
OLR Bill Analysis

sHB 5327

AN ACT REVISING MOTOR VEHICLE STATUTES CONCERNING TOWING OCCUPIED VEHICLES AND THE OPERATION AND INSPECTION OF SCHOOL BUSES.

SUMMARY

This bill requires the Department of Motor Vehicles (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 (§ 2). Specifically, he must do so to ensure that these policies and procedures (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 its 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 allow certain exceptions.)

The bill additionally requires the commissioner, by September 1, 2024, to (1) provide guidance to school bus owners and operators on which aspects of a daily vehicle inspection can be performed with the engine off and (2) post the guidance on DMV's website.

Unrelatedly, the bill prohibits a licensed wrecker from knowingly allowing any person to occupy a vehicle while it is being towed (§ 1). As is the case under existing law for other provisions related to wreckers' towing and transporting of motor vehicles, a violation of this provision is (1) an infraction for a first offense (see BACKGROUND) and (2) a class D misdemeanor for subsequent offenses (punishable by a fine of up to

\$250, up to 30 days in prison, or both).

Lastly, the bill makes a technical change (§ 3).

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

BACKGROUND

Infractions

Infractions are punishable by fines, usually set by Superior Court judges, of between \$35 and \$90, plus a \$20 or \$35 surcharge and an additional fee based on the fine's amount. There may also be other applicable charges depending on the type of infraction. For example, certain motor vehicle infractions trigger a Special Transportation Fund surcharge of 50% of the fine. An infraction is not a crime and violators can generally pay the fine by mail without making a court appearance.

Legislative History

The House referred the bill (File 328) to the Judiciary Committee, which reported a substitute that eliminated a provision increasing 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 it was issued.

COMMITTEE ACTION

Transportation Committee

Joint Favorable

Yea 35 Nay 0 (03/20/2024)

Judiciary Committee

Joint Favorable Substitute

Yea 32 Nay 3 (04/22/2024)