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## **Minimum Physical Standards for Operators of Public Service Motor Vehicles and Service Buses**

### **Sec. 14-44-1. Minimum physical standards**

(a) No person shall be issued a license for the operation of a public service motor vehicle or service bus pursuant to section 14-44 of the General Statutes or have such license renewed unless he first submits evidence on a form prescribed by the commissioner that he has successfully completed a physical examination given by a licensed doctor of medicine or osteopathy except that an optometrist may perform that portion of the medical examination which pertains to visual acuity, field of vision and the ability to recognize colors.

(b) A person shall be deemed to have successfully passed the physical examination required in subsection (a) of this regulation if the person:

(1) Has no loss of a foot, a leg, a hand, or an arm or has been granted a waiver by the commissioner of motor vehicles. No waiver shall be granted unless the person has submitted to the commissioner a medical examiner's certificate stating that he or she is physically qualified to drive such vehicle;

(2) Has no impairment of the use of a foot, a leg, a hand, fingers or an arm, and no other structural defect which is likely to interfere with his or her ability to control and safely drive the vehicle or has been granted a waiver as described in subdivision 1;

(3) Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control. No waiver of this requirement shall be considered by the commissioner unless the applicant has submitted to the commissioner a physician's certificate stating that the applicant is physically qualified to drive such vehicle and the applicant completes a department of motor vehicles questionnaire concerning his or her diabetic condition. No waiver shall be granted unless both the certificate and questionnaire clearly show that the applicant has not suffered from altered consciousness due to hypoglycemia within five years of submitting such form or questionnaire;

(4) Has no current clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis, or any other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse, or congestive cardiac failure;

(5) Has no established medical history or clinical diagnosis of a respiratory dysfunction likely to interfere with his or her ability to control and drive a motor vehicle safely;

(6) Has no current clinical diagnosis of high blood pressure likely to interfere with his or her ability to operate a motor vehicle safely;

(7) Has no established medical history or clinical diagnosis of rheumatic, arthritic, orthopedic, muscular, neuromuscular, or vascular disease which interferes with his or her ability to control and operate a motor vehicle safely;

(8) Has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a motor vehicle;

(9) Has no mental, nervous, organic, or functional disease or psychiatric disorder likely to interfere with his or her ability to drive a motor vehicle safely;

(10) Has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70° in the horizontal meridian in each

eye, and the ability to recognize the colors of traffic signals, and devices showing standard red, green, and amber;

(11) First perceives a forced whispered voice in the better ear at not less than 5 feet with or without the use of a hearing aid or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500Hz, 1,000Hz, and 2,000Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (Formerly ASA Standard) Z24.5 - 1951;

(12) Does not use an amphetamine, narcotic or any habit-forming drug; and

(13) Has no current clinical diagnosis of alcoholism.

(Effective September 18, 1987)

**Operator’s License Endorsements Required to Operate Certain Motor Vehicles Transporting Passengers and Students**

**Sec. 14-44-2. Holding and renewal of public passenger endorsements**

Pursuant to the provisions of Section 14-44 of the Connecticut General Statutes, each person who operates a commercial motor vehicle, used for the transporting of passengers, as well as passengers who are students, to include any school bus, student transportation vehicle, motor bus, service bus, taxicab or motor vehicle in livery service, shall be required to obtain and hold a commercial driver’s license (CDL) or class 1 or 2 operator’s license bearing an endorsement, or an endorsement with a restriction of the appropriate type, as listed below in Section 14-44-3 of the Regulations of Connecticut State Agencies. No such endorsed license or renewal thereof shall be issued unless the applicant submits satisfactory evidence, in the form and manner prescribed by Section 14-44-5, of the Regulations of Connecticut State Agencies, that he or she meets all the conditions and requirements stated in Section 14-44-4 of the Regulations of Connecticut State Agencies.

(Effective January 23, 1987; amended September 8, 2003)

**Sec. 14-44-3. Required endorsements**

(a) (1) On or after January 9, 2006, any operator shall hold or obtain the following license endorsements before operating the following listed types of vehicles when transporting passengers, including passengers who are students:

Vehicle	License Class	Endorsement	Restriction
School Bus	CDL	P*,S	
Student Transportation Vehicle (STV) (to-from school) (school-related activities)	Any class	V	
Motor Bus	Any class	A	
Taxicab	CDL	P*,F	
Service Bus	Any class	F	
	CDL, if designed to: Transport 16 or more passengers;	P*,F	
	Any class if transporting less than 16 passengers.	F	

\*authorizes driving commercial motor vehicles carrying passengers in accordance with section 14-36a, of the Connecticut General Statutes.

(2) Any operator who holds an operator’s license issued before January 9, 2006, which contains any of the following license endorsements, or endorsements with

restrictions, may continue to operate the following listed types of vehicles when transporting passengers, including passengers who are students, until said operator's license is renewed:

Vehicle	License Class	Endorsement	Restriction
School Bus	CDL	P*,S	with or without Z
Student Transportation Vehicle (STV) (to-from school) (school-related activities)	Any class	S	
Motor Bus	Any class	S	V
Taxicab	CDL	P*	T
Service Bus	Any class	P**	T
	CDL, if designed to: Transport 16 or more passengers;	P*	T
	Any class if transporting less than 16 passengers.	P**	T

\* authorizes driving commercial motor vehicles carrying passengers in accordance with section 14-36a of the Connecticut General Statutes.

\*\*state issued ‘‘P’’ authorized under subsection (b) of section 14-36a of the Connecticut General Statutes for Class 1 and Class 2 operators (repealed under P.A. 04-217).

(3) Any operator who possesses an operator’s license, referred to in subdivision (2) of this subsection, must comply with the provisions of subdivision (1) of this subsection upon renewal of his/her operator’s license.

(b) As used in sections 14-44-2 to 14-44-7, inclusive, of the Regulations of Connecticut State Agencies, the term ‘‘school’’ refers to any primary or secondary, public, private or charter educational institution, and the term ‘‘student’’ refers to any student under twenty-one years of age. ‘‘Student Transportation Vehicle’’ has the meaning set forth in section 14-212 of the Connecticut General Statutes.

(Effective January 23, 1987; amended September 8, 2003, July 8, 2008)

**Sec. 14-44-4. Conditions and requirements for endorsements**

(a) In addition to meeting all requirements for a class D operator’s license or a commercial driver’s license, as applicable, each licensed driver who transports passengers, including passengers who are students, in a motor vehicle listed in section 14-44-3 of the Regulations of Connecticut State Agencies, shall satisfy the following conditions and requirements to be issued and to retain the appropriate endorsement:

(1) The driver shall not have four or more moving violations arising from separate incidents occurring within a two-year period. As used in this subdivision, ‘‘moving violations’’ refers to convictions for violations specified in section 14-137-82 of the Regulations of Connecticut State Agencies, in addition to those violations referenced in sections 14-219 and 14-300f of the Connecticut General Statutes.

(2) The driver shall not have a conviction or administrative license suspension, occurring within the preceding five years, of a violation of sections 53a-56b, 53a-60d, 14-227a, 14-227b or subsection (a) or (b) of 14-224 of the Connecticut General

Statutes, or of any statute of another state which is determined by the commissioner to prohibit the same or substantially similar acts or conduct as said sections of the Connecticut General Statutes.

(3) The driver shall not have a conviction, occurring within the preceding three years, of a violation of sections 14-215, 14-222 or 14-222a of the Connecticut General Statutes.

(4) The driver shall not have a conviction of a serious criminal offense, which adversely reflects on his or her moral character.

(5) The driver shall not have engaged in any act or conduct which adversely reflects on his or her moral character. An arrest of the driver for any felony or a violation of sections 53a-73a or 53a-63 of the Connecticut General Statutes shall be prima facie evidence of an act or conduct which adversely reflects on his or her moral character, unless there has been a disposition of such charge(s) in favor of the driver.

(b) In addition to meeting the requirements of subsection (a) of this section, a driver who applies for or holds an "S" or "V" endorsement, shall not have a conviction of a serious criminal offense, including, but not limited to, any of the offenses listed in subsection (c) of this section.

(c) Convictions under any of the following listed sections of the Connecticut General Statutes, and convictions under the laws of any other state or territory, or under federal law for offenses which are deemed by the commissioner to involve conduct which is substantially similar to conduct in violation of any of the following listed sections, are regarded as serious criminal offenses, for the purposes of determining the qualifications of an individual to hold an "S" or "V" endorsement, in accordance with the provisions of this section.

(1) Any conviction of 53a-54b, capital felony: 53a-54c, felony murder: or 53a-54d, arson murder;

(2) Any conviction of a Class A felony;

(3) Any conviction of a Class B felony;

(4) Any conviction, regardless of the classification, of any of the following offenses:

21a-277, 21a-278, 21a-278a, 21a-279(a) or (b), 29-33, 29-34, 29-35, 53-20, 53-21, 53-21a, 53-23, 53-37a, 53-80a, 53-202b, 53-202c, 53a-56, 53a-56a, 53a-56b, 53a-57, 53a-60a, 53a-60b, 53a-60c, 53a-60d, 53a-61a, 53a-61aa, 53a-63, 53a-71, 53a-72a, 53a-72b, 53a-73a, 53a-87, 53a-88, 53a-90a, 53a-95, 53a-99, 53a-102, 53a-102a, 53a-103a, 53a-113, 53a-123(a)(3), 53a-135, 53a-136a, 53a-165aa, 53a-166, 53a-167c, 53a-174(a), 53a-181c, 53a-189a, 53a-189b, 53a-191, 53a-196, 53a-196e, 53a-196f, 53a-211, 53a-212, 53a-216, 53a-217b.

(d) The following limitations and restrictions apply to any person who applies for or holds an "S" or "V" endorsement.

(1) Any conviction of a violation of any offense listed in subsection (c) of this section shall disqualify a person from holding an "S" or "V" endorsement, if the applicant or the license holder has finished serving the sentence for the conviction within five (5) years preceding the date of the application, or, in the case of license holders, five years preceding the date on which the conviction has become known to DMV.

(2) With reference to each applicant and each holder of an "S" or "V," if the sentence for the conviction of a violation of any offense listed in subsection (c) of this section has been completed more than five (5) years ago, the commissioner shall make an assessment of the nature of the offense, and of the entire criminal

history of the individual, as these reflect on the current fitness of the individual to hold an endorsement to transport school children.

(3) If the applicant or holder of an “S” or “V” endorsement has been convicted of a violation of the laws of another state or of federal law, the commissioner shall determine if the conduct involved is substantially similar to conduct in violation of any of the sections listed in subsection (c) of this section.

(e) A driver who applies for or holds an “S” or “V” endorsement and who has an arrest for any felony, or a conviction of an offense that is not listed in subsection (c) of this section, may be subject to a denial or withdrawal of the “S” or “V” endorsement after a review and evaluation of the official records of any state or federal criminal justice agency, an official driving history record, and any application for the endorsement that is required in subsection (a) of section 14-44-5 of the Regulations of Connecticut State Agencies.

(Effective January 23, 1987; amended September 8, 2003, July 8, 2008)

### **Sec. 14-44-5. Evidence of meeting qualifications**

(a) Each driver who applies for an endorsement to transport passengers, including passengers who are students, shall be required to complete and execute, under penalty of false statement as provided in section 53a-157b of the Connecticut General Statutes, a written application in such form or manner as the commissioner directs, containing an attestation by the driver that he or she meets the standards set forth in section 14-44-4 of the Regulations of Connecticut State Agencies, and such additional information concerning the applicant as the commissioner may require. Each driver who applies for a renewal of such an endorsement to his or her license shall be required to attest, in such form and manner as the commissioner directs, that he or she continues to meet the standards of the above-referenced section.

(b) In reviewing any original application or renewal as submitted by a driver, the commissioner or his designee may review the driver’s official driving history record, as maintained by the Department of Motor Vehicles, and the official records of any state or federal criminal justice agency, as pertain to such driver. The contents of any such official record, duly transmitted and certified, shall be presumed to be complete and accurate, unless evidence to the contrary is presented. Each original application shall be supported by the applicant’s fingerprints, in such format and media as the commissioner directs. All original applicants for an endorsement to transport passengers, including passengers who are students, shall be required to undergo a fingerprint based Federal Bureau of Investigation (FBI) criminal record check, in addition to the State Police Bureau of Identification criminal record check required for all applicants, and the commissioner may decline to issue any endorsement until the necessary checks are completed and an evaluation of their contents is made.

(c) Notwithstanding any other provision of this section, or of section 14-44-6 of the Regulations of Connecticut State Agencies, the commissioner shall deny any original application or application for renewal that is found to contain false, or substantially inaccurate or incomplete information, including, but not limited to, a failure to disclose on the application any matter pertaining to a criminal arrest or conviction.

(d) In performing a criminal record check in accordance with the requirements of section 14-44 of the Connecticut General Statutes and subsection (b) of this section, the commissioner or his designee shall make inquiries, based on sufficient personal identification information provided by the applicant, to the electronic systems maintained by the State Police Bureau of Identification (SPBI), the National

Criminal Information Center (NCIC), and the Federal Bureau of Investigation (FBI). In any case where the SPBI, NCIC or FBI check is positive and warrants a denial of the endorsement on the part of the commissioner, the applicant shall be notified promptly in writing. Such notice may include a summary withdrawal or suspension of the endorsement, as necessary and in accordance with the standards of section 4-182 of the Connecticut General Statutes.

(Adopted effective September 8, 2003; amended July 19, 2005, July 8, 2008)

#### **Sec. 14-44-6. Suspension or revocation of passenger or student endorsement**

(a) Any endorsement to transport passengers, including passengers who are students, may be suspended, revoked or withdrawn if the holder thereof would be subject to having his or her renewal of such endorsement suspended, revoked or withdrawn. Any endorsement holder subject to suspension, revocation or withdrawal pursuant to this section shall be afforded an opportunity for a hearing as provided in Chapter 54 of the Connecticut General Statutes. Unless the commissioner determines that an imminent threat to public safety and welfare exists, by reason of a driver's continued possession of an endorsement to transport passengers, including passengers who are students, such opportunity for a hearing shall be granted prior to the effective date of suspension, revocation or withdrawal.

(b) When any holder of or applicant for an endorsement to transport passengers, as specified in section 14-36a of the Connecticut General Statutes, including passengers who are students, has had said endorsement or application denied, suspended, withdrawn or revoked as a result of a determination by the commissioner pursuant to sections 14-44-4 and 14-44-5 of the Regulations of Connecticut State Agencies, or as the result of a final decision from an administrative hearing pursuant to this section or section 14-44-7 of the Regulations of Connecticut State Agencies, or any appeal therefrom, the commissioner shall not accept an application for or permit any reinstatement of any endorsement to transport passengers from such person for the period stated in subdivision (1), (2) or (3) of subsection (a) of section 14-44-4 or subsection (d) of section 14-44-4, as applicable, or if no such period is stated, for two (2) years.

(Adopted effective September 8, 2003; amended July 8, 2008)

#### **Sec. 14-44-7. Refusal or suspension of endorsement. Request for and conduct of hearing**

(a) Any person whose original application or renewal of an endorsement to transport students or passengers is refused may request a hearing pursuant to the provisions of Chapter 54 of the Connecticut General Statutes. Such hearing shall be requested, in writing, within twenty days. Prior to the assignment of a hearing date the commissioner or his designee shall, within ten days of the receipt of such request for hearing, conduct an administrative review of the applicant's records and file to determine whether circumstances justified the issuance or renewal of the endorsement. In the event that the review does not reveal such circumstances and the endorsement is not issued or renewed, a hearing will be scheduled at the earliest available date.

(b) In any hearing held pursuant to this section or Section 14-44-6 of the Regulations of Connecticut State Agencies, the commissioner or the commissioner's designated hearing officer, appointed in accordance with Section 14-4a of the Connecticut General Statutes, shall in rendering any final agency decision and order, be authorized to make such exceptions to the standards and requirements set forth in Sections 14-44-4 and 14-44-5 of the Regulations of Connecticut State Agencies, or to impose

such conditions in the granting or on the continued holding of an endorsement, as the testimony and evidence in the entire record and the needs of equity and justice require.

(Adopted effective September 8, 2003)