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## **OLR Bill Analysis**

### **sSB 468**

#### ***AN ACT CONCERNING SERVICE OF CIVIL PROCESS ON A MOTOR VEHICLE OPERATOR OR THE OWNER OF A MOTOR VEHICLE.***

#### **SUMMARY**

The law allows for service of process (i.e., the initiation of a civil action) on the Department of Motor Vehicles (DMV) commissioner under certain circumstances in cases involving licensed drivers or owners of registered vehicles who cannot be located for in-person service, regardless of their last known address. This bill additionally allows such service for cases involving unlicensed drivers or owners of unregistered vehicles, provided the driver or owner had a last known address in Connecticut.

Any service under the bill may be made using the process under existing law for cases involving licensed drivers or owners of registered vehicles who allegedly caused injury to another person or his or her property and cannot be served at the driver's or owner's last address on file with the DMV. By law, service may be made at least 12 days before the return date by:

1. leaving a true and attested copy of the writ, summons, and complaint at the commissioner's office and
2. sending such a copy by registered or certified mail to the defendant's last address on file with the DMV.

The bill also specifies that, when the DMV issues a driver's license or motor vehicle registration to a driver or owner whose last known address is in Connecticut, the driver or owner must be deemed to have:

1. appointed the DMV commissioner as his or her attorney and

2. agreed that process related to civil damages for his or her alleged negligence or the alleged negligence of his or her servant or agent relating to any motor vehicle operation may be served on the commissioner, in which case it has the same validity as service to the owner or operator, even though he or she has left the state or his or her whereabouts is unknown.

By law, the following individuals may serve civil process: a state marshal; a constable; other proper officer authorized by statute; or, under limited circumstances, an indifferent person (i.e., a person not involved in the case)(CGS § 52-50).

The bill also makes a technical change.

EFFECTIVE DATE: October 1, 2018

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea 38 Nay 0 (04/02/2018)