



**PA 22-44**—sSB 333  
*Transportation Committee*

**AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF MOTOR VEHICLES AND VARIOUS REVISIONS TO THE MOTOR VEHICLE STATUTES**

**SUMMARY:** This act makes numerous unrelated changes in motor vehicle laws. Among other things, the act increases surety bond requirements for dealer and repairer licenses and strengthens licensing and enforcement requirements related to driving schools and their instructors.

By February 1, 2023, the act requires the Department of Motor Vehicles (DMV) commissioner to report to the Transportation Committee on the following topics:

1. the preceding fiscal year's number of department-administered road skills tests for a driver's license at DMV offices and off-site locations and the passage rates for those tests (§ 16);
2. the results of her review of other states' laws and regulations, and any legislative or regulatory recommendations, on applying for, issuing, and using removeable windshield placards for people with disabilities or blindness (§ 17); and
3. for the previous year, and annually afterwards, the average amount of time a person spends at the DMV for an appointment scheduled on its website (rather than the average number of days between scheduling an appointment online and the appointment date, as prior law required) (§ 36).

It also eliminates a redundant safety inspection requirement for retired school buses (§ 9) and makes numerous technical and conforming changes (§§ 20-35).

**EFFECTIVE DATE:** July 1, 2022, unless otherwise noted below, with certain technical changes effective October 1, 2022.

**§ 1 — LICENSE RESTORATION AFTER MEDICAL WITHDRAWAL**

Under existing law, the DMV commissioner may allow a person whose license was medically withdrawn to drive on a limited basis (i.e., with a licensed driving instructor or testing agent) if she (1) determines that the driver does not have a health problem affecting his or her ability to drive safely and (2) requires the driver to pass a road skills test for license reinstatement (CGS § 14-46e(b)).

The act requires the commissioner to make her determination after consulting with the Motor Vehicle Operator's License Medical Advisory Board, rather than through a hearing as prior law required. Under existing law, unchanged by the act, a person whose driver's license has been suspended, restricted, or revoked, or whose license application has been denied due to health problems, has the right to appeal under the Uniform Administrative Procedure Act (UAPA) (CGS § 14-46g).

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### §§ 2 & 3 — DEALER & REPAIRER SURETY BONDS & BACKGROUND CHECKS

#### *Surety Bonds (§ 2)*

The act increases the surety bond amounts for applicants of certain business licenses as follows: (1) repairer's licenses, from \$5,000 to \$25,000; (2) limited repairer's licenses, from \$5,000 to \$10,000; (3) new or used car dealer's licenses, from \$50,000 to \$60,000; and (4) leasing or rental licenses, from \$10,000 to \$15,000.

#### *Background Checks (§ 3)*

By law, applicants for a dealer or repairer license must submit to state and national criminal history records checks. The act requires that each applicant be fingerprinted and their background checks be based upon this fingerprint data instead of the applicant's name and date of birth, as prior law required.

### §§ 4-7 — DRIVING INSTRUCTION

The act makes several changes in the statutes governing driving schools. It specifically prohibits driving schools with expired licenses from conducting business until the DMV commissioner grants a license renewal. However, it also prohibits the commissioner from renewing a driving school license that has been expired for more than 60 days.

Under existing law, the commissioner generally may suspend or revoke the license of a school or instructor after she has provided the licensee with notice and an opportunity for a hearing, in accordance with the UAPA. Under the act, the commissioner may order restitution to aggrieved customers if a licensed driving school or instructor violates any statute and regulation governing them, in addition to, or instead of, a civil penalty as allowed under existing law.

#### *Driving Instructor and Master Driving Instructor Licenses*

The act increases, from four to five years, the driving history review period for instructor and master instructor licenses. It also specifies that applicants must provide a physical examination that has been performed within 90 days from the application date, rather than a recent exam as prior law required. The act also prohibits the commissioner from renewing an instructor or master instructor's license that has been expired for more than 60 days.

The act requires the DMV commissioner to summarily suspend an instructor's or master instructor's license if she determines that continued possession of the license poses an imminent threat to public safety or welfare. She must schedule a hearing within 20 days after taking this action. It also adds references to master driving instructors to license requirements for driving instructors, which already apply under existing law and regulations.

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### *Minor and Technical Changes*

The act specifies that boards of education, public, private, and parochial schools (which do not need to be licensed as driving schools under existing law) are not required to provide a surety bond to provide a driver's education course.

### §§ 8 & 10 — ADMINISTRATIVE PER SE STATUTES

By law, motorists implicitly consent to be tested for drugs or alcohol and submit to the nontestimonial portion of a drug influence evaluation when they drive a vehicle. The law establishes administrative license suspension procedures, including a hearing, for drivers who refuse to submit to a test or evaluation or whose test results indicate an elevated blood alcohol content.

The act expands the types of "motor vehicles" covered by the administrative per se statute to include a snowmobile or all-terrain vehicle, consistent with the criminal laws governing driving under the influence. It also allows DMV to send, with the driver's written consent, notice of an administrative hearing decision by personal delivery (e.g., e-mail) rather than by certified mail.

### § 11 — DRIVERS WEARING GLASSES WITH BIOPTIC LENSES

The act 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

### § 12 — LIGHTS ON WRECKERS

The act eliminates prior law's requirements that wreckers be equipped with two flashing yellow lights installed and mounted on the truck that span its full width and were 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

### § 13 — AUTOCYCLES

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

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legs forward. Prior law additionally provided that an autocycle was designed to be controlled with a steering wheel and foot pedals. The act instead provides that it is designed to be controlled with a steering mechanism, rather than a steering wheel.  
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### § 14 — VIN ETCHING

Prior law required new and used car dealers and lessors to offer the purchaser or lessee of a new or used motor vehicle the optional service of etching the complete VIN on the lower corner of the vehicle's windshield and on each of its side and rear windows so long as the service was separately charged on the vehicle's sale order. Beginning July 1, 2022, the act allows, rather than requires, these dealers and lessors to offer this option. It also sunsets the requirement that the service charge be provided for etching done prior to sale or lease, and instead prohibits them from etching the VIN on any vehicle in their inventory prior to its sale or lease without the written consent of the vehicle's purchaser or lessee.

Prior law authorized the DMV commissioner to adopt regulations to implement the VIN etching provisions, including standards for (1) secure marking of component parts, including using a covert application (only visible under ultraviolet light); (2) telephone or online access to a secure database of vehicles, including motorcycles and parts that have been marked and registered in the database; and (3) the marking of parts used to replace parts that have been marked by licensed repairers.

The act (1) requires, rather than allows, the commissioner to adopt implementing regulations, which may provide these standards; (2) eliminates the specific references to addressing marking component parts using a covert application; and (3) repeals prior law's definition of "component parts."

### § 15 — ORGAN DONOR CONSENT

Under existing law, the DMV commissioner must require any person applying for a driver's license or identity card to indicate whether they consent to or decline organ donation through inclusion on the state donor registry. The act also requires this upon renewal.

EFFECTIVE DATE: October 1, 2022

### §§ 18 & 19 — VEHICLE NOISE

The act requires the DMV commissioner, by January 1, 2023, to submit to the Transportation, Appropriations, and Finance, Revenue, and Bonding committees (1) an implementation plan for a statewide decibel level testing program at official emissions inspection stations for motor vehicles and motorcycles and (2) any recommendations for legislation and funding necessary for implementation.

By January 1, 2024, it requires the commissioner to amend current regulations setting maximum vehicle decibel levels and related testing procedures, with the advice of the energy and environmental protection commissioner, to reflect

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industry standards and technology advancements and submit them to the Regulation Review Committee. The act correspondingly eliminates from prior law the testing procedure requirements that are repeated under existing regulations (Conn. Agencies Regs. § 14-80a-8a).

### § 37 — EMISSIONS RE-TESTING EXTENSION FOR SUPPLY CHAIN ISSUES

For FYs 23 and 24, the act requires the DMV commissioner to grant an extension of time for vehicles to obtain needed repairs after failing an emissions inspection, so long as a licensed new or used car dealer or licensed repairer or limited repairer certifies, in writing, that the part needed to repair the associated problem is delayed due to market conditions. If granted, it must be valid for 180 days after the certification date.