

hearing will be scheduled on the proposed regulation if requested by fifteen persons, by a governmental subdivision of an agency or by an association having not less than fifteen members, if notice of the request is received by the Department within fourteen days after the date of publication of this notice.

When submitting comments, please refer to DSS regulation control #10-03/WH.

DEPARTMENT OF SOCIAL SERVICES

Presumptive Eligibility for Medicaid

Section 17b-10-1, the Uniform Policy Manual, is amended.

The text of these regulations will not be published herein in accordance with the provisions of Section 4-173 of the Connecticut General Statutes. Copies of this regulation are available at the Department of Social Services. Interested members of the public may obtain a copy by writing to Office of Legal Counsel, Regulations and Administrative Hearings, Department of Social Services, 25 Sigourney St., Hartford, CT 06106.

Statement of purpose: (A) The purpose of this regulation was to delete sections 1520, 1520.05 and 1520.10 of the Uniform Policy Manual and adopt new sections 1521, 1521.05, 1521.07 and 1521.10 of the UPM. The regulation adds a temporary Medicaid coverage group for pregnant women in order to increase access to medical coverage for needy pregnant women. The regulation also provides that “qualified providers” approved by the department, be permitted to make determinations regarding presumptive eligibility.

Be it known that the foregoing regulations are adopted by the aforesaid agency pursuant to Public Act No. 08-68 of the Public Acts, after publication in the Connecticut Law Journal on February 2, 2010, of the notice of the proposal to adopt such regulations.

Wherefore, the foregoing regulations are hereby adopted, effective when filed with the Secretary of the State.

In Witness Whereof: October 28, 2010, Michael P. Starkowski, Commissioner.

Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, Connecticut General Statutes: April 26, 2010.

Approved by the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes: October 26, 2010.

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Sec. 4-172, as amended, of the General Statutes, Secretary of the State: November 5, 2010.

DEPARTMENT OF MOTOR VEHICLES

Issuing of Work Permit to Operate a Motor Vehicle

Section 1. - The title for Sections 14-37a-1 through 14-37a-10 of the Regulations of Connecticut State Agencies is amended to read as follows:

Special Operator's Permits

Sec. 2. - Section 14-37a-1 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 14-37a-1. Definitions

In sections 14-37a-2 through 14-37a-10 the following words shall have the following meanings:

(1) "Accreditation" means the authorization of the Board of Governors of Higher Education, established pursuant to section 10a-2 of the Connecticut General Statutes, to operate a program or institution of higher learning or the equivalent authorization to operate a program or institution of higher learning granted by an equivalent board or authority in another state;

(2) "Alcohol-related offense" means a conviction of a violation of section 14-227a of the Connecticut General Statutes, or conviction of a violation involving substantially similar conduct in another state, as reported to the commissioner in accordance with the provisions of section 14-111n [c] of the Connecticut General Statutes, or conviction of a violation of section 30-88 or 30-89 or 53a-56b or 53a-60d of the Connecticut General Statutes;

(3) "Classes or other required educational activities" means components of a program of higher learning sponsored and conducted by an accredited institution of higher education and attested to by the registrar of such institution of higher education;

(4) "Commissioner" means Commissioner of Motor Vehicles or his or her designee;

(5) "Degree" means any letters or words, diploma, certificate or other symbol or document which signifies satisfactory completion of the requirements of a program of higher learning;

(6) "Department" means Department of Motor Vehicles;

(7) "Education permit" means the special operator's permit issued to a student for purposes of attending classes at an accredited institution of higher education issued in accordance with section 14-37a of the Connecticut General Statutes;

(8) "Institution of higher education" means an entity which is licensed or accredited to offer one or more programs of higher learning leading to one or more degrees;

(9) "Program of higher learning" means any course of instruction for which it is stated or implied that college or university-level credit may be given or may be received by transfer;

(10) "Registrar" means the officer of an institution of higher education, or such officer's designee, who creates and maintains records on the enrollment and academic standing of students;

(11) "Student" means a person enrolled in a program of higher learning at an institution of higher education within the United States but does not include a person enrolled in a secondary school who is participating in advance placement or similar courses for which college or university level credit is provided;

(12) "Work Permit" means the special operator's permit for purposes of employment issued in accordance with section 14-37a of the Connecticut General Statutes.

Sec. 3. - Sec. 14-37a-2 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 14-37a-2. Eligibility for special operator's permit

(a) Except as provided in subsection (b), any person whose motor vehicle operator's license or nonresident operating privilege is suspended pursuant to any provision of chapter 246 or 248 of the Connecticut General Statutes may make application for a special operator's permit.

(b) The following persons shall not be eligible for a special operator's permit:

(1) A person whose motor vehicle operator's license or nonresident operating privilege is under suspension pursuant to section 14-215 of the Connecticut General Statutes;

(2) A person whose motor vehicle operator's license or nonresident operating privilege is under suspension pursuant to section 14-140 of the Connecticut General Statutes;

(3) A person whose motor vehicle operator's license or nonresident operating privilege is under suspension pursuant to subsection (i) of section 14-227b of the Connecticut General Statutes, if such person's operator's license or nonresident operating privilege has been suspended previously pursuant to subsection (i) of section 14-227b of the Connecticut General Statutes;

(4) A person whose motor vehicle operator's license or nonresident operating privilege is suspended due to a second or subsequent violation committed after a prior conviction pursuant to section 14-227a of the Connecticut General Statutes or section 14-111n(b)(2) of the Connecticut General Statutes.

(c) The commissioner shall not issue a special operator's permit in the following situations unless the person has a driving history, including motor vehicle violations, license suspensions and accidents, which indicates in the sole discretion of the commissioner that the person is a safe and responsible driver, and the commissioner finds that denial of a special operator's permit will cause a significant hardship to such person or his or her dependents:

(1) A person whose motor vehicle operator's license or nonresident operating privilege is under suspension for a violation of section 14-222 of the Connecticut General Statutes, or for a violation of section 14-223(b) of the Connecticut General Statutes, or for a violation of section 14-224 of the Connecticut General Statutes, and such person has on his or her official driving history, as maintained at the department, either two or more moving violations, as defined in section 14-111g of the Connecticut General Statutes or included in section 14-137a-5 of the Regulations of Connecticut State Agencies, or any previous violation resulting in an operator's license suspension, where such moving violation or such suspension occurred prior to the violation which resulted in the operator's license suspension of the person;

(2) A person whose motor vehicle operator's license or nonresident operating privilege is under suspension for a violation of 53a-56b of the Connecticut General Statutes, or for a violation of section 53a-60d of the Connecticut General Statutes, or whose suspension has been specifically recommended by a judge of the superior court pursuant to the provisions of section 14-141 of the Connecticut General Statutes following the conviction of any other violation related to the safe operation of a motor vehicle;

(3) A person to whom a special operator's permit has previously been issued in connection with an alcohol-related suspension of his or her operator's license or non-resident operating privilege;

(4) A person who has on his or her official driving history three (3) or more moving violations included in section 14-111g of the Connecticut General Statutes or section 14-137a-5 of the Regulations of Connecticut State Agencies;

(5) A person who, at the time of application for the special operator's permit has on his or her official driving history an operator's license suspension for an indefinite

period, except that upon resolution of such indefinite suspension, such person may be issued a special operator's permit if he is otherwise qualified; or

(6) A person whose driving history indicates that such person has been convicted of more than one alcohol related offense.

(d) In exercising the discretion granted in section (c) of this section, the commissioner may consider a conviction of an offense in another state, if the commissioner determines that the essential elements of such offense are substantially the same as any of the offenses enumerated in section (c) of this section.

Sec. 4. - Section 14-37a-3 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 14-37a-3. Application for special operator's permit

(a) Application for a work permit shall be made by the operator on a form approved by the commissioner. Such form may be obtained from the department, and shall contain information required by the commissioner including the following:

- (1) Applicant's name;
- (2) Applicant's residence and mailing addresses;
- (3) Applicant's operator's license number and date of birth;
- (4) Applicant's employer and place of employment including a business telephone number where his or her employment can be verified;
- (5) Applicant's occupation or a description of his or her duties;
- (6) Applicant's hours of employment;
- (7) The approximate distance from applicant's present residence to his or her place of employment;
- (8) If applicant's place of employment and/or hours of employment are not fixed, an explanation of his or her duties and normal work schedule;
- (9) A statement indicating whether any public or alternative form of transportation, such as a car pool or vanpool, is available between the applicant's residence and place of employment, and, if not, what efforts have been made to secure other transportation;
- (10) An explanation of the significant hardship that would occur if a work permit is not issued;
- (11) The name, signature and phone number of the person's employer or of a person who can verify his or her employment schedule; and
- (12) The signature of the applicant together with a statement that the application, its attachments, and the statements therein are made under penalty of false statement as provided in sections 14-110 and 53a-157b of the Connecticut General Statutes. If the applicant has more than one employer, such information shall pertain to each employer.

(b) Application for an education permit shall be made by the operator on a form approved by the commissioner. Such form may be obtained from the department, and shall contain information required by the commissioner, including the following:

- (1) Applicant's name;
- (2) Applicant's student identification number;
- (3) Applicant's permanent residence and mailing addresses as well as any non-permanent address that may be applicable relative to the applicant's status as a student;
- (4) Applicant's operator's license number and date of birth;
- (5) The name and address of the institution of higher education at which the applicant is enrolled in classes or other required educational activities;
- (6) The name of the registrar and a telephone number where the applicant's enrollment and schedule can be verified;

(7) A certified copy of the applicant's schedule of classes or other required educational activities along with a fully executed release allowing such records to be provided to and confirmed by the Department;

(8) The approximate distance from applicant's present residence to the location(s) where classes or other required educational activities are conducted;

(9) The starting and ending dates of the applicant's classes or other required educational activities;

(10) A statement indicating whether any public or alternative form of transportation, such as a car pool or vanpool, is available between the applicant's residence and the location of his or her classes or other required educational activities, and, if not, what efforts have been made to secure other transportation;

(11) An explanation of the significant hardship that would occur if an education permit is not issued; and

(12) The signature of the applicant together with a statement that the application, its attachments, and the statements therein are made under penalty of false statement as provided in sections 14-110 and 53a-157b of the Connecticut General Statutes. If the applicant is enrolled in more than one institution of higher education, such information shall pertain to each such institution.

(c) In addition to the requirements of subsection (a) or (b) of this section, a person licensed in another state or country, whose nonresident operating privilege is under suspension in this state, shall present to the commissioner, with his or her application for a special operator's permit a recent certified driving history from his or her licensing state or country showing that he or she possesses a current, valid operator's license issued by such state or country, and listing any violations of motor vehicle laws or regulations. A license and driving history issued in a language other than English must be accompanied by an English translation of the information contained in each document. Said translation must be signed by the translator under penalty of false statement as provided in sections 14-110 and 53a-157b of the Connecticut General Statutes. A nonresident to whom a special operator's permit is issued shall inform the commissioner of any subsequent motor vehicle violations, suspensions, infractions or administrative actions in any state or country subsequent to the date of the certified driving history. The commissioner may require such nonresident to submit, at intervals to be determined in the sole discretion of the commissioner, an updated driving history or similar documentation showing the status of his or her operator's license in his or her licensing state or country.

(d) The application shall state thereon the penalties that could be incurred if a person is granted a special operator's permit and is found to be operating a vehicle for a purpose other than authorized, or for misuse of such permit.

(e) The completed application form and the information required pursuant to subsection (a) or (b), as applicable, shall be mailed or delivered to the Operator Control Section of the Department of Motor Vehicles. No copy of an application form without original signatures shall be accepted. No application shall be accepted by the department until the date of the suspension of the person's motor vehicle operator's license or nonresident operating privilege is determined.

Sec. 5. - Section 14-37a-4 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 14-37a-4. Submission of application. Decision

(a) Upon receipt of the application, the commissioner shall review the application and determine if the application is in proper form.

(b) The commissioner may request additional relevant information prior to acting on such application.

(c) The commissioner shall determine whether or not to issue a special operator's permit within a reasonable time after receipt of the application and shall notify the applicant in writing of the decision.

Sec. 6. - Section 14-37a-5 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 14-37a-5. Factors in considering application

In determining whether to grant a special operator's permit, in addition to considering the eligibility of the applicant in accordance with the provisions of section 14-37a-2 of the Regulations of Connecticut State Agencies and the applicant's driving history, the commissioner shall consider the information provided in the application, including the applicant's residence and the distance from his or her place of employment or location of classes or other required educational activities, the availability of other modes of transportation to and from the place of employment or location of classes or other required educational activities, the applicant's efforts to obtain alternate transportation, and the extent of the hardship to the applicant and his or her dependents if a special operator's permit is not issued. It shall be considered to be a significant hardship if the applicant submits proof that he has been unable, after reasonable effort, to obtain other reliable, regular transportation to and from his or her place of employment or location of classes or other required educational activities, and such transportation is necessary for the applicant to perform his or her work or profession or continue a program of higher learning.

Sec. 7. - Section 14-37a-6 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 14-37a-6. Issuing of special operator's permit

(a) Upon the granting of an application for a special operator's permit, the department shall issue such permit by mail to the mailing address as indicated on the application.

(b) The permit shall be validated by the department.

Sec. 8. - Section 14-37a-7 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 14-37a-7. Content of special operator's permit

(a) The special operator's permit shall be on a form approved by the commissioner.

(b) The permit shall contain:

(1) The legend "WORK ONLY" or "EDUCATION ONLY" conspicuously imprinted on the top of said form;

(2) The effective date and expiration date of the permit. The expiration date of the work permit shall be no later than the eligibility date for the person to have his or her motor vehicle operator's license or nonresident operating privilege restored, or the date the person's resident or nonresident operator's license expires, whichever is the earlier. The permit shall be valid for the period including both said effective date and said expiration date, except as provided hereinafter;

(3) An education permit shall expire no later than the last day of examinations or classes in the academic period for the program of higher learning of the institution of higher education at which the operator is enrolled or no later than the eligibility date for the person to have his motor vehicle operator's license or nonresident operating privilege restored, or the date the person's resident or nonresident operator's license expires, whichever is the earlier. The permit shall be valid for the period including both said effective date and said expiration date, except as provided hereinafter;

(4) A person whose operator's license expires during the period of suspension shall renew his or her license in accordance with law and shall submit proof of such renewal as required by the department. Such person shall thereupon be issued a new special operator's permit with a revised expiration date;

(5) A statement that the permit shall be carried by the operator at all times while operating a motor vehicle on the highways of this state;

(6) The specification of the work schedule, based on the determination of the commissioner as to the normal work hours of the applicant or the hours applicable to the program of higher learning in which the applicant is enrolled as attested to by the registrar of the institution of higher education;

(7) In the case of a work permit, the name(s) and business telephone number(s) of the operator's employer(s) or supervisor(s) where the operator's employment may be verified during normal work hours, or of a person who can verify the person's employment schedule;

(8) In the case of an education permit, the name(s) and telephone number(s) of the registrar of the institution of higher education where the operator's enrollment and class schedule may be verified during normal business hours; and

(9) A statement of the penalties that may be imposed on the operator by law for operating a motor vehicle without such permit, or for a purpose or at a time or location not permitted by such permit, or for alteration or other misuse of such permit.

(c) The special operator's permit shall be a controlled document having a unique identifying number or other unique identifier.

Sec. 9. - Section 14-37a-8 of the Regulations of Connecticut State Agencies shall be amended to read as follows:

Sec. 14-37a-8. Effect of special operator's permit

(a) A person to whom a special operator's permit is issued and who operates a motor vehicle shall carry such permit at all times when operating a vehicle. Any person to whom a special operator's permit is issued shall operate a motor vehicle only under the conditions of such permit.

(b) A person to whom a special operator's permit is issued shall have his or her motor vehicle operator's license or nonresident operating privilege remain under suspension except for the limited rights granted by the issuing of a special operator's permit. Such suspension and the issuance of the special operator's permit shall be listed on the person's official driving history.

Sec. 10. - Section 14-37a-9 of the Regulations of Connecticut State Agencies shall be amended to read as follows:

Sec. 14-37a-9. Violation of terms and condition of special operator's permit

(a) If a person commits a violation as enumerated in section 14-37a-8 of the Regulations of Connecticut State Agencies, such special operator's permit shall be subject to revocation by the department.

(b) If a police officer has reasonable grounds to believe that a person to whom a special operator's permit has been issued is not abiding by the terms and conditions of the special operator's permit, the police officer may make a written report of the circumstances, on a form or in a format determined by the commissioner, take possession of the permit and shall return the permit to the commissioner together with the written report. The commissioner may, upon receipt of such report and after providing the operator with an opportunity for a hearing, revoke the permit and impose a civil penalty of up to five hundred dollars (\$500.00).

(c) If an additional suspension of a person's motor vehicle operator's license or nonresident operating privilege is imposed during the time that a special operator's

permit is effective, such permit shall be revoked upon the effective date of the additional suspension and shall become null and void. The special operator's permit holder shall return said permit to the commissioner upon the effective date of such revocation. Should the additional suspension arise from the same incident as the suspension for which the original special operator's permit was issued, the commissioner may stay such revocation and extend the expiration date of the original special operator's permit, or may issue a special operator's permit for such additional suspension.

Sec. 11. - Section 14-37a-10 of the Regulations of Connecticut State Agencies shall be amended to read as follows:

Sec. 14-37a-10. Miscellaneous

(a) No special operator's permit may be used in connection with the operation of a commercial motor vehicle as defined in section 14-1 of the Connecticut General Statutes, or the operation of a vehicle for which a passenger or school bus/student transportation vehicle endorsement is required as provided in accordance with section 14-44 of the Connecticut General Statutes.

(b) No special operator's permit shall be issued in connection with any disqualification from operation of a commercial motor vehicle as provided in section 14-44k of the Connecticut General Statutes.

(c) A special operator's permit shall be reissued if it is lost, mislaid, stolen or destroyed.

(d) Any change in the mailing or residence address, employment, work location, work hours or commuting distance of a person to whom a work permit has been issued shall be reported immediately by the permit holder to the department in writing. The department may, in its discretion, issue a revised work permit, and require return of the original work permit, but no change in the terms and conditions of the original work permit shall be effective until the commissioner has approved such change and such change appears on the records of the department.

(e) Any change in the mailing or residence address, schedule of classes or other required educational activities or commuting distance of a person to whom an education permit has been issued shall be reported immediately by the permit holder to the department in writing. The department may, in its discretion, issue a revised education permit, and require return of the original education permit, but no change in the terms and conditions of the original education permit shall be effective until the commissioner has approved such change and such change appears on the records of the department.

(f) A notation shall be made on the person's driving history maintained by the department when a special operator's permit is issued and when such permit expires, or is revoked.

Statement of purpose: Effective October 1, 2009, Public Act 09-187, Section 36, repealed subsections (a) to (c), inclusive, of section 14-37a of the Connecticut General Statutes and provided the substitution thereof. As a result of said legislation, in addition to the special "work" permit, the Commissioner may provide a special "education" permit to qualifying applicants.

Be it known that the foregoing regulations are amended as hereinabove stated by the aforesaid agency pursuant to Sec. 14-37a of the General Statutes, after publication in the Connecticut Law Journal on January 26, 2010, of the notice of the proposal to amend such regulations.

Wherefore, the foregoing regulations are hereby amended as hereinabove stated, effective when filed with the Secretary of the State.

In Witness Whereof: October 29, 2010, Robert M. Ward, Commissioner.

Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, Connecticut General Statutes: July 15, 2010.

Approved by the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes: October 26, 2010.

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Sec. 4-172, as amended, of the General Statutes, Secretary of the State: November 3, 2010.

DEPARTMENT OF MOTOR VEHICLES

Lien on Motor Vehicles Abandoned at Self-Service Storage Facilities

The Regulations of Connecticut State Agencies is amended by adding sections 42-160-1 through 42-160-6, inclusive, as follows:

Sec. 42-160-1. Definitions

As used in Sections 42-160-1 through 42-160-6, inclusive, the following words and phrases shall have the following meanings:

“Commissioner” means the Commissioner of Motor Vehicles;

“Default” means failure to perform any obligation or duty imposed by a rental agreement or by chapter 743 of the Connecticut General Statutes;

“Department” means the Department of Motor Vehicles;

“Lienholder” means a person holding a security interest in a motor vehicle that has been recorded in the title records of the department;

“Motor vehicle owner” means the person or persons named on a motor vehicle certificate of title and any registration documents;

“Occupant” means a person, or the sublessee, successor, or assignee of a person, entitled to the use of a storage unit at a self-service storage facility under a rental agreement, to the exclusion of others;

“Owner” means the owner, operator, lessor or sublessor of a self-service storage facility, such owner’s agent, or any other person authorized by such owner to manage the self-service facility or to receive rent from an occupant under a rental agreement;

“Rental agreement” means any written agreement or lease that establishes or modifies the terms, conditions, rules or any other provisions concerning the use and occupancy of a unit in a self-service storage facility;

“Self-service storage facility” means any real property designed and used for the renting or leasing of individual self-contained units of storage space to occupants who are to have access to such units for storing and removing personal property only, and not for residential purposes;

“VIN” means the vehicle identification number of a motor vehicle.

Sec. 42-160-2. Registration of self-storage facility

In order to dispose of any motor vehicle abandoned at a self-service storage facility, the owner shall comply with chapter 743 of the Connecticut General Statutes and all procedures set forth in sections 42-160-1 through 42-160-6 of the Regulations of Connecticut State Agencies. Prior to the sale or other disposition of a motor vehicle or motor vehicles under chapter 743 of the Connecticut General Statutes and sections 42-160-1 through 42-160-6 of the Regulations of Connecticut State Agencies, the owner shall be required to register with the commissioner by submitting such information pertaining to the self-storage facility as the commissioner requests, including but not limited to a copy of the rental agreement used by the owner for the use and occupancy of a unit or units in the self-storage facility. Such information

shall be provided on a form approved by the commissioner and shall be kept in the records of the department. The owner shall notify the commissioner within ten (10) days of any change in the information submitted to the department under this section. Upon successfully registering with the department, the owner shall be assigned an identifying number.

Sec. 42-160-3. Preliminary requirements for sale or other disposition of a motor vehicle

(a) Upon registering with the commissioner and prior to disposing of a motor vehicle or motor vehicles under the provisions of chapter 743 of the Connecticut General Statutes, the owner shall contact the department in the manner prescribed by the commissioner for the purpose of determining the name and address of such motor vehicle owner or owners, and the name and address of any lienholder or lienholders that are reflected in the records of the department. When contacting the department, the owner shall be required to provide:

- (1) The owner's identifying number;
- (2) The make and model of each motor vehicle and the VIN that appears on each motor vehicle;
- (3) If number plates are on or in a motor vehicle, any registration number that appears on such number plates or any registration number that appears on a registration certificate if such certificate is available to the owner.

(b) When the owner provides the department with the information specified in subsection (a) of this section, the department shall provide the name and address of each motor vehicle owner and lienholder reflected in its records for each motor vehicle for which a VIN is provided by the owner. If the department has no motor vehicle owner or lienholder information on file for any vehicle or vehicles for which the owner has provided a VIN, such motor vehicle or motor vehicles shall not be disposed of under the procedures specified in chapter 743 of the Connecticut General Statutes and sections 42-160-1 through 42-160-6 of the Regulations of Connecticut State Agencies.

Sec. 42-160-4. Notice to occupant, motor vehicle owner and lienholder

Within ten (10) days after the receipt from the department of the information pertaining to the motor vehicle owner or owners and the lienholder or lienholders, the owner shall send a written notice to each motor vehicle owner and to each lienholder. The notice shall contain the owner's contact information, shall be sent by postage paid registered or certified mail, return receipt requested, and shall contain the following: (1) the make, model and VIN of the motor vehicle; (2) the date of default by the occupant; (3) the amount that the occupant owes under the rental agreement; (4) a statement that the motor vehicle has a lien attached under chapter 743 of the Connecticut General Statutes as a result of the default of the occupant; (5) a statement that the owner intends to sell the motor vehicle to satisfy the lien. If the motor vehicle owner is the occupant of the self-storage unit, the contents of the notice shall also include the items enumerated in section 42-162 of the Connecticut General Statutes.

Sec. 42-160-5. Filing of notice of intent to transfer with the commissioner

(a) After sixty (60) days from the date of default by the occupant, the owner shall file with the department on a form approved by the commissioner a notice of intent to transfer title for each motor vehicle upon which the owner claims a lien under chapter 743 of the Connecticut General Statutes and for which the owner has sent the notice required in section 42-160-4 of the Regulations of Connecticut State Agencies. The notice of intent to transfer shall contain the following: (1) the make,

model and VIN of such motor vehicle; (2) the date such motor vehicle was left with the owner of such storage facility; (3) the date of default by the occupant; (4) the amount for which a lien is claimed; (5) the registration thereof if any number plates are on or in the motor vehicle; and (6) the name of the motor vehicle owner and the name of the occupant who defaulted. Each notice of intent to transfer shall be accompanied by the defaulting occupant's signed rental agreement and such other documents as the commissioner may require as evidence of the owner's lien, including the notice or notices to the occupant, motor vehicle owner if not the occupant and lienholder or lienholders sent in accordance with section 42-160-4 of the Regulations of Connecticut State Agencies. A fee of five dollars (\$5.00) shall be payable to the department for each notice of intent to transfer that the owner files.

(b) Each motor vehicle for which the department receives a notice of intent to transfer title under subsection (a) of this section shall be subject to such checks of its VIN as the commissioner may require. If any check of the VIN reveals that a motor vehicle that is subject to transfer has been reported as stolen, the commissioner shall immediately notify the owner, and the owner shall not dispose of the motor vehicle under the procedures specified in chapter 743 of the Connecticut General Statutes.

(c) The commissioner shall notify the owner whether the requirements of subsections (a) and (b) of this section have been met for each motor vehicle that the owner intends to transfer. Notice from the department that the owner has not met the requirements in such subsections for any motor vehicle shall result in the department's refusal to issue title in the event of a transfer of such motor vehicle.

Sec. 42-160-6. Sale or other disposition of motor vehicles

(a) In order to satisfy the owner's lien on a motor vehicle that has been approved for transfer under subsection (c) of section 42-160-5 of the Regulations of Connecticut State Agencies, the owner may sell such motor vehicle at a public sale or other disposition. The owner shall first allocate the proceeds to pay the expenses of such sale or other disposition, and then to satisfy any lien or liens that are recorded on the title records of the department. Subsequently, the owner may satisfy its lien from the remaining proceeds of the sale or other disposition and shall hold the balance, if any, for delivery on demand to the motor vehicle owner and then the occupant.

(b) For each motor vehicle that is to be sold under subsection (a) of this section, the owner shall publish an advertisement or notice of the date, time and place of the public sale or other disposition of such motor vehicle in a newspaper of substantial circulation in or near the municipality where the self-service storage facility is located. Such advertisement or notice shall be published at least twice within a period not less than ten (10) days preceding the date of such sale or other disposition. The notice or advertisement shall include: (1) A description of the motor vehicle that is subject to the owner's lien; (2) the name of the occupant, the address of the self-service storage facility and the unit number, if any, of the storage space where the motor vehicle is located; and (3) the date, time, place and manner of the sale or other disposition.

(c) The owner shall send a copy of the advertisement or notice of sale or other disposition described in subsection (b) of this section to the motor vehicle owner or owners and the lienholder or lienholders, at their addresses of record, by postage paid registered or certified mail, return receipt requested.

(d) At any time prior to the sale or other disposition of a motor vehicle subject to the owner's lien the lienholder or motor vehicle owner may pay the amount necessary to satisfy the owner's lien, along with reasonable expenses incurred in

preparation for the sale or other disposition of the motor vehicle, and redeem the motor vehicle.

(e) The owner shall provide to the purchaser of a motor vehicle sold under this section proof that notice of the sale or other disposition was published in accordance with subsection (b) of this section and that notice of the sale or other disposition was sent to the motor vehicle owner or owners and the lienholder or lienholders in accordance with subsection (c) of this section. Proof of publication documents from the newspaper in which the advertisements or notices are published shall satisfy the requirements for subsection (b) of this section, and copies of notices and registered or certified mail receipts to the motor vehicle owner or owners and the lienholder or lienholders shall satisfy the requirements of subsection (c) of this section.

(f) The owner shall provide the purchaser of a motor vehicle sold under this section with a bill of sale or other disposition.

(g) The owner shall provide the purchaser of a motor vehicle sold under this section with an affidavit, on a form approved by the commissioner, in which the owner provides such information as the commissioner may require regarding the sale or other disposition of the vehicle, and attests that the owner has satisfied any lienholder or lienholders that appeared on the title records of the department for such motor vehicle.

Statement of purpose: The purpose of these regulations is to comply with Public Act 09-187, section 46, which requires the commissioner to specify the circumstances under which title to any motor vehicle abandoned at a self-storage facility may be transferred, and to establish a procedure whereby the owner of a self-storage facility may obtain title to such motor vehicle. Sections 45 and 46 of Public Act 09-187 amended sections 42-159 and 42-160 of the Connecticut General Statutes, and are effective January 1, 2010.

Be it known that the foregoing regulations are adopted by the aforesaid agency pursuant to Sec. 42-160 of the General Statutes, as amended by Section 46 of Public Act No. 09-187, after publication in the Connecticut Law Journal on June 1, 2010, of the notice of the proposal to adopt such regulations.

Wherefore, the foregoing regulations are hereby adopted, effective when filed with the Secretary of the State.

In Witness Whereof: August 2, 2010, Robert M. Ward, Commissioner.

Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, Connecticut General Statutes: August 20, 2010.

Approved by the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes: October 26, 2010.

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Sec. 4-172, as amended, of the General Statutes, Secretary of the State: November 3, 2010.

DEPARTMENT OF LABOR

Unemployment Compensation

Section One. Section 31-236-17 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 31-236-17. Voluntary leaving-general

(a) Except as provided in section 31-236-58 of the Regulations of Connecticut State Agencies, an individual shall be ineligible for benefits until the individual has earned at least ten times the individual's benefit rate if the Administrator finds that