
OLR Bill Analysis

sHB 5366

AN ACT CONCERNING REVISIONS TO THE MOTOR VEHICLE STATUTES.

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§ 1 — VEHICLE TITLES

Reduces the requirements insurers must follow when applying for certain vehicle titles; creates a process for titling abandoned vehicles at used car facilities after notifying owners

Application by Insurers

Existing law allows an insurance company to apply to the Department of Motor Vehicles (DMV) for a title certificate, salvage title, or salvage parts-only title if the company is unable to obtain a vehicle's Connecticut-issued title from the insured or any lienholder of record after taking possession following a full settlement of a damage or theft claim. Under current law, the title application must be on a commissioner-prescribed form and include documents she requires, including satisfactory evidence that the insurance company:

1. provided at least two notices by certified mail, return receipt requested, to the insured and any lienholder of record indicating the company's intention to apply for a title as the vehicle owner and
2. paid the insured or any lienholder in full settlement of the vehicle claim.

The bill instead requires that the application include an attestation, rather than documentation and satisfactory evidence as required by the commissioner, that the insurance company provided notice to the insured and lienholders. It also (1) reduces the number of required notices that the insurer must provide to these entities from two to one and (2) gives insurers the option of providing the notice by commercial delivery service that provides evidence of delivery.

Vehicles Abandoned at Used Car Facilities

The bill establishes a process for titling abandoned vehicles at a used car facility. Under the bill, if an insurance company requests that a licensed used car dealer take possession of a vehicle that is subject to an insurance claim and subsequently the company does not pay a total loss claim for the vehicle, the dealer may apply to the DMV for a title certificate in the dealer's name without surrendering the vehicle's title certificate. The dealer may do so for vehicles abandoned for more than 30 days.

The dealer's application must be (1) on a form the DMV commissioner prescribes and (2) include an attestation that the dealer provided at least two notices to the vehicle owner and any lienholder of record to have the vehicle removed from the place of business. These notices must be by certified mail, return receipt requested, or commercial delivery service that provides evidence of proof of delivery.

EFFECTIVE DATE: October 1, 2022

§§ 2 & 3 — EXTENSION FOR EMISSIONS REPAIRS

Requires the motor vehicles commissioner to waive emissions standards compliance for vehicles needing additional time to make emissions-related repairs

With certain exceptions, the law generally prohibits vehicles subject to emissions testing requirements from being operated on public roads unless they comply with these requirements on a schedule determined by the DMV commissioner (typically every two years). Under existing law, the commissioner (1) must waive emissions standards compliance for vehicles failing a required inspection and requiring an unreasonable repair cost to become compliant and (2) may grant a one-time extension, not to exceed the inspection period, for repairs in the case of an owner's economic hardship.

The bill additionally (1) requires the commissioner to waive emissions standards compliance for vehicles needing additional time to make emissions-related repairs and (2) allows her to grant a one-time 90-day extension to make emissions-related repairs. (It is unclear if the waiver and extension are the same or are distinct.) As under current law,

the bill limits vehicles to one extension of time.

For vehicles that fail an emissions test, current law requires the DMV commissioner to assess a \$20 late fee if the vehicle is not retested within 60 days after the failed test. The bill extends this deadline to 90 days after the failed test for vehicles granted an extension (presumably the extension described above). As under current law, she may waive the fee for exigent circumstances.

EFFECTIVE DATE: October 1, 2022

§ 4 — VETERAN FEE WAIVERS

Extends license and registration fee waivers to any veteran within two years from their date of separation

The bill extends mandatory fee waivers for one licensing period to any veteran who applies for a driver's license or registration, including any renewal, within two years after their date of separation. Under current law, only those veterans who were also legal state residents at the time of their induction are eligible for these waivers.

EFFECTIVE DATE: October 1, 2022

§ 5 — GRACE PERIOD FROM FINES OR LATE FEES FOR ARMED FORCES MEMBERS

Increases, from 60 to 90 days after release from qualifying service, the grace period for armed forces members from certain fines or late fees

Existing law exempts armed forces members, and reserve members called to active service, from paying fines or late fees for failing to renew a driver's license or vehicle registration or obtain an emissions test. The exemption applies during qualifying service and for a specified grace period following their release from service, which is 60 days under current law. The bill extends this grace period to 90 days following their release from service.

EFFECTIVE DATE: October 1, 2022

§ 6 — SUSPENSION FOR UNPAID FINES

Prohibits the motor vehicles commissioner from suspending a driver's license solely for failing to pay any fines, fees, or charges associated with an infraction

Current law grants the DMV commissioner broad authority to suspend or revoke a driver's license or vehicle registration for any cause she deems sufficient (CGS § 14-111). The bill creates an exception to this authority by prohibiting the commissioner from suspending a person's driver's license solely for failing to pay any fines, fees, or other charges associated with a motor vehicle infraction. Under certain circumstances, existing law requires undisposed infractions or violations to be dismissed after seven years.

EFFECTIVE DATE: October 1, 2022

§ 7 — DRIVERS WEARING GLASSES WITH BIOPTIC LENSES

Requires the commissioner to issue driver's licenses to people wearing glasses with bioptic lenses if the applicant otherwise meets regulatory vision standards and license requirements

The bill requires the DMV commissioner to issue driver's licenses to people wearing glasses with bioptic lenses if the applicant otherwise meets regulatory vision standards and license requirements. (By law, the commissioner must adopt regulations specifying vision standards that are necessary to safely operate a motor vehicle.) Generally, bioptic lenses consist of miniature telescopic lenses mounted on top of eyeglasses.

EFFECTIVE DATE: October 1, 2022

§ 8 — REPORT ON SPECIAL LICENSE PLATE FEES

Requires the motor vehicles commissioner to annually report certain information about special license plates

Existing law requires the head of each budgeted agency to submit an annual report to the governor on the agency's activities in the previous fiscal year. The bill requires the DMV commissioner to additionally include in the department's report the following information for the previous fiscal year: (1) the number of special license plates offered and issued and (2) the amount of special license plate fees collected and the accounts in which these fees were deposited.

EFFECTIVE DATE: Upon passage

§ 9 — ORGAN DONOR CONSENT

Specifically requires certain license renewal applicants to indicate whether they consent to be organ donors

The bill requires the DMV commissioner to require any person who applies for a driver's license or identity card, or who applies to renew a license or ID card and did not previously consent to organ donation through inclusion on the state donor registry, to indicate whether they consent or decline registry inclusion. It prohibits the commissioner from requiring a person to reaffirm consent if he or she is applying to renew a license or card and has previously consented to registry inclusion.

Under current law, the commissioner must require any person applying for a driver's license or ID card to indicate whether they consent or decline registry inclusion., but current law does not specifically address license renewals.

EFFECTIVE DATE: October 1, 2022

§ 10 — LIGHTS ON WRECKERS

Eliminates certain flashing light requirements for wreckers

The bill eliminates requirements in current law that wreckers be equipped with two flashing yellow lights installed and mounted on the truck that span its full width and are at least eight feet above the road surface. It instead requires that wreckers be equipped with an unspecified number of flashing yellow lights. As under existing law, the lights must (1) continuously show in all directions, (2) be as close to the back of the cab as practicable, and (3) be used when the wrecker is towing a vehicle and at the scene of an accident or a disabled vehicle.

EFFECTIVE DATE: October 1, 2022

§ 11 — AUTOCYCLES

Broadens the definition of "autocycle" to potentially encompass additional types of three-wheeled vehicles

Existing law allows drivers to operate autocycles with a standard "class D" license (i.e., without needing a motorcycle license endorsement) (CGS § 14-36a). The law defines "autocycle," in part, as a motorcycle with up to three wheels that has seat belts and partially or fully enclosed seats in which occupants sit with their legs forward.

Current law additionally provides that an auticycle is designed to be controlled with a steering wheel and foot pedals. The bill instead provides that it is designed to be controlled with a steering mechanism, rather than a steering wheel.

EFFECTIVE DATE: October 1, 2022

§§ 12-14 — VEHICLE REPAIR

Generally requires a repair shop to follow collision repair procedures, guidelines, recommendations, or service bulletins issued by the original manufacturer as long as they do not prohibit the use of recycled parts

The bill requires repair shops, unless a customer requests otherwise, to follow the collision repair procedures, guidelines, recommendations, or service bulletins issued by the original equipment manufacturer when repairing a vehicle, as long as they do not prohibit using recycled parts. It allows shops to install a recycled part if it is of like kind and quality of the part being replaced and is from the same model vehicle as the one being repaired.

The bill explicitly prohibits a person or entity, other than the vehicle owner, from requiring, requesting, encouraging, or causing a repair shop to (1) repair the vehicle in an unsafe manner, as determined by the shop or original vehicle manufacturer, or (2) install an aftermarket part. It likewise explicitly requires the shop to repair a vehicle, in a manner the shop determines, to ensure the vehicle's safe operation and reasonably mitigate its diminished value.

Under the bill, (1) each of these requirements applies to new and used car dealers, repairers, limited repairers, and their agents or employees and (2) violating them is an infraction.

By law and under the bill, a "recycled part" is one that was made for and installed in a new vehicle by the manufacturer or the original equipment manufacturer and later removed from the vehicle and made available for resale or reuse. An "aftermarket part" is a part that was made by a company other than the vehicle manufacturer or the original equipment manufacturer (CGS § 14-53a(b)).

EFFECTIVE DATE: October 1, 2022

§ 15 — ACCESSIBLE PARKING PLACARD COUNCIL

Creates a 13-member advisory council to review policies and recommend best practices for granting and using removeable windshield placards

The bill establishes a 13-member Removeable Windshield Placard Advisory Council within DMV for administrative purposes only. It directs the council to (1) review the laws in other states concerning the issuance and use of removable windshield placards for persons who are blind and persons with disabilities; (2) recommend best practices to the DMV commissioner for clear and concise policies and regulations regarding placard issuance and use by law; and (3) make educational materials available to medical professionals, law enforcement officers and the general public regarding the proper issuance and use of these placards.

Under the bill, the council consists of seven gubernatorial appointees and six legislative appointees (one by each of the leaders), with the chairperson designated by the governor from among the members. All initial appointments to the council must be made by October 1, 2022, with members serving two-year terms without compensation. Any vacancy must be filled for the remainder of the term in the same manner as the original appointment.

The bill requires the council to meet at least annually and at other times as the chairperson deems necessary or upon the request of a majority of its members. Beginning by January 1, 2023, the council must annually submit a report on its activities and any recommendations to the governor and the Transportation Committee.

EFFECTIVE DATE: Upon passage

§§ 16-18 — SCHOOL BUS STOP MONITORING SYSTEMS

Establishes a \$90 civil penalty for any person who is detected as passing a stopped school bus by a stop arm camera

The law allows municipalities and local boards of education to install, operate, and maintain “live digital video school bus violation detection monitoring systems” (i.e., stop arm cameras) on school buses, or to enter

into contracts with private vendors to do so (CGS § 14-279a). The cameras detect and record drivers who fail to stop for school buses.

The bill establishes a \$90 civil penalty for any violation detected by a monitoring system. It replaces provisions in current law that make violators detected by a monitoring system subject to the same penalties as violations witnessed by a bus driver or police officer (i.e., a \$450 fine for a first offense and a \$500-\$1,000 fine, 30-days imprisonment, or both, for subsequent offenses). In doing so, it limits the existing higher penalties to violations witnessed by a bus driver or police officer.

EFFECTIVE DATE: October 1, 2022

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 27 Nay 8 (03/24/2022)