OLR Bill Analysis
sSB 925

AN ACT CONCERNING AN ADVANCED OPERATOR’S RETRAINING PROGRAM.

SUMMARY

The bill establishes an advanced operator’s retraining program that a driver must attend if he or she commits another moving or suspension violation within 36 months after completing the existing operator’s retraining program (see BACKGROUND).

The bill also codifies existing regulation by requiring, rather than allowing, the Department of Motor Vehicles (DMV) commissioner to suspend a person’s driver’s license if the person fails to attend the existing operator’s retraining program. The suspension lasts until the person completes the program (Conn. Agencies Regs. §14-111g-2(e)).

Lastly, the bill (1) requires the commissioner to adopt regulations on the advanced operator’s retraining program and (2) makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2020

ADVANCED OPERATOR’S RETRAINING PROGRAM

Under the bill, if a driver commits another moving or suspension violation within 36 months after completing the existing operator’s retraining program, the commissioner must require that the driver attend the advanced operator’s retraining program. (This requirement is in addition to the license suspension required under existing law.)

If a person required to attend the advanced retraining program does not do so, the bill requires the DMV commissioner to suspend the person’s driver’s license until he or she completes the program. Before doing so, the commissioner must notify the person and provide him or her an opportunity for a hearing. The hearing must be limited to (1)
claims that it is impossible for the person to attend the program or (2) a determination of mistake or misidentification.

Advanced operator’s retraining program providers must charge attendees a fee of no more than $135 for the program.

Program Operator. As with the existing operator’s retraining program, the advanced operator’s retraining program must be offered by DMV or by any other organization DMV certifies to conduct the program. Any driving school that meets the applicable state licensure requirements is eligible to seek certification to offer the advanced program. DMV must determine the necessary number of program providers, and entities that seek to operate the program must apply to DMV. The bill applies to the advanced program the same application and bond requirements that apply to the existing program.

Program Content. Under the bill, the advanced operator’s retraining program must consist of at least eight hours of in-person classroom instruction. It may include the following:

1. an examination of the driver’s behavior in various driving situations to help the driver understand the behavioral driving characteristics that have resulted in a conviction;

2. psychology-based principles as they relate to driving behaviors;

3. an examination of why drivers choose to obey or disobey motor vehicle laws;

4. a review of the four components of human driving behavior and the ability to choose those behaviors; and

5. a review of prescriptions drugs’ and over-the-counter drugs’ effect on drivers and the dangers associated with speeding, right-of-way violations, improper passing, driving with insufficient space between vehicles, driving in an aggressive manner, or driving while distracted or fatigued.

BACKGROUND
Existing Operator’s Retraining Program

Under existing law, the DMV commissioner may require that a driver attend an operator’s retraining program if the driver has been convicted of three or more moving violations or suspension violations, or two such violations if the driver is age 24 or younger. The commissioner must require that a driver attend the retraining program if the driver was driving more than (1) 75 mph in a highway work zone or (2) 65 mph in a highway work zone in a commercial vehicle.

By law, the program completion date must remain on a driver’s record until 36 months have passed without the driver committing any additional moving or suspension violations. Until the 36 months are complete, if the driver commits another moving or suspension violation, the commissioner must suspend the person’s driver’s license or operating privilege for (1) 30 days upon a first conviction, (2) 60 days upon a second conviction, and (3) 90 days upon a third or subsequent violation.

COMMITTEE ACTION
Transportation Committee

Joint Favorable Substitute
Yea 29 Nay 7 (03/20/2019)