AN ACT CONCERNING THE NONEMERGENCY TRANSPORTATION OF PERSONS WHO ARE ELDERLY AND PERSONS WITH DISABILITIES CONFINED TO A STRETCHER.

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

Section 1. Section 13b-105 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

The Department of Transportation may, with or without hearing, issue temporary and permanent livery permits to applicants for the express purpose of providing reasonable livery service to persons who are elderly and persons with disabilities on regular or irregular routes where the department finds no existing service or that the existing service is not adequate to properly serve the special needs of persons who are elderly and persons with disabilities. Temporary authority shall not extend over a period of more than sixty days. In determining the special needs of persons who are elderly and persons with disabilities, the department may take into consideration the convenience and the physical and mental frailties of, and the care, safety and protection necessary for the best interest of, persons who are elderly, persons with disabilities and the general public. No applicant shall be issued a temporary or permanent permit unless such applicant's motor vehicle meets the requirements of subsection (e) of section 14-100a, as amended by this act. [Applicants who were issued a
Proposed Substitute Bill No. 66

of temporary or permanent permit prior to October 1, 2007, shall comply with the requirements of subsection (e) of section 14-100a not later than October 1, 2007.] A temporary or permanent livery permit holder may use a stretcher van to transport a person who is elderly or a person with disabilities who requires nonemergency transportation on a stretcher but who does not require medical services during transport, in accordance with subsection (e) of section 14-100a, as amended by this act, provided (1) such person obtains and provides to the operator of the stretcher van, prior to such transport, a written statement from such person's primary care provider, as defined in section 19a-7o, that such person may be transported in a stretcher van, and (2) the operator of the stretcher van has received training in the lifting, moving and transport of a person on a stretcher that is equivalent to the training provided to emergency medical services personnel, as defined in section 19a-180b. For the purposes of this section, "stretcher van" means a van designed and equipped to provide the nonemergency transportation of persons on a stretcher.

Sec. 2. Subsection (e) of section 14-100a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

(e) (1) Any person who transports an individual who remains in a wheelchair while being transferred into and out of a vehicle, in any motor vehicle on the highways of this state, and any person who transports an individual who remains on a stretcher while being transferred into and out of a stretcher van, pursuant to section 13b-105, as amended by this act, shall provide and require the use of a device designed to secure [individuals in wheelchairs] an individual in a wheelchair or stretcher, as the case may be, while transferring such [individuals] individual from the ground to the vehicle and from the time the motor vehicle is brought to a stop until such [individuals are] individual is transferred from the vehicle to the ground. Such device shall be located in the motor vehicle or stretcher van, as the case may be, at all times. The Commissioner of Motor Vehicles may, after
consultation with the [Departments] Commissioners of Transportation and Public Health, establish regulations to implement the provisions of this section and sections 13b-105, as amended by this act, and 14-102a, subsection (d) of section 14-103, subsection (a) of section 14-275 and subsection (a) of section 19a-180.

(2) Any livery permit holder who transports an individual who remains on a stretcher while being transported in a stretcher van shall ensure that an attendant, in addition to the operator of the stretcher van, accompany such individual during transport. For the purposes of this subdivision, "attendant" means a person trained in the lifting, moving and transport of a person on a stretcher that is equivalent to the training provided to emergency medical services personnel, as defined in section 19a-180b.

[(2)] (3) The following motor vehicles registered in this state for the first time on or after October 1, 2007, that transport individuals who remain in wheelchairs while being transported, shall, in addition to the requirements of subdivision (1) of this subsection, install or provide and require the use of a device that secures the wheelchair to the motor vehicle's mechanical lift or otherwise prevents or seeks to prevent an individual in a wheelchair from falling from such mechanical lift or motor vehicle: (A) Motor vehicles in livery service, as defined in section 13b-101, (B) service buses, as defined in section 14-1, (C) invalid coaches, as defined in subdivision (11) of section 19a-175, (D) vanpool vehicles, as defined in section 14-1, (E) school buses, as defined in section 14-1, (F) motor buses, as defined in section 14-1, (G) student transportation vehicles, as defined in section 14-212, and (H) camp vehicles, as defined in section 14-1. The provisions of this subsection, except the provisions concerning the operation of a stretcher van, shall also apply to all motor vehicles used by municipal, volunteer and commercial ambulance services and rescue services, as defined in section 19a-175.

[(3)] (4) Violation of any provision of this subsection is an infraction.
This act shall take effect as follows and shall amend the following sections:

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<thead>
<tr>
<th>Section 1</th>
<th>October 1, 2019</th>
<th>13b-105</th>
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</thead>
<tbody>
<tr>
<td>Sec. 2</td>
<td>October 1, 2019</td>
<td>14-100a(e)</td>
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