



General Assembly

February Session, 2020

Raised Bill No. 153

LCO No. 1471



Referred to Committee on TRANSPORTATION

Introduced by:
(TRA)

AN ACT CONCERNING AN ADVANCED OPERATOR'S RETRAINING PROGRAM.

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

1 Section 1. Section 14-111g of the 2020 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2020*):

4 (a) For the purposes of this subsection, "moving violation" means any
5 violation of subsection (c) of section 14-36 or section 14-36g, 14-212d, 14-
6 218a, 14-219, 14-222, 14-223, 14-230 to 14-249, inclusive, 14-279, 14-283,
7 14-289b, 14-296aa, 14-299, 14-300, 14-301, 14-302 or 14-303, and
8 "suspension violation" means a violation of section 14-222a, 14-224, 14-
9 227a, 14-227m or 14-227n, or section 53a-56b, 53a-57 or 53a-60d. The
10 Commissioner of Motor Vehicles may require any motor vehicle
11 operator who is twenty-four years of age or less, who has been convicted
12 of a moving violation or a suspension violation, or both, committed on
13 two or more occasions to attend [a motor vehicle] and operator's
14 retraining program. The commissioner may require any motor vehicle
15 operator over twenty-four years of age, who has been convicted of a

16 moving violation or a suspension violation or a combination of said
17 violations, committed on three or more occasions to attend [a motor
18 vehicle] an operator's retraining program. The commissioner shall
19 require any motor vehicle operator convicted of traveling more than
20 seventy-five miles per hour, any person operating a commercial motor
21 vehicle convicted of traveling more than sixty-five miles per hour in a
22 highway work zone, as defined in section 14-212d, or any person
23 convicted of a violation of subdivision (1) of subsection (c) of section 14-
24 224, to attend [a motor vehicle] an operator's retraining program. The
25 commissioner shall notify such operator, in writing, of such
26 requirement. A fee of not more than eighty-five dollars shall be charged
27 for the operator's retraining program. The commissioner, after notice
28 and opportunity for hearing, [may] shall suspend the motor vehicle
29 operator's license of any such operator who fails to attend or
30 successfully complete the program until the operator successfully
31 completes the program. The hearing shall be limited to any claim of
32 impossibility of the operator to attend the [retraining] program, or to a
33 determination of mistake or misidentification.

34 (b) The operator's retraining program shall be taught by a designee
35 of the Commissioner of Motor Vehicles or by an instructor approved by
36 the commissioner and shall (1) review principles of motor vehicle
37 operation, (2) develop alternative attitudes for those attitudes
38 contributing to aggressive driving behavior, and (3) emphasize the need
39 to practice safe driving behavior.

40 (c) The operator's retraining program and the advanced operator's
41 retraining program described in subsection (e) of this section shall be
42 offered by the Department of Motor Vehicles or by any other
43 organization certified by the commissioner to conduct such [program]
44 programs. Any drivers' school, as defined in section 14-68, that meets
45 the licensure requirements of part IV of this chapter shall be eligible to
46 seek certification to offer [the motor vehicle operator's retraining
47 program] such programs. The commissioner shall determine the
48 number of program providers necessary to serve the needs of the public.
49 Each organization or drivers' school seeking certification or

50 recertification to conduct such [retraining program] programs shall
51 submit an application to the department for each such program in such
52 form as the commissioner shall require and an application fee of three
53 hundred fifty dollars for each application. Each such applicant shall:
54 [(A)] (1) Be registered to do business in this state and continuously
55 maintain good standing with the office of the Secretary of the State; [(B)]
56 (2) file and continuously maintain a surety bond in the amount of fifty
57 thousand dollars. Such bond shall be conditioned upon compliance with
58 the provisions of any state or federal law or regulation concerning the
59 conduct of an [operator] operator's retraining program or an advanced
60 operator's retraining program and provided as indemnity for any loss
61 or expense sustained by either the state or any person by reason of any
62 acts or omissions of the program provider. Such bond shall be executed
63 in the name of the State of Connecticut for the benefit of any aggrieved
64 party, but the penalty of the bond shall not be invoked except upon
65 order of the Commissioner of Motor Vehicles after a hearing held before
66 the commissioner in accordance with the provisions of chapter 54; [(C)]
67 (3) have a permanent place of business in this state where all [operator
68 retraining] program records shall be maintained and accessible to the
69 commissioner during normal business hours; [(D)] (4) submit for
70 approval by the commissioner a detailed curriculum and lesson plan,
71 including any changes to such curriculum and lesson plan, which shall
72 be used in each [operator retraining class] program; and [(E)] (5)
73 electronically transmit information concerning enrollment and [class]
74 program completion to the commissioner at such times and in such form
75 as the commissioner shall prescribe. Prior to the certification of an
76 applicant, the commissioner shall investigate the applicant's character,
77 driving history and criminal history. If the applicant is a business entity,
78 such investigation shall include the principals and officers of such
79 entity. The applicant shall submit to the commissioner any information
80 pertaining to current or past criminal or civil actions. The certification
81 of a program provider by the commissioner shall not be transferable and
82 shall be valid for a two-year period. Recertification of a program
83 provider shall be at the discretion of the commissioner and in such form
84 and manner determined by the commissioner.

85 ~~[(c)]~~ (d) Any person who is required to attend an ~~[operator]~~ operator's
86 retraining program shall have such requirement and the completion
87 date of such requirement posted on such person's driving history record
88 maintained by the commissioner. The date of ~~[class]~~ program
89 completion shall remain on such person's driving history record until
90 such person has attained thirty-six consecutive months without any
91 additional moving violations or suspension violations specified in
92 subsection (a) of this section being posted to such person's driving
93 history record. Until the completion of such thirty-six consecutive
94 months, the Commissioner of Motor Vehicles shall: ~~[suspend]~~ (1)
95 Suspend such person's operator's license or operating privilege for ~~[: (1)~~
96 Thirty] (A) thirty days upon a first conviction for any specified moving
97 violation or suspension violation; ~~[(2)]~~ (B) sixty days upon a second
98 conviction of any specified moving violation or suspension violation;
99 and ~~[(3)]~~ (C) ninety days for a third or subsequent conviction of a
100 specified moving violation or suspension violation, and (2) upon a first
101 conviction for any specified moving violation or suspension violation,
102 require such person to attend and successfully complete an advanced
103 operator's retraining program. The commissioner shall notify such
104 person, in writing, of the requirement to attend an advanced operator's
105 retraining program. The commissioner, after notice and opportunity for
106 hearing, shall suspend the motor vehicle operator's license of any such
107 person who fails to attend or successfully complete the advanced
108 operator's retraining program until such person successfully completes
109 the program. The hearing shall be limited to any claim of impossibility
110 of such person to attend the advanced operator's retraining program, or
111 to a determination of mistake or misidentification.

112 (e) The advanced operator's retraining program shall consist of not
113 less than eight hours of in-person classroom instruction. The program
114 may include: (1) An examination of the operator's behavior in various
115 driving situations to help the operator understand the behavioral
116 driving characteristics that have resulted in the conviction of a moving
117 violation or suspension violation; (2) psychology-based principles as
118 they relate to driving behaviors; (3) an examination of why operators

119 choose to obey or disobey motor vehicle laws; (4) a review of the four
120 components of human behavior and the ability to choose behaviors; and
121 (5) a review of the effects of prescription drugs and over-the-counter
122 drugs on the operator of a motor vehicle and the dangers associated
123 with speeding, right-of-way violations, improper passing, driving with
124 insufficient space between vehicles and driving in an aggressive manner
125 or while distracted or fatigued. A fee of not more than one hundred
126 thirty-five dollars shall be charged for the advanced operator's
127 retraining program.

128 [(d)] (f) The commissioner shall adopt regulations in accordance with
129 chapter 54 to implement the provisions of [subsections (a) and (b) of]
130 this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2020	14-111g

Statement of Purpose:

To establish an advanced operator's retraining program.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]