OLR Bill Analysis

sSB 924 (File 526, as amended by Senate "A")*

AN ACT IMPLEMENTING THE DEPARTMENT OF MOTOR VEHICLES RECOMMENDATIONS REGARDING MOTOR VEHICLE REGISTRATION NOTICE, THE INTERNATIONAL REGISTRATION PLAN, CARRIERS, THE MEDICAL ADVISORY BOARD AND OTHER MOTOR VEHICLE STATUTES.

TABLE OF CONTENTS:

SUMMARY

§ 1 — COMPLIANCE NOTICE
Permits DMV to send a compliance notice instead of a registration renewal application to individuals who are legally prevented from renewing

§ 2 — DUAL VEHICLE PLATES ELIGIBILITY
Makes a technical change related to dual plates

§§ 3 & 4 — DISPLAY OF INTERNATIONAL REGISTRATION PLAN DOCUMENTS
Adds protections for when IRP documents are displayed on an electronic device

§§ 5, 9, 19, 20 & 21 — DRIVER PHYSICAL QUALIFICATION STANDARDS AND SCHOOL TRANSPORTATION SAFETY TRAINING
Aligns the physical qualification standards for public passenger license endorsements and school bus and student transportation vehicle drivers with federal law; makes conforming, technical changes related to those standards as they apply to operating commercial vehicles; and eliminates an obsolete school transportation safety training requirement

§§ 6 & 7 — CARRIERS TRANSPORTING STUDENTS AND THE SUSPENDED AND REVOKED DRIVER LIST
Eliminates a requirement that DMV ensure that carriers transporting students are reviewing suspended and revoked driver lists and instead requires the carriers to register with DMV the name of the employee or agent reviewing the lists

§ 8 — IGNITION INTERLOCK DEVICES (IID)
Provides that the existing penalties for operating a motor vehicle not equipped with a required IID extend to anyone who (1) completes the terms of a license suspension; (2) is eligible for license reinstatement if he or she installs and uses an IID, but fails to install the IID; and (3) operates a motor vehicle

§ 10 — MOTOR VEHICLE OPERATOR’S LICENSE MEDICAL ADVISORY BOARD NOMINATIONS
Eliminates the requirement that the DMV commissioner select board members from a certain nominees list

Researcher: GM

Page 1

6/4/19
§§ 11 & 12 — ACCESSIBLE PARKING PENALTIES
Limits the use of cross hatches next to accessible parking to authorized vehicles and increases the underlying fines for illegal use of such parking areas

§ 13 — CROSSING RAILROAD TRACKS
Extends the prohibition on crossing railroad tracks to include when warned of the approach of other equipment on the tracks

§ 14 — OUT-OF-STATE REGISTRATION TASK FORCE
Establishes a task force to study ways to prevent improper registration of vehicles out-of-state

§ 15 — MOBILE TELEPHONE AND ELECTRONIC DEVICE USE BY SCHOOL BUS DRIVERS
Permits school bus drivers to have non-emergency communications with school officials and specified medical or emergency professionals while driving under certain conditions

§ 16 — COMMERCIAL VEHICLE SERVICES STUDY
Requires DMV and DAS to jointly study the current system for evaluating motor carriers providing commercial motor vehicles services to state or local governments

§ 17 — AUTONOMOUS VEHICLE (AV) PILOT PROGRAM
Modifies certain requirements for operators under the AV pilot program and extends the program’s initial reporting deadline

§ 18 — AV TASK FORCE
Modifies the AV task force’s leadership and scheduling requirements and delays its reporting deadlines and termination date

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

1. increases the underlying fines for illegal use of parking reserved for people with disabilities (i.e., accessible parking) (§ 12);

2. restricts use of the cross hatches next to accessible parking to authorized vehicles (§ 11);

3. allows school bus drivers to have non-emergency communications with school officials and specified medical or emergency professionals while driving under certain conditions (§ 15);

4. eliminates the requirement that the Department of Motor Vehicles (DMV) ensure that school districts and school bus
companies review suspended and revoked driver lists (§ 6); and

5. establishes a task force to study ways to prevent improper registration of vehicles out-of-state (§ 14).

*Senate Amendment “A” replaces the original bill with similar provisions. In doing so, it: (1) eliminates a provision allowing certain vehicles to display only a single, rear license plate; (2) extends the autonomous vehicle pilot program’s initial reporting deadline; and (3) makes other minor and technical changes.

EFFECTIVE DATE: July 1, 2019, unless otherwise noted below.

§ 1 — COMPLIANCE NOTICE

Permits DMV to send a compliance notice instead of a registration renewal application to individuals who are legally prevented from renewing

Under current law, DMV must send renewal applications to all motor vehicle registrants at least 30 days before their registrations expire. For registrants who (1) are prohibited under existing law from having their registrations renewed because they have outstanding legal compliance issues or (2) owe fees or fines to DMV, the bill authorizes DMV to instead send or transmit a notice detailing the outstanding compliance issues, including the amount of any fines owed, and stating that the registrant’s registration will not be renewed until the issues are resolved or the fees or fines are paid in full. As is the case under existing law for renewal applications, the DMV commissioner is not required to send or transmit the compliance notice to a registrant if the U.S. Postal Service has determined that mail cannot be delivered to that person at the address in DMV records.

The bill also makes technical changes.

§ 2 — DUAL VEHICLE PLATES ELIGIBILITY

Makes a technical change related to dual plates

The bill makes technical changes, including requiring livery and taxicab vehicles to meet passenger vehicle criteria in order to receive a dual vehicle plate, conforming to existing law.
§§ 3 & 4 — DISPLAY OF INTERNATIONAL REGISTRATION PLAN DOCUMENTS

Adds protections for when IRP documents are displayed on an electronic device

By law, Connecticut is a member of the International Registration Plan (IRP), which is an interstate compact under which interstate motor carriers can register their vehicles in only one of the states where they operate. The registration fee is then shared proportionately in all the states in which they travel according to the miles they travel in each state.

In conformity with an IRP amendment, the bill adds protections for when vehicle registration and other IRP documents are displayed on an electronic device. It specifically allows motor carrier registrants to present those documents electronically on a cell phone or other electronic device, instead of in paper form, to people who are required or authorized to view them in connection with their employment (e.g., law enforcement officers and DMV personnel). Under the bill, those viewing cannot examine any other content on the device, and presenting the documents electronically does not give consent for the viewer to examine any other content. Additionally, the bill exempts those who are required or authorized to view the documents from liability for any damage to a device provided to them to display the documents electronically.

The bill also expands the DMV commissioner’s authority to enter into reciprocal agreements for apportioning interstate motor carrier registration fees to include U.S. territories or possessions, conforming to the IRP.

§§ 5, 9, 19, 20 & 21 — DRIVER PHYSICAL QUALIFICATION STANDARDS AND SCHOOL TRANSPORTATION SAFETY TRAINING

Aligns the physical qualification standards for public passenger license endorsements and school bus and student transportation vehicle drivers with federal law; makes conforming, technical changes related to those standards as they apply to operating commercial vehicles; and eliminates an obsolete school transportation safety training requirement

The bill makes minor and technical changes related to certain driver physical qualification standards. It requires the physical qualification
standards for people seeking a state-issued public passenger endorsement on their driver’s license, and, more specifically, for school bus and student transportation vehicle drivers, to be the same as those under specified federal regulations, conforming to existing law and DMV practice. The bill makes conforming, technical changes associated with those standards as they apply to operating commercial vehicles, including eligibility for commercial driver’s licenses and commercial driver’s instruction permits.

Relatedly, the bill eliminates a requirement that DMV renew a noncommercial license with a passenger endorsement for an applicant who (1) is taking medication to control a medical condition that would otherwise disqualify him or her from getting such a license and (2) would qualify for a waiver or exemption under those federal regulations. The bill also eliminates an obsolete requirement that DMV establish physical examination procedures for school bus and student transportation vehicle drivers in regulations.

By law, school bus and student transportation vehicle drivers must successfully complete a safety training course in order to transport school children. The bill eliminates an obsolete requirement that this course be administered by the DMV commissioner. Under existing DMV regulations, such safety training must be administered or supervised by instructors approved by the DMV commissioner (Conn Agencies Regs. § 14-276a-1, et seq.).

§§ 6 & 7 — CARRIERS TRANSPORTING STUDENTS AND THE SUSPENDED AND REVOKED DRIVER LIST

Eliminates a requirement that DMV ensure that carriers transporting students are reviewing suspended and revoked driver lists and instead requires the carriers to register with DMV the name of the employee or agent reviewing the lists

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 existing law, carriers must review DMV's report at least once during the first and third week of each month.
The bill eliminates the requirement that DMV ensure that each carrier is reviewing the report by (1) conducting 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. It instead requires carriers to register with DMV on and after October 1, 2019, as the commissioner prescribes. Such registration must provide the name of the carrier and the employee or agent responsible for checking the suspended and revoked driver list. If there is a material change to a carrier’s registration, then the carrier must file an amendment with the commissioner within 30 calendar days after it knows or reasonably should have known of the change.

Failure to register is subject to a civil penalty of $1,000 for a first violation and $2,500 for each subsequent violation, but the DMV commissioner may reduce the penalty with appropriate justification. The same penalties apply under existing law to carriers who fail to review the commissioner’s report.

The bill also makes technical changes.

§ 8 — IGNITION INTERLOCK DEVICES (IID)

Provides that the existing penalties for operating a motor vehicle not equipped with a required IID extend to anyone who (1) completes the terms of a license suspension; (2) is eligible for license reinstatement if he or she installs and uses an IID, but fails to install the IID; and (3) operates a motor vehicle.

Existing law prohibits a person required by a court order, the DMV commissioner, or any law that requires the use of an IID from, among other things, driving a vehicle that does not have a functioning IID or that the court has ordered the person not to operate. The bill provides that anyone who completes the terms of a license suspension and is eligible for reinstatement if the person installs and uses an IID, but who fails to install the IID, is prohibited from operating a vehicle until he or she has installed the device and had their license reinstated by the DMV commissioner. In doing so, the bill provides that the existing penalties for operating a motor vehicle not equipped with a required IID extend to individuals who operate a motor vehicle in violation of this provision.
By law, a person who operates a motor vehicle not equipped with a required IID is subject to a $500 to $1,000 fine and imprisonment for up to one year, with a 30-day mandatory minimum. A second violation is punishable by a $500 to $1,000 fine and imprisonment for up to two years, with a 120-day mandatory minimum. A third violation is punishable by a $500 to $1,000 fine and imprisonment for up to three years, with a one-year mandatory minimum. In each case, the court is not required to impose the mandatory minimum sentence if it finds mitigating circumstances and states them in writing (CGS § 14-215(c)). Additionally, each court must report each conviction to the DMV commissioner and the commissioner must suspend, for a year, the driver’s license or operating privilege of those reported as convicted.

EFFECTIVE DATE: October 1, 2019

§ 10 — MOTOR VEHICLE OPERATOR’S LICENSE MEDICAL ADVISORY BOARD NOMINATIONS

Eliminates the requirement that the DMV commissioner select board members from a certain nominees list

By law, the Motor Vehicle Operator’s License Medical Advisory Board advises the DMV commissioner on the medical aspects and concerns of licensing motor vehicle operators.

The bill removes the requirement that the DMV commissioner’s board appointments be made from a list of nominees submitted by the Connecticut State Medical Society, Connecticut Association of Optometrists, and other professional medical associations or organizations with physician assistants or advanced practice registered nurses as members. It instead allows those organizations to submit nominations for the commissioner’s consideration. The bill requires board members to be medical professionals, which by law, means licensed physicians, physician assistants, advanced practice registered nurses, or optometrists.

The bill also makes technical changes.

§§ 11 & 12 — ACCESSIBLE PARKING PENALTIES
Limits the use of cross hatches next to accessible parking to authorized vehicles and increases the underlying fines for illegal use of such parking areas.

The bill restricts use of the cross hatches next to parking reserved for people with disabilities (i.e., accessible parking) to motor vehicles (1) displaying a special, state-issued license plate or windshield placard and (2) being operated by or carrying as a passenger the person for whom the plate or placard was issued.

The bill also raises the fines for violating existing law governing accessible parking from $100 to $250 for a first violation and from $250 to $500 for a subsequent violation, and subjects people who unlawfully use the cross hatches next to such parking to the same penalties. By law, these fines apply unless another penalty or fine is provided (CGS § 14-253a).

Under existing law, a motor vehicle parked illegally in an accessible parking spot may be towed and impounded upon a third or subsequent violation. The bill extends this penalty to a motor vehicle illegally using the cross hatch next to an accessible parking spot for a third or subsequent violation.

The bill also makes technical changes.

EFFECTIVE DATE: October 1, 2019

§ 13 — CROSSING RAILROAD TRACKS

Extends the prohibition on crossing railroad tracks to include when warned of the approach of other equipment on the tracks.

Existing law prohibits people from crossing railroad tracks when warned of an approaching railroad locomotive, car, or train. The bill additionally prohibits a person from crossing railroad tracks when warned of other equipment on the tracks. A violation is an infraction.

The bill also makes a technical change.

EFFECTIVE DATE: October 1, 2019

§ 14 — OUT-OF-STATE REGISTRATION TASK FORCE
Establishes a task force to study ways to prevent improper registration of vehicles out-of-state

The bill establishes a 12-member task force to study compliance with the state’s motor vehicle registration laws. The task force must also develop recommendations to prevent Connecticut residents from registering motor vehicles out-of-state. Under the bill, the task force must submit a report with its findings and recommendations to the Transportation Committee by January 1, 2020.

The task force consists of the DMV and Department of Emergency Services and Public Protection (DESPP) commissioners, or their respective designees; two gubernatorial appointments; and eight legislative appointments. The House speaker appoints two members, one of whom is a member of a municipal tax assessors association. The Senate president appoints two members, one of whom is a municipal police chief. The House majority leader appoints a municipal tax assessor and the Senate majority leader appoints a municipal police department member, each of whom must serve a municipality with at least 75,000 residents. The House minority leader appoints a municipal police department member and the Senate minority leader appoints a municipal tax assessor, each of whom must serve a municipality with less than 75,000 residents.

Appointing authorities must make their appointments within 30 days after the bill’s passage and fill any vacancies. Legislative leaders may appoint legislators.

The bill requires the House speaker and the Senate president to select the task force's chairpersons from among its members. The chairpersons must schedule and hold the task force’s first meeting within 60 days after the bill’s passage.

The Transportation Committee’s administrative staff serves as task force staff. The task force terminates when it submits its report or January 1, 2020, whichever is later.

EFFECTIVE DATE: Upon passage
§ 15 — MOBILE TELEPHONE AND ELECTRONIC DEVICE USE BY SCHOOL BUS DRIVERS

Permits school bus drivers to have non-emergency communications with school officials and specified medical or emergency professionals while driving under certain conditions.

By law, school bus drivers, while driving a bus carrying passengers, are prohibited from using a hand-held mobile telephone or other electronic device, including those with hands-free accessories, except to (1) place emergency calls to school officials or (2) use such a telephone to have emergency communications with emergency response operators, hospitals, physician’s offices, health clinics, ambulance companies, fire departments, or police departments (CGS § 14-296aa).

The bill additionally allows these drivers to use a hand-held mobile telephone or mobile electronic device in the same manner as a two-way radio for any real-time communication with school officials and those professionals and entities listed above.

The bill also makes technical changes.

EFFECTIVE DATE: October 1, 2019

§ 16 — COMMERCIAL VEHICLE SERVICES STUDY

Requires DMV and DAS to jointly study the current system for evaluating motor carriers providing commercial motor vehicles services to state or local governments.

The bill requires the DMV and Department of Administrative Services commissioners to jointly study the current system used to evaluate motor carriers providing, or seeking to provide, the state or a municipality with commercial motor vehicles services and make recommendations on making the system more efficient. By January 1, 2020, the commissioners must submit a report with the study results to the Transportation Committee.

EFFECTIVE DATE: Upon passage

§ 17 — AUTONOMOUS VEHICLE (AV) PILOT PROGRAM

Modifies certain requirements for operators under the AV pilot program and extends the program’s initial reporting deadline.

The bill eliminates the requirement under the existing AV pilot
program that operators be seated in an AV’s driver’s seat while testing the vehicle. Instead, it specifies that the operator must be physically inside the AV in order to cause the automated driving system to engage. By law, unchanged by the bill, the operator must monitor the AV’s operation when testing it and also be capable of taking immediate manual control of it.

By law, the Office of Policy and Management secretary must annually report to the Transportation Committee on the pilot program’s implementation and progress. The bill extends the secretary’s initial reporting deadline by 18 months, from January 1, 2019, to July 1, 2020.

EFFECTIVE DATE: Upon passage

§ 18 — AV TASK FORCE

Modifies the AV task force’s leadership and scheduling requirements and delays its reporting deadlines and termination date

PA 17-69 created a task force to, among other things, study fully autonomous vehicles and develop legislative recommendations for regulating them.

The bill authorizes any Transportation Committee chairperson to schedule task force meetings, as he or she deems necessary, and act as the task force chairperson until its members elect a chairperson from its members. It requires that all subsequent meetings be held at the call of the elected chairperson or upon the request of a majority of the members.

The bill also extends, by one year, the deadlines for the task force’s reports. Under the bill, the (1) interim report is due by July 1, 2020, rather than July 1, 2019, and (2) final report is due by January 1, 2021, rather than January 1, 2020. The bill makes a conforming change by delaying the task force’s termination date by one year, to January 1, 2021.

Under current law, if the task force’s chairpersons are not selected, any Transportation Committee chairperson must schedule the first
meeting, act as its chairperson, and schedule any other meetings deemed necessary until (1) the Senate president and the House speaker select the chairpersons and (2) those chairpersons schedule a meeting. The bill eliminates these provisions.

The bill also makes technical changes.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute
Yea 36 Nay 0 (03/20/2019)