



General Assembly

Amendment

January Session, 2017

LCO No. 7760



Offered by:

REP. SCANLON, 98th Dist.

REP. SAMPSON, 80th Dist.

To: House Bill No. 5963

File No. 216

Cal. No. 169

**"AN ACT CONCERNING TREATMENT OR CARE PROVIDED BY
RELIGIOUS NONMEDICAL PROVIDERS UNDER HEALTH
INSURANCE POLICIES OR HEALTH BENEFIT PLANS."**

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

3 "Section 1. Section 14-112 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective January 1, 2018, and*
5 *applicable to automobile liability insurance policies delivered, issued for*
6 *delivery, renewed, amended or endorsed in this state on or after January 1,*
7 *2018*):

8 (a) To entitle any person to receive or retain a motor vehicle
9 operator's license or a certificate of registration of any motor vehicle
10 when, in the opinion of the commissioner, such person has a record on
11 file with the commissioner which is sufficient, in the opinion of the
12 commissioner, to require evidence of financial responsibility for the
13 reasonable protection of other persons, the commissioner shall require

14 from such person proof of financial responsibility to satisfy any claim
15 for damages by reason of personal injury to, or the death of, any one
16 person, of [twenty] twenty-five thousand dollars, or by reason of
17 personal injury to, or the death of, more than one person on account of
18 any accident, of at least [forty] fifty thousand dollars, and for damage
19 to property of at least [ten] twenty-five thousand dollars. When the
20 commissioner requires proof of financial responsibility from an
21 operator or owner of any motor vehicle, he may require proof in the
22 amounts herein specified for each vehicle operated or owned by such
23 person. If any person fails to furnish such proof, the commissioner
24 shall, until such proof is furnished, suspend or revoke the license of
25 such person to operate a motor vehicle or refuse to return any license
26 which has been suspended or revoked in accordance with the
27 provisions of section 14-111 or suspend or revoke the registration of
28 any such motor vehicle or vehicles or refuse thereafter to register any
29 motor vehicle owned by such person or refuse to register any motor
30 vehicle transferred by [him] such person if it does not appear to the
31 commissioner's satisfaction that such transfer is a bona fide sale, or, if
32 such person is not a resident of this state, withdraw from such person
33 the privilege of operating any motor vehicle in this state and the
34 privilege of operation within this state of any motor vehicle owned by
35 [him] such person. Prior to such suspension, revocation or withdrawal,
36 notice thereof shall be given by the commissioner by a notice
37 forwarded by bulk certified mail to the address of such person as
38 shown by the records of the commissioner. No appeal taken from the
39 judgment of any court shall act as a stay to any action of the
40 commissioner authorized by the provisions of this section.

41 (b) Such proof of financial responsibility shall be furnished as is
42 satisfactory to the commissioner and may be evidence of the insuring
43 of the named insured or resident relative of the named insured against
44 loss on account of [his] legal liability of the named insured or resident
45 relative of the named insured for injury to or the death of persons and
46 damage to property in the respective amounts provided by this section
47 in the form of a certificate signed by any person authorized in writing

48 by an officer of any company authorized to issue such insurance in this
49 state or any agent of such company licensed under the provisions of
50 section 38a-769, showing that a policy of insurance in such amounts,
51 noncancellable except after ten days' written notice to the
52 commissioner, has been issued to the person furnishing such proof and
53 no insurance company or insurance agent shall refuse to make such
54 filing of evidence of insurance during the time such insurance
55 company has a valid policy in force covering the named insured or
56 resident relative of the named insured and such company may charge
57 a fee not to exceed ten dollars for such filing; or such proof may be the
58 bond of a surety company or a bond with individual surety owning
59 real estate, which bond shall be conditioned for the payment of such
60 amounts and shall not be cancellable except after ten days' written
61 notice to the commissioner. Such bond shall constitute a lien in favor of
62 the state upon the real estate of any surety, which lien shall exist in
63 favor of any holder of a judgment on account of damage caused by the
64 operation of such person's motor vehicle, upon the filing of notice to
65 that effect by the commissioner in the town clerk's office in the town
66 where such real estate is located. Such proof of financial responsibility
67 may also be evidence presented to the commissioner of a deposit by
68 such person with the State Treasurer of a sum of money or collateral,
69 the amount of which money or collateral shall be determined by and
70 shall be satisfactory to the commissioner. The State Treasurer shall
71 accept any such deposit and issue a receipt therefor, and, if such
72 deposit is a sum of money, the state shall pay interest thereon if so
73 directed by the Secretary of the Office of Policy and Management at a
74 rate not greater than the amount received by the state. The Treasurer
75 may deposit any money so received in any incorporated savings bank
76 located in this state. Whenever any agent of an insurance company
77 certifies to evidence of the insuring of any person, from whom proof of
78 financial responsibility has been required, by the company for which
79 such agent is authorized to solicit, negotiate or effect contracts of
80 insurance, such company shall notify the commissioner of the
81 cancellation or termination of the policy referred to in such certificate
82 at least ten days before the effective date of such cancellation or

83 termination, provided such notice shall not be required if such policy
84 is renewed by such company, and provided a policy subsequently
85 procured and referred to in a certificate filed with the commissioner
86 shall, on the effective date of such policy, terminate the policy referred
87 to in any certificate previously filed with respect to any motor vehicles
88 designated in both certificates or, in case of an operator's policy, with
89 respect to any operator designated in both certificates. Additional
90 evidence of financial responsibility shall, upon request by the
91 commissioner, be furnished to the commissioner. [at any time upon his
92 request therefor.]

93 (c) Such bond, money or collateral shall be held by the
94 commissioner or Treasurer, as the case may be, to satisfy any execution
95 issued against such person in any cause arising out of damage caused
96 by the operation of any motor vehicle owned or operated by such
97 person. Money or collateral so deposited shall not be subject to
98 attachment or execution unless such attachment or execution arises out
99 of an action for damages, including personal injury or death, as a result
100 of the operation of any motor vehicle. Any person who furnishes proof
101 of financial responsibility by a deposit of money or collateral shall,
102 upon the service of any writ or summons arising out of any action for
103 damages including personal injury or death caused by the operation of
104 any motor vehicle, give written notice of such service to the
105 commissioner, who shall require that additional evidence of financial
106 responsibility be furnished to satisfy any judgment in any other action.
107 If a judgment rendered against the principal on a surety or real estate
108 bond is not satisfied within thirty days after its rendition, the judgment
109 creditor may, for [his] the judgment creditor's own use and benefit and
110 at [his] the judgment creditor's sole expense, bring an action in the
111 name of the state against the company or person executing such bond.
112 A reasonable sum, not exceeding ten dollars, shall be charged for such
113 investigation of the title of any surety's real estate or of collateral so
114 deposited and of the value of the same and for the filing fee to be paid
115 to the town clerk.

116 (d) Repealed by P.A. 73-549, S. 2, 4.

117 (e) The commissioner shall furnish any person who may have been
118 injured in person or property by any motor vehicle, upon written
119 request, with such information as has been furnished to [him] the
120 commissioner as evidence of the financial responsibility of any
121 operator or owner of any motor vehicle.

122 (f) Any operator or any registrant whose operator's license or
123 certificate of registration has been suspended as herein provided or
124 whose policy of liability insurance or surety bond has been cancelled
125 or who fails to furnish additional evidence of financial responsibility
126 upon request of the commissioner, shall immediately return to the
127 commissioner such operator's certificate of registration and the
128 number plate or plates issued thereunder. Failure to return such
129 certificate and such number plate or plates shall be an infraction.

130 (g) The commissioner may cancel such bond or return such
131 evidence of financial responsibility or the Treasurer may, with the
132 consent of the commissioner, return such money or collateral to the
133 person furnishing the same, provided one year shall have elapsed from
134 the date of the suspension of such license during which period such
135 person has not, in the opinion of the commissioner, violated any
136 provision of the motor vehicle laws referred to in subsection (a) of this
137 section. The commissioner may direct the return of any money or
138 collateral to the person who furnished the same upon the acceptance
139 and substitution of other evidence of financial responsibility or at any
140 time after one year from the expiration of any registration or license
141 issued to such person.

142 (h) Any person who forges or, without authority, signs any
143 evidence of financial responsibility required by the commissioner in
144 the administration of this section shall be guilty of a class D
145 misdemeanor.

146 (i) Any person from whom proof of financial responsibility has been
147 required may, at the end of twelve months, apply to the commissioner
148 for removal of such requirements in a manner as determined by the

149 commissioner. The commissioner or [his] the commissioner's
150 authorized representative may make such further investigation as may
151 be deemed necessary and, upon being satisfied that such applicant is
152 entitled to such elimination of financial requirements, may eliminate
153 the same.

154 (j) To entitle any person to receive or retain a motor vehicle
155 operator's license or a certificate of registration of any motor vehicle
156 when, in the opinion of the commissioner, such person has violated
157 any of the provisions of the following-named sections and subsections:
158 Section 14-44, section 14-80h or 14-80i, sections 14-110, 14-147, 14-217,
159 14-219, sections 14-228, 14-275 to 14-281, inclusive, or subdivision (1) of
160 subsection (a) of section 53a-123 or any similar provision of the laws of
161 any other state or any territory, or who has been convicted of, or has
162 forfeited any bond taken for appearance for, or has received a
163 suspended judgment or sentence for, a violation of any of said
164 provisions, or a violation of any of the provisions of sections 14-230 to
165 14-247, inclusive, and 38a-371, within a twelve-month period following
166 a violation of any of said sections, the commissioner may require from
167 such person proof of financial responsibility to satisfy any claim for
168 damages by reason of personal injury to, or the death of, any one
169 person, of [twenty] twenty-five thousand dollars, or by reason of
170 personal injury to, or the death of, more than one person on account of
171 any accident, of at least [forty] fifty thousand dollars, and for damage
172 to property of at least [ten] twenty-five thousand dollars. When the
173 commissioner requires proof of financial responsibility from an
174 operator or owner of any motor vehicle, he may require proof in the
175 amounts herein specified for each vehicle operated or owned by such
176 person. If any person fails to furnish such proof, the commissioner
177 shall, until such proof is furnished, suspend or revoke the license of
178 such person to operate a motor vehicle or refuse to return any license
179 which has been suspended or revoked in accordance with the
180 provisions of section 14-111 or suspend or revoke the registration of
181 any such motor vehicle or vehicles or refuse thereafter to register any
182 motor vehicle owned by such person or refuse to register any motor

183 vehicle transferred by [him] such person if it does not appear to the
 184 commissioner's satisfaction that such transfer is a bona fide sale, or, if
 185 such person is not a resident of this state, withdraw from such person
 186 the privilege of operating any motor vehicle in this state and the
 187 privilege of operation within this state of any motor vehicle owned by
 188 [him] such person. Prior to such suspension, revocation or withdrawal,
 189 notice thereof shall be given by the commissioner by a notice
 190 forwarded by bulk certified mail to the address of such person as
 191 shown by the records of the commissioner. No appeal taken from the
 192 judgment of any court shall act as a stay to any action of the
 193 commissioner authorized by the provisions of this section."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2018, and applicable to automobile liability insurance policies delivered, issued for delivery, renewed, amended or endorsed in this state on or after January 1, 2018</i>	14-112