



Senate

General Assembly

File No. 391

February Session, 2018

Substitute Senate Bill No. 385

Senate, April 10, 2018

The Committee on Transportation reported through SEN. LEONE of the 27th Dist. and SEN. BOUCHER of the 26th Dist., Chairpersons of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING MOVING VIOLATIONS.

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

1 Section 1. Subsection (d) of section 51-56a of the 2018 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2018*):

4 (d) Each person who pays in any sum as a fine or forfeiture for any
5 violation of sections 14-218a, 14-219, 14-222, 14-223, 14-227a, 14-227m,
6 14-227n, sections 14-230 to 14-240, inclusive, sections 14-241 to 14-249,
7 inclusive, section 14-279 for the first offense, sections 14-289b, 14-299,
8 14-300, 14-300d, 14-301 to 14-303, inclusive, or any regulation adopted
9 under said sections or ordinance enacted in accordance with said
10 sections shall pay an additional fee of [~~fifteen~~] twenty dollars. The state
11 shall remit to the municipalities in which the violations occurred the
12 amounts paid under this subsection. Each clerk of the Superior Court
13 or the Chief Court Administrator, or any other official of the Superior
14 Court designated by the Chief Court Administrator, on or before the

15 thirtieth day of January, April, July and October in each year, shall
16 certify to the Comptroller the amount due for the previous quarter
17 under this subsection to each municipality served by the office of the
18 clerk or official.

19 Sec. 2. Subsection (a) of section 14-111g of the general statutes is
20 repealed and the following is substituted in lieu thereof (*Effective*
21 *October 1, 2018*):

22 (a) For the purposes of this subsection, "moving violation" means
23 any violation of subsection (c) of section 14-36 or section 14-36g, 14-
24 212d, 14-218a, 14-219, 14-222, 14-223, 14-230 to 14-249, inclusive, 14-
25 279, 14-283, 14-289b, 14-296aa, 14-299, 14-300, 14-301, 14-302 or 14-303,
26 and "suspension violation" means a violation of section 14-222a, 14-
27 224, 14-227a, 14-227m or 14-227n, or section 53a-56b, 53a-57 or 53a-60d.
28 The Commissioner of Motor Vehicles may require any motor vehicle
29 operator who is twenty-four years of age or less, who has been
30 convicted of a moving violation or a suspension violation, or both,
31 committed on two or more occasions to attend a motor vehicle
32 operator's retraining program. The commissioner may require any
33 motor vehicle operator over twenty-four years of age, who has been
34 convicted of a moving violation or a suspension violation or a
35 combination of said violations, committed on three or more occasions
36 to attend a motor vehicle operator's retraining program. The
37 commissioner shall require any motor vehicle operator convicted of
38 traveling more than seventy-five miles per hour or any person
39 operating a commercial motor vehicle convicted of traveling more than
40 sixty-five miles per hour in a highway work zone, as defined in section
41 14-212d, to attend a motor vehicle operator's retraining program. The
42 commissioner shall notify such operator, in writing, of such
43 requirement. The commissioner shall provide for participation in a
44 motor vehicle operator's retraining program for any motor vehicle
45 operator who has been assessed less than five points pursuant to
46 section 14-137a, as amended by this act, and requests to participate in
47 such program. A fee of not more than sixty dollars shall be charged for
48 the retraining program. The commissioner, after notice and

49 opportunity for hearing, may suspend the motor vehicle operator's
50 license of any such operator who fails to attend or successfully
51 complete the program until the operator successfully completes the
52 program. The hearing shall be limited to any claim of impossibility of
53 the operator to attend the retraining program, or to a determination of
54 mistake or misidentification.

55 Sec. 3. Section 14-137a of the general statutes is repealed and the
56 following is substituted in lieu thereof (*Effective October 1, 2018*):

57 The Commissioner of Motor Vehicles shall adopt regulations in
58 accordance with the provisions of chapter 54, setting forth the number
59 of points chargeable against the [owner] holder of an operator's license
60 for conviction of any violation of the motor vehicle laws deemed
61 appropriate by the commissioner for the assessment of such points.
62 Such regulations shall provide specific information as to the number of
63 points assessed for the conviction of each specified violation, the total
64 number of points which, in a period of time specified by the
65 commissioner, shall require a hearing before the commissioner or
66 permit automatic suspension without prior hearing, and the period of
67 time during which any such suspension shall extend. Such regulations
68 shall provide that (1) not less than two points shall be assessed for
69 conviction of a violation of subsection (d) of section 14-100a, (2) not
70 more than one point shall be assessed for conviction of a violation of
71 section 14-219, (3) not more than two points shall be assessed for
72 conviction of a violation of section 14-212d, [and] (4) no points shall be
73 assessed for an infraction or any violation specified in subsection (b) of
74 section 51-164n for which the person sends payment of the fine and
75 any additional fees or costs established for such infraction or violation
76 to the Centralized Infractions Bureau in accordance with the
77 provisions of subsection (c) of section 51-164n, except not less than one
78 point shall be assessed for any violation of section 14-296aa, and (5) the
79 commissioner shall deduct points, as determined by the commissioner,
80 provided the holder completes a motor vehicle operator's retraining
81 program pursuant to section 14-111g, as amended by this act. If such
82 regulations provide for participation in a driver improvement course

83 or system for the [owner] holder of an operator's license, the
84 commissioner may charge a fee of fifty dollars for registration for such
85 course or system.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2018</i>	51-56a(d)
Sec. 2	<i>October 1, 2018</i>	14-111g(a)
Sec. 3	<i>October 1, 2018</i>	14-137a

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 \$
State Comptroller - Fringe Benefits ¹	TF - Cost	36,738	36,738
Department of Motor Vehicles	TF - Cost	96,475	96,475
Department of Motor Vehicles	TF - Revenue Gain	Potential	Potential

Note: TF=Transportation Fund

Municipal Impact:

Municipalities	Effect	FY 19 \$	FY 20 \$
Various Municipalities	Revenue Gain	Less than 500,000 total	Less than 500,000 total

Explanation

The bill requires the Department of Motor Vehicles (DMV) to allow drivers with fewer than five points on their driver's licenses to participate in a motor vehicle operator's retraining program.

This is anticipated to result in a revenue gain to DMV dependent on the number of individuals that take advantage of the provisions of the bill. The total number of individuals with fewer than five points on their driver's license is approximately 200,000. Currently the fee for the retraining program is \$60.

Also, DMV would require additional staff at an annual cost of

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 36.33% of payroll in FY 19 and FY 20.

\$133,213 (\$96,475 in salaries and \$36,738 for fringe benefits) to complete the increased testing and assessments under the bill. The additional staff consists of one Motor Vehicle Agent with an average salary of \$51,478 and one Motor Vehicle Examiner with an average salary of \$44,997 and corresponding fringe benefits.

Lastly, the bill increases the municipal surcharge by \$5 for specified moving violations and results in total revenue gain of less than \$500,000 to various municipalities. In FY 17 there were a total of 87,593 offenses that resulted in fines for the moving violations listed.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of individuals who take the test and the number of moving violations.

OLR Bill Analysis**sSB 385*****AN ACT CONCERNING MOVING VIOLATIONS.*****SUMMARY**

This bill increases, from \$15 to \$20, the fee paid in addition to a fine by people who violate certain motor vehicle laws and regulations, including speeding, traveling unreasonably fast, reckless driving, and driving under the influence. By law, the state must remit this fee to the municipalities in which the violations occur.

The bill also requires the Department of Motor Vehicles (DMV) commissioner to allow drivers with fewer than five points on their driver's licenses (see BACKGROUND) to participate in a motor vehicle operator's retraining program. Under the bill, the commissioner must deduct points, as he determines, from a person's license if he or she completes the program. (By law, the commissioner must charge a fee of up to \$60 for the program.)

EFFECTIVE DATE: October 1, 2018

BACKGROUND***Point System for Motor Vehicle Violations***

Existing law and regulations require the DMV commissioner to assess points against a person's driver's license if he or she commits certain violations. The number of points assessed for a violation ranges from one to five, with more points being assessed for more serious violations. For example:

1. one point is assessed for speeding,
2. two points are assessed for failure to obey a stop sign,

3. three points are assessed for passing in a no-passing zone,
4. four points are assessed for failing to drive a reasonable distance apart with intent to harass, and
5. five points are assessed for negligent homicide with a motor vehicle.

Points remain on a person's driving record for 24 months following the initial assessment. DMV must suspend a person's license when his or her current total of assessed points equals or exceeds 10 (Conn. Agency Regs. § 14-137a-5 et seq.).

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 32 Nay 4 (03/23/2018)