



General Assembly

**Amendment**

February Session, 2016

LCO No. 5585



Offered by:

REP. GUERRERA, 29<sup>th</sup> Dist.

SEN. LEONE, 27<sup>th</sup> Dist.

REP. O'DEA, 125<sup>th</sup> Dist.

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To: Subst. House Bill No. 5412

File No. 351

Cal. No. 245

**"AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF MOTOR VEHICLES REGARDING HAZARDOUS MATERIALS, CAR DEALERS, STUDENT TRANSPORTATION VEHICLE OPERATORS, DIVERSION PROGRAMS AND MOTOR VEHICLE INSPECTORS."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2016*) (a) Any person who  
4 engages in interstate or intrastate commerce on the highways of this  
5 state and transports hazardous materials, as defined in 49 CFR 171.8,  
6 shall comply with the provisions of 49 CFR Parts 105 to 173, inclusive,  
7 and 49 CFR Parts 177 to 180, inclusive.

8 (b) Except as otherwise provided in subsection (c) of this section,  
9 any person described in subsection (a) of this section who violates any  
10 provision of 49 CFR 107.620, 49 CFR 171, Subpart A, 49 CFR 172,

11 Subparts A to I, inclusive, 49 CFR 173, Subparts A to G, inclusive, 49  
12 CFR 177, Subparts A to E, inclusive, 49 CFR 178, Subparts A to C,  
13 inclusive, H and J to S, inclusive, or 49 CFR 180, Subparts A and C to  
14 G, inclusive, shall have committed an infraction.

15 (c) Any person described in subsection (a) of this section who  
16 violates any provision of 49 CFR 172.505(a), 49 CFR 172.507(a), 49 CFR  
17 173.24(b) or 49 CFR 177.835 shall, for a first offense, be guilty of a class  
18 D misdemeanor and, for any subsequent offense of the same provision,  
19 be guilty of a class A misdemeanor.

20 (d) A motor vehicle inspector, designated under section 14-8 of the  
21 general statutes and certified pursuant to section 7-294d of the general  
22 statutes, or a state or municipal police officer, shall enforce the  
23 provisions of this section, provided such inspector or officer (1) has  
24 inspection authority pursuant to section 14-163c-9 of the regulations of  
25 Connecticut state agencies, and (2) has satisfactorily completed a  
26 course of instruction in specialized hazardous materials provided by  
27 the United States Department of Transportation Federal Motor Carrier  
28 Safety Administration.

29 Sec. 2. Subsection (c) of section 14-44a of the general statutes is  
30 repealed and the following is substituted in lieu thereof (*Effective July*  
31 *1, 2016*):

32 (c) Any person who violates the provisions of subsection (a) of this  
33 section shall operate a motor vehicle in violation of the classification of  
34 the license issued to [him] such person, and shall be subject to the  
35 penalties provided in subsection [(f)] (g) of section 14-36a and section  
36 14-44k.

37 Sec. 3. Subsection (a) of section 14-52a of the general statutes is  
38 repealed and the following is substituted in lieu thereof (*Effective July*  
39 *1, 2016*):

40 (a) The commissioner may, after notice and hearing, refuse to grant  
41 or renew a license to a person, firm or corporation to engage in the

42 business of selling or repairing motor vehicles pursuant to the  
43 provisions of section 14-52 if the applicant for or holder of such a  
44 license, or an officer or major stockholder if the applicant or licensee is  
45 a firm or corporation, has been convicted of a violation of any  
46 provision of laws pertaining to the business of a motor vehicle dealer  
47 or repairer including a motor vehicle recycler, or of any violation  
48 involving fraud, larceny or deprivation or misappropriation of  
49 property, in the courts of the United States or of any state. [At the time  
50 of application for or renewal of such a license, each applicant or] Each  
51 applicant for such a license shall submit to a state criminal history  
52 records check, conducted in accordance with section 29-17a and based  
53 on the applicant's name and date of birth, not more than thirty days  
54 before such application is made and provide the results of such records  
55 check to the Department of Motor Vehicles. Upon renewal of such  
56 license, such licensee shall make full disclosure of any such conviction  
57 [within the last five years] under penalty of false statement.

58 Sec. 4. Section 14-54 of the general statutes is repealed and the  
59 following is substituted in lieu thereof (*Effective July 1, 2016*):

60 [(a) Any person who desires to obtain a license for dealing in or  
61 repairing motor vehicles in a municipality having a population of no  
62 less than twenty thousand shall first obtain and present to the  
63 commissioner a certificate of approval of the location for which such  
64 license is desired from the board or authority designated by local  
65 charter, regulation or ordinance of the town, city or borough wherein  
66 the business is located or is proposed to be located, except that in any  
67 town or city having a zoning commission, combined planning and  
68 zoning commission and a board of appeals, such certificate shall be  
69 obtained from the zoning commission. The provisions of this section  
70 do not apply to (1) a transfer of ownership to a spouse, child, brother,  
71 sister or parent of a licensee, (2) a transfer of ownership to or from a  
72 corporation in which a spouse, child, brother, sister or parent of a  
73 licensee has a controlling interest, or (3) a change in ownership  
74 involving the withdrawal of one or more partners from a partnership.]

75 [(b)] Any person who desires to obtain a license for dealing in or  
76 repairing motor vehicles [in a municipality with a population of less  
77 than twenty thousand] shall first obtain and present to the  
78 commissioner a certificate of approval of the location for which such  
79 license is desired from the board or authority designated by local  
80 charter, regulation or ordinance of the town, city or borough wherein  
81 the business is located or is proposed to be located, except that in any  
82 town or city having a zoning commission, combined planning and  
83 zoning commission and a board of appeals, such certificate shall be  
84 approved by the board of appeals. In addition thereto, such certificate  
85 shall be approved by the [chief of police where there is an organized  
86 police force or, where there is none, by the commander of the state  
87 police barracks situated nearest to such proposed location] local  
88 building official and local fire marshal. The provisions of this section  
89 shall not apply to (1) a transfer of ownership to a spouse, child,  
90 brother, sister or parent of a licensee, (2) a transfer of ownership to or  
91 from a corporation in which a spouse, child, brother, sister or parent of  
92 a licensee has a controlling interest, or (3) a change in ownership  
93 involving the withdrawal of one or more partners from a partnership.

94 Sec. 5. Subsection (b) of section 14-61 of the 2016 supplement to the  
95 general statutes is repealed and the following is substituted in lieu  
96 thereof (*Effective July 1, 2016*):

97 (b) The commissioner [may] shall require any dealer who is  
98 authorized to issue a temporary transfer of registration in accordance  
99 with subsection (a) of this section or a new registration in accordance  
100 with subsection (c) of section 14-12 to file each application for a  
101 permanent registration [by electronic transmission of an electronic  
102 record] electronically if the commissioner determines that the dealer  
103 files, on average, [ten] seven or more such applications for permanent  
104 registration each month with the Department of Motor Vehicles. [The  
105 provisions of this subsection do not preclude any such dealer from  
106 filing an application for a permanent registration in person at any  
107 branch office of the department.] Any dealer may make a written  
108 request to the commissioner for an exemption from filing such

109 applications electronically due to a hardship, including, but not limited  
110 to, a lack of access to a device capable of communicating electronically.  
111 The commissioner may enter into an agreement with one or more  
112 nonprofit associations or organizations representing the interests of  
113 motor vehicle dealers to file such applications electronically on behalf  
114 of such dealer. The commissioner may authorize such nonprofit  
115 association or organization to charge a convenience fee, in an amount  
116 to be determined by the commissioner, to each dealer for an  
117 application submitted electronically by such nonprofit association or  
118 organization.

119 Sec. 6. Subsection (g) of section 14-227b of the general statutes is  
120 repealed and the following is substituted in lieu thereof (*Effective July*  
121 *1, 2016*):

122 (g) If such person contacts the department to schedule a hearing, the  
123 department shall assign a date, time and place for the hearing, which  
124 date shall be prior to the effective date of the suspension, except that,  
125 with respect to a person whose operator's license or nonresident  
126 operating privilege is suspended in accordance with subdivision (2) of  
127 subsection (e) of this section, such hearing shall be scheduled not later  
128 than thirty days after such person contacts the department. At the  
129 request of such person, ~~[or] the hearing officer~~ or the department and  
130 upon a showing of good cause, the commissioner may grant one or  
131 more continuances. The hearing shall be limited to a determination of  
132 the following issues: (1) Did the police officer have probable cause to  
133 arrest the person for operating a motor vehicle while under the  
134 influence of intoxicating liquor or any drug or both; (2) was such  
135 person placed under arrest; (3) did such person refuse to submit to  
136 such test or analysis or did such person submit to such test or analysis,  
137 commenced within two hours of the time of operation, and the results  
138 of such test or analysis indicated that such person had an elevated  
139 blood alcohol content; and (4) was such person operating the motor  
140 vehicle. In the hearing, the results of the test or analysis shall be  
141 sufficient to indicate the ratio of alcohol in the blood of such person at  
142 the time of operation, provided such test was commenced within two

143 hours of the time of operation. The fees of any witness summoned to  
144 appear at the hearing shall be the same as provided by the general  
145 statutes for witnesses in criminal cases. Notwithstanding the  
146 provisions of subsection (a) of section 52-143, any subpoena  
147 summoning a police officer as a witness shall be served not less than  
148 seventy-two hours prior to the designated time of the hearing.

149 Sec. 7. Subsection (j) of section 14-227b of the general statutes is  
150 repealed and the following is substituted in lieu thereof (*Effective July*  
151 *1, 2016*):

152 (j) Notwithstanding the provisions of subsections (b) to (i),  
153 inclusive, of this section, any police officer who obtains the results of a  
154 chemical analysis of a blood sample taken from or a urine sample  
155 provided by an operator of a motor vehicle who was involved in an  
156 accident [who] and suffered or allegedly suffered physical injury in  
157 such accident, or [is] who was otherwise deemed by a police officer to  
158 require treatment or observation at a hospital, shall notify the  
159 Commissioner of Motor Vehicles and submit to the commissioner a  
160 written report if such results indicate that such person had an elevated  
161 blood alcohol content, and if such person was arrested for violation of  
162 section 14-227a, [in connection with such accident.] The report shall be  
163 made on a form approved by the commissioner containing such  
164 information as the commissioner prescribes, and shall be subscribed  
165 and sworn to under penalty of false statement, as provided in section  
166 53a-157b, by the police officer. The commissioner may, after notice and  
167 an opportunity for hearing, which shall be conducted by a hearing  
168 officer on behalf of the commissioner in accordance with chapter 54,  
169 suspend the motor vehicle operator's license or nonresident operating  
170 privilege of such person for the appropriate period of time specified in  
171 subsection (i) of this section and require such person to install and  
172 maintain an ignition interlock device for the appropriate period of time  
173 prescribed in subsection (i) of this section. Each hearing conducted  
174 under this subsection shall be limited to a determination of the  
175 following issues: (1) Whether the police officer had probable cause to  
176 arrest the person for operating a motor vehicle while under the

177 influence of intoxicating liquor or drug or both; (2) whether such  
178 person was placed under arrest; (3) whether such person was  
179 operating the motor vehicle; (4) whether the results of the analysis of  
180 the blood or urine of such person indicate that such person had an  
181 elevated blood alcohol content; and (5) in the event that a blood  
182 sample was taken, whether the blood sample was obtained in  
183 accordance with conditions for admissibility and competence as  
184 evidence as set forth in subsection (k) of section 14-227a. If, after such  
185 hearing, the commissioner finds on any one of the said issues in the  
186 negative, the commissioner shall not impose a suspension. The fees of  
187 any witness summoned to appear at the hearing shall be the same as  
188 provided by the general statutes for witnesses in criminal cases, as  
189 provided in section 52-260.

190 Sec. 8. Section 14-227k of the general statutes is repealed and the  
191 following is substituted in lieu thereof (*Effective July 1, 2016*):

192 (a) No person whose right to operate a motor vehicle has been  
193 restricted pursuant to an order of the court under subsection (b) of  
194 section 14-227j, [or] by the Commissioner of Motor Vehicles [pursuant  
195 to subsection (i) of section 14-227a or subsection (i) of section 14-111] or  
196 by any provision of law that requires the use of an ignition interlock  
197 device shall (1) request or solicit another person to blow into an  
198 ignition interlock device or to start a motor vehicle equipped with an  
199 ignition interlock device for the purpose of providing such person with  
200 an operable motor vehicle, or (2) operate any motor vehicle not  
201 equipped with a functioning ignition interlock device or any motor  
202 vehicle that a court has ordered such person not to operate.

203 (b) No person shall tamper with, alter or bypass the operation of an  
204 ignition interlock device for the purpose of providing an operable  
205 motor vehicle to a person whose right to operate a motor vehicle has  
206 been restricted pursuant to an order of the court under subsection (b)  
207 of section 14-227j, [or] by the Commissioner of Motor Vehicles  
208 [pursuant to subsection (i) of section 14-227a or subsection (i) of section  
209 14-111] or by any provision of law that requires the use of an ignition

210 interlock device.

211 (c) (1) Any person who violates any provision of subdivision (1) of  
212 subsection (a) or subsection (b) of this section shall be guilty of a class  
213 C misdemeanor.

214 (2) Any person who violates any provision of subdivision (2) of  
215 subsection (a) of this section shall be subject to the penalties set forth in  
216 subsection (c) of section 14-215.

217 (d) Each court shall report each conviction under subsection (a) or  
218 (b) of this section to the Commissioner of Motor Vehicles, in  
219 accordance with the provisions of section 14-141. The commissioner  
220 shall suspend the motor vehicle operator's license or nonresident  
221 operating privilege of the person reported as convicted for a period of  
222 one year.

223 Sec. 9. Subsection (b) of section 14-275c of the general statutes is  
224 repealed and the following is substituted in lieu thereof (*Effective July*  
225 *1, 2016*):

226 (b) The commissioner shall adopt regulations, in accordance with  
227 the provisions of chapter 54, governing (1) the inspection, registration,  
228 operation and maintenance of motor vehicles used by any carrier to  
229 transport students, and (2) the licensing of operators of such vehicles.  
230 A person who has attained the age of seventy shall be allowed to hold  
231 a license endorsement for the purpose of operating a motor vehicle to  
232 transport children requiring special education provided such person  
233 meets the minimum physical requirements set by the commissioner  
234 and agrees to submit to a physical examination by a medical examiner,  
235 certified in accordance with 49 CFR 390.109, at least [twice a year or  
236 when requested] annually or more frequently if directed to do so by  
237 such medical examiner or the superintendent of the school system in  
238 which such person intends to operate such vehicle.

239 Sec. 10. Subsection (a) of section 17a-696 of the general statutes is  
240 repealed and the following is substituted in lieu thereof (*Effective*

241 *October 1, 2016*):

242 (a) The provisions of this section shall not apply to any person  
243 charged with a violation of section 14-227a, 14-227g, 53a-56b or 53a-  
244 60d or with a class A, B or C felony or to any person who was twice  
245 previously ordered treated under this section, subsection (i) of section  
246 17-155y, section 19a-386 or section 21a-284 of the general statutes  
247 revised to 1989, or any combination thereof. The court may waive the  
248 ineligibility provisions of this subsection for any person, except that  
249 the court shall not waive the ineligibility provisions of this subsection  
250 for any person charged with a violation of section 14-227a, 14-227g,  
251 53a-56b or 53a-60d if, at the time of the offense, such person was  
252 operating a commercial vehicle, as defined in section 14-1, as amended  
253 by this act, or held a commercial driver's license or a commercial  
254 driver's instruction permit.

255 Sec. 11. Subsection (b) of section 53a-217b of the general statutes is  
256 repealed and the following is substituted in lieu thereof (*Effective*  
257 *October 1, 2016*):

258 (b) The provisions of subsection (a) of this section shall not apply to  
259 the otherwise lawful possession of a firearm (1) by a person for use in a  
260 program approved by school officials in or on such school property or  
261 at such school-sponsored activity, (2) by a person in accordance with  
262 an agreement entered into between school officials and such person or  
263 such person's employer, (3) by a peace officer, as defined in  
264 subdivision (9) of section 53a-3, while engaged in the performance of  
265 such peace officer's official duties, [or] (4) by a person while traversing  
266 such school property for the purpose of gaining access to public or  
267 private lands open to hunting or for other lawful purposes, provided  
268 such firearm is not loaded and the entry on such school property is  
269 permitted by the local or regional board of education, or (5) by a motor  
270 vehicle inspector, designated under section 14-8 and certified pursuant  
271 to section 7-294d, while engaged in the performance of such motor  
272 vehicle inspector's official duties.

273 Sec. 12. Subsections (b) and (c) of section 14-15 of the 2016  
274 supplement to the general statutes are repealed and the following is  
275 substituted in lieu thereof (*Effective July 1, 2016*):

276 (b) Each person, firm or corporation licensed under the provisions  
277 of subsection (a) of this section [that] or by another state, who in the  
278 opinion of the commissioner is qualified, [and holds a current  
279 registration certificate for a motor vehicle used in connection with its  
280 business may issue a sixty-day temporary transfer of such registration  
281 to any other] may electronically register or transfer the registration of a  
282 motor vehicle used in connection with its business. The licensee,  
283 within five days from the electronic issuance of such [temporary]  
284 registration or transfer, shall submit to the commissioner an  
285 application together with all necessary documents [for a permanent  
286 registration for the vehicle transferred] to register or transfer the  
287 registration of the vehicle with the Department of Motor Vehicles. Any  
288 such licensee that registers or transfers registration shall be required to  
289 register or transfer registrations electronically if the commissioner  
290 determines that such licensee files with such department, on average,  
291 seven or more such registrations or transfers each month. The  
292 commissioner shall adopt regulations in accordance with the  
293 provisions of chapter 54 to implement the provisions of this  
294 subsection.

295 (c) Notwithstanding the provisions of section 14-22, the  
296 commissioner may [authorize] require any person, firm or corporation  
297 licensed under the provisions of subsection (a) of this section or by  
298 another state, who in the opinion of the commissioner is qualified and  
299 who holds a current registration certificate for a motor vehicle used in  
300 connection with its business, to renew such registration [by means of  
301 an electronic data processing system connected to the system of  
302 registration records maintained by the commissioner] electronically if  
303 the commissioner determines that the licensee renews with the  
304 Department of Motor Vehicles, on average, seven or more such  
305 registrations each month. The commissioner shall adopt regulations in  
306 accordance with the provisions of chapter 54 to implement the

307 provisions of this subsection.

308 Sec. 13. (NEW) (*Effective July 1, 2016*) The Commissioner of Motor  
309 Vehicles may require any person, firm or corporation, who in the  
310 opinion of the commissioner is qualified and who is engaged in the  
311 business of filing applications for the issuance of a certificate of  
312 registration or a certificate of title for motor vehicles with the  
313 Department of Motor Vehicles, to file such applications electronically if  
314 the commissioner determines that such person, firm or corporation  
315 files, on average, seven or more such applications each month. A  
316 qualified person, firm or corporation shall, within five days from the  
317 electronic issuance of such registration, submit to the commissioner an  
318 application together with all necessary documents required to register  
319 the vehicle with the department. The commissioner shall adopt  
320 regulations in accordance with the provisions of chapter 54 of the  
321 general statutes to implement the provisions of this section.

322 Sec. 14. Section 14-1 of the 2016 supplement to the general statutes is  
323 repealed and the following is substituted in lieu thereof (*Effective from*  
324 *passage*):

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

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

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

339 commercial purpose;

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

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

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

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

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

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

367 (9) "Camp trailer" includes any trailer designed for living or  
368 sleeping purposes and used exclusively for camping or recreational

369 purposes;

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

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

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

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

383 (14) "Commercial driver's license" or "CDL" means a license issued  
384 to an individual in accordance with the provisions of sections 14-44a to  
385 14-44m, inclusive, as amended by this act, which authorizes such  
386 individual to drive a commercial motor vehicle;

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

392 (16) "Commercial motor vehicle" means a vehicle designed or used  
393 to transport passengers or property, except a vehicle used for farming  
394 purposes in accordance with 49 CFR 383.3(d), fire fighting apparatus  
395 or an emergency vehicle, as defined in section 14-283, or a recreational  
396 vehicle in private use, which (A) has a gross vehicle weight rating of  
397 twenty-six thousand and one pounds or more, or a gross combination  
398 weight rating of twenty-six thousand and one pounds or more,

399 inclusive of a towed unit or units with a gross vehicle weight rating of  
400 more than ten thousand pounds; (B) is designed to transport sixteen or  
401 more passengers, including the driver, or is designed to transport more  
402 than ten passengers, including the driver, and is used to transport  
403 students under the age of twenty-one years to and from school; or (C)  
404 is transporting hazardous materials and is required to be placarded in  
405 accordance with 49 CFR 172, Subpart F, as amended, or any quantity of  
406 a material listed as a select agent or toxin in 42 CFR Part 73;

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

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

415 (19) "Commercial trailer registration" means the type of registration  
416 issued to any commercial trailer;

417 (20) "Commissioner" includes the Commissioner of Motor Vehicles  
418 and any assistant to the Commissioner of Motor Vehicles who is  
419 designated and authorized by, and who is acting for, the  
420 Commissioner of Motor Vehicles under a designation; except that the  
421 deputy commissioners of motor vehicles and the Attorney General are  
422 deemed, unless the Commissioner of Motor Vehicles otherwise  
423 provides, to be designated and authorized by, and acting for, the  
424 Commissioner of Motor Vehicles under a designation;

425 (21) "Controlled substance" has the same meaning as in section 21a-  
426 240 and the federal laws and regulations incorporated in chapter 420b;

427 (22) "Conviction" means an unvacated adjudication of guilt, or a  
428 determination that a person has violated or failed to comply with the  
429 law in a court of original jurisdiction or an authorized administrative

430 tribunal, an unvacated forfeiture of bail or collateral deposited to  
431 secure the person's appearance in court, the payment of a fine or court  
432 cost, or violation of a condition of release without bail, regardless of  
433 whether or not the penalty is rebated, suspended or probated;

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

439 (24) "Disqualification" means a withdrawal of the privilege to drive  
440 a commercial motor vehicle, which occurs as a result of (A) any  
441 suspension, revocation, or cancellation by the commissioner of the  
442 privilege to operate a motor vehicle; (B) a determination by the Federal  
443 Highway Administration, under the rules of practice for motor carrier  
444 safety contained in 49 CFR 386, as amended, that a person is no longer  
445 qualified to operate a commercial motor vehicle under the standards of  
446 49 CFR 391, as amended; or (C) the loss of qualification which follows  
447 any of the convictions or administrative actions specified in section 14-  
448 44k;

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

451 (26) "Driver" means any person who drives, operates or is in  
452 physical control of a commercial motor vehicle, or who is required to  
453 hold a commercial driver's license;

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

458 (28) "Employee" means any operator of a commercial motor vehicle,  
459 including full-time, regularly employed drivers, casual, intermittent or  
460 occasional drivers, drivers under contract and independent owner-

461 operator contractors, who, while in the course of operating a  
462 commercial motor vehicle, are either directly employed by, or are  
463 under contract to, an employer;

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

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

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

474 (32) "Fatality" means the death of a person as a result of a motor  
475 vehicle accident;

476 (33) "Foreign jurisdiction" means any jurisdiction other than a state  
477 of the United States;

478 (34) "Fuels" means (A) all products commonly or commercially  
479 known or sold as gasoline, including casinghead and absorption or  
480 natural gasoline, regardless of their classification or uses, (B) any liquid  
481 prepared, advertised, offered for sale or sold for use, or commonly and  
482 commercially used, as a fuel in internal combustion engines, which,  
483 when subjected to distillation in accordance with the standard method  
484 of test for distillation of gasoline, naphtha, kerosene and similar  
485 petroleum products by "American Society for Testing Materials  
486 Method D-86", shows not less than ten per cent distilled (recovered)  
487 below 347° Fahrenheit (175° Centigrade) and not less than ninety-five  
488 per cent distilled (recovered) below 464° Fahrenheit (240° Centigrade);  
489 provided the term "fuels" shall not include commercial solvents or  
490 naphthas which distill, by "American Society for Testing Materials  
491 Method D-86", not more than nine per cent at 176° Fahrenheit and

492 which have a distillation range of 150° Fahrenheit, or less, or liquefied  
493 gases which would not exist as liquids at a temperature of 60°  
494 Fahrenheit and a pressure of 14.7 pounds per square inch absolute,  
495 and (C) any liquid commonly referred to as "gasohol" which is  
496 prepared, advertised, offered for sale or sold for use, or commonly and  
497 commercially used, as a fuel in internal combustion engines, consisting  
498 of a blend of gasoline and a minimum of ten per cent by volume of  
499 ethyl or methyl alcohol;

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

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

508 (37) "Gross weight" means the light weight of a vehicle plus the  
509 weight of any load on the vehicle, provided, in the case of a tractor-  
510 trailer unit, "gross weight" means the light weight of the tractor plus  
511 the light weight of the trailer or semitrailer plus the weight of the load  
512 on the vehicle;

513 (38) "Hazardous materials" has the same meaning as in 49 CFR  
514 383.5;

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

519 (40) "High-mileage vehicle" means a motor vehicle having the  
520 following characteristics: (A) Not less than three wheels in contact with  
521 the ground; (B) a completely enclosed seat on which the driver sits; (C)  
522 a single or two cylinder, gasoline or diesel engine or an electric-

523 powered engine; and (D) efficient fuel consumption;

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

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

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

537 (44) "Light weight" means the weight of an unloaded motor vehicle  
538 as ordinarily equipped and ready for use, exclusive of the weight of  
539 the operator of the motor vehicle;

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

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

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

551 (48) "Manufacturer" means (A) a person, whether a resident or  
552 nonresident, engaged in the business of constructing or assembling

553 new motor vehicles of a type required to be registered by the  
554 commissioner, for operation upon any highway, except a utility trailer,  
555 which are offered for sale in this state, or (B) a person who distributes  
556 new motor vehicles to new car dealers licensed in this state;

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

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

564 (51) "Motor bus" includes any motor vehicle, except a taxicab, as  
565 defined in section 13b-95, operated in whole or in part on any street or  
566 highway in a manner affording a means of transportation by  
567 indiscriminately receiving or discharging passengers, or running on a  
568 regular route or over any portion of a regular route or between fixed  
569 termini;

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

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

578 (54) "Motor vehicle" means any vehicle propelled or drawn by any  
579 nonmuscular power, except aircraft, motor boats, road rollers, baggage  
580 trucks used about railroad stations or other mass transit facilities,  
581 electric battery-operated wheel chairs when operated by physically  
582 handicapped persons at speeds not exceeding fifteen miles per hour,  
583 golf carts operated on highways solely for the purpose of crossing

584 from one part of the golf course to another, golf-cart-type vehicles  
585 operated on roads or highways on the grounds of state institutions by  
586 state employees, agricultural tractors, farm implements, such vehicles  
587 as run only on rails or tracks, self-propelled snow plows, snow blowers  
588 and lawn mowers, when used for the purposes for which they were  
589 designed and operated at speeds not exceeding four miles per hour,  
590 whether or not the operator rides on or walks behind such equipment,  
591 motor-driven cycles as defined in section 14-286, special mobile  
592 equipment as defined in section 14-165, mini-motorcycles, as defined  
593 in section 14-289j, and any other vehicle not suitable for operation on a  
594 highway;

595 (55) "Motorcycle" means (A) an auticycle, as defined in this section,  
596 or (B) a motor vehicle, with or without a side car, that has (i) not more  
597 than three wheels in contact with the ground, (ii) a saddle or seat  
598 which the rider straddles or a platform on which the rider stands, and  
599 (iii) handlebars with which the rider controls the movement of the  
600 vehicle. "Motorcycle" does not include a motor-driven cycle, as defined  
601 in this section;

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

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

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

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

614 (60) "Nonskid device" means any device applied to the tires, wheels,

615 axles or frame of a motor vehicle for the purpose of increasing the  
616 traction of the motor vehicle;

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

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

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

629 (64) "Out-of-service order" means an order (A) issued by a person  
630 having inspection authority, as defined in regulations adopted by the  
631 commissioner pursuant to section 14-163c, or by an authorized official  
632 of the United States Department of Transportation Federal Motor  
633 Carrier Safety Administration pursuant to any provision of federal  
634 law, to prohibit any motor vehicle specified in subsection (a) of section  
635 14-163c from being operated on any highway, or to prohibit a driver  
636 from operating any such motor vehicle, or (B) issued by the United  
637 States Department of Transportation Federal Motor Carrier Safety  
638 Administration, pursuant to any provision of federal law, to prohibit  
639 any motor carrier, as defined in Section 386.2 of Title 49 of the Code of  
640 Federal Regulations, from engaging in commercial motor vehicle  
641 operations;

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

645 (66) "Parked vehicle" means a motor vehicle in a stationary position

646 within the limits of a public highway;

647 (67) "Passenger and commercial motor vehicle" means a motor  
648 vehicle used for private passenger and commercial purposes which is  
649 eligible for combination registration;

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

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

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

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

665 (72) "Pneumatic tires" means tires inflated or inflatable with air;

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

673 (74) "Public passenger endorsement" means an endorsement issued  
674 to an individual, which authorizes such individual to transport  
675 passengers, including, but not limited to, passengers who are students

676 in accordance with subsection (b) or (c) of section 14-36a;

677 [(74)] (75) "Recreational vehicle" includes the camper, camp trailer  
678 and motor home classes of vehicles;

679 [(75)] (76) "Registration" includes the certificate of motor vehicle  
680 registration and the number plate or plates used in connection with  
681 such registration;

682 [(76)] (77) "Registration number" means the identifying number or  
683 letters, or both, assigned by the commissioner to a motor vehicle;

684 [(77)] (78) "Resident", for the purpose of registering motor vehicles,  
685 includes any person who is a legal resident of this state, as the  
686 commissioner may presume from the fact that such person occupies a  
687 place of dwelling in this state for more than six months in a year, or  
688 any person, firm or corporation owning or leasing a motor vehicle  
689 used or operated in intrastate business in this state, or a firm or  
690 corporation having its principal office or place of business in this state;

691 [(78)] (79) "School bus" means any school bus, as defined in section  
692 14-275, including a commercial motor vehicle used to transport  
693 preschool, elementary school or secondary school students from home  
694 to school, from school to home, or to and from school-sponsored  
695 events, but does not include a bus used as a common carrier;

696 [(79)] (80) "Second" violation or "subsequent" violation means an  
697 offense committed not more than three years after the date of an arrest  
698 which resulted in a previous conviction for a violation of the same  
699 statutory provision, except in the case of a violation of section 14-215  
700 or 14-224 or subsection (a) of section 14-227a, "second" violation or  
701 "subsequent" violation means an offense committed not more than ten  
702 years after the date of an arrest which resulted in a previous conviction  
703 for a violation of the same statutory provision;

704 [(80)] (81) "Semitrailer" means any trailer type vehicle designed and  
705 used in conjunction with a motor vehicle so that some part of its own

706 weight and load rests on or is carried by another vehicle;

707 [(81)] (82) "Serious traffic violation" means a conviction of any of the  
708 following offenses: (A) Excessive speeding, involving a single offense  
709 in which the speed is fifteen miles per hour or more above the posted  
710 speed limit, in violation of section 14-218a or 14-219; (B) reckless  
711 driving in violation of section 14-222; (C) following too closely in  
712 violation of section 14-240 or 14-240a; (D) improper or erratic lane  
713 changes, in violation of section 14-236; (E) using a hand-held mobile  
714 telephone or other electronic device or typing, reading or sending text  
715 or a text message with or from a mobile telephone or mobile electronic  
716 device in violation of subsection (e) of section 14-296aa while operating  
717 a commercial motor vehicle; (F) driving a commercial motor vehicle  
718 without a valid commercial driver's license in violation of section 14-  
719 36a or 14-44a, as amended by this act; (G) failure to carry a commercial  
720 driver's license in violation of section 14-44a, as amended by this act;  
721 (H) failure to have the proper class of license or endorsement, or  
722 violation of a license restriction in violation of section 14-44a, as  
723 amended by this act; or (I) a violation of any provision of chapter 248,  
724 by an operator who holds a commercial driver's license or instruction  
725 permit that results in the death of another person;

726 [(82)] (83) "Service bus" includes any vehicle except a vanpool  
727 vehicle or a school bus designed and regularly used to carry ten or  
728 more passengers when used in private service for the transportation of  
729 persons without charge to the individual;

730 [(83)] (84) "Service car" means any motor vehicle used by a  
731 manufacturer, dealer or repairer for emergency motor vehicle repairs  
732 on the highways of this state, for towing or for the transportation of  
733 necessary persons, tools and materials to and from the scene of such  
734 emergency repairs or towing;

735 [(84)] (85) "Shoulder" means that portion of a highway immediately  
736 adjacent and contiguous to the travel lanes or main traveled portion of  
737 the roadway;

738 [(85)] (86) "Solid tires" means tires of rubber, or other elastic material  
739 approved by the Commissioner of Transportation, which do not  
740 depend on confined air for the support of the load;

741 [(86)] (87) "Spot lamp" or "spot light" means a lighting device  
742 projecting a high intensity beam, the direction of which can be readily  
743 controlled for special or emergency lighting as distinguished from  
744 ordinary road illumination;

745 [(87)] (88) "State" means any state of the United States and the  
746 District of Columbia unless the context indicates a more specific  
747 reference to the state of Connecticut;

748 [(88)] (89) "Stop" means complete cessation of movement;

749 [(89)] (90) "Student" means any person under the age of twenty-one  
750 years who is attending a preprimary, primary or secondary school  
751 program of education;

752 [(90)] (91) "Tail lamp" means a lighting device affixed to the rear of a  
753 motor vehicle showing a red light to the rear and indicating the  
754 presence of the motor vehicle when viewed from behind;

755 [(91)] (92) "Tank vehicle" means any commercial motor vehicle  
756 designed to transport any liquid or gaseous material within a tank that  
757 is either permanently or temporarily attached to the vehicle or its  
758 chassis which shall include, but not be limited to, a cargo tank and  
759 portable tank, as defined in 49 CFR 383.5, as amended, provided it  
760 shall not include a portable tank with a rated capacity not to exceed  
761 one thousand gallons;

762 [(92)] (93) "Tractor" or "truck tractor" means a motor vehicle  
763 designed and used for drawing a semitrailer;

764 [(93)] (94) "Tractor-trailer unit" means a combination of a tractor and  
765 a trailer or a combination of a tractor and a semitrailer;

766 [(94)] (95) "Trailer" means any rubber-tired vehicle without motive

767 power drawn or propelled by a motor vehicle;

768 ~~[(95)]~~ (96) "Truck" means a motor vehicle designed, used or  
769 maintained primarily for the transportation of property;

770 ~~[(96)]~~ (97) "Ultimate consumer" means, with respect to a motor  
771 vehicle, the first person, other than a dealer, who in good faith  
772 purchases the motor vehicle for purposes other than resale;

773 ~~[(97)]~~ (98) "United States" means the fifty states and the District of  
774 Columbia;

775 ~~[(98)]~~ (99) "Used motor vehicle" includes any motor vehicle which  
776 has been previously separately registered by an ultimate consumer;

777 ~~[(99)]~~ (100) "Utility trailer" means a trailer designed and used to  
778 transport personal property, materials or equipment, whether or not  
779 permanently affixed to the bed of the trailer;

780 ~~[(100)]~~ (101) "Vanpool vehicle" includes all motor vehicles, the  
781 primary purpose of which is the daily transportation, on a prearranged  
782 nonprofit basis, of individuals between home and work, and which:  
783 (A) If owned by or leased to a person, or to an employee of the person,  
784 or to an employee of a local, state or federal government unit or agency  
785 located in Connecticut, are manufactured and equipped in such  
786 manner as to provide a seating capacity of at least seven but not more  
787 than fifteen individuals, or (B) if owned by or leased to a regional ride-  
788 sharing organization in the state recognized by the Commissioner of  
789 Transportation, are manufactured and equipped in such manner as to  
790 provide a seating capacity of at least six but not more than nineteen  
791 individuals;

792 ~~[(101)]~~ (102) "Vehicle" includes any device suitable for the  
793 conveyance, drawing or other transportation of persons or property,  
794 whether operated on wheels, runners, a cushion of air or by any other  
795 means. The term does not include devices propelled or drawn by  
796 human power or devices used exclusively on tracks;

797        [(102)] (103) "Vehicle identification number" or "VIN" means a series  
798 of Arabic numbers and Roman letters that is assigned to each new  
799 motor vehicle that is manufactured within or imported into the United  
800 States, in accordance with the provisions of 49 CFR 565, unless another  
801 sequence of numbers and letters has been assigned to a motor vehicle  
802 by the commissioner, in accordance with the provisions of section 14-  
803 149;

804        [(103)] (104) "Wrecker" means a vehicle which is registered,  
805 designed, equipped and used for the purposes of towing or  
806 transporting wrecked or disabled motor vehicles for compensation or  
807 for related purposes by a person, firm or corporation licensed in  
808 accordance with the provisions of subpart (D) of part III of this chapter  
809 or a vehicle contracted for the consensual towing or transporting of  
810 one or more motor vehicles to or from a place of sale, purchase,  
811 salvage or repair. [;]

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

816        Sec. 15. Subsection (e) of section 14-44 of the 2016 supplement to the  
817 general statutes is repealed and the following is substituted in lieu  
818 thereof (*Effective from passage*):

819        (e) Prior to issuing an operator's license bearing a school  
820 endorsement or bearing the appropriate type of public passenger  
821 endorsement for operation of a student transportation vehicle  
822 pursuant to subdivision [(4)] (3) of subsection (a) of this section, the  
823 Commissioner of Motor Vehicles shall require each applicant to submit  
824 to state and national criminal history records checks, conducted in  
825 accordance with section 29-17a, and a check of the state child abuse  
826 and neglect registry established pursuant to section 17a-101k. The  
827 Commissioner of Emergency Services and Public Protection shall  
828 complete such state and national criminal history records checks

829 required pursuant to this section within sixty days of receiving such a  
830 request for a check of such records. If notice of a state or national  
831 criminal history record is received, the Commissioner of Motor  
832 Vehicles may, subject to the provisions of section 46a-80, refuse to issue  
833 an operator's license bearing such public passenger endorsement and,  
834 in such case, shall immediately notify the applicant, in writing, of such  
835 refusal. If notification that the applicant is listed as a perpetrator of  
836 abuse on the state child abuse and neglect registry established  
837 pursuant to section 17a-101k is received, the Commissioner of Motor  
838 Vehicles may refuse to issue an operator's license bearing such public  
839 passenger endorsement and, in such case, shall immediately notify the  
840 applicant, in writing, of such refusal. The Commissioner of Motor  
841 Vehicles shall not issue a temporary operator's license bearing a school  
842 endorsement or bearing the appropriate type of public passenger  
843 endorsement for operation of a student transportation vehicle.

844 Sec. 16. Section 14-166 of the general statutes is repealed and the  
845 following is substituted in lieu thereof (*Effective October 1, 2016*):

846 (a) The acquisition of a certificate of title shall not be required and  
847 the issuance of a certificate of title by the Commissioner of Motor  
848 Vehicles shall not be required for the following: (1) A vehicle owned  
849 by the United States, unless it is registered in this state; (2) a vehicle  
850 owned by a manufacturer or dealer and held for sale, even though  
851 incidentally moved on the highway or used for purposes of testing or  
852 demonstration; or a vehicle used by a manufacturer solely for testing;  
853 (3) a vehicle owned by a nonresident of this state and not required by  
854 law to be registered in this state; (4) a vehicle regularly engaged in the  
855 interstate transportation of persons or property for which a currently  
856 effective certificate of title has been issued in another state; (5) a vehicle  
857 moved solely by animal power; (6) an implement of husbandry; (7)  
858 special mobile equipment; (8) a self-propelled wheel chair or invalid  
859 tricycle; (9) any trailer having a gross weight not in excess of three  
860 thousand pounds; (10) any vehicle for which a temporary registration  
861 has been issued pursuant to section 14-12 for the purpose of permitting  
862 a nonresident owner who purchases a vehicle in Connecticut to

863 transport such vehicle to such owner's home state; (11) a motor vehicle  
864 owned by the state or any town, city or borough within the state; (12) a  
865 motor vehicle registered temporarily for inspection purposes pursuant  
866 to section 14-12. [(13) a motor vehicle older than twenty model years  
867 old, for which the commissioner may issue a certificate of title in said  
868 commissioner's discretion.]

869 (b) The acquisition of a certificate of title for any motor vehicle older  
870 than twenty model years old shall not be required. The commissioner  
871 shall issue a certificate of title for a motor vehicle older than twenty  
872 model years old at the request of the owner and charge such owner  
873 any fees required by section 14-192.

874 [(b)] (c) Part III of this chapter does not apply to: (1) A vehicle  
875 moved solely by animal power; (2) an implement of husbandry; (3)  
876 special mobile equipment; (4) a self-propelled wheel chair or invalid  
877 tricycle; (5) any trailer having a gross weight not in excess of three  
878 thousand pounds.

879 Sec. 17. Subsection (c) of section 13b-50p of the 2016 supplement to  
880 the general statutes is repealed and the following is substituted in lieu  
881 thereof (*Effective from passage*):

882 (c) Any person who violates any provision of this section or any  
883 [regulation] procedure adopted pursuant to this section shall be fined  
884 not more than five hundred dollars.

885 Sec. 18. Subsection (c) of section 14-293b of the 2016 supplement to  
886 the general statutes is repealed and the following is substituted in lieu  
887 thereof (*Effective from passage*):

888 (c) A statement concerning such responsibilities shall be included in  
889 the [agency's] instruction manual for motor vehicle operation of the  
890 Department of Motor Vehicles.

891 Sec. 19. Section 14-251 of the 2016 supplement to the general statutes  
892 is repealed and the following is substituted in lieu thereof (*Effective*

893 *from passage):*

894 No vehicle shall be permitted to remain stationary within ten feet of  
895 any fire hydrant, or upon the traveled portion of any highway except  
896 upon the right-hand side of such highway in the direction in which  
897 such vehicle is headed; and, if such highway is curbed, such vehicle  
898 shall be so placed that its right-hand wheels, when stationary, shall,  
899 when safety will permit, be within a distance of twelve inches from the  
900 curb, except if a bikeway, as defined in section 13a-153f, or such  
901 bikeway's buffer area, as described in the federal Manual on Uniform  
902 Traffic Control Devices, is in place between the parking lane and the  
903 curb, such vehicle shall be so placed that its right-hand wheels, when  
904 stationary, shall, when safety will permit, be within a distance of  
905 twelve inches from the edge of such bikeway or buffer area. No vehicle  
906 shall be permitted to remain parked within twenty-five feet of an  
907 intersection or a marked crosswalk at such intersection, or within  
908 twenty-five feet of a stop sign caused to be erected by the traffic  
909 authority in accordance with the provisions of section 14-301. No  
910 vehicle shall be permitted to remain stationary upon the traveled  
911 portion of any highway at any curve or turn or at the top of any grade  
912 where a clear view of such vehicle may not be had from a distance of at  
913 least one hundred [and] fifty feet in either direction. The  
914 Commissioner of Transportation may post signs upon any highway at  
915 any place where the keeping of a vehicle stationary is dangerous to  
916 traffic, and the keeping of any vehicle stationary contrary to the  
917 directions of such signs shall be a violation of this section. No vehicle  
918 shall be permitted to remain stationary upon the traveled portion of  
919 any highway within fifty feet of the point where another vehicle,  
920 which had previously stopped, continues to remain stationary on the  
921 opposite side of the traveled portion of the same highway. No vehicle  
922 shall be permitted to remain stationary within the limits of a public  
923 highway in such a manner as to constitute a traffic hazard or obstruct  
924 the free movement of traffic thereon, provided a vehicle which has  
925 become disabled to such an extent that it is impossible or impracticable  
926 to remove it may be permitted to so remain for a reasonable time for

927 the purpose of making repairs thereto or of obtaining sufficient  
928 assistance to remove it. Nothing in this section shall be construed to  
929 apply to emergency vehicles and to maintenance vehicles displaying  
930 flashing lights or to prohibit a vehicle from stopping, or being held  
931 stationary by any officer, in an emergency to avoid accident or to give  
932 a right-of-way to any vehicle or pedestrian as provided in this chapter,  
933 or from stopping on any highway within the limits of an incorporated  
934 city, town or borough where the parking of vehicles is regulated by  
935 local ordinances. Violation of any provision of this section shall be an  
936 infraction.

937 Sec. 20. Section 14-106b of the 2016 supplement to the general  
938 statutes is repealed and the following is substituted in lieu thereof  
939 (*Effective from passage*):

940 (a) Each self-propelled motor vehicle registered in this state  
941 designed and manufactured with an odometer shall at all times while  
942 operating on the highway be equipped with a properly functioning  
943 odometer. Any person who violates any provision of this section shall  
944 be issued a warning for defective equipment under the provisions of  
945 subsection (c) of section 14-103.

946 (b) No person or his agent shall remove, turn back or change the  
947 reading on the odometer of any motor vehicle required under the  
948 provisions of subsection (a) of this section or subsection (a) of section  
949 14-106a to be equipped with an odometer except in connection with  
950 the repair of such odometer either while installed in or removed from  
951 such motor vehicle and unless such person is licensed as a new car  
952 dealer, used car dealer or general or limited repairer pursuant to  
953 section 14-52. Each odometer repaired and each new or used odometer  
954 installed in any motor vehicle required to be equipped with an  
955 odometer shall display mileage at least equal to the mileage displayed  
956 by the odometer in such motor vehicle immediately prior to such  
957 repair or replacement.

958 (c) No person shall sell, offer for sale, use, install or cause to be

959 installed any device which causes the odometer in any motor vehicle  
960 required under the provisions of subsection (a) of this section or  
961 subsection (a) of section 14-106a to be so equipped to register any  
962 mileage other than the true mileage driven. For purposes of this  
963 section, the true mileage driven is that mileage driven by the vehicle as  
964 registered by the odometer within the manufacturer's designed  
965 tolerance.

966 (d) Any person violating the provisions of subsections (b) or (c) of  
967 this section shall be guilty of committing a class A misdemeanor. Any  
968 person violating the provisions of said subsections shall be liable for  
969 damages equal to three times the amount of actual damage or one  
970 thousand five hundred dollars, whichever is greater, court costs and  
971 reasonable attorney's fees and shall pay a civil penalty of not more  
972 than one thousand dollars for each violation. A violation of the  
973 provisions of said subsections shall be deemed to be an unfair trade  
974 practice within the provisions of chapter 735a. Any person licensed as  
975 a new car dealer, used car dealer or general or limited repairer  
976 pursuant to section 14-52 shall in addition to the penalties imposed by  
977 this section be subject to the suspension or revocation of his license as  
978 provided in section 14-64.

979 Sec. 21. Subdivision (82) of section 12-412 of the 2016 supplement to  
980 the general statutes is repealed and the following is substituted in lieu  
981 thereof (*Effective from passage*):

982 (82) (A) The sale of and the storage, use or other consumption of any  
983 commercial motor vehicle, as defined in subparagraphs (A) and (B) of  
984 subdivision [(15)] (16) of section 14-1, as amended by this act, that is  
985 operating pursuant to the provisions of section 13b-88 or 13b-89,  
986 during the period commencing upon its purchase and ending one year  
987 after the date of purchase, provided seventy-five per cent of its  
988 revenue from its days in service is derived from out-of-state trips or  
989 trips crossing state lines.

990 (B) Each purchaser of a commercial motor vehicle exempt from tax

991 pursuant to the provisions of this subsection shall, in order to qualify  
992 for said exemption, present to the retailer a certificate, in such form as  
993 the commissioner may prescribe, certifying that seventy-five per cent  
994 of such vehicle's revenue from its days in service will be derived from  
995 out-of-state trips or trips crossing state lines. The purchaser of the  
996 motor vehicle shall be liable for the tax otherwise imposed if, during  
997 the period commencing upon its purchase and ending one year after  
998 the date of purchase, seventy-five per cent of the vehicle's revenue  
999 from its days in service is not derived from out-of-state trips or trips  
1000 crossing state lines.

1001 Sec. 22. Subdivision (22) of section 42-133cc of the 2016 supplement  
1002 to the general statutes is repealed and the following is substituted in  
1003 lieu thereof (*Effective from passage*):

1004 (22) Exercise a right of first refusal or other right to acquire a  
1005 franchise from a dealer unless the manufacturer or distributor:

1006 (A) Notifies the dealer and the proposed transferee in writing that it  
1007 intends to exercise its right to acquire the franchise not later than sixty  
1008 days after the [manufacturer] manufacturer's or distributor's receipt of  
1009 a notice of the proposed transfer from the dealer or the proposed  
1010 transferee and all information and documents reasonably and  
1011 customarily required by the manufacturer supporting such proposed  
1012 transfer, as required pursuant to subdivision (11) of this section, and  
1013 the proposed transfer is not to (i) a child, spouse, grandchild, parent or  
1014 sibling, (ii) a current owner of the dealership that is the subject of the  
1015 transfer, (iii) a dealership manager employed continuously by the  
1016 dealer in the dealership for a period of not less than four years prior to  
1017 the date of the proposed transfer and who is otherwise qualified as a  
1018 dealer operator according to the usual standards of the manufacturer  
1019 or distributor, or (iv) a partnership, trust or corporation controlled by,  
1020 or for the benefit of, any of the types of individuals described in this  
1021 subparagraph. For the purpose of this subparagraph, the "proposed  
1022 transferee" means the person to whom the franchise would have been  
1023 transferred to, or was proposed to be transferred to, had the right of

1024 first refusal or other right to acquire the franchise not been exercised  
1025 by the manufacturer or distributor;

1026 (B) Will pay to the dealer the same or greater consideration as such  
1027 dealer has contracted to receive in connection with the proposed  
1028 transfer or sale of all or substantially all of the dealership assets, stock  
1029 or other ownership interest, including the purchase or lease of all real  
1030 property, leasehold or improvements related to the transfer or sale of  
1031 the dealership. Upon exercise of the right of first refusal or such other  
1032 right, the manufacturer or distributor shall have the right to assign the  
1033 lease or to convey the real property;

1034 (C) Assumes all of the duties, obligations and liabilities contained in  
1035 the agreements that were to be assumed by the proposed transferee  
1036 and with respect to which the manufacturer or distributor exercised  
1037 the right of first refusal or other right to acquire the franchise;

1038 (D) Reimburses the proposed transferee for all reasonable expenses  
1039 incurred in evaluating, investigating, negotiating and pursuing the  
1040 acquisition of the dealership prior to the [manufacturer]  
1041 manufacturer's or distributor's exercise of its right of first refusal or  
1042 other right to acquire the dealership. For purposes of this  
1043 subparagraph, reasonable expenses include the usual and customary  
1044 legal and accounting fees charged for similar work, as well as expenses  
1045 associated with the evaluation and investigation of any real property  
1046 on which the dealership is operated. The proposed transferee shall  
1047 submit an itemized list of its expenses to the manufacturer or  
1048 distributor not later than thirty days after the [manufacturer]  
1049 manufacturer's or distributor's exercise of the right of first refusal or  
1050 other right to acquire the motor vehicle franchise. The manufacturer or  
1051 distributor shall reimburse the proposed transferee for its expenses not  
1052 later than thirty days after receipt of the itemized list.

1053 Sec. 23. Subsections (c) and (d) of section 14-96q of the 2016  
1054 supplement to the general statutes are repealed and the following is  
1055 substituted in lieu thereof (*Effective from passage*):

1056 (c) A blue light or lights, including flashing blue lights, may be used  
1057 on a motor vehicle operated by an active member of a volunteer fire  
1058 department or company or an active member of an organized civil  
1059 preparedness auxiliary fire company who has been issued a permit by  
1060 the chief executive officer of such department or company to use such  
1061 a light while on the way to or at the scene of a fire or other emergency  
1062 requiring such member's services. Such permit shall be on a form  
1063 provided by the commissioner and may be revoked by such chief  
1064 executive officer or successor. The chief executive officer of each  
1065 volunteer fire department or company or organized civil preparedness  
1066 auxiliary fire company shall keep on file, on forms provided by  
1067 the commissioner, the names and addresses of members who have  
1068 been authorized to use flashing blue lights as provided in this  
1069 subsection. Such listing shall also designate the registration number of  
1070 the motor vehicle on which authorized flashing blue lights are to be  
1071 used.

1072 (d) A green light or lights, including flashing green lights, may be  
1073 used on a motor vehicle operated by an active member of a volunteer  
1074 ambulance association or company who has been issued a permit by  
1075 the chief executive officer of such association or company to use such a  
1076 light, while on the way to or at the scene of an emergency requiring  
1077 such member's services. Such permit shall be on a form provided by  
1078 the commissioner and may be revoked by such chief executive officer  
1079 or successor. The chief executive officer of each volunteer ambulance  
1080 association or company shall keep on file, on forms provided by the  
1081 commissioner, the names and addresses of members who have been  
1082 authorized to use flashing green lights as provided in this subsection.  
1083 Such listing shall also designate the registration number of the vehicle  
1084 on which the authorized flashing green lights are to be used.

1085 Sec. 24. (NEW) (*Effective from passage*) (a) Commencing January 15,  
1086 2017, and annually thereafter, the Department of Motor Vehicles shall  
1087 submit a report, in accordance with the provisions of section 11-4a of  
1088 the general statutes, to the joint standing committee of the General  
1089 Assembly having cognizance of matters relating to the Department of

1090 Motor Vehicles. Such annual report shall (1) identify specific goals  
1091 indicating acceptable waiting times at the main office and branch  
1092 offices of the department, (2) summarize actions undertaken by the  
1093 department in the previous year to achieve such goals, and (3) include  
1094 a strategy to achieve or exceed such goals in the upcoming year. The  
1095 joint standing committee may hold a public hearing on such report not  
1096 later than thirty days after receipt of such report. The Commissioner of  
1097 Motor Vehicles, or the commissioner's designee, shall testify at any  
1098 such public hearing.

1099 (b) Commencing August 15, 2016, and monthly thereafter, the  
1100 Department of Motor Vehicles shall submit a report, in accordance  
1101 with the provisions of section 11-4a of the general statutes, to the joint  
1102 standing committee of the General Assembly having cognizance of  
1103 matters relating to the Department of Motor Vehicles on the length of  
1104 waiting times at the main office and branch offices of the department.  
1105 Such report shall include the following information for the month  
1106 prior to the month in which the report is submitted: (1) For the main  
1107 office and each branch office of the department that utilizes a  
1108 numbered ticketing system, (A) the average time that elapses from the  
1109 time a person receives a numbered ticket to the time such person  
1110 receives customer service, (B) whether the average waiting time  
1111 decreased or increased from the previous reporting period, and (C) the  
1112 number of transactions conducted at such offices that could have been  
1113 conducted on the Internet web site of the department; and (2) the  
1114 number of transactions conducted on the Internet web site of the  
1115 department.

1116 Sec. 25. Subsection (b) of section 14-41 of the general statutes is  
1117 repealed and the following is substituted in lieu thereof (*Effective from*  
1118 *passage*):

1119 (b) An original operator's license shall expire within a period not  
1120 exceeding six years following the date of the operator's next birthday.  
1121 The fee for such license shall be seventy-two dollars. The  
1122 commissioner may authorize an automobile club or association,

1123 licensed in accordance with the provisions of section 14-67 on or before  
 1124 July 1, 2007, to issue duplicate licenses and identity cards pursuant to  
 1125 section 14-50a, renew licenses, renew identity cards issued pursuant to  
 1126 section 1-1h and conduct registration transactions at its office facilities.  
 1127 The commissioner may authorize such automobile clubs or  
 1128 associations to charge a convenience fee, which shall not exceed [three]  
 1129 five dollars, to each applicant for a license or identity card renewal or  
 1130 duplication, or for a registration transaction."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	New section
Sec. 2	<i>July 1, 2016</i>	14-44a(c)
Sec. 3	<i>July 1, 2016</i>	14-52a(a)
Sec. 4	<i>July 1, 2016</i>	14-54
Sec. 5	<i>July 1, 2016</i>	14-61(b)
Sec. 6	<i>July 1, 2016</i>	14-227b(g)
Sec. 7	<i>July 1, 2016</i>	14-227b(j)
Sec. 8	<i>July 1, 2016</i>	14-227k
Sec. 9	<i>July 1, 2016</i>	14-275c(b)
Sec. 10	<i>October 1, 2016</i>	17a-696(a)
Sec. 11	<i>October 1, 2016</i>	53a-217b(b)
Sec. 12	<i>July 1, 2016</i>	14-15(b) and (c)
Sec. 13	<i>July 1, 2016</i>	New section
Sec. 14	<i>from passage</i>	14-1
Sec. 15	<i>from passage</i>	14-44(e)
Sec. 16	<i>October 1, 2016</i>	14-166
Sec. 17	<i>from passage</i>	13b-50p(c)
Sec. 18	<i>from passage</i>	14-293b(c)
Sec. 19	<i>from passage</i>	14-251
Sec. 20	<i>from passage</i>	14-106b
Sec. 21	<i>from passage</i>	12-412(82)
Sec. 22	<i>from passage</i>	42-133cc(22)
Sec. 23	<i>from passage</i>	14-96q(c) and (d)
Sec. 24	<i>from passage</i>	New section
Sec. 25	<i>from passage</i>	14-41(b)