



House of Representatives

General Assembly

File No. 328

February Session, 2024

Substitute House Bill No. 5327

House of Representatives, April 8, 2024

The Committee on Transportation reported through REP. LEMAR of the 96th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT REVISING MOTOR VEHICLE STATUTES CONCERNING TOWING OCCUPIED VEHICLES, THE IMPROPER USE OF MOTOR VEHICLE REGISTRATION AND SCHOOL BUSES.

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

1 Section 1. Subsection (b) of section 14-66 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2024*):

4 (b) The commissioner, or an inspector authorized by the
5 commissioner, shall examine each wrecker, including its number,
6 equipment and identification, and shall determine the mechanical
7 condition of such wrecker and whether or not it is properly equipped to
8 do the work intended. A wrecker shall be deemed properly equipped if
9 there are flashing yellow lights installed and mounted on such wrecker
10 that (1) show in all directions at all times, and (2) are as close to the back
11 of the cab of such wrecker as practicable. Such lights shall be in
12 operation when such wrecker is towing a vehicle and when such
13 wrecker is at the scene of an accident or the location of a disabled motor

14 vehicle. In addition, each wrecker shall be equipped with a spot light
15 mounted so that its beam of light is directed toward the hoisting
16 equipment in the rear of such wrecker. The hoisting equipment of each
17 wrecker shall be of sufficient capacity to perform the service intended
18 and shall be securely mounted to the frame of such vehicle. A fire
19 extinguisher shall be carried at all times on each wrecker which shall be
20 in proper working condition, mounted in a permanent bracket on each
21 wrecker and have a minimum rating of eight bc. A set of three flares in
22 operating condition shall be carried at all times on each wrecker and
23 shall be used between the periods of one-half hour after sunset and one-
24 half hour before sunrise when the wrecker is parked on a highway while
25 making emergency repairs or preparing to pick up a disabled vehicle to
26 remove it from a highway or adjoining property. No registrant or
27 operator of any wrecker shall offer to give any gratuities or inducements
28 of any kind to any police officer or other person in order to obtain
29 towing business or recommendations for towing or storage of, or
30 estimating repairs to, disabled vehicles. No licensee shall require the
31 owner to sign a contract for the repair or storage of such owner's
32 damaged vehicle as part of the towing consideration or to sign an order
33 for the repair of, or authorization for estimating repairs to such vehicle,
34 until the tow job has been completed. No licensee shall tow a vehicle in
35 such a negligent manner as to cause further damage to the vehicle being
36 towed. No licensee shall knowingly permit any person to occupy a
37 vehicle while the vehicle is being towed. Nothing in this subsection shall
38 be construed to prohibit the licensee and owner of the damaged vehicle
39 from entering into an agreement for the repair or storage of such vehicle
40 upon the completion of the tow job.

41 Sec. 2. Section 14-147 of the 2024 supplement to the general statutes
42 is repealed and the following is substituted in lieu thereof (*Effective*
43 *October 1, 2024*):

44 (a) Any person who counterfeits any number plate or marker, or
45 makes any substitute or temporary marker, except as provided in
46 section 14-18, or who counterfeits or in any manner alters any motor
47 vehicle registration or operator's license, and any person who gives,

48 loans or sells any such counterfeited or altered number plate, marker,
49 motor vehicle registration or operator's license, shall be guilty of a class
50 D misdemeanor.

51 (b) Any person who loans or sells any number plate or marker or
52 certificate of registration issued by the commissioner, for use on any car,
53 except as provided in sections 14-59 and 14-60, shall have committed an
54 infraction.

55 (c) (1) No person shall use any motor vehicle registration or operator's
56 license other than the one issued to such person by the commissioner,
57 except as provided in section 14-18; and (2) no person shall use a motor
58 vehicle registration on any motor vehicle other than that for which such
59 registration has been issued. Any person who violates any provision of
60 this subsection shall [have committed an infraction] be guilty of a class
61 D misdemeanor.

62 (d) Any person who loans any operator's license issued by the
63 commissioner, for use by another person, shall have committed an
64 infraction.

65 (e) Any person who sells any operator's license issued by the
66 commissioner, for use by another person, shall be guilty of a class D
67 misdemeanor.

68 *Sec. 3. (Effective from passage)* (a) Not later than September 1, 2024, the
69 Commissioner of Motor Vehicles shall review, and amend or revise as
70 necessary, any regulation, internal procedure or policy and any other
71 guidance provided to the owners or operators of school buses regarding
72 the operation and inspection of school buses to ensure such regulations,
73 procedures or policies and guidance (1) promote adherence to
74 subsection (b) of section 14-277 of the general statutes and the
75 regulations adopted under section 22a-174 of the general statutes, and
76 (2) do not explicitly or implicitly require a school bus to idle in excess of
77 three minutes during the performance of a daily vehicle inspection.

78 (b) Not later than September 1, 2024, the commissioner shall provide

79 guidance to the owners or operators of school buses that identifies the
80 portions of a daily vehicle inspection that could be performed while the
81 school bus is in accessory mode or while the engine is turned off and
82 post such guidance on the Internet web site of the Department of Motor
83 Vehicles.

84 Sec. 4. Subsection (f) of section 13a-26 of the 2024 supplement to the
85 general statutes is repealed and the following is substituted in lieu
86 thereof (*Effective October 1, 2024*):

87 (f) The provisions of this part restricting the use and accommodation
88 of motor vehicle traffic on parkways to noncommercial vehicles shall
89 not apply to use of the Merritt and Wilbur Cross Parkways by (1)
90 taxicabs, as defined in section 13b-95, (2) vanpool vehicles, as defined in
91 section 14-1, (3) service buses, service buses for students with special
92 needs, or two-axle, four-wheeled type II, registered school buses with a
93 gross vehicle weight rating of ten thousand pounds or less, which are
94 owned by or under contract to a public, private or religious school or
95 public school district and which are engaged in the transportation of
96 school children to and from school or school activities, provided (A)
97 such service buses conform to the regulations establishing the
98 maximum weight, length, height or width of vehicles permitted to use
99 such parkways; (B) such school buses are not more than ninety-eight
100 inches high, eighty-four inches wide and two hundred three inches
101 long; and (C) such service buses for students with special needs are not
102 more than one hundred twenty inches high, ninety inches wide and two
103 hundred eighty-eight inches long, (4) vehicles with a gross vehicle
104 weight rating of seven thousand five hundred pounds or less, even if
105 such vehicles contain any branding, advertising or logos thereon, or (5)
106 commercial motor vehicles used by an automobile club or association,
107 licensed in accordance with the provisions of section 14-67, solely for the
108 purpose of providing roadside assistance to vehicles located on the
109 parkway, provided such commercial motor vehicles [confirm] conform
110 to the regulations establishing the maximum length, height or width of
111 vehicles permitted to use such parkways. The Office of the State Traffic
112 Administration shall adopt regulations, in accordance with chapter 54,

113 establishing the maximum allowable length and height for any vanpool
 114 vehicle using said Merritt and Wilbur Cross Parkways and reducing the
 115 maximum weight, length, height or width of, or limiting the registration
 116 classes of, motor vehicles permitted to use such parkways, in order to
 117 fully carry out the prohibition on the operation of commercial motor
 118 vehicles on such parkways.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2024	14-66(b)
Sec. 2	October 1, 2024	14-147
Sec. 3	from passage	New section
Sec. 4	October 1, 2024	13a-26(f)

Statement of Legislative Commissioners:

In Section 1, "another person" was changed to "any person" for clarity.

TRA *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 25 \$	FY 26 \$
Judicial Dept. (Probation)	GF - Potential Cost	See Below	See Below
State Resources	Various - Potential Revenue Gain	Minimal	Minimal

Note: GF=General Fund; Various=Various

Municipal Impact: None

Explanation

The bill, which makes various changes to misdemeanors and infractions and requires the Department of Motor Vehicles (DMV) to review internal policy, results in a potential cost to the Judicial Department and a potential revenue gain from fines.

Section 1 expands an existing class D misdemeanor¹ for wrecker requirements to forbid towing to occur while a person occupies the vehicle being towed. This results in a potential cost to the Judicial Department and a potential revenue gain from fines. On average, the marginal cost for supervision in the community is less than \$800² each year.

¹In FY 23, there were 19 charges for similar offenses, and \$1,188 was collected in fines.

²Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

Section 2 changes an existing infraction³ for using another person's motor vehicle registration or operator's license to a class D misdemeanor, which results in a potential cost to the Judicial Department and a potential revenue gain to both Special Transportation Fund and the General Fund from fines.

Section 3 requires the DMV to review existing policies and procedures on operating and inspecting school buses and to provide and post this guidance, as outlined in the bill. This section does not result in a fiscal impact to the state because it can be accomplished within DMV's current operations.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of violations.

³In FY 23, there were less than 13,000 charges for this infraction, and \$1,693 was collected from fines.

OLR Bill Analysis**sHB 5327*****AN ACT REVISING MOTOR VEHICLE STATUTES CONCERNING TOWING OCCUPIED VEHICLES, THE IMPROPER USE OF MOTOR VEHICLE REGISTRATION AND SCHOOL BUSES.*****SUMMARY**

This bill prohibits a licensed wrecker from knowingly allowing any person to occupy a vehicle while it is being towed (§ 1). Unrelatedly, it increases the penalties, from an infraction to a class D misdemeanor, for (1) using a registration or driver's license that was issued to someone else or (2) using a registration on a vehicle other than the one for which the registration was issued (§ 2). (Class D misdemeanors are punishable by a fine up to \$250, up to 30 days in prison, or both.)

The bill also requires the DMV commissioner, by September 1, 2024, to review, and amend or revise if needed, any regulation, internal procedure or policy, or other guidance provided to school bus owners and operators on operating and inspecting school buses (§ 3). Specifically, he must do so to ensure that they (1) promote adherence to the state's anti-idling law for school buses and the Department of Energy and Environmental Protection's (DEEP) air quality regulations related to idling and (2) do not explicitly or implicitly require a school bus to idle for more than three minutes during the performance of a daily vehicle inspection. (The anti-idling law generally prohibits school bus operators from idling their buses for more than three consecutive minutes and DEEP regulations similarly prohibit this for all vehicles; however, both provide for certain exceptions.)

The bill additionally requires the commissioner, by September 1, 2024, to (1) provide guidance to school bus owners and operators identifying which aspects of a daily vehicle inspection can be performed

with the engine off and (2) post the guidance on DMV's website.

Lastly, the bill makes a technical change (§ 4).

EFFECTIVE DATE: October 1, 2024, except the school bus idling provisions are effective upon passage.

COMMITTEE ACTION

Transportation Committee

Joint Favorable

Yea 35 Nay 0 (03/20/2024)