

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 21-106**—sSB 261  
*Transportation Committee*

**AN ACT CONCERNING RECOMMENDATIONS BY THE  
DEPARTMENT OF MOTOR VEHICLES, REVISIONS TO THE MOTOR  
VEHICLE STATUTES AND PEER-TO-PEER CAR SHARING**

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## BACKGROUND

### §§ 1 & 2 — IDENTITY CARDS

*Establishes grounds for revoking identity cards and a restoration fee for revoked cards*

The act requires the Department of Motor Vehicles (DMV) commissioner to revoke an identity (ID) card if (1) the holder misrepresents his or her age or otherwise deceives to get the ID card or (2) it is used or exhibited by someone other than the holder. Under existing law, these actions are class D misdemeanors (see [Table on Penalties](#)).

The act also requires a holder of a revoked ID card to pay a \$175 restoration fee in order to obtain a new ID card. Existing law imposes the same fee to restore a suspended or revoked driver's license. By law, a restoration fee must be paid in addition to other applicable fees and the DMV commissioner must deposit \$50 from each fee into the school bus seat belt account within the General Fund.

EFFECTIVE DATE: July 1, 2021

### §§ 3, 6, 24 & 33 — TECHNICAL CHANGES AND CORRECTIONS

*Makes technical changes and corrections, such as updating references to proper departments*

The act makes several technical changes and corrections. Specifically, it:

1. makes updates to properly reflect the current agency names for the emergency services and public protection and energy and environmental protection departments (§ 3);
2. corrects authorizations related to the Connecticut Lakes, Rivers, and

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Ponds Preservation account so that they apply to the Department of Energy and Environmental Protection (DEEP) commissioner rather than the DMV commissioner (§ 6);

3. adds a cross reference regarding an existing requirement that all vehicles must be emissions compliant when sold by a dealer, even those being registered out of state (§ 24); and
4. corrects a cross reference concerning the limitation on who may use steady blue or red lights (§ 33).

(PA 21-40 § 16 makes the same correction concerning steady lights, effective October 1, 2021.)

EFFECTIVE DATE: July 1, 2021, except the provision on steady lights is effective upon passage.

### § 4 — FEE ON FREQUENT FILERS FOR REGISTRATION AND TITLE CERTIFICATES

*Imposes a fee on certain people and entities that file seven or more registration or title certificate applications per month and fail to do so electronically*

By law, the DMV commissioner may require any qualified person, firm, or corporation whose business is filing applications for motor vehicle registration or title certificates (e.g., lien and titling service companies) to file them electronically if she finds that they file an average of at least seven per month. The act imposes a \$25 fee on each application submitted by these people and entities if they fail or refuse to do so electronically when requested by the commissioner.

EFFECTIVE DATE: July 1, 2021

### § 5 — “SAVE OUR LAKES” PLATES

*Establishes fees for Save Our Lakes commemorative plates and allows DMV to retain a portion to defray production and issuance costs*

The act (1) establishes fees of \$60 and \$80 for Save Our Lakes commemorative plates and (2) allows DMV to keep a part of the fees (\$15) to defray plate production and issuance costs. Under the act, the \$60 fee is charged if the DMV commissioner selects the plate's letters and numbers. The act's \$80 fee is for (1) plates with a combination of letters or numbers requested by the registrant or (2) low number plates. Prior law required the commissioner to deposit all plate fees collected into the Connecticut Lakes, Rivers, and Ponds Preservation account. Under the act, only the remainder of each plate fee, after DMV's costs, must be deposited into that account. By law, these plate fees are in addition to other vehicle registration fees.

Correspondingly, the act eliminates requirements that the DMV commissioner establish by regulation the Save Our Lakes plate fees, additional voluntary donations, and standards on the plates' issuance, renewal, and replacement.

Prior law limited the purpose of the plate's design to enhancing public

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awareness of the state's effort to preserve and protect the state's lakes and ponds from aquatic invasive species and cyanobacteria blooms. The act extends this provision to include the state's rivers, conforming to the account's purpose.

Additionally, the act extends by 18 months the date by which the DMV commissioner must begin issuing Save Our Lakes plates, from January 1, 2020, to July 1, 2021.

EFFECTIVE DATE: July 1, 2021

### § 7 — STUDENT TRANSPORTATION VEHICLE REGISTRATION

*Increases the registration fees for student transportation vehicles designed as passenger vehicles to reflect current DMV practice*

The act increases the annual registration fee for student transportation vehicles (STVs) designed as passenger vehicles from \$40 to \$44 to reflect DMV's current practice of issuing these vehicles combination plates rather than passenger plates due to their mixed-use nature.

EFFECTIVE DATE: July 1, 2021

### § 8 — COMMERCIAL PASSENGER VEHICLE INSURANCE

*Principally, increases the minimum insurance coverage requirements for non-livery service vehicles (e.g., buses) that transport eight or more passengers*

The act makes several modifications to the insurance policy and indemnity bond requirements for buses, taxis, livery service vehicles, and STVs. It eliminates the option for these vehicles to select double or split limit of liability policies or bonds and instead requires them to have single limit of liability providing coverage against claims for personal injury or death and property damage for any one accident.

Under the act, non-livery service vehicles designed or used to transport eight to 14 passengers without compensation must have at least \$750,000 in coverage. Under prior law, the minimum coverage requirements for those vehicles ranged from \$150,000 to \$200,000.

For non-livery service vehicles designed or used to transport (1) eight or more passengers for compensation or (2) 15 or more passengers without compensation, the act requires at least the amounts established under federal law, which are currently \$1.5 million for vehicles with a seating capacity of 15 passengers or fewer, including the driver, and \$5 million for vehicles with a seating capacity of 16 passengers or more, including the driver (49 C.F.R. § 387.33). Under prior law, the minimum coverage requirements for those vehicles ranged from \$150,000 to \$300,000 and \$200,000 to \$300,000, respectively.

EFFECTIVE DATE: October 1, 2021

### §§ 9 & 41 — DRIVER'S LICENSE AND PERMIT CHANGES

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*Increases the time period within which individuals must obtain a Connecticut driver's license after establishing residency in the state; modifies driver testing requirements for applicants with expired licenses; adds a vision exam option towards satisfying license and permit requirements*

The act lengthens, from 30 to 60 days, the time period within which a person with an out-of-state driver's license must obtain a Connecticut license after establishing residency here.

Under prior law, driver's license applicants who had not operated a motor vehicle in the preceding two years had to take a driver's test and could have been required to pass a vision screening. The act instead applies these provisions to applicants whose Connecticut licenses expired more than two years prior.

Under prior law, before issuing a (1) driver's license to someone who had 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 could have required that person to pass a vision screening to determine if he or she satisfied the state's vision standards. (In practice, the agency does require a vision screening.) The act specifies that DMV must conduct a vision screening 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 act also imposes this vision testing as a requirement for obtaining an adult instruction permit. By law and under the act, a "medical professional" is a licensed physician, physician assistant, advanced practice registered nurse, or optometrist (CGS § 14-46b).

Additionally, the act authorizes the DMV commissioner to direct how driver's license applicants must submit supporting documents.

EFFECTIVE DATE: July 1, 2021

### § 9 — COMMERCIAL DRIVER'S LICENSE KNOWLEDGE TESTS FOR ELIGIBLE VETERANS AND SERVICE MEMBERS

*Allows the DMV commissioner to waive commercial driver's license knowledge tests for qualifying veterans and service members*

The act authorizes the DMV commissioner, in her discretion, to waive commercial driver's license (CDL) knowledge tests for eligible veterans and active duty service members who meet conditions set by federal regulation. By law, unchanged by the act, the commissioner must waive the CDL driving skills test for those applicants who meet similar conditions.

The act specifically applies to:

1. armed forces and National Guard members who currently hold a military operator's license of the same class as the CDL they are applying for; and
2. veterans who (a) apply within two years after their military discharge and (b) before their discharge, held a military operator's license to drive the same class of vehicles allowed under their prospective CDL.

By law, a "veteran" is anyone discharged or released under conditions other than dishonorable from active service in the armed forces (i.e., the U.S. Army, Navy, Marine Corps, Coast Guard, and Air Force and any of their reserve

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components, including the Connecticut National Guard performing duty under Title 32 of federal law).

For purposes of the knowledge test waiver, under federal regulations an applicant must certify and provide evidence that during the one-year period before applying for the CDL, he or she has not had:

1. more than one license (except for a military license);
2. any license suspended, revoked, or cancelled;
3. any type of motor vehicle conviction that would disqualify an applicant from getting a commercial license (e.g., driving under the influence);
4. more than one conviction for a serious traffic violation (e.g., driving recklessly); or
5. any conviction for violating any military, state, or local law relating to motor vehicle traffic control (other than a parking violation) in connection with any traffic accident or any record of an accident where he or she was at fault.

The applicant must also provide evidence and certify that he or she:

1. is or was regularly employed and designated as an operator of one of eight specific vehicles (e.g., Air Force 2T1 vehicle operator), and
2. is or was operating a vehicle that is representative of the type he or she expects to operate (49 C.F.R. § 383.77).

EFFECTIVE DATE: July 1, 2021

### § 10 — ISSUING CREDENTIALS WITHOUT APPLICANT'S PERSONAL APPEARANCE

*Expands the circumstances under which DMV can renew and duplicate credentials without an applicant's personal appearance*

The act expands the circumstances under which DMV can renew and duplicate credentials without an applicant's personal appearance. Under the act, the DMV commissioner may renew or duplicate a driver's license, CDL, or an ID card without the applicant's personal appearance if:

1. the commissioner has on file the applicant's photo or digital image that (a) meets the standards and specifications the commissioner prescribes (see below) and (b) may be used on a license or ID card;
2. the commissioner has satisfactory evidence of the applicant's identity;
3. the commissioner is satisfied that the applicant is a legal resident of this state;
4. in the case of renewal, the applicant has personally appeared to renew the license or ID card within the time limitations specified in state or federal law; and
5. the applicant meets all other requirements for a renewal or duplicate license.

Under prior law, the commissioner could renew these credentials without the applicant's personal appearance only (1) if the applicant was an armed forces member; (2) if the applicant was temporarily residing out-of-state for business or educational purposes; or (3) in other circumstances where, in the commissioner's



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judgment, personal appearance would have been impractical or imposed significant hardship. Prior law did not allow the commissioner to issue duplicate credentials without someone's personal appearance.

The act specifies that temporary licenses, instruction permits, and ID cards are not required to contain an applicant's photo. Prior law required that all licenses and ID cards contained the holder's photo or digital image.

The act also repeals the commissioner's authority to adopt regulations on renewing licenses and ID cards by mail or electronic communication with DMV. Instead, if the commissioner elects to renew or issue duplicate credentials without the applicant's personal appearance, she must establish procedures to renew or issue them by mail or electronic communication with DMV.

EFFECTIVE DATE: Upon passage

### §§ 11, 12, 22 & 51 — ONLINE DRIVER EDUCATION

*Allows driver's education courses to be provided fully or partially through interactive distance learning*

Under prior law, driver's education provided by commercial driving schools and secondary schools had to be provided through classroom instruction, which existing regulations generally define as group instruction of students in a classroom or a similar group situation by qualified instructors (Conn. Agencies Regs. §§ 14-36f-1(2) & 14-78-20(2)).

The act allows these courses to be provided fully or partially through distance learning, provided the distance learning has interactive components (e.g., mandatory interactions, participation, or testing). However, it specifies that if the eight-hour safe driving practices course is provided through distance learning, it must be conducted in real-time by an instructor.

It also requires that the regulations for commercial and secondary school driver's education allow classes to be offered fully or partially through distance learning. The law authorizes DMV to adopt regulations about commercial driving schools, including establishing instructional standards and recordkeeping requirements for them. The act requires DMV to update its commercial driving school regulations to include (1) requirements as to the administration of a test at the conclusion of each class and (2) the form in which required student records must be transmitted to the commissioner, when required.

EFFECTIVE DATE: Upon passage

### § 13 — DMV CONTRACTORS

*Eliminates a restriction requiring DMV contractors to process license and registration transactions at their own facilities*

By law, the DMV commissioner may contract with other entities, including automobile clubs and municipalities, to conduct various license and registration transactions. Under prior law, she could authorize a contractor or municipality to conduct these transactions only at their own office or facilities. The act eliminates

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this restriction.

EFFECTIVE DATE: Upon passage

### § 14 — COMMERCIAL DRIVER'S LICENSE VALIDATION

*Requires DMV to check the federal Drug and Alcohol Clearinghouse before validating a commercial driver's license, in accordance with federal regulations*

The act conforms state law to federal regulations by requiring the DMV commissioner, beginning January 6, 2023, to request a CDL applicant's record from the federal Drug and Alcohol Clearinghouse to determine whether he or she is qualified to renew, transfer, or upgrade a CDL (49 C.F.R. § 383.725). In accordance with the federal regulations, the act also prohibits the commissioner from disclosing the information in the applicant's clearinghouse record to any person or entity not directly involved in evaluating the applicant's CDL qualifications (49 C.F.R. § 383.725(c)).

The act also makes a minor change to require applications for CDLs and CDL learner's permits to include the person's gender, rather than sex.

EFFECTIVE DATE: July 1, 2021

### §§ 15 & 16 — COMMERCIAL DRIVER'S LICENSE LEARNER'S PERMITS

*Extends the duration of commercial driver's license learner's permits*

The act (1) modifies the duration of a CDL learner's permit from 180 days with an option to have it reissued or renewed for an additional 180 days within a two-year period, to a single, one-year period and (2) proportionally increases the permit fee from \$10 to \$20.

EFFECTIVE DATE: July 1, 2021

### § 17 — COMMERCIAL DRIVER'S LICENSE DISQUALIFICATIONS

*Adds certain human trafficking felonies to the list of offenses resulting in a lifetime disqualification for a commercial driver's license*

The act conforms state law to federal regulation by requiring a lifetime CDL disqualification without the possibility of reinstatement for any person who commits certain human trafficking felonies, as defined under federal law, while using a commercial motor vehicle. Specifically, this provision applies to the following felonies:

1. sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform the act is under age 18 or
2. the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery (49 C.F.R. § 383.51 & 22 U.S.C. § 7201(11)).

EFFECTIVE DATE: October 1, 2021

§ 18 — ONE-YEAR REGISTRATIONS FOR SENIORS

*Allows seniors to renew combination registrations for a one-year period*

Existing law allows registrants age 65 or older to renew their passenger motor vehicle registrations for a one-year period instead of a two- or three-year registration period (CGS § 14-49(a)). The act also allows them to renew combination registrations for a one-year period.

EFFECTIVE DATE: October 1, 2021

§§ 19 & 21 — LICENSE DEPOSITS

*Eliminates the cash deposit option for repairer, dealer, leasing or rental, and drivers' school licenses*

The act eliminates the option to deposit cash with DMV as a condition of obtaining the following licenses: (1) repairer, (2) limited repairer, (3) new car dealer, (4) used car dealer, (5) leasing or rental, or (6) drivers' school. In doing so, it requires those license applicants to submit surety bonds, which was an option under prior law.

EFFECTIVE DATE: October 1, 2021, except the change affecting drivers' school licenses is effective July 1, 2021.

§ 20 — DEALER AND REPAIRER LICENSES

*Allows (1) the DMV commissioner to consider certain civil judgments against dealer and repairer license applicants and (2) new car dealer, repairer, and limited repairer license applicants to be licensed even if they owe sales tax*

The act authorizes the DMV commissioner to consider certain civil judgments against dealer and repairer license applicants when deciding whether to grant or renew those licenses. Specifically, she may consider judgments involving odometer fraud or operating a dealer, repairer, or motor vehicle recycler business without a license. The act makes a conforming change by requiring licensees to disclose these civil judgments under penalty of false statement when renewing their license. Existing law already allows the commissioner to consider certain criminal convictions against these applicants.

The act requires applicants for dealer and repairer licenses to submit to a national criminal history record check, in addition to the existing requirement to submit to a state criminal history record check. It also allows the commissioner to require that applications for these licenses be submitted electronically.

The act also eliminates prior law's prohibition on new car dealers, repairers, and limited repairers from receiving initial or renewed licenses if they owed sales tax. It maintains the prohibition for used car dealer licenses.

EFFECTIVE DATE: July 1, 2021

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### §§ 23, 27 & 28 — OPERATOR RETRAINING AND SCHOOL BUS AND STUDENT TRANSPORTATION VEHICLE SAFETY TRAINING

*Allows operator retraining programs and school bus and student transportation vehicle safety training to be provided through interactive distance learning*

The act specifically allows certain training programs to be offered fully or partially through distance learning, provided the distance learning has interactive components such as mandatory interactions, participation, or testing. It specifically applies to (1) operator retraining programs conducted by DMV or DMV-certified organizations, (2) school bus and STV operator safety training administered by DMV, and (3) school bus operator safety training required by a town or regional school district.

EFFECTIVE DATE: Upon passage

### § 25 — EMISSION TESTING DEADLINES

*Allows the DMV commissioner to extend the emissions testing deadline after vehicle purchases when DMV or testing stations are closed or have limited operations*

By law, whenever a vehicle's ownership is transferred, the new owner must present the vehicle for an emissions inspection within 30 days after registering the vehicle. The act authorizes the DMV commissioner to extend that deadline for the new owner to comply if circumstances require DMV or emissions inspection stations to close or have limited operations.

EFFECTIVE DATE: July 1, 2021

### § 26 — SNOWMOBILE AND ALL-TERRAIN VEHICLE (ATV) OPERATORS

*Specifically subjects snowmobile and ATV drivers to administrative license suspension penalties for driving with an elevated blood alcohol content or refusing a test*

By law, drivers implicitly consent to be tested for drugs and alcohol when they drive (or if the driver is a minor, his or her parents or guardians implicitly consent for him or her). The law establishes administrative license suspension procedures for drivers who refuse a test or whose results indicate an elevated blood alcohol content (BAC). (These provisions are called "implied consent" and "administrative per se," respectively.)

Under prior law, these provisions applied to all motor vehicles used on public roads. The act specifies that "motor vehicle" includes snowmobiles and ATVs for the purposes of these provisions, and, in doing so, aligns them with the state's criminal DUI laws (CGS §§ 14-227a and 14-227m).

By law, a snowmobile is any self-propelled vehicle designed for travel on snow or ice, except for ones propelled by sail. An ATV is a self-propelled vehicle designed to travel over unimproved terrain, has been determined by the DMV commissioner to be unsuitable for operation on public roads, and is ineligible for registration (CGS § 14-379).

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(Effective April 1, 2022, PA 21-1, June Special Session, § 118, expands the administrative per se procedures to include provisions for imposing license suspension on drivers who do not have an elevated BAC but are found to be driving under the influence based on behavioral impairment. It additionally expands the implied consent law so that drivers also consent to the nontestimonial portions of drug influence evaluations and face administrative license suspension for refusing one.)

EFFECTIVE DATE: July 1, 2021

### § 29 — BOAT REGISTRATIONS AND DECALS

*Allows marine dealers to issue permanent boat registrations and decals*

The act permits the DMV commissioner to allow marine dealers to issue boat registration and decal certificates. Under prior law, authorized marine dealers could issue only temporary boat registrations and decals.

Additionally, the act allows, rather than requires, the DMV commissioner to adopt regulations about these transactions.

EFFECTIVE DATE: Upon passage

### § 30 — DEALER REGISTRATIONS

*Expands the circumstances under which dealers may issue and renew vehicle registrations*

Existing law allows the DMV commissioner to appoint licensed and qualified dealers to issue new registrations for vehicles they sell that fall into one of the following categories: passenger motor vehicles, motorcycles, campers, camp trailers, commercial trailers, service buses, school buses, trucks, and other vehicle types determined by the commissioner. Under the act, the commissioner may also allow these dealers, for the same vehicle categories, to (1) process registration renewals and (2) issue new registrations for vehicles they did not sell.

By law, registration applicants must pay to the dealer the registration fee for their vehicles as well as any other applicable fees. The act allows the DMV commissioner to authorize dealers to charge a service fee as part of their registration transactions. The commissioner must establish the maximum service fee that these dealers may charge. The act also eliminates a requirement that the DMV commissioner impose a \$10 fee for each new dealer issue form furnished to dealers.

Additionally, the act requires the commissioner to allow these appointed dealers to electronically register vehicles with a gross vehicle weight rating exceeding 26,000 pounds that are operated in intrastate commerce. Under the act, these dealers must pay all applicable registration and title fees for the registrations.

EFFECTIVE DATE: October 1, 2021

### § 30 — OUT-OF-STATE MOTOR VEHICLE REGISTRATIONS

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*Extends the grace period during which a resident may drive a vehicle registered out-of-state without penalty and lowers the fine for residents who drive a vehicle registered out-of-state after the grace period*

The act extends, from 60 to 90 days after establishing residency, the grace period during which a resident may drive a vehicle registered out-of-state without penalty.

It also lowers the fine, from \$1,000 to \$250, for residents who drive a vehicle registered out-of-state after the grace period and requires that the fine be suspended for first-time violators who provide proof that they registered their vehicle after the violation but before the fine is imposed.

EFFECTIVE DATE: October 1, 2021

§ 31 — MOTOR VEHICLE REGISTRATION TASK FORCE

*Restarts the motor vehicle registration task force and changes the appointing authorities for task force members*

The act reconstitutes and modifies the motor vehicle registration task force, which never met. The task force is charged with studying compliance with motor vehicle registration laws and making recommendations to prevent Connecticut residents from registering their motor vehicles out-of-state.

The act modifies the appointing authorities for the task force’s appointed members, generally changing them from the legislative leaders to the Transportation Committee leaders, as shown in the table below. As under prior law, the task force also includes two gubernatorial appointees and the DMV and emergency services and public protection commissioners, or their designees.

**Appointment Authority Changes**

<b>Number and Qualifications</b>	<b>Appointing Authority</b>	
	<b>Prior Law</b>	<b>Act</b>
Two members, one of whom is a municipal tax assessor association member	House speaker	Transportation Committee House chairperson
Two members, one of whom is a municipal police chief	Senate president pro tempore	Transportation Committee Senate chairperson
One member who is a municipal tax assessor serving a municipality with at least 75,000 residents	House majority leader	Transportation Committee House vice-chairperson
One member who is a member of a police department serving a municipality with at least 75,000 residents	Senate majority leader	Transportation Committee Senate vice-chairperson

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One member who is a member of a police department serving a municipality with less than 75,000 residents	House minority leader	Transportation Committee House ranking member
One member who is a municipal tax assessor serving a municipality with less than 75,000 residents	Senate minority leader	Transportation Committee Senate ranking member

Under the act, appointing authorities must make appointments to the task force by September 1, 2021. The act requires the Transportation Committee chairpersons, rather than the House Speaker and Senate President Pro Tempore, to jointly select the task force’s chairpersons from among its members. The selected chairpersons must schedule and hold the first meeting by October 1, 2021.

The act requires the task force to (1) submit a report on its findings and recommendations to the Transportation Committee by January 1, 2022, and (2) terminate when it submits the report or January 1, 2022, whichever is later.

EFFECTIVE DATE: Upon passage

§ 32 — MUNICIPAL FINE FOR UNREGISTERED VEHICLES

*Allows municipalities to impose, by ordinance, a fine of up to \$250 on owners of motor vehicles that are subject to local property tax but not registered with DMV*

The act allows municipalities to impose, by ordinance, a fine of up to \$250 on owners of motor vehicles that are subject to local property tax in the municipality but not registered with DMV. Municipalities may only impose this fine on vehicles eligible for registration and required to be registered under the state’s motor vehicle laws.

Under the act, police officers or anyone authorized by the municipality’s chief executive officer may issue a citation to any person who fails to register a motor vehicle. Municipalities imposing the fine must (1) adopt a citation hearing procedure, in accordance with state law, through which the fine must be imposed and (2) suspend fines for first-time violators who provide proof that they registered their vehicle with DMV after the violation but before the fine is imposed. The act prohibits municipalities from imposing a penalty for failing to pay the fine that is more than 25% of the fine.

The act’s authorization to impose a fee by ordinance applies regardless of any provisions of the general statutes or a special act, municipal charter, or ordinance.

EFFECTIVE DATE: July 1, 2021

§§ 34 & 35 — EMERGENCY VEHICLES

*Makes several changes to emergency vehicle definitions, including adding certain DEEP vehicles, and extends the penalty provision for impeding certain emergency vehicles to Department of Correction vehicles responding to emergencies*

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The act modifies the statutory definitions of the terms “emergency vehicle” and “authorized emergency vehicle” as used in the laws establishing those vehicles’ rights and motorists’ responsibilities with respect to them (e.g., generally, emergency vehicle drivers may exceed the posted speed limits and motorists must pull to the right when an emergency vehicle is using its siren or lights).

The act expands the definition of “emergency vehicle” to include (1) any ambulance or vehicle operated by an emergency medical service organization member taking a patient to a hospital and (2) any DEEP vehicle operated by an authorized DEEP employee while in the course of his or her employment and while going to a fire or responding to an emergency call, but not returning from one.

The act also removes a public service company or municipal department ambulance or emergency vehicle designated or authorized by the DMV commissioner from the definition of “authorized emergency vehicle” and instead simply specifies that an ambulance is an authorized emergency vehicle.

Existing law subjects people who willfully or negligently obstruct or impede certain emergency vehicles or state or local police vehicles to fines up to \$250. The act extends this penalty provision to apply to Department of Correction vehicles driven by department officers while in the course of their employment and while responding to an emergency call.

EFFECTIVE DATE: Upon passage

### § 36 — ACCESSIBLE PARKING PLACARDS

*Enables a parent or guardian of a child of any age with a disability to obtain an accessible parking placard on the child’s behalf*

By law, a parent or guardian of a child with a disability may apply for an accessible parking windshield placard on the child’s behalf. The law requires DMV to issue a placard to each parent or guardian who applies, up to two placards per eligible child. Under prior law, these provisions only applied if the child was under age 18. The act eliminates this age limit.

EFFECTIVE DATE: October 1, 2021

### § 37 — RIGHT-OF-WAY AND BUSES

*Requires drivers to yield the right-of-way to a bus traveling in the same direction when the bus appropriately signals*

The act requires 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.

EFFECTIVE DATE: October 1, 2021

### § 38 — SCHOOL BUS EQUIPMENT



## OLR PUBLIC ACT SUMMARY

*Allows school buses to be equipped with an extended stop arm*

The act allows school buses to be equipped with an extended stop arm. Under the act, 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.

EFFECTIVE DATE: October 1, 2021

### § 39 — INSURANCE COMPANY POSSESSION OF VEHICLES

*Makes changes related to salvage titles and powers of attorney needed to transfer vehicles that are total losses*

The act 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 act, 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 act prohibits the commissioner from issuing these title certificates until at least 30 days after the settlement payment is made.

The act 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 act requires that a power of attorney used to support an insurance company’s application for, or transfer of, a 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 act authorizes, rather than requires as under prior law, the DMV commissioner to adopt regulations about these applications and related law.

EFFECTIVE DATE: October 1, 2021

### § 40 — REPLACEMENT VETERANS’ PLATES

## OLR PUBLIC ACT SUMMARY

*Establishes a specific \$15 fee for replacing veterans' plates that become mutilated or illegible*

Under existing law, the DMV commissioner generally must charge a \$20 fee to replace vehicle plates (CGS § 14-50a(a)). Regardless of this, the act establishes a specific \$15 fee for replacing veterans' plates that become mutilated or illegible.  
EFFECTIVE DATE: July 1, 2021

### § 42 — SCHOOL BUS PASSING VIOLATIONS

*Extends a deadline and removes a requirement related to school bus passing violations detected by stop arm camera videos*

The act changes the process for issuing tickets for school bus passing violations based on evidence from a school bus violation detection video monitoring system (i.e., stop arm cameras). 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.

EFFECTIVE DATE: October 1, 2021

### § 43 — FIRE APPARATUS SALE AND REPAIR

*Requires DMV to report on compliance with the laws regarding fire apparatus sale and repair*

The act 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 act, the study must include:

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

EFFECTIVE DATE: Upon passage

### § 44 — COMMERCIAL DRIVER'S LICENSE TESTING

*Requires the DMV commissioner to verify that certain CDL applicants have undergone specific entry level training before the department administers particular tests*

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Existing law prohibits the DMV commissioner from issuing a 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 act requires the commissioner to verify with the Federal Motor Carrier Safety Administration that the person has undergone the entry level driver training required under federal regulations before the department administers a (1) CDL skills test to someone applying for or upgrading to a class A or class B CDL or applying for a “P” (passenger) or “S” (school bus) endorsement or (2) CDL knowledge test to someone applying for an “H” (hazardous materials) endorsement. The act provides that these requirements do not apply to anyone exempt under federal regulations.

EFFECTIVE DATE: October 1, 2021

### § 45 — ORGAN AND TISSUE DONORS INFORMATION

*Requires DMV and DAS to provide certain organ and tissue procurement organizations with information on individuals holding instruction permits who wish to be donors*

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 act requires the departments to also provide the procurement organization with information on individuals holding instruction permits who wish to be donors.

EFFECTIVE DATE: October 1, 2021

### § 46 — CATALYTIC CONVERTER SALES

*Prohibits motor vehicle recyclers from receiving a vehicle’s catalytic converter without proof of ownership*

The act 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 act also requires motor vehicle recyclers to keep 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.

EFFECTIVE DATE: October 1, 2021

### § 47 — DRIVE ONLY LICENSES

*Allows drive only license applicants to use photocopies and other noncertified documents as proof of residency and modifies the fees for drive only licenses*

The act specifies the fees for drive only licenses. By law, original drive only licenses must expire three to six years after the date of issuance and may be

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renewed every three years afterwards. In practice, DMV currently charges \$72 for both original and renewal licenses. The act specifies that the fee for (1) an original drive only license is \$72 for a six-year period, or a prorated amount for shorter periods, and (2) a renewal license is \$36 dollars. These fees are proportional to existing driver's license fees.

Additionally, the act allows drive only license applicants to use photocopies, notarized photocopies, or noncertified documents as proof of residency, conforming to current department practice for other types of licenses.

EFFECTIVE DATE: Upon passage

### § 48 — DMV WAIT TIME REPORT

*Changes DMV's reporting on wait times at department offices to align with the department's shift to online services and an appointment system*

Under prior law, DMV had to submit monthly and annual reports to the Transportation Committee on wait times at department offices. The act eliminates the monthly reporting requirement and changes the content that must be in its annual report, aligning the report with the department's shift to online services and an appointment system for in-person services.

Under prior law, DMV had to report annually to the Transportation Committee, (1) identifying specific goals for acceptable wait times at its offices, (2) summarizing steps it took in the previous year to achieve those goals, and (3) including a strategy to achieve or exceed those goals in the coming year. Under the act, DMV must instead, by February 1, 2022, and annually thereafter, submit a report that includes the following from the preceding year:

1. the average number of days between the date a person scheduled an appointment on DMV's website and the date of the scheduled appointment,
2. a list of the transactions that were available to be conducted by scheduling an appointment on DMV's website,
3. a list of the transactions that were available to be conducted on DMV's website,
4. the number of transactions conducted on DMV's website, and
5. a summary of DMV's efforts to increase the types of transactions available to be conducted on its website.

The act also eliminates the specific authorization for the committee to hold a public hearing within 30 days of receiving the annual report, and a requirement that the DMV commissioner, or her designee, testify at the hearing.

EFFECTIVE DATE: Upon passage

### § 49 — LICENSE PLATES FOR VETERANS AND ARMED FORCES MEMBERS WITH WARTIME SERVICE

*Requires DMV to issue special license plates indicating service during a "period of war" at the request of any veteran or armed forces member who received a campaign medal*

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The act requires DMV to issue special license plates indicating service during certain statutorily-defined periods of war (see below) at the request of any veteran or armed forces member who received a campaign medal. The request must be accompanied by proof from the Department of Veterans Affairs (DVA) that the requestor served in the armed forces during a qualifying period of war.

The plates must be designed in consultation with the DVA commissioner, bear the name of the relevant war before “Veteran,” and only be used as official license plates. The DMV commissioner must charge a fee for the plates that covers the plate’s entire production costs, which will be in addition to other vehicle registration fees. The plates must expire and be renewed in the same manner as other existing license plates.

Under the act, a veteran’s or armed forces member’s surviving spouse may keep the plates for his or her lifetime or until he or she remarries. If an armed forces member is dishonorably discharged he or she must return the plates to DMV within 30 days after his or her discharge date and DMV may not renew them.

### *Definitions*

By law and under the act, “armed forces” is the U.S. Armed Forces or their reserve components, including the Connecticut National Guard performing duty under Title 32 of the U.S. Code (e.g., certain Homeland Security missions) (CGS § 27-103).

Under the act, a “veteran” is anyone who was (1) honorably discharged or released from active service in the armed forces or (2) discharged under conditions other than dishonorable or for bad conduct and has a “qualifying condition” (i.e., a diagnosis of post-traumatic stress disorder or traumatic brain injury or a disclosed military sexual trauma) (CGS § 27-103).

(PA 21-79 § 1 expands the meaning of “qualifying condition” to also include a determination that sexual orientation, gender identity, or gender expression was more likely than not the primary reason for the other than honorable discharge.)

The table below shows the qualifying periods of war for which DMV must issue special license plates.

**Periods of War**

<b><i>Operation</i></b>	<b><i>Dates</i></b>
World War II	12/07/41-12/31/46
Korean War	06/27/50-01/31/55
Lebanon Conflict	07/01/58-11/01/58 or 09/29/82-03/30/84
Vietnam Era	02/28/61-07/01/75
Grenada Invasion	10/25/83-12/15/83
Operation Earnest Will (escort of	07/24/87-08/01/90

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Kuwaiti tankers flying U.S. flag in Persian Gulf)	
Panama Invasion	12/20/89-01/31/90
Persian Gulf War	08/02/90 until a date prescribed by the President or law

EFFECTIVE DATE: January 1, 2022

§ 50 — FEE WAIVER FOR VETERANS

*Allows the DMV commissioner to waive driver’s license or identity card renewal or duplicate fees for certain veterans attending specific events*

The act authorizes the DMV commissioner to waive driver’s license and identity card renewal or duplication fees for certain veterans while attending a one-day event that offers services, supplies, or assistance to veterans and is hosted by DVA.

Under the act, a “veteran” is (1) anyone honorably discharged or released from active service in the U.S. Armed Forces or their reserve components, including the Connecticut National Guard performing duty under Title 32 of the U.S. Code (e.g., certain Homeland Security missions); (2) any former service member entitled to military retirement pay under federal law, regardless of age (10 U.S.C. ch. 1223); or (3) anyone discharged under conditions other than dishonorable or for bad conduct that has a qualifying condition (i.e., a diagnosis of post-traumatic stress disorder or traumatic brain injury or a disclosed military sexual trauma). Additionally, to qualify for a waiver under the act, the person or member must have verification from DVA that he or she is a veteran.

(PA 21-79 § 1 expands the meaning of “qualifying condition” to also include a determination that sexual orientation, gender identity, or gender expression was more likely than not the primary reason for the other than honorable discharge. PA 21-79 § 23 also expands the meaning of “veteran” to include anyone released with an other than honorable discharge based on a qualifying condition (i.e., adding people with qualifying conditions who were dishonorably discharged or discharged for bad conduct). These changes under PA 21-79 are effective as of October 1, 2021.)

EFFECTIVE DATE: Upon passage

§§ 52-65 — PEER-TO-PEER (P2P) CAR SHARING

*Imposes regulatory requirements on P2P car sharing, principally concerning insurance, and requires DRS to issue guidance on the sales and use tax treatment of P2P car sharing*

The act imposes regulatory requirements on peer-to-peer (P2P) car sharing companies (e.g., Turo and Getaround) and on individuals who share their vehicles through the companies’ car sharing platforms (i.e., P2P car sharing).

The act establishes insurance requirements for P2P car sharing, including

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requiring P2P car sharing companies to:

1. ensure that vehicle owners and drivers participating in P2P car sharing are covered under a primary insurance policy that meets minimum requirements and recognizes that the vehicle is available on a car sharing platform and
2. provide coverage for claims if a vehicle owner's or driver's policy has lapsed.

The act establishes certain consumer protections, including requiring (1) shared vehicle owners to repair their vehicles when they receive safety recall notices and (2) P2P companies to disclose certain information to shared vehicle owners and drivers. It also addresses liens, vicarious liability, driver's license verification, and responsibility for equipment.

The act also requires the Department of Revenue Services (DRS) to issue guidance on the applicability of the sales and use tax to P2P car sharing by December 1, 2021 (§ 65).

Under the act, a P2P car sharing company is prohibited from allowing P2P car sharing at Bradley International Airport unless it enters into an agreement with the Connecticut Airport Authority (CAA). CAA may charge and collect reasonable fees from a P2P company for the privilege of operating P2P car sharing at the airport (§ 64).

EFFECTIVE DATE: January 1, 2022, except that the provision on DRS guidance is effective upon passage.

### *P2P Car Sharing Definitions (§ 52)*

*Car Sharing.* The act defines "P2P car sharing" as the authorized use of a "shared vehicle" for consideration by a person other than the "shared vehicle owner" through a car sharing platform.

A "car sharing platform" is a physical or electronic place that allows a shared vehicle owner to make a shared vehicle available for P2P car sharing and connect a shared vehicle owner with a shared vehicle driver. It includes a store, booth, catalog, website, or dedicated software application.

A "P2P car sharing company" is any person, corporation, limited partnership, or other legal entity that operates a car sharing platform to enable P2P car sharing in Connecticut. P2P car sharing companies exclude motor vehicle rental or leasing companies.

*Shared Vehicles.* Under the act, a "shared vehicle" is a vehicle that is available for sharing on a car sharing platform. It excludes passenger motor vehicles used by licensed rental companies for rental purposes.

A "shared vehicle owner" is the shared vehicle's registered owner or a person or entity the registered owner designates. A "shared vehicle driver" is a person authorized by the shared vehicle owner to drive the shared vehicle under a car sharing agreement.

*Car Sharing Agreements.* The act defines "car sharing agreement" as the terms and conditions applicable to a shared vehicle owner and a shared vehicle driver governing a shared vehicle's use. The act also defines the following, which

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are related to terms and conditions included in agreements:

1. “car sharing period,” which is the period that begins at the car sharing delivery period or, if there is no such period, at the car sharing start time, and ends at the car sharing termination time;
2. “car sharing delivery period,” which is the period during which a shared vehicle is being delivered to the location of the car sharing start time, if applicable, as documented by the car sharing agreement; and
3. “car sharing start time,” which is the time when a shared vehicle driver takes possession and control of the shared vehicle at or after the time the shared vehicle reservation is scheduled to begin under a car sharing agreement.

Under the act, the “car sharing termination time” is whenever one of the following events occurs:

1. the period established under a car sharing agreement for using a shared vehicle expires, if the shared vehicle is delivered to the location agreed upon in the agreement;
2. the shared vehicle is returned to a location the shared vehicle owner and shared vehicle driver alternatively agree on as communicated through a car sharing platform and incorporated into the car sharing agreement; or
3. the shared vehicle owner or the owner’s authorized designee takes possession and control of the shared vehicle.

### *Insurance Provisions (§§ 53, 55, 56, 58 & 59)*

*Assumption of Liability (§ 53(a) & (b)).* The act requires P2P car sharing companies to assume a shared vehicle owner’s liability for bodily injury or property damage to third parties, or uninsured and underinsured motorist or personal injury protection losses, during the car sharing period in the amount stated in the car sharing agreement. It must be for at least as much as the state’s minimum auto insurance coverage amounts (see BACKGROUND).

However, the act exempts P2P car sharing companies from assuming this liability when a shared vehicle owner (1) makes an intentional or fraudulent material misrepresentation or omission to the company or on the car sharing platform before the car sharing period in which the liability arose or (2) acts in concert with a shared vehicle driver who fails to return the shared vehicle pursuant to the car sharing agreement.

*Required Coverage (§ 53 (c), (d), (f) & (h)).* The act requires P2P car sharing companies to ensure that, during each car sharing period, the shared vehicle owner and the shared vehicle driver are insured under an auto insurance policy that:

1. provides insurance coverage in at least the minimum amounts required by state law for auto insurance policies and
2. either (a) recognizes that the shared vehicle insured under the policy is made available and used through a car sharing platform or (b) does not exclude the use of a shared vehicle by a shared vehicle driver.

The required insurance coverage may be maintained by a shared vehicle



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owner, a shared vehicle driver, a P2P car sharing company, or all three.

If a claim occurs in another state that requires higher minimum auto insurance coverage than Connecticut does, then the insurance policy must provide coverage to satisfy the minimum amounts required by the other state up to the applicable policy limits.

The act prohibits coverage under the P2P car sharing company's auto insurance policy from being contingent on another auto insurance company first denying a claim or requiring an initial claim denial.

*Primary Liability (§ 53(e)).* The insurance required under the act must assume primary liability for a claim:

1. during each car sharing period;
2. when there is a dispute over who controlled the shared vehicle at the time of loss and the P2P car sharing company did not retain or fails to provide records on the vehicle's use (see *Records (§ 56)* below); or
3. when there is a dispute over whether the shared vehicle was returned to the alternatively agreed upon location, as communicated through the car sharing platform and incorporated into the car sharing agreement.

*Lapsed Policies (§ 53(g)).* If a shared vehicle owner's or shared vehicle driver's auto insurance policy has lapsed or does not provide the required coverage, the act requires that the P2P car sharing company's policy provide the coverage from the first dollar of the claim. The insurance company issuing the P2P car sharing company's policy has the duty to defend a claim, except under certain circumstances (see *Assumption of Liability (§§ 53(a) & (b))* above).

*Other Provisions (§ 53(i)).* The act provides that nothing in its insurance provisions limits a P2P car sharing company's:

1. liability for any act or omission of the company that results in bodily injury to any person as a result of using a shared vehicle through a car sharing platform or
2. ability to contract for indemnification from a shared vehicle owner or a shared vehicle driver for economic loss the company sustains due to a breach of the car sharing agreement's terms and conditions.

*Insurable Interest (§ 59).* Under the act, a P2P car sharing company has an insurable interest in the shared vehicle during the car sharing period. However, the act specifies that this provision does not make the P2P car sharing company liable for failure to maintain the act's required coverage.

A P2P car sharing company may own and maintain, as the named insured, one or more auto liability insurance policies that covers (1) liability assumed by the P2P car sharing company under a car sharing agreement, (2) any liability of the shared vehicle owner, (3) damage or loss to the shared vehicle, or (4) any liability of the shared vehicle driver.

*Exclusions of P2P Car Sharing in Auto Policies (§ 55).* The act explicitly allows insurance companies offering auto insurance policies in the state to offer policies that exclude any or all coverage and the duty to defend or indemnify any claim afforded under a shared vehicle owner's liability insurance policy. The exclusions may include (1) liability coverage for bodily injury and property damage, (2) personal injury protection coverage, (3) uninsured and underinsured

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motorist coverage, (4) medical payments coverage, (5) comprehensive physical damage coverage, or (6) collision physical damage coverage.

The act specifies that nothing in the provision allowing these exclusions (1) invalidates or limits an exclusion in an auto liability insurance policy, including any policy that excludes coverage for motor vehicles made available for rent, sharing, hire, or business use, or (2) invalidates, limits, or restricts an insurance company that offers auto liability insurance coverage to underwrite, cancel, or not renew an insurance policy.

*Right to Seek Recovery (§ 58).* Under the act, an insurance company that defends or indemnifies a claim against a shared vehicle that is excluded under the terms of its auto insurance policy has the right to seek recovery against the P2P car sharing company's insurance company if the claim is (1) made against the shared vehicle owner or shared vehicle driver for loss or injury that occurs during the car sharing period and (2) excluded under the policy's terms.

*Records (§ 56).* The act requires P2P car sharing companies to collect and verify records pertaining to a shared vehicle's use, including the (1) times used, (2) location of the car sharing start time and car sharing termination time, (3) car sharing period fees paid by the shared vehicle driver, and (4) revenue received by the shared vehicle owner. The company must retain the records for a time period that at least equals the applicable personal injury statute of limitations (i.e., two years from the date when the injury is first sustained or discovered or, in the exercise of reasonable care, should have been discovered (CGS § 52-584)).

P2P car sharing companies must provide these records at the following times:

1. upon request to the shared vehicle owner, the shared vehicle owner's insurance company, or the shared vehicle driver's insurance company to facilitate a claim coverage investigation, settlement, negotiation, or litigation or
2. as required under an agreement with the CAA for airport access.

### *Notice Regarding Liens (§ 54)*

The act requires P2P car sharing companies to notify shared vehicle owners that, if the shared vehicle has a lien against it, the use of a shared vehicle through a car sharing platform (including without physical damage coverage) may violate the terms of a contract with the lien holder. The company must provide this notice when the vehicle owner registers with the P2P car sharing company as a shared vehicle owner but before the shared vehicle is made available on the car sharing platform.

### *Vicarious Liability (§ 57)*

The act exempts P2P car sharing companies and shared vehicle owners from vicarious liability, in accordance with the federal Graves Amendment (see BACKGROUND), under any state law or municipal ordinance that imposes liability solely based on vehicle ownership.

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### *Required Disclosures (§ 60)*

The act requires that car sharing agreements disclose at least the following to a shared vehicle owner and shared vehicle driver:

1. the P2P car sharing company's right to seek indemnification from the shared vehicle owner or the shared vehicle driver for any economic loss it sustains from a breach of the car sharing agreement's terms and conditions;
2. that the shared vehicle owner's auto insurance policy for the shared vehicle or the shared vehicle driver's auto policy does not provide a defense or indemnification for any claim asserted by the P2P car sharing company;
3. that the P2P car sharing company's insurance coverage on the shared vehicle owner and the shared vehicle driver is in effect only during the car sharing period and that, if the shared vehicle driver uses the shared vehicle after the car sharing termination time, the shared vehicle driver and the shared vehicle owner may not have insurance coverage;
4. the daily rate, fees and, if applicable, any insurance or protection package costs that are charged to the shared vehicle owner or the shared vehicle driver;
5. that the shared vehicle owner's auto insurance may not provide coverage for a shared vehicle;
6. an emergency telephone number to personnel capable of answering calls for roadside assistance and other customer service inquiries; and
7. if there are conditions under which a shared vehicle driver must maintain an auto insurance policy with certain applicable coverage limits on a primary basis to book a shared vehicle.

### *Driver's License Verification (§ 61)*

The act prohibits P2P car sharing companies from entering into a car sharing agreement with a shared vehicle driver unless the driver holds a driver's license authorizing him or her to operate a vehicle of the same class as the shared vehicle. P2P companies must keep a record of the shared vehicle driver's name, address, and driver's license number and place of issuance.

### *Responsibility for Equipment (§ 62)*

Under the act, a P2P car sharing company is responsible for any equipment (e.g., GPS systems) that is put in or on the shared vehicle to monitor or facilitate the car sharing transaction. The company must indemnify and hold harmless shared vehicle owners for any equipment damage or theft during the car sharing period unless the owner caused it. The P2P company has the right to seek indemnification from the shared vehicle driver for any equipment loss or damage that occurs during the car sharing period.

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### *Recalls (§ 63)*

The act requires shared vehicle owners, when they receive notice of a safety recall for their shared vehicle, to get the required repairs made before making the vehicle available on a P2P car sharing platform. If the shared vehicle is already available on a car sharing platform when a shared vehicle owner receives a recall notice, he or she must remove the vehicle as soon as possible and keep it off until repairs are made. If the shared vehicle owner receives a recall notice during the car sharing period, the owner must notify both the P2P car sharing company and the shared vehicle driver as soon as possible.

The act requires P2P car sharing companies to (1) verify that a shared vehicle is not subject to a safety recall for which repairs have not been made and (2) notify shared vehicle owners of their obligations related to recalls. The company must do this when the shared vehicle owner registers a shared vehicle with the company but before the shared vehicle is available on the car sharing platform.

### § 66 — STATE AND MUNICIPAL CONTRACT ELIGIBILITY

*Repeals a provision that required a specific number of inspections of certain trucking companies and commercial motor vehicle drivers in order to make them ineligible for state or municipal contracts*

Under prior law, certain motor carriers (e.g., trucking companies) and people driving specific commercial motor vehicles (e.g., buses or large trucks) could not be found ineligible for state or municipal contracts based on safety inspection results unless at least 10 safety inspections of the motor carrier or motor vehicle had been conducted during the 24 months before the contract's starting date. The act eliminates this provision.

EFFECTIVE DATE: Upon passage

### BACKGROUND

#### *Minimum Auto Insurance Requirements*

Connecticut law requires a driver to maintain a minimum amount of auto insurance, including liability and uninsured and underinsured motorist (UI/UM) coverage. The law requires minimum coverage of \$25,000 per person and \$50,000 per accident for bodily injury and \$25,000 per accident for property damage (CGS §§ 38a-335 and 14-112(a)). UI/UM coverage covers bodily injury to the vehicle owner, relatives living with the owner, and passengers injured in an accident caused by (1) an uninsured driver, (2) a driver whose bodily injury liability limits are insufficient, or (3) a hit-and-run driver. The law requires at least \$25,000 per person and \$50,000 per accident (CGS § 38a-336).

#### *Federal Graves Amendment*

The Graves Amendment (49 U.S.C. § 30106) protects car rental companies

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from vicarious liability claims by providing that a rental company cannot be held liable under state law for damages or injuries that occur during the rental period simply because the company owns the vehicle. The amendment does not protect companies from negligence or criminal wrongdoing. (A Connecticut law making rental companies liable for such damages (CGS § 14-154a) is preempted by the Graves Amendment.)