

Agency Legislative Proposal - 2015 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc):
DMV01Technical.doc

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency:

Department of Motor Vehicles

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Lead agency division requesting this proposal:
Legal Services

Agency Analyst/Drafter of Proposal:
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Title of Proposal

An Act Revising Motor Vehicle Laws

Statutory Reference

Various- See specific summaries

Proposal Summary

1. **14-11b**- This amendment would allow persons who are eligible for training under the driver training program for persons with disabilities to operate a motor vehicle while their license is withdrawn while they are driving with an instructor from that program.
2. **14-15**- Eliminates an obsolete provision pertaining to the issuance of a registration “stamp” by the Commissioner to leasing companies.
3. **14-36a**- Makes technical and clarifying amendments to this section:
 - a. Subsection (b)- clarifies that the operator of a school bus is required to have both “P” and “S” endorsements;
 - b. Subsections (c) and (h)- During the 2014 session, the term “public passenger endorsement” was defined and added to the statutes pertaining to endorsements. This statute was not included in the conforming change at that time.
4. **14-44**- Makes technical conforming changes to this section. During the 2014 session, the term “public passenger endorsement” was defined and added to the statutes pertaining to endorsements. This statute was not included in the conforming change at that time.
5. **14-44c**- Adds a self-certification requirement for the type of transportation in which a commercial driver’s license (CDL) applicant will engage in compliance with federal law that takes effect in July 2015.
6. **14-44e**- Adds language for CDL and commercial driver’s instruction permit (CDIP) holders that is needed for compliance with federal law by July 2015. Requires that medical certificates from FMCSA-approved medical examiners be submitted upon application for a CDL or CDIP, and every twenty four months thereafter unless the medical examiner specifies a shorter period, and requires a downgrade for CDL and CDIP holders who fail to re-submit.



7. **14-44e(h)** - Makes a technical change by establishing subdivision numbers in this section, which was added in the 2014 session, effective October 1, 2014. This change will simplify the coding for any penalties imposed under this subsection.
8. **14-44g**-Adds language for a CDL holder who is renewing a CDL to provide the self-certification for the type of transportation in which s/he engages in accordance with federal law that takes effect in July 2015, and requires a downgrade for anyone who fails to make the certification.
9. **14-46b**- Expands DMV Medical Advisory Board to include licensed physician assistants and advanced practice registered nurses, and uses the term "medical professional," for which a definition has been added, when referring to this group. Reduces the number of meetings between MAB and DMV from two per year to one per year. Adds the specialty "occupational medicine" for representation on the Board.
10. **14-46c**-Authorizes the DMV Medical Advisory Board to accept a medical report completed by a "medical professional," (see section 6) and removes the requirement that the medical professional be licensed in this state.
11. **14-46e**- Adds a subsection that allows a person to drive with a licensed driving instructor or agent when such person's license has been withdrawn for medical reasons under certain conditions.
12. **14-47** - Eliminates registration of a tractor limited to pulling a heavy duty trailer. This streamlines the process for carriers and eliminates the need to have two plates on a single vehicle.
13. **14-50a**- Clarifies that hearing transcript fees in section 14-50a apply only for those transcripts produced at DMV.
14. **14-52**- Clarifies that the \$50 administrative fee applies when a dealer fails to file a new or replacement bond in a timely manner. This is an existing fee.
15. **14-58**- Clarifies that the \$50 administrative fee applies to a dealer who does not file replacement insurance in a timely manner. This is an existing fee.
16. **14-61**- Eliminates an obsolete provision pertaining to the issuance of a registration "stamp" by the Commissioner to dealers for temporary transfers.
17. **14-96p**- (See also section 13, 14-96q) Re-organizes sections 14-96p and 14-96q, related to the use of colored and flashing lights. As written, these statutes are difficult to understand. They have been extensively re-drafted, which is why they appear as [NEW]. The only substantive changes were 1) the elimination of purple lights (obsolete); 2) the elimination of green flashing lights for interstate public service vehicles (obsolete); 3) the elimination of a requirement that blue and green flashing light permits, which are issued by the chief executive officer of a volunteer fire or ambulance company, be filed with the commissioner; 4) the addition of yellow flashing lights for schools buses; and 5) the allowance of colors other than red for hazard lights used on STVs that are receiving or discharging students.
18. **14-96q**- (See also section 1, 14-96p) Re-organizes sections 14-96p and 14-96q, related to the use of colored and flashing lights. As written, these statutes are difficult to understand. They have been extensively re-drafted, which is why they appear as [NEW]. The only substantive changes were 1) the elimination of purple lights (obsolete); 2) the elimination of green flashing lights for interstate public



service vehicles (obsolete); 3) the elimination of a requirement that blue and green flashing light permits, which are issued by the chief executive officer of a volunteer fire or ambulance company, be filed with the commissioner; 4) the addition of yellow flashing lights for schools buses; and 5) the allowance of colors other than red for hazard lights used on STVs that are receiving or discharging students.

19. **14-112**- Removes an obsolete provision that authorizes an inspector or a law enforcement officer, at the commissioner's direction, to seize possession of a license or registration that has been suspended for failing to show proof of financial responsibility.
20. **14-178**- Eliminates the 15- day waiting period to issue a duplicate title to a transferee.
21. **14-289g**- Corrects an inconsistency in statute involving the use of protective headgear by passengers under age 18 when riding a motorcycle or motor-driven cycle.
22. **14-293b**- Eliminates the need for the commissioner to adopt regulations relating to vehicles operating near equestrians by adding substantive content from regulations into statute, and modernizing language.
23. **14-154a**-Repeals a statute the subject matter of which was preempted by federal law (Graves Amendment- 49 U.S.C. §30106) as determined by the Connecticut Supreme Court in the case of Rodriguez v. Testa, 296 Conn. 1 (2010).
24. **14-211a**- Repeals an obsolete statute relating to the motor vehicle theft task force. This was a finding and recommendation by state auditors.

Please attach a copy of fully drafted bill (required for review)

PROPOSAL BACKGROUND

- **Reason for Proposal**

Please consider the following, if applicable:

- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary?*
Sections 5, 6 and 8 are required due to changes in federal law pertaining to commercial drivers. States must incorporate these into state law.
Section 23-preemption of state law under 49 U.S.C. 10106.
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?* N/A
- (3) *Have certain constituencies called for this action?* N/A
- (4) *What would happen if this was not enacted in law this session?*
Sections 5, 6 and 8- CT would be out of compliance with Federal Motor Carrier Safety Regulations and would be subject to loss of highway funds.

- **Origin of Proposal** **New Proposal** **Resubmission**



If this is a resubmission, please share: N/A

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: Department of Rehabilitation Services -**Section 1**
 Agency Contact (name, title, phone): Antony Casagrande, Staff Attorney- (860) 616-7328
 Andrew Norton, Legislative Liaison-(860) 602-4078
 Date Contacted: September 11, 2014

Approve of Proposal YES NO Talks Ongoing (drafting only)

Summary of Affected Agency's Comment

Affected agency approves, but may want to discuss the actual language

Will there need to be further negotiation? YES NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation)

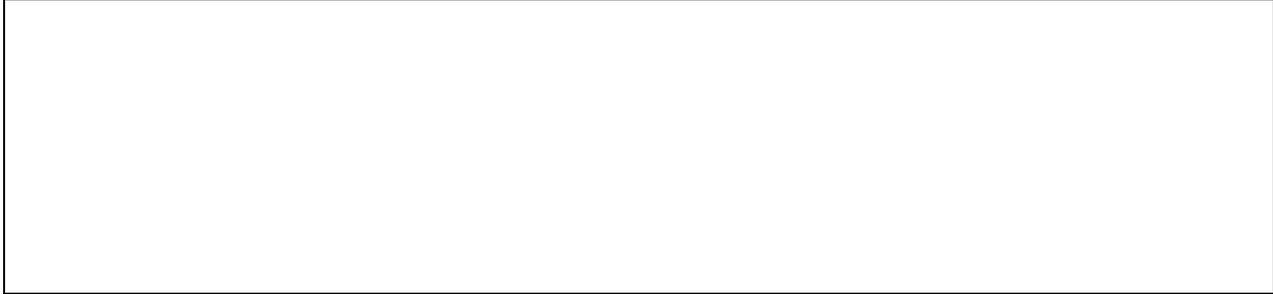
State

Sec. 12- There are approximately 223 commercial trailers that are registered as both a heavy duty trailer and a semitrailer drawn by a tractor. They display two plates. The plate that would be eliminated for these vehicles is the latter, which is \$40.00 per year (§14-48b). Therefore, there is an approximate revenue loss of \$9,000. per year based upon the current fee of \$40.00

Federal

Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)



Insert fully drafted bill here

Sec. 1. Subsection (a) of section 14-11b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) There shall be within the Department of Rehabilitation Services a unit for the purpose of evaluating and training persons with disabilities in the operation of motor vehicles. There shall be assigned to the driver training unit for persons with disabilities such staff as is necessary for the orderly administration of the driver training program for persons with disabilities. The Commissioner of Motor Vehicles may authorize a person whose license has been withdrawn as a result of a condition that would make such person eligible for evaluation and training under this section to operate a motor vehicle while accompanied by personnel assigned to the driver training unit for persons with disabilities. The personnel assigned to the driver training unit for persons with disabilities shall, while engaged in the evaluation or instruction of a person with disabilities, have the authority and immunities with respect to such activities as are granted under the general statutes to motor vehicle inspectors. When a person with disabilities has successfully completed the driver training program for persons with disabilities, the [department] Department of Rehabilitation Services shall certify such completion in writing to the Commissioner of Motor Vehicles and shall recommend any license restrictions or limitations to be placed on the license of such person. The Commissioner of Motor Vehicles may accept such certification in lieu of the driving skills portion of the examination prescribed under subsection (e) of section 14-36. If such person with disabilities has met all other requirements for obtaining a license, the Commissioner of Motor Vehicles shall issue a license with such restrictions recommended by the [department] Department of Rehabilitation Services.

Sec. 2. Subsection (b) of section 14-15 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):



(b) Each person, firm or corporation licensed under the provisions of subsection (a) of this section that in the opinion of the commissioner is qualified and holds a current registration certificate for a motor vehicle used in connection with its business may issue a sixty-day temporary transfer of such registration to any other vehicle used in connection with its business [with an official stamp issued by the commissioner to such licensee]. The licensee, within five days from the issuance of such temporary registration, shall submit to the commissioner an application together with all necessary documents for a permanent registration for the vehicle transferred. The commissioner shall adopt regulations in accordance with the provisions of chapter 54 to implement the provisions of this subsection.

Sec. 3. Section 14-36a of the general statutes is repealed, and the following is substituted in lieu thereof (*Effective upon passage*):

(a) A commercial driver's license issued in accordance with section 14-44c shall be designated as class A, B or C, in accordance with the provisions of subsection (b) of section 14-44d. All other operators' licenses shall be designated as class D. A license of any class that also authorizes the operation of a motorcycle shall contain the designation "M".

(b) [A commercial driver's license which contains the endorsement "S" evidences that the holder meets the requirements of section 14-44 to operate a school bus or any vehicle described in subsection (c) of this section.] A commercial driver's license may contain any of the following [additional] endorsements:

"P" - authorizes the operation of commercial motor vehicles designed to carry passengers;

"S" - in combination with "P," authorizes the operation of a school bus or any vehicle described in subsection (c);

"H" - authorizes the operation of vehicles transporting hazardous materials;

"N" - authorizes the operation of tank vehicles;

"X" - authorizes both hazardous materials and tank vehicles; and

"T" - authorizes the operation of vehicles with up to three trailing, nonpower units.



The commissioner may establish one or more restrictions on commercial driver's licenses of any class, in regulations adopted in accordance with the provisions of chapter 54. Subject to the provisions of subsection (b) of section 14-44d, a commercial driver's license of any class authorizes the holder of such license to operate any motor vehicle that may be operated by the holder of a class D operator's license.

(c) A commercial driver's license or a class D license that contains any of the following public passenger endorsements, as defined in section 14-1, evidences that the holder meets the requirements of section 14-44:

“V” - authorizes the transportation of passengers in a student transportation vehicle, as defined in section 14-212, or any vehicle that requires an “A” or “F” endorsement;

“A” - authorizes the transportation of passengers in an activity vehicle, as defined in section 14-1, or any vehicle that requires an “F” endorsement; and

“F” - authorizes the transportation of passengers in a taxicab, motor vehicle in livery service, service bus or motor bus.

The commissioner may establish one or more endorsements or restrictions on class D licenses, in accordance with regulations adopted [in accordance with] under the provisions of chapter 54.

(d) A license that contains the designation “Q” indicates eligibility to operate fire apparatus. A “Q” endorsement shall signify that the holder has been trained to operate fire apparatus in accordance with standards established by the Commission on Fire Prevention and Control. No such endorsement shall be issued to any person until he or she demonstrates personally to the commissioner, or the commissioner's designee, including the Connecticut Fire Academy, any regional fire school or the chief local fire official of any municipality as defined in section 7-323j, by means of testing in a representative vehicle that such person possesses the skills necessary for operation of fire apparatus.

(e) No person shall operate a motor vehicle in violation of the classification of the license issued to such person.

(f) No employer shall knowingly require or permit an employee who is acting within the scope of such employee's employment to operate a motor vehicle in violation of the classification of such employee's license.



(g) (1) Any person who violates any provision of subsection (e) of this section shall, for a first offense, be deemed to have committed an infraction and be fined fifty dollars and, for a subsequent offense, be guilty of a class D misdemeanor.

(2) Any employer who violates subsection (f) of this section shall be subject to a civil penalty of not more than one thousand dollars for a first violation and not more than two thousand five hundred dollars for a second or subsequent violation.

(h) The revocation, suspension or withdrawal of, or refusal to issue or renew an "S" endorsement, or any endorsement described in subsection (c) of this section, shall prohibit the licensee from operating any public [service] passenger vehicle for which a public passenger endorsement is required under this section. During the period of such revocation, suspension or withdrawal of, or after a refusal to issue or renew an "S" endorsement, or any endorsement described in subsection (c) of this section, the commissioner shall not issue any other public passenger endorsement to such licensee.

Sec. 4 . Section 14-44 of the general statutes as amended by section 9 of public act 14-130 is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a)(1) No person shall operate a commercial motor vehicle used for passenger transportation on any public highway of this state until such person has obtained a commercial driver's license with a public passenger endorsement, as defined in section 14-1, from the Commissioner of Motor Vehicles, except a nonresident who holds such license with such endorsement issued by another state. (2) No person shall operate a school bus until such person has obtained a commercial driver's license with a school bus endorsement, except that a person who holds such a license without such endorsements may operate a school bus without passengers for the purpose of road testing or moving the vehicle. (3) No person shall operate a student transportation vehicle, as defined in section 14-212, taxicab, motor vehicle in livery service, motor bus or service bus until such person has obtained an operator's license of the proper classification bearing an appropriate public passenger endorsement from the Commissioner of Motor Vehicles, issued in accordance with the provisions of this section and section 14-36a, except that a person who holds an operator's license without such endorsement may operate any such vehicle without passengers for the purpose of road testing or moving the vehicle.

(b) No operator's license bearing [an] a public passenger endorsement shall be issued or renewed in accordance with the provisions of this section or section 14-36a, until the Commissioner of Motor Vehicles, or the commissioner's authorized representative, is



satisfied that the applicant is a proper person to receive such an operator's license bearing an endorsement, holds a valid motor vehicle operator's license, or, if necessary for the class of vehicle operated, a commercial driver's license and is at least eighteen years of age. Each applicant for an operator's license bearing [an] a public passenger endorsement or the renewal of such a license shall furnish the Commissioner of Motor Vehicles, or the commissioner's authorized representative, with satisfactory evidence, under oath, to prove that such person has no criminal record and has not been convicted of a violation of subsection (a) of section 14-227a within five years of the date of application and that no reason exists for a refusal to grant or renew such an operator's license bearing [an] a public passenger endorsement. Each applicant for such an operator's license bearing [an] a public passenger endorsement shall submit with the application proof satisfactory to the Commissioner of Motor Vehicles that such applicant has passed a physical examination administered not more than ninety days prior to the date of application, and which is in compliance with safety regulations established from time to time by the United States Department of Transportation. Each applicant for renewal of such license shall present evidence that such applicant is in compliance with the medical qualifications established in 49 CFR 391, as amended. Each applicant for such an operator's license bearing [an] a public passenger endorsement shall be fingerprinted before the license bearing [an] a public passenger endorsement is issued.

(c) The Commissioner of Motor Vehicles may issue, withhold, renew, suspend, cancel or revoke any public passenger endorsement required to operate a motor vehicle that transports passengers, as provided in subsection (c) of section 14-36a. The Commissioner of Motor Vehicles may, in making his or her decision, consider the age, accident and criminal record, moral character and physical condition of any such applicant or public passenger endorsement holder and such other matters as the commissioner may determine. The Commissioner of Motor Vehicles may require any such applicant or public passenger endorsement holder to furnish the statements of two or more reputable citizens, which may be required to be under oath, vouching for the good character or other qualifications of the applicant or endorsement holder.

(d) Upon the arrest of any person who holds an operator's license bearing a public passenger endorsement, [as defined in section 14-1, as amended by this act,] and who is charged with a felony or violation of section 53a-73a, the arresting officer or department, within forty-eight hours, shall cause a report of such arrest to be made to the Commissioner of Motor Vehicles. The report shall be made on a form approved by said commissioner containing such information as the commissioner prescribes. The Commissioner of Motor Vehicles may adopt regulations, in accordance with chapter 54, to implement the provisions of this subsection.



(e) Prior to issuing an operator's license bearing a school endorsement or bearing the appropriate type of public passenger endorsement for operation of a student transportation vehicle pursuant to subdivision (4) of subsection (a) of this section, the Commissioner of Motor Vehicles shall require each applicant to submit to state and national criminal history records checks, conducted in accordance with section 29-17a, and a check of the state child abuse and neglect registry established pursuant to section 17a-101k. The Commissioner of Emergency Services and Public Protection shall complete such state and national criminal history records checks required pursuant to this section within sixty days of receiving such a request for a check of such records. If notice of a state or national criminal history record is received, the Commissioner of Motor Vehicles may, subject to the provisions of section 46a-80, refuse to issue an operator's license bearing such public passenger endorsement and, in such case, shall immediately notify the applicant, in writing, of such refusal. If notification that the applicant is listed as a perpetrator of abuse on the state child abuse and neglect registry established pursuant to section 17a-101k is received, the Commissioner of Motor Vehicles may refuse to issue an operator's license bearing such [an] a public passenger endorsement and, in such case, shall immediately notify the applicant, in writing, of such refusal. The Commissioner of Motor Vehicles shall not issue a temporary operator's license bearing a school endorsement or bearing the appropriate type of public passenger endorsement for operation of a student transportation vehicle.

(f) Notwithstanding any other provision of this section, the commissioner shall not issue an operator's license bearing [an] a public passenger endorsement to transport passengers who are students, and shall suspend any such public passenger endorsement that has been issued, to any person who has been convicted of a serious criminal offense, as determined by the Commissioner of Motor Vehicles, or convicted of any provision of federal law or the law of any other state, the violation of which involves conduct that is substantially similar to a violation determined by the Commissioner of Motor Vehicles to be a serious criminal offense, if any part of the sentence of such conviction has not been completed, or has been completed during the preceding five years. The Commissioner of Motor Vehicles shall adopt regulations, in accordance with chapter 54, to implement the provisions of this subsection.

(g) Any applicant who is refused an operator's license bearing [an] a public passenger endorsement or the renewal of such a license, or whose operator's license bearing [an] a public passenger endorsement or the renewal of such a license is withdrawn or revoked on account of a criminal record, shall be entitled to a hearing if requested in writing within twenty days. The hearing shall be conducted in accordance with the requirements of chapter 54 and the applicant may appeal from the final decision rendered therein in accordance with section 4-183.



(h) Notwithstanding the provisions of section 14-10, the commissioner shall furnish to any board of education or to any public or private organization that is actively engaged in providing public transportation, including the transportation of school children, a report containing the names and motor vehicle operator license numbers of each person who has been issued an operator's license with one or more public passenger endorsements, authorizing such person to transport passengers in accordance with the provisions of section 14-36a, but whose license or any such public passenger endorsement has been withdrawn, suspended or revoked by the Commissioner of Motor Vehicles in accordance with the provisions of this section, or any other provision of this title. The report shall be issued and updated periodically in accordance with a schedule to be established by the Commissioner of Motor Vehicles. Such report may be transmitted or otherwise made available to authorized recipients by electronic means.

(i) Violation of any provision of this section shall be an infraction.

Sec. 5. Section 14-44c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) The application for a commercial driver's license or commercial driver's instruction permit, shall include the following:

- (1) The full name and current mailing and residence address of the person;
- (2) A physical description of the person, including sex, height and eye color;
- (3) Date of birth;
- (4) The applicant's Social Security number;
- (5) The person's statement, under oath, that he meets the requirements for qualification contained in 49 CFR 391, as amended, or does not expect to operate in interstate or foreign commerce;
- (6) The person's statement, under oath, that the type of vehicle in which the person has taken or intends to take the driving skills test is representative of the type of motor vehicle the person operates or intends to operate;
- (7) The person's statement, under oath, that he is not subject to disqualification, suspension, revocation or cancellation of operating privileges in any state, and that he does not hold an operator's license in any other state;



(8) The person's identification of all states in which such person has been licensed to drive any type of motor vehicle during the last ten years, and the person's statement, under oath that he does not hold an operator's license in any other state; and

(9) The person's signature, and certification of the accuracy and completeness of the application, subject to the penalties of false statement under section 53a-157b. The application shall be accompanied by the fee prescribed in section 14-44h.

(b) No person who has been a resident of this state for thirty days may drive a commercial motor vehicle under the authority of a commercial driver's license issued by another jurisdiction.

(c) At the time of application for a commercial driver's license, the applicant shall make the applicable certification, as required by 49 CFR 383.71(b), regarding the type of commerce in which such person shall engage. No commercial driver's license shall be issued to a person who fails to make such certification.

[(c)] (d) In addition to other penalties provided by law, any person who knowingly falsifies information or certifications required under subsection (a) of this section shall have his operator's license or privilege to operate a motor vehicle in this state suspended for sixty days.

Sec. 6. Subsection (b) of section 14-44e is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(b) The commissioner shall not issue a commercial driver's license or a commercial driver's instruction permit to any person who [has a physical or psychobehavioral impairment that affects such person's ability to operate a commercial motor vehicle safely] is not physically qualified and medically certified in accordance with the standards in 49 CFR 391.41. [In determining whether to issue a commercial driver's license in any individual case, the commissioner shall apply the standards set forth in 49 CFR 391.41, as amended.] As required by 49 CFR 383.71(h), each applicant for a commercial driver's license or commercial driver's instruction permit shall provide to the Commissioner a copy of a medical examiner's certificate prepared by a medical examiner, as defined in 49 CFR 390.5, indicating that such person is medically certified to operate a commercial motor vehicle. For each applicant who has submitted such medical certification and who has also certified in accordance with 49 CFR 383.71(b) and subsection (c) of section 14-44c that such applicant operates in non-excepted



interstate commerce, the commissioner shall post a medical certification status of "certified" on the Commercial Driver's License Information System driver record for such driver. The holder of a commercial driver's license who has not been examined and certified as qualified to operate a commercial motor vehicle during the preceding twenty-four months, or a shorter period as indicated by the medical examiner submitting such certificate, shall be required to submit a new medical certificate. The Commissioner shall not issue a commercial driver's license or commercial driver's instruction permit to any applicant who fails to submit the medical certification required by this section. If the holder of a commercial driver's license or commercial driver's instruction permit fails to submit a new medical examiner's certificate before the expiration of twenty-four months or the period specified by the medical examiner, whichever is shorter, the commissioner shall, within sixty days of the time that such person's medical status becomes uncertified: 1) downgrade the commercial driver's license to a Class D license; or 2) cancel the commercial driver's instruction permit. Any person who is denied a commercial driver's license or a commercial driver's instruction permit, or whose license or permit is disqualified, suspended, revoked or cancelled pursuant to this subsection shall be granted an opportunity for a hearing in accordance with the provisions of chapter 54.

Sec. 7. Subsection (h) of section 14-44e of the general statutes as amended section 11 of by public act 14-130 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(h) (1) The commissioner shall deny or disqualify for a period of sixty days a commercial driver's instruction permit or commercial driver's license if it is determined that an applicant or holder has provided false information on any certification the applicant or holder is required to give relative to such permit or license application. (2) If an applicant or holder is suspected of fraud related to the issuance of a commercial driver's instruction permit or commercial driver's license, such applicant or holder shall be required to schedule the commercial driver's license knowledge test and driving skills test not later than thirty days after notification by the commissioner of the suspected fraud. Failure to schedule both such tests or failure to pass both such tests shall result in disqualification of such permit or license and the applicant or holder shall be required to reapply for the permit or license. (3) Any applicant or holder convicted of fraud related to the issuance of a commercial driver's instruction permit or commercial driver's license shall have such applicant's or holder's permit or license disqualified for one year from the date of conviction and shall be required to retake such tests.

Sec. 8. Subsection (d) of section 14-44g is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):



(d) Each person applying for the renewal of a commercial driver's license shall complete a renewal application form providing an update and, if necessary, corrections to the information required on the original application, pursuant to section 14-44c. If an applicant for renewal wishes to retain a hazardous materials endorsement, he must pass the written test for such endorsement, and must meet the requirements of subsection (d) of section 14-44e. Upon renewal of a commercial driver's license, and at such other times as required in 49 CFR 383.71, the holder of a commercial driver's license shall make the applicable certification, as required by 49 CFR 383.71(b), regarding the type of commerce in which such person is engaged. The commissioner shall refuse to renew the commercial driver's license of any person who fails to make such certification, and shall downgrade the commercial driver's license to a class D operator's license within sixty days from such person's failure to certify.

Sec. 9. Section 14-46b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) There is established within the department a Motor Vehicle Operator's License Medical Advisory Board which shall advise the commissioner on the medical aspects and concerns of licensing operators of motor vehicles. The board shall consist of not less than eight members or more than fifteen members appointed by the commissioner from a list of nominees submitted by the Connecticut State Medical Society, [and] the Connecticut Association of Optometrists and such other professional medical associations or organizations that have, as members, physician assistants or advance practice registered nurses. The Connecticut State Medical Society and such other organizations shall submit nominees representing the specialties of (1) general medicine or surgery, (2) internal medicine, (3) cardiovascular medicine, (4) neurology or neurological surgery, (5) ophthalmology, (6) orthopedics, [and] (7) psychiatry, and (8) occupational medicine. The Connecticut Association of Optometrists shall submit nominees representing the specialty of optometry.

(b) Initially, three members shall be appointed for a two-year term, three members for a three-year term and the remainder of the members for a four-year term. Appointments thereafter shall be for four-year terms. Any vacancy shall be filled by the commissioner for the unexpired portion of a term. The commissioner shall designate the chairman of the board.

(c) Board members shall serve without compensation but shall be reimbursed for necessary expenses or services incurred in performing their duties, including the giving



of testimony at any administrative hearing when requested by the commissioner. [Physicians] Medical professionals who are not members of the board and conduct examinations at the request of the board shall be compensated for these examinations. (d) The board shall meet at the call of the commissioner at least [twice a year] annually. Special meetings may be held to fulfill the responsibilities specified in section 14-46c.

(e) Any meeting of the board in which the medical condition of any individual is discussed for purposes of making a recommendation on his fitness to operate a motor vehicle shall be held in executive session.

(f) As used in this section and section 14-46c, "medical professional" means a licensed physician, physician assistant, advanced practice registered nurse or optometrist.

Sec. 10. Section 14-46c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

The board shall have the following responsibilities: (1) To advise the commissioner on health standards relating to the safe operation of motor vehicles; (2) to recommend to the commissioner procedures and guidelines for licensing individuals with impaired health; (3) to assist in developing medically acceptable standardized report forms; (4) to recommend a training course for motor vehicle examiners on the medical aspects of operator licensure; (5) to undertake any programs and activities the commissioner may request relating to the medical aspects of motor vehicle operator licensure; and (6) to make recommendations and offer advice on individual health problem cases referred by the commissioner not later than sixty days from the date of such reference and to establish guidelines for dealing with such individual cases. In making such recommendations, the board may rely on medical or optometric records and reports, personally interview such individual or require a physical examination of such individual and a written medical report by a [physician] medical professional, as defined in section 14-46b, or a report by an optometrist designated by the board who shall not be a member of the board. Such individual may obtain a medical report by a [physician] medical professional or a report by an optometrist of his choice, licensed to practice, [in this state,] which shall be given due consideration by the board in making any such recommendations.

Sec. 11. Section 14-46e of the general statutes is repealed, and the following is substituted in lieu thereof (*Effective July 1, 2015*):



(a) The commissioner shall give due consideration to any recommendations of the board and to any reports, records or opinions submitted pursuant to sections 14-46a to 14-46g, inclusive, but such recommendations, reports, records or opinions shall be merely advisory and not binding on the commissioner.

(b) The commissioner may authorize a person whose license is withdrawn under sections 14-46a to 14-46g to operate a motor vehicle on a limited basis provided the following conditions are met: (1) the commissioner, after a hearing held in accordance with chapter 54, determines that such person does not have a health problem that affects such person's ability to safely operate a motor vehicle and has ordered that such person submit to and pass a road skills test as a condition of license reinstatement; and (2) such operation occurs only while the person is under the instruction of and accompanied by a driving instructor licensed under section 14-73, or is in a vehicle with a motor vehicle testing agent who is administering a road skills test.

[(b)] (c) Any person who is the subject of any inquiry under sections 14-46a to 14-46g, inclusive, who refuses to submit to a physical examination or provide other information requested by the commissioner or board shall be considered unfit to operate a motor vehicle until he complies with such request.

Sec. 12. Subsection (a) of section 14-47 of the general statutes is amended, and the following is substituted in lieu thereof (*Effective upon passage*):

(a) The commissioner shall determine the gross weight of each motor vehicle which is eligible for commercial registration, including each tractor equipped with rubber tires and, for the purpose of computing fees, gross weight shall be the weight of the vehicle in pounds plus the rated load capacity in pounds as determined by the commissioner[, provided, in the case of a tractor restricted for use with a trailer, registered as a heavy duty trailer, the fee shall be based on the gross weight of the tractor which shall be the light weight of such tractor; and said]. The commissioner shall collect fees for registration based on such gross weight, as follows: When all surfaces in contact with the ground are equipped with pneumatic tires, the fee for such motor vehicle or tractor of gross weight not exceeding twenty thousand pounds shall be eleven dollars and sixty cents, for each one thousand pounds or fraction thereof; from twenty thousand one pounds up to and including thirty thousand pounds, fourteen dollars and twenty cents, for each one thousand pounds or fraction thereof; from thirty thousand one pounds up to and including seventy-three thousand pounds, seventeen dollars and seventy cents, for each one thousand pounds or fraction thereof; and seventy-three thousand one



pounds or more, nineteen dollars and twenty cents, for each one thousand pounds or fraction thereof. In addition to any other fee required under this subsection, a fee of ten dollars shall be collected for the registration of each motor vehicle subject to this subsection.

Sec. 13. Subdivision (9) of subsection (a) of section 14-50a of the general statutes is repealed, and the following is substituted in lieu thereof (*Effective upon passage*):

(9) Certified transcripts of hearing held and transcribed by the commissioner, three dollars and fifty cents per page with a minimum charge of twenty dollars.

Sec. 14. Subdivision (5) of subsection (b) of section 14-52 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(5) The commissioner shall assess [a] an administrative fee of fifty dollars against any licensee for failing to [continuously maintain the bond requirements of this subsection or] provide proof of bond renewal or replacement on or before the date of the expiration of the existing bond. Such fee shall be in addition to the license suspension or revocation penalties and the civil penalties to which the licensee is subject pursuant to section 14-64.

Sec. 15. Subsection (c) of section 14-58 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(c) Registration certificates issued under the provisions of this section shall not be required to be carried upon such motor vehicles when upon the public highways as required under subsection (a) of section 14-13, except that the licensee shall issue to each person driving such motor vehicle a document indicating that such person is validly entrusted with such vehicle which document shall be carried in the motor vehicle. The commissioner shall determine the form and contents of this document. Legible photostatic copies of such registration certificates may be carried in such vehicles as proof of ownership. The licensee shall furnish financial responsibility satisfactory to the commissioner as defined in section 14-112, provided such financial responsibility shall not be required from a licensee when the commissioner finds that the licensee is of sufficient financial responsibility to meet such legal liability. The commissioner may issue such license upon presentation of evidence of such financial responsibility satisfactory to the commissioner. The commissioner shall assess [a] an administrative fee of fifty dollars against any licensee for [failing to continuously maintain the financial responsibility requirements of this subsection or] failing to provide proof of policy renewal or replacement on or before the expiration date of the existing policy. Such fee



shall be in addition to the license suspension or revocation penalties and the civil penalties to which the licensee is subject pursuant to section 14-64.

Sec. 16. Subsection (a) of section 14-61 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*).

(a) Any dealer licensed under the provisions of this subpart who in the opinion of the commissioner is qualified and sells or trades a passenger motor vehicle, motorcycle, camper, camp trailer, commercial trailer, service bus, school bus or truck to a transferee who holds a current registration certificate for a passenger motor vehicle, motorcycle, camper, camp trailer, commercial trailer, service bus, school bus or truck registered in this state may issue a sixty-day temporary transfer of such registration to the vehicle transferred [with an official stamp issued by the commissioner, under regulations adopted by the commissioner, to such dealer]. The commissioner shall charge such dealer a fee of ten dollars for each new temporary dealer transfer form furnished for the purposes of this section. No dealer may make such temporary transfer of a registration unless the transferee surrenders the current registration certificate to the dealer indicating the disposition of the vehicle described thereon in the space provided on the reverse side of such certificate and unless the transferee is eighteen years of age or older. The dealer shall, within five days from the issuance of such temporary registration, submit to the commissioner an application together with all necessary documents for a permanent registration for the vehicle transferred. No such temporary registration may be issued if (1) the transferred passenger motor vehicle, motorcycle, camper, camp trailer, commercial trailer, service bus, school bus or truck is used and was not previously registered in this state, unless the inspection requirements of section 14-12 have been met, (2) such motor vehicle is ten or more years old, unless the inspection requirements of section 14-16a have been met, or (3) such motor vehicle has been declared a total loss by an insurance company, unless the inspection requirements of section 14-103a have been met.

Sec. 17. Section 14-96p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

[NEW] (a) Except as indicated in section 14-96q, no person shall display upon any motor vehicle or equipment: (1) any light visible from the front thereof other than white, yellow or amber; (2) any light visible from the rear thereof other than red, yellow, amber or white; or (3) any red light visible from directly in front of the center thereof. Notwithstanding this subsection, a taxicab shall display the dome light or lights required by regulations that have been adopted by the Commissioner of Transportation under the authority of section 13b-96.



(b) Except as indicated in section 14-96q, flashing lights are prohibited on motor vehicles, except: (1) red and yellow lights when used for the purpose of receiving or discharging students on school buses; (2) white lights that are located on the top rear of school buses; (3) when such lights are used as a means for indicating a right or left turn; (4) when such lights are used in any manner to indicate (A) a disabled vehicle that is stopped in a hazardous location on the highway, or in close proximity thereto, (B) a motor vehicle that is unable to maintain the minimum speed of forty miles per on a limited access divided highway because of the grade of such highway, (C) a motor vehicle that is operating at such slow speed as to obstruct or endanger following traffic on any highway, or (D) a student transportation vehicle, as defined in section 14-212, accommodating fifteen or fewer students with disabilities that is receiving or discharging such students. For the purpose of this subsection, the term "students with disabilities" means students who have intellectual disability, autism spectrum disorder, mental disability, visual impairment, blindness, hearing impairment, deafness, speech impairment, orthopedic impairment, or another health-impairment, who by reason thereof, require special education and related services;

(c) Any lighted lamp or illuminating device upon a motor vehicle, other than head lamps, spot lamps or auxiliary driving lamps, which projects a beam of light of an intensity greater than three hundred candle power shall be so directed that no part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet from the vehicle.

(d) Use of lights except as authorized by this section shall be an infraction.

Sec. 18. Section 14-96q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

[NEW] (a) A permit is required for the use of colored or flashing lights on all motor vehicles or equipment specified in this section except: (1) motor vehicles not registered in this state used for transporting or escorting any vehicle or load, or combinations thereof, which is either oversize or overweight, or both, when operating under a permit issued by the Commissioner of Transportation pursuant to section 14-270; (2) motor vehicles or equipment that are (A) equipped with lights in accordance with this section, (B) owned or leased by the federal government, the state of Connecticut, or any other state, Commonwealth or local municipality, and (C) registered to such governmental entity. When used in this section the term flashing shall be considered to include the term revolving.



(b) The commissioner, or such other person specifically identified in this section, is authorized to issue permits for the use of colored or flashing lights on vehicles in accordance with this section, at such commissioner's or person's discretion. Any person, firm or corporation other than the state or any metropolitan district, town, city or borough shall pay an annual permit fee of twenty dollars to the commissioner for each such vehicle.

(c) A blue light or lights, including flashing blue lights, may be used on a motor vehicle operated by an active member of a volunteer fire department or company or an active member of an organized civil preparedness auxiliary fire company who has been issued a permit by the chief executive officer of such department or company to use such a light while on the way to or at the scene of a fire or other emergency requiring such member's services. Such permit shall be on a form provided by the commissioner and may be revoked by such chief executive officer or successor. The chief executive officer of each volunteer fire department or company or organized civil preparedness auxiliary fire company shall keep on file the forms provided by the Commissioner, the names and addresses of members who have been authorized to use a flashing blue light as provided in this subsection. Such listing shall also designate the registration number of the motor vehicle on which the authorized flashing blue light is to be used.

(d) A green light or lights, including flashing green lights, may be used on a motor vehicle operated by an active member of a volunteer ambulance association or company who has been issued a permit by the chief executive officer of such association or company to use such a light, while on the way to or at the scene of an emergency requiring such member's services. Such permit shall be on a form provided by the commissioner and may be revoked by such chief executive officer or successor. The chief executive officer of each volunteer ambulance association or company shall keep on file on forms provided by the commissioner, the names and addresses of members whom have been authorized to use a flashing green light as provided in this subsection. Such listing shall also designate the registration number of the vehicle on which the authorized flashing green light is to be used.

(e) The commissioner may issue a permit for a red light or lights, including flashing red lights, which may be used on a motor vehicle or equipment (1) used by paid fire chiefs and their deputies and assistants, up to a total of five individuals per department, (2) used by volunteer fire chiefs and their deputies and assistants, up to a total of five individuals per department, (3) used by members of the fire police on a stationary vehicle as a warning signal during traffic directing operations at the scene of a fire or emergency, (4) used by chief executive officers of emergency medical service organizations, as defined in section 19a-175, the first or second deputies, or if there are



no deputies, the first or second assistants, of such an organization that is a municipal or volunteer or licensed organization, (5) used by local fire marshals, or (6) used by directors of emergency management.

(f) The commissioner may issue a permit for a yellow or amber light or lights, including flashing yellow or amber lights, which may be used on motor vehicles or equipment that are (1) specified in subsection (e) of this section, (2) maintenance vehicles as defined in section 14-1 or (3) vehicles transporting or escorting any vehicle or load or combinations thereof which is or are either oversize or overweight, or both, and being operated or traveling under a permit issued by the Commissioner of Transportation pursuant to section 14-270. A yellow or amber light or lights, including flashing yellow or amber lights, may be used without obtaining a permit from the commissioner (1) on wreckers registered pursuant to section 14-66, or (2) on vehicles of carriers in rural mail-delivery service.

(g) The commissioner may issue a permit for a white light or lights, including flashing white lights, which may be used on a motor vehicle or equipment as specified in subdivisions (1), (2), (4), (5) or (6) of subsection (e) of this section. A vehicle being operated by a member of a volunteer fire department or company or a volunteer emergency medical technician may use flashing white head lamps, provided such member or emergency medical technician is on the way to the scene of a fire or medical emergency and has received written authorization from the chief law enforcement officer of the municipality to use such head lamps. Such head lamps shall only be used within the municipality granting such authorization or from a personal residence or place of employment, if located in an adjoining municipality. Such authorization may be revoked for use of such head lamps in violation of this subdivision. For the purpose of this subsection, the term "flashing white lights" shall not include the simultaneous flashing of head lamps.

(h) The commissioner may issue a permit for emergency vehicles, as defined in subsection (a) of section 14-283, which may use a blue, red, yellow, or white light or lights, including flashing lights or any combination thereof.

(i) The commissioner may issue a permit for ambulances, as defined in section 19a-175, which may, in addition to those flashing lights allowed in subsection (h) of this section, use flashing lights of other colors specified by federal requirements for the manufacture of an ambulance. If the commissioner issues a permit for any ambulance, such permit shall be issued at the time of registration and upon each renewal of such registration.



(j) Use of colored and flashing lights except as authorized by this section shall be an infraction.

Sec. 19. Subsection (f) of section 14-112 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(f) Any operator or any registrant whose [operator's license or] certificate of registration has been suspended as herein provided or whose policy of liability insurance or surety bond has been cancelled or who fails to furnish additional evidence of financial responsibility upon request of the commissioner, shall immediately return to the commissioner [his operator's license or] such operator's certificate of registration and the number plate or plates issued thereunder. [If any person fails to return to the commissioner the operator's license or certificate of registration and the number plate or plates issued thereunder as provided herein, the commissioner shall forthwith direct any motor vehicle inspector, state policeman or other police officer to secure possession thereof and to return the same to the office of the commissioner.] Failure to return such [operator's license or such] certificate and such number plate or plates shall be an infraction.

Sec. 20. Section 14-178 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) If a certificate of title is lost, stolen, mutilated or destroyed or becomes illegible, the first lienholder or, if none, the owner or legal representative of the owner named in the certificate, as shown by the records of the commissioner, shall promptly make application for and may obtain a replacement upon furnishing information, including personal identification acceptable and satisfactory to the commissioner. The replacement certificate of title shall contain the legend "This is a replacement [certificate] title and may be subject to the rights of a person under the original certificate." Except as provided in subsection (b) of section 14-175, the commissioner shall present or mail the replacement certificate to the first lienholder named in the replacement certificate or, if none, to the owner.

[(b) The commissioner shall not issue a new certificate of title to a transferee upon application made on a replacement until fifteen days after receipt of the application.]

[(c)] (b) A person recovering an original certificate of title for which a replacement has been issued shall promptly surrender the original certificate to the commissioner.



Sec. 21. Section 14-289g of the general statutes as amended by section 41 of public act 14-187 is repealed, and the following is substituted in lieu thereof (*Effective upon passage*):

No person under eighteen years of age may (1) operate a motorcycle or a motor-driven cycle, as defined in section 14-1, or (2) be a passenger on a motorcycle or motor-driven cycle, unless such operator or passenger is wearing protective headgear of a type which conforms to the minimum specifications established in 49 CFR 571.218, as amended from time to time. Any person who violates this section shall have committed an infraction and shall be fined not less than ninety dollars.

Sec. 22. Section 14-293b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) [The Commissioner of Motor Vehicles shall adopt regulations in accordance with the provisions of chapter 54 specifying the responsibilities of an operator of a vehicle when] When an operator of a motor vehicle is approaching a person riding a horse on a public highway, [which responsibilities shall include, but not be limited to, the obligation to] such operator shall reduce speed appropriately or [to] stop, if necessary, to avoid endangering the equestrian or frightening or striking the horse.

(b) No operator of a motor vehicle in the vicinity of an equestrian and horse may blow a horn or cause loud or unusual noises, in a manner to startle or frighten the horse.

(c) A statement concerning such responsibilities shall be [printed] included in the agency's instruction manual for motor vehicle operation [at the time of the next revision of such manual].

Sec. 23. Section 14-154a of the general statutes is repealed (*Effective upon passage*).

Sec. 24. Section 14-211a of the general statutes is repealed (*Effective upon passage*).