



STATE OF CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES



Legal Services Bureau
60 State Street, Wethersfield, CT 06161
<http://ct.gov/dmv>

I, **Melody A. Currey**, Commissioner of the **Department of Motor Vehicles**, an agency of the State of Connecticut, hereby certify that:

(1) On **August 1, 2013**, the agency's intent to amend or adopt its regulation concerning "**Motor Vehicle [Junkyards] Recyclers**", was posted on the Secretary of the State's website, and on **October 23, 2013** the agency's notice of decision to take action on the proposed regulation was also posted on the Secretary of the State's website.

(2) On **May 21, 2013**, the agency gave notice by mail to each joint standing committee of the general assembly having cognizance of the subject matter of the proposed regulation.

(3) The agency gave notice by mail to those persons who have requested advance notice of the regulation-making proceeding of the agency.

(3) The agency provided a copy of the proposed regulation to those persons requesting it.

(5) The agency prepared a fiscal note, including an estimate of the cost or of the revenue impact on the state or any municipality of the state. A true copy of the fiscal note is attached.

(6) On **July 16, 2013**, the agency prepared a small business impact statement which indicated that no regulatory flexibility analysis was required and on **October 23, 2013**, notified the Department of Economic and Community Development on of its intent to adopt the proposed regulation(s).

(7) All interested persons were given until **August 31, 2013** to submit data, views or arguments concerning the proposed regulations and to inspect and copy the fiscal note referenced.

(8) On **N/A**, a hearing was held by the agency concerning said proposal, at 60 State Street Wethersfield DMV, Wethersfield, CT.

(9) The agency has considered fully all written and oral submissions with respect to the proposed regulation(s) that were received by the agency. However, there have been no revisions to either the proposed regulation or the fiscal note.

(10) On **October 21, 2013**, the agency mailed to all persons who submitted data, views or arguments in writing, and to all persons who made statements or oral arguments at the hearing held (if any) and who requested notification, notice that the agency has decided to take action on the proposed regulation(s), and that it has made available for copying and inspection; (a) the final wording of the proposed regulation (s); (b) a statement of the principal reasons in support of its intended actin; and (c) a statement of the principal considerations in opposition to its intended action as urged in written or oral comments on the proposed regulation(s) and its reasons for rejecting such considerations.

DEPARTMENT OF MOTOR VEHICLES

BY: Melody A. Currey
Melody A. Currey, Commissioner

10/23/13
(Date)



STATE OF CONNECTICUT

DEPARTMENT OF MOTOR VEHICLES

60 State Street, Wethersfield, CT 06161

<http://ct.gov/dmv>



Proposed Regulation Amending Motor Vehicle Recycler's Yard and Business

On July 31, 2013, Anne Howroyd, Division Manager in the Legislation and Regulations Unit for the Department of Motor Vehicles ("DMV") published a notice of intent to amend sections 14-67q-1 to 14-67q-11, inclusive; sections 14-67q-13 to 14-67q-18, inclusive, and to repeal section 14-67q-12 of the Regulations of Connecticut State Agencies known as Motor Vehicle [Junkyards] Recyclers. These regulations are being amended under the authority of section 4-168 and section 14-67q of the Connecticut General Statutes. The public comment period closed on August 31, 2013, at 5:00 p.m. Pursuant to such notice, nine written comment letters were received.

Summary of Comments and Agency Response

Comments in support of the proposed regulation, including the repeal of section 14-67q-12 were received from LKQ Corporation by electronic correspondence dated August 30, 2013. LKQ employs 14,000 people nationwide, operating in 43 states. They have 128 employees working at three locations in Connecticut.

1. The comments received in support of the proposed regulation in its entirety state that the regulation, if adopted, would become consistent with a 2011 change to Section 21-10 of the Connecticut General Statutes.

Agency Response: The change in law that the commenter refers to pertains to a general junk dealer, regulated by municipalities, as opposed to a motor vehicle recycler and its yard which is the subject of this proposal.

2. Commenter believes repealing section 14-67q-12, during a time of economic recession, allows for self-service motor vehicle recycling facilities that will not only benefit automotive businesses but also the individual consumer by providing a less expensive way to keep their motor vehicles in good repair.

Agency Response: The agency does not disagree with these comments.

3. Commenter states that the self-service motor vehicle recycling centers are safe, and their company provides for a safe, consumer friendly environment. They believe the present prohibition on self-service facilities is outdated and the repeal of 14-67q-12 would bring Connecticut in line with the rest of the United States.

Agency Response: The agency has no data available to compare the safety aspects of the current business model for motor vehicle recycler licensees and the one utilized by KLQ Corporation.

Comments in opposition of section 3 of the proposal which repeals section 14-67q-12 were submitted by: Connecticut Auto Recyclers Association by letter dated August 19, 2013; Bill's Auto Parts by electronic correspondence dated August 20, 2013; Tom's Foreign Auto Parts by electronic correspondence dated August 26, 2013; South Windsor Auto Parts by electronic correspondence dated August 29, 2013; F&S Auto Parts by electronic correspondence dated August 30, 2013; Petrillo's Used Auto Parts by electronic correspondence dated August 30, 2013; Bishop's Auto Parts by electronic correspondence dated August 30, 2013; and Representative Bill Aman.

4. All of the comments in opposition to the repeal of section 14-67q-12 urged rejection of this change as it pertains to who can access auto parts in a recycler's yard for the safety of the public. They point to the fact that the recycler's employees are properly trained in the disassembling of auto parts and injury to persons will occur if the public is allowed to do the same. Several spoke of the death of a person in a recycler's yard for the reason the agency adopted the current language. In addition, the Connecticut Auto Recyclers Association had concerns about the quality of auto parts being purchased by the public if they are allowed to disassemble certain motor vehicle safety equipment such as airbags.

Agency Response: The Department of Motor Vehicles recognizes and addresses many safety issues associated with a recycler's yard in the current regulation. These safety concerns associated with the operation of a recycler's yard are part of a business's decision-making process and can be mitigated as such by the recycler's business decisions. Also, DMV is not aware of any record of any injuries ever occurring here in Connecticut. Regarding the airbag concern, it is currently a crime for someone to sell or offer for sale an air bag device if the seller knows or should reasonably know that the airbag does not meet federal safety standards.

5. Bill's Auto Parts believes that the lack of supervision in the yard would cause environmental hazards if the repeal of section 14-67q-12 is successful.

Agency Response: Subsection (H) "Motor Vehicle Recyclers" of Part III of Chapter 246 currently has environmental standards that all recycler yards are required to meet, and the Department has incorporated into the proposal the statutory language for compliance with the environmental laws and regulations found under the jurisdiction of the Department of Energy and Environmental Protection in accordance with subsection (b) of Section 14-67I of the Connecticut General Statutes. As such, there is no change in the recycler's obligation to adhere to environmental statutes and regulations.

6. All of the comments in opposition to the repeal language stated that the full-service yard model has been utilized in Connecticut successfully and that any change to this scenario will result in financial difficulty and loss of jobs for their employees. F & S Auto Parts predicts lost tax revenue for the state. A related comment is stated by Petrillo's Used Auto Parts regarding insurance liability for the recycler if the public is allowed into the yard and how this will open up a

"gray-area". Representative Aman mentions it will threaten the business's ability to operate under the liability they will need.

Agency Response: The Department of Motor Vehicles believes the change increases potential for cultivating new business in the state by providing less governmental constraints and more flexibility for existing and new recyclers and their businesses. Also, a predicted loss of tax revenue assumes less economic activity – which the Department believes is unsupported. The change encompassed in the repeal of section 14-67q-12 is permissive in nature; there is nothing to prevent the current business model from continuing if the recycler desires to do so. Business conditions frequently change and companies conduct their business activities accordingly in order to remain competitive. Regarding insurance liability, this is one component of operating such a business and would be addressed by market conditions and each company's business model.

7. The Connecticut Automobile Recyclers Association states that the change will allow more unlicensed repairs in the state.

Agency Response: The Department of Motor Vehicles does not believe that the repeal of section 14-67q-12 will increase the number of individuals who illegally engage in repairing motor vehicles or increase the number of unlicensed repairers.

8. F & S Auto Parts states concerns about auto parts being taken out of the state and shipped to New York and Massachusetts.

Agency Response: The Department of Motor Vehicles does not believe that the repeal of Section 14-67q-12 will impact the destination of auto parts out of the state of Connecticut.

Therefore, no changes to the proposed regulation are required in response to the comments received by all of the entities identified in this response.



STATE OF CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES

60 State Street, Wethersfield, CT 06161
<http://ct.gov/dmv>



Via Email

October 18, 2013

Mr. Ray Colas
LKQ Government Affairs
LKQ Corporation

**Re: Proposed Amendments to Department of Motor Vehicles ("DMV")
Regulations Concerning Motor Vehicle Recyclers**

Dear Mr. Colas:

Thank you for your comments concerning the proposed amendments to DMV's motor vehicle recycler's regulations.

The Department of Motor Vehicles has carefully considered your comments.

Enclosed for you are the following: the agency's Notice of Decision to Take Action on Proposed Regulations; Discussion of Comments and Agency's Response; and a copy of the final proposed text of the regulation. The regulation will be sent to the Connecticut Attorney General for approval as to legal sufficiency. Once this approval is obtained, the proposed regulation will be submitted to the Joint Legislative Regulation Review Committee of the General Assembly for its approval.

Thank you again for your comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne F. Howroyd".

Anne F. Howroyd
Division Manager
Legislative & Regulations Unit
Legal Services Division

Enclosures

Howroyd, Anne

From: Ray Colas - LKQ Government Affairs <RColas@lkqgad.com>
Sent: Friday, August 30, 2013 4:22 PM
To: Howroyd, Anne
Cc: Chris VanDeHoef; Andreas Heiss - LKQ Government Affairs
Subject: LKQ Proposed Rule 14-67q-1 to 14-67q-18 Comments (8.30.13)
Attachments: LKQ Proposed Rule 14-67q-1 to 14-67q-18 Comments (8.30.13).pdf

August 30, 2013

Anne F. Howroyd, Division Manager
Connecticut Department of Motor Vehicles
Legal Services Division
60 State Street, Room 164
Wethersfield, CT 06161

LKQ Supports Connecticut Proposed Rule Changes to CT ADC 14-67q-1 to 14-67q-18

Dear District Manager Howroyd:

As a Government Affairs Representative for LKQ Corporation, I ask that you support the proposed rule changes to CT ADC § 14-67q-1 to § 14-67q-18 which effect motor vehicle recyclers. Specifically, we support amending the regulations governing motor vehicle recycler's as a result of Public Act 96-107 which replaced the word "junkyard" for "recycler" in the General Statutes. In addition, we also support repealing § 14-67q-12 which regulates a motor vehicle recycler's yard by allowing only the owner or an employee or motor vehicle dealer or repairer to remove parts from vehicles in the recycler's yard.

The proposed changes to the regulations clarify the regulations governing the industry and offer significant benefits to the motor vehicle recycler's industry and Connecticut consumers alike. The changes are necessary because:

- Section 14-67q-12 was already repealed by the Connecticut Legislature in 2011 by Public Act 11-213. This rule change merely makes the Connecticut Regulations consistent with section 21-10 of the Connecticut General Statutes. Without the proposed rule change there is clear inconsistency in the law and regulations governing motor vehicle recyclers.
- For Connecticut consumers already feeling the squeeze from the economic recession, repealing section § 14-67q-12 would allow for self service motor vehicle recycling facilities. Self service motor vehicle recycling facilities cater not only to customers such as body shops and garages, but also individual "do-it-yourself" consumers wishing to save money. Recycled parts can be the consumer's only viable option to properly repair and keep their vehicle on the road.

- Self service motor vehicle recycling facilities are safe. LKQ self service facilities are built to insure a safe customer friendly environment for their customers to remove parts. Connecticut consumers and owners of motor vehicle recycling facilities should be able to choose if they want to shop at or operate self service auto parts facilities.
- Connecticut is the only state that prohibits the operation of self service motor vehicle recycling facilities. This prohibition was implemented in 1984 and is outdated. Repealing § 14-67q-12 would bring Connecticut in line with the rest of the country and help the motor vehicle recycling industry shed the out dated "junkyard" label.

LKQ Corporation is the largest nationwide provider of aftermarket, recycled collision replacement parts and refurbished collision replacement products such as wheels, bumper covers and lights, and a leading provider of mechanical replacement parts including remanufactured engines, all in connection with the repair of automobiles and other vehicles. LKQ also has operations in the United Kingdom, Canada, Mexico and Central America. Globally, LKQ has just under 20,000 employees and operates more than 430 facilities, offering its customers a broad range of replacement systems, components and parts to repair automobiles and light, medium and heavy-duty trucks.

LKQ employs 14,000 people nationwide and operates more than 400 facilities in more than 43 states. LKQ has 128 employees at 3 locations in Connecticut found in the following cities: one (1) in Manchester, one (1) in Milford, and one (1) in Waterbury, and pays taxes on a payroll of over \$4.5 million dollars.

As the District Manager of the Legal Services Division of the Connecticut Department of Motor Vehicles, I hope you will recognize that the proposed changes to the regulations concerning the motor vehicle recycling industry is of tremendous importance to Connecticut consumers and owners of motor vehicle recycling facilities. I respectfully urge The Department to proceed forward with and support the proposed changes.

Please do not hesitate to contact me if you have any questions or comments. I can be reached at (954) 492-9092.

Respectfully,



Andreas Heiss
Government Affairs Representative
LKQ Corporation



STATE OF CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES

60 State Street, Wethersfield, CT 06161
<http://ct.gov/dmv>



Via Email

October 18, 2013

The Honorable Bill Aman
Legislative Office Building, Room 4200
300 Capitol Avenue
Hartford, CT 06106

**Re: Proposed Amendments to Department of Motor Vehicles ("DMV")
Regulations Concerning Motor Vehicle Recyclers**

Dear Representative Aman:

Thank you for your comments submitted on behalf of a family owned full-service auto parts recycling facility in your district concerning the proposed amendments to DMV's motor vehicle recyclers regulations.

The Department of Motor Vehicles has carefully considered your comments.

Enclosed for you are the following: the agency's Notice of Decision to Take Action on Proposed Regulations; Discussion of Comments and Agency's Response; and a copy of the final proposed text of the regulation. The regulation will be sent to the Connecticut Attorney General for approval as to legal sufficiency. Once this approval is obtained, the proposed regulation will be submitted to the Joint Legislative Regulation Review Committee of the General Assembly for its approval.

Thank you again for your comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne F. Howroyd".

Anne F. Howroyd
Division Manager
Legislative & Regulations Unit
Legal Services Division

Enclosures



State of Connecticut

HOUSE OF REPRESENTATIVES
STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

REPRESENTATIVE BILL AMAN
FOURTEENTH ASSEMBLY DISTRICT

LEGISLATIVE OFFICE BUILDING, ROOM 4200
300 CAPITOL AVENUE
HARTFORD, CT 06106-1591

HOME: (860) 528-3564
CAPITOL: (860) 240-8700
Bill.Aman@cga.ct.gov

September 4, 2013

Commissioner Melody Currey
Department of Motor Vehicles
60 State Street
Wethersfield, CT 06161

Dear Commissioner Currey,

I write today regarding the Department's Notice of Intent to repeal Section 14-67q-12 of the Regulations of CT State Agencies, Entitled "Motor Vehicle [Junkyards] Recyclers". As the state representative of a family owned full-service auto parts recycling facility operating since the mid 1960's, I have sincere concerns regarding the impact of such a repeal to both the public safety and the ability of this small business to continue to operate.

Most prominently, I feel strongly that this regulation, as adopted in 1984, continues to provide rational protections to the public. Currently, the employees of these facilities are trained, per Federal and State regulations, on proper safety and environmental compliance when accessing and storing these parts. I have sincere concern with allowing the untrained public to freely access, dismantle and pull parts from salvage vehicles, lacking experience in these facilities. These circumstances would unquestionably invite accidents and injury.

Additionally, these businesses have structured themselves to address the full service model, hiring hundreds of well qualified people across our state. Repealing this section would undoubtedly result in layoffs, but further threaten the feasibility of these businesses to continue to operate under the liability they will now need to incur for the public to self-serve on their premises.

For these reasons I sincerely hope that you will reconsider pursuing the repeal of this timely and necessary section. I hope you will contact me if I can offer any additional information as to my opposition to this change.

Sincerely,

Bill Aman
State Representative,
14th District

ASSISTANT LEADER

RANKING MEMBER
PLANNING AND DEVELOPMENT COMMITTEE

MEMBER
FINANCE, REVENUE AND BONDING COMMITTEE
GENERAL LAW COMMITTEE

SEP 9 2013



**STATE OF CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES**

60 State Street, Wethersfield, CT 06161
<http://ct.gov/dmv>



Via Email

October 18, 2013

Ms. Donna Petrillo
Petrillo's Used Auto Parts
150 Middletown Avenue
New Haven, CT 06513

**Re: Proposed Amendments to Department of Motor Vehicles ("DMV")
Regulations Concerning Motor Vehicle Recyclers**

Dear Ms. Petrillo:

Thank you for your comments submitted on behalf of a family owned full-service auto parts recycling facility in your district concerning the proposed amendments to DMV's motor vehicle recyclers regulations.

The Department of Motor Vehicles has carefully considered your comments.

Enclosed for you are the following: the agency's Notice of Decision to Take Action on Proposed Regulations; Discussion of Comments and Agency's Response; and a copy of the final proposed text of the regulation. The regulation will be sent to the Connecticut Attorney General for approval as to legal sufficiency. Once this approval is obtained, the proposed regulation will be submitted to the Joint Legislative Regulation Review Committee of the General Assembly for its approval.

Thank you again for your comments.

Sincerely,

A handwritten signature in cursive script that reads "Anne F. Howroyd".

Anne F. Howroyd
Division Manager
Legislative & Regulations Unit
Legal Services Division

Enclosures

Howroyd, Anne

From: Donna Petrillo <DPetrillo@petrillosauto.com>
Sent: Friday, August 30, 2013 3:44 PM
To: Howroyd, Anne
Subject: NOI to amend regulations

Dear Anne Howroyd

RE: Notice of Intent to Amend Sections 14-67q-1 to 14-67q-11, inclusive; Sections 14-67q-13 to 14-67q-18, inclusive, and to repeal Section 14-67q-12 of the Regulations of CT State Agencies, Entitled "Motor Vehicle [Junkyards] Recyclers"

On behalf of my company, Petrillo's Used Auto Parts, and as a current board member and past president of the Connecticut Auto Recyclers Association, I concur with the overwhelming opinion of CAR and our current President, Ms. Taia Cesana in urging the Department of Motor vehicles to support the current regulation in 14-67q-12, which prevents the public from entering automotive recycling yards to remove their own parts.

These regulations were put into place, and enforced, to uphold a basic business principal and ensure a level of safety for yard owners and patrons alike. Operating a full service yard provides for several levels of employment, from the "helper" all the way up to the head "parts-puller". These people rely on these jobs to provide for themselves and their families. I believe that the inclusion of self service yards in the state of Connecticut will create a financial hardship upon these employees as well as open up a "gray-area" gap of insurance liability.

In conclusion, I am strongly opposed to the repeal of section 14-67q-12 as it pertains to removing parts from salvaged vehicles in a licensed recycling facility.

Thank you very much for your honest consideration of this very important business matter.

Regards,
Donna Petrillo
Petrillo's Used Auto Parts
donna@petrillosauto.com



**STATE OF CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES**

60 State Street, Wethersfield, CT 06161
<http://ct.gov/dmv>



Via Email

October 18, 2013

Mr. Wayne Chagnot
South Windsor Auto Parts, Inc.,
16 Schank Road
South Windsor, CT 06074

**Re: Proposed Amendments to Department of Motor Vehicles ("DMV")
Regulations Concerning Motor Vehicle Recyclers**

Dear Mr. Chagnot:

Thank you for your comments submitted on behalf of a family owned full-service auto parts recycling facility in your district concerning the proposed amendments to DMV's motor vehicle recyclers regulations.

The Department of Motor Vehicles has carefully considered your comments.

Enclosed for you are the following: the agency's Notice of Decision to Take Action on Proposed Regulations; Discussion of Comments and Agency's Response; and a copy of the final proposed text of the regulation. The regulation will be sent to the Connecticut Attorney General for approval as to legal sufficiency. Once this approval is obtained, the proposed regulation will be submitted to the Joint Legislative Regulation Review Committee of the General Assembly for its approval.

Thank you again for your comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne F. Howroyd".

Anne F. Howroyd
Division Manager
Legislative & Regulations Unit
Legal Services Division

Enclosures

Howroyd, Anne

From: Wayne Chagnot <wayne@southwindsorautoparts.com>
Sent: Thursday, August 29, 2013 11:25 AM
To: Howroyd, Anne
Subject: Opposition to Notice of Intent to repeal Section 14-67q-12 of the Regulations

Dear Anne F. Howroyd :

I am writing in regard to the Notice of Intent to repeal Section 14-67q-12 of the Regulations of CT State Agencies, Entitled "Motor Vehicle [Junkyards] Recyclers." I am strongly opposed to the repeal of Section 14-67q-12, as it pertains to removing parts from vehicles stored in a recycler's yard.

The NOI stated this regulation was adopted in 1984. My family has owned our yard since 1971 and has always understood that only our employees or the employees of a DMV licensed facility may remove parts from vehicles stored in our yard. According to a yard owner who operated a facility through the 1960's this policy was in place then too.

The 1984 regulation was supposedly put in place after a member of the public went into a yard to remove a part himself and became trapped underneath a vehicle. He did not survive.

I and my family strongly oppose this regulation being lifted. Our company has been in operation since the mid 1960's and currently employ six people as a full-service auto parts recycling facility. We train our employees, per Federal and State regs, on safety issues and environmental compliance.

Our business provides the public with the opportunity to purchase gently used/recycled parts at a significant savings compared to the cost of new parts. We currently deliver parts daily within the state of CT and sell parts on-line through e-commerce sites like E-Bay.

The repeal of this Section 14-67q-12 could create an extreme hardship, result in the reduction of the number of our employees and the type of services we could afford to offer customers. We have built and invested in our facility based on the full service model. Converting to a self-service facility would be financially difficult.

Attached is a letter from Taia Cesana, the President of The Connecticut Auto Recyclers Association to Anne Howroyd of the Legal Services Division of the DMV expressing CAR's position in this issue. I support this letter as written.

Any questions, please feel free to contact me.

Wayne Chagnot

South Windsor Auto Parts, Inc.

16 Schank Road, South Windsor, CT 06074



STATE OF CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES

60 State Street, Wethersfield, CT 06161
<http://ct.gov/dmv>



Via Email

October 18, 2013

Mr. James Eitvydas, President
Tom's Foreign Auto Parts
35 South Fifth Street
Waterbury, CT 06708

**Re: Proposed Amendments to Department of Motor Vehicles ("DMV")
Regulations Concerning Motor Vehicle Recyclers**

Dear Mr. Eitvydas:

Thank you for your comments submitted on behalf of a family owned full-service auto parts recycling facility in your district concerning the proposed amendments to DMV's motor vehicle recycler's regulations.

The Department of Motor Vehicles has carefully considered your comments.

Enclosed for you are the following: the agency's Notice of Decision to Take Action on Proposed Regulations; Discussion of Comments and Agency's Response; and a copy of the final proposed text of the regulation. The regulation will be sent to the Connecticut Attorney General for approval as to legal sufficiency. Once this approval is obtained, the proposed regulation will be submitted to the Joint Legislative Regulation Review Committee of the General Assembly for its approval.

Thank you again for your comments.

Sincerely,

A handwritten signature in black ink that reads "Anne F. Howroyd".

Anne F. Howroyd
Division Manager
Legislative & Regulations Unit
Legal Services Division

Enclosures

Howroyd, Anne

From: dan96max@gmail.com on behalf of Daniel Tole <dan@tomsforeign.com>
Sent: Monday, August 26, 2013 2:30 PM
To: Howroyd, Anne
Subject: Section 14-67Q-12

From: James Elbydas, President
Kolman Lurla, & Son, Inc D/B/A
Tom's Foreign Auto Parts

Dear Anne F Howroyd, Division Manager

I am writing in regard to the Notice of Intent to repeal Section 14-67q-12 of the Regulations of CT State Agencies, Entitled "Motor Vehicle (Junkyards) Recyclers".

This law was adopted in 1984. A young man improperly lifted a car with a bumper jack and was trapped and crushed under the car resulting in his death.

As the President of Tom's Foreign Auto Parts, I strongly oppose this regulation being lifted. Our company has been in operation since 1926 and we currently employ 24 people as a full-service auto recycling facility. We have quality control and safety programs in place and maintained.

Our business helps people that can't afford to buy new auto parts keep their car on the road. Auto Recycling greatly reduces the cost of new replacement auto parts.

The repeal of this Section 14-67q-12 could create an extreme hardship and result in the reduction of the amount of our employees.

Attached is a letter from Tala Cesana, the President of The Connecticut Auto Recyclers Association to Anne Howroyd of the Legal Services Division of the DMV expressing CAR's position in this issue. I support this letter as written.

Any questions, please feel free to contact me.

James Elbydas
Kolman Lurla & Sons, Inc
Tom's Foreign Auto Parts
25 South Fifth St. Waterbury, CT 06708
www.tomsforeign.com / www.facebook.com/TomsForeignAutoParts
1-800-255-6766 / 203-255-1540
Cell: 203-768-1540
Phone Hours: 8:30am - 5:00pm EST MON-FRI

Daniel Tole / E-Commerce Manager

Tom's Foreign Auto Parts

www.tomsforeign.com / www.facebook.com/TomsForeignAutoParts

1-800-255-6656 x116 dan@tomsforeign.com

Phone Hours : 8 a.m. - 5 p.m. EST Mon-Fri



STATE OF CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES

60 State Street, Wethersfield, CT 06161
<http://ct.gov/dmv>



Via Email

October 18, 2013

Ms. Taia Cesana, President
Connecticut Auto Recyclers Association, Inc.
East Coast Auto Salvage
Higganum, CT 06441

**Re: Proposed Amendments to Department of Motor Vehicles ("DMV")
Regulations Concerning Motor Vehicle Recyclers**

Dear Ms. Cesana:

Thank you for your comments submitted on behalf of a family owned full-service auto parts recycling facility in your district concerning the proposed amendments to DMV's motor vehicle recyclers regulations.

The Department of Motor Vehicles has carefully considered your comments.

Enclosed for you are the following: the agency's Notice of Decision to Take Action on Proposed Regulations; Discussion of Comments and Agency's Response; and a copy of the final proposed text of the regulation. The regulation will be sent to the Connecticut Attorney General for approval as to legal sufficiency. Once this approval is obtained, the proposed regulation will be submitted to the Joint Legislative Regulation Review Committee of the General Assembly for its approval.

Thank you again for your comments.

Sincerely,

A handwritten signature in cursive script, reading "Anne F. Howroyd".

Anne F. Howroyd
Division Manager
Legislative & Regulations Unit
Legal Services Division

Enclosures

CAR

The Connecticut Auto Recyclers Association, Inc.

To: Anne F. Howroyd, Division Manager

Legislative & Regulations Unit

Legal Services Division

State of CT Department of Motor Vehicles

60 State Street, Room 164

Wethersfield, CT 06161

From: Taia Cesana, President of CAR

Owner, East Coast Auto Salvage

Higganum, CT 06441

Date: August 19, 2013

RE: Notice of Intent to Amend Sections 14-67q-1 to 14-67q-11, inclusive; Sections 14-67q-13 to 14-67q-18, inclusive, and to repeal Section 14-67q-12 of the Regulations of CT State Agencies, Entitled "Motor Vehicle [Junkyards] Recyclers"

CAR is an association with 57 members statewide employing hundreds of CT's citizens. Our members are primarily small businesses which provide a valuable service to the auto repair industry and the general public.

The regulations as described in your May 31, 2013 Notice of Intent (NOI), is intended "...to update the regulations governing a motor vehicle recycler's yard and business as a result of Public Act 96-167 which replaced the word "junkyard" for "recycler" throughout the General Statutes. In addition, Public Act 08-150 mandates compliance with environmental laws as a requirement for licensure." CAR supports these changes.

"The regulations also seeks to repeal Section 14-67q-12 which was adopted in 1984. This section regulates a motor vehicle recycler's yard in two ways: allows only the owner or an employee or motor vehicle dealer or repairer to remove

parts from vehicles in the recycler's yard; and provides for the restraining of dogs during business hours. *CAR is strongly opposed to the repeal of Section 14-67q-12, as it pertains to removing parts from vehicles in the recycler's yard.*

You state in the NOI that "these two requirements are not necessarily reflective of current business conditions". How can this be? It has been the law since 1984.

CAR understands that currently anyone, with or without a license, is allowed to purchase parts. However, CAR believes that the inclusion of self-service yards in our state will create a business environment that will hurt full-service yards. CAR members have built their businesses around a full-service model. They employ hundreds of qualified people to dismantle and pull parts from salvage vehicles, providing quality OEM auto parts to repair shops around the state. Self service yards will allow for more unlicensed repairs - with auto parts potentially not meeting OEM standards - being performed on the side (e.g. counterfeit and nonfunctional airbags). **Section 14-67q-12 is for the safety of the general public.**

Further, the **Statement of Purpose** states, "These current requirements for a recycler's business, adopted in 1984, have become passé in the twenty-first century." It is CAR's position that the general public's safety is never "passé".

Finally, without knowing who provided the responses in the **Small Business Impact Statement**, CAR believes the deletion of Section 14-67q-12 will adversely affect their small businesses and potentially impact public safety.

CAR strongly urges the Department of Motor Vehicles to support the current regulation, in 14-67q-12, which prevents the public from entering automotive recycling yards to remove parts.



STATE OF CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES

60 State Street, Wethersfield, CT 06161

<http://ct.gov/dmv>



Via Email

October 18, 2013

Mr. Dan Bishop
Bishop's Auto Parts
120 Stantack Road
Middletown, CT 06457

**Re: Proposed Amendments to Department of Motor Vehicles ("DMV")
Regulations Concerning Motor Vehicle Recyclers**

Dear Mr. Bishop:

Thank you for your comments submitted on behalf of a family owned full-service auto parts recycling facility in your district concerning the proposed amendments to DMV's motor vehicle recyclers regulations.

The Department of Motor Vehicles has carefully considered your comments.

Enclosed for you are the following: the agency's Notice of Decision to Take Action on Proposed Regulations; Discussion of Comments and Agency's Response; and a copy of the final proposed text of the regulation. The regulation will be sent to the Connecticut Attorney General for approval as to legal sufficiency. Once this approval is obtained, the proposed regulation will be submitted to the Joint Legislative Regulation Review Committee of the General Assembly for its approval.

Thank you again for your comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne F. Howroyd".

Anne F. Howroyd
Division Manager
Legislative & Regulations Unit
Legal Services Division

Enclosures

Howroyd, Anne

From: Dan Bishop <dan@bapct.com>
Sent: Friday, August 30, 2013 11:48 AM
To: Howroyd, Anne
Subject: 14-67q-12
Attachments: DMV 2013 Reg 14-67q-12 Recyclers.doc

Dear Anne Howroyd,

Hello Anne, My name is Danny Bishop and I am Vice President of Bishop's Auto Parts Inc., a 3rd generation family run salvage yard in Meriden, Ct. Currently, we employ 15 employees and we have been in business since 1969.

Recently, it has come to my attention that a motion to repeal section 14-67q-12 of the regulations of Ct State Agencies is set to be presented to the legislative committee. This regulation was adopted in 1984, due to the death of a customer that was removing a part from a vehicle in a salvage yard. It is my opinion that this regulation keeps the general public safe, and allows used parts to be removed by professionals that have been trained and insured by the company that employs them. This regulation allows us to keep our current staff in order to service the demand from our customers. Therefore, I strongly oppose this regulation being removed.

I have included a letter from Taia Cesana, the president of the Connecticut Auto Recyclers. This letter expresses the position of not only our state association, but many other Connecticut recyclers as well.

Thank You,

Dan Bishop

Bishop's Auto Parts

120 Stantack Road
Middletown, Ct. 06457

www.bapct.com

dan@bapct.com

Tel 800-634-8733 Ext.107

Fax 860-346-4589



STATE OF CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES

60 State Street, Wethersfield, CT 06161
<http://ct.gov/dmv>



Via Email

October 18, 2013

Mr. Richard Montesi
F&S Auto Parts, Inc.
67 Garnet Road
Roxbury, CT 06783

**Re: Proposed Amendments to Department of Motor Vehicles ("DMV")
Regulations Concerning Motor Vehicle Recyclers**

Dear Mr. Montesi:

Thank you for your comments submitted on behalf of a family owned full-service auto parts recycling facility in your district concerning the proposed amendments to DMV's motor vehicle recyclers regulations.

The Department of Motor Vehicles has carefully considered your comments.

Enclosed for you are the following: the agency's Notice of Decision to Take Action on Proposed Regulations; Discussion of Comments and Agency's Response; and a copy of the final proposed text of the regulation. The regulation will be sent to the Connecticut Attorney General for approval as to legal sufficiency. Once this approval is obtained, the proposed regulation will be submitted to the Joint Legislative Regulation Review Committee of the General Assembly for its approval.

Thank you again for your comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne F. Howroyd".

Anne F. Howroyd
Division Manager
Legislative & Regulations Unit
Legal Services Division

Enclosures

Howroyd, Anne

From: Richard Montesi <rmontesi1976@gmail.com>
Sent: Friday, August 30, 2013 1:02 PM
To: Howroyd, Anne
Subject: Opposition to 14-67q-12 being removed

Hello Anne, my name is Richard Montesi of F&S Auto Parts Inc. I am emailing you to let you know of my deep concerns regarding 14-67q-12 being removed from DMV regulations. My first concern is public safety. This regulation was put into effect to protect consumers from injury and possible death! There were instances of this happening prior to this regulation being put into effect My second concern is loss of jobs. All of the Auto recyclers in this state have set their business model according to DMV regulations. If this regulation is removed it will almost certainly result in financial hardship, job loss, and lost tax revenue for the state. I say this because most of the Auto Recyclers in Connecticut do not have the financial means to compete with the large national and international corporations that will move into this state and in return take product out of state if this regulation is removed. This will result in more people on unemployment, and also lost tax dollars for the state as these companies will ship product out of state where they have their large operations based(New York and Massachusetts). Please consider the safety of the general public as well as those of us law abiding and tax paying Auto Recyclers here in Connecticut. Thank you.



STATE OF CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES

60 State Street, Wethersfield, CT 06161
<http://ct.gov/dmv>



Via Email

October 18, 2013

Mr. William DeBacco
Bills Auto Parts
Route 74
Tolland, CT 06084

**Re: Proposed Amendments to Department of Motor Vehicles ("DMV")
Regulations Concerning Motor Vehicle Recyclers**

Dear Mr. DeBacco:

Thank you for your comments submitted on behalf of a family owned full-service auto parts recycling facility in your district concerning the proposed amendments to DMV's motor vehicle recyclers regulations.

The Department of Motor Vehicles has carefully considered your comments.

Enclosed for you are the following: the agency's Notice of Decision to Take Action on Proposed Regulations; Discussion of Comments and Agency's Response; and a copy of the final proposed text of the regulation. The regulation will be sent to the Connecticut Attorney General for approval as to legal sufficiency. Once this approval is obtained, the proposed regulation will be submitted to the Joint Legislative Regulation Review Committee of the General Assembly for its approval.

Thank you again for your comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne F. Howroyd".

Anne F. Howroyd
Division Manager
Legislative & Regulations Unit
Legal Services Division

Enclosures

Howroyd, Anne

From: dbac333@gmail.com on behalf of William DeBacco <billy@Bills-AutoParts.com>
Sent: Thursday, August 29, 2013 12:57 PM
To: Howroyd, Anne
Subject: ISSUE WITH SECTION 14-67Q-12

Anne F. Howroyd,

Good afternoon, my name is William DeBacco. I am a third generation auto recycler at **Bill's Auto Parts in Tolland, CT** and am on the board of directors for CAR (Connecticut Auto Recyclers). The association, as well as our business, is strongly opposed to the repeal of **Section 14-67 q-12 of the Regulations of CT State Agencies, Entitled "Motor Vehicle [Junkyards] Recyclers**, as it pertains to removing parts from vehicles stored in a recycler's yard. We feel that if this were to go into effect, it would be harmful to the general motoring public as well as the auto recyclers in this fine state. The issue that I am referring to is about a corporation that is attempting to change the laws about allowing self-serve you-pull-it yards. There are a few issues with this that our state should be well aware of. The largest issue in my eyes is to allow an everyday citizen to enter our facilities to pull their own parts. Yes, it seems like a good idea since the recyclers are able to cut down on finances such as employees and equipment, but there are bad scenarios that may come from this. In terms of the state's perspective, jobs within our state will be cut, which will obviously further increase unemployment and will cause recycling facilities to go out of business. All recyclers do as much as possible to avoid spills, leaks and any possible hazard to keep the grounds as clean as possible. The lack of supervision in a you-pull-it-yard will increase injuries and environmental hazards.

Sincerely,

William DeBacco

Bill's Auto Parts - Tolland, CT

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Thank you for choosing Bills Auto Parts for all your automotive needs.

Thanks again,

Billy D.

Billy@Bills-AutoParts.com