AN ACT CONCERNING AN ADVANCED OPERATOR’S RETRAINING PROGRAM.

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

Section 1. Section 14-111g of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

(a) For the purposes of this subsection, "moving violation" means any violation of subsection (c) of section 14-36 or section 14-36g, 14-212d, 14-218a, 14-219, 14-222, 14-223, 14-230 to 14-249, inclusive, 14-279, 14-283, 14-289b, 14-296aa, 14-299, 14-300, 14-301, 14-302 or 14-303, and "suspension violation" means a violation of section 14-222a, 14-224, 14-227a, 14-227m or 14-227n, or section 53a-56b, 53a-57 or 53a-60d.

The Commissioner of Motor Vehicles may require any motor vehicle operator who is twenty-four years of age or less, who has been convicted of a moving violation or a suspension violation, or both, committed on two or more occasions to attend [a motor vehicle] an operator's retraining program. The commissioner may require any motor vehicle operator over twenty-four years of age, who has been convicted of a moving violation or a suspension violation or a combination of said violations, committed on three or more occasions to attend [a motor vehicle] an operator's retraining program. The commissioner shall require any motor vehicle operator convicted of traveling more than seventy-five miles per hour or any person operating a commercial motor vehicle convicted of traveling more than
sixty-five miles per hour in a highway work zone, as defined in section 14-212d, to attend [a motor vehicle] an operator's retraining program. The commissioner shall notify such operator, in writing, of such requirement. A fee of not more than eighty-five dollars shall be charged for the operator's retraining program. The commissioner, after notice and opportunity for hearing, [may] shall suspend the motor vehicle operator's license of any such operator who fails to attend or successfully complete the program until the operator successfully completes the program. The hearing shall be limited to any claim of impossibility of the operator to attend the [retraining] program, or to a determination of mistake or misidentification.

(b) The operator's retraining program shall be taught by a designee of the Commissioner of Motor Vehicles or by an instructor approved by the commissioner and shall (1) review principles of motor vehicle operation, (2) develop alternative attitudes for those attitudes contributing to aggressive driving behavior, and (3) emphasize the need to practice safe driving behavior.

(c) The operator's retraining program and the advanced operator's retraining program, as described in subsection (e) of this section, shall be offered by the Department of Motor Vehicles or by any other organization certified by the commissioner to conduct such [program] programs. Any drivers' school, as defined in section 14-68, that meets the licensure requirements of part IV of this chapter shall be eligible to seek certification to offer [the motor vehicle operator's retraining program] such programs. The commissioner shall determine the number of program providers necessary to serve the needs of the public. Each organization or drivers' school seeking certification or recertification to conduct such [retraining program] programs shall submit an application to the department in such form as the commissioner shall require and an application fee of three hundred fifty dollars. Each such applicant shall: [(A)] (1) Be registered to do business in this state and continuously maintain good standing with the office of the Secretary of the State; [(B)] (2) file and continuously
maintain a surety bond in the amount of fifty thousand dollars. Such bond shall be conditioned upon compliance with the provisions of any state or federal law or regulation concerning the conduct of an [operator] operator's retraining program or an advanced operator's retraining program and provided as indemnity for any loss or expense sustained by either the state or any person by reason of any acts or omissions of the program provider. Such bond shall be executed in the name of the State of Connecticut for the benefit of any aggrieved party, but the penalty of the bond shall not be invoked except upon order of the Commissioner of Motor Vehicles after a hearing held before the commissioner in accordance with the provisions of chapter 54; [(C)] (3) have a permanent place of business in this state where all [operator retraining] program records shall be maintained and accessible to the commissioner during normal business hours; [(D)] (4) submit for approval by the commissioner a detailed curriculum and lesson plan, including any changes to such curriculum and lesson plan, which shall be used in each [operator retraining class] program; and [(E)] (5) electronically transmit information concerning enrollment and [class] program completion to the commissioner at such times and in such form as the commissioner shall prescribe. Prior to the certification of an applicant, the commissioner shall investigate the applicant's character, driving history and criminal history. If the applicant is a business entity, such investigation shall include the principals and officers of such entity. The applicant shall submit to the commissioner any information pertaining to current or past criminal or civil actions. The certification of a program provider by the commissioner shall not be transferable and shall be valid for a two-year period. Recertification of a program provider shall be at the discretion of the commissioner and in such form and manner determined by the commissioner.

[(c)] (d) Any person who is required to attend an [operator] operator's retraining program shall have such requirement and the completion date of such requirement posted on such person's driving history record maintained by the commissioner. The date of [class] program completion shall remain on such person's driving history
record until such person has attained thirty-six consecutive months without any additional moving violations or suspension violations specified in subsection (a) of this section being posted to such person's driving history record. Until the completion of such thirty-six consecutive months, the Commissioner of Motor Vehicles shall: [suspend] (1) Suspend such person's operator's license or operating privilege for [; (1) Thirty] (A) thirty days upon a first conviction for any specified moving violation or suspension violation; [; (2)] (B) sixty days upon a second conviction of any specified moving violation or suspension violation; [; and (3)] (C) ninety days for a third or subsequent conviction of a specified moving violation or suspension violation, and (2) require such person to attend and successfully complete an advanced operator's retraining program upon a first conviction for any specified moving violation or suspension violation. The commissioner shall notify such person, in writing, of the requirement to attend an advanced operator's retraining program. The commissioner, after notice and opportunity for hearing, shall suspend the motor vehicle operator's license of any such operator who fails to attend or successfully complete the advanced operator's retraining program until such person successfully completes the program. The hearing shall be limited to any claim of impossibility of such person to attend the advanced operator's retraining program, or to a determination of mistake or misidentification.

(e) The advanced operator's retraining program shall consist of not less than eight hours of in-person classroom instruction. The program may include: (1) An examination of the operator's behavior in various driving situations to help the operator understand the behavioral driving characteristics that have resulted in the conviction of a moving violation or suspension violation; (2) psychology-based principles as they relate to driving behaviors; (3) an examination of why operators choose to obey or disobey motor vehicle laws; (4) a review of the four components of human behavior and the ability to choose behaviors; and (5) a review of the effects of prescription drugs and over-the-counter drugs on the operator of a motor vehicle and the dangers
associated with speeding, right-of-way violations, improper passing, driving with insufficient space between vehicles and driving in an aggressive manner or while distracted or fatigued. A fee of not more than one hundred and thirty-five dollars shall be charged for the advanced operator's retraining program.

[(d)] [(f)] The commissioner shall adopt regulations in accordance with chapter 54 to implement the provisions of [subsections (a) and (b) of] this section.

This act shall take effect as follows and shall amend the following sections:

| Section 1 | October 1, 2020 | 14-111g |