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## **OLR Bill Analysis**

### **sSB 982**

#### ***AN ACT REVISING MOTOR VEHICLE STATUTES.***

#### **SUMMARY**

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

1. allows a driver age 16 or 17 to transport his or her sibling to or from school during the first six months after obtaining a license (§ 1);
2. prohibits the Department of Motor Vehicles (DMV) commissioner from suspending a driver's license solely for failing to pay fines, fees, or other charges resulting from a motor vehicle infraction (§ 3);
3. allows service buses and vehicles with combination registrations that are owned or under contract by a nonprofit to be used on the parkways if they meet specific dimension requirements (§ 7); and
4. prohibits motor vehicle recyclers from receiving a vehicle's catalytic converter unless the seller provides proof that he or she owns the vehicle or is an authorized agent of the vehicle's owner (§ 17).

The bill also makes minor, technical, and conforming changes.

**EFFECTIVE DATE:** October 1, 2021, except the provisions concerning young drivers transporting siblings (§ 1) is effective July 1, 2021, and the fire apparatus study (§ 14) is effective upon passage.

#### **§1 — YOUNG DRIVERS TRANSPORTING SIBLINGS**

By law, for the first six months after obtaining a license, a driver age

16 or 17 generally may not have as a passenger anyone other than (1) his or her parents or legal guardian, at least one of whom has a driver's license, or (2) one passenger who is a (a) licensed driving instructor or (b) person age 20 or older who has held a license for at least four years without it being suspended in that time. The bill also allows a 16- or 17-year-old driver to transport his or her sibling to or from school during this period.

Under existing law, for the period between six months and one year after a 16- or 17-year-old receives a license, he or she may carry immediate family members as passengers.

## **§ 2 — MOTOR HOME, RECREATIONAL VEHICLE (RV), FLEET, AND COMMERCIAL TRUCK REGISTRATIONS**

The bill requires the DMV commissioner to allow motor home and RV owners who use their vehicles as permanent residences to register their vehicles using P.O. box addresses in the towns where they reside. Current law generally provides the commissioner discretion in what information and proof of ownership she may require registration applicants to provide. By law, a "motor home" is a vehicular unit designed to provide living quarters and necessary amenities that are built into an integral part of, or permanently attached to, a truck or van chassis (CGS § 14-1(57)). An "RV" includes the camper, camp trailer, and motor home classes of vehicles (CGS § 14-1(80)).

Additionally, the bill permits the commissioner to authorize businesses with 100 or more Connecticut-registered vehicles, and meeting qualifications she establishes, to electronically register or transfer registrations for any vehicle they acquire. Under the bill, these businesses must pay all applicable registration and title fees for each registration.

The bill also requires the commissioner to allow certain licensed car dealers to electronically register vehicles with a gross vehicle weight rating over 26,000 pounds that are used or operated in intrastate commerce. Under the bill, these dealers must pay all applicable registration and title fees for the registrations. By law, these dealers

generally are appointed by the commissioner and authorized to issue new registrations for passenger motor vehicles, motorcycles, campers, camp trailers, commercial trailers, service buses, school buses, trucks, or other vehicle types sold by the licensed dealer (see BACKGROUND).

### **§ 3 — DRIVER’S LICENSE SUSPENSIONS**

Existing law generally prevents the motor vehicle statutes from being construed as prohibiting the DMV commissioner’s authority to suspend or revoke registrations or licenses (CGS § 14-111(a)). Notwithstanding that law, the bill prohibits the commissioner from suspending a license solely for failing to pay fines, fees, or other charges resulting from a motor vehicle infraction.

### **§ 4 — ACCESSIBLE PARKING PLACARDS**

Current law allows a parent or guardian of a child younger than age 18 with a disability to apply for an accessible parking windshield placard on the child’s behalf and specifies that DMV must issue a placard to each parent or guardian who applies, except that it cannot issue more than two placards on behalf of an eligible child. The bill eliminates the limitation that the child must be under age 18.

### **§ 5 — RIGHT-OF-WAY AND BUSES**

The bill requires vehicle drivers to yield the right-of-way to a bus traveling in the same direction when the bus appropriately signals (i.e., by using a hand and arm, signal lamp, or mechanical signal device) to reenter the flow of traffic. A violation is an infraction.

### **§ 6 — SCHOOL BUS EQUIPMENT**

The bill requires school buses, beginning with model year 2022, to be equipped with an extended stop arm. Under the bill, an “extended stop arm” is a device attached to a stop semaphore that when activated displays a stop sign and extends between three and six feet from the left side of a school bus.

### **§ 7 — VEHICLES ON PARKWAYS**

Existing law generally prohibits buses on parkways (CGS §§ 13a-26

& 13b-27; Conn. Agencies Regs. § 14-298-249). However, school buses and service buses can be used on the Merritt and Wilbur Cross parkways if they:

1. are owned by or under contract to a public, private, or religious school or public school district;
2. are engaged in the transportation of school children to and from school or school activities; and
3. satisfy certain registration, design, dimension, and weight requirements.

Specifically, the school buses must be registered, two-axle, four-wheeled Type II vehicles not more than eight feet two inches high, seven feet wide, or 16 feet 11 inches long, with gross vehicle weight ratings of 10,000 pounds or less. The service buses must generally not be more than eight feet high, seven feet six inches wide, or 24 feet long, with gross vehicle weight ratings of 7,500 pounds or less. However, the vehicle height for service buses for students with special needs may extend past eight feet but not exceed 10 feet (CGS § 13a-26(f); Conn. Agencies Regs. §§ 14-298-249(f) & (g)).

The bill allows service buses and vehicles with combination registrations that are owned or under contract by a nonprofit to be used on the parkways if they meet specific dimension requirements. Specifically, the service buses must not be more than 10 feet high, eight feet wide, and 24 feet long, and the vehicles must not be more than nine feet high, six feet eight inches wide, and 19 feet long.

## **§ 8 — INSURANCE COMPANY POSSESSION OF VEHICLES**

The bill creates a process for insurance companies that take possession of a vehicle as a result of a damage or theft claim settlement to apply to DMV for certain title documents if they are unable to obtain them from the insured or lienholder. The companies may specifically apply for regular, SALVAGE, or SALVAGE-PARTS ONLY title certificates. (By law, if a vehicle has been declared a total loss and offered for sale by certain insurance entities, the title certificates must

be stamped with (1) "SALVAGE" or (2) "SALVAGE-PARTS ONLY" if the company determines the vehicle has at least 10 major component parts that are damaged beyond repair and must be replaced.)

Under the bill, applications must be on a DMV commissioner-prescribed form and include documents the commissioner requires. They must also include evidence satisfactory to the commissioner that the company (1) provided at least two notices by certified mail, return receipt requested, to the insured and any lienholder of record for the vehicle indicating the company's intention to apply for a title certificate as the owner of the vehicle and (2) made payment to the insured or lienholders in full settlement of the claim involving the vehicle. The bill prohibits the commissioner from issuing these title certificates until at least 30 days after the settlement payment is made.

The bill also makes changes to powers of attorney used to support an insurance company's application for or transfer of title certificates. Under existing law, the Connecticut Uniform Power of Attorney Act generally, with certain exceptions, applies to all powers of attorney and requires, among other things, a principal's signature be witnessed by two people and acknowledged before a notary, Connecticut-licensed attorney, or other person authorized to take acknowledgements (CGS §§ 1-350b & 1-350d). Notwithstanding that law, the bill requires that a power of attorney used to support an insurance company's application for or transfer of title certificate only needs a signature or electronic signature of the insured who has received or will receive a total loss settlement from the company.

Additionally, the bill authorizes, rather than requires as under current law, the DMV commissioner to adopt regulations about these applications and related law.

## **§ 9 — REPLACEMENT VETERANS' PLATES**

Under existing law, the DMV commissioner generally must charge a fee of \$20 to replace vehicle plates (CGS § 14-50a(a)). The bill establishes a specific fee of \$15 for replacing veterans' plates that become mutilated or illegible.

**§ 10 — COLORED LIGHTS ON VOLUNTEER AMBULANCE MEMBERS' VEHICLES**

State law restricts the color of lights that may be displayed on vehicles and generally prohibits using flashing lights on motor vehicles and equipment except under specified circumstances (CGS § 14-96p). Under current law, steady and flashing green lights may be used on vehicles operated by an active member of a volunteer ambulance association or company who (1) has been issued a permit by his or her association's or company's chief executive officer and (2) is on the way to or at the scene of an emergency requiring the member's services. The bill instead allows them to use flashing blue lights under the same circumstances and while on the way to or at the scene of a fire.

By law, vehicles operated by active members of a volunteer fire department or company or of an organized civil preparedness auxiliary fire company may already use flashing blue lights.

**§§ 11-12 — DRIVER'S LICENSE AND PERMIT TESTING**

Under current law, before issuing a (1) driver's license to someone who has not been issued a Connecticut license before or operated a motor vehicle within the last two years or (2) youth instruction permit to a 16- or 17-year old, the DMV commissioner may require that person to pass a vision screening to determine if he or she satisfies the state's vision standards. The bill specifies that this screening must be conducted by DMV or, alternatively, the person may submit the results of a vision exam by a licensed medical professional that certifies he or she satisfies the standards. The bill also imposes this vision testing as a requirement for obtaining an adult instruction permit. By law and under the bill, a "medical professional" is a licensed physician, physician assistant, advanced practice registered nurse, or optometrist (CGS § 14-46b).

Additionally, the bill adds Vietnamese and Albanian to the languages in which DMV must administer knowledge tests for driver's licenses. Under current law, these tests must be administered in English, Spanish, or any language spoken at home by at least 1% of the state's population, according to most recent decennial census from the

U.S. Census Bureau. Besides English and Spanish, the DMV currently tests in Arabic, French, Italian, Mandarin Chinese, Polish, Portuguese, and Russian. Relatedly, the bill requires that DMV give youth instruction permit written tests in Vietnamese or Albanian, in addition to English and Spanish, as is the case under current law.

### **§ 13 — SCHOOL BUS PASSING VIOLATIONS**

The bill makes modifications affecting school bus passing violations based on evidence from a school bus violation detection video monitoring system. Specifically, it (1) extends, from 10 to 30 days, the deadline for law enforcement to issue a ticket after a violation is recorded and (2) removes the requirement for a signed affidavit from the person who witnessed the violation live.

### **§ 14 — FIRE APPARATUS SALE AND REPAIR**

The bill requires the DMV commissioner to study compliance with the laws regarding the sale and repair of fire apparatus in Connecticut and submit a report with her findings and recommendations to the Transportation Committee by February 1, 2022. Under the bill, the study must include:

1. the number of times in the last five years the commissioner imposed a civil penalty under CGS § 14-51a for violating related laws or conducted investigations and held hearings under CGS § 14-65k on the sale or repair of fire apparatus,
2. the number of times in the last five years the commissioner requested the attorney general to apply to the Superior Court for a temporary or permanent restraining order enjoining a person or entity selling or repairing fire apparatus from violating related laws (CGS §§ 14-51 to 14-65j),
3. a summary of all complaints received regarding the sale or repair of fire apparatus, and
4. any recommendations for legislation to ensure fire apparatus sellers and repairers are properly licensed by DMV.

## **§ 15 — COMMERCIAL DRIVER'S LICENSE TESTING**

Under current law, the DMV commissioner must not issue a commercial driver's license (CDL) unless the person has, among other things, passed a knowledge and skills test that complies with specific minimum federal standards. Beginning February 7, 2022, the bill requires the commissioner to not administer a (1) CDL skills test to a person who is applying for or upgrading to a class A or class B CDL or applying for a "P" or "S" endorsement or (2) CDL knowledge test to a person who is applying for an "H" endorsement, until the commissioner has verified with the Federal Motor Carrier Safety Administration that the person has undergone the entry level driver training required under federal regulations. The bill provides that these requirements do not apply to anyone exempt under federal regulations.

## **§ 16 — ORGAN AND TISSUE DONORS INFORMATION**

By law, the DMV and Department of Administrative Services commissioners must enter into an agreement with at least one organ and tissue procurement organization to provide the organization access to information on driver's license and identity card holders who intend to be donors. The bill requires the departments to also provide the procurement organization with information on individuals holding instruction permits who wish to be donors.

## **§ 17 — CATALYTIC CONVERTER SALES**

The bill prohibits motor vehicle recyclers from receiving a vehicle's catalytic converter unless the seller provides proof that he or she owns the vehicle or is an authorized agent of the vehicle's owner. The bill also requires motor vehicle recyclers to maintain copies of the proof with their records. By law, their records must be available for inspection by the DMV, State Police, and any organized local police department.

## **BACKGROUND**

### ***Related Bill***

Section 33 of sSB 261, reported favorably by the Transportation

Committee, permits the DMV commissioner to appoint certain qualified and licensed dealers to issue original and renewal registrations for passenger motor vehicles, motorcycles, campers, camp trailers, commercial trailers, service buses, school buses, trucks, and other vehicle types, regardless of whether the dealers sold the vehicles to the registrants.

**COMMITTEE ACTION**

Transportation Committee

Joint Favorable Substitute

Yea 35 Nay 0 (03/24/2021)