
153 employee who administers the knowledge or skills test to commercial
154 driver's license applicants to submit to an annual nation-wide criminal
155 background check. Each such background check shall include name-
156 based and fingerprint-based criminal history records checks of federal
157 and state repository records. The department shall maintain a record of
158 the results of such criminal background checks and shall rescind the
159 certification of any examiner to administer commercial driver's license
160 tests who: (A) Was convicted of a felony within the past ten years; or
161 (B) was convicted of any crime involving fraudulent activities.

162 Sec. 7. Subsection (a) of section 14-12b of the general statutes is
163 repealed and the following is substituted in lieu thereof (*Effective July*
164 *1, 2013*):

165 (a) No motor vehicle registration shall be issued by the
166 commissioner for any private passenger motor vehicle, as defined in
167 subsection (e) of section 38a-363, or a vehicle with a commercial
168 registration, as defined in section 14-1, unless (1) the application for
169 registration is accompanied by a current automobile insurance
170 identification card containing the information required in section 38a-
171 364, as amended by this act, or a copy of a current insurance policy or
172 endorsement issued by a company licensed to issue such insurance in
173 this state or an approved self-insurer or issued pursuant to the plan
174 established under section 38a-329, verifying that the applicant has the
175 required security coverage, and (2) the applicant signs and files with

176 the commissioner, under penalty of false statement as provided for in
177 section 53a-157b, a statement on a form approved by the commissioner
178 that the owner of the vehicle has provided and will continuously
179 maintain throughout the registration period the minimum security
180 required by section 38a-371. In the case of an owner with a vehicle
181 located outside of the United States or Canada, the commissioner may
182 accept in lieu of the insurance identification card required to be
183 presented for issuance of the registration, an affidavit, in such form as
184 the commissioner shall require, executed by the owner and stating that
185 the vehicle will not be operated in the United States or Canada. In the
186 case of a special use registration issued pursuant to subsection (j) of
187 section 14-12, the commissioner may, in lieu of proof of insurance as
188 otherwise required by this section, accept proof, satisfactory to the
189 commissioner, of substantially equivalent or similar insurance issued
190 by an insurer licensed to transact business in the state in which the
191 motor vehicle is to be registered. The commissioner may require an
192 applicant for renewal of a motor vehicle registration for any private
193 passenger motor vehicle or vehicle with a commercial registration to
194 sign and file with the commissioner, under penalty of false statement
195 as provided for in section 53a-157b, a statement on a form approved by
196 the commissioner that the owner of the vehicle will continuously
197 maintain throughout the registration period the minimum security
198 required by said section 38a-371. Such form shall call for and contain
199 the name of the applicant's insurance company and policy number.

200 Sec. 8. Subsection (a) of section 14-15 of the general statutes is
201 repealed and the following is substituted in lieu thereof (*Effective July*
202 *1, 2013*):

203 (a) Any person, firm or corporation before engaging in the business
204 of leasing or renting motor vehicles without drivers in this state and
205 any person, firm or corporation which is the lessor of or rents any
206 vehicle required to be registered under the provisions of section 14-15a
207 shall make a sworn application to the Commissioner of Motor Vehicles
208 for a license to engage in such leasing or renting. Each such application
209 and each application for renewal shall be accompanied by a fee of

210 three hundred dollars. Each such license shall be renewed biennially
211 according to renewal schedules established by the commissioner so as
212 to effect staggered renewal of all such licenses. If the adoption of a
213 staggered system results in the expiration of any license more or less
214 than one year from its issuance, the commissioner may charge a
215 prorated amount for such license fee. Not less than forty-five days
216 prior to the date of expiration of each such license, the commissioner
217 shall send or transmit to each licensee, in such manner as the
218 commissioner determines, an application for renewal. An application
219 for renewal filed with the commissioner after the date of expiration
220 shall be accompanied by a late fee of one hundred dollars provided the
221 commissioner shall not renew any license under this subsection that
222 has expired for more than forty-five days. No such license shall be
223 transferred. Such licensee shall furnish proof of financial responsibility
224 satisfactory to the commissioner specifying that coverage is for all
225 owned vehicles, as provided by section 14-112 or 14-129, [provided
226 such licensee may furnish such proof separately with respect to each
227 vehicle or each group of vehicles leased to any single lessee] regardless
228 of the duration of the lease or rental period. Each application for such
229 license shall contain the name and address of the owner and shall be
230 accompanied by a surety bond as required pursuant to section 14-52.
231 Each application for registration of a motor vehicle to be leased for a
232 period of more than thirty days shall contain the name and address of
233 the owner and the lessee of such vehicle. The owner of such vehicle
234 shall disclose the name and address of any subsequent lessee of such
235 vehicle to the commissioner in such manner as the commissioner may
236 require. The commissioner shall ensure that such information relative
237 to the lessee is available to the Connecticut on-line law enforcement
238 communications teleprocessing system. Each person, firm or
239 corporation licensed under the provisions of this subsection shall keep
240 such books, records and accounts as the commissioner may require
241 provided each licensee shall retain a copy of each rental or lease
242 contract for a period of three years, which shall be subject to inspection
243 by the commissioner or the commissioner's designee at all reasonable
244 times. The provisions of this subsection shall not apply to any person,

245 firm or corporation which, incidental to the conduct of its principal
246 business, leases or rents any motor vehicle without a driver to other
247 persons, firms or corporations whose principal business is the same as
248 that of the lessor. Violation of any provision of this subsection shall be
249 an infraction.

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

253 (a) Subject to the provisions of subsection (e) of this section, if any
254 property tax, or any installment thereof, laid by any city, town,
255 borough or other taxing district upon a registered motor vehicle or
256 snowmobile remains unpaid, the tax collector of such city, town,
257 borough or other taxing district shall notify the Commissioner of
258 Motor Vehicles of such delinquency in accordance with [listings and
259 schedules of dates] guidelines and procedures established by the
260 commissioner, [and on forms prescribed and furnished by the
261 commissioner, specifying the name and address of the person against
262 whom such tax has been assessed, the date when such tax was due and
263 the registration number, if known to the collector.] The commissioner
264 shall not issue registration for such motor vehicle or snowmobile for
265 the next registration period if, according to the commissioner's records,
266 it is then owned by the person against whom such tax has been
267 assessed or by any person to whom such vehicle has not been
268 transferred by bona fide sale. Unless notice has been received by the
269 commissioner under the provisions of section 14-33a, no such
270 registration shall be issued until [a receipt evidencing the payment of
271 such tax or certificate of abatement of such tax or other satisfactory
272 evidence] the commissioner receives notification that the tax obligation
273 has been legally discharged; [has been presented to the commissioner;]
274 nor shall the commissioner register any other motor vehicle, [or]
275 snowmobile, all-terrain vehicle or vessel in the name of such person,
276 [until a receipt evidencing the payment of such tax or a certificate of
277 abatement of such tax or other satisfactory evidence that the tax
278 obligation has been legally discharged has been presented to the

279 commissioner,] except that the commissioner may continue to register
280 other vehicles owned by a leasing or rental firm licensed pursuant to
281 section 14-15 [, if the commissioner is satisfied that arrangements have
282 been made to discharge such tax obligation,] and may issue such
283 registration to any private owner of three or more paratransit vehicles
284 in direct proportion to the percentage of total tax due on such vehicles
285 which has been paid and notice of payment on which has been
286 received. The Commissioner of Motor Vehicles may immediately
287 suspend or cancel all motor vehicle, [or] snowmobile, all-terrain
288 vehicle or vessel registrations issued in the name of any person (1) who
289 has been reported as delinquent and whose registration was renewed
290 through an error or through the production of false evidence that the
291 delinquent tax on any motor vehicle or snowmobile had been paid, or
292 (2) who has been reported by a tax collector as having paid a property
293 tax on a motor vehicle or snowmobile with a check which was
294 dishonored by a bank and such tax remains unpaid. Any person
295 aggrieved by any action of the commissioner under this section may
296 appeal therefrom in the manner provided in section 14-134. For the
297 purposes of this subsection, "paratransit vehicle" means a motor bus,
298 taxicab or motor vehicle in livery service operated under a certificate of
299 convenience and necessity issued by the Department of Transportation
300 or by a transit district and which is on call or demand or used for the
301 transportation of passengers for hire.

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

304 When a taxpayer who was reported to the Commissioner of Motor
305 Vehicles as delinquent in taxes by a tax collector in accordance with
306 section 14-33 is no longer delinquent, the tax collector shall
307 immediately notify the Commissioner of Motor Vehicles [, on forms
308 prescribed and furnished by him, specifying the name, address and
309 registration number to be removed from the motor vehicle delinquent
310 tax list] in accordance with guidelines and procedures established by
311 the commissioner.

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

314 (a) A commercial driver's license issued in accordance with section
315 14-44c shall be designated as class A, B or C, in accordance with the
316 provisions of subsection (b) of section 14-44d. All other operators'
317 licenses shall be designated as class D. A license of any class that also
318 authorizes the operation of a motorcycle shall contain the designation
319 "M". [A license of any class that contains the designation "Q" indicates
320 eligibility to operate fire apparatus.]

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

326 "P"- authorizes the operation of commercial motor vehicles designed
327 to carry passengers;

328 "H"- authorizes the operation of vehicles transporting hazardous
329 materials;

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

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

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

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

340 (c) A commercial driver's license or a class D license that contains

341 any of the following endorsements evidences that the holder meets the
342 requirements of section 14-44:

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

346 "A"- authorizes the transportation of passengers in an activity
347 vehicle, as defined in section 14-1, or any vehicle that requires an "F"
348 endorsement; and

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

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

354 (d) A license of any class that contains the designation "Q" indicates
355 eligibility to operate fire apparatus. A "Q" endorsement shall signify
356 that the holder has been trained to operate fire apparatus in
357 accordance with standards established by the Commission on Fire
358 Prevention and Control. No such endorsement shall be issued to any
359 person until he or she demonstrates personally to the commissioner, or
360 the commissioner's designee, including the Connecticut Fire Academy,
361 any regional fire school or the local fire official of any municipality as
362 defined in section 7-323j, by means of testing in a representative
363 vehicle that such person possesses the skills necessary for operation of
364 fire apparatus.

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

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

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

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

379 [(g)] (h) The revocation, suspension or withdrawal of, or refusal to
380 issue or renew an "S" endorsement, or any endorsement described in
381 subsection (c) of this section, shall prohibit the licensee from operating
382 any public service passenger vehicle for which a passenger
383 endorsement is required under this section. During the period of such
384 revocation, suspension or withdrawal of, or after a refusal to issue or
385 renew an "S" endorsement, or any endorsement described in
386 subsection (c) of this section, the commissioner shall not issue any
387 other passenger endorsement to such licensee.

388 Sec. 12. Subsection (a) of section 14-36h of the general statutes is
389 repealed and the following is substituted in lieu thereof (*Effective July*
390 *1, 2013*):

391 (a) Each motor vehicle operator's license issued by the
392 Commissioner of Motor Vehicles in accordance with section 14-36 and
393 each identity card issued by said commissioner in accordance with
394 section 1-1h shall contain the following: (1) The person's full legal
395 name; (2) the person's date of birth; (3) the person's gender; (4) the
396 person's height and eye color; (5) the person's assigned operator's
397 license or identity card number; (6) the person's address of principal
398 residence in this state; (7) the person's signature; (8) the person's [color]
399 photograph or digital image; and (9) if applicable, the person's status
400 as a veteran, as provided in subsection (e) of this section.

401 Sec. 13. Subsection (a) of section 14-37a of the general statutes is
402 repealed and the following is substituted in lieu thereof (*Effective July*

403 1, 2013):

404 (a) Any person whose operator's license has been suspended
405 pursuant to any provision of this chapter or chapter 248, except
406 pursuant to section 14-215 for operating under suspension or pursuant
407 to section 14-140 for failure to appear for any scheduled court
408 appearance, and any person identified in subsection (g) of this section
409 may make application to the Commissioner of Motor Vehicles for (1) a
410 special "work" permit to operate a motor vehicle to and from such
411 person's place of employment or, if such person is not employed at a
412 fixed location, to operate a motor vehicle only in connection with, and
413 to the extent necessary, to properly perform such person's business or
414 profession, or (2) a special "education" permit to operate a motor
415 vehicle to and from an [accredited] institution of higher education or a
416 private occupational school, as defined in section 10a-22a, in which
417 such person is enrolled. No such special "education" permit shall be
418 issued to any student enrolled in a high school under the jurisdiction
419 of a local or regional board of education, a high school under the
420 jurisdiction of a regional educational service center, a charter school, a
421 regional agricultural science and technology education center or a
422 technical high school. Such application shall be accompanied by an
423 application fee of one hundred dollars.

424 Sec. 14. Subsection (c) of section 14-40a of the general statutes is
425 repealed and the following is substituted in lieu thereof (*Effective July*
426 *1, 2013*):

427 (c) Before granting a motorcycle endorsement to any applicant who
428 has not held such an endorsement at any time within the preceding
429 two years, the commissioner shall require the applicant to present
430 evidence satisfactory to the commissioner that such applicant has
431 successfully completed a novice motorcycle training course conducted
432 by the Department of Transportation with federal funds available for
433 the purpose of such course, or by any firm or organization that
434 conducts such a course that uses the curriculum of the Motorcycle
435 Safety Foundation or other safety or educational organization that has

436 developed a curriculum approved by the commissioner. If such
437 applicant has not obtained a motorcycle instruction permit pursuant to
438 subsection (b) of this section, the applicant shall also pass an
439 examination, other than the driving skills test, demonstrating that the
440 applicant is a proper person to operate a motorcycle, has sufficient
441 knowledge of the mechanism of a motorcycle to ensure its safe
442 operation by such applicant, and has satisfactory knowledge of the law
443 concerning motorcycles and other motor vehicles and the rules of the
444 road. The commissioner may waive the requirement of such
445 examination for any applicant who presents documentation that such
446 applicant: (1) Is on active military duty with the armed forces of the
447 United States; (2) is stationed outside the state; and (3) completed a
448 novice motorcycle training course conducted by any firm or
449 organization using the curriculum of the Motorcycle Safety
450 Foundation not earlier than two years prior to the date of such
451 applicant's application. When the commissioner is satisfied as to the
452 ability and competency of the applicant, the commissioner may issue
453 an endorsement to such applicant, either unlimited or containing such
454 limitations as the commissioner deems advisable. If an applicant or
455 motorcycle endorsement holder has any health problem which might
456 affect such person's ability to operate a motorcycle safely, the
457 commissioner may require the applicant or endorsement holder to
458 demonstrate personally that, notwithstanding the problem, such
459 person is a proper person to operate a motorcycle, and the
460 commissioner may further require a certificate of the applicant's
461 condition, signed by a medical authority designated by the
462 commissioner, which certificate shall, in all cases, be treated as
463 confidential by the commissioner. An endorsement, containing such
464 limitation as the commissioner deems advisable may be issued or
465 renewed in any case, but nothing in this section shall be construed to
466 prevent the commissioner from refusing an endorsement, either
467 limited or unlimited, to any person or suspending an endorsement of a
468 person whom the commissioner deems incapable of safely operating a
469 motorcycle.

470 Sec. 15. Subsection (b) of section 14-41 of the general statutes is

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

473 (b) An original operator's license shall expire within a period not
474 exceeding six years following the date of the operator's next birthday.
475 The fee for such license shall be seventy-two dollars, [and twelve
476 dollars per year or any part of a year.] The commissioner may
477 authorize an automobile club or association, licensed in accordance
478 with the provisions of section 14-67 on or before July 1, 2007, to issue
479 duplicate licenses and identity cards pursuant to section 14-50a, renew
480 licenses, renew identity cards issued pursuant to section 1-1h and
481 conduct registration transactions at its office facilities. The
482 commissioner may authorize such automobile clubs or associations to
483 charge a convenience fee, which shall not exceed [two] three dollars, to
484 each applicant for a license or identity card renewal or duplication, or
485 for a registration transaction.

486 Sec. 16. Section 14-41a of the general statutes is repealed and the
487 following is substituted in lieu thereof (*Effective October 1, 2013*):

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

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

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

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

500 (h) A person is disqualified for life if such person commits two or
501 more of the offenses specified in subsection (b) of this section, or if

502 such person is the subject of two or more findings by the commissioner
503 under subsection (c) of this section, or any combination of those
504 offenses or findings, arising from two or more separate incidents. A
505 person is disqualified for life if the commissioner takes suspension
506 actions against such person for two or more alcohol test refusals or test
507 failures, or any combination of such actions, arising from two or more
508 separate incidents. Any person disqualified for life, except a person
509 disqualified under subsection (g) of this section, who has both
510 voluntarily enrolled in and successfully completed an appropriate
511 rehabilitation program, as determined by the commissioner, may
512 apply for reinstatement of such person's commercial driver's license or
513 commercial driver's instruction permit, provided any such applicant
514 shall not be eligible for reinstatement until such time as such person
515 has served a minimum disqualification period of ten years. An
516 application for reinstatement shall be accompanied by documentation
517 satisfactory to the commissioner that such person has both voluntarily
518 enrolled in and successfully completed a program established and
519 operated by the Department of Mental Health and Addiction Services
520 pursuant to chapter 319j, a program operated through a substance
521 abuse treatment facility licensed in accordance with section 19a-491 or
522 the equivalent of either program offered in another state. The
523 commissioner shall not reinstate a commercial driver's license or
524 commercial driver's instruction permit that was disqualified for life
525 unless an applicant for reinstatement requests an administrative
526 hearing in accordance with chapter 54, and offers evidence that the
527 reinstatement of such applicant's commercial driver's license or
528 commercial driver's instruction permit does not endanger the public
529 safety or welfare. Such evidence shall include, but not be limited to,
530 proof that such applicant has not been convicted of any offense
531 involving alcohol, a controlled substance or a drug during a period of
532 ten years following the date of such applicant's most recent lifetime
533 disqualification. If a person whose commercial driver's license or
534 commercial driver's instruction permit is reinstated under this
535 subsection is subsequently convicted of another disqualifying offense,
536 such person shall be permanently disqualified for life and shall be

537 ineligible to reapply for a reduction of the lifetime disqualification. The
538 following shall remain on the driving history record of a commercial
539 motor vehicle operator or commercial driver's license or commercial
540 driver's instruction permit holder for a period of fifty-five years, as
541 required by 49 CFR Part 384, as amended from time to time: (1) Any
542 offense specified in subsection (b) or (c) of this section, provided such
543 offense occurred on or after December 29, 2006; (2) each of two or more
544 offenses specified in subsection (b) or (c) of this section that occur
545 within ten years of each other and result in a lifetime disqualification,
546 regardless of when such offenses occur; (3) any conviction under
547 subsection (g) of this section for using a motor vehicle in the
548 commission of a felony involving the manufacture, distribution or
549 dispensing of a controlled substance, committed on or after January 1,
550 2005.

551 Sec. 19. Subsection (k) of section 14-44k of the general statutes is
552 repealed and the following is substituted in lieu thereof (*Effective July*
553 *1, 2013*):

554 (k) After taking disqualification action, or suspending, revoking or
555 cancelling a commercial driver's license or commercial driver's
556 instruction permit, the commissioner shall update the commissioner's
557 records to reflect such action within ten days. After taking
558 disqualification action, or suspending, revoking or cancelling the
559 operating privileges of a commercial motor vehicle operator or a
560 commercial driver who is licensed or holds a commercial driver's
561 instruction permit in another state, the commissioner shall notify the
562 licensing state of such action within ten days. Such notification shall
563 identify the violation that caused such disqualification, suspension,
564 cancellation or revocation.

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

568 (f) For the registration of each electric motor vehicle, the
569 commissioner shall charge a fee of [fifteen dollars for each year or part

570 thereof. On and after July 1, 2011, the fee shall be nineteen dollars]
571 thirty-six dollars biennially.

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

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

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

582 (a) No dealer or repairer may rent or allow or cause to be rented, or
583 operate or allow or cause to be operated for hire, or use or allow or
584 cause to be used for the purpose of conveying passengers or
585 merchandise or freight for hire, any motor vehicle registered under a
586 general distinguishing number and mark. No dealer or repairer may
587 loan a motor vehicle or number plate or both to any person except for
588 (1) the purpose of demonstration of a motor vehicle owned by such
589 dealer, [or] (2) when a motor vehicle owned by or lawfully in the
590 custody of such person is undergoing repairs by such dealer or
591 repairer, or (3) when such person has purchased a motor vehicle from
592 such dealer, the registration of which [by him] is pending, and in any
593 case for not more than thirty days in any year, provided such person
594 shall furnish proof to the dealer or repairer that he has liability and
595 property damage insurance which will cover any damage to any
596 person or property caused by the operation of the loaned motor
597 vehicle, motor vehicle on which the loaned number plate is displayed
598 or both. Such person's insurance shall be the prime coverage. If the
599 person to whom the dealer or repairer loaned the motor vehicle or the
600 number plate did not, at the time of such loan, have in force any such
601 liability and property damage insurance, such person and such dealer
602 or repairer shall be jointly liable for any damage to any person or

603 property caused by the operation of the loaned motor vehicle or a
604 motor vehicle on which the loaned number plate is displayed. Each
605 dealer or repairer shall keep a record of each loaned number plate
606 showing the date loaned, the vehicle identification number of the
607 vehicle on which such plate is displayed, the date returned and the
608 name, address and operator's license number of the person operating
609 any vehicle with such loaned number plate. Such dealer or repairer
610 shall give a copy of this record to each person to whom such plate or
611 vehicle and plate are loaned which shall be carried in the motor vehicle
612 at all times when operated upon a public highway. This record shall be
613 retained by the dealer or repairer for a period of six months from the
614 date on which the number plate or motor vehicle or both were loaned
615 and such record shall be available during business hours for
616 examination by any police officer or inspector designated by the
617 Commissioner of Motor Vehicles.

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

638 withholding tax and all deductions required by law have been made.

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

641 (a) Each sale shall be evidenced by an order properly signed by both
642 the buyer and seller, a copy of which shall be furnished to the buyer
643 when executed, and an invoice upon delivery of the motor vehicle,
644 both of which shall contain the following information: (1) Make of
645 vehicle; (2) year of model, whether sold as new or used, and on invoice
646 the identification number; (3) deposit, and (A) if the deposit is not
647 refundable, the words "No Refund of Deposit" shall appear at this
648 point, and (B) if the deposit is conditionally refundable, the words
649 "Conditional Refund of Deposit" shall appear at this point, followed by
650 a statement giving the conditions for refund, and (C) if the deposit is
651 unconditionally refundable, the words "Unconditional Refund" shall
652 appear at this point; (4) cash selling price; (5) finance charges, and (A)
653 if these charges do not include insurance, the words "No Insurance"
654 shall appear at this point, and (B) if these charges include insurance, a
655 statement shall appear at this point giving the exact type of coverage;
656 (6) allowance on motor vehicle traded in, if any, and description of the
657 same; (7) stamped or printed in a size equal to at least ten-point bold
658 type on the face of both order and invoice one of the following forms:
659 (A) "This motor vehicle not guaranteed", or (B) "This motor vehicle is
660 guaranteed", followed by a statement as to the terms of such
661 guarantee, which statement shall not apply to household furnishings
662 of any trailer; (8) if the motor vehicle is new but has been subject to use
663 by the seller or use in connection with his business as a dealer, the
664 word "demonstrator" shall be clearly displayed on the face of both
665 order and invoice; (9) any dealer conveyance fee or processing fee and
666 a statement that such fee is not payable to the state of Connecticut
667 printed in at least ten-point bold type on the face of both order and
668 invoice. For the purposes of this subdivision, "dealer conveyance fee"
669 or "processing fee" means a fee charged by a dealer to recover
670 reasonable costs for processing all documentation and performing
671 services related to the closing of a sale, including, but not limited to,

672 the registration and transfer of ownership of the motor vehicle which
673 is the subject of the sale.

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

678 (c) Each dealer shall provide a written statement to the buyer or
679 prominently display a sign in the area of his place of business in which
680 sales are negotiated which shall specify the amount of any conveyance
681 or processing fee charged by such dealer, the services performed by
682 the dealer for such fee, that such fee is not payable to the state of
683 Connecticut and that the buyer may elect, where appropriate, to
684 submit the documentation required for the registration and transfer of
685 ownership of the motor vehicle which is the subject of the sale to the
686 Commissioner of Motor Vehicles, in which case the dealer shall reduce
687 such fee by a proportional amount. The Commissioner of Motor
688 Vehicles shall determine the size, typeface and arrangement of such
689 information.

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

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

703 (f) The provisions of subsection (d) of this section shall not apply to

704 the sale of any used motor vehicle by a new car dealer to a person, firm
705 or corporation which, pursuant to a lease contract option, purchases
706 such vehicle at the end of the lease term provided (1) such vehicle is
707 registered in this state in accordance with the provisions of section 14-
708 12, (2) the certificate of title for such vehicle is in the possession of a
709 lessor licensed under the provisions of section 14-15, (3) subsequent to
710 such sale, such vehicle is registered in the name of the prior lessee, and
711 (4) such dealer obtains the certificate of title from such lessor and
712 transmits all necessary documents and fees to the commissioner not
713 later than five days following the issuance of a motor vehicle
714 registration for such vehicle.

715 (g) Before offering any used motor vehicle for retail sale, the selling
716 dealer shall complete a comprehensive safety inspection of such
717 vehicle. Such safety inspection shall cover all applicable equipment
718 and components contained in sections 14-80 to 14-106d, inclusive, and
719 such inspection shall be evidenced on a form approved by the
720 commissioner. The selling dealer shall attest to such form under the
721 penalty of false statement, as prescribed in section 53a-157b, and shall
722 state that the vehicle has undergone any necessary repairs and has
723 been deemed to be in condition for legal operation on any highway of
724 this state. In the event defects are found but not repaired, and the
725 vehicle is not subject to any warranty under subsection [(a)] (b) of
726 section [42-224] 42-221, the selling dealer shall note all such defects on
727 the form and may sell such vehicle in "as is" condition. Any vehicle
728 sold in "as is" condition with one or more defects in the equipment or
729 components shall have the retail purchase order, invoice, title and
730 assignment documents prominently marked as "not in condition for
731 legal operation on the highways" with an explanation of defects noted
732 on such retail purchase order, invoice and safety inspection form. A
733 dealer selling any vehicle pursuant to this subsection shall require a
734 purchaser to acknowledge the vehicle condition by obtaining such
735 purchaser's signature on the retail purchase order, invoice and safety
736 inspection forms, copies of which shall be furnished to the buyer upon
737 execution. No dealer shall charge any fee to a customer for the
738 completion of such safety inspection or for any repairs required to

739 remedy defects discovered during such safety inspection pursuant to
740 this subsection, except that nothing herein shall (1) limit or otherwise
741 regulate the retail sales price charged by a dealer for a vehicle that has
742 been inspected or repaired prior to sale; or (2) negate or preempt any
743 provisions of chapter 743f. This subsection shall not apply to fees for
744 any inspection or any work performed under the terms of a lease buy
745 back. Any dealer that violates this subsection shall be guilty of a class B
746 misdemeanor.

747 (h) No dealer licensed under section 14-52, as amended by this act,
748 shall deliver or permit a retail purchaser to take possession or delivery
749 of any used motor vehicle until such purchaser has paid in full for the
750 vehicle or until financing offered by the dealer for such vehicle has
751 been approved by the lending institution or other entity through
752 which any financing agreement has been made. Any dealer that
753 violates this subsection shall be guilty of a class B misdemeanor.

754 Sec. 24. Subsection (b) of section 14-63 of the general statutes is
755 repealed and the following is substituted in lieu thereof (*Effective July*
756 *1, 2013*):

757 (b) The Commissioner of Motor Vehicles shall adopt regulations, in
758 accordance with the provisions of chapter 54, establishing (1) a
759 procedure whereby customers of dealers and repairers may file
760 complaints with the Department of Motor Vehicles concerning the
761 operations of and services provided by any such licensees, and (2) a
762 procedure specifying the circumstances under which a licensee may
763 stipulate to a complaint and waive such licensee's right to an
764 administrative hearing. Such regulations shall provide for the
765 commissioner to contact each licensee that is the subject of a complaint
766 in order to notify such licensee of the complaint and to relate to such
767 licensee the particular matters alleged by the complainant. [The
768 commissioner shall] If the commissioner determines that the facts as
769 alleged give rise to one or more violations of law related to the
770 licensee's business, the commissioner may attempt to mediate a
771 voluntary resolution of the complaint acceptable to the complainant

772 and the licensee. Such regulations shall also provide that, if an
773 acceptable resolution to the complaint is not achieved, the
774 commissioner shall complete the commissioner's investigation of the
775 facts and shall, if the commissioner has reason to believe that the
776 licensee has violated any provision of section 14-64, proceed to take
777 any action authorized under the provisions of section 14-64. If, after
778 such an investigation, the commissioner elects not to take action
779 against the licensee, the commissioner shall notify both the
780 complainant and the licensee in writing. Such notice shall include a
781 brief statement of the reasons why the commissioner has taken no
782 action. The commissioner shall also inform the complainant and the
783 licensee that an unresolved complaint exists and that, unless the
784 commissioner has determined that the allegations, even if true, fail to
785 state a violation of applicable statutory or regulatory standards, the
786 same shall be recorded in the records of the department pertaining to
787 such licensee until such time as the licensee submits to the
788 commissioner satisfactory evidence, signed by the complainant or the
789 complainant's attorney, that the claim has been resolved by agreement
790 with the complainant or submits to the department satisfactory
791 evidence of final adjudication in favor of such licensee. An agreement
792 between the licensee and the complainant shall not preclude the
793 commissioner from proceeding to take action if the commissioner has
794 reason to believe that the licensee has violated any provision of section
795 14-64. A decision by the commissioner not to take action against the
796 licensee shall be without prejudice to the claim of the customer; and
797 neither the fact that the department has determined not to proceed nor
798 the notice furnished to the parties, in accordance with this subsection,
799 shall be admissible in any civil action.

800 Sec. 25. Subsection (f) of section 14-65 of the general statutes is
801 repealed and the following is substituted in lieu thereof (*Effective July*
802 *1, 2013*):

803 (f) A violation of subsection (a) of this section shall be a class B
804 misdemeanor. Each person, firm or corporation that conducts an
805 auction sale in accordance with any of the provisions of this section

806 shall be subject to the provisions of sections 14-149 and 14-149a and to
807 the penalties provided for violations of said sections. Each such
808 person, firm or corporation that sells any motor vehicle with an
809 odometer reading that has been turned back or changed on the most
810 recent assignment of ownership prior to the auction sale shall be
811 subject to the penalties provided in section 14-106b. The commissioner
812 may, after notice and opportunity for a hearing, impose a civil penalty
813 of two thousand dollars on any licensee who violates subsection (b) of
814 this section or any regulation adopted pursuant to subsection (e) of
815 this section.

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

818 (a) (1) No person, firm or corporation shall engage in the business of
819 operating a wrecker for the purpose of towing or transporting motor
820 vehicles, including motor vehicles which are disabled, inoperative or
821 wrecked or are being removed in accordance with the provisions of
822 section 14-145, 14-150 or 14-307, unless such person, firm or
823 corporation is a motor vehicle dealer or repairer licensed under the
824 provisions of subpart (D) of this part. (2) The commissioner shall
825 establish and publish a schedule of uniform rates and charges for the
826 nonconsensual towing and transporting of motor vehicles and for the
827 storage of motor vehicles which shall be just and reasonable. Upon
828 petition of any person, firm or corporation licensed in accordance with
829 the provisions of this section, but not more frequently than once every
830 two years, the commissioner shall reconsider the established rates and
831 charges and shall amend such rates and charges if the commissioner,
832 after consideration of the factors stated in this subdivision, determines
833 that such rates and charges are no longer just and reasonable. In
834 establishing and amending such rates and charges, the commissioner
835 may consider factors, including, but not limited to, the Consumer Price
836 Index, rates set by other jurisdictions, charges for towing and
837 transporting services provided pursuant to a contract with an
838 automobile club or automobile association licensed under the
839 provisions of section 14-67 and rates published in standard service

840 manuals. The commissioner shall hold a public hearing for the purpose
841 of obtaining additional information concerning such rates and charges.
842 (3) With respect to the nonconsensual towing or transporting and the
843 storage of motor vehicles, no such person, firm or corporation shall
844 charge more than the rates and charges published by the
845 commissioner. Any person aggrieved by any action of the
846 commissioner under the provisions of this section may take an appeal
847 therefrom in accordance with section 4-183, except venue for such
848 appeal shall be in the judicial district of New Britain.

849 (b) The commissioner, or an inspector authorized by the
850 commissioner, shall examine each wrecker, including its number,
851 equipment and identification, and shall determine the mechanical
852 condition of such wrecker and whether or not it is properly equipped
853 to do the work intended. A wrecker shall be deemed properly
854 equipped if there are two flashing yellow lights installed and mounted
855 on such wrecker that (1) show in all directions at all times, and (2)
856 indicate the full width of such wrecker. Such lights shall be mounted
857 not less than eight feet above the road surface and as close to the back
858 of the cab of such wrecker as practicable. Such lights shall be in
859 operation when such wrecker is towing a vehicle and when such
860 wrecker is at the scene of an accident or the location of a disabled
861 motor vehicle. In addition, each wrecker shall be equipped with a spot
862 light mounted so that its beam of light is directed toward the hoisting
863 equipment in the rear of such wrecker. The hoisting equipment of each
864 wrecker shall be of sufficient capacity to perform the service intended
865 and shall be securely mounted to the frame of such vehicle. A fire
866 extinguisher shall be carried at all times on each wrecker which shall
867 be in proper working condition, mounted in a permanent bracket on
868 each wrecker and have a minimum rating of eight bc. A set of three
869 flares in operating condition shall be carried at all times on each
870 wrecker and shall be used between the periods of one-half hour after
871 sunset and one-half hour before sunrise when the wrecker is parked on
872 a highway while making emergency repairs or preparing to pick up a
873 disabled vehicle to remove it from a highway or adjoining property.
874 No registrant or operator of any wrecker shall offer to give any

875 gratuities or inducements of any kind to any police officer or other
876 person in order to obtain towing business or recommendations for
877 towing or storage of, or estimating repairs to, disabled vehicles. No
878 licensee shall require the owner to sign a contract for the repair of such
879 owner's damaged vehicle as part of the towing consideration or to sign
880 an order for the repair of, or authorization for estimate until the tow
881 job has been completed. No licensee shall tow a vehicle in such a
882 negligent manner as to cause further damage to the vehicle being
883 towed.

884 (c) Each wrecker used for towing or transporting motor vehicles
885 shall be registered as a wrecker by the commissioner for a fee of one
886 hundred twenty-five dollars. Each such registration shall be renewed
887 biennially according to renewal schedules established by the
888 commissioner so as to effect staggered renewal of all such
889 registrations. If the adoption of a staggered system results in the
890 expiration of any registration more or less than two years from its
891 issuance, the commissioner may charge a prorated amount for such
892 registration fee.

893 (d) An owner of a wrecker may apply to the commissioner for a
894 general distinguishing number and number plate for the purpose of
895 displaying such number plate on a motor vehicle temporarily in the
896 custody of such owner and being towed or transported by such owner.
897 The commissioner shall issue such number and number plate to an
898 owner of a wrecker (1) who has complied with the requirements of this
899 section, and (2) whose wrecker is equipped in accordance with
900 subsection (b) of this section. The commissioner shall charge a fee to
901 cover the cost of issuance and renewal of such number plates.

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

907 (f) The provisions of this section shall not apply to [:(1) Any] any

908 person, firm, [or] corporation [licensed as a motor vehicle dealer under
909 the provisions of subpart (D) of this part, towing] or association: (1)
910 Towing or transporting a motor vehicle, [for salvage purposes,]
911 provided such person, firm, [or] corporation or association is licensed
912 as a motor vehicle dealer pursuant to the provisions of subpart (D) of
913 this part and does not offer direct towing or [wrecker service]
914 transporting to the public or engage in nonconsensual towing or
915 transporting; (2) [any person, firm or corporation] operating as an
916 automobile club or automobile association licensed under section 14-
917 67; (3) [any person, firm or corporation] operating as a motor vehicle
918 recycler licensed under section 14-67l or any contractor of such
919 recycler, provided such recycler or its contractor does not offer towing
920 or transporting to the public or engage in nonconsensual towing or
921 transporting; (4) [any person, firm or corporation engaged] engaging
922 in the business of repossession of motor vehicles for lending
923 institutions, provided it does not offer direct towing or transporting
924 unless licensed as a motor vehicle dealer under the provisions of
925 subpart (D) of this part; [or] (5) [any person, firm or corporation]
926 towing motor vehicles owned or leased by such person, firm,
927 association or corporation; (6) towing or transporting motor vehicles
928 for hire, with the appropriate operating authority, as defined in 49 CFR
929 390.5, as amended from time to time, provided such person, firm,
930 corporation or association does not offer towing or transporting to the
931 public or engage in nonconsensual towing or transporting; or (7)
932 towing motor vehicles to or from an auction conducted by a dealer
933 licensed pursuant to the provisions of subpart (D) of this part,
934 provided such person, firm, corporation or association does not offer
935 direct towing or transporting to the public or engage in nonconsensual
936 towing or transporting.

937 (g) For the purposes of this section, "nonconsensual towing or
938 transporting" means the towing or transporting of a motor vehicle in
939 accordance with the provisions of section 14-145 or for which
940 arrangements are made by order of a law enforcement officer or traffic
941 authority, as defined in section 14-297.

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

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

948 (a) No person shall engage in the business of conducting a drivers'
949 school without being licensed by the Commissioner of Motor Vehicles.
950 An application for a license shall be in writing and shall contain such
951 information as the commissioner requires. Each applicant for a license
952 shall be fingerprinted before such application is approved. The
953 commissioner shall subject each applicant for a license to state and
954 national criminal history records checks conducted in accordance with
955 section 29-17a, and a check of the state child abuse and neglect registry
956 established pursuant to section 17a-101k. If any such applicant has a
957 criminal record or is listed on the state child abuse and neglect registry,
958 the commissioner shall make a determination of whether to issue a
959 license to conduct a drivers' school in accordance with the standards
960 and procedures set forth in section 14-44 and the regulations adopted
961 pursuant to said section. If the application is approved, the applicant
962 shall be granted a license upon the payment of a fee of seven hundred
963 dollars and a deposit with the commissioner of cash or a bond of a
964 surety company authorized to do business in this state, conditioned on
965 the faithful performance by the applicant of any contract to furnish
966 instruction, in either case in such amount as the commissioner may
967 require, such cash or bond to be held by the commissioner to satisfy
968 any execution issued against such school in a cause arising out of
969 failure of such school to perform such contract. For each additional
970 place of business of such school, the commissioner shall charge a fee of
971 one hundred seventy-six dollars, except if the licensee opens an
972 additional place of business with one year or less remaining on the
973 term of its license, the commissioner shall charge a fee of eighty-eight
974 dollars for each such additional place of business for the year or any
975 part thereof remaining on the term of such license. No license shall be

976 required in the case of any board of education, or any public, private
977 or parochial school, which conducts a course in driver education
978 established in accordance with sections 14-36e and 14-36f. A license so
979 issued shall be valid for two years. The commissioner shall issue a
980 license certificate or certificates to each licensee, one of which shall be
981 displayed in each place of business of the licensee. In case of the loss,
982 mutilation or destruction of a certificate, the commissioner shall issue a
983 duplicate upon proof of the facts and the payment of a fee of twenty
984 dollars.

985 (b) The biennial fee for the renewal of a license shall be seven
986 hundred dollars and the biennial renewal fee for each additional place
987 of business shall be one hundred seventy-six dollars, except if the
988 licensee opens an additional place of business with one year or less
989 remaining on the term of its license, the commissioner shall charge a
990 fee of eighty-eight dollars for each such additional place of business for
991 the year or any part thereof remaining on the term of such license. If
992 the commissioner has not received a complete renewal application and
993 all applicable renewal fees on or before the expiration date of an
994 applicant's license, the commissioner shall charge such applicant, in
995 addition to such renewal fees, a late fee of seven hundred dollars.

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

999 Sec. 28. Subsection (d) of section 14-73 of the general statutes is
1000 repealed and the following is substituted in lieu thereof (*Effective July*
1001 *1, 2013*):

1002 (d) The commissioner shall conduct such written, oral and practical
1003 examinations as he deems necessary to determine whether an
1004 applicant has sufficient skill in the operation of motor vehicles to
1005 ensure their safe operation, a satisfactory knowledge of the motor
1006 vehicle laws and the ability to impart such skill and knowledge to
1007 others. If the applicant successfully completes the examinations and
1008 meets all other requirements of this section, the commissioner shall

1009 issue an instructor's license to such applicant. The license shall be valid
1010 for use only in connection with [the business of the] a drivers' school or
1011 schools [listed on the license] licensed pursuant to section 14-69, as
1012 amended by this act. If the applicant fails the examination, such
1013 applicant may apply for reexamination after [one month] five days.
1014 The license and the license renewal shall be valid for two years.

1015 Sec. 29. Subsection (b) of section 14-145 of the general statutes is
1016 repealed and the following is substituted in lieu thereof (*Effective July*
1017 *1, 2013*):

1018 (b) When such motor vehicle is towed or otherwise removed by a
1019 wrecker licensed under section 14-66, as amended by this act, the
1020 licensee or operator of the wrecker shall notify the local police
1021 department of the tow or removal within two hours. Such notification
1022 shall be submitted in writing or transmitted by facsimile or electronic
1023 mail and the record of such notification shall be retained by such
1024 licensee in accordance with the provisions of section 14-66b. No such
1025 licensee or operator may charge a storage fee for such motor vehicle
1026 for the time it is stored prior to such notification. If the motor vehicle is
1027 not claimed by its owner within the time periods specified in
1028 subsection (e) of section 14-150, as amended by this act, the licensee or
1029 operator of the wrecker or of the garage where such motor vehicle is
1030 stored may dispose of it in accordance with the provisions of
1031 subsection (e) of section 14-150, as amended by this act.

1032 Sec. 30. Subsection (e) of section 14-150 of the general statutes is
1033 repealed and the following is substituted in lieu thereof (*Effective July*
1034 *1, 2013*):

1035 (e) Within forty-eight hours of the time that a motor vehicle is taken
1036 into custody and stored pursuant to subsection (b) or (c) of this section,
1037 the affixing department or parking authority and the owner or keeper
1038 of any garage or other place where such motor vehicle is stored shall
1039 give written notice by certified mail to the owner and any lienholders
1040 of such motor vehicle, if the same appears on the records of the
1041 Department of Motor Vehicles, which notice shall state (1) that the

1042 motor vehicle has been taken into custody and stored, (2) the location
1043 of storage of the motor vehicle, (3) that, unless title has already vested
1044 in the municipality pursuant to subsection (d), such motor vehicle may
1045 be sold after fifteen days if the market value of such motor vehicle
1046 does not exceed one thousand five hundred dollars or after forty-five
1047 days if the value of such motor vehicle exceeds one thousand five
1048 hundred dollars, and (4) that the owner has a right to contest the
1049 validity of such taking by application, on a form prescribed by the
1050 Commissioner of Motor Vehicles, to the hearing officer named in such
1051 notice within ten days from the date of such notice. Such application
1052 forms shall be made readily available to the public at all offices of the
1053 Department of Motor Vehicles, parking authorities authorized under
1054 an ordinance adopted pursuant to section 7-204a to enforce parking
1055 regulations and state and local police departments.

1056 Sec. 31. Section 14-163c of the general statutes is repealed and the
1057 following is substituted in lieu thereof (*Effective July 1, 2013*):

1058 (a) The Commissioner of Motor Vehicles may adopt regulations, in
1059 accordance with the provisions of chapter 54, which incorporate by
1060 reference the standards set forth in 49 CFR Parts 382 to 397, inclusive,
1061 as amended. Such regulations, adopted by reference to the provisions
1062 of 49 CFR Parts 382 to 397, inclusive, as amended, may be made
1063 applicable to any motor vehicle or motor carrier, as defined in 49 CFR
1064 Part 390, which (1) is in intrastate commerce and has a gross vehicle
1065 weight rating or gross combination weight rating or gross vehicle
1066 weight or gross combination weight of eighteen thousand one or more
1067 pounds; or (2) is in interstate commerce and has a gross vehicle weight
1068 rating or gross combination weight rating or gross vehicle weight or
1069 gross combination weight of ten thousand one or more pounds; or (3)
1070 (A) is designed or used to transport more than eight passengers,
1071 including the driver, for compensation, [except a student
1072 transportation vehicle, as defined in section 14-212,] or (B) is designed
1073 or used to transport more than fifteen passengers, including the driver,
1074 and is not used to transport passengers for compensation; or (4) is used
1075 in the transportation of hazardous materials in a quantity requiring

1076 placarding under the Hazardous Materials Transportation Act, 49 USC
1077 App. 1801 to 1813, inclusive, unless exempted under the provisions of
1078 the code or the provisions of subsection (b) of this section.

1079 (b) The provisions relative to maximum hours of service for drivers
1080 as set forth in 49 CFR Part 395, and as adopted by reference in
1081 regulations adopted pursuant to subsection (a) of this section, shall not
1082 apply to any driver of a utility service vehicle, as defined in 49 CFR
1083 Section 395.2, as amended.

1084 (c) The Commissioner of Motor Vehicles may grant variations or
1085 exemptions from, or approve equivalent or alternate compliance with,
1086 particular provisions of 49 CFR Parts 382 to 397, inclusive, as amended,
1087 when strict compliance with such provisions would entail practical
1088 difficulty or unnecessary hardship or would be otherwise adjudged
1089 unwarranted, provided any such variation, exemption, approved
1090 equivalent or alternate compliance shall, in the opinion of the
1091 commissioner, secure the public safety.

1092 (d) Any state or municipal police officer or motor vehicle inspector
1093 may (1) inspect any motor vehicle specified in subsection (a) of this
1094 section in operation and examine its operator to determine compliance
1095 with the provisions of 49 CFR Parts 100 to 199, inclusive, as amended,
1096 and 49 CFR Parts 382 to 397, inclusive, as amended, (2) enter upon the
1097 premises of any motor carrier, as defined in 49 CFR Section 390.5, as
1098 amended, for the purpose of inspecting and copying records
1099 maintained by such motor carrier, (3) conduct a safety rating
1100 procedure, safety audit or compliance review, in accordance with the
1101 provisions of 49 CFR Part 385, as amended, for any motor carrier that
1102 owns or operates any motor vehicle identified in subsection (a) of this
1103 section and, subject to notice and opportunity for hearing in
1104 accordance with the provisions of chapter 54, order any motor carrier
1105 with an unsatisfactory safety rating to cease operations until such time
1106 as it achieves a satisfactory rating, (4) declare a motor vehicle or its
1107 operator out of service, [as provided in 49 CFR Section 395.13 and
1108 Section 396.9, as amended,] or (5) issue an infractions complaint under

1109 the provisions of this section, provided such officer or inspector meets
1110 the standards established by the commissioner, in consultation with
1111 the Commissioner of Emergency Services and Public Protection, in
1112 regulations adopted in accordance with the provisions of chapter 54.

1113 (e) (1) Any person who violates the provisions of this section or any
1114 regulations adopted under this section shall, for a first violation, have
1115 committed an infraction. (2) The commissioner may impose a civil
1116 penalty on any person for a second or subsequent violation of the
1117 provisions of this section or any regulations adopted under this section
1118 if the acts or conduct on which the conviction is based arise out of the
1119 operation of a motor vehicle in intrastate commerce and would, if such
1120 acts or conduct had occurred with respect to operation of a motor
1121 vehicle in interstate commerce, have subjected such person to a civil
1122 penalty under the provisions of 49 CFR Parts 382 to 397, inclusive, as
1123 amended. The commissioner may adopt regulations, in accordance
1124 with the provisions of chapter 54, to specify the amount of such civil
1125 penalty provided such amount shall be not less than one thousand
1126 dollars nor more than ten thousand dollars. Any person notified of the
1127 assessment of a civil penalty under the provisions of this subsection
1128 shall be entitled to an opportunity for an administrative hearing in
1129 accordance with the provisions of chapter 54. If any person fails to
1130 comply with the terms of a final decision and order of the
1131 commissioner made pursuant to this subsection, the commissioner
1132 may suspend any motor vehicle registration issued to such person or
1133 such person's privilege to register any motor vehicle in this state, or
1134 prohibit the operation of any motor vehicle owned or operated by such
1135 person, until such person complies with the terms of such final
1136 decision and order. As used in this section, "person" includes any
1137 motor carrier, as defined in 49 CFR Section 390.5, as amended.

1138 Sec. 32. Section 14-188 of the general statutes is amended by adding
1139 subsection (e) as follows (*Effective July 1, 2013*):

1140 (NEW) (e) Any security interest in a vehicle that was originally
1141 perfected by a financial institution or other institution that (1) is no

1142 longer in existence, and (2) did not execute a release of such security
1143 interest, in accordance with subsections (a) to (c), inclusive, of this
1144 section, shall be deemed to be dissolved not earlier than ten years after
1145 such security interest was perfected if the debtor's records cannot be
1146 located by any successor institution to such financial or other
1147 institution.

1148 Sec. 33. Subsection (h) of section 14-267a of the general statutes is
1149 repealed and the following is substituted in lieu thereof (*Effective July*
1150 *1, 2013*):

1151 (h) Whenever signs are displayed on a public highway, indicating
1152 that a scale is in operation and directing the driver of a [commercial
1153 vehicle] motor vehicle described in subsection (a) of section 14-163c, as
1154 amended by this act, to stop at the weighing area, the driver shall stop
1155 and, in accordance with the directions of any state police officer,
1156 [Department of Emergency Services and Public Protection employee
1157 designated by the Commissioner of Emergency Services and Public
1158 Protection,] local police officer, Department of Motor Vehicles
1159 inspector, or Department of [Transportation] Motor Vehicles employee
1160 designated by the Commissioner of [Transportation] Motor Vehicles,
1161 allow the vehicle to be weighed or inspected.

1162 Sec. 34. Section 14-267c of the general statutes is repealed and the
1163 following is substituted in lieu thereof (*Effective July 1, 2013*):

1164 The owner of a commercial motor vehicle that is equipped with an
1165 auxiliary power or idle reduction technology unit shall, subject to the
1166 conditions described in this section, be granted a weight tolerance
1167 exemption from the gross, total axle, total tandem or bridge formula
1168 weight limits established by section 14-267a. Such weight tolerance
1169 exemption shall authorize the operation of such commercial motor
1170 vehicle with additional weight equal to the actual weight of the
1171 auxiliary power or idle reduction technology unit, but not exceeding
1172 [four] five hundred fifty pounds. Such exemption may be granted by
1173 any official or law enforcement officer authorized to enforce the
1174 provisions of said section 14-267a. To qualify for a weight tolerance

1175 exemption, an owner may be required to produce a written
1176 certification of the weight of such unit, and to show, by means of a
1177 written certification or physical demonstration, that the unit is fully
1178 functional at all times. As used in this section, "auxiliary power or idle
1179 reduction technology unit" means an integrated system, other than the
1180 vehicle's engine, that provides heat, air conditioning, engine warming,
1181 electric components or power to do the work for which the vehicle is
1182 designed.

1183 Sec. 35. Subsection (e) of section 14-286 of the general statutes is
1184 repealed and the following is substituted in lieu thereof (*Effective July*
1185 *1, 2013*):

1186 (e) As used in this section: (1) "Sidewalk" means any sidewalk laid
1187 out as such by any town, city or borough, and any walk which is
1188 reserved by custom for the use of pedestrians, or which has been
1189 specially prepared for their use. "Sidewalk" does not include
1190 crosswalks and does not include footpaths on portions of public
1191 highways outside thickly settled parts of towns, cities and boroughs,
1192 which are worn only by travel and are not improved by such towns,
1193 cities or boroughs or by abutters; (2) "bicycle" includes all vehicles
1194 propelled by the person riding the same by foot or hand power; and
1195 (3) "motor-driven cycle" means any motorcycle, motor scooter or
1196 bicycle with an attached motor with a seat height of not less than
1197 twenty-six inches and a motor [that produces five brake horsepower or
1198 less] having a capacity of less than fifty cubic centimeters piston
1199 displacement.

1200 Sec. 36. Subsection (c) of section 14-286b of the general statutes is
1201 repealed and the following is substituted in lieu thereof (*Effective July*
1202 *1, 2013*):

1203 (c) No person riding upon any bicycle, motor-driven cycle, roller
1204 skates, skis, sled, skateboard, coaster, [or] toy vehicle or any other
1205 vehicle not designed or intended to be towed shall attach the same or
1206 [himself] such person to any vehicle moving or about to move on a
1207 public roadway nor shall the operator of such vehicle knowingly

1208 permit any person riding a bicycle, motor-driven cycle, roller skates,
1209 skis, skateboard, coaster, sled, [or] toy vehicle or any other vehicle not
1210 designed or intended to be towed to attach the same or [himself] such
1211 person to such vehicle so operated or about to be operated, provided
1212 any person operating a bicycle solely by foot or hand power may
1213 attach a bicycle trailer or semitrailer thereto, provided such trailer or
1214 semitrailer is designed for such attachment.

1215 Sec. 37. Section 14-289d of the general statutes is repealed and the
1216 following is substituted in lieu thereof (*Effective July 1, 2013*):

1217 (a) The Commissioner of Motor Vehicles shall issue regulations, in
1218 accordance with nationally accepted standards, concerning
1219 specifications for vision-protecting devices, including but not limited
1220 to goggles, glasses, face shields, windshields and wind screens for use
1221 by operators of motorcycles and motor-driven cycles.

1222 (b) Failure to wear either goggles, glasses or a face shield of a type
1223 which conforms to the minimum specifications as called for by such
1224 regulations shall be an infraction. The provisions of this subsection
1225 shall not apply to operators of motorcycles and motor-driven cycles
1226 equipped with a wind screen or windshield which conforms to the
1227 minimum specifications called for by such regulations.

1228 Sec. 38. Subsection (e) of section 14-296aa of the general statutes is
1229 repealed and the following is substituted in lieu thereof (*Effective*
1230 *October 1, 2013*):

1231 (e) No person shall use a hand-held mobile telephone or other
1232 electronic device or type, read or send text or a text message with or
1233 from a mobile telephone or mobile electronic device while operating a
1234 commercial motor vehicle, as defined in section 14-1, except for the
1235 purpose of communicating with any of the following regarding an
1236 emergency situation: An emergency response operator; a hospital;
1237 physician's office or health clinic; an ambulance company; a fire
1238 department or a police department.

1239 Sec. 39. Section 14-381 of the general statutes is repealed and the
1240 following is substituted in lieu thereof (*Effective October 1, 2013*):

1241 Any owner required to register a snowmobile or all-terrain vehicle
1242 shall apply to the commissioner and shall file evidence of ownership
1243 by affidavit or document. Upon receipt of an application in proper
1244 form and the registration fee, the commissioner shall assign an
1245 identification number and provide the owner with a certificate of
1246 registration and registration plate. The registration plate, which shall
1247 be affixed by the owner, shall be displayed on the snowmobile or all-
1248 terrain vehicle at a place and in a manner prescribed by the
1249 commissioner. In addition to such registration plate, each snowmobile
1250 and all-terrain vehicle so registered shall display its registration
1251 number on each side of its front section, midway between the top and
1252 bottom of said front section, in letters or numbers at least three inches
1253 in height and made of a reflective material. The certificate of
1254 registration shall be carried on such snowmobile or all-terrain vehicle
1255 and shall be available for inspection whenever such snowmobile or all-
1256 terrain vehicle is being operated. The owner shall pay a fee of twenty
1257 dollars for each snowmobile or all-terrain vehicle so registered. Each
1258 such certificate of registration shall expire [biennially on the last day of
1259 March] two years after the date such certificate of registration was
1260 issued.

1261 Sec. 40. Subsection (b) of section 38a-364 of the general statutes is
1262 repealed and the following is substituted in lieu thereof (*Effective July*
1263 *1, 2013*):

1264 (b) Each insurance company that issues private passenger motor
1265 vehicle liability insurance providing the security required by sections
1266 38a-19 and 38a-363 to 38a-388, inclusive, shall issue annually to each
1267 such insured an automobile insurance identification card, in duplicate,
1268 for each insured vehicle, one of which shall be presented to the
1269 commissioner as provided in section 14-12b and the other carried in
1270 the vehicle as provided in section 14-13. Except as provided in
1271 subsection (c) of this section, such card shall be effective for a period of

1272 one year and shall include the name of the insured and insurer, the
1273 policy number, the effective date of coverage, the year, make or model
1274 and vehicle identification number of the insured vehicle, the company
1275 code number assigned to the insurer by the National Association of
1276 Insurance Commissioners and an appropriate space wherein the
1277 insured may set forth the year, make or model and vehicle
1278 identification number of any private passenger motor vehicle that
1279 becomes covered as a result of a change in the covered vehicle during
1280 the effective period of the identification card. When an insured has five
1281 or more private passenger motor vehicles registered in this state, the
1282 insurer may use the designation "all owned vehicles" on each card in
1283 lieu of a specific vehicle description. Each insurance company that
1284 delivers, issues for delivery or renews such private passenger motor
1285 vehicle liability insurance in this state shall include on such card, the
1286 following notice, printed in capital letters and boldface type:

1287

NOTICE:

1288 YOU HAVE THE RIGHT TO CHOOSE THE LICENSED REPAIR
1289 SHOP WHERE THE DAMAGE TO YOUR MOTOR VEHICLE WILL
1290 BE REPAIRED.

1291 Sec. 41. Subsection (c) of section 38a-364 of the general statutes is
1292 repealed and the following is substituted in lieu thereof (*Effective July*
1293 *1, 2013*):

1294 (c) Whenever a binder for such insurance is issued by an agent, the
1295 agent shall also issue a temporary identification card, in duplicate, for
1296 each covered vehicle effective for a period of sixty days from the date
1297 on which the binder becomes effective. Such temporary cards shall
1298 include the name of the insured and insurer, the company code
1299 number assigned to the insurer by the National Association of
1300 Insurance Commissioners, the printed name and signature of the agent
1301 or authorized representative, the effective date of the binder, the policy
1302 number or, if such number is not available, the agent's code number
1303 and the year, make or model and vehicle identification number of the
1304 insured vehicle.

1305 Sec. 42. Subsection (a) of section 38a-683 of the general statutes is
1306 repealed and the following is substituted in lieu thereof (*Effective July*
1307 *1, 2013*):

1308 (a) The premium charges for a private passenger nonfleet
1309 automobile under an automobile liability or physical damage
1310 insurance policy for any principal operator who has attained the age of
1311 sixty years and has submitted proof of successful completion of [a
1312 four-hour] an accident prevention course of not less than four hours
1313 approved by the Commissioner of Motor Vehicles shall be
1314 appropriately modified to reflect such operator's reduced exposure to
1315 loss. Such course shall be completed within one year prior to the initial
1316 application of the discount or, for subsequent applications of the
1317 discount, within one year of the expiration of the current discount
1318 period. If proof of successful completion of such course is submitted
1319 during the term of a policy, any premium modification shall become
1320 effective upon the next renewal. A minimum discount of five per cent
1321 shall be applicable to premium charges for such automobile for
1322 policies effective on and after July 1, 1983. The discount shall apply to
1323 the premium charges for the automobile for at least twenty-four
1324 months. This section shall not apply to any group automobile
1325 insurance policy issued pursuant to section 38a-803 under which
1326 premiums are broadly averaged for the group rather than determined
1327 individually.

1328 Sec. 43. Subsection (c) of section 54-33a of the general statutes is
1329 repealed and the following is substituted in lieu thereof (*Effective July*
1330 *1, 2013*):

1331 (c) A warrant may issue only on affidavit sworn to by the
1332 complainant or complainants before the judge or judge trial referee
1333 and establishing the grounds for issuing the warrant, which affidavit
1334 shall be part of the arrest file. If the judge or judge trial referee is
1335 satisfied that grounds for the application exist or that there is probable
1336 cause to believe that they exist, the judge or judge trial referee shall
1337 issue a warrant identifying the property and naming or describing the

1338 person, place or thing to be searched. The warrant shall be directed to
1339 any police officer of a regularly organized police department or any
1340 state police officer, to an inspector in the Division of Criminal Justice,
1341 [or] to a conservation officer, special conservation officer or patrolman
1342 acting pursuant to section 26-6 or to a sworn motor vehicle inspector
1343 acting under the authority of section 14-8. The warrant shall state the
1344 date and time of its issuance and the grounds or probable cause for its
1345 issuance and shall command the officer to search within a reasonable
1346 time the person, place or thing named, for the property specified. The
1347 inadvertent failure of the issuing judge or judge trial referee to state on
1348 the warrant the time of its issuance shall not in and of itself invalidate
1349 the warrant.

1350 Sec. 44. Subsection (c) of section 54-56e of the general statutes is
1351 repealed and the following is substituted in lieu thereof (*Effective July*
1352 *1, 2013*):

1353 (c) This section shall not be applicable: (1) To any person charged
1354 with a class A felony, a class B felony, except a violation of section 53a-
1355 122 that does not involve the use, attempted use or threatened use of
1356 physical force against another person, or a violation of section 14-227a,
1357 subdivision (2) of subsection (a) of section 53-21, section 53a-56b, 53a-
1358 60d, 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b, 53a-90a, 53a-
1359 196e or 53a-196f, (2) to any person charged with a crime or motor
1360 vehicle violation who, as a result of the commission of such crime or
1361 motor vehicle violation, causes the death of another person, (3) to any
1362 person accused of a family violence crime as defined in section 46b-38a
1363 who (A) is eligible for the pretrial family violence education program
1364 established under section 46b-38c, or (B) has previously had the
1365 pretrial family violence education program invoked in such person's
1366 behalf, (4) to any person charged with a violation of section 21a-267 or
1367 21a-279 who (A) is eligible for the pretrial drug education program
1368 established under section 54-56i, or (B) has previously had the pretrial
1369 drug education program invoked in such person's behalf, (5) unless
1370 good cause is shown, to any person charged with a class C felony, [or]
1371 (6) to any person charged with a violation of section 9-359 or 9-359a, or

1372 (7) to any person charged with a motor vehicle violation (A) while
1373 operating a commercial motor vehicle, as defined in section 14-1, or (B)
1374 who holds a commercial driver's license or commercial driver's
1375 instruction permit at the time of the violation.

1376 Sec. 45. Subsection (h) of section 54-56g of the general statutes is
1377 repealed and the following is substituted in lieu thereof (*Effective July*
1378 *1, 2013*):

1379 (h) The provisions of this section shall not be applicable in the case
1380 of any person charged with a violation of section 14-227a (1) while
1381 operating a commercial motor vehicle, as defined in section 14-1, or (2)
1382 who holds a commercial driver's license or commercial driver's
1383 instruction permit at the time of the violation.

1384 Sec. 46. Section 14-65f of the general statutes is repealed and the
1385 following is substituted in lieu thereof (*Effective October 1, 2013*):

1386 (a) (1) Prior to performing any repair work on a motor vehicle, a
1387 motor vehicle repair shop shall obtain a written authorization to
1388 perform the work, on an invoice signed by the customer, that includes
1389 an estimate in writing of the maximum cost to the customer of the
1390 parts and labor necessary for the specific job authorized. A repair shop
1391 shall not charge for work done or parts supplied without a written
1392 authorization or in excess of the estimate unless the customer gives
1393 consent orally or in writing.

1394 (2) In addition to, or as part of, the written authorization set forth in
1395 subdivision (1) of this subsection, a motor vehicle repair shop shall
1396 obtain a written acknowledgment that the customer is aware of his or
1397 her right to choose the licensed repair shop where the motor vehicle
1398 will be repaired. Such acknowledgment shall read as follows: "I am
1399 aware of my right to choose the licensed repair shop where the
1400 damage to the motor vehicle will be repaired." A repair shop shall not
1401 repair a motor vehicle without such acknowledgment, which may be
1402 transmitted by facsimile or by electronic mail.

1403 (b) If the repair shop is unable to estimate the cost of repair because
1404 the specific repairs to be performed are not known at the time the
1405 vehicle is delivered to the repair shop, the written authorization
1406 required by this section need not include an estimate of the maximum
1407 cost of parts and labor. In such a case, prior to commencing any
1408 repairs, the repair shop shall notify the customer of the work to be
1409 performed and the estimated maximum cost to the customer of the
1410 necessary parts and labor, obtain the customer's written or oral
1411 authorization and record such information on the invoice.

1412 (c) If, during the course of performing repair work, the repair shop
1413 discovers that repairs other than those authorized are needed or that
1414 the cost of authorized repairs will exceed the estimate, the repair shop
1415 shall not proceed with the repairs without first obtaining the
1416 customer's additional written or oral consent and recording such
1417 information on the invoice.

1418 (d) No repair shop shall have a claim against a motor vehicle for
1419 repairs, other than for repairs actually performed and authorized, in an
1420 amount greater than that authorized by the customer under the
1421 provisions of sections 14-65e to 14-65j, inclusive.

1422 (e) If a motor vehicle is delivered to a repair shop at a time when the
1423 shop is not open for business, the authorization to repair the vehicle
1424 and the estimate of the cost of parts and labor may be given orally but
1425 shall be recorded on the invoice.

1426 (f) Unless requested by a customer, the requirement for a repair
1427 shop to furnish an advance written estimate shall not apply to repair
1428 work for which the total cost for parts and labor is less than fifty
1429 dollars.

1430 (g) Violation of any provision of this section shall be an infraction.

1431 Sec. 47. Section 14-65g of the general statutes is repealed and the
1432 following is substituted in lieu thereof (*Effective October 1, 2013*):

1433 (a) A customer may waive his right to the estimate of the costs of

1434 parts and labor required by section 14-65f, only in writing in
 1435 accordance with this section. Such a waiver shall include an
 1436 authorization to perform reasonable and necessary repairs to remedy
 1437 the problems complained of, at a cost not to exceed a fixed dollar
 1438 amount. The waiver shall be signed by the customer and the customer
 1439 shall be given a fully completed copy of the waiver at the time it is
 1440 signed. No repair shop shall use waivers to evade its duties under
 1441 sections 14-65e to 14-65j, inclusive, and section 14-65l.

1442 (b) Every waiver shall be substantially in the following form:

1443 WAIVER OF ADVANCE ESTIMATE

1444 I voluntarily request that repairs be performed on my vehicle
 1445 without an advance estimate of their cost. By signing this form, I
 1446 authorize reasonable and necessary costs to remedy the problems
 1447 complained of up to a maximum of \$..... The repair shop may not
 1448 exceed this amount without my written or oral consent.

1449 Identification of Vehicle

1450 Date

1451 Time

1452

1453 Customer's Signature

1454 (c) The Commissioner of Motor Vehicles shall determine the size,
 1455 type face and arrangement of the waiver form, consistent with
 1456 subsection (b) of this section.

1457 (d) Each repair shop shall maintain a written record of oral consents
 1458 and authorizations, which may be recorded on the invoice.

1459 (e) Prior to performing any repairs on a customer's vehicle, a repair
 1460 shop shall record on the invoice in writing the following information:

1461 (1) The name and address of the customer and the telephone number

1462 at which the customer may be reached during normal working hours;
1463 (2) the date and approximate time the customer's vehicle was delivered
1464 to the repair shop; (3) the year, make and registration number of the
1465 customer's vehicle; (4) the odometer reading on the customer's vehicle;
1466 and (5) the specific repairs requested by the customer. If the customer
1467 has not requested specific repairs, the shop shall record a brief
1468 description of the nature of the problem that requires repair.

1469 (f) Any repair shop that charges for an estimate or diagnosis shall
1470 inform the customer of the amount of such charge before making the
1471 estimate or diagnosis and shall obtain the customer's consent, which
1472 consent shall be written if requested by the customer or if such charge
1473 is fifty dollars or more.

1474 (g) Violation of any provision of this section shall be an infraction.

1475 Sec. 48. Section 14-65h of the general statutes is repealed and the
1476 following is substituted in lieu thereof (*Effective October 1, 2013*):

1477 (a) All work done by a motor vehicle repair shop, including sublet
1478 repair work or repair work under warranty, shall be recorded on an
1479 invoice which shall specify the name and address of the repair shop,
1480 describe all service work done and parts supplied and state the cost of
1481 such service work and parts supplied, separately itemized. If any used
1482 parts are supplied, the invoice shall clearly state that fact. If any
1483 component system installed is composed of new and used parts, such
1484 invoice shall clearly state that fact. One copy of the invoice shall be
1485 given to the customer and one copy shall be retained by the motor
1486 vehicle repair shop. Any warranty made by a repair shop with respect
1487 to any repair work performed shall be stated in writing. If such written
1488 warranty does not include the cost of both parts and labor, it shall
1489 specifically state which is excluded from the scope of such warranty.

1490 (b) The motor vehicle repair shop shall make available to the
1491 customer, if requested by the customer at the time written or oral
1492 authorization is provided for work to be performed, all replaced parts,
1493 components or equipment. If the repair shop is required to return such

1494 parts, components or equipment to the manufacturer or other person
1495 under any warranty or rebuilding arrangement, the repair shop shall
1496 make them available to the customer for inspection only.

1497 (c) Violation of any provision of this section shall be an infraction.

1498 Sec. 49. Section 14-65i of the general statutes is repealed and the
1499 following is substituted in lieu thereof (*Effective October 1, 2013*):

1500 (a) Each motor vehicle repair shop shall prominently display a sign
1501 twenty-four inches by thirty-six inches in each area of its premises
1502 where work orders are placed by customers. The sign, which shall be
1503 in boldface type, shall read as follows:

1504 THIS ESTABLISHMENT IS LICENSED WITH THE
1505 STATE DEPARTMENT OF MOTOR VEHICLES.
1506 EACH CUSTOMER IS ENTITLED TO...

1507 _____

- 1508 1. A WRITTEN ESTIMATE FOR REPAIR WORK.
- 1509 2. A DETAILED INVOICE OF WORK DONE AND PARTS
1510 SUPPLIED.
- 1511 3. RETURN OF REPLACED PARTS, PROVIDED THE REQUEST IS
1512 MADE AT THE TIME WRITTEN OR ORAL AUTHORIZATION IS
1513 PROVIDED FOR WORK TO BE PERFORMED.

1514 _____

1515 NO REPAIR WORK MAY BE UNDERTAKEN ON A VEHICLE
1516 WITHOUT THE AUTHORIZATION OF THE CUSTOMER.

1517 NO CHARGES FOR REPAIR MAY BE MADE IN EXCESS OF THE
1518 WRITTEN ESTIMATE WITHOUT THE WRITTEN OR ORAL
1519 CONSENT OF THE CUSTOMER.

1520

1521 QUESTIONS CONCERNING THE ABOVE SHOULD BE DIRECTED
1522 TO THE MANAGER OF THIS REPAIR FACILITY.

1523 UNRESOLVED QUESTIONS REGARDING SERVICE WORK MAY BE
1524 SUBMITTED TO:

1525

1526

DEPARTMENT OF MOTOR VEHICLES

1527

DEALER REPAIR DIVISION

1528

60 STATE STREET, WETHERSFIELD, CONNECTICUT

1529

TELEPHONE:

1530

HOURS OF OPERATION:

1531 (b) Each motor vehicle repair shop shall post a sign, as required by
1532 this subsection, in each area of its premises where work orders are
1533 placed by customers. The sign shall state: (1) The hourly charge for
1534 labor; (2) the conditions, if any, under which the shop may impose
1535 charges for storage, and the amount of any such charges; and (3) the
1536 charge, if any, for a diagnosis.

1537 (c) Each motor vehicle repair shop shall prominently display a sign
1538 in each area of its premises where work orders are placed by
1539 customers. The sign, which shall be in boldface type, shall read as
1540 follows:

1541

NOTICE:

1542 THE CUSTOMER HAS THE RIGHT TO CHOOSE THE LICENSED
1543 REPAIR SHOP WHERE THE DAMAGE TO HIS OR HER MOTOR
1544 VEHICLE WILL BE REPAIRED.

1545 (d) The Commissioner of Motor Vehicles shall determine the size,
1546 type face and form of the signs required by this section.

1547 (e) Violation of any provision of this section shall be an infraction.

1548 Sec. 50. Section 14-65j of the general statutes is repealed and the
1549 following is substituted in lieu thereof (*Effective October 1, 2013*):

1550 (a) No repair shop shall make any statement to a customer which it
1551 knows or should know to be false or misleading. Such statements
1552 include, but are not limited to, statements as to the necessity of repairs,
1553 the condition of the customer's vehicle, and whether particular repairs
1554 have been performed by the shop.

1555 (b) No repair shop shall charge a customer for repairs which have
1556 not been performed.

1557 (c) A repair shop shall complete repairs on a motor vehicle on the
1558 same business day the vehicle is delivered to the repair shop by the
1559 customer, unless: (1) The customer is informed at the time the vehicle
1560 is delivered that repairs will not be completed on the day of delivery;
1561 (2) the customer consents to a later date of completion; or (3) as soon as
1562 it learns that repairs will not be completed on the day of delivery, the
1563 repair shop makes reasonable efforts to notify the customer and obtain
1564 consent but is unable to contact the customer. Such efforts shall be
1565 included in the record required by subsection (d) of section 14-65g.

1566 (d) The Commissioner of Motor Vehicles shall adopt regulations in
1567 accordance with chapter 54 to carry out the provisions of sections 14-
1568 65e to 14-65j, inclusive.

1569 (e) Violation of any provision of this section shall be a class B
1570 misdemeanor.

1571 Sec. 51. Subsection (b) of section 14-36 of the general statutes is
1572 repealed and the following is substituted in lieu thereof (*Effective from*
1573 *passage*):

1574 (b) (1) A person eighteen years of age or older who does not hold a
1575 motor vehicle operator's license may not operate a motor vehicle on
1576 the public highways of the state for the purpose of instruction until

1577 such person has applied for and obtained an adult instruction permit
1578 from the commissioner. Such person shall not be eligible for an adult
1579 instruction permit if such person has had a motor vehicle operator's
1580 license suspended or revoked. An adult instruction permit shall entitle
1581 the holder, while such holder has the permit in his or her immediate
1582 possession, to operate a motor vehicle on the public highways,
1583 provided such holder is under the instruction of, and accompanied by,
1584 a person who holds an instructor's license issued under the provisions
1585 of section 14-73 or a person twenty years of age or older who has been
1586 licensed to operate, for at least four years preceding the instruction, a
1587 motor vehicle of the same class as the motor vehicle being operated
1588 and who has not had his or her motor vehicle operator's license
1589 suspended by the commissioner during the four-year period preceding
1590 the instruction. The Commissioner of Motor Vehicles shall not issue a
1591 motor vehicle operator's license to any person holding an adult
1592 instruction permit who has held such permit for less than ninety days.
1593 (2) A person holding a valid out-of-state motor vehicle operator's
1594 license may operate a motor vehicle for a period of thirty days
1595 following such person's establishment of residence in Connecticut, if
1596 the motor vehicle is of the same class as that for which his or her out-
1597 of-state motor vehicle operator's license was issued. (3) No person may
1598 cause or permit the operation of a motor vehicle by a person under
1599 sixteen years of age.

1600 Sec. 52. Subsection (g) of section 14-227a of the general statutes is
1601 repealed and the following is substituted in lieu thereof (*Effective July*
1602 *1, 2013*):

1603 (g) Any person who violates any provision of subsection (a) of this
1604 section shall: (1) For conviction of a first violation, (A) be fined not less
1605 than five hundred dollars or more than one thousand dollars, and (B)
1606 be (i) imprisoned not more than six months, forty-eight consecutive
1607 hours of which may not be suspended or reduced in any manner, or
1608 (ii) imprisoned not more than six months, with the execution of such
1609 sentence of imprisonment suspended entirely and a period of
1610 probation imposed requiring as a condition of such probation that

1611 such person perform one hundred hours of community service, as
1612 defined in section 14-227e, and (C) have such person's motor vehicle
1613 operator's license or nonresident operating privilege suspended for
1614 forty-five days and, as a condition for the restoration of such license,
1615 be required to install an ignition interlock device on each motor vehicle
1616 owned or operated by such person and, upon such restoration, be
1617 prohibited for the one-year period following such restoration from
1618 operating a motor vehicle unless such motor vehicle is equipped with
1619 a functioning, approved ignition interlock device, as defined in section
1620 14-227j; (2) for conviction of a second violation within ten years after a
1621 prior conviction for the same offense, (A) be fined not less than one
1622 thousand dollars or more than four thousand dollars, (B) be
1623 imprisoned not more than two years, one hundred twenty consecutive
1624 days of which may not be suspended or reduced in any manner, and
1625 sentenced to a period of probation requiring as a condition of such
1626 probation that such person: (i) Perform one hundred hours of
1627 community service, as defined in section 14-227e, (ii) submit to an
1628 assessment through the Court Support Services Division of the Judicial
1629 Branch of the degree of such person's alcohol or drug abuse, and (iii)
1630 undergo a treatment program if so ordered, and (C) (i) if such person is
1631 under twenty-one years of age at the time of the offense, have such
1632 person's motor vehicle operator's license or nonresident operating
1633 privilege suspended for forty-five days or until the date of such
1634 person's twenty-first birthday, whichever is longer, and, as a condition
1635 for the restoration of such license, be required to install an ignition
1636 interlock device on each motor vehicle owned or operated by such
1637 person and, upon such restoration, be prohibited for the three-year
1638 period following such restoration from operating a motor vehicle
1639 unless such motor vehicle is equipped with a functioning, approved
1640 ignition interlock device, as defined in section 14-227j, except that for
1641 the first year of such three-year period, such person's operation of a
1642 motor vehicle shall be limited to such person's transportation to or
1643 from work or school, an alcohol or drug abuse treatment program, [or]
1644 an ignition interlock device service center or an appointment with a
1645 probation officer, or (ii) if such person is twenty-one years of age or

1646 older at the time of the offense, have such person's motor vehicle
1647 operator's license or nonresident operating privilege suspended for
1648 forty-five days and, as a condition for the restoration of such license,
1649 be required to install an ignition interlock device on each motor vehicle
1650 owned or operated by such person and, upon such restoration, be
1651 prohibited for the three-year period following such restoration from
1652 operating a motor vehicle unless such motor vehicle is equipped with
1653 a functioning, approved ignition interlock device, as defined in section
1654 14-227j, except that for the first year of such three-year period, such
1655 person's operation of a motor vehicle shall be limited to such person's
1656 transportation to or from work or school, an alcohol or drug abuse
1657 treatment program, [or] an ignition interlock device service center or
1658 an appointment with a probation officer; and (3) for conviction of a
1659 third and subsequent violation within ten years after a prior conviction
1660 for the same offense, (A) be fined not less than two thousand dollars or
1661 more than eight thousand dollars, (B) be imprisoned not more than
1662 three years, one year of which may not be suspended or reduced in
1663 any manner, and sentenced to a period of probation requiring as a
1664 condition of such probation that such person: (i) Perform one hundred
1665 hours of community service, as defined in section 14-227e, (ii) submit
1666 to an assessment through the Court Support Services Division of the
1667 Judicial Branch of the degree of such person's alcohol or drug abuse,
1668 and (iii) undergo a treatment program if so ordered, and (C) have such
1669 person's motor vehicle operator's license or nonresident operating
1670 privilege permanently revoked upon such third offense, except that if
1671 such person's revocation is reversed or reduced pursuant to subsection
1672 (i) of section 14-111, such person shall be prohibited from operating a
1673 motor vehicle unless such motor vehicle is equipped with a
1674 functioning, approved ignition interlock device, as defined in section
1675 14-227j, for the time period prescribed in subdivision (2) of subsection
1676 (i) of section 14-111. For purposes of the imposition of penalties for a
1677 second or third and subsequent offense pursuant to this subsection, a
1678 conviction under the provisions of subsection (a) of this section in
1679 effect on October 1, 1981, or as amended thereafter, a conviction under
1680 the provisions of either subdivision (1) or (2) of subsection (a) of this

1681 section, a conviction under the provisions of section 53a-56b or 53a-60d
1682 or a conviction in any other state of any offense the essential elements
1683 of which are determined by the court to be substantially the same as
1684 subdivision (1) or (2) of subsection (a) of this section or section 53a-56b
1685 or 53a-60d, shall constitute a prior conviction for the same offense.

1686 Sec. 53. Subdivision (1) of subsection (i) of section 14-227a of the
1687 general statutes is repealed and the following is substituted in lieu
1688 thereof (*Effective July 1, 2013*):

1689 (i) (1) The Commissioner of Motor Vehicles shall permit a person
1690 whose license has been suspended in accordance with the provisions
1691 of subparagraph (C) of subdivision (1) or subparagraph (C)(i) or (C)(ii)
1692 of subdivision (2) of subsection (g) of this section to operate a motor
1693 vehicle if (A) such person has served the suspension required under
1694 said subparagraph, notwithstanding that such person has not
1695 completed serving any suspension required under subsection (i) of
1696 section 14-227b, and (B) such person has installed an approved ignition
1697 interlock device in each motor vehicle owned or to be operated by such
1698 person, and verifies to the commissioner, in such manner as the
1699 commissioner prescribes, that such device has been installed. For a
1700 period of one year after the installation of an ignition interlock device
1701 by a person who is subject to subparagraph (C)(i) or (C)(ii) of
1702 subdivision (2) of subsection (g) of this section, such person's operation
1703 of a motor vehicle shall be limited to such person's transportation to or
1704 from work or school, an alcohol or drug abuse treatment program, [or]
1705 an ignition interlock device service center or an appointment with a
1706 probation officer. Except as provided in sections 53a-56b and 53a-60d,
1707 no person whose license is suspended by the commissioner for any
1708 other reason shall be eligible to operate a motor vehicle equipped with
1709 an approved ignition interlock device.

1710 Sec. 54. Subdivision (6) of subsection (i) of section 14-227a of the
1711 general statutes is repealed and the following is substituted in lieu
1712 thereof (*Effective July 1, 2013*):

1713 (6) Whenever a person is permitted by the commissioner under this

1714 subsection to operate a motor vehicle if such person has installed an
1715 approved ignition interlock device in each motor vehicle owned or to
1716 be operated by such person, the commissioner shall indicate in the
1717 electronic record maintained by the commissioner pertaining to such
1718 person's operator's license or driving history that such person is
1719 restricted to operating a motor vehicle that is equipped with an
1720 ignition interlock device and, if applicable, that such person's
1721 operation of a motor vehicle is limited to such person's transportation
1722 to or from work or school, an alcohol or drug abuse treatment
1723 program, [or] an ignition interlock device service center or an
1724 appointment with a probation officer, and the duration of such
1725 restriction or limitation, and shall ensure that such electronic record is
1726 accessible by law enforcement officers. Any such person shall pay the
1727 commissioner a fee of one hundred dollars prior to the installation of
1728 such device.

1729 Sec. 55. Section 7-313a of the general statutes is repealed and the
1730 following is substituted in lieu thereof (*Effective October 1, 2013*):

1731 The authorities having the supervision of the fire department of any
1732 town, city, borough or district may appoint such number of fire
1733 department members or other persons, within available
1734 appropriations, as they deem necessary to be fire police officers of such
1735 municipality or district, who shall have the powers and perform the
1736 duties in such municipality or district as designated and authorized by
1737 the fire chief of such municipality or district, and such fire police
1738 officers may exercise such powers and duties in any other municipality
1739 or district while on duty with the fire department or with a
1740 cooperating fire department, where the department is engaged in
1741 mutual assistance. Such powers and duties shall include traffic control
1742 and regulation and may be exercised by such fire police during any
1743 fire drill or fire call or at any other time when such fire police are
1744 serving with the fire department, with any other fire department in
1745 another municipality or district or with any fire department rendering
1746 mutual assistance. Each such fire police officer while in the
1747 performance of fire police duties shall wear the badge of office in plain

1748 view of any observer. Each such fire police officer, while directing
 1749 traffic in performance of the duties of fire police, shall (1) wear (A) a
 1750 helmet with the words "Fire Police" in red letters on the front thereof,
 1751 any other headgear that meets national, state and local traffic safety
 1752 standards or a regulation fire-police dress uniform cap, and (B) a traffic
 1753 safety vest, orange or lime green raincoat or any reflectorized orange
 1754 or lime green outer clothing, that meets national, state and local traffic
 1755 safety standards, (2) carry a flashlight, which shall have a red or
 1756 orange wand and be capable of projecting a clear light for the purpose
 1757 of illumination at nighttime, and (3) utilize hand-held or portable
 1758 traffic control devices appropriate for the time of day, weather and
 1759 traffic flow. Such helmet, cap, vest, raincoat or outer clothing, badge,
 1760 traffic control equipment and flashlight may be supplied by the
 1761 appointing municipality or district. Any person who violates this
 1762 section by failing to obey any signal given by a fire police officer
 1763 directing traffic in performance of the duties of fire police shall be
 1764 deemed to have committed an infraction.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2013	1-24
Sec. 2	October 1, 2013	1-217(a)
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	July 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	October 1, 2013	14-41a
Sec. 17	October 1, 2013	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>	14-150(e)
Sec. 31	<i>July 1, 2013</i>	14-163c
Sec. 32	<i>July 1, 2013</i>	14-188
Sec. 33	<i>July 1, 2013</i>	14-267a(h)
Sec. 34	<i>July 1, 2013</i>	14-267c
Sec. 35	<i>July 1, 2013</i>	14-286(e)
Sec. 36	<i>July 1, 2013</i>	14-286b(c)
Sec. 37	<i>July 1, 2013</i>	14-289d
Sec. 38	<i>October 1, 2013</i>	14-296aa(e)
Sec. 39	<i>October 1, 2013</i>	14-381
Sec. 40	<i>July 1, 2013</i>	38a-364(b)
Sec. 41	<i>July 1, 2013</i>	38a-364(c)
Sec. 42	<i>July 1, 2013</i>	38a-683(a)
Sec. 43	<i>July 1, 2013</i>	54-33a(c)
Sec. 44	<i>July 1, 2013</i>	54-56e(c)
Sec. 45	<i>July 1, 2013</i>	54-56g(h)
Sec. 46	<i>October 1, 2013</i>	14-65f
Sec. 47	<i>October 1, 2013</i>	14-65g
Sec. 48	<i>October 1, 2013</i>	14-65h
Sec. 49	<i>October 1, 2013</i>	14-65i
Sec. 50	<i>October 1, 2013</i>	14-65j
Sec. 51	<i>from passage</i>	14-36(b)
Sec. 52	<i>July 1, 2013</i>	14-227a(g)
Sec. 53	<i>July 1, 2013</i>	14-227a(i)(1)
Sec. 54	<i>July 1, 2013</i>	14-227a(i)(6)
Sec. 55	<i>October 1, 2013</i>	7-313a

TRA *Joint Favorable Subst.*

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 \$
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	29,000	29,000

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 8 requires blanket insurance coverage on all vehicles for leasing companies and results in an infraction for any company that violates the provisions of the bill. 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 20 requires electric motor vehicles to be registered biennial and changes the registration fee from \$19 to \$36. This is anticipated to result in a revenue loss to the Transportation Fund of up to \$1,000 in FY 14 and 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 licensed 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 because of fewer vehicles that would pay the \$125 biennial 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 36 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 37 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.

Sections 46-50 establish violations for motor vehicle repair shops and are anticipated to result in a revenue gain to the General Fund of up to \$10,000 in FY 14 and FY 15.

Section 55 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.

The Out Years

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

OLR Bill Analysis**sHB 6495*****AN ACT CONCERNING REVISIONS TO THE MOTOR VEHICLE STATUTES.*****SUMMARY:**

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

1. increasing driver's license renewal fees and changing other motor vehicle fees (§§ 16-17, 20-21);
2. requiring background checks of certain Department of Motor Vehicles (DMV) employees (§ 6);
3. 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 (§§ 52-54);
4. criminalizing some offenses committed by motor vehicle repair shops and making other offenses an infraction (§§ 46-50, 53);
5. waiving the motorcycle endorsement written test for certain servicemen and women (§ 14);
6. modifying what is considered a motor-driven cycle and requiring operators of these vehicles to wear eye protection (§§ 3, 35, & 37);
7. modifying laws exempting certain tow truck companies (e.g., those towing interstate for hire) from state licensing, registration and equipment laws (§ 26);
8. making driving instructor licenses valid for use at any licensed

- driving school, rather than only at the school where the instructor works (§ 28);
9. expanding the types of vehicles that must stop at state weigh stations (§ 33);
 10. prohibiting the DMV commissioner 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 (§ 51);
 11. allowing sworn motor vehicle operators to administer oaths and serve search warrants, and barring disclosure of their home addresses (§§ 1-2, 43);
 12. prohibiting commercial driver's license (CDL) holders from taking part in certain pre-trial programs (§§ 44-45)
 13. 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, 38);
 14. barring the motor vehicles commissioner from registering all-terrain vehicles (ATVs) and vessels of delinquent taxpayers (§§ 9-10);
 15. modifying laws concerning driver's license photos and special operator permits (§§ 12-13); and
 16. 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.

EFFECTIVE DATE: Various, see below.

§§ 1-2 & 43 — 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. It prohibits DMV from disclosing their home addresses under the Freedom of Information Act.

EFFECTIVE DATE: July 1, 2013, except the provision on home address disclosure is effective October 1, 2013.

§§ 3 & 35 — 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 produces 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 & 38 — 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 prohibits people from using a hand-held cell phone or other electronic device for any purpose while driving a commercial motor vehicle, and 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, and requires those administering the test to have an annual national criminal background check. 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) rescind the certification of 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, 40-41 — 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: July 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) a local fire official, 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. (A driver's license is valid for six years following 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 changes the registration fee from \$19 a year to \$36 for 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 (\$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 bill makes it a misdemeanor, punishable by a fine of up to \$1,000, up to six months in prison, or both, for a licensed dealer to (1) sell any 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; or (2) 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.

“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 apparently narrows the types of vehicles that may be sold “as is.” Under current law, a dealer may sell a vehicle “as is” if it costs less than \$3,000 or is more than seven years old. Under the bill, the dealer may sell a vehicle “as is” only if it costs less than \$3,000, regardless of its age.

As under current law, the dealer must note all the defects on a form. 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.

A dealer who violates these provisions faces a fine of up to \$1,000, up to six months in prison, or both.

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 — VOLUNTARY MEDIATION

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).

By law, people who violate laws pertaining to motor vehicle auctions are subject, for a first offense, to a fine of up to \$2,500 or three years in prison, or both, and, for subsequent offenses, a fine of up to \$5,000, up to five years in prison, or both (CGS § 14-149 (f)).

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 laws. 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 instructor's 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 (1) the notification to be in writing or sent by fax or email and (2) the 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 — NOTIFICATION OF VEHICLE OWNERS BY GARAGES

The law requires police, parking authorities, and others to place a sticker on abandoned or apparently abandoned motor vehicles and, if the vehicle is not removed within 24 hours, to take the vehicle into custody and store it. These officials also must take into custody and store vehicles that pose a menace to traffic, public health, or safety. In either case, the police or parking authority must, within 48 hours of the time a vehicle is placed in custody, send written notice of the storage by certified mail to the vehicle's owners and any lienholders, if known. The bill requires the owner or keeper of the garage or other location where the vehicle is stored to also provide this notice.

EFFECTIVE DATE: July 1, 2013

§ 31 — 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 (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. (Section 33 of the bill requires student transportation vehicles to stop at weigh stations.)

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

§ 32 — 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

§ 33 — WEIGH STATIONS

The bill requires drivers of certain motor vehicles 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, Department of Emergency Service and Public Protection (DESPP) employees, 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

§ 34 — 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

§ 36 — 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

§ 37 — 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

§ 39 — 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

§ 42 — 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

§§ 44-45 — 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: July 1, 2013

§§ 46-50 — 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 crime, punishable by a maximum fine of \$1,000, up to six months in prison, or both, for a repair shop to knowingly make a false or misleading statement to a customer; to charge a customer for repairs it has not made; or to take more than one day to make repairs without (1) the customer's consent, (2) trying, but failing, to contact the customer.

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

§ 51 — MINIMUM TIME TO HOLD 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. There is no minimum time to hold such a permit under current law.

EFFECTIVE DATE: Upon passage

§§ 52-54 — 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

§ 55 — DISOBEYING FIRE POLICE PERFORMING THEIR DUTIES

The bill make 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

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.

Related Bills

HB 6494, favorably reported by the Transportation Committee, bars the commissioner from issuing a driver's license to an applicant age 18 or older who has an adult instruction permit unless, among other things, he or she has held the permit for at least (1) 90 days or (2) 45 days and completed a state-approved driving course.

SB 975 and HB 6033, favorably reported by the Transportation Committee, make changes to the cell phone law. SB 975 applies the cell phone ban to vehicles stopped temporarily by traffic or road conditions, or a traffic sign or signal. HB 6033 increases the fines for violating the ban on driving while operating a cell phone, texting, or engaging in distracted driving.

SB 303, 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.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 33 Nay 1 (03/15/2013)