



General Assembly

February Session, 2018

***Raised Bill No. 468***

LCO No. 2045



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

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

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

1 Section 1. Section 52-63 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2018*):

3 (a) Any operator or owner of a motor vehicle at the time of issuance  
4 of his license or registration shall be deemed to have appointed the  
5 Commissioner of Motor Vehicles as his attorney and to have agreed  
6 that any process in any civil action against him on account of any claim  
7 for damages resulting from his alleged negligence or the alleged  
8 negligence of his servant or agent in the operation of any motor vehicle  
9 in this state may be served upon the commissioner as provided in this  
10 section and shall have the same validity as if served upon the owner or  
11 operator personally, even though the person sought to be served has  
12 left the state prior to commencement of the action or his present  
13 whereabouts is unknown.

14 (b) Service of civil process may be made on a motor vehicle operator

15 [licensed under the provisions of chapter 246] by leaving a true and  
16 attested copy of the writ, summons and complaint at the office of the  
17 Commissioner of Motor Vehicles at least twelve days before the return  
18 day and by sending such a true and attested copy at least twelve days  
19 before the return day, by registered or certified mail, postage prepaid  
20 and return receipt requested, to the defendant at his last address on file  
21 in the Department of Motor Vehicles if (1) it is impossible to make  
22 service of process at the operator's last address on file in the  
23 Department of Motor Vehicles, and (2) the operator has caused injury  
24 to the person or property of another.

25 (c) Service of civil process may be made on the owner of a motor  
26 vehicle [registered under the provisions of chapter 246] by leaving a  
27 true and attested copy of the writ, summons and complaint at the  
28 office of the Commissioner of Motor Vehicles at least twelve days  
29 before the return day and by sending such a true and attested copy at  
30 least twelve days before the return day, by registered or certified mail,  
31 postage prepaid and return receipt requested, to the defendant at his  
32 last address on file in the Department of Motor Vehicles if (1) it is  
33 impossible to make service of process at the owner's last address on  
34 file in the Department of Motor Vehicles, (2) the owner has loaned or  
35 permitted his motor vehicle to be driven by another, and (3) the motor  
36 vehicle has caused injury to the person or property of another.

37 (d) If service of process is made at the office of the Commissioner of  
38 Motor Vehicles pursuant to subsection (b) or subsection (c) of this  
39 section, the officer making such service shall certify on the process that  
40 he has made a diligent effort to obtain service at the address of the  
41 owner or operator on file in the Department of Motor Vehicles and has  
42 been unable to make such service.

43 (e) Service of process pursuant to this section shall be sufficient to  
44 confer jurisdiction of any such action upon the court to which the  
45 process is returnable. The court may proceed to determine the issues in  
46 the action and render final judgment but the court may, in its  
47 discretion, require further order of notice to the operator or owner.

48 (f) The officer serving such process upon the Commissioner of  
49 Motor Vehicles shall leave with the commissioner, at the time of  
50 service, a fee of fifty dollars, which fee shall be taxed in favor of the  
51 plaintiff in his costs if he prevails in the action. The Commissioner of  
52 Motor Vehicles shall keep a record of each such process and the day  
53 and hour of service.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2018</i>	52-63

***Statement of Purpose:***

To permit service of civil process to be made on the Commissioner of Motor Vehicles in a matter involving (1) an unlicensed motor vehicle operator, or (2) a motor vehicle owner who has not registered the motor vehicle.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*