



Substitute Senate Bill No. 936

Public Act No. 15-46

AN ACT CONCERNING THE DEPARTMENT OF MOTOR VEHICLES' RECOMMENDATIONS WITH RESPECT TO AUTOCYCLES AND THREE-WHEELED MOTORCYCLES.

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

Section 1. Section 14-1 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

Terms used in this chapter shall be construed as follows, unless another construction is clearly apparent from the language or context in which the term is used or unless the construction is inconsistent with the manifest intention of the General Assembly:

(1) "Activity vehicle" means a student transportation vehicle that is used to transport students in connection with school-sponsored events and activities, but is not used to transport students to and from school;

(2) "Agricultural tractor" means a tractor or other form of nonmuscular motive power used for transporting, hauling, plowing, cultivating, planting, harvesting, reaping or other agricultural purposes on any farm or other private property, or used for the purpose of transporting, from one farm to another, agricultural implements and farm products, provided the agricultural tractor is not used on any highway for transporting a pay load or for some other

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commercial purpose;

(3) "Antique, rare or special interest motor vehicle" means a motor vehicle twenty years old or older which is being preserved because of historic interest and which is not altered or modified from the original manufacturer's specifications;

(4) "Apparent candle power" means an illumination equal to the normal illumination in foot candles produced by any lamp or lamps, divided by the square of the distance in feet between the lamp or lamps and the point at which the measurement is made;

(5) "Authorized emergency vehicle" means (A) a fire department vehicle, (B) a police vehicle, or (C) a public service company or municipal department ambulance or emergency vehicle designated or authorized for use as an authorized emergency vehicle by the commissioner;

(6) "Autocycle" means a motor vehicle that meets the requirements of a motorcycle under 49 CFR Part 571, and (A) does not have more than three wheels in contact with the ground, (B) is designed to be controlled with a steering wheel and foot pedals for acceleration, braking or shifting, (C) has a seat or seats that are fully or partially enclosed and in which the occupants sit with their legs forward, and (D) is equipped with safety belts, in accordance with section 14-100a, for all occupants;

[(6)] (7) "Auxiliary driving lamp" means an additional lighting device on a motor vehicle used primarily to supplement the general illumination in front of a motor vehicle provided by the motor vehicle's head lamps;

[(7)] (8) "Bulb" means a light source consisting of a glass bulb containing a filament or substance capable of being electrically maintained at incandescence;

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[(8)] (9) "Camp trailer" includes any trailer designed for living or sleeping purposes and used exclusively for camping or recreational purposes;

[(9)] (10) "Camp trailer registration" means the type of registration issued to any trailer that is for nonbusiness use and is limited to camp trailers and utility trailers;

[(10)] (11) "Camp vehicle" means any motor vehicle that is regularly used to transport persons under eighteen years of age in connection with the activities of any youth camp, as defined in section 19a-420;

[(11)] (12) "Camper" means any motor vehicle designed or permanently altered in such a way as to provide temporary living quarters for travel, camping or recreational purposes;

[(12)] (13) "Combination registration" means the type of registration issued to a motor vehicle used for both private passenger and commercial purposes if such vehicle does not have a gross vehicle weight rating in excess of twelve thousand five hundred pounds;

[(13)] (14) "Commercial driver's license" or "CDL" means a license issued to an individual in accordance with the provisions of sections 14-44a to 14-44m, inclusive, which authorizes such individual to drive a commercial motor vehicle;

[(14)] (15) "Commercial driver's license information system" or "CDLIS" means the national database of holders of commercial driver's licenses established by the Federal Motor Carrier Safety Administration pursuant to Section 12007 of the Commercial Motor Vehicle Safety Act of 1986;

[(15)] (16) "Commercial motor vehicle" means a vehicle designed or used to transport passengers or property, except a vehicle used for farming purposes in accordance with 49 CFR 383.3(d), fire fighting

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apparatus or an emergency vehicle, as defined in section 14-283, or a recreational vehicle in private use, which (A) has a gross vehicle weight rating of twenty-six thousand and one pounds or more, or a gross combination weight rating of twenty-six thousand and one pounds or more, inclusive of a towed unit or units with a gross vehicle weight rating of more than ten thousand pounds; (B) is designed to transport sixteen or more passengers, including the driver, or is designed to transport more than ten passengers, including the driver, and is used to transport students under the age of twenty-one years to and from school; or (C) is transporting hazardous materials and is required to be placarded in accordance with 49 CFR 172, Subpart F, as amended, or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73;

[(16)] (17) "Commercial registration" means the type of registration required for any motor vehicle designed or used to transport merchandise, freight or persons in connection with any business enterprise, unless a more specific type of registration is authorized and issued by the commissioner for such class of vehicle;

[(17)] (18) "Commercial trailer" means a trailer used in the conduct of a business to transport freight, materials or equipment whether or not permanently affixed to the bed of the trailer;

[(18)] (19) "Commercial trailer registration" means the type of registration issued to any commercial trailer;

[(19)] (20) "Commissioner" includes the Commissioner of Motor Vehicles and any assistant to the Commissioner of Motor Vehicles who is designated and authorized by, and who is acting for, the Commissioner of Motor Vehicles under a designation; except that the deputy commissioners of motor vehicles and the Attorney General are deemed, unless the Commissioner of Motor Vehicles otherwise provides, to be designated and authorized by, and acting for, the

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Commissioner of Motor Vehicles under a designation;

[(20)] (21) "Controlled substance" has the same meaning as in section 21a-240 and the federal laws and regulations incorporated in chapter 420b;

[(21)] (22) "Conviction" means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended or probated;

[(22)] (23) "Dealer" includes any person actively engaged in buying, selling or exchanging motor vehicles or trailers who has an established place of business in this state and who may, incidental to such business, repair motor vehicles or trailers, or cause them to be repaired by persons in his or her employ;

[(23)] (24) "Disqualification" means a withdrawal of the privilege to drive a commercial motor vehicle, which occurs as a result of (A) any suspension, revocation, or cancellation by the commissioner of the privilege to operate a motor vehicle; (B) a determination by the Federal Highway Administration, under the rules of practice for motor carrier safety contained in 49 CFR 386, as amended, that a person is no longer qualified to operate a commercial motor vehicle under the standards of 49 CFR 391, as amended; or (C) the loss of qualification which follows any of the convictions or administrative actions specified in section 14-44k;

[(24)] (25) "Drive" means to drive, operate or be in physical control of a motor vehicle, including a motor vehicle being towed by another;

[(25)] (26) "Driver" means any person who drives, operates or is in

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physical control of a commercial motor vehicle, or who is required to hold a commercial driver's license;

[(26)] (27) "Driver's license" or "operator's license" means a valid Connecticut motor vehicle operator's license or a license issued by another state or foreign jurisdiction authorizing the holder thereof to operate a motor vehicle on the highways;

[(27)] (28) "Employee" means any operator of a commercial motor vehicle, including full-time, regularly employed drivers, casual, intermittent or occasional drivers, drivers under contract and independent owner-operator contractors, who, while in the course of operating a commercial motor vehicle, are either directly employed by, or are under contract to, an employer;

[(28)] (29) "Employer" means any person, including the United States, a state or any political subdivision thereof, who owns or leases a commercial motor vehicle, or assigns a person to drive a commercial motor vehicle;

[(29)] (30) "Farm implement" means a vehicle designed and adapted exclusively for agricultural, horticultural or livestock-raising operations and which is not operated on a highway for transporting a pay load or for any other commercial purpose;

[(30)] (31) "Felony" means any offense as defined in section 53a-25 and includes any offense designated as a felony under federal law;

[(31)] (32) "Fatality" means the death of a person as a result of a motor vehicle accident;

[(32)] (33) "Foreign jurisdiction" means any jurisdiction other than a state of the United States;

[(33)] (34) "Fuels" means (A) all products commonly or

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commercially known or sold as gasoline, including casinghead and absorption or natural gasoline, regardless of their classification or uses, (B) any liquid prepared, advertised, offered for sale or sold for use, or commonly and commercially used, as a fuel in internal combustion engines, which, when subjected to distillation in accordance with the standard method of test for distillation of gasoline, naphtha, kerosene and similar petroleum products by "American Society for Testing Materials Method D-86", shows not less than ten per cent distilled (recovered) below 347° Fahrenheit (175° Centigrade) and not less than ninety-five per cent distilled (recovered) below 464° Fahrenheit (240° Centigrade); provided the term "fuels" shall not include commercial solvents or naphthas which distill, by "American Society for Testing Materials Method D-86", not more than nine per cent at 176° Fahrenheit and which have a distillation range of 150° Fahrenheit, or less, or liquefied gases which would not exist as liquids at a temperature of 60° Fahrenheit and a pressure of 14.7 pounds per square inch absolute, and (C) any liquid commonly referred to as "gasohol" which is prepared, advertised, offered for sale or sold for use, or commonly and commercially used, as a fuel in internal combustion engines, consisting of a blend of gasoline and a minimum of ten per cent by volume of ethyl or methyl alcohol;

[(34)] (35) "Garage" includes every place of business where motor vehicles are, for compensation, received for housing, storage or repair;

[(35)] (36) "Gross vehicle weight rating" or "GVWR" means the value specified by the manufacturer as the maximum loaded weight of a single or a combination (articulated) vehicle. The GVWR of a combination (articulated) vehicle commonly referred to as the "gross combination weight rating" or GCWR is the GVWR of the power unit plus the GVWR of the towed unit or units;

[(36)] (37) "Gross weight" means the light weight of a vehicle plus the weight of any load on the vehicle, provided, in the case of a tractor-

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trailer unit, "gross weight" means the light weight of the tractor plus the light weight of the trailer or semitrailer plus the weight of the load on the vehicle;

[(37)] (38) "Hazardous materials" has the same meaning as in 49 CFR 383.5;

[(38)] (39) "Head lamp" means a lighting device affixed to the front of a motor vehicle projecting a high intensity beam which lights the road in front of the vehicle so that it can proceed safely during the hours of darkness;

[(39)] (40) "High-mileage vehicle" means a motor vehicle having the following characteristics: (A) Not less than three wheels in contact with the ground; (B) a completely enclosed seat on which the driver sits; (C) a single or two cylinder, gasoline or diesel engine or an electric-powered engine; and (D) efficient fuel consumption;

[(40)] (41) "Highway" includes any state or other public highway, road, street, avenue, alley, driveway, parkway, place or dedicated roadway for bus rapid transit service, under the control of the state or any political subdivision of the state, dedicated, appropriated or opened to public travel or other use;

[(41)] (42) "Imminent hazard" means the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begun to lessen the risk of that death, illness, injury or endangerment;

[(42)] (43) "Intersecting highway" includes any public highway which joins another at an angle whether or not it crosses the other;

[(43)] (44) "Light weight" means the weight of an unloaded motor

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vehicle as ordinarily equipped and ready for use, exclusive of the weight of the operator of the motor vehicle;

[(44)] (45) "Limited access highway" means a state highway so designated under the provisions of section 13b-27;

[(45)] (46) "Local authorities" includes the board of aldermen, common council, chief of police, warden and burgesses, board of selectmen or other officials having authority for the enactment or enforcement of traffic regulations within their respective towns, cities or boroughs;

[(46)] (47) "Maintenance vehicle" means any vehicle in use by the state or by any town, city, borough or district, any state bridge or parkway authority or any public service company, as defined in section 16-1, in the maintenance of public highways or bridges and facilities located within the limits of public highways or bridges;

[(47)] (48) "Manufacturer" means (A) a person, whether a resident or nonresident, engaged in the business of constructing or assembling new motor vehicles of a type required to be registered by the commissioner, for operation upon any highway, except a utility trailer, which are offered for sale in this state, or (B) a person who distributes new motor vehicles to new car dealers licensed in this state;

[(48)] (49) "Median divider" means an intervening space or physical barrier or clearly indicated dividing section separating traffic lanes provided for vehicles proceeding in opposite directions;

[(49)] (50) "Modified antique motor vehicle" means a motor vehicle twenty years old or older which has been modified for safe road use, including, but not limited to, modifications to the drive train, suspension, braking system and safety or comfort apparatus;

[(50)] (51) "Motor bus" includes any motor vehicle, except a taxicab,

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as defined in section 13b-95, operated in whole or in part on any street or highway in a manner affording a means of transportation by indiscriminately receiving or discharging passengers, or running on a regular route or over any portion of a regular route or between fixed termini;

[(51)] (52) "Motor home" means a vehicular unit designed to provide living quarters and necessary amenities which are built into an integral part of, or permanently attached to, a truck or van chassis;

[(52)] (53) "Motor-driven cycle" means any of the following vehicles that have a seat height of not less than twenty-six inches and a motor having a capacity of less than fifty cubic centimeters piston displacement: (A) A motorcycle, other than an autocycle; (B) a motor scooter; [] or (C) a bicycle with attached motor; [with a seat height of not less than twenty-six inches and a motor having a capacity of less than fifty cubic centimeters piston displacement;]

[(53)] (54) "Motor vehicle" means any vehicle propelled or drawn by any nonmuscular power, except aircraft, motor boats, road rollers, baggage trucks used about railroad stations or other mass transit facilities, electric battery-operated wheel chairs when operated by physically handicapped persons at speeds not exceeding fifteen miles per hour, golf carts operated on highways solely for the purpose of crossing from one part of the golf course to another, golf-cart-type vehicles operated on roads or highways on the grounds of state institutions by state employees, agricultural tractors, farm implements, such vehicles as run only on rails or tracks, self-propelled snow plows, snow blowers and lawn mowers, when used for the purposes for which they were designed and operated at speeds not exceeding four miles per hour, whether or not the operator rides on or walks behind such equipment, motor-driven cycles as defined in section 14-286, as amended by this act, special mobile equipment as defined in section 14-165, mini-motorcycles, as defined in section 14-289j, and any other

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vehicle not suitable for operation on a highway;

[(54)] (55) "Motorcycle" means (A) an auticycle, as defined in this section, or (B) a motor vehicle, with or without a side car, [having] that has (i) not more than three wheels in contact with the ground, [and] (ii) a saddle or seat [on] which the rider [sits] straddles or a platform on which the rider stands, [but] and (iii) handlebars with which the rider controls the movement of the vehicle. "Motorcycle" does not include a motor-driven cycle, as defined in this section; [, or a vehicle having or designed to have a completely enclosed driver's seat and a motor which is not in the enclosed area;]

[(55)] (56) "National Driver Registry" or "NDR" means the licensing information system and database operated by the National Highway Traffic Safety Administration and established pursuant to the National Driver Registry Act of 1982, as amended;

[(56)] (57) "New motor vehicle" means a motor vehicle, the equitable or legal title to which has never been transferred by a manufacturer, distributor or dealer to an ultimate consumer;

[(57)] (58) "Nonresident" means any person whose legal residence is in a state other than Connecticut or in a foreign country;

[(58)] (59) "Nonresident commercial driver's license" or "nonresident CDL" means a commercial driver's license issued by a state to an individual who resides in a foreign jurisdiction;

[(59)] (60) "Nonskid device" means any device applied to the tires, wheels, axles or frame of a motor vehicle for the purpose of increasing the traction of the motor vehicle;

[(60)] (61) "Number plate" means any sign or marker furnished by the commissioner on which is displayed the registration number assigned to a motor vehicle by the commissioner;

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[(61)] (62) "Officer" includes any constable, state marshal, inspector of motor vehicles, state policeman or other official authorized to make arrests or to serve process, provided the officer is in uniform or displays the officer's badge of office in a conspicuous place when making an arrest;

[(62)] (63) "Operator" means any person who operates a motor vehicle or who steers or directs the course of a motor vehicle being towed by another motor vehicle and includes a driver as defined in subdivision [(25)] (26) of this section;

[(63)] (64) "Out-of-service order" means an order (A) issued by a person having inspection authority, as defined in regulations adopted by the commissioner pursuant to section 14-163c, or by an authorized official of the United States Department of Transportation Federal Motor Carrier Safety Administration pursuant to any provision of federal law, to prohibit any motor vehicle specified in subsection (a) of section 14-163c from being operated on any highway, or to prohibit a driver from operating any such motor vehicle, or (B) issued by the United States Department of Transportation Federal Motor Carrier Safety Administration, pursuant to any provision of federal law, to prohibit any motor carrier, as defined in Section 386.2 of Title 49 of the Code of Federal Regulations, from engaging in commercial motor vehicle operations;

[(64)] (65) "Owner" means any person holding title to a motor vehicle, or having the legal right to register the same, including purchasers under conditional bills of sale;

[(65)] (66) "Parked vehicle" means a motor vehicle in a stationary position within the limits of a public highway;

[(66)] (67) "Passenger and commercial motor vehicle" means a motor vehicle used for private passenger and commercial purposes which is

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eligible for combination registration;

[(67)] (68) "Passenger motor vehicle" means a motor vehicle used for the private transportation of persons and their personal belongings, designed to carry occupants in comfort and safety, with a capacity of carrying not more than ten passengers including the operator thereof;

[(68)] (69) "Passenger registration" means the type of registration issued to a passenger motor vehicle unless a more specific type of registration is authorized and issued by the commissioner for such class of vehicle;

[(69)] (70) "Person" includes any individual, corporation, limited liability company, association, copartnership, company, firm, business trust or other aggregation of individuals but does not include the state or any political subdivision thereof, unless the context clearly states or requires;

[(70)] (71) "Pick-up truck" means a motor vehicle with an enclosed forward passenger compartment and an open rearward compartment used for the transportation of property;

[(71)] (72) "Pneumatic tires" means tires inflated or inflatable with air;

[(72)] (73) "Pole trailer" means a trailer which is (A) intended for transporting long or irregularly shaped loads such as poles, logs, pipes or structural members, which loads are capable of sustaining themselves as beams between supporting connections, and (B) designed to be drawn by a motor vehicle and attached or secured directly to the motor vehicle by any means including a reach, pole or boom;

[(73)] (74) "Recreational vehicle" includes the camper, camp trailer and motor home classes of vehicles;

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[(74)] (75) "Registration" includes the certificate of motor vehicle registration and the number plate or plates used in connection with such registration;

[(75)] (76) "Registration number" means the identifying number or letters, or both, assigned by the commissioner to a motor vehicle;

[(76)] (77) "Resident", for the purpose of registering motor vehicles, includes any person who is a legal resident of this state, as the commissioner may presume from the fact that such person occupies a place of dwelling in this state for more than six months in a year, or any person, firm or corporation owning or leasing a motor vehicle used or operated in intrastate business in this state, or a firm or corporation having its principal office or place of business in this state;

[(77)] (78) "School bus" means any school bus, as defined in section 14-275, including a commercial motor vehicle used to transport preschool, elementary school or secondary school students from home to school, from school to home, or to and from school-sponsored events, but does not include a bus used as a common carrier;

[(78)] (79) "Second" violation or "subsequent" violation means an offense committed not more than three years after the date of an arrest which resulted in a previous conviction for a violation of the same statutory provision, except in the case of a violation of section 14-215 or 14-224 or subsection (a) of section 14-227a, "second" violation or "subsequent" violation means an offense committed not more than ten years after the date of an arrest which resulted in a previous conviction for a violation of the same statutory provision;

[(79)] (80) "Semitrailer" means any trailer type vehicle designed and used in conjunction with a motor vehicle so that some part of its own weight and load rests on or is carried by another vehicle;

[(80)] (81) "Serious traffic violation" means a conviction of any of the

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following offenses: (A) Excessive speeding, involving a single offense in which the speed is fifteen miles per hour or more above the posted speed limit, in violation of section 14-218a or 14-219; (B) reckless driving in violation of section 14-222; (C) following too closely in violation of section 14-240 or 14-240a; (D) improper or erratic lane changes, in violation of section 14-236; (E) using a hand-held mobile telephone or other electronic device or typing, reading or sending text or a text message with or from a mobile telephone or mobile electronic device in violation of subsection (e) of section 14-296aa while operating a commercial motor vehicle; (F) driving a commercial motor vehicle without a valid commercial driver's license in violation of section 14-36a, as amended by this act, or 14-44a; (G) failure to carry a commercial driver's license in violation of section 14-44a; (H) failure to have the proper class of license or endorsement, or violation of a license restriction in violation of section 14-44a; or (I) a violation of any provision of chapter 248, by an operator who holds a commercial driver's license or instruction permit that results in the death of another person;

[(81)] (82) "Service bus" includes any vehicle except a vanpool vehicle or a school bus designed and regularly used to carry ten or more passengers when used in private service for the transportation of persons without charge to the individual;

[(82)] (83) "Service car" means any motor vehicle used by a manufacturer, dealer or repairer for emergency motor vehicle repairs on the highways of this state, for towing or for the transportation of necessary persons, tools and materials to and from the scene of such emergency repairs or towing;

[(83)] (84) "Shoulder" means that portion of a highway immediately adjacent and contiguous to the travel lanes or main traveled portion of the roadway;

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[(84)] (85) "Solid tires" means tires of rubber, or other elastic material approved by the Commissioner of Transportation, which do not depend on confined air for the support of the load;

[(85)] (86) "Spot lamp" or "spot light" means a lighting device projecting a high intensity beam, the direction of which can be readily controlled for special or emergency lighting as distinguished from ordinary road illumination;

[(86)] (87) "State" means any state of the United States and the District of Columbia unless the context indicates a more specific reference to the state of Connecticut;

[(87)] (88) "Stop" means complete cessation of movement;

[(88)] (89) "Student" means any person under the age of twenty-one years who is attending a preprimary, primary or secondary school program of education;

[(89)] (90) "Tail lamp" means a lighting device affixed to the rear of a motor vehicle showing a red light to the rear and indicating the presence of the motor vehicle when viewed from behind;

[(90)] (91) "Tank vehicle" means any commercial motor vehicle designed to transport any liquid or gaseous material within a tank that is either permanently or temporarily attached to the vehicle or its chassis which shall include, but not be limited to, a cargo tank and portable tank, as defined in 49 CFR 383.5, as amended, provided it shall not include a portable tank with a rated capacity not to exceed one thousand gallons;

[(91)] (92) "Tractor" or "truck tractor" means a motor vehicle designed and used for drawing a semitrailer;

[(92)] (93) "Tractor-trailer unit" means a combination of a tractor and

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a trailer or a combination of a tractor and a semitrailer;

[(93)] (94) "Trailer" means any rubber-tired vehicle without motive power drawn or propelled by a motor vehicle;

[(94)] (95) "Truck" means a motor vehicle designed, used or maintained primarily for the transportation of property;

[(95)] (96) "Ultimate consumer" means, with respect to a motor vehicle, the first person, other than a dealer, who in good faith purchases the motor vehicle for purposes other than resale;

[(96)] (97) "United States" means the fifty states and the District of Columbia;

[(97)] (98) "Used motor vehicle" includes any motor vehicle which has been previously separately registered by an ultimate consumer;

[(98)] (99) "Utility trailer" means a trailer designed and used to transport personal property, materials or equipment, whether or not permanently affixed to the bed of the trailer;

[(99)] (100) "Vanpool vehicle" includes all motor vehicles, the primary purpose of which is the daily transportation, on a prearranged nonprofit basis, of individuals between home and work, and which: (A) If owned by or leased to a person, or to an employee of the person, or to an employee of a local, state or federal government unit or agency located in Connecticut, are manufactured and equipped in such manner as to provide a seating capacity of at least seven but not more than fifteen individuals, or (B) if owned by or leased to a regional ride-sharing organization in the state recognized by the Commissioner of Transportation, are manufactured and equipped in such manner as to provide a seating capacity of at least six but not more than nineteen individuals;

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[(100)] (101) "Vehicle" includes any device suitable for the conveyance, drawing or other transportation of persons or property, whether operated on wheels, runners, a cushion of air or by any other means. The term does not include devices propelled or drawn by human power or devices used exclusively on tracks;

[(101)] (102) "Vehicle identification number" or "VIN" means a series of Arabic numbers and Roman letters that is assigned to each new motor vehicle that is manufactured within or imported into the United States, in accordance with the provisions of 49 CFR 565, unless another sequence of numbers and letters has been assigned to a motor vehicle by the commissioner, in accordance with the provisions of section 14-149;

[(102)] (103) "Wrecker" means a vehicle which is registered, designed, equipped and used for the purposes of towing or transporting wrecked or disabled motor vehicles for compensation or for related purposes by a person, firm or corporation licensed in accordance with the provisions of subpart (D) of part III of this chapter or a vehicle contracted for the consensual towing or transporting of one or more motor vehicles to or from a place of sale, purchase, salvage or repair;

[(103)] (104) "Public passenger endorsement" means an endorsement issued to an individual, which authorizes such individual to transport passengers, including, but not limited to, passengers who are students in accordance with subsection (b) or (c) of section 14-36a.

Sec. 2. Subsection (a) of section 14-36a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) A commercial driver's license issued in accordance with section 14-44c shall be designated as class A, B or C, in accordance with the

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provisions of subsection (b) of section 14-44d. All other operators' licenses shall be designated as class D. A license of any class that also authorizes the operation of a motorcycle shall contain the designation "M", except that no such designation shall be required for the operation of an autocycle.

Sec. 3. Section 14-40a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) No person shall operate a motorcycle on any public highway of this state until such person has obtained a motor vehicle operator's license with a motorcycle endorsement from the commissioner.

(b) A person who is sixteen years of age or older and who has not had such a license suspended or revoked may apply to the commissioner for a motorcycle instruction permit. The commissioner may issue a motorcycle instruction permit, containing such limitation as said commissioner deems advisable, to an applicant after the applicant has passed all parts of the examination, other than the driving skills test, for a motor vehicle operator's license with a motorcycle endorsement as required by subsection (c) of this section. The motorcycle instruction permit shall entitle the applicant, while said applicant is in immediate possession of said permit, to drive a motorcycle on the public highways, other than multiple lane limited access highways, for a period of sixty days. A motorcycle instruction permit may be renewed, or a new permit issued, for an additional period of sixty days. Each applicant issued a motorcycle instruction permit shall, while operating a motorcycle, wear protective headgear of a type which conforms to the minimum specifications established by regulations adopted under subsection (b) of section 14-289g, as amended by this act.

(c) Before granting a motorcycle endorsement or motorcycle endorsement with a three-wheeled restriction to any applicant who

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has not held such an endorsement at any time within the preceding two years, the commissioner shall require the applicant to present evidence satisfactory to the commissioner that such applicant has successfully completed a novice motorcycle or three-wheeled motorcycle training course conducted by the Department of Transportation with federal funds available for the purpose of such course, or by any firm or organization that conducts such a course that uses the curriculum of the Motorcycle Safety Foundation or other safety or educational organization that has developed a curriculum approved by the commissioner. If such applicant has not obtained a motorcycle instruction permit pursuant to subsection (b) of this section, the applicant shall also pass an examination, other than the driving skills test, demonstrating that the applicant is a proper person to operate a motorcycle, has sufficient knowledge of the mechanism of a motorcycle to ensure its safe operation by such applicant, and has satisfactory knowledge of the law concerning motorcycles and other motor vehicles and the rules of the road. The commissioner may waive the requirement of such examination for any applicant who presents documentation that such applicant: (1) Is on active military duty with the armed forces of the United States; (2) is stationed outside the state; and (3) completed a novice motorcycle training course conducted by any firm or organization using the curriculum of the Motorcycle Safety Foundation not earlier than two years prior to the date of such applicant's application. When the commissioner is satisfied as to the ability and competency of the applicant, the commissioner may issue an endorsement to such applicant, either unlimited or containing such limitations as the commissioner deems advisable. An applicant who has completed a three-wheeled motorcycle training course shall be limited to an endorsement with a restriction, as provided in subsection (c) of section 14-36a, indicating that such applicant is limited to the operation of a three-wheeled motorcycle. If an applicant or motorcycle endorsement holder has any health problem which might affect such person's ability to operate a motorcycle safely, the commissioner may

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

(d) No person shall operate a motorcycle in any manner in violation of the limitations imposed in a limited endorsement issued to such person.

(e) Any person who violates any provision of subsection (a), (b) or (d) of this section shall, for a first offense, be deemed to have committed an infraction and be fined fifty dollars and, for any subsequent offense, be guilty of a class D misdemeanor.

(f) As used in this section, the terms "motorcycle" and "three-wheeled motorcycle" do not include "autocycle", as defined in section 14-1, as amended by this act.

Sec. 4. Section 14-106b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) Each self-propelled motor vehicle registered in this state designed and manufactured with an odometer shall at all times while operating on the highway be equipped with a properly functioning odometer. Any person who violates any provision of this section shall be issued a warning for defective equipment under the provisions of

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subsection (c) of section 14-103.

(b) No person or his agent shall remove, turn back or change the reading on the odometer of any motor vehicle required under the provisions of subsection (a) of this section or subsection (a) of section 14-106a to be equipped with an odometer except in connection with the repair of such odometer either while installed in or removed from such motor vehicle and unless such person is licensed as a new dealer, used dealer or general or limited repairer pursuant to section 14-52. Each odometer repaired and each new or used odometer installed in any motor vehicle required to be equipped with an odometer shall display mileage at least equal to the mileage displayed by the odometer in such motor vehicle immediately prior to such repair or replacement.

(c) No person shall sell, offer for sale, use, install or cause to be installed any device which causes the odometer in any motor vehicle required under the provisions of subsection (a) of this section or subsection (a) of section 14-106a to be so equipped to register any mileage other than the true mileage driven. For purposes of this section, the true mileage driven is that mileage driven by the vehicle as registered by the odometer within the manufacturer's designed tolerance.

(d) Any person violating the provisions of subsections (b) or (c) of this section shall be guilty of committing a class A misdemeanor. Any person violating the provisions of said subsections shall be liable for damages equal to three times the amount of actual damage or one thousand five hundred dollars, whichever is greater, court costs and reasonable attorney's fees and shall pay a civil penalty of not more than one thousand dollars for each violation. A violation of the provisions of said subsections shall be deemed to be an unfair trade practice within the provisions of chapter 735a. Any person licensed as a new dealer, used dealer or general or limited repairer pursuant to

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section 14-52 shall in addition to the penalties imposed by this section be subject to the suspension or revocation of his license as provided in section 14-64.

[(e) The provisions of this section and section 14-145 shall not apply to motorcycles as defined by section 14-1.]

Sec. 5. Subsection (e) of section 14-286 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

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

Sec. 6. Section 14-289a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is properly equipped to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon

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another seat firmly attached to the rear or side of the operator. No operator of a motorcycle who has not held an endorsement to operate a motorcycle for a period of three months shall carry any other person on such motorcycle, except that any operator sixteen or seventeen years of age shall not transport any passenger on a motorcycle for a period of six months after obtaining such endorsement.

(b) As used in this section, the term "motorcycle" shall not include "autocycle", as defined in section 14-1, as amended by this act, except that an operator of an autocycle who is sixteen or seventeen years of age shall be subject to all passenger restrictions contained in section 14-36g, as amended by this act.

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

Sec. 7. Subsection (b) of section 14-289b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(b) The operator of a motorcycle shall not (1) overtake and pass, in the same single traffic lane occupied by such motorcycle, any motor vehicle other than a motorcycle, or (2) operate a motorcycle between lanes of traffic. An autocycle shall not overtake and pass any motor vehicle operating in the same single traffic lane occupied by such autocycle.

Sec. 8. Section 14-289f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

No owner of any motorcycle, as defined in section 14-1, as amended by this act, registered in this state may operate or permit the operation of such motorcycle unless it has been insured for the amounts required by section 14-112, [with an exclusion in] and, except in the case of autocycles, such insurance may exclude personal injury coverage for passengers. Violation of any provision of this section shall be an

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infraction.

Sec. 9. Section 14-289g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) No person under eighteen years of age may (1) operate a motorcycle or a motor-driven cycle, as defined in section 14-1, as amended by this act, or (2) be a passenger on a motorcycle or motor-driven cycle, unless such operator or passenger is wearing protective headgear of a type which conforms to the minimum specifications established in 49 CFR 571.218, as amended from time to time. Any person who violates this section shall have committed an infraction and shall be fined not less than ninety dollars.

(b) As used in this section, the term "motorcycle" shall not include "autocycle".

Sec. 10. Subdivision (82) of section 12-412 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(82) (A) The sale of and the storage, use or other consumption of any commercial motor vehicle, as defined in [subparagraphs (A) and (B) of subdivision (15) of] section 14-1, as amended by this act, that is operating pursuant to the provisions of section 13b-88 or 13b-89, during the period commencing upon its purchase and ending one year after the date of purchase, provided seventy-five per cent of its revenue from its days in service is derived from out-of-state trips or trips crossing state lines.

(B) Each purchaser of a commercial motor vehicle exempt from tax pursuant to the provisions of this subsection shall, in order to qualify for said exemption, present to the retailer a certificate, in such form as the commissioner may prescribe, certifying that seventy-five per cent of such vehicle's revenue from its days in service will be derived from

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out-of-state trips or trips crossing state lines. The purchaser of the motor vehicle shall be liable for the tax otherwise imposed if, during the period commencing upon its purchase and ending one year after the date of purchase, seventy-five per cent of the vehicle's revenue from its days in service is not derived from out-of-state trips or trips crossing state lines.

Sec. 11. Section 14-36g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) Each person who holds a motor vehicle operator's license issued on and after August 1, 2008, and who is sixteen or seventeen years of age shall comply with the following requirements:

(1) Except as provided in subsection (b) of this section, for the period of six months after the date of issuance of such license, such person shall not transport more than (A) such person's parents or legal guardian, at least one of whom holds a motor vehicle operator's license, or (B) one passenger who is a driving instructor licensed by the Department of Motor Vehicles, or a person twenty years of age or older who has been licensed to operate, for at least four years preceding the time of being transported, a motor vehicle of the same class as the motor vehicle being operated and who has not had his or her motor vehicle operator's license suspended by the commissioner during such four-year period;

(2) Except as provided in subsection (b) of this section, for the period beginning six months after the date of issuance of such license and ending one year after the date of issuance of such license, such person shall not transport any passenger other than as permitted under subdivision (1) of this subsection and any additional member or members of such person's immediate family;

(3) No such person shall operate any motor vehicle for which a

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public passenger endorsement, as defined in section 14-1, as amended by this act, is required in accordance with the provisions of section 14-44 or a vanpool vehicle, as defined in section 14-1, as amended by this act;

(4) No such person shall transport more passengers in a motor vehicle than the number of seat safety belts permanently installed in such motor vehicle;

(5) No such person issued a motorcycle endorsement shall transport any passenger on a motorcycle for a period of six months after the date of issuance; [and]

(6) Except as provided in subsection (b) of this section, no such person shall operate a motor vehicle on any highway, as defined in section 14-1, as amended by this act, at or after 11:00 p.m. until and including 5:00 a.m. of the following day unless (A) such person is traveling for his or her employment or school or religious activities, or (B) there is a medical necessity for such travel; [.] and

(7) No such person shall transport any passenger on an autocycle other than as permitted under subdivisions (1) and (2) of this subsection.

(b) A person who holds a motor vehicle operator's license and who is sixteen or seventeen years of age shall not be subject to the restrictions on the number or type of passengers specified in subdivision (1) or (2) of subsection (a) of this section, or to the restrictions specified in subdivision (6) of said subsection (a), if such person is: An active member of a volunteer fire company or department, a volunteer ambulance service or company or an emergency medical service organization and such person is responding to an emergency or is carrying out such person's duties as such active member; or an assigned driver in a Safe Ride program

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sponsored by the American Red Cross, the Boy Scouts of America or other national public service organization.

(c) The Commissioner of Motor Vehicles may adopt regulations, in accordance with chapter 54, to implement the provisions of subsection (a) of this section. Such regulations may provide exceptions to the provisions of subdivision (1) of subsection (a) of this section for a single parent under the age of eighteen for the purposes of transporting the child of such parent to day care, child care and education facilities, medical appointments, and for such other purposes as may be determined by the commissioner.

(d) Any person who violates any provision of subsection (a) of this section shall be deemed to have committed an infraction. The Commissioner of Motor Vehicles shall suspend the motor vehicle operator's license of any person who violates the provisions of subsection (a) of this section for a period of thirty days for a first violation, and for a period of six months or until such person attains the age of eighteen years, whichever is longer, for a second violation.

(e) Notwithstanding the provisions of this section, the provisions of this section in effect July 31, 2008, shall be applicable to any person who is sixteen or seventeen years of age and who has been issued a motor vehicle operator's license prior to August 1, 2008.

Approved June 5, 2015