



House of Representatives

General Assembly

File No. 242

February Session, 2018

Substitute House Bill No. 5312

House of Representatives, April 5, 2018

The Committee on Transportation reported through REP. GUERRERA of the 29th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING RECOMMENDATIONS BY THE
DEPARTMENT OF MOTOR VEHICLES REGARDING THE MOTOR
VEHICLE STATUTES.***

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

1 Section 1. Subsection (b) of section 14-15 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2018*):

4 (b) Each person, firm or corporation licensed under the provisions
5 of subsection (a) of this section or by another state, who in the opinion
6 of the commissioner is qualified, may electronically register or transfer
7 the registration of a motor vehicle used in connection with its business.
8 The licensee, within [five] ten days from the electronic issuance of such
9 registration or transfer, shall submit to the commissioner an
10 application together with all necessary documents to register or
11 transfer the registration of the vehicle with the Department of Motor
12 Vehicles. Any such licensee that registers or transfers registration shall
13 be required to register or transfer registrations electronically if the

14 commissioner determines that such licensee files with such
15 department, on average, seven or more such registrations or transfers
16 each month. The commissioner shall adopt regulations in accordance
17 with the provisions of chapter 54 to implement the provisions of this
18 subsection.

19 Sec. 2. Section 14-15d of the general statutes is repealed and the
20 following is substituted in lieu thereof (*Effective July 1, 2018*):

21 The Commissioner of Motor Vehicles may require any person, firm
22 or corporation, who in the opinion of the commissioner is qualified
23 and who is engaged in the business of filing applications for the
24 issuance of a certificate of registration or a certificate of title for motor
25 vehicles with the Department of Motor Vehicles, to file such
26 applications electronically if the commissioner determines that such
27 person, firm or corporation files, on average, seven or more such
28 applications each month. A qualified person, firm or corporation shall,
29 within [five] ten days from the electronic issuance of such registration,
30 submit to the commissioner an application together with all necessary
31 documents required to register the vehicle with the department. The
32 commissioner shall adopt regulations in accordance with the
33 provisions of chapter 54 to implement the provisions of this section.

34 Sec. 3. Subsection (a) of section 14-16 of the general statutes is
35 repealed and the following is substituted in lieu thereof (*Effective July*
36 *1, 2018*):

37 (a) A motor vehicle registration expires upon transfer of ownership
38 of the motor vehicle. [The person in whose name the motor vehicle is
39 registered shall return to the commissioner, within twenty-four hours
40 of the motor vehicle's transfer, the certificate of registration, the
41 number plate or plates issued for the vehicle together with a written
42 notice, subject to the penalties of false statement, containing the date
43 that ownership of the vehicle was transferred and the name, residence
44 and post-office address of the owner. The following statement shall
45 appear directly above the space provided for the signature of the
46 person filing the form: "I declare under the penalties of false statement

47 that this notice has been examined by me and to the best of my
48 knowledge and belief is complete, and the statements made herein are
49 true and correct."] The Commissioner of Motor Vehicles shall enter
50 such expiration in the records of the Department of Motor Vehicles
51 only when the transferor cancels his or her registration for such motor
52 vehicle in accordance with procedures established by the
53 commissioner or when the transferee reregisters such motor vehicle
54 with the department, whichever occurs first.

55 Sec. 4. Subsection (d) of section 14-18 of the general statutes is
56 repealed and the following is substituted in lieu thereof (*Effective July*
57 *1, 2018*):

58 (d) All number plates shall be the property of the state and no title
59 therein shall pass to any person registering a motor vehicle under the
60 provisions of this chapter. The owner of any registered motor vehicle
61 which is not reregistered at the end of a registration period shall,
62 within ten days, cancel such registration in accordance with
63 procedures established by the commissioner and may return the
64 number plates [thereof] to the commissioner. Any person who sells a
65 motor vehicle pursuant to section 14-150 or 49-61 shall, within ten days
66 of such sale, return to the commissioner any number plates displayed
67 on the vehicle or which come into such person's possession in
68 connection with such sale. When the commissioner issues a new type
69 of number plate for use by all persons registering motor vehicles, the
70 obsolete number plates shall become the property of the registrant
71 upon the expiration date.

72 Sec. 5. Subsections (t) to (aa), inclusive, of section 14-49 of the
73 general statutes are repealed and the following is substituted in lieu
74 thereof (*Effective July 1, 2018*):

75 (t) For the registration of each camper, the commissioner shall
76 charge a biennial fee of [sixty-two dollars. On and after July 1, 2011,
77 the fee shall be] seventy-five dollars. [The commissioner shall refund
78 one-half of the registration fee for any camper registration when the
79 number plate or plates and registration certificate are returned with

80 one year or more remaining until the expiration of such registration.]

81 (u) Repealed by P.A. 85-81.

82 (v) There shall be charged for each motor vehicle adult or youth
83 instruction permit or renewal thereof a fee of nineteen dollars. There
84 shall be charged for each motorcycle instruction permit or renewal
85 thereof a fee of sixteen dollars.

86 (w) In addition to the fee established for the issuance of motor
87 vehicle number plates and except as provided in subsection (a) of
88 section 14-21b and subsection (c) of section 14-253a, there shall be an
89 additional safety fee of five dollars charged at the time of issuance of
90 any reflectorized safety number plate or set of plates. All moneys
91 derived from said safety fee shall be deposited in the Special
92 Transportation Fund.

93 (x) For the registration of each high-mileage vehicle, the
94 commissioner shall charge a fee of [thirty-nine dollars for each year or
95 part thereof. On and after July 1, 2011, the fee shall be] forty-seven
96 dollars.

97 (y) For each special use registration for a period of thirty days or
98 less, the fee shall be twenty-one dollars.

99 (z) The commissioner shall assess a ten-dollar late fee for renewal of
100 a motor vehicle registration in the event a registrant fails to renew his
101 or her registration within five days after the expiration of such
102 registration, except that no such fee shall be assessed for the late
103 renewal of the registration, pursuant to subdivision (1) of subsection
104 (m) of this section, of (1) a trailer used exclusively for camping or any
105 other recreational purpose, or (2) a motor vehicle designed or
106 permanently altered in such a way as to provide living quarters for
107 travel or camping. Notwithstanding the provisions of this subsection,
108 if a registrant who is required to register a motor vehicle under section
109 14-34a fails to renew such registration not later than five days after the
110 expiration date of such registration, the commissioner shall assess a

111 late fee of one hundred fifty dollars.

112 [(aa) The commissioner shall refund one-half of the registration fee
113 for any motor vehicle when the number plate or plates and registration
114 certificate are returned on or after July 1, 2004, with one year or more
115 remaining until the expiration of such registration.]

116 Sec. 6. Section 14-49b of the 2018 supplement to the general statutes
117 is repealed and the following is substituted in lieu thereof (*Effective July*
118 *1, 2018*):

119 (a) For each new registration or renewal of registration of any motor
120 vehicle with the Commissioner of Motor Vehicles pursuant to this
121 chapter, the person registering such vehicle shall pay to the
122 commissioner a fee of ten dollars for registration for a biennial period
123 and five dollars for registration for an annual period, except that any
124 individual who is sixty-five years of age or older on or after January 1,
125 1994, may, at the discretion of such individual, pay the fee for either a
126 one-year or two-year period. The provisions of this subsection shall
127 not apply to any motor vehicle that is not self-propelled, that is
128 electrically powered, or that is exempted from payment of a
129 registration fee. This fee may be identified as the "federal Clean Air Act
130 fee" on any registration form provided by the commissioner. Payments
131 collected pursuant to the provisions of this section shall be deposited
132 as follows: (1) Fifty-seven and one-half per cent of such payments
133 collected shall be deposited into the Special Transportation Fund
134 established pursuant to section 13b-68, and (2) forty-two and one-half
135 per cent of such payments collected shall be deposited into the General
136 Fund. The fee required by this subsection is in addition to any other
137 fees prescribed by any other provision of this title for the registration
138 of a motor vehicle. [No part of the federal Clean Air Act fee shall be
139 subject to a refund under subsection (aa) of section 14-49.]

140 (b) For each new registration or renewal of registration of any motor
141 vehicle with the Commissioner of Motor Vehicles pursuant to this
142 chapter, the person registering such vehicle shall pay to the
143 commissioner a fee of ten dollars for registration for a biennial period

144 for the following registration types: Passenger, motorcycle, motor
145 home, combination or antique. Any person who is sixty-five years or
146 older and who obtains a one-year registration renewal under section
147 14-49, as amended by this act, for such registration type shall pay five
148 dollars for the annual registration period. The provisions of this
149 subsection shall not apply to any motor vehicle that is not self-
150 propelled or that is exempted from payment of a registration fee. This
151 fee shall be identified as the "Passport to the Parks Fee" on any
152 registration form provided by the commissioner. Payments collected
153 pursuant to the provisions of this subsection shall be deposited in the
154 Passport to the Parks account established pursuant to section 23-15h.
155 The fee required by this subsection is in addition to any other fees
156 prescribed by any other provision of this title for the registration of a
157 motor vehicle. [No part of the "Passport to the Parks Fee" shall be
158 subject to a refund under subsection (aa) of section 14-49.]

159 Sec. 7. Subsection (f) of section 13b-59 of the general statutes is
160 repealed and the following is substituted in lieu thereof (*Effective July*
161 *1, 2018*):

162 (f) "Motor vehicle receipts" means all fees and other charges
163 required by or levied pursuant to subsection (c) of section 14-12,
164 section 14-15, as amended by this act, subsection (a) of section 14-25a,
165 section 14-28, subsection (b) of section 14-35, subsection (b) of section
166 14-41, [section] sections 14-41a, [subsection (b) of section 14-44,
167 sections] 14-47 and 14-48b, subsection (a) of section 14-49, subdivision
168 (1) of subsection (b) of section 14-49, except as provided under
169 subdivision (2) of subsection (b) of said section, subsections (c), (d), (e),
170 (f), (g), (h), (i), (k), (l), (m), (n), (o), (p), (q), (s), (t), [(u),] (x), (y) and
171 [(aa)] (z) of section 14-49, section 14-49a, [subsections] subsection (a)
172 [and (g)] of section 14-50, subdivisions (1), (2), (3), (4), (5), (6) and (10)
173 of subsection (a) of section 14-50a, sections 14-59, 14-61, as amended by
174 this act, and 14-65, subsection (c) of section 14-66, subsection (e) of
175 section 14-67, [subsection (f) of section] sections 14-67a, [sections] 14-
176 67d, 14-160 and 14-381, and subsection [(b)] (c) of section 14-382;

177 Sec. 8. Subsection (a) of section 14-58 of the 2018 supplement to the
178 general statutes is repealed and the following is substituted in lieu
179 thereof (*Effective July 1, 2018*):

180 (a) Each new car dealer, used car dealer or repairer before engaging
181 in such business shall make a separate sworn application to the
182 commissioner for a license to engage in such business in each place of
183 business conducted by such dealer. The application shall include any
184 information that may be required by the commissioner on blanks to be
185 furnished by said commissioner. Each application shall be
186 accompanied by a fee of one hundred forty dollars for each place of
187 business conducted by the applicant, together with the fee for the type
188 of license for which the applicant is making application, and such fee
189 or fees shall not be subject to prorating and shall not be subject to
190 refund. No such license shall be transferable. When such licensee adds
191 buildings or [adjacent] abutting land to such licensee's licensed place
192 of business, the commissioner may require the licensee to furnish
193 satisfactory evidence of compliance with the provisions of section 14-
194 54, or with other applicable provisions of law, administered by the
195 municipality wherein such business is located, concerning building or
196 zoning requirements. When a change of officers of a corporation
197 engaged in such business is made, a notice of the change shall be sent
198 to the commissioner within a period of fifteen days from the date of
199 the change. The commissioner may suspend the license of any
200 corporation, after notice and hearing, when the newly appointed or
201 elected officers cannot be considered as qualified to conduct the
202 business as provided in section 14-51.

203 Sec. 9. Subsection (a) of section 14-61 of the general statutes is
204 repealed and the following is substituted in lieu thereof (*Effective July*
205 *1, 2018*):

206 (a) Any dealer licensed under the provisions of this subpart who in
207 the opinion of the commissioner is qualified and sells or trades a
208 passenger motor vehicle, motorcycle, camper, camp trailer, commercial
209 trailer, service bus, school bus or truck to a transferee who holds a

210 current registration certificate for a passenger motor vehicle,
211 motorcycle, camper, camp trailer, commercial trailer, service bus,
212 school bus or truck registered in this state may issue a sixty-day
213 temporary transfer of such registration to the vehicle transferred. The
214 commissioner shall charge such dealer a fee of ten dollars for each new
215 temporary dealer transfer form furnished for the purposes of this
216 section. No dealer may make such temporary transfer of a registration
217 unless the transferee surrenders the current registration certificate to
218 the dealer indicating the disposition of the vehicle described thereon in
219 the space provided on the reverse side of such certificate and unless
220 the transferee is eighteen years of age or older. The dealer shall, within
221 [five] ten days from the issuance of such temporary registration,
222 submit to the commissioner an application together with all necessary
223 documents for a permanent registration for the vehicle transferred. No
224 such temporary registration may be issued if (1) the transferred
225 passenger motor vehicle, motorcycle, camper, camp trailer, commercial
226 trailer, service bus, school bus or truck is used and was not previously
227 registered in this state, unless the inspection requirements of section
228 14-12 have been met, (2) such motor vehicle is ten or more years old,
229 unless the inspection requirements of section 14-16a have been met, or
230 (3) such motor vehicle has been declared a total loss by an insurance
231 company, unless the inspection requirements of section 14-103a have
232 been met.

233 Sec. 10. Section 14-61b of the general statutes is repealed and the
234 following is substituted in lieu thereof (*Effective July 1, 2018*):

235 The Commissioner of Motor Vehicles may permit any licensed
236 motor vehicle dealer or repairer to maintain, in an electronic format
237 prescribed by the commissioner, all records, documents and forms
238 required by the Department of Motor Vehicles. Such records,
239 documents and forms shall be produced in written format, upon
240 request by the department, during the licensee's business hours on the
241 same day of such request. A violation of this section shall be an
242 infraction.

243 Sec. 11. Subsection (f) of section 14-62 of the general statutes is
244 repealed and the following is substituted in lieu thereof (*Effective July*
245 *1, 2018*):

246 (f) The provisions of subsection (d) of this section shall not apply to
247 the sale of any used motor vehicle by a new car dealer to a person, firm
248 or corporation which, pursuant to a lease contract option, purchases
249 such vehicle at the end of the lease term provided (1) such vehicle is
250 registered in this state in accordance with the provisions of section 14-
251 12, (2) the certificate of title for such vehicle is in the possession of a
252 lessor licensed under the provisions of section 14-15, as amended by
253 this act, (3) subsequent to such sale, such vehicle is registered in the
254 name of the prior lessee, and (4) such dealer obtains the certificate of
255 title from such lessor and transmits all necessary documents and fees
256 to the commissioner not later than [five] ten days following the
257 issuance of a motor vehicle registration for such vehicle.

258 Sec. 12. Section 14-66b of the general statutes is repealed and the
259 following is substituted in lieu thereof (*Effective July 1, 2018*):

260 Each owner of a wrecker registered pursuant to subsection (c) of
261 section 14-66 shall keep and maintain a record stating the following
262 information: (1) The registration number of each motor vehicle towed
263 or transported and the registration number of each wrecker used to
264 tow or transport such motor vehicle; (2) the date and time the tow
265 commenced and was completed; (3) the location from which the
266 disabled motor vehicle was towed and the destination of such tow; (4)
267 the mileage of the wrecker at the commencement and completion of
268 the tow; (5) the charge for tow service and any other charges incurred
269 for services related to such tow; (6) the name and address of the person
270 requesting tow service; and (7) any other information the
271 commissioner deems necessary, specified in regulations adopted in
272 accordance with the provisions of chapter 54. Such records shall be
273 retained at the place of business of the wrecker service for a period of
274 two years and shall be available for inspection during regular business
275 hours by any law enforcement officer or inspector designated by the

276 Commissioner of Motor Vehicles. Each owner of a wrecker shall also
277 keep and maintain copies of any written contracts with owners or
278 lessees of property authorizing the towing or removal of motor
279 vehicles from the property of such owner or lessee, or with lending
280 institutions repossessing any motor vehicles, as provided in section 14-
281 145, and such contracts shall be available for inspection by motor
282 vehicle owners, agents of the owners, or lending institutions, upon
283 request. The Commissioner of Motor Vehicles may permit any licensed
284 motor vehicle dealer or repairer who operates a wrecker service to
285 maintain, in an electronic format prescribed by the commissioner, all
286 records, documents and forms required by the Department of Motor
287 Vehicles. Such records, documents and forms shall be produced in
288 written format, upon request by the department, during the licensee's
289 business hours on the same day of such request. Any person who
290 violates any provision of this section shall be deemed to have
291 committed an infraction.

292 Sec. 13. Subsection (i) of section 14-111 of the general statutes is
293 repealed and the following is substituted in lieu thereof (*Effective July*
294 *1, 2018*):

295 (i) (1) Whenever any person has been convicted of any violation of
296 section 14-110, 14-147, 14-215, 14-222 or 14-224 and such person's
297 license has been suspended by the commissioner, such person may
298 make application to the commissioner for the reversal or reduction of
299 the term of such suspension. Such application shall be in writing and
300 shall state specifically the reasons why such applicant believes that the
301 applicant is entitled to such reversal or reduction. The commissioner
302 shall consider each such application and the applicant's driver control
303 record, as defined in section 14-111h, and may grant a hearing to the
304 applicant in accordance with the provisions of chapter 54 and section
305 14-4a.

306 (2) Any person whose license has been revoked in accordance with
307 subparagraph (C) of subdivision (3) of subsection (g) of section 14-227a
308 or subparagraph (C) of subdivision (3) of subsection (c) of section 14-

309 227m may, at any time after two years from the date of such
310 revocation, request a hearing before the commissioner, conducted in
311 accordance with the provisions of chapter 54, and the provisions of
312 subdivision (1) of this subsection for reversal or reduction of such
313 revocation. The commissioner shall require such person to provide
314 evidence that any reversal or reduction of such revocation shall not
315 endanger the public safety or welfare. Such evidence shall include, but
316 not be limited to, proof that such person has: [successfully] (A)
317 Successfully completed an alcohol or drug education and treatment
318 program [and proof that such person has] subsequent to such person's
319 most recent conviction or privilege suspension for an offense related to
320 alcohol, controlled substances or drugs, (B) not been convicted of or
321 had a suspension of his or her operating privilege for any offense
322 related to alcohol, controlled substances or drugs during the preceding
323 two years, and (C) has not operated a motor vehicle during the
324 previous two years. The commissioner shall require any person, as a
325 condition of granting such reversal or reduction, to install and
326 maintain an approved ignition interlock device, in accordance with the
327 provisions of subsection (i) of section 14-227a. The approved ignition
328 interlock device shall be installed and maintained for any period
329 during the lifetime of such person in which such person owns or
330 operates a motor vehicle, except that such person may, at any time
331 after fifteen years from the date the commissioner grants such reversal
332 or reduction, request a hearing before the commissioner, conducted in
333 accordance with the provisions of chapter 54, to remove such ignition
334 interlock device. The commissioner may authorize the removal of such
335 ignition interlock device, for good cause shown, after such fifteen-year
336 period and such hearing. The commissioner may adopt regulations, in
337 accordance with the provisions of chapter 54, to establish standards to
338 implement the provisions of this section.

339 Sec. 14. Section 14-111e of the general statutes is repealed and the
340 following is substituted in lieu thereof (*Effective July 1, 2018*):

341 (a) (1) The Commissioner of Motor Vehicles shall suspend, for a
342 period of one hundred fifty days, the motor vehicle operator's license

343 or nonresident operating privilege of any person [under the age of
344 twenty-one] who has been convicted of a violation of section 30-88a
345 involving the misuse of an operator's license and who was under the
346 age of twenty-one at the time of such violation.

347 (2) The commissioner shall suspend, for a period of sixty days, the
348 motor vehicle operator's license or nonresident operating privilege of
349 any person [under the age of twenty-one] who has been convicted of a
350 violation of subdivision (1) of subsection (b) of section 30-89,
351 subsection (a) of section 21a-279a or subsection (d) of section 21a-267
352 and who was under the age of twenty-one at the time of such violation.

353 (3) The commissioner shall suspend, for a period of thirty days, the
354 motor vehicle operator's license or nonresident operating privilege of
355 any person [under the age of twenty-one] who has been convicted of a
356 violation of subdivision (2) of subsection (b) of section 30-89 and who
357 was under the age of twenty-one at the time of such violation.

358 (b) [Any person under the age of twenty-one who has not been
359 issued a motor vehicle operator's license under section 14-36 and] The
360 commissioner shall not issue a new motor vehicle operator's license
361 under the provisions of section 14-36 to any person who has been
362 convicted of a violation of section 30-88a or section 30-89, subsection
363 (e) of section 1-1h, subsection (a) of section 21a-279a or subsection (d)
364 of section 21a-267 [shall not be issued a new operator's license by the
365 commissioner under section 14-36] and who was under the age of
366 twenty-one at the time of such violation until a period of one hundred
367 fifty days has elapsed from the date all applicable requirements for any
368 such license have been satisfied by [the applicant] such person.

369 Sec. 15. Section 14-180 of the general statutes is repealed and the
370 following is substituted in lieu thereof (*Effective July 1, 2018*):

371 If a dealer buys a vehicle and [holds it for resale and procures] has
372 (1) obtained the certificate of title from the owner or the lienholder or
373 [submits] (2) submitted a statement on a form prescribed by the
374 commissioner in accordance with subsection (a) of section 14-171 [, the

375 dealer need not send] and an ownership transfer document prescribed
376 by the commissioner, such dealer may resell such vehicle without
377 sending the certificate or form and transfer document to the
378 commissioner. [but, upon] Upon transferring the vehicle to another
379 person other than by the creation of a security interest, such dealer
380 shall promptly execute the assignment and warranty of title by a
381 dealer, showing the [names and addresses] name and address of the
382 transferee or each transferee, if more than one, and of any lienholder
383 holding a security interest created or reserved at the time of the resale
384 and the date of such lienholder's security agreement, in the spaces
385 provided [therefor] on the certificate or [as the commissioner
386 prescribes] the form and ownership transfer document, and mail or
387 deliver the certificate or [statement] form and ownership transfer
388 document to the commissioner with the transferee's application for a
389 new certificate.

390 Sec. 16. Section 14-276 of the general statutes is repealed and the
391 following is substituted in lieu thereof (*Effective July 1, 2018*):

392 (a) Registered school buses while transporting school children shall
393 be operated by holders of a valid passenger and school endorsement
394 issued in accordance with section 14-44, as amended by this act. Such
395 endorsement shall be held in addition to the commercial driver's
396 license required for the operation of such motor vehicles. A person
397 who has attained the age of seventy shall be allowed to hold a
398 passenger and school endorsement for the purpose of operating a
399 school bus, provided such person meets the minimum physical
400 requirements set by the Commissioner of Motor Vehicles and agrees to
401 submit to a physical examination at least twice a year or when
402 requested to do so by the superintendent of the school system in which
403 such person intends to operate a school bus. Any person to whom a
404 town has awarded a contract for the transportation of school children
405 who permits the operation of a registered school bus while
406 transporting school children by any person who does not hold a
407 passenger and school endorsement shall be fined not less than two
408 thousand five hundred dollars or more than five thousand dollars.

409 (b) Not less than [twice per] once during the first and third week of
410 each month, a carrier shall review the report made by the
411 Commissioner of Motor Vehicles, in accordance with the provisions of
412 subsection (h) of section 14-44, as amended by this act, with reference
413 to the name and motor vehicle operator's license number of each
414 person such carrier employs to operate a school bus, as defined in
415 section 14-275, or a student transportation vehicle, as defined in section
416 14-212. If, according to such report, any such employee's motor vehicle
417 operator's license or endorsement to operate a school bus or student
418 transportation vehicle has been withdrawn, suspended or revoked,
419 such carrier shall immediately prohibit such employee from operating
420 a school bus or student transportation vehicle.

421 (c) Any carrier who fails to review the report made by the
422 commissioner, pursuant to subsection (b) of this section, shall be
423 subject to a civil penalty of one thousand dollars for the first violation,
424 and two thousand five hundred dollars for each subsequent violation.
425 Any carrier who fails to [remove as an operator] take immediate action
426 to prohibit the operation of a school bus or student transportation
427 vehicle by an operator who appears on a report, pursuant to
428 subsection (b) of this section, [not later than forty-eight hours after
429 reviewing such report, any employee whose motor vehicle operator's
430 license or endorsement to operate a school bus or student
431 transportation vehicle has been withdrawn, suspended or revoked,]
432 shall be subject to a civil penalty of two thousand five hundred dollars
433 for the first violation, and five thousand dollars for each subsequent
434 violation. Upon appropriate justification presented to the
435 commissioner by any carrier, the commissioner may make a
436 determination to reduce any such penalty.

437 Sec. 17. Subsection (c) of section 14-279 of the general statutes is
438 repealed and the following is substituted in lieu thereof (*Effective July*
439 *1, 2018*):

440 (c) Upon receipt of a written report from any school bus operator or
441 an evidence file from a live digital video school bus violation detection

442 monitoring system, as defined in section 14-279a, specifying the license
443 plate number, color and type of any vehicle observed by such operator
444 or recorded by a camera affixed to such school bus violating any
445 provision of subsection (a) of this section and the date, approximate
446 time and location of such violation, a police officer shall issue [a
447 written warning or] a summons to the owner of any such vehicle. A
448 photographic or digital still or video image that clearly shows the
449 license plate number of a vehicle violating any provision of subsection
450 (a) of this section shall be sufficient proof of the identity of such vehicle
451 for purposes of subsection (b) of section 14-107.

452 Sec. 18. Section 38a-343a of the 2018 supplement to the general
453 statutes is repealed and the following is substituted in lieu thereof
454 (*Effective October 1, 2018*):

455 (a) (1) The Commissioner of Motor Vehicles may require each
456 insurer that issues policies in this state to notify said commissioner
457 monthly, on a date specified by said commissioner, of the cancellation
458 and addition by the insurer of all such policies that occurred during
459 the preceding month. Such notice shall include the name of the named
460 insured in the policy, the policy number, the vehicle identification
461 number of each automobile covered by the policy and the effective
462 date of the policy's cancellation or addition. Said commissioner shall
463 specify an acceptable method of notification. The method of
464 notification specified may include computer tapes or electronic
465 transmission.

466 (2) Said commissioner may require each insurer that issues policies
467 in this state to provide monthly, on a date specified by said
468 commissioner, the policy information required for purposes of the
469 Online Insurance Verification System, as provided in section 14-112a.

470 (3) The failure of an insurer to comply with the requirements of this
471 section shall not affect the cancellation of any policy.

472 (b) The Commissioner of Motor Vehicles shall receive or accept all
473 notices of policy cancellation or addition or all policy information from

474 insurers, as required pursuant to subsection (a) of this section. Said
475 commissioner shall review and analyze the cancellation and addition
476 data or policy information submitted, together with such other
477 information as said commissioner may obtain from the insurers, from
478 the records of the Department of Motor Vehicles, or from any other
479 public or private agency or firm in possession of relevant information,
480 for the purpose of determining whether any registered owner
481 identified in any such notice has failed to continuously maintain
482 insurance coverage in violation of sections 14-12c and 38a-371. In
483 conducting such an inquiry to determine insured status, said
484 commissioner may contact registered vehicle owners by mail and
485 require that such mail inquiries be answered in not less than thirty
486 days, in a satisfactory manner containing such information and
487 verification of insurance coverage as said commissioner deems
488 necessary and acceptable.

489 Sec. 19. Section 12-71b of the 2018 supplement to the general statutes
490 is repealed and the following is substituted in lieu thereof (*Effective*
491 *from passage*):

492 (a) Any person who owns a motor vehicle which is not registered
493 with the Commissioner of Motor Vehicles on the first day of October in
494 any assessment year and which is registered subsequent to said first
495 day of October but prior to the first day of August in such assessment
496 year shall be liable for the payment of property tax with respect to
497 such motor vehicle in the town where such motor vehicle is subject to
498 property tax, in an amount as hereinafter provided, on the first day of
499 January immediately subsequent to the end of such assessment year.
500 The property tax payable with respect to such motor vehicle on said
501 first day of January shall be in the amount which would be payable if
502 such motor vehicle had been entered in the taxable list of the town
503 where such motor vehicle is subject to property tax on the first day of
504 October in such assessment year if such registration occurs prior to the
505 first day of November. If such registration occurs on or after the first
506 day of November but prior to the first day of August in such
507 assessment year, such tax shall be a pro rata portion of the amount of

508 tax payable if such motor vehicle had been entered in the taxable list of
509 such town on October first in such assessment year to be determined
510 (1) by a ratio, the numerator of which shall be the number of months
511 from the date of such registration, including the month in which
512 registration occurs, to the first day of October next succeeding and the
513 denominator of which shall be twelve or (2) upon the affirmative vote
514 of the legislative body of the municipality, by a ratio the numerator of
515 which shall be the number of days from the date of such registration,
516 including the day on which the registration occurs, to the first day of
517 October next succeeding and the denominator of which shall be three
518 hundred sixty-five. For purposes of this section the term "assessment
519 year" means the period of twelve full months commencing with
520 October first each year.

521 (b) Whenever any person who owns a motor vehicle which has been
522 entered in the taxable list of the town where such motor vehicle is
523 subject to property tax in any assessment year and who, subsequent to
524 the first day of October in such assessment year but prior to the first
525 day of August in such assessment year, replaces such motor vehicle
526 with another motor vehicle, hereinafter referred to as the replacement
527 vehicle, which vehicle may be in a different classification for purposes
528 of registration than the motor vehicle replaced, and provided one of
529 the following conditions is applicable with respect to the motor vehicle
530 replaced: (1) The unexpired registration of the motor vehicle replaced
531 is transferred to the replacement vehicle, (2) the motor vehicle replaced
532 was stolen or totally damaged and proof concerning such theft or total
533 damage is submitted to the assessor in such town or (3) the motor
534 vehicle replaced is sold by such person within forty-five days
535 immediately prior to or following the date on which such person
536 acquires the replacement vehicle, such person shall be liable for the
537 payment of property tax with respect to the replacement vehicle in the
538 town in which the motor vehicle replaced is subject to property tax, in
539 an amount as hereinafter provided, on the first day of January
540 immediately subsequent to the end of such assessment year. If the
541 replacement vehicle is replaced by such person with another motor
542 vehicle prior to the first day of August in such assessment year, the

543 replacement vehicle shall be subject to property tax as provided in this
544 subsection and such other motor vehicle replacing the replacement
545 vehicle, or any motor vehicle replacing such other motor vehicle in
546 such assessment year, shall be deemed to be the replacement vehicle
547 for purposes of this subsection and shall be subject to property tax as
548 provided herein. The property tax payable with respect to the
549 replacement vehicle on said first day of January shall be the amount by
550 which (A) is in excess of (B) as follows: (A) The property tax which
551 would be payable if the replacement vehicle had been entered in the
552 taxable list of the town in which the motor vehicle replaced is subject
553 to property tax on the first day of October in such assessment year if
554 such registration occurs prior to the first day of November, however if
555 such registration occurs on or after the first day of November but prior
556 to the first day of August in such assessment year, such tax shall be a
557 pro rata portion of the amount of tax payable if such motor vehicle had
558 been entered in the taxable list of such town on October first in such
559 assessment year to be determined by a ratio, the numerator of which
560 shall be the number of months from the date of such registration,
561 including the month in which registration occurs, to the first day of
562 October next succeeding and the denominator of which shall be
563 twelve, provided if such person, on said first day of October, was
564 entitled to any exemption under section 12-81 which was allowed in
565 the assessment of the motor vehicle replaced, such exemption shall be
566 allowed for purposes of determining the property tax payable with
567 respect to the replacement vehicle as provided herein; (B) the property
568 tax payable by such person with respect to the motor vehicle replaced,
569 provided if the replacement vehicle is registered subsequent to the
570 thirty-first day of October but prior to the first day of August in such
571 assessment year such property tax payable with respect to the motor
572 vehicle replaced shall, for purposes of the computation herein, be
573 deemed to be a pro rata portion of such property tax to be prorated in
574 the same manner as the amount of tax determined under (A) above.

575 (c) Any person who owns a commercial motor vehicle which has
576 been temporarily registered at any time during any assessment year
577 and which has not during such period been entered in the taxable list

578 of any town in the state for purposes of the property tax and with
579 respect to which no permanent registration has been issued during
580 such period, shall be liable for the payment of property tax with
581 respect to such motor vehicle in the town where such motor vehicle is
582 subject to property tax on the first day of January immediately
583 following the end of such assessment year, in an amount as hereinafter
584 provided. The property tax payable shall be in the amount which
585 would be payable if such motor vehicle had been entered in the taxable
586 list of the town where such motor vehicle is subject to property tax on
587 the first day of October in such assessment year.

588 (d) Any motor vehicle subject to property tax as provided in this
589 section shall, except as otherwise provided in subsection (b) of this
590 section, be subject to such property tax in the town in which such
591 motor vehicle was last registered in the assessment year ending
592 immediately preceding the day on which such property tax is payable
593 as provided in this section.

594 (e) Whenever any motor vehicle subject to property tax as provided
595 in this section has been replaced by the owner with another motor
596 vehicle in the assessment year immediately preceding the day on
597 which such property tax is payable, each such motor vehicle shall be
598 subject to property tax as provided in this section.

599 (f) Upon receipt by the assessor in any town of notice from the
600 Commissioner of Motor Vehicles, in a manner as prescribed by said
601 commissioner, with respect to any motor vehicle subject to property
602 tax in accordance with the provisions of this section and which has not
603 been entered in the taxable grand list of such town, such assessor shall
604 determine the value of such motor vehicle for purposes of property tax
605 assessment and shall add such value to the taxable grand list in such
606 town for the immediately preceding assessment date and the tax
607 thereon shall be levied and collected by the tax collector. Such property
608 tax shall be payable not later than the first day of February following
609 the first day of January on which the owner of such motor vehicle
610 becomes liable for the payment of property tax with respect to such

611 motor vehicle in accordance with the provisions of this section, subject
612 to any determination in accordance with section 12-142 that such tax
613 shall be due and payable in installments. Said owner may appeal the
614 assessment of such motor vehicle, as determined by the assessor in
615 accordance with this subsection, to the board of assessment appeals
616 next succeeding the date on which the tax based on such assessment is
617 payable, and thereafter, to the Superior Court as provided in section
618 12-117a. If the amount of such tax is reduced upon appeal, the portion
619 thereof which has been paid in excess of the amount determined to be
620 due upon appeal shall be refunded to said owner.

621 (g) Any motor vehicle which is not registered in this state shall be
622 subject to property tax in this state if such motor vehicle in the normal
623 course of operation most frequently leaves from and returns to or
624 remains in one or more points within this state, and such motor vehicle
625 shall be subject to such property tax in the town within which such
626 motor vehicle in the normal course of operation most frequently leaves
627 from and returns to or remains, provided when the owner of such
628 motor vehicle is a resident in any town in the state, it shall be
629 presumed that such motor vehicle most frequently leaves from and
630 returns to or remains in such town unless evidence, satisfactory to the
631 assessor in such town, is submitted to the contrary.

632 [(h) If the assessor in any town determines that a motor vehicle that
633 is not registered in this state is subject to property tax pursuant to
634 subsection (g) of this section, such assessor shall make a reasonable
635 effort to provide information regarding such motor vehicle's out-of-
636 state registration to the Commissioner of Motor Vehicles. After receipt
637 of such information, the commissioner shall make a reasonable effort
638 to provide such assessor with information regarding such motor
639 vehicle's make, model, model year, vehicle identification number and
640 the name and mailing address of the registered owner of such motor
641 vehicle. Such assessor shall (1) determine the value of such motor
642 vehicle for purposes of property tax assessment if the information
643 provided by the commissioner is sufficient to make such a
644 determination, and (2) add such value to the taxable grand list in such

645 town for the immediately preceding assessment date. The tax thereon
646 shall be levied, collected and payable and may be appealed, in
647 accordance with the provisions of subsection (f) of this section. One per
648 cent of such collected tax shall be paid by the town into the Special
649 Transportation Fund, established pursuant to section 13b-68, to fund
650 the administrative costs associated with the registration of motor
651 vehicles registered out of state.]

652 Sec. 20. Subsection (h) of section 14-44 of the 2018 supplement to the
653 general statutes is repealed and the following is substituted in lieu
654 thereof (*Effective from passage*):

655 (h) Notwithstanding the provisions of section 14-10, the
656 commissioner shall furnish to any board of education or to any public
657 or private organization that is actively engaged in providing public
658 transportation, including the transportation of school children, a report
659 containing the names and motor vehicle operator license numbers of
660 each person who has been issued an operator's license with one or
661 more public passenger endorsements, authorizing such person to
662 transport passengers in accordance with the provisions of section 14-
663 36a, but whose license or any such public passenger endorsement has
664 been withdrawn, suspended or revoked by the Commissioner of
665 Motor Vehicles in accordance with the provisions of this section, or
666 any other provision of this title. The report shall be issued and updated
667 periodically in accordance with a schedule to be established by the
668 Commissioner of Motor Vehicles. Such report may be transmitted or
669 otherwise made available to authorized recipients by electronic means.
670 [The commissioner shall ensure that each carrier, as defined in section
671 14-212, is reviewing such report, pursuant to section 14-276, by (1)
672 conducting random compliance audits of carriers to determine
673 whether a carrier is performing such review as prescribed by said
674 section 14-276, (2) maintaining a record of each such review by a
675 carrier for the prior two years, and (3) making such record publicly
676 available upon request.]

677 Sec. 21. Section 14-145 of the 2018 supplement to the general statutes

678 is repealed and the following is substituted in lieu thereof (*Effective*
679 *October 1, 2018*):

680 (a) (1) An owner or lessee of private property, or his or her agent,
681 may remove or cause to be removed, or may use a wheel-locking
682 device to render immovable, any motor vehicle left without
683 authorization on such property in accordance with the provisions of
684 this section and sections 14-145a to 14-145c, inclusive, provided any
685 owner or lessee of private commercial property, or his or her agent,
686 shall install conspicuous signage stating that motor vehicles left
687 without authorization on such private commercial property may be
688 removed or rendered immovable and indicating where such motor
689 vehicle will be stored, how the vehicle may be redeemed and any costs
690 or fees that may be charged.

691 (2) Notwithstanding the provisions of subdivision (1) of this
692 subsection, an owner or lessee of private commercial property or such
693 owner or lessee's agent may tow any motor vehicle left without
694 authorization on such property and no signage warning of such
695 towing shall be required to be installed by such owner or lessee if such
696 motor vehicle is left (A) in a space reserved, as required in section 14-
697 253a, for exclusive use by persons who are blind and persons with
698 disabilities and such vehicle does not bear a removable windshield
699 placard or special license plate, as defined in section 14-253a, (B) in an
700 area reserved for authorized emergency vehicles, (C) within ten feet of
701 a fire hydrant, as provided in section 14-251, (D) blocking building
702 access, (E) blocking entry or exit from such property, or (F) for forty-
703 eight or more hours.

704 (3) A lending institution may repossess any motor vehicle, in
705 accordance with the provisions of section 36a-785, by contracting with
706 a wrecker licensed under section 14-66 or an entity exempt from such
707 licensure, as provided in subsection (f) of section 14-66, to tow or
708 otherwise remove such motor vehicle in accordance with the
709 provisions of this section and sections 14-145a to 14-145c, inclusive. In
710 the case of a repossession, no signage as described in subdivision (1) of

711 this subsection shall be required.

712 (4) This section shall not apply to law enforcement, fire-fighting,
713 rescue, ambulance or emergency vehicles which are marked as such, or
714 to motor vehicles left without authorization on property leased by any
715 governmental agency.

716 (b) (1) (A) When an unauthorized motor vehicle is towed or
717 otherwise removed by a wrecker licensed under section 14-66, or a
718 repossessed motor vehicle is towed or otherwise removed by a
719 wrecker or an exempt entity, the licensee or operator of the wrecker or
720 the exempt entity shall notify the local police department of the tow or
721 removal within two hours. Such notification shall be submitted, in
722 writing, or transmitted by facsimile or electronic mail and the record of
723 such notification shall be retained by such licensee, operator or exempt
724 entity in accordance with the provisions of section 14-66b.

725 (B) No such licensee, operator or exempt entity may charge a
726 storage fee for an unauthorized or repossessed motor vehicle for the
727 time it is stored prior to notification of the local police department by
728 the licensee, operator or exempt entity. If such motor vehicle is not
729 claimed within forty-eight hours, the licensee or operator of the
730 wrecker or of the garage where such motor vehicle is stored or the
731 exempt entity shall immediately complete a notice of such tow, on a
732 form prescribed by the Commissioner of Motor Vehicles, and mail a
733 copy of such form by certified mail, return receipt requested, to the
734 owner and all lienholders of record. If the motor vehicle is not claimed
735 by its owner within the time period specified in subsection (e) of
736 section 14-150, the licensee or operator of the wrecker or of the garage
737 where such motor vehicle is stored or the exempt entity may dispose
738 of such motor vehicle in accordance with the provisions of subsection
739 (e) and subsections (g) to (j), inclusive, of section 14-150.

740 (2) (A) When an unauthorized motor vehicle is rendered immovable
741 through use of a wheel-locking device by an owner or lessee of private
742 property or his or her agent, such owner, lessee or agent shall notify
743 the local police department of such action within two hours. Such

744 notification shall be submitted in writing or transmitted by facsimile or
745 electronic mail. The record of such notification shall be retained by
746 such owner, lessee or agent at the private property upon which such
747 action took place, for a period of not less than six months and shall be
748 available for inspection during regular business hours by any sworn
749 member of the local police department or law enforcement officer or
750 inspector designated by the Commissioner of Motor Vehicles.

751 (B) No owner, lessee or agent may charge a fee to remove a wheel-
752 locking device prior to notification of the local police department. The
753 fee charged to remove a wheel-locking device may not be more than
754 fifty dollars. The person claiming the motor vehicle may choose to pay
755 such fee in cash, by check or by debit or credit card. Ten per cent of
756 such fee shall be remitted to the local police department by the owner,
757 lessee or agent. If such motor vehicle is not claimed within forty-eight
758 hours after being rendered immovable, the owner, lessee or agent shall
759 immediately complete a notice that such motor vehicle has been
760 rendered immovable, on a form prescribed by the commissioner, and
761 mail a copy of such form by certified mail, return receipt requested, to
762 the owner of such motor vehicle and all lienholders of record. If the
763 motor vehicle is not claimed by its owner within the time period
764 specified in subsection (e) of section 14-150, the owner, lessee or agent
765 may dispose of such motor vehicle in accordance with the provisions
766 of subsection (e) and subsections (g) to (j), inclusive, of section 14-150.

767 (3) The local police department, not later than forty-eight hours after
768 receiving notification of a tow or removal of an unauthorized motor
769 vehicle pursuant to subdivision (1) of this subsection, or use of a
770 wheel-locking device pursuant to subdivision (2) of this subsection,
771 shall enter the vehicle identification number into the National Crime
772 Information Center database and the Connecticut On-Line Law
773 Enforcement Communications Teleprocessing System to determine
774 whether such motor vehicle has been reported as stolen. If such motor
775 vehicle has been reported as stolen, the local police department shall
776 immediately notify the department that reported the vehicle as stolen.

777 (c) The commissioner may adopt regulations, in accordance with the
778 provisions of chapter 54, (1) specifying the circumstances under which
779 title to any motor vehicle towed or stored, or both, or rendered
780 immovable under this section may be transferred to any person, firm
781 or corporation towing, storing or rendering immovable such vehicle,
782 and (2) establishing the procedure whereby such person, firm or
783 corporation may obtain title to such motor vehicle.

784 (d) No owner or lessee of private property, or his or her agent, shall
785 issue a parking citation by written warning, posted signage or other
786 means to impose a monetary sanction on an owner of a motor vehicle
787 parked on such property.

788 [(d)] (e) Any person who violates any provision of this section shall,
789 for a first offense, be deemed to have committed an infraction and be
790 fined fifty dollars, and, for each subsequent offense, shall be fined not
791 less than fifty dollars and not more than one hundred dollars or
792 imprisoned not more than thirty days or be both fined and imprisoned.

793 Sec. 22. Section 52-557u of the 2018 supplement to the general
794 statutes is repealed and the following is substituted in lieu thereof
795 (*Effective October 1, 2018*):

796 (a) Notwithstanding any provision of the general statutes, a person
797 who enters the passenger motor vehicle of another, including entry by
798 force, to remove a child or animal from the passenger motor vehicle
799 shall have an affirmative defense against any civil damages or criminal
800 penalties resulting from the acts or omissions by such person in
801 removing the child or animal from the passenger motor vehicle, if such
802 person:

803 (1) Has a reasonable belief, at the time such person enters the
804 passenger motor vehicle, that such entry is necessary to remove the
805 child or animal from imminent danger of serious bodily injury;

806 (2) Uses no more force than reasonably necessary under the
807 circumstances to enter the passenger motor vehicle to remove the child

808 or animal from imminent danger of serious bodily injury based upon
809 the circumstances known by such person at the time;

810 (3) Reports the entry and the circumstances surrounding such entry
811 to a law enforcement agency or other public safety agency within a
812 reasonable period of time after entering the passenger motor vehicle;
813 and

814 (4) Takes reasonable steps to ensure the safety, health and well-
815 being of the child or animal after removing the child or animal from
816 the passenger motor vehicle.

817 (b) The affirmative defense provided in subsection (a) of this section
818 shall not apply to acts or omissions constituting gross, wilful or
819 wanton negligence.

820 (c) Nothing in this section shall affect a person's civil liability if the
821 person attempts to render aid to the child or animal in addition to the
822 aid that is authorized under this section.

823 (d) The provisions of this section are not exclusive, and the
824 affirmative defense shall be in addition to any other defenses or
825 immunities provided by state or federal law or which are available
826 under common law.

827 (e) As used in this section, "passenger motor vehicle" has the same
828 meaning as provided in section 14-1 and "public safety agency" has the
829 same meaning as provided in section 28-25.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2018	14-15(b)
Sec. 2	July 1, 2018	14-15d
Sec. 3	July 1, 2018	14-16(a)
Sec. 4	July 1, 2018	14-18(d)
Sec. 5	July 1, 2018	14-49(t) to (aa)
Sec. 6	July 1, 2018	14-49b
Sec. 7	July 1, 2018	13b-59(f)

Sec. 8	<i>July 1, 2018</i>	14-58(a)
Sec. 9	<i>July 1, 2018</i>	14-61(a)
Sec. 10	<i>July 1, 2018</i>	14-61b
Sec. 11	<i>July 1, 2018</i>	14-62(f)
Sec. 12	<i>July 1, 2018</i>	14-66b
Sec. 13	<i>July 1, 2018</i>	14-111(i)
Sec. 14	<i>July 1, 2018</i>	14-111e
Sec. 15	<i>July 1, 2018</i>	14-180
Sec. 16	<i>July 1, 2018</i>	14-276
Sec. 17	<i>July 1, 2018</i>	14-279(c)
Sec. 18	<i>October 1, 2018</i>	38a-343a
Sec. 19	<i>from passage</i>	12-71b
Sec. 20	<i>from passage</i>	14-44(h)
Sec. 21	<i>October 1, 2018</i>	14-145
Sec. 22	<i>October 1, 2018</i>	52-557u

TRA *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 19 \$	FY 20 \$
Department of Motor Vehicles	TF - Revenue Gain	\$1 million	\$1.3 million
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Note: TF=Transportation Fund; GF=General Fund

Municipal Impact: None

Explanation

Sections 5 and 7 eliminate the requirement that the Department of Motor Vehicles (DMV) refund half of the registration fee to an individual who cancels a registration more than one year before it expires. This is anticipated to result in a revenue gain of approximately \$1 million in FY 19 and \$1.3 million annually.

Section 17 eliminates the option of a violator of this section receiving a written warning. To the extent that violators are currently receiving a written warning, the bill results in potential revenue gain from additional fines. In FY 17, 1,920 violations received written summons that resulted in 949 cases with fines totaling of \$417,086.

Section 19 eliminates a requirement for the DMV to assist municipalities in identifying vehicles owned by Connecticut residents but registered out of state. To the extent that this makes it more difficult for municipalities to identify such vehicles, the bill precludes any revenue gain to municipalities and the Special Transportation Fund that may have occurred as a result of assistance provided by

DMV.

It should be noted that the other sections of the bill are technical or do not have a fiscal impact.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the revenue gains identified above.

Sources: Department of Motor Vehicles

OLR Bill Analysis**sHB 5312****AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF MOTOR VEHICLES REGARDING THE MOTOR VEHICLE STATUTES.**

TABLE OF CONTENTS:

SUMMARY§§ 1, 2, 9 & 11 — TIMEFRAME FOR SUBMITTING VEHICLE REGISTRATION AND TITLE DOCUMENTS TO DMV

Increases, from five to 10 days, the timeframe within which certain entities that electronically file applications for motor vehicle registrations and title certificates with DMV must subsequently submit the applications and related documents to DMV

§§ 3 & 4 — REGISTRATION CANCELLATIONS

Eliminates requirements to return license plates and other specified documents to DMV when a motor vehicle is transferred or its registration expires or is not renewed, and authorizes the DMV commissioner to establish procedures for cancelling such registrations

§§ 5 & 6 — SECOND YEAR REGISTRATION REFUNDS

Eliminates partial refunds for cancelling a registration with more than one year remaining before it expires

§ 7 — TECHNICAL CHANGES

Makes numerous technical and conforming changes

§ 8 — ADDITIONS TO PROPERTY OF CAR DEALERS AND CAR REPAIRERS

Allows a licensed dealer or repairer to add abutting land, rather than adjacent land, to its place of business without obtaining a certificate of approval from local officials and an additional license from DMV

§§ 10 & 12 — DEALER AND REPAIRER ELECTRONIC RECORDS

Makes it an infraction for dealers and repairers to fail to produce electronic records upon DMV's request; allows repairers that operate wrecker services to maintain records electronically

§ 13 — LICENSE REVOCATION REVERSAL OR REDUCTION

Specifies and adds to the evidence a person whose license for DUI has been revoked must provide to the DMV commissioner to have the revocation reversed or reduced

§ 14 — LICENSE SUSPENSION FOR MINORS CONVICTED OF CERTAIN OFFENSES

Broadens who may be subject to laws related to license suspension or delay in issuing a new license

§ 15 — DOCUMENTS FOR VEHICLE RESALE

Modifies the documents that a dealer must submit to the commissioner when it buys a vehicle for resale or transfers a vehicle

§§ 16 & 20 — SCHOOL BUS CARRIERS

Among other things, reduces the time carriers have to remove a bus driver whose license has been suspended and eliminates a requirement that DMV takes steps to ensure carriers are reviewing suspended license reports

§ 17 — WARNINGS FOR PASSING SCHOOL BUS

Eliminates the explicit statutory authority to issue a warning to drivers who pass a stopped school bus

§ 18 — NOTICE OF AUTOMOBILE INSURANCE POLICY ADDITIONS TO DMV

Authorizes the DMV commissioner to require automobile insurers to notify him of any policies they add each month, which he may already do for policy cancellations

§ 19 — INFORMATION PROVIDED TO TAX ASSESSORS ON OUT-OF-STATE REGISTRATIONS

Eliminates a (1) procedure by which municipal tax assessors and the DMV commissioner share information on vehicles that are subject to property tax in Connecticut but registered in other states and (2) requirement that municipalities remit 1% of the property tax collected on such vehicles to the Special Transportation Fund (STF)

§ 21 — PROHIBITION OF PRIVATE PARKING CITATIONS

Prohibits private property owners and lessees from issuing parking tickets

[§ 22 — AFFIRMATIVE DEFENSE FOR ENTERING A VEHICLE TO REMOVE AN ANIMAL](#)

Under certain circumstances, provides an affirmative defense against civil damage or criminal penalties to a person who enters a vehicle to remove an animal

[BACKGROUND](#)

[COMMENT](#)

Conflicting provisions in §15

SUMMARY

This bill makes numerous unrelated changes in motor vehicle laws. Among other things, the bill:

1. eliminates the requirement that the Department of Motor Vehicles (DMV) refund half of the registration fee to someone who cancels a registration more than one year before it expires (§§ 5 & 6);
2. eliminates a procedure by which local tax assessors may receive from DMV certain identifying information about certain vehicles registered out-of-state in order to add the vehicles to the municipality's grand list (§ 19);
3. increases, from five to 10 days, the time within which certain businesses (e.g., car dealers and car rental companies) must submit certain documents to DMV (§§ 1, 2, 9, & 11);
4. prohibits private property owners from issuing parking tickets (§ 21); and
5. imposes a penalty on dealers and repairers who do not produce electronic records upon DMV's request (§ 10).

EFFECTIVE DATE: July 1, 2018, unless otherwise noted below.

§§ 1, 2, 9 & 11 — TIMEFRAME FOR SUBMITTING VEHICLE REGISTRATION AND TITLE DOCUMENTS TO DMV

Increases, from five to 10 days, the timeframe within which certain entities that electronically file applications for motor vehicle registrations and title certificates with DMV must subsequently submit the applications and related documents to DMV

The bill increases, from five to 10 days, the timeframe within which entities that electronically file applications for motor vehicle registrations, transfers, or title certificates with DMV must subsequently submit the applications and any necessary documents to the commissioner. It applies to motor vehicle dealers, rental or leasing companies, and registration services (i.e., people or companies whose business is filing applications for motor vehicle registrations or title certificates).

Under the bill, dealers issuing registrations for leased vehicles sold at the end of a lease term to the current lessee must also submit any necessary fees within 10 days, rather than five, as required under current law.

§§ 3 & 4 — REGISTRATION CANCELLATIONS

Eliminates requirements to return license plates and other specified documents to DMV when a motor vehicle is transferred or its registration expires or is not renewed, and authorizes the DMV commissioner to establish procedures for cancelling such registrations

By law, a motor vehicle's registration expires when the vehicle's ownership transfers. Current law requires the transferor to return to the DMV commissioner, within 24 hours of the vehicle's transfer, the registration certificate, license plates, and a specified written notice about the transfer. The bill eliminates this requirement and instead requires the commissioner to enter the registration's expiration in DMV's records when the (1) transferor cancels his or her registration for the vehicle, according to procedures established by the commissioner, or (2) transferee reregisters the vehicle with DMV, whichever comes first.

The bill also allows, rather than requires, owners who do not reregister their vehicles at the end of a registration period to return their license plates to the commissioner. Under current law, they must return the plates within 10 days after the registration period ends. The bill instead requires such owners to cancel their registrations,

according to procedures established by the commissioner, within this 10 day period.

§§ 5 & 6 — SECOND YEAR REGISTRATION REFUNDS

Eliminates partial refunds for cancelling a registration with more than one year remaining before it expires

The bill eliminates the requirement that the DMV commissioner refund half of the registration fee for motor vehicles and campers if the license plates and registration certificate are returned with at least one year remaining before the registration expires.

It also eliminates obsolete provisions and makes technical and conforming changes.

§ 7 — TECHNICAL CHANGES

Makes numerous technical and conforming changes

The bill makes numerous technical and conforming changes to the definition of “motor vehicle receipts” for the purposes of the Special Transportation Fund (STF) revenue, eliminating obsolete provisions and correcting internal references, among other things.

§ 8 — ADDITIONS TO PROPERTY OF CAR DEALERS AND CAR REPAIRERS

Allows a licensed dealer or repairer to add abutting land, rather than adjacent land, to its place of business without obtaining a certificate of approval from local officials and an additional license from DMV

By law, new car dealers, used car dealers, and car repairers must get a license for each location where they conduct business. To be issued a license, dealers and repairers must obtain a certificate of approval for their location from the local zoning authority and other local officials (CGS § 14-54).

Under current law, licensees can add buildings and adjacent property to an existing licensed location without obtaining local approval and an additional license. The bill instead allows them to add abutting property, rather than adjacent property

As under existing law, the DMV commissioner may require

licensees who add such buildings or property to provide evidence that doing so complies with local zoning and building requirements.

§§ 10 & 12 — DEALER AND REPAIRER ELECTRONIC RECORDS

Makes it an infraction for dealers and repairers to fail to produce electronic records upon DMV's request; allows repairers that operate wrecker services to maintain records electronically

By law, the DMV commissioner may allow licensed motor vehicle dealers and repairers to maintain required records electronically. Upon DMV's request, such dealers and repairers must produce the records, in written format, during their business hours on the day of DMV's request. The bill makes a dealer's or repairer's failure to do so an infraction (see BACKGROUND).

It also allows motor vehicle repairs who operate a wrecker service to maintain required records electronically. Existing law already allows motor vehicle dealers who operate wrecker services to do so.

§ 13 — LICENSE REVOCATION REVERSAL OR REDUCTION

Specifies and adds to the evidence a person whose license for DUI has been revoked must provide to the DMV commissioner to have the revocation reversed or reduced

The bill specifies and adds to the evidence that a person whose license has been revoked for driving under the influence three or more times within 10 years must provide to DMV in order to have the revocation reversed or reduced. By law, two years must have elapsed since the license revocation.

Under current law, a person seeking to have his or her license revocation reversed or reduced must provide proof that he or she (1) successfully completed an alcohol education and treatment program and (2) has not been convicted of any offense related to alcohol, controlled substances, or drugs within the last two years.

The bill specifies that the required education and treatment program must be successfully completed after the most recent conviction or privilege suspension for an offense related to alcohol, controlled substances, or drugs. It also allows a drug education and treatment program to fulfill the education and treatment requirement.

Additionally, the bill requires the person to provide proof that he or she has not (1) operated a motor vehicle during the last two years and (2) had his or her driving privileges suspended due to any alcohol, controlled substance, or drug offenses. (By law, a person with a revoked license may receive additional operating privilege suspensions if they drive and commit a violation for which the penalty is suspension.)

§ 14 — LICENSE SUSPENSION FOR MINORS CONVICTED OF CERTAIN OFFENSES

Broadens who may be subject to laws related to license suspension or delay in issuing a new license

The bill specifies that certain offenses involving a person under age 21 are based on his or her age at the date of conviction. These offenses are for (1) using another person's driver's license to obtain alcohol, (2) possessing alcohol on a public street or highway, (3) possessing less than one-half ounce of marijuana, or (4) certain drug paraphernalia offenses related to such possession. The bill expands the category of individuals subject to license suspension to include drivers who were under age 21 at the time of the violation, rather than just those violators who are currently under age 21. (As under current law, the length of the suspension varies depending on the circumstances.)

Current law also prohibits the commissioner from issuing a new license for 150 days after the applicant meets all licensing requirements if the applicant is under age 21 and was convicted of any of the above offenses or (1) attempting to purchase, or lying to procure, alcohol; (2) possessing alcohol in a public or private location; or (3) misrepresenting age or engaging in other deceit to procure a state-issued identity card. The bill specifies that this restriction on issuing new licenses applies if the applicant was under age 21 at the time of the offense.

§ 15 — DOCUMENTS FOR VEHICLE RESALE

Modifies the documents that a dealer must submit to the commissioner when it buys a vehicle for resale or transfers a vehicle

Under current law, if a dealer buys a vehicle for resale and (1) obtains the title from the owner or lienholder or (2) submits a title application, the dealer does not need to submit the title to the commissioner. Under the bill, if the dealer submits the title application, it must additionally submit a commissioner-prescribed ownership transfer document. If the dealer submits the application and transfer document to DMV, it may resell the vehicle without sending the title certificate or application and transfer document to the commissioner (see COMMENT).

As under current law, upon transferring the vehicle to another person, other than by creating a security interest, the dealer must promptly execute the assignment and warranty of title by a dealer. Current law requires the dealer in such circumstances to (1) provide certain information on the title or as the commissioner prescribes and (2) mail or deliver the title or statement to the commissioner with the application for a new title. The bill instead requires the dealer to provide the information on the title or the above-referenced application and ownership transfer document. The bill requires these documents to include the name of each transferee if there is more than one and the dealer to mail the title or the form and transfer document to the commissioner with the title application.

§§ 16 & 20 — SCHOOL BUS CARRIERS

Among other things, reduces the time carriers have to remove a bus driver whose license has been suspended and eliminates a requirement that DMV takes steps to ensure carriers are reviewing suspended license reports

Suspended Driver Report

By law, DMV must periodically provide to school districts and school bus companies (i.e., carriers) a report listing the names and driver's license numbers of each public passenger endorsement holder whose license or endorsement has been suspended or revoked. Under current law, carriers must review DMV's report at least twice per month. Under the bill, they must do so at least once during the first and third week of each month.

The bill eliminates the requirements that PA 17-68 (§ 15) placed on

DMV to ensure that that each carrier is reviewing the report, including (1) random compliance audits of carriers to determine if they are reviewing the report, (2) maintaining a record of each time a carrier reviewed the report in the prior two years and, (3) making the record publicly available upon request.

Removal of Suspended Drivers

The law requires carriers to prohibit any employee listed on DMV's report from driving a school bus or student transportation vehicle. Current law requires that they do so within 48 hours after reviewing the report; the bill instead requires them to take immediate action after such review.

Existing law, unchanged by the bill, imposes civil penalties on carriers who fail to remove drivers as the law requires. The penalty is \$2,500 for a first violation and \$5,000 for each subsequent violation, but the DMV commissioner may reduce the penalty upon appropriate justification.

EFFECTIVE DATE: The elimination of the requirement that DMV ensure carriers review such reports is effective upon passage.

§ 17 — WARNINGS FOR PASSING SCHOOL BUS

Eliminates the explicit statutory authority to issue a warning to drivers who pass a stopped school bus

By law, drivers must stop at least 10 feet away from a school bus that is stopped and displaying flashing red lights. Drivers who fail to do so face (1) a fine of \$450 for a first offense and (2) for a second offense, a fine between \$500 and \$1,000, up to 30 days in jail, or both.

Under current law, after receiving a school bus driver's report or video evidence from a school bus violation detection system of a driver violating this law, a police officer must issue a summons or a written warning to the vehicle's owner. The bill instead requires that the police officer issue a summons by eliminating the officer's authority to issue warnings.

§ 18 — NOTICE OF AUTOMOBILE INSURANCE POLICY ADDITIONS TO DMV

Authorizes the DMV commissioner to require automobile insurers to notify him of any policies they add each month, which he may already do for policy cancellations

The bill authorizes the DMV commissioner to require automobile insurers to notify him of any policies they add each preceding month. Existing law already allows him to do so for policy cancellations. Under the bill, the notice must include the same information for policy additions as current law requires for cancellations (i.e., the insured's name, policy number, vehicle identification number, and effective date).

The bill requires the commissioner to accept, review, and analyze the policy addition data, just as he must already do for policy cancellation data.

EFFECTIVE DATE: October 1, 2018

§ 19 — INFORMATION PROVIDED TO TAX ASSESSORS ON OUT-OF-STATE REGISTRATIONS

Eliminates a (1) procedure by which municipal tax assessors and the DMV commissioner share information on vehicles that are subject to property tax in Connecticut but registered in other states and (2) requirement that municipalities remit 1% of the property tax collected on such vehicles to the Special Transportation Fund (STF)

The bill eliminates a (1) procedure through which municipal tax assessors and the DMV commissioner share information on vehicles that are subject to property tax in Connecticut but registered in other states and (2) requirement that municipalities remit 1% of the property tax collected on such vehicles to the Special Transportation Fund.

Under current law, this procedure requires:

1. municipal tax assessors to make reasonable efforts to provide to the DMV commissioner information on any motor vehicle they determine is taxable but registered out-of-state;
2. the DMV commissioner, after receiving the information on a vehicle's out-of-state registration, to make a reasonable effort to provide the assessor with the vehicle's make and model, model

year, and identification number, and the registered owner's name and mailing address;

3. municipal tax assessors to determine the vehicle's value (if the information DMV provided is sufficient to do so) and add it to the grand list for the immediately preceding assessment year; and
4. municipalities to remit to the STF 1% of any property taxes collected for such vehicles to fund administrative costs associated with registering these out-of-state vehicles.

EFFECTIVE DATE: Upon passage

§ 21 — PROHIBITION OF PRIVATE PARKING CITATIONS

Prohibits private property owners and lessees from issuing parking tickets

The bill prohibits private property owners and lessees, or their agents, from issuing, to owners of vehicles parked on their property, parking citations to impose monetary sanctions, including by written warning, posted signs, or any other means.

Existing law, unchanged by the bill, allows private property owners and lessees to tow or render immovable (i.e., "boot") unauthorized vehicles left on their property.

EFFECTIVE DATE: October 1, 2018

§ 22 — AFFIRMATIVE DEFENSE FOR ENTERING A VEHICLE TO REMOVE AN ANIMAL

Under certain circumstances, provides an affirmative defense against civil damage or criminal penalties to a person who enters a vehicle to remove an animal

Under certain circumstances, the bill provides an affirmative defense against civil damage or criminal penalties to a person who enters a passenger motor vehicle, including forcibly, to remove an animal. As is the case when entering the vehicle to remove a child, in order for the individual to have an affirmative defense for removing an animal, he or she must:

1. reasonably believe, at the time of entry, that entering the vehicle is necessary to remove the animal from imminent danger of serious bodily injury;
2. use no more force than reasonably necessary, under the circumstances the person knows at the time, to enter the vehicle;
3. report the entry and related circumstances to a law enforcement or public safety agency within a reasonable time after entering the vehicle; and
4. take reasonable steps to ensure the animal's safety, health, and well-being after removing the animal from the vehicle.

As is the case for the affirmative defense under existing law for removing a child from a passenger vehicle, (1) the defense is in addition to defenses or immunities available under federal, state, or common law but does not apply to acts or omissions constituting gross, willful, or wanton negligence and (2) a person may still be liable for civil damages if he or she attempts to provide aid to the animal in addition to the actions the bill authorizes.

EFFECTIVE DATE: October 1, 2018

BACKGROUND

Infractions

Infractions are punishable by fines, usually set by Superior Court judges, of between \$35 and \$90, plus a \$20 or \$35 surcharge and an additional fee based on the amount of the fine. There may be other added charges depending upon the type of infraction. An infraction is not a crime, and violators can pay the fine by mail without making a court appearance.

Related Bill

sHB 5313, favorably reported by the Transportation Committee, makes the same technical changes to the definition of "motor vehicle receipts."

COMMENT

Conflicting provisions in §15

Conflicting Provisions

The bill contains a conflicting provision. Under the bill, if a dealer buys a vehicle and has submitted a title application and an ownership transfer document to DMV, the dealer may resell the vehicle without submitting the title certificate or the application and transfer document to DMV.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 35 Nay 1 (03/23/2018)