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## OLR Bill Analysis

### sSB 183 (File 310, as amended by Senate "A")\*

## **AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE DEPARTMENT OF MOTOR VEHICLES.**

### TABLE OF CONTENTS:

#### SUMMARY

#### §§ 1-3 — ELECTRONIC ISSUANCE LICENSES

*Requires registration and title companies that file applications electronically to get an electronic issuance license from DMV and establishes a licensing process and licensee operating requirements; lowers the threshold at which these companies may be required to file electronically; increases the total amount of surety bonds these companies must provide*

#### § 4 — MOTOR VEHICLE TRANSPORTER REGISTRATION

*Imposes a late fee for failing to timely renew a transporter registration and prohibits DMV from renewing one 45 days after expiration*

#### § 5 — DEALER AND REPAIRER BACKGROUND CHECKS

*Modifies the requirements for fingerprinting and background checks for applicants for a new or renewed motor vehicle dealer's or repairer's license*

#### § 6 — MOTOR VEHICLE RECYCLERS SURETY BONDS

*Requires motor vehicle recyclers to furnish a \$25,000 surety bond*

#### §§ 7-9 — COMMERCIAL DRIVING SCHOOLS AND INSTRUCTORS

*Increases the surety bond amount for driving schools to \$50,000 per location, requires driving instructors to wear ID badges while providing instruction, and makes other changes related to driving school and instructor licensees*

#### § 10 — ALTERED, COMPOSITE, GREY-MARKET, AND SALVAGE VEHICLES

*Requires that salvage vehicles be inspected by DMV-authorized repairers rather than DMV and defines the different categories of altered vehicles that must be inspected before titling and registering them*

#### §§ 11-32 & 39 — MINOR AND TECHNICAL CHANGES

*Makes numerous minor and technical changes, principally to change references to "commercial driver's instruction permit" to "commercial learner's permit," conforming to the term used in federal law*

#### §§ 33-36 — LOW-SPEED VEHICLES

*Generally allows the operation of "low-speed vehicles" on roads with speed limits up to 25 mph and makes them "motor vehicles" under state motor vehicle laws (i.e., Title 14), generally subjecting them to the same requirements as other vehicles under these laws*

**§ 37 — TOWING OCCUPIED VEHICLES**

*Prohibits a licensed wrecker from knowingly allowing any person to occupy a vehicle while it is being towed*

**§ 38 — SCHOOL BUS IDLING**

*Requires the DMV commissioner, by September 1, 2024, to review, and amend or revise if needed, any regulations or policies on inspecting school buses to ensure they promote adherence to idling laws*

**§ 40 — SCHOOL BUS SEAT BELTS**

*Reestablishes and makes permanent a DMV school bus seat belt pilot program to provide 50% sales tax refunds for purchases of buses equipped with three-point seat belts*

**§ 41 — WEIGHT TOLERANCE EXEMPTION FOR ELECTRIC COMMERCIAL VEHICLES**

*Grants a weight tolerance exemption to primarily electric commercial motor vehicles driving on any road in the state, allowing them to exceed the state's various vehicle weight limits by up to 2,000 pounds; under federal law, the state must already provide this exemption when these vehicles are on the interstates and certain roads near them*

**§ 42 — PICK-UP TRUCK PASSENGER REGISTRATION**

*Makes pick-up trucks with a gross vehicle weight rating of 8,501 to 8,550 pounds eligible for a passenger registration if they are not used commercially (currently, they must be registered as combination vehicles); potentially allows them to access roads or other places that limit access by commercial traffic (e.g., state parkways)*

**§§ 43-45 — ACCESSIBLE PARKING**

*Modifies the conditions under which a health care professional may certify an applicant for an accessible parking windshield placard; prohibits health care professionals from making fees they charge to applicants seeking certification contingent on whether or not they certify the applicants' eligibility; eliminates the requirement that the Transportation Committee House chairperson's appointment to the Accessible Parking Advisory Council be a municipal planner*

**SUMMARY**

This bill makes changes in laws affecting the Department of Motor Vehicles (DMV), DMV-licensed businesses, vehicle registration and operation, vehicle weight limits, school buses, towing, and accessible parking. It also makes technical and conforming changes.

\*Senate Amendment "A" modifies the circumstances under which DMV may grant an electronic issuance license and adds provisions on (1) low-speed vehicles, (2) towing occupied vehicles, (3) school bus idling, (4) school bus seat belts, (5) a weight exemption for primarily electric commercial vehicles, (6) passenger registration for pick-up

trucks, and (7) accessible parking.

EFFECTIVE DATE: October 1, 2024, unless otherwise noted below.

### **§§ 1-3 — ELECTRONIC ISSUANCE LICENSES**

*Requires registration and title companies that file applications electronically to get an electronic issuance license from DMV and establishes a licensing process and licensee operating requirements; lowers the threshold at which these companies may be required to file electronically; increases the total amount of surety bonds these companies must provide*

The bill modifies the regulatory treatment of people and entities that are engaged in the business of electronically filing, on behalf of their customers, registration or title applications with DMV (i.e., registration and title companies).

Current law and department regulations authorize the DMV commissioner to permit or require a registration and title company to file these applications electronically if, among other things, he determines that the company is qualified based on the conditions set in statute and department regulations.

The bill replaces this authorization with a statutory licensing structure for registration and title companies. The bill prohibits registration and title companies from filing registration and title applications electronically without an “electronic issuance license.” But it allows currently authorized registration and title companies to continue filing applications electronically until January 1, 2025. After this date, these companies are no longer allowed to use the electronic system without an electronic issuance license.

The bill specifically excludes the following entities from the electronic issuance license requirement: licensed motor vehicle dealers, licensed leasing or rental companies, and DMV contractors.

EFFECTIVE DATE: October 1, 2024, except for the provision allowing currently authorized companies to operate until January 1, 2025, which takes effect upon passage.

#### ***Threshold for Filing Electronically***

The bill lowers the threshold at which a registration and title company may be required to file applications online. Current law allows the DMV commissioner to require a registration and title company to file applications electronically if he determines that the company files an average of seven or more applications per month. The bill lowers this threshold to five. It also specifies that companies DMV requires to file electronically must apply for an electronic issuance license.

Under the bill, as under existing law, any company that fails or refuses to file applications electronically upon the commissioner's request must pay a \$25 fee for each application it submits.

### ***License Application and Renewal Process***

The bill requires electronic issuance license applicants to submit an application with the information DMV requires and pay a \$250 license fee. Applicants for an initial license or a renewal must be fingerprinted and undergo a state and national criminal records check. If the applicant is a firm or corporation, each officer or major stockholder must be fingerprinted and undergo the check.

Under the bill, the DMV commissioner may issue or renew a license only if he determines the (1) issuance or renewal to the applicant is likely to improve access to DMV services or manage the number of transactions conducted in person at DMV and (2) applicant is capable of ensuring control of and proper use of license plates and other materials the department provides for registration and title transactions. The DMV commissioner may refuse to grant or renew a license for any reason he reasonably deems necessary. It specifically authorizes him to refuse a license if the applicant or holder (or officer or major stockholder) has been found liable in a civil action or convicted of a violation of laws (1) related to the business of filing registration or title applications or (2) involving fraud, larceny, stalking, embezzlement, bribery, or deprivation or misappropriation of property.

Before refusing to grant or renew a license for any of the above reasons, DMV must notify the applicant or licensee and give them an opportunity for a hearing. Under current regulations, DMV can remove

a company's authorization for the electronic system under generally the same circumstances, but is not required to provide opportunity for a hearing (Conn. Agencies Regs., § 14-15d-4).

Under the bill, licenses are generally renewed biennially, but DMV must adopt an initial renewal schedule so that license renewals happen on a staggered basis. If the schedule causes a license to expire more or less than two years from its initial issuance, DMV may charge a prorated license fee. In addition to the required background check, licensees must also fully disclose any civil judgement or conviction described above under penalty of false statement.

At least 45 days before a company's license expires, DMV must send the company a renewal application in the way the commissioner determines. Licensees who do not file the renewal application with the \$250 license fee before their license expires are prohibited from using DMV's electronic system. Applications filed after the license expires are subject to a \$100 late fee. DMV may not renew an electronic issuance license that has been expired more than 45 days.

### ***Surety Bonds***

Under current regulations and the bill, registration and title companies that are authorized (or, under the bill, licensed) to file applications electronically must provide surety bonds. The bill increases, from \$25,000 to \$45,000, the total amount of surety bonds they must provide.

Current regulations require registration and title companies to provide surety bonds in the following amounts: (1) \$20,000 as security for monetary loss that DMV suffers as a result of the licensee's loss, destruction, or misuse of the license plates the department assigned the licensee and (2) \$5,000 as security for monetary loss DMV suffers because the licensee failed to remit registration and title fees (Conn. Agencies Regs., § 14-15d-3(b) & (c)).

In addition to the bonds described above, the bill requires licensees to furnish another \$20,000 bond conditioned on the licensee complying

with applicable state and federal laws and regulations and provided as indemnity for any losses a customer sustains because the licensee did not comply with these laws or regulations. This bond must be executed in the name of the state for the benefit of any aggrieved customer, but the penalty of the bond may only be imposed on the DMV commissioner's order after a hearing.

The bill requires DMV to assess a \$200 administrative fee against any electronic issuance licensee that fails to show proof of bond renewal or replacement before an existing bond expires.

### ***License Plate Inventory***

Under the bill, as under current regulations, DMV must issue to each licensee an inventory of license plates and other materials related to registration and title transactions. The company is responsible for all the license plates DMV assigns to it. The bill specifies that licensees may use the plates and materials only for registration and title transactions.

The bill specifically requires electronic issuance licensees who stop conducting business to return license plates, title and registration materials, and any applications that it did not act on or complete. The licensee must do so within five business days of the license becoming invalid or the business terminating. Violations are infractions.

### ***Submission of Applications to DMV***

As under existing law for registration and title companies, electronic issuance licensees must submit registration and title applications, along with necessary documents, within 10 days after electronically issuing a registration or title. The bill specifies that if the licensee fails to provide DMV with the necessary documents, the department may not process the received documents and must inform the licensee that it failed to submit a completed application.

### ***Consumer Protections and Required Disclosures***

The bill establishes various consumer protections for customers of electronic issuance licensees. It caps the fee that licensees may charge their customers at \$25 for each registration or title application.

Under the bill, a licensee may not (1) include the words “Department of Motor Vehicles” or “DMV” or another indication of the department in their business name or (2) act in any way that misleads customers to believe that the licensee represents or otherwise is affiliated with the department.

The bill also requires electronic issuance licensees to give customers a disclosure form as the commissioner prescribes. The form must state (1) the fee that the licensee charges for filing registration and title applications, (2) that the licensee is not affiliated with the department, (3) information on how the customer may file complaints about the licensee with DMV, and (4) any other information DMV requires. Licensees must require customers to acknowledge the information by signing the form.

***Penalty***

The bill allows DMV, after notice and opportunity for a hearing, to impose a civil penalty of up to \$2,000 for violations of the electronic issuance license laws, except for violations of the laws on (1) returning license plates and other materials, (2) timely submitting registration and title applications, (3) disclosure forms, and (4) the application fee cap.

**§ 4 — MOTOR VEHICLE TRANSPORTER REGISTRATION**

*Imposes a late fee for failing to timely renew a transporter registration and prohibits DMV from renewing one 45 days after expiration*

By law, motor vehicle transporters must annually renew their registrations by the last day of March. The bill imposes a \$100 late fee for motor vehicle transporters who fail to renew their registration before expiration. It also prohibits the commissioner from renewing any transporter’s registration once it has been expired for more than 45 days. After that timeframe, a person or entity would have to file an application for a new license.

**§ 5 — DEALER AND REPAIRER BACKGROUND CHECKS**

*Modifies the requirements for fingerprinting and background checks for applicants for a new or renewed motor vehicle dealer’s or repairer’s license*

The bill modifies the requirements for fingerprinting and background checks for applicants for a new or renewed motor vehicle

dealer's or repairer's license. Under current law, applicants must be fingerprinted and undergo a state and national criminal history records check no more than 30 days before submitting the application and submit the results of the check to DMV. The bill eliminates the specified timeframe and no longer requires the applicant to submit the results of the check to DMV.

## **§ 6 — MOTOR VEHICLE RECYCLERS SURETY BONDS**

*Requires motor vehicle recyclers to furnish a \$25,000 surety bond*

The bill imposes a surety bond requirement on motor vehicle recyclers, as is the case under existing law for other DMV-licensed businesses (e.g., dealers and repairers). Applicants seeking a new license or renewing one must furnish a \$25,000 surety bond, conditioned on the applicant or licensee complying with any state or federal law or regulation relating to the business of operating a motor vehicle recycler's yard and provided as indemnity for customers' losses due to licensee actions that constitute grounds for license suspension or revocation or the licensee going out of business. This bond must be executed in the name of the state for the benefit of any aggrieved customer, but the penalty of the bond may only be imposed on the DMV commissioner's order after a hearing.

The bill requires DMV to assess a \$200 administrative fee against any electronic issuance licensee that fails to show proof of bond renewal or replacement before an existing bond expires.

## **§§ 7-9 — COMMERCIAL DRIVING SCHOOLS AND INSTRUCTORS**

*Increases the surety bond amount for driving schools to \$50,000 per location, requires driving instructors to wear ID badges while providing instruction, and makes other changes related to driving school and instructor licensees*

### ***Surety Bond Increase***

Under current DMV regulations, driving schools must provide a surety bond in the amount of \$15,000 per location, up to \$100,000 (Conn. Agencies Regs., § 14-78-22). The bill increases the required surety bond amount for commercial driving schools to \$50,000 per location with no cap.

By law, these bonds are conditioned on the licensee's faithful



performance of any contract to provide instruction and held by DMV to satisfy any execution issued against a school due to the school's failure to adhere to the contract.

### ***School License Requirements***

The bill explicitly allows a driving school licensee to operate a school at an additional place of business, as long as they hold a license to operate at that location and comply with the state driving school laws. (Existing law implies this requirement by setting license fees for additional locations, and the department requires each location to be licensed in practice.)

### ***Instructor ID Badges and Background Checks***

The bill requires licensed driving instructors or master instructors to wear an ID badge at all times when providing classroom or behind-the-wheel instruction. The employing driving school must issue the badge, which must contain the (1) licensee's name, photo, and license number; (2) license expiration date; and (3) driving school's name.

The bill also requires instructor and master instructor licensees to be fingerprinted and undergo a state and national criminal history records check before their license is renewed. Under current regulations, applicants for renewal only have to undergo a state criminal records check (Conn. Agencies Regs., § 14-78-51). Under existing regulations and the bill, applicants must also undergo a child abuse and neglect registry check.

The bill also requires licensees renewing their license to provide the same evidence they had to when applying initially, such as evidence that they held a driver's license for the past five years, passed a physical exam, and completed the required instructor training.

### ***School's Responsibility for Instructors***

The bill also specifies that a school employing a licensed instructor or master instructor is responsible for ensuring the instructor or master instructor complies with driving school and driving instructor statutes and regulations.

**Expired Licenses**

By law, DMV may not renew a driving school license, a driving instructor license, or a master instructor license if it has been expired for more than 60 days. The bill explicitly allows the holder of one of these expired licenses to apply for a new license.

**Penalties**

By law, the DMV commissioner may suspend or revoke a license or impose a civil penalty (up to \$1,000) on any person or firm that violates the driving school or instructor laws after notice and an opportunity for a hearing. The bill explicitly allows him to impose these penalties for violations of the associated regulations.

The bill also expands the commissioner's authority to require that restitution be made to a customer. Under current law, he may require a licensee to do so; under the bill, he may also require this of unlicensed people or firms.

**§ 10 — ALTERED, COMPOSITE, GREY-MARKET, AND SALVAGE VEHICLES**

*Requires that salvage vehicles be inspected by DMV-authorized repairers rather than DMV and defines the different categories of altered vehicles that must be inspected before titling and registering them*

Current law establishes inspection requirements for vehicles that (1) have been reconstructed (i.e., materially altered from the original by removing, adding, or substituting essential parts); (2) are composed from several parts of other vehicles; (3) have been altered enough that the vehicle no longer bears the characteristics of a specific make of motor vehicle; or (4) have been declared a total loss by an insurance carrier and subsequently reconstructed.

The bill instead breaks these vehicles out into four defined categories and indicates the inspection requirements for each. Principally, it changes who must inspect vehicles reconstructed after being declared a total loss by an insurer.

**Categories**

The bill defines four types of vehicles: altered vehicles, composite

vehicles, grey-market vehicles, and salvage vehicles.

An “altered vehicle” is one that has been materially modified from its original construction by removing, adding, or substituting essential parts with new or used parts.

A “composite vehicle” is one that (1) is composed or assembled from several parts of other vehicles; (2) is assembled from a motor vehicle kit; or (3) has been altered, assembled, or modified from the original manufacturer’s specifications.

A “grey-market vehicle” is one that is manufactured for use outside of the United States, imported into it, and not certified to meet federal safety or emissions standards at the time the vehicle was manufactured.

A “salvage vehicle” is one that was declared a total loss by an insurance carrier and subsequently reconstructed.

### ***Inspection Requirements***

Existing law requires the vehicles falling under the four defined categories to be inspected to determine whether they are properly equipped and in good mechanical condition before they can be titled and registered. Under current law, DMV must conduct all of the inspections. The bill instead requires that inspections of (1) altered, composite, and grey-market vehicles be performed at DMV (at an office the commissioner designates) and (2) salvage vehicles be performed by DMV-authorized licensed repairers.

The bill also eliminates a requirement that DMV determine whether vehicles presented for inspection are in the possession of their lawful owner. But it retains a provision authorizing the commissioner to require someone presenting an altered, composite, grey-market, or salvage vehicle for inspection to show proof of lawful purchase of any major component parts that were not part of the vehicle when sold by the manufacturer.

EFFECTIVE DATE: July 1, 2024

**§§ 11-32 & 39 — MINOR AND TECHNICAL CHANGES**

*Makes numerous minor and technical changes, principally to change references to “commercial driver’s instruction permit” to “commercial learner’s permit,” conforming to the term used in federal law*

The bill makes numerous minor and technical changes. It updates school bus terms to eliminate references to Type I and Type II school buses and instead refer to them by gross vehicle weight rating. It also updates an obsolete reference to the former Department of Public Safety.

The bill also changes references to “commercial driver’s instruction permit” to “commercial learner’s permit,” conforming to the term used in federal law. It specifies that commercial driver’s instruction permits DMV issued before October 1, 2024, remain valid until they expire.

EFFECTIVE DATE: October 1, 2024, except for the provisions updating school bus terms and replacing an obsolete reference, which take effect July 1, 2024.

**§§ 33-36 — LOW-SPEED VEHICLES**

*Generally allows the operation of “low-speed vehicles” on roads with speed limits up to 25 mph and makes them “motor vehicles” under state motor vehicle laws (i.e., Title 14), generally subjecting them to the same requirements as other vehicles under these laws*

This bill generally allows the operation of “low-speed vehicles” (LSV) on highways (i.e., public roads) in the state with speed limits of 25 mph or less. Under the bill and federal regulations, an LSV is a four-wheeled motor vehicle that has a (1) speed attainable in one mile of more than 20 mph but not more than 25 mph on a paved, level surface and (2) gross vehicle weight rating of 3,000 pounds or less.

Under the bill, LSVs are “motor vehicles” under state motor vehicle laws (i.e., Title 14 of the General Statutes). This means, among other things, that LSVs must be registered, titled, and insured; their drivers must hold a valid driver’s license; and businesses selling or repairing them must hold dealer or repairer licenses, respectively. Currently, DMV does not register LSVs, and they may not be driven on public roads. The bill prohibits DMV from issuing a title for a homemade LSV or a golf cart that has been retrofitted from the original manufacturer’s specifications in an attempt to qualify as an LSV.

The bill allows the Office of the State Traffic Administration and local traffic authorities to prohibit or limit LSV use on roads under their jurisdictions. It also requires that LSVs meet state motor vehicle equipment standards except for those that are inapplicable to or inconsistent with the federal motor vehicle safety standards for LSVs. Violations of the road restrictions or equipment requirements are infractions (see *Background – Federal Motor Vehicle Safety Standards for LSVs*).

Lastly, the bill makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2024

***Background – Federal Motor Vehicle Safety Standards for LSVs***

Under federal regulations, LSVs must satisfy certain requirements under specified testing conditions and be equipped with the following:

1. headlights, turn signals, tail lights, and brake lights;
2. reflex reflectors;
3. an exterior mirror on the driver’s side and either an exterior mirror on the passenger’s side or an interior mirror (in addition to meeting other specified rear visibility requirements);
4. a parking brake;
5. a windshield meeting federal standards on glazing materials;
6. a vehicle identification number (VIN) meeting federal requirements;
7. a seatbelt assembly meeting federal requirements; and
8. a pedestrian alert sound (i.e., noise that certain electric and hybrid vehicles must make at speeds less than 18.6 mph that pedestrians can hear over background noises) (49 C.F.R. § 571.500).

***Background – Related Bill***

sHB 5204 (File 324), favorably reported by the Transportation Committee, contains identical provisions authorizing the operation of

LSVs.

### **§ 37 — TOWING OCCUPIED VEHICLES**

*Prohibits a licensed wrecker from knowingly allowing any person to occupy a vehicle while it is being towed*

The bill prohibits a licensed wrecker from knowingly allowing any person to occupy a vehicle while it is being towed. 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 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).

#### ***Background — Related Bill***

sHB 5327 (File 625), favorably reported by the Transportation and Judiciary committees, contains an identical provision on towing occupied vehicles.

### **§ 38 — SCHOOL BUS IDLING**

*Requires the DMV commissioner, by September 1, 2024, to review, and amend or revise if needed, any regulations or policies on inspecting school buses to ensure they promote adherence to idling laws*

The bill 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. 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.

EFFECTIVE DATE: Upon passage

### ***Background — Related Bill***

sHB 5327 (File 625), favorably reported by the Transportation and Judiciary committees, contains an identical provision on school bus idling in section 2.

### **§ 40 — SCHOOL BUS SEAT BELTS**

*Reestablishes and makes permanent a DMV school bus seat belt pilot program to provide 50% sales tax refunds for purchases of buses equipped with three-point seat belts*

Starting July 1, 2025, this bill reestablishes and makes permanent a DMV school bus seat belt pilot program that ended on December 31, 2017. The program helps pay for school buses with three-point lap and shoulder seat belts by refunding school bus companies (i.e., "carriers") half the sales tax they pay for buses on which these seat belts were installed during manufacture. Program funding comes from the existing school bus seat belt account, which is a non-lapsing General Fund account funded by a portion (\$50) of each DMV fee collected for restoring suspended licenses and registrations (CGS § 14-50b).

The bill allows (1) school districts to apply to DMV, on a form the department provides, beginning October 1, 2025, and (2) bus companies to receive sales tax reimbursements for buses they purchase on or after this date, depending on the department's approval of the application and funding from the account. Under the bill, the restarted program is generally unchanged, except for a new requirement that DMV, in collaboration with the Department of Education, annually inform school districts about the program and how to apply.

The bill also (1) requires the Transportation and Education committees to hold a public hearing on program participation and effectiveness during the 2030 legislative session (a public hearing was similarly required for the pilot program) and (2) eliminates an obsolete provision requiring these committees to recommend whether to continue the program.

Lastly, the bill makes technical and conforming changes.

EFFECTIVE DATE: January 1, 2025

***School Bus Seat Belt Program and Account***

The school bus seat belt pilot program was active from July 1, 2011, to December 31, 2017. The bill reestablishes the program and makes it permanent.

Under the program, school districts' applications to DMV must include a proposed agreement between the district and the school bus company that transports the district's students. The agreement must (1) require that the carrier provide the school district with between one and 50 school buses, each equipped with three-point lap and shoulder seat belts, and (2) include a request by the carrier for funding (i.e., half the sales tax for purchasing these buses).

Participating school districts must (1) give the parents or legal guardians of each student who uses a school bus written notice about the availability and proper use of the seat belts and (2) teach students how to properly use the seat belts, including fastening and unfastening them. Participating school districts, the school bus companies with which they contract, and school bus operators are exempt from liability for injuries caused solely by a student's use, misuse, or failure to use a seat belt installed under the program.

The program is funded by the school bus seat belt account, which has remained funded since its creation in 2010, even after the pilot program ended in 2017. The legislature transferred school bus seat belt account funds to the General Fund in several budget and deficit mitigation bills between 2012 and 2017.

***Background — Related Bill***

sSB 185 (File 202), favorably reported by the Transportation Committee, contains substantially similar provisions reestablishing the school bus seat belt sales tax refund program.



**§ 41 — WEIGHT TOLERANCE EXEMPTION FOR ELECTRIC COMMERCIAL VEHICLES**

*Grants a weight tolerance exemption to primarily electric commercial motor vehicles driving on any road in the state, allowing them to exceed the state's various vehicle weight limits by up to 2,000 pounds; under federal law, the state must already provide this exemption when these vehicles are on the interstates and certain roads near them*

The bill grants a weight tolerance exemption to primarily electric commercial motor vehicles driving on any road in the state, allowing them to exceed the state's various vehicle weight limits by up to 2,000 pounds. Among other things, this increases the general maximum gross weight for electric commercial vehicles from 80,000 pounds to 82,000 pounds. This exemption already applies to these vehicles when traveling on interstate highways and certain roads near them (see *Background — Federal Weight Exemption for Electric Commercial Vehicles*).

The bill requires officials and law enforcement officers who are authorized to enforce the state's vehicle weight limit restrictions to grant a weight tolerance exemption of 2,000 pounds to any commercial motor vehicle powered primarily by electric battery. The exemption applies to the gross, total axle, total tandem, and bridge formula weight limits. Under existing law, the maximum gross vehicle weight allowed on Connecticut roads without an overweight permit is generally 80,000 pounds (subject to the requirements of the federal bridge formula weight limit). Thus, the bill increases the maximum gross weight for electric commercial vehicles to 82,000 pounds.

The bill's exemption mirrors a federal exemption that the state must already comply with for vehicles on interstate highways. (Electric-powered units (i.e., truck tractors) on commercial vehicles are heavier than diesel-powered units because of the weight of the battery. Subject to the same weight limits, electric-powered tractor-trailers cannot carry as much cargo.)

EFFECTIVE DATE: July 1, 2024

***Background — Gross Vehicle Weight and Gross Vehicle Weight Rating***

By law, gross vehicle weight rating (GVWR) is the manufacturer-

specified maximum loaded weight of a single or combination (articulated) vehicle. The GVWR of a combination vehicle is the GVWR of the power unit plus the GVWR of the towed units. “Gross weight” is a vehicle’s light weight (unloaded weight) plus the weight of its load. For tractor-trailers, gross weight is the light weight of the tractor and the trailer plus the weight of its load (CGS § 14-1(41) & (42)).

***Background — Federal Weight Exemption for Electric Commercial Vehicles***

Federal law allows vehicles powered primarily by electric battery to exceed the weight limit on the power unit by up to 2,000 pounds, up to a maximum gross vehicle weight of 82,000 pounds (23 U.S.C. § 127(s)). Federal Highway Administration guidance specifies that, in addition to the gross weight limit, these vehicles may also exceed the limits on the power unit for the single axle, tandem axle, and federal bridge formula maximum weights, as long as the total gross vehicle weight is not over 82,000 pounds. The guidance further confirms that states must allow this additional weight for electric-powered vehicles on the interstates and on roads that provide reasonable access from the interstates to food, fuel, repairs, and rest.

***Background — Related Bill***

sSB 186 (File 245), favorably reported by the Transportation Committee, contains an identical provision on weight tolerance exemptions for electric commercial vehicles.

**§ 42 — PICK-UP TRUCK PASSENGER REGISTRATION**

*Makes pick-up trucks with a gross vehicle weight rating of 8,501 to 8,550 pounds eligible for a passenger registration if they are not used commercially (currently, they must be registered as combination vehicles); potentially allows them to access roads or other places that limit access by commercial traffic (e.g., state parkways)*

The bill makes pick-up trucks with a GVWR of 8,501 to 8,550 pounds eligible for a passenger registration if they are not used commercially (see *Background — Gross Vehicle Weight and Gross Vehicle Weight Rating* above).

By law, pick-up trucks with a GVWR of 12,500 pounds or less that are not used for commercial purposes must be registered as combination

vehicles, unless they fall at or under the GVWR threshold for pick-up truck passenger registration. (A combination registration is the type issued to vehicles that are used for both private passenger and commercial purposes.) The bill increases this threshold by 50 pounds, from 8,500 to 8,550 pounds. It also requires, rather than allows, the motor vehicles commissioner to issue a passenger registration to qualifying pick-up trucks. As under existing law, pick-up trucks pay the same weight-based fee that applies to commercial vehicles, regardless of whether they are registered as passenger, combination, or commercial vehicles.

By requiring noncommercial pick-up trucks with a GVWR of 8,501 to 8,550 pounds to be registered as passenger vehicles, the bill potentially allows them to access roads or other places that limit access by commercial traffic. For example, vehicles with passenger registrations are generally permitted on state parkways (i.e., the Merritt, Wilbur Cross, and Milford parkways), but state regulations prohibit vehicles with combination registrations and a gross weight above 7,500 pounds from using state parkways (Conn. Agencies Regs., § 14-298-249(f)). Under the bill, these pick-up trucks may use the parkways regardless of the vehicle's gross weight because they have passenger registrations.

### ***Background — Related Bill***

sSB 186 (File 245), favorably reported by the Transportation Committee, contains an identical provision on pick-up truck passenger registration.

### **§§ 43-45 — ACCESSIBLE PARKING**

*Modifies the conditions under which a health care professional may certify an applicant for an accessible parking windshield placard; prohibits health care professionals from making fees they charge to applicants seeking certification contingent on whether or not they certify the applicants' eligibility; eliminates the requirement that the Transportation Committee House chairperson's appointment to the Accessible Parking Advisory Council be a municipal planner*

This bill makes changes to laws related to health care professionals' certification of eligibility for an accessible parking removable windshield placard. By law, applicants for windshield placards must submit a certification from specified health care professionals (or certain

government officials), signed under penalty of false statement, stating that the applicant has a disability which limits or impairs the ability to walk, as defined under federal regulations, or is blind.

The bill requires health care professionals who certify placard applicants' eligibility to do so based on their professional opinion after completing a medically reasonable assessment of the applicant's medical history and current medical condition made in the course of a bona fide health care professional-patient relationship. It also prohibits health care professionals from making fees they charge to placard applicants contingent on certifying the applicant's eligibility and imposes a civil penalty of up to \$1,000 for violations.

Under the bill, a "health care professional" is a licensed physician, physician assistant, advanced practice registered nurse, psychiatrist employed by or under contract with the Department of Veterans Affairs, ophthalmologist, or optometrist. This definition corresponds to the health care professionals who are already authorized to certify eligibility for placards under existing law.

The bill also eliminates the requirement that the Transportation Committee House chairperson's appointment to the Accessible Parking Advisory Council be a municipal planner.

Lastly, the bill makes technical changes.

EFFECTIVE DATE: October 1, 2024, except that the advisory council provision is effective upon passage.

***Penalty for Contingent Fees***

The bill prohibits health care professionals from charging a fee for services provided to a placard applicant that is contingent on the professional certifying the applicant as eligible for a placard. It also prohibits healthcare professionals from entering into a written or oral agreement or understanding with a person or entity using their services that makes or effectively makes the professional's commissions, fees, or charges contingent on certifying the applicant's eligibility.

Under the bill, violators face a civil penalty of up to \$1,000, and the attorney general, after receiving a complaint from the DMV commissioner, must institute a civil action to recover the penalty in the Superior Court for the Hartford judicial district.

***Background — Related Bill***

sSB 279 (File 295), favorably reported by the Transportation Committee, contains substantially similar provisions on health professionals certifying windshield placards and the House chairperson’s appointment to the advisory council.

**COMMITTEE ACTION**

Transportation Committee

Joint Favorable Substitute

Yea 35    Nay 0    (03/20/2024)