



General Assembly

**Substitute Bill No. 5579**

February Session, 2018



**AN ACT CONCERNING THE RESTORATION OF A MOTOR VEHICLE OPERATOR'S LICENSE.**

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

1 Section 1. Subsection (i) of section 14-227a of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2018*):

4 (i) (1) The Commissioner of Motor Vehicles shall permit a person  
5 whose license has been suspended in accordance with the provisions  
6 of subparagraph (C) of subdivision (1) or subparagraph (C) of  
7 subdivision (2) of subsection (g) of this section to operate a motor  
8 vehicle if (A) such person has served either the suspension required  
9 under said subparagraph (C) or the suspension required under  
10 subsection (i) of section 14-227b, and (B) such person has installed an  
11 approved ignition interlock device in each motor vehicle owned or to  
12 be operated by such person, and verifies to the commissioner, in such  
13 manner as the commissioner prescribes, that such device has been  
14 installed. For a period of one year after the installation of an ignition  
15 interlock device by a person who is subject to subparagraph (C) of  
16 subdivision (2) of subsection (g) of this section, such person's operation  
17 of a motor vehicle shall be limited to such person's transportation to or  
18 from work or school, an alcohol or drug abuse treatment program, an  
19 ignition interlock device service center or an appointment with a

20 probation officer. Except as provided in sections 53a-56b and 53a-60d,  
21 no person whose license is suspended by the commissioner for any  
22 other reason shall be eligible to operate a motor vehicle equipped with  
23 an approved ignition interlock device.

24 (2) (A) All costs of installing and maintaining an ignition interlock  
25 device shall be borne by the person required to install such device.  
26 [No] Except as provided in subparagraph (B) of this subdivision, no  
27 court sentencing a person convicted of a violation of subsection (a) of  
28 this section may waive any fees or costs associated with the installation  
29 and maintenance of an ignition interlock device.

30 (B) A court sentencing a person convicted of a violation of  
31 subsection (a) of this section may waive any fees or costs associated  
32 with the installation or removal of an ignition interlock device and  
33 may reduce by fifty per cent the amount of monthly leasing fees  
34 payable by such person for such device upon such person's application  
35 for a waiver and reduction and if the court finds such person is  
36 indigent at the time of such application. The court shall accept as proof  
37 of indigency a valid participation card or letter indicating participation  
38 in the state-administered federal Supplemental Nutrition Assistance  
39 Program or the state-administered federal Low Income Home Energy  
40 Assistance Program. Any such letter shall be on letterhead stationery  
41 of the Department of Social Services and in original form.

42 (3) The commissioner shall adopt regulations, in accordance with  
43 the provisions of chapter 54, to implement the provisions of this  
44 subsection. The regulations shall establish procedures for the approval  
45 of ignition interlock devices, for the proper calibration and  
46 maintenance of such devices and for the installation of such devices by  
47 any firm approved and authorized by the commissioner and shall  
48 specify acts by persons required to install and use such devices that  
49 constitute a failure to comply with the requirements for the installation  
50 and use of such devices, the conditions under which such  
51 noncompliance will result in an extension of the period during which  
52 such persons are restricted to the operation of motor vehicles equipped

53 with such devices and the duration of any such extension. The  
54 commissioner shall ensure that such firm provide notice to both the  
55 commissioner and the Court Support Services Division of the Judicial  
56 Branch whenever a person required to install such device commits a  
57 violation with respect to the installation, maintenance or use of such  
58 device.

59 (4) The provisions of this subsection shall not be construed to  
60 authorize the continued operation of a motor vehicle equipped with an  
61 ignition interlock device by any person whose operator's license or  
62 nonresident operating privilege is withdrawn, suspended or revoked  
63 for any other reason.

64 (5) The provisions of this subsection shall apply to any person  
65 whose license has been suspended in accordance with the provisions  
66 of subparagraph (C) of subdivision (1) or subparagraph (C) of  
67 subdivision (2) of subsection (g) of this section on or after January 1,  
68 2012.

69 (6) Whenever a person is permitted by the commissioner under this  
70 subsection to operate a motor vehicle if such person has installed an  
71 approved ignition interlock device in each motor vehicle owned or to  
72 be operated by such person, the commissioner shall indicate in the  
73 electronic record maintained by the commissioner pertaining to such  
74 person's operator's license or driving history that such person is  
75 restricted to operating a motor vehicle that is equipped with an  
76 ignition interlock device and, if applicable, that such person's  
77 operation of a motor vehicle is limited to such person's transportation  
78 to or from work or school, an alcohol or drug abuse treatment  
79 program, an ignition interlock device service center or an appointment  
80 with a probation officer, and the duration of such restriction or  
81 limitation, and shall ensure that such electronic record is accessible by  
82 law enforcement officers. Any such person shall pay the commissioner  
83 a fee of one hundred dollars prior to the installation of such device.

84 (7) There is established the ignition interlock administration account

85 which shall be a separate, nonlapsing account in the General Fund. The  
86 commissioner shall deposit all fees paid pursuant to subdivision (6) of  
87 this subsection in the account. Funds in the account may be used by  
88 the commissioner for the administration of this subsection.

89 (8) Notwithstanding any provision of the general statutes to the  
90 contrary, upon request of any person convicted of a violation of  
91 subsection (a) of this section whose operator's license is under  
92 suspension on January 1, 2012, the Commissioner of Motor Vehicles  
93 may reduce the term of suspension prescribed in subsection (g) of this  
94 section and place a restriction on the operator's license of such person  
95 that restricts the holder of such license to the operation of a motor  
96 vehicle that is equipped with an approved ignition interlock device, as  
97 defined in section 14-227j, for the remainder of such prescribed period  
98 of suspension.

99 (9) Any person required to install an ignition interlock device under  
100 this section shall be supervised by personnel of the Court Support  
101 Services Division of the Judicial Branch while such person is subject to  
102 probation supervision, or by personnel of the Department of Motor  
103 Vehicles if such person is not subject to probation supervision, and  
104 such person shall be subject to any other terms and conditions as the  
105 commissioner may prescribe and any provision of the general statutes  
106 or the regulations adopted pursuant to subdivision (3) of this  
107 subsection not inconsistent herewith.

108 (10) Notwithstanding the periods prescribed in subsection (g) of this  
109 section and subdivision (2) of subsection (i) of section 14-111 during  
110 which a person is prohibited from operating a motor vehicle unless  
111 such motor vehicle is equipped with a functioning, approved ignition  
112 interlock device, such periods may be extended in accordance with the  
113 regulations adopted pursuant to subdivision (3) of this subsection.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2018</i>	14-227a(i)
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***Statement of Legislative Commissioners:***

In Section 1(i)(2)(B), clarifications to the language were made.

***JUD***      *Joint Favorable Subst.*