



General Assembly

Substitute Bill No. 6654

January Session, 2023



**AN ACT CONCERNING NOTICE OF MOTOR VEHICLE SAFETY
RECALLS.**

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

1 Section 1. (NEW) (*Effective October 1, 2023*) (a) For the purposes of
2 this section, "open recall" means a safety-related recall for which
3 notification by a manufacturer has been provided under 49 USC 30119,
4 as amended from time to time, that necessitates repairs or
5 modifications to a motor vehicle by an authorized motor vehicle
6 dealer, but does not include a recall related to defects or failures to
7 comply with requirements relating to labeling or notification in an
8 owner's manual or a recall where the remedy is for the manufacturer
9 to repurchase the motor vehicle or otherwise provide financial
10 compensation to the owner of the motor vehicle.

11 (b) During the course of performing repair work or changing the oil
12 or tires and tubes of a motor vehicle, a repairer or limited repairer
13 licensed in accordance with section 14-52 of the general statutes, or a
14 person, firm or corporation engaged in the business of changing the oil
15 or tires and tubes of a motor vehicle, shall check information made
16 available by the National Highway Traffic Safety Administration to
17 determine whether the motor vehicle being repaired or worked upon
18 is subject to an open recall. If the motor vehicle is subject to one or
19 more open recalls, the repairer, person, firm or corporation shall

20 provide the owner of the motor vehicle with written notice of each
21 such open recall at the time of such repair or work. The notice shall
22 include a description of each open recall and a statement that a motor
23 vehicle dealer approved by the manufacturer of the motor vehicle may
24 repair or modify the motor vehicle at no cost to the owner, except as
25 provided in 49 USC 30120, as amended from time to time.

26 Sec. 2. Section 14-164b of the general statutes is repealed and the
27 following is substituted in lieu thereof (*Effective October 1, 2023*):

28 For the purposes of this chapter, the following words and terms
29 shall be construed as follows, unless another meaning is clearly
30 apparent from the language or context:

31 (1) "Commissioner" means the Commissioner of Motor Vehicles.

32 (2) "Fleet" means a group of owned or leased motor vehicles subject
33 to emissions inspection pursuant to subsection (c) of section 14-164c
34 owned or leased by one person, firm, corporation, or governmental
35 entity.

36 (3) "Fleet emissions inspection station" means an inspection station
37 owned or leased by the owner or operator of a fleet and licensed by the
38 commissioner for conducting emission inspections of fleet vehicles.

39 (4) "Independent contractor" means any person, business, firm,
40 partnership, limited liability company or corporation with whom the
41 commissioner may enter into an agreement providing for the leasing,
42 construction, equipping, maintaining, staffing, management or
43 operation of official emissions inspection stations pursuant to this
44 chapter.

45 (5) "Official emissions inspection station" means an emissions
46 inspection facility approved by the commissioner, whether placed in a
47 permanent structure or in a mobile unit for conveyance among various
48 locations within this state, including any such facility located on the
49 premises of a licensed dealer or repairer, for the purpose of conducting

50 exhaust emissions inspections of all vehicles required to be inspected
51 pursuant to this chapter.

52 (6) "Open recall" has the same meaning as provided in section 1 of
53 this act.

54 ~~[(6)]~~ (7) "Twenty-five or more years old", when used with respect to
55 the age of a motor vehicle, means that the difference between the
56 model year of such motor vehicle and the current calendar year is
57 twenty-five or more.

58 Sec. 3. Subsection (b) of section 14-164c of the general statutes is
59 repealed and the following is substituted in lieu thereof (*Effective*
60 *October 1, 2023*):

61 (b) (1) The Commissioner of Energy and Environmental Protection
62 shall consult with the Commissioner of Motor Vehicles and furnish the
63 commissioner with technical information, including testing techniques,
64 standards and instructions for emission control features and
65 equipment. The Commissioner of Energy and Environmental
66 Protection shall furnish the Commissioner of Motor Vehicles with
67 emission standards for all motor vehicles subject to the inspection and
68 maintenance requirements. Such standards shall be consistent with
69 provisions of federal law, if any, relating to control of emissions from
70 the vehicles concerned or any regulations adopted by the
71 Commissioner of Energy and Environmental Protection which
72 implement the low-emission vehicle and clean fuels regulations
73 adopted by the state of California, as amended. Such standards shall
74 be periodically reviewed by the Commissioner of Energy and
75 Environmental Protection and revised, if necessary, to achieve the
76 objectives of the vehicle emission inspection program.

77 (2) During the performance of an emissions inspection, an
78 independent contractor retained by the state in accordance with the
79 provisions of subsection (e) of this section, or a licensed dealer or
80 repairer authorized to perform inspections in accordance with the

81 provisions of subsection (f) of this section, shall check information
82 made available by the National Highway Traffic Safety Administration
83 to determine whether the motor vehicle being inspected is subject to an
84 open recall. If the motor vehicle is subject to one or more open recalls,
85 the independent contractor, dealer or repairer shall provide the owner
86 of the motor vehicle with written notice of each such open recall at the
87 time of inspection. The notice shall include a description of each open
88 recall and a statement that a motor vehicle dealer approved by the
89 manufacturer of the motor vehicle may repair or modify the motor
90 vehicle at no cost to the owner, except as provided in 49 USC 30120, as
91 amended from time to time.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	New section
Sec. 2	October 1, 2023	14-164b
Sec. 3	October 1, 2023	14-164c(b)

Statement of Legislative Commissioners:

In Section 1(b), "such open recall may be repaired by" and "of the motor vehicle" were deleted and "may repair or modify the motor vehicle" was inserted for accuracy and clarity; and in Section 3(b)(2), "such open recall may be repaired by" and "of the motor vehicle" were deleted and "may repair or modify the motor vehicle" was inserted for accuracy and clarity.

TRA *Joint Favorable Subst.*