Identity Card Issued to Persons Who Do Not Possess Motor Vehicle Operator Licenses

Secs. 1-1h--1-1h-3.
Repealed, August 27, 1992

Sec. 1-1h-4. Requirements for issuance

The following requirements must be met as a prerequisite to the issuance of an identity card pursuant to Section 1-1h of the General Statutes, as amended:

(a) The applicant must be at least sixteen (16) years of age and a resident of Connecticut.

(b) The applicant shall make application on a form provided by the commissioner of motor vehicles, shall sign the application and shall pay the fee provided in Section 1-1h of the General Statutes. If a person is unable to sign the application because of a health problem or other bona fide reason, a person designated by the applicant may sign for the applicant.

(Effective August 27, 1992)

Sec. 1-1h-5. License suspension

A person whose operator's license is presently under suspension is eligible to make application for an identity card. The commissioner may require surrender of a previously issued identity card upon reinstatement of a person's operator's license.

(Effective August 27, 1992)

Sec. 1-1h-6. Duplicate identity cards

(a) No duplicate identity card will be issued.

(b) A person whose identity card has been lost, stolen or destroyed may file an application for a new identity card including payment of the statutory fee. If the application for a new identity card is filed within a four (4) year period from issuance of the previous identity card, the person must submit therewith an affidavit certifying under penalty of false statement that the previous identity card was lost, stolen or destroyed. If the previous identity card is subsequently recovered, it shall be returned to the commissioner of motor vehicles within seven (7) days thereafter.

(Effective August 27, 1992)

Sec. 1-1h-7. Content of identity card

(a) An identity card shall include a picture of the applicant, his or her height, sex and eye color, address including zip code, and other information as determined by the commissioner.

(b) A distinctive identity card shall be issued to an applicant less than twenty-one years of age.

(c) An identity card shall contain a statement that it is issued subject to the same verification of the identity of the applicant as required for the issuance of a motor vehicle operator's license.

(Effective August 27, 1992)

DEPARTMENT OF REVENUE SERVICES

Presumed Total Purchase Price of Motor Vehicle Purchased Other Than From Motor Vehicle Dealer

Sec. 12-431(b)-1. Presumed total purchase price of motor vehicle purchased other than from motor vehicle dealer

(a) **In general.** Section 12-431 (b) of the general statutes requires the commissioner of revenue services, to adopt, by regulation, a book of valuations of motor vehicles published by a nationally recognized organization. Section 12-431 (b) also requires the commissioner to determine, by regulation, which of the various valuations of motor vehicles contained in any such book is appropriate for the purposes of section 12-431. This regulation makes the required selections. Subsection (a) of this regulation describes the scope and content thereof. Subsection (b) of this regulation selects the book of valuations that will be used for purposes of section 12-431. Subsection (c) of this regulation selects the valuation of the various valuations contained in the selected book of valuations that will be used for purposes of section 12-431.

(b) **Selected book of valuations.** The book of valuations that will be used under subsection (b) of section 12-431 is the current month's issue of the N.A.D.A. Official Used Car Guide, Eastern Edition. The term "selected book of valuations," wherever used in this regulation, means the current month's issue of the N.A.D.A. Official Used Car Guide, Eastern Edition.

(c) **Selected valuation.** Of the various valuations contained in the selected book of valuations, the valuation that will be used under subsection (b) of section 12-431 is the average trade-in-value. The term "selected valuation," wherever used in this regulation, means the average trade-in value, without allowance for any additions (e.g., for low mileage or optional equipment)or deductions (e.g., for high mileage or absence of certain equipment).

(Effective April 28, 1992)

Minimum Requirements for the Inspection and Repair of Taxicabs

Sec. 13b-99-1. Definition

As used in the Sections 13b-99-1 through 13b-99-8 the following words and phrases shall mean:

(a) "Commissioner" means the commissioner of motor vehicles or his authorized representative:

(b) "Department" means the Department of Motor Vehicles;

(c) "Inspect" means to view closely and critically in order to ascertain, in accordance with accepted inspection standards, if the vehicle is in proper mechanical condition and all manufactured systems, including but not limited to safety-related equipment, are intact;

(d) "Inspection procedure" means the step-by-step process for inspecting a taxicab contained in the publication of the department entitled "Taxicab Inspection Procedure" dated 8/90 as such publication may be revised and updated;

(e) "Inspection report" means the department form entitled "Public Transportation Vehicle Inspection Certification" as such form may be revised and updated and used to record the results of a taxicab inspection;

(f) "Inspection standards" includes both (1) the publication entitled "Passenger Vehicle Inspection Guidelines" dated 11/88, as the same may be revised and updated, and insofar as the standards may be applied under field conditions using ordinary visual and manual inspection techniques; and, (2) equipment and performance standards established by any provision of Title 14 of the Connecticut General Statutes, as amended;

(g) "Inspector" means a person appointed by the commissioner of motor vehicles having powers granted in accordance with Section 1408 of the Connecticut General Statutes;

(h) "Repair" means to restore by replacing a part or fixing what is torn, broken, or otherwise malfunctioning;

(i) "Taxicab" means a taxicab as defined in Section 13b-95 of the Connecticut General Statutes which has been granted a certificate of public convenience and necessity by the Connecticut Department of Transportation as provided in Section 13b-97 of the Connecticut General Statutes.

(Effective July 27, 1993)

Sec. 13b-99-2. Inspection required

(a) Each taxicab shall be inspected semiannually within sixty (60) days after January 1 and within sixty (60) days after July 1 of each calendar year. The commissioner may, in his discretion, designate another schedule for such semiannual inspections in order to administer the program more efficiently or economically.

(b) All Inspections shall be conducted in accordance with the inspection procedures and inspection standards as defined in Section 13b-99-1 of this regulation.

(c) Taxicab inspections shall be conducted by the Department of Motor Vehicles at designated branches of the Department with indoor inspection lanes. A list of designated branches will be maintained at the main office of the department.

(d) Failure of a taxicab operator to comply with the inspection schedule of subsection (a) of this section shall be a violation.

Sec. 13b-99-3. Inspection report

Each taxicab inspected by the Department shall be issued an inspection report. The report shall fully identify the taxicab, the date and time of the inspection, the place of inspection, the result of such inspection, and any other information required by the commissioner. The report shall be signed by the inspector performing the inspection. A copy of such report shall be furnished to the operator of each taxicab inspected and shall be carried in the taxicab at all times while the taxicab is being operated on a public highway. The report shall be made available for inspection upon request by any police officer or inspector designated by the commissioner. Failure to comply with any of the provisions of this section shall be a violation.
(Effective July 27, 1993)

Sec. 13b-99-4. Taxicab renewal registration. Inspection report

A copy of the most recent inspection report issued by the Department showing that an inspection has been performed in accordance with the semiannual schedule of Section 13b-99-2 (a) shall be submitted to the department by attaching it to the registration renewal application required in accordance with Section 14-26 of the Connecticut General Statutes. No registration renewal of a taxicab shall be issued unless the inspection report submitted with the renewal application indicates that the taxicab has passed the required inspection.
(Effective July 27, 1993)

Sec. 13b-99-5. Results of inspection

A taxicab which does not have a current inspection report indicating that the taxicab has passed the required safety inspection shall not be operated on the highways to solicit or carry passengers. The carrying of passengers in a taxicab without a current inspection report indicating that the taxicab has passed the safety inspection shall be a violation.
(Effective July 27, 1993)

Sec. 13b-99-6. Unscheduled inspections

The commissioner may, in his discretion, require and conduct an inspection of a taxicab, without charge, at any reasonable time.
(Effective July 27, 1993)

Sec. 13b-99-7. Fees

(a) The fee for an inspection by the Department shall be the same as provided for inspection of a service bus in accordance with Conn. Gen. Stat. §14-49 (P).

(b) A taxicab shall be subject to a late fee for a late registration as provided in Section 14-49 (aa) of the Connecticut General Statutes.

Sec. 13b-99-8. Violations. Hearings

(a) A taxicab owner who has committed a violation as enumerated in Sections 13b-99-1 to 13b-99-5, inclusive, is subject to suspension, revocation or non-renewal of the taxicab registration in accordance with the provisions of Section 14-111 of the Connecticut General Statutes.

(b) Any owner of a taxicab that is subject to suspension, revocation or nonrenewal of its registration in accordance with subsection (a) of this section shall be entitled to notice and an opportunity for hearing regarding such action in accordance with Chapter 54 of the Connecticut General Statutes.
(Effective July 27, 1993)

Camp Trailers

Sec. 14-1-1. Types of camp trailers

There are three general types of vehicles registered in Connecticut as camp trailers, as follows: House trailer or trailer coach, which may be defined as a trailer designed for living or sleeping purposes; utility trailer, which may be defined as a trailer designed for carrying camp or recreational equipment, baggage or supplies; boat trailer, which may be defined as a trailer built especially for transporting boats.
(See G.S. § 14-1 (5).)

Sec. 14-1-2. Brakes on house trailers and utility trailers registered as camp Trailers

Brakes are required on house trailers and utility trailers registered as camp trailers whose gross weight is three thousand pounds or more.
(See G.S. § 14-81.)

Sec. 14-1-3. Lights
Repealed. (Effective November 14, 1967.)

Sec. 14-1-4. Reflecters
Repealed. (Effective November 14, 1967.)

Sec. 14-1-5. Direction signal
Repealed. (Effective November 14, 1987.)

Sec. 14-1-6. Trailer to be attached by hitch***

Every trailer hitch or coupling used as a means of attaching a camp trailer to the towing vehicle shall be properly and securely mounted and be structurally adequate for the weight drawn. Every camp trailer shall be coupled to the frame of the towing vehicle by means of a safety chain, chains, cables or equivalent device which shall be of sufficient strength to control the trailer in event of failure of the regular trailer hitch or coupling. Every camp trailer while being drawn upon the public highways shall be so attached to the vehicle drawing same as to prevent the wheels of such trailer from being deflected more than six inches from the path of the towing vehicle's wheels.
(Effective September 9, 1969.)

Sec. 14-1-7. Mirror

Each motor vehicle used for towing a house trailer shall be equipped with an external mirror so located and adjusted on such vehicle as to give the operator thereof a clear reflected view of the highway directly to the rear of or on a line parallel to the side of the body of such motor vehicle.

Personal Data

Sec. 14-3-1. Personal data

(a) **Definitions**

(1) The following definitions shall apply to these regulations:

(A) ``Category of Personal Data'' means the classification of personal information set forth in the Personal Data Act, Connecticut General Statutes 4-190 (9).

(B) ``Other Data'' means any information which because of name, identification number, mark or description can be readily associated with a particular person.

(C) ``Licensee'' means individuals licensed by the commissioner of motor vehicles as operators of motor vehicles or individuals or businesses licensed as repairers, dealers, wrecker services, driving schools, manufacturers, motor vehicle junk yards, and gasoline stations.

(2) Definitions contained in Connecticut General Statutes Sec. 4-190 shall apply to these regulations.

(b) **General Nature and Purpose of Personal Data.**

(1) The Department of Motor Vehicles maintains the following personal data system:

(A) Personnel Records.

(i) All personnel records are maintained at the Department of Motor Vehicles, 60 State Street, Wethersfield, Connecticut.

(ii) Personnel records are maintained in both automated and manual form.

(iii) Personnel records are maintained for the purpose of retaining payroll, health, discipline and related personnel information concerning Department of Motor Vehicle employees.

(iv) Personnel records are the responsibility of the Personnel Administrator of the Department of Motor Vehicles, 60 State Street, Wethersfield, Connecticut. All requests for disclosure or amendment of these records should be directed to the Personnel Administrator.

(v) Routine sources for information retained in personnel records include the employee, previous employers of the employee, references provided by the applicants, the employee's supervisor, the Comptroller's Office and Department of Administrative Services, Division of Personnel and Labor Relations.

(vi) Personal data in personnel records are collected, maintained and used under authority of the State Personnel Act, Connecticut General Statutes Sec. 5-193 et seq.

(B) License Records. The Department maintains license records in two general classes, individual licenses and business licenses. Individuals are licensed with respect to operation, registration and titling of motor vehicles. Several types of businesses are licensed pursuant to the authority conferred by the General Statutes to regulate these types of businesses.

(i) Automated license records for licensees are maintained with the Chief of Information Systems, Department of Motor Vehicles, 60 State Street, Wethersfield, Connecticut.

(ii) License records are maintained in both automated and manual form.

(iii) Certain license records are maintained manually for the purpose of determining the qualifications of applicants and the continued suitability of licensees.

(iv) Automated licensee records are maintained with the Chief of Information Systems, Department of Motor Vehicles, 60 State Street, Wethersfield, Connecticut. All requests for disclosure or amendment of these

records should be directed to the director of the division responsible for retaining the records.

(v) Routine sources of information retained in license records include license application, financial, employment, criminal history and other personal background data and information secured and maintained by the Department of Motor Vehicles for individuals licensed by the Department.

(vi) Personal data in license records are collected, maintained and used under authority of the State Personnel Act, Connecticut General Statutes Sec. 5-193 et seq.

(c) **Categories of Personal Data.**

(1) Personnel Records.

(A) The following categories of personal data may be maintained in personnel records:

(i) Educational records.

(ii) Medical or emotional condition or history.

(iii) Employment or business history.

(iv) Other reference records.

(B) The following categories of other data may be maintained in personnel records:

(i) Addresses.

(ii) Marital status.

(iii) Telephone numbers.

(C) Personnel records are maintained on employees of the Department of Motor Vehicles and applicants for employment with the Department of Motor Vehicles.

(2) Licensee Records.

(A) The following categories of personal data may be maintained in license records of individual licensees:

(i) Educational records, with respect to driver education.

(ii) Medical or emotional condition or history, with respect to the ability to safely operate a motor vehicle.

(iii) Employment or business history, with respect to accident security and motorist financial responsibility.

(iv) Criminal records, with respect to the right to hold an operator's license or public service, commercial or school bus operator license.

(v) Police investigation records, with respect to motor vehicle accidents and arrests for violations, when such information is transmitted to the Department.

(vi) Investigative records from other jurisdictions concerning accidents and offenses, when such information is received.

(B) The following categories of other data may be maintained in individual license records:

(i) Application records.

(ii) Renewal records.

(iii) Removal records.

(iv) Records of administrative action.

(v) Addresses.

(vi) Marital status.

(vii) Social security number of commercial vehicle license holders as required by Commercial Motor Vehicle Safety Act of 1986.

(C) The following categories of personal data may be maintained in license records of business licensees. Such license records are maintained on applicants for and holders of licenses to act as lessors of motor vehicles, repairers,

dealers, wrecker services, driving schools, manufacturers, motor vehicle junk yards, and gasoline stations.

(i) Employment or business history, consisting primarily of financial statements and past experience statements.

(ii) Criminal records, with respect to the legal right to hold a license of any of the above-stated kinds.

(iii) Police investigation records, with respect to complaints or administrative hearings involving charges of legal violations.

(D) The following categories of other data may be maintained in business license records:

(i) Application records, updated annually.

(ii) Renewal records.

(iii) Removal records.

(iv) Records of administrative action.

(v) Addresses of principals, and other corporate information.

(vi) Telephone numbers of businesses.

(d) **Maintenance of Personal Data.**

(1) Personal data will not be maintained unless relevant and necessary to accomplish the lawful purposes of the Department of Motor Vehicles. Where the Department of Motor Vehicles finds irrelevant or unnecessary public records in its possession, the Department shall dispose of the records in accordance with its records retention schedule and with the approval of the Public Records Administrator as per Connecticut General Statutes Sec. 11-8a, or if the records are not disposable under the records retention schedule, request permission from the Public Records Administrator to dispose of the records under Connecticut General Statutes Sec. 11-8a.

(2) The Department of Motor Vehicles will collect and maintain all records with accurateness and completeness.

(3) Insofar as it is consistent with the needs and mission of the Department of Motor Vehicles, the Department wherever practical, shall collect personal data directly from the persons to whom a record pertains.

(4) Department of Motor Vehicle employees involved in the operation of the Agency's personal data systems will be informed of the provisions of the (A) Personal Data Act, (B) the Department's regulations adopted pursuant to Sec. 4-196, (C) the Freedom of Information Act and (D) any other state or federal statute or regulations concerning maintenance or disclosure or personal data kept by the Department.

(5) All Department of Motor Vehicle employees shall take reasonable precautions to protect personal data under their custody from the danger of fire, theft, flood, natural disaster and other physical threats.

(6) The Department of Motor Vehicles shall incorporate by reference the provisions of the Personal Data Act and regulations promulgated thereunder in all contracts, agreements or licenses for the operation of a personal data system or for research, evaluation and reporting of personal data for the Department or on its behalf.

(7) An agency requesting personal data from any other state agency shall have an independent obligation to ensure that the personal data is properly maintained.

(8) Only Department of Motor Vehicle employees who have a specific need to review personal data records for lawful purposes of the Department shall be entitled to access to such records under the Personal Data Act.

(9) The Department of Motor Vehicles will keep a written up-to-date list of individuals entitled to access to each of the agency's personal data systems.

(10) The Department of Motor Vehicles will ensure against unnecessary duplication of personal data records. In the event it is necessary to send

personal data records through interdepartmental mail, such records will be sent in envelopes or boxes sealed and marked ``confidential.''

(11) The Department of Motor Vehicles will ensure that all records in manual personal data systems are kept under lock and key and, to the greatest extent practical, are kept in controlled access areas.

(12) With respect to the automated personal data system:

(A) The Department of Motor Vehicles shall, to the greatest extent practical, locate automated equipment and records in a limited access area.

(B) To the greatest extent practical, the Department of Motor Vehicles shall require visitors to such area to sign a visitor's log and permit access to said area on a bona-fide need-to-enter basis only.

(C) The Department of Motor Vehicles, to the greatest extent practical, will ensure that the regular access to automated records systems is limited to authorized personnel.

(D) The Department of Motor Vehicles shall utilize appropriate access control mechanisms to prevent disclosure of personal data to unauthorized individuals.

(e) **Disclosure of Personal Data.**

(1) Within four business days of receipt of a written request therefor, the Department of Motor Vehicles shall mail or deliver to the requesting individual a written response in plain language, informing him/her as to whether or not the Department maintains personal data on that individual, the category and location of the personal data maintained on that individual and procedures available to review the records.

(2) Except where nondisclosure is required or specifically permitted by law, the Department of Motor Vehicles shall disclose to any person upon written request all personal data concerning that individual which is maintained by the agency. The procedures for disclosure shall be in accordance with Connecticut General Statutes Secs. 1-15 through 1-21k. If the personal data is maintained in coded form, the Department shall transcribe the data into a commonly understandable form before disclosure.

(3) The Department of Motor Vehicles is responsible for verifying the identity of any person requesting access to his/her own personal data.

(4) The Department of Motor Vehicles is responsible for ensuring that disclosure made pursuant to the Personal Data Act is conducted so as not to disclose any personal data concerning persons other than the person requesting the information.

(5) In any case where the Department of Motor Vehicles refuses disclosure, it shall advise that person of his/her right to seek judicial relief pursuant to the Personal Data Act.

(6) If the Department of Motor Vehicles refuses to disclose medical, psychiatric or psychological data to a person based on its determination that disclosure would be detrimental to that person and nondisclosure is not mandated by law, the Department shall, at the written request of such person, permit a qualified medical doctor to review the personal data contained in the person's record to determine if the personal data should be disclosed. If disclosure is recommended by the person's medical doctor, the agency shall disclose the personal data to such person; if nondisclosure is recommended by such person's medical doctor, the Department shall not disclose the personal data and shall inform such person of the judicial relief provided under the Personal Data Act.

(7) The Department of Motor Vehicles shall maintain a complete log of each person, individual, agency or organization who has obtained access or to whom disclosure has been made of personal data under the Personal Data Act, together with the reason for each such disclosure or access. This log must be maintained for not less than five years from the date of such disclosure or access or for the life of the personal data record, whichever is longer.

(f) Contesting the Content of Personal Data Records.

(1) Any person who believes that the Department of Motor Vehicles is maintaining inaccurate, incomplete or irrelevant personal data concerning him/her may file a written request with the Department for correction of said personal data.

(2) Within 30 days of receipt of such request, the Department of Motor Vehicles shall give written notice to that person that it will make the requested correction, or if the correction is not to be made as submitted, the Department shall state the reason for its denial of such request and notify the person of his/her right to add his/her own statement to his/her personal data records.

(3) Following such denial by the Department of Motor Vehicles, the person requesting such correction shall be permitted to add a statement to his or her personal data records setting forth what that person believes to be an accurate, complete and relevant version of the personal data in question. Such statements shall become a permanent part of the Department's personal data system and shall be disclosed to any individual, agency or organization to which the disputed data is disclosed.

(g) **Uses to be Made of the Personal Data.**

(1) Personnel Records.

(A) Personnel records are routinely used for evaluating the qualifications of employment applicants and the work performance of employees of the Department of Motor Vehicles. Users include the Personnel Administrator and other state officers and employees with responsibility for evaluating the work performance of employees of the Department, and others where permitted or required by law.

(B) The Department of Motor Vehicles retains personnel records according to guidelines published by the Public Records Administrator, Connecticut State Library.

(2) License Records.

(A) License records of individuals are routinely used for evaluating the suitability of applicants and the continued suitability of licensees. Users include all officers and employees of the Department, police authorities and others where permitted or required by law.

(B) The Department of Motor Vehicles retains licensee records according to guidelines published by the Public Records Administrator, Connecticut State Library.

(3) When an individual is asked to supply personal data to the Department of Motor Vehicles, the Department shall disclose to that individual, upon request:

(A) The name of the Department and division within the Department requesting the personal data;

(B) The legal authority under which the Department of Motor Vehicles is empowered to collect and maintain the personal data;

(C) The individual's rights pertaining to such records under the Personal Data Act and agency regulations;

(D) The known consequences arising from supplying or refusing to supply the requested personal data;

(E) The proposed use to be made of the requested personal data, to be limited to that use unless the individual is notified that the Department intends to use such data for another purpose.

(Effective February 24, 1989)

Issuance and Use of Suppressed Motor Vehicle Licenses

Sec. 14-11a-1. Scope

(a) This procedure covers the issuance of suppressed Connecticut motor vehicle operator licenses to state, federal and local governmental employees engaged in law enforcement activities, and is adopted in accordance with the provisions of section 14-11a of the General Statutes.

(b) The purpose for issuance of suppressed motor vehicle operator licenses shall be to protect the safety of local, state or federal law enforcement personnel in performance of investigations or other related enforcement activities.

(Effective February 2, 1989)

Sec. 14-11a-2. Suppressed operator licenses defined

A suppressed motor vehicle operator license is a license issued in the name of a fictitious person under authority of section 14-11a and in accord with section 14-42of the General Statutes to the holder of a Connecticut motor vehicle operator license.

(Effective June 26, 1975)

Sec. 14-11a-3. Eligibility

Suppressed motor vehicle operator licenses are issued only to federal, state and municipal governmental employees whose duties consist of law enforcement activities, which in the judgment of the commissioner reasonably require the use of such licenses.

(Effective February 2, 1989)

Sec. 14-11a-4. Approval

Each request for the issuance of a suppressed motor vehicle operator license shall be in writing on a form prescribed by the commissioner and shall contain a statement justifying the issuance of such license which in addition to setting forth the reason such license is needed shall identify the person for whom the suppressed operator license is to be issued, such person's current nonsuppressed Connecticut motor vehicle operator license number and the date of expiration of such nonsuppressed license.

(a) **State employees**-All requests for the issuance of suppressed motor vehicle operator licenses for state employees shall be submitted for approval to the commissioner of motor vehicles. Where a request for approval is rejected by the commissioner of motor vehicles, a notice clearly stating the reason for such rejection shall be sent to the agency requesting the issuance of the suppressed motor vehicle operator license.

Requests for suppressed motor vehicle operator licenses shall be made by the commissioner or the agency head.

(b) **Municipal or federal licenses**-All requests for the issuance of suppressed operator licenses to federal or municipal government employees shall be submitted for approval to the commissioner of motor vehicles. In the event any request for approval is rejected a notice clearly stating the reason for such rejection shall be sent to the governmental agency requesting the issuance of the suppressed license. Requests for suppressed motor vehicle operator licenses for municipal employees shall be made by the chief executive officer or highest ranking police officer of the community. Requests for the issuance of

suppressed motor vehicle operator licenses shall be made by the highest ranking federal agency official in Connecticut or in any appropriate region.
(Effective February 2, 1989)

Sec. 14-11a-5. Suppressed operator licenses inquiries

Whenever the Department of Motor Vehicles receives an inquiry for identification of a suppressed license, the Department shall provide only information regarding the fictitious license to the requestor except as otherwise specifically authorized by the commissioner of motor vehicles.
(Effective February 2, 1989)

Sec. 14-11a-6. Renewal

Each application for renewal of a suppressed motor vehicle operator license shall be on a form prescribed by the commissioner and shall contain a written justification for the issuance of such suppressed license signed by a person having authority to request the issuance of a suppressed motor vehicle operator license pursuant to section 14-11a-4. Each written justification shall identify the person for whom the suppressed motor vehicle operator license is to be renewed and his current nonsuppressed Connecticut motor vehicle operator license number and date of expiration of such nonsuppressed license.
(Effective February 2, 1989)

Sec. 14-11a-7. Revocation

If as a result of an investigation by the commissioner of motor vehicles or appropriate person designated by the commissioner he determines that a suppressed motor vehicle operator license has been misused he may revoke or suspend such suppressed motor vehicle operator license after notice and hearing to the holder.
(Effective February 2, 1989)

Secs. 14-11a-8-14-11a-19. Reserved

Issuance and Use of Suppressed Motor Vehicle Registrations

Sec. 14-11a-20. Scope

(a) Sections 14-11a-20 through 14-11a-26 shall apply to the issuance of suppressed motor vehicle registrations to motor vehicles owned by state, federal and local governmental agencies.

(b) The purpose for issuance of suppressed motor vehicle registrations shall be to protect the safety of local, state or federal law enforcement personnel in performance of investigations or other related enforcement activities.
(Effective February 2, 1989)

Sec. 14-11a-21. Suppressed registration defined

A suppressed registration is one issued pursuant to section 14-11a of the General Statutes and in accord with other provisions pertaining to registration, and consists of one set of number plates with two registration certificates; one of which is issued in the name of the motor vehicle owner and the second in the name of a fictitious person.
(Effective February 2, 1989)

Sec. 14-11a-22. Eligibility

Suppressed registrations shall be issued only to motor vehicles owned by federal, state and municipal governmental agencies engaged in law enforcement activities which in the judgment of the commissioner reasonably require the use of such forms of registration.
(Effective February 2, 1989)

Sec. 14-11a-23. Approval

All requests for suppressed registrations shall be (1) in writing on a form prescribed by the commissioner (2) shall contain a brief description of the type of law enforcement activity which the motor vehicle displaying suppressed registration number plates shall be engaged in and, (3) shall contain a certification that the motor vehicles to which suppressed registrations shall be assigned shall be engaged in law enforcement activities which cannot be accomplished in safety without the display of such number plates.

(a) **State vehicles.** All requests for the issuance of suppressed registrations for state-owned motor vehicles shall be submitted for approval to the commissioner of motor vehicles. Where a request for approval is rejected by the commissioner of motor vehicles a notice clearly stating the reason for such rejection shall be sent to the agency requesting the issuance of the suppressed registration. Requests for the issuance of suppressed registrations for state-owned motor vehicles shall be made by the commissioner or agency head.

(b) **Municipal or federal vehicles.** All requests for the issuance of suppressed registrations for motor vehicles owned by federal or municipal governments shall be submitted for approval to the commissioner of motor vehicles. In the event any request for approval is rejected a notice clearly stating the reason for such rejection shall be sent to the governmental agency requesting the issuance of the suppressed registration. Requests for suppressed motor vehicle registrations for municipally-owned vehicles shall be made by the chief executive officer or highest ranking police officer of the community. Requests for the issuance of suppressed motor vehicle registrations for federally-owned vehicles shall be made by the highest ranking federal agency official in Connecticut or in any appropriate region.
(Effective February 2, 1989)

Sec. 14-11a-24. Suppressed registration inquiries

(a) Whenever the Department of Motor Vehicles receives an inquiry for identification of a suppressed registration number plate, the department shall provide only information regarding the fictitious registration to the requestor except as otherwise specifically authorized by the commissioner of motor vehicles.

(b) The Department of Motor Vehicles upon receipt of an inquiry regarding a suppressed registration number plate shall advise the agency to whom such suppressed registration is issued by informing the agency head or his designee of such inquiry.
(Effective February 2, 1989)

Sec. 14-11a-25. Annual review

Each agency to which suppressed registrations have been issued shall within 30 days prior to the expiration date of the registration file a written application for renewal containing a statement of the need for such registrations during the ensuing year. Failure to file the application required

by this section may result in the revocation or suspension of such registrations at the discretion of the commissioner of motor vehicles.
(Effective February 2, 1989)

Sec. 14-11a-26. Revocation

If as the result of an investigation by the commissioner of motor vehicles he determines that a suppressed motor vehicle registration has been misused he may revoke or suspend such registration following notice and hearing.
(Effective May 1, 1975)

Scooters and Motor-Equipped Bicycles

Sec. 14-12-1.
Repealed, November 14, 1967.

Proof of Insurance Coverage for Motorcycles

Sec. 14-12-1a. Proof of insurance

No motorcycle registration shall be issued or renewed unless the application is accompanied by proof that the motorcycle described in such registration is insured for the amounts required by section 14-112 of the general statutes. The insurance coverage may include an exclusion in personal injury coverage for passengers. Acceptable proof of motorcycle insurance coverage shall be that provided for in either sections 14-12-2, 14-12-3 or 14-12-4 of this regulation.
(Effective February 22, 1985)

Sec. 14-12-2. Insurance identification card

A Connecticut insurance identification card for each motorcycle covered under a motorcycle liability insurance policy. This card shall be effective for a period of one year and shall include the following:
(a) Name of insured and insurer
(b) Policy number
(c) Effective date of coverage
(d) Model year of motorcycle
(e) Make or model of motorcycle
(f) Motorcycle identification number
(g) Space wherein the insured may set forth the year, make or model and vehicle identification number of any motorcycle that becomes covered as the result of a change in the covered motorcycle during the effective period of the identification card.
(h) When an insured has five or more motorcycles registered in this state, the designation ``all owned vehicles'' on each card in lieu of a specific description of the motorcycle.
(Effective February 22, 1985)

Sec. 14-12-3. Insurance policy declarations page

A Connecticut insurance policy declarations page issued by the insurance company providing the motorcycle liability coverage including the following:
(a) Name of insured and insurer
(b) Policy number
(c) Period during which coverage provided
(d) Model year of motorcycle
(e) Make or model of motorcycle

(f) Motorcycle identification number
(Effective February 22, 1985)

Sec. 14-12-4. Connecticut binder, Connecticut certificate of insurance, or Connecticut automobile insurance assigned risk plan applications

When a Connecticut binder, Connecticut certificate of insurance or Connecticut Automobile Insurance Assigned Risk Plan application has been issued providing the required motorcycle liability insurance coverage, proof of insurance as provided for in subsection (a) or (b):

(a) A temporary Connecticut motorcycle insurance identification card issued by a licensed insurance agent effective for a period of 60 days including:

(1) Name of insured and insurer

(2) Printed name, telephone area code and number, and signature of the agent or authorized representative

(3) Effective date of binder

(4) Policy number or, if such number is not available, the agent's code number.

(5) Make or model of motorcycle

(6) Model year of motorcycle

(7) Motorcycle identification number

(b) A legible copy of the Connecticut binder, Connecticut certificate of insurance or Connecticut Automobile Insurance Assigned Risk Plan application showing:

(1) Name of insured and insurer

(2) Period during which coverage is provided

(3) Model year of motorcycle

(4) Make or model of motorcycle

(5) Motorcycle identification number

(Effective February 22, 1985)

Sec. 14-12-5. Name of company providing insurance and policy number required

Each applicant for a new or the renewal of a motorcycle registration shall provide on such application the name of the company providing the insurance coverage required under Connecticut law and the number of the policy covering the motorcycle described in such application or as otherwise provided for in these regulations.

(Effective February 22, 1985)

Sec. 14-12-6. Statement of liability insurance coverage

Each applicant for registration or renewal of a motorcycle registration shall sign and file with the commissioner a statement, under penalty of false statement, as provided under section 14-110 of the general statutes, that the owner thereof has provided and will continuously maintain throughout the registration period the liability insurance coverage required by Connecticut law.

(Effective February 22, 1985)

Automobile Insurance Enforcement Account

Sec. 14-12i-1. Payments by insurers for expenditures from the automobile insurance enforcement account

Each insurance company which issues a private passenger automobile liability insurance policy in Connecticut, shall pay to the Insurance Commissioner, for deposit in the Automobile Insurance Enforcement Account established under Public Act 93-298, an amount equal to the assessment calculated in accordance with Section 14-12i-2.
(Effective October 22, 1993)

Sec. 14-12i-2. Assessment of payments by private passenger automobile insurers

(a) The Commissioner of Motor Vehicles shall render to the Insurance Commissioner an itemized budget statement approved by the Secretary of the Office of Policy and Management estimating the amount of money necessary to: (1) establish the procedures necessary to implement the provisions of Public Act 93-298, ``An Act Concerning Cancellation of Automobile Insurance Coverages,'' (2) acquire the necessary equipment, including computer hardware and software, and (3) take such other actions as are necessary to implement the provisions of Public Act 93-298, provided the total assessment of all insurers shall not exceed one million dollars.

(b) Within three weeks of receipt of the budget estimate described in subsection (a) of this section, the Insurance Commissioner shall render to each affected insurer the proposed assessment against that company, calculated in accordance with the provisions of subsection (d) of this section.

(c) The Insurance Commissioner shall collect the assessments after thirty days' written notice to the affected insurers before payment is due. Assessments shall be remitted to the Insurance Department and the Commissioner shall deposit all payments made under this section with the State Treasurer and the monies so deposited shall be credited to the Automobile Insurance Enforcement Account established pursuant to Public Act 93-298.

(d) The assessment of each insurer shall be calculated in the proportion that the direct premiums written by the insurer bears to the total of such premiums received on business in this state by all assessed insurers. For purposes of this subsection, the ``direct premiums written'' shall be the direct written premiums received on private passenger automobile liability insurance policies written in this state by each insurer as reported in the ``Exhibit of Premiums and Losses,'' page 14 (line 19.2) of its annual financial statement filed with the Commissioner pursuant to Section 38a-53 of the General Statutes for the preceding calendar year. No insurer shall be liable to pay an assessment if its direct premiums written are less than one thousand dollars. Computation of assessments under this section shall be made with a reasonable degree of accuracy, recognizing that exact determination may not always be possible.
(Effective October 22, 1993)

Sec. 14-12i-3. Penalty for failure to pay assessment

The Insurance Commissioner may, pursuant to Section 38a-41 (c) of the General Statutes, suspend or revoke the certificate of authority issued to any insurer upon the failure of the insurer to pay the assessment authorized by Public Act 93-298.
(Effective October 22, 1993)

Leasing or Renting of Motor Vehicles

Sec. 14-15-1. Records required by leasing firms

(a) Any person, firm or corporation engaged in the business of leasing or renting motor vehicles without drivers in this state, or which is the lessor of or rents a passenger motor vehicle for a period of more than thirty days in a calendar year primarily for use in this state, shall submit periodically to the commissioner of motor vehicles certain records in a format or on a form approved by the commissioner. Such records shall be submitted within thirty (30) days after the end of each calendar quarter, which quarters end on March 31, June 30, September 30 and December 31 of each calendar year; except that the commissioner may, in his discretion and after notice to any such person, firm or corporation, require the records to be submitted by such person, firm or corporation semi-annually or annually. The records required are:

(1) The total number of motor vehicles available for lease or rental in this state as of the close of business on the final day of each period. If the lessor operates under more than one business or trade name, the report shall specify each business or trade name and its corresponding leasing license number, the address of each business location operating under each business or trade name, and the number of vehicles available for lease or rental at each location;

(2) The total number of motor vehicles reported in subdivision (1) of this subsection at each business location that are not registered in this state. For vehicles reported under this subdivision the vehicle identification number (VIN), state of registration, license plate number, make, year and model of the vehicle, and business location to which the vehicle is assigned in this state shall be included; and

(3) For leasing firms that do not have a new or used car dealer's license as defined in Sections 14-51 and 14-52 of the General Statutes, the total number of motor vehicles purchased during the reporting period, the total number of motor vehicles sold during the reporting period, and of the vehicles sold during the reporting period, the number of such vehicles that were not leased or available for lease by such leasing firm prior to sale.

(b) The form or writing containing the information submitted in accordance with subsection (a) shall be signed by a person having authority to act for such person, firm or corporation.

(c) A copy of any rental or lease contract for motor vehicles subject to reporting under subsection (a) shall be made available to the commissioner or his designee within fifteen (15) days after receipt of written request.

(d) The lease or rental of a passenger motor vehicle from a location in this state which is returned or to be returned location in this state shall be considered a lease or rental primarily for use in this state.

(Effective August 29, 1990)

Sec. 14-15-2. Requirement of Leasing Companies to Provide a Mailing Address for Registration Renewals

(a) Each person, firm or corporation engaged in the business of leasing motor vehicles for a term of one year or more, and licensed in accordance with section 14-15 of the Connecticut General Statutes shall be required to file with the Commissioner of Motor Vehicles a mailing address for the transmittal by the department of all applications for the renewal of the registrations of motor vehicles owned by such licensee and registered in this state. Notwithstanding any other address that may appear on the registration files and records

maintained by the commissioner, the department shall, in accordance with the provisions of section 14-22 of the Connecticut General Statutes, mail all such registration renewals to such mailing address designated by such licensee.

(b) Each such licensee shall be responsible to notify the commissioner, in writing, of any changes to the mailing address for such registration renewal purposes as set forth in subsection (a) of this section.
(Effective October 5, 2001)

Temporary Registration Transfers by Motor Vehicle Lessors

Sec. 14-15-3. Definitions

As used in Sections 14-15-3 to 14-15-9, inclusive:

(a) ``Commissioner'' means the commissioner of motor vehicles or his designee;

(b) ``Leasing company'' means a person, firm or corporation currently licensed by the commissioner of motor vehicles in accordance with the provisions of Section 14-15 of the Connecticut General Statutes;

(c) ``Registration'' means the certificate of motor vehicle registration and the number plate or plates used in connection with such registration;

(d) ``Stamp'' means a hand or machine operable device or mechanism adapted to imprint on a document information as required by the commissioner, or a document having such information or a seal imprinted thereon.
(Effective February 4, 1992)

Sec. 14-15-4. Submission of application

(a) A leasing company may make application to the commissioner for authorization to issue a twenty-day temporary transfer of the current registration of a motor vehicle used in connection with its business to any other vehicle used in connection with its business. Such application shall be made in writing on a form approved by the commissioner and signed under penalty of false statement as provided in Connecticut General Statutes Section 53a-157 by a person having authority to act for such leasing company. Such form shall require such information as the commissioner deems necessary.

(b) If the leasing company meets the qualifications as listed in Section 14-15-5 of this regulation, the commissioner shall approve such application and notify the leasing company of such authorization within a reasonable time. If the application is not approved, the commissioner shall provide in writing reasons why such application is not approved.
(Effective February 4, 1992)

Sec. 14-15-5. Qualifications of leasing company

In order to be authorized to issue temporary registration transfers, a leasing company must meet the following requirements:

(a) The leasing company shall have furnished proof of financial responsibility to the commissioner in accordance with Connecticut General Statutes Section 14-15 in the form of blanket coverage of all vehicles used in conjunction with its business. Proof of financial responsibility with respect to individual vehicles or groups of vehicles leased by the leasing company to a single lessee is not acceptable.

(b) The leasing company shall have and maintain a place of business in this state at which the business of leasing or renting vehicles without drivers is conducted during normal business hours. If such leasing company has more than

one such place of business, it shall designate one of such places for the maintenance and storage of records as required by Section 14-15-7 of this regulation, and shall inform the commissioner of such designation.
(Effective February 4, 1992)

Sec. 14-15-6. Standards for issuing temporary registration transfers

A leasing company authorized by the commissioner to issue a twenty-day transfer of a registration shall conform to the following:

(a) A transfer of registration from one leased vehicle to another leased vehicle shall be valid only if both vehicles are passenger vehicles, not including motorcycles, and if each vehicle is either a new vehicle not previously registered in this state and having a certificate of origin, or a vehicle having a certificate of title in this state without a lien holder listed thereon where such vehicle is less than ten (10) years old such that inspection is not required upon a transfer of registration;

(b) A leasing company shall use the stamp(s) as directed by the commissioner only for a transfer of registration as provided in subsection (a) of this section. Any other use of such stamp(s) shall be a violation;

(c) A leasing company which transfers a registration in accordance with this regulation shall submit to the commissioner within five (5) business days after such transfer an application for permanent registration for the vehicle transferred together with all necessary documents and any payment(s) required by law. Failure to submit documents or payment(s) within the time specified shall be a violation.
(Effective February 4, 1992)

Sec. 14-15-7. Records to be maintained

(a) An authorized leasing company shall maintain the following records at its place of business in Connecticut, or if such company has more than one place of business at a designated place of business in Connecticut, for a period of no less than three (3) years after a transfer of registration in accordance with this regulation, and for a period of at least one (1) year after the expiration of a lease of a vehicle involved in a transfer of registration in accordance with this regulation:

(1) A copy of the purchase order and the invoice issued at the time of purchase of the vehicle by the leasing company; and

(2) If not otherwise required by law, records showing vehicle make, year, model, whether purchased new or used, vehicle identification number (VIN), purchase price, any guarantees or warrantees, and all documents relating to prior ownership, use, condition, registration or title.

(b) Each authorized leasing company shall maintain the records enumerated in subsection (a) of this section available for inspection by the commissioner or his representative during business hours upon written notice.

(c) Failure of an authorized leasing company to maintain such records or to make such records available for inspection shall be a violation.
(Effective February 4, 1992)

Sec. 14-15-8. Violations

(a) A leasing company which is found to have committed a violation of this regulation or a violation of any statute or regulation pertaining to its business as a leasing company shall be subject to loss of the privilege to transfer registrations for a period as determined by the commissioner after

notice and a hearing in accordance with Chapter 54 of the Connecticut General Statutes.

(b) A leasing company which does not renew its leasing license, or has its privilege to transfer registrations suspended, shall return its stamp(s) to the commissioner upon request.

(Effective February 4, 1992)

Sec. 14-15-9. Miscellaneous provisions. Lemon law

(a) Transfer of registration in accordance with this regulation will not be permitted for vehicles which require a duplicate title for registration thereof, or for vehicles which have been last registered outside this state.

(b) All leasing companies subject to this regulation shall comply with the provisions of Chapter 743b of the Connecticut General Statutes and all regulations thereunder which relate to return of a motor vehicle from a consumer for replacement or refund due to a nonconformity or defect. Failure of a leasing company to comply with such laws and regulations shall be a violation.

(c) Only one twenty-day temporary registration transfer shall be made with respect to any vehicle.

(Effective February 4, 1992)

Transfer of Special Registration Number Plates to Leased Motor Vehicles

Sec. 14-15a-1. Special registration

As used in Sec. 14-15a-2, the term ``special registration'' shall mean a motor vehicle registration issued by the Commissioner of Motor Vehicles for motor vehicles registered pursuant to the following Sections of the Connecticut General Statutes:

(1) Sec. 14-19a, special number plates for organizations and colleges;

(2) Sec. 14-20, number plates for antique, rare or special interest motor vehicles;

(3) Sec. 14-20a, number plates for volunteer fire fighters;

(4) Sec. 14-21, number plates for amateur radio licensees;

(5) Sec. 14-21c, number plates for manufacturers of automotive equipment;

(6) Sec. 14-21d, number plates for prisoners of war and recipients of the congressional medal of honor;

(7) Sec. 14-21e, number plates commemorating Long Island Sound;

(8) Subsection (s) of Sec. 14-49, vanity number plates;

(9) Sec. 14-160, low number plates;

(10) Sec. 14-253a, special number plates for blind persons and persons with disabilities;

(11) Sec. 14-254, special number plates for disabled veterans; and

(12) Sec. 1 of Public Act 97-236, special number plates for veterans.

(Adopted effective April 7, 1998)

Sec. 14-15a-2. Transfer of special registrations to leased vehicles

(a) Any person who has obtained or applies for a special registration as defined in Section 14-15a-1 of the Connecticut General Statutes for a motor vehicle, and who leases a motor vehicle for one (1) year or more from a leasing company licensed as provided in section 14-15 of the Connecticut General Statutes, may make application to the commissioner to transfer such special registration, and number plates displaying the registration number, to the leased vehicle.

(b) The lessor of the leased motor vehicle shall be deemed to have given its permission for the issuance of such special registration for such leased motor vehicle, and to the return to the commissioner of such special registration to such leased motor vehicle and for the return and number plates upon termination of such lease. The commissioner may thereafter permit the person who has obtained the special registration to retain and display the number plates on another motor vehicle, subject to applicable procedures and fees, if any, for transfer or reissue of such special registration.

(Adopted effective April 7, 1998)

Submission of Copies of Titles for Totalled Motor Vehicles and the Transfer of Totalled Motor Vehicles on the Original Certificate of Title

Sec. 14-16c-1. Return of certificate of title

Any insurance company required pursuant to subsection (a) of section 14-16c of the Connecticut General Statutes to return copies of certificates of titles for totalled motor vehicles to the commissioner of motor vehicles shall on or before the fifteenth day of each month mail or deliver to the commissioner such copies of certificates of title received by such company during the preceeding month. All such copies of certificates of title in accord with the provisions of said subsection shall have the word ``SALVAGE'' stamped in letters one inch in height. Such stamp shall not exceed three inches in length, shall be affixed to the face of the certificate of title, shall be clearly legible and shall not overlay any of the information appearing in such certificate pertaining to the ownership, liens or motor vehicle description.
(Effective March 25, 1982)

Sec. 14-16c-2. Copy of certificate of title

Subsection (c) of section 14-16c of the Connecticut General Statutes provides that an insurance company taking possession of a titled motor vehicle which has been totalled shall make a copy of such title which is required to be sent to the commissioner and requires the following statement on the original and such copy of the title certificate:

``**WARNING:** All purchasers of the motor vehicle described herein must record their name and address on the reverse side. This vehicle cannot be registered or retitled without passing inspection under section 14-103a of the General Statutes. This document must be submitted at the time of inspection.''

Such statement shall be placed on the face of the original and such copy, shall be clearly legible and shall not overlay any of the information appearing in the original or such copy with respect to the ownership, liens or motor vehicle description. Any insurance company transferring a totalled motor vehicle on the original certificate of title pursuant to subsection (b) of section 14-16c shall record the name and address of the purchaser on the reverse side of the original title in any section bearing the heading ``CERTIFICATION BY CONNECTICUT LICENSED DEALER.'' No dealer's number shall be recorded and the signature shall be that of the authorized agent of the insurer who shall sign on the line above the words ``Signature of Licensed Dealer.''
(Effective March 25, 1982)

The Use of Signs and Plates

Sec. 14-18-1. Plates, devices not to be affixed to number plates
Repealed, November 14, 1967.

Sec. 14-18-2. Attachments to number plate holder
Repealed, November 14, 1967.

Standards for the Issuance of Special Number Plates

Sec. 14-19a-1. Definitions

For the purposes of Sections 14-19a-1 through 14-19a-9, inclusive, of this regulation, the following terms shall have the following meanings:

(1) ``Certificate of registration'' means the certificate of motor vehicle registration issued to a person who is either a member in good standing of a qualified organization, or who is certified as qualified by an institution of higher education, and who makes application therefor;

(2) ``Commissioner'' means the commissioner of motor vehicles or his designee;

(3) ``Institution of higher education'' means a constituent unit of the state system of higher education as defined in Section 10a-1 of the Connecticut General Statutes, or an independent college or university as defined in Section 10a-37 (d) of the Connecticut General Statutes;

(4) ``Number plate'' means any sign or marker furnished by the commissioner on which is displayed the registration number assigned to a motor vehicle by the commissioner;

(5) ``Organization'' means an association, corporation, group, society or other organized body of persons other than an institution of higher education, that has a more or less constant membership, a body of officers, a purpose, and a charter or set of regulations;

(6) ``Special number plate'' means a number plate or plates issued in accordance with Section 14-19a of the General Statutes.

(Effective July 25, 1994)

Sec. 14-19a-2. Standards

(a) A certificate of registration and a special number plate shall be issued only to an individual or individuals, and not to an organization, association, social group or business entity which is not an individual person or persons.

(b) A certificate of registration and a special number plate shall be issued only to an applicant who is a member in good standing of an organization which qualifies in accordance with Section 14-19a-3, or is certified by a Connecticut institution of higher education in accordance with Section 14-19a-6.

(c) A certificate of registration and a special number plate shall be issued by the commissioner for a passenger motor vehicle, for a passenger and commercial motor vehicle, as defined in Section 14-1 (a) (58) of the Connecticut General Statutes, which is eligible for combination registration, a camper is defined in Section 14-1 (a) (8) of the Connecticut General Statutes, and for any other class or classes of motor vehicle(s) that the commissioner deems appropriate.

(d) A certificate of registration and a special number plate shall be issued only to an owner or owners of a motor vehicle, or to a lessee of a motor vehicle who listed on the certificate of registration and is legally responsible for renewal of registration of such vehicle. The commissioner may require proof that the lessee is responsible for registration renewal, and that the lessor agrees to surrender the certificate of registration and special number plate upon expiration of such lease.

(e) A certificate of registration and a special number plate shall be issued to joint owners of a motor vehicle if one of the joint owners is qualified therefor and the name of such owner is listed on the certificate of registration of such vehicle.

(Effective July 25, 1994)

Sec. 14-19a-3. Procedures for qualification of an organization

(a) An organization is qualified if the organization meets the criteria of Section 14-19a-4, and the officers of the organization file an application for qualification on a form or in a format approved by the commissioner. A corporation, voluntary association, society or other organization required to be registered with the Connecticut Secretary of State may be required to submit proof that the organization is in good standing.

(b) Unless the organization guarantees in writing to the commissioner that application will be made by members of the organization for at least two hundred (200) special number plates, the commissioner may assess a fee to be paid by the organization sufficient to reimburse the commissioner for initial costs in producing the special number plate. Such reimbursement fee shall not exceed three thousand five hundred dollars (3500). Such reimbursement fee may be proportionally reduced or waived for an organization of military veterans.

(c) If the application for qualification filed by an organization in accordance with subsection (a) of this section is not approved by the commissioner, the commissioner shall provide reasons for such disapproval in writing.

(d) The commissioner shall maintain a listing of qualified organizations which shall be made available to interested parties without cost at the department.

(e) Notwithstanding prior approval of an organization, the commissioner may revoke a previous approval of the organization for failure to comply with this regulation, or may require the officers of a previously approved organization to submit additional proof of the qualifications of the organization if the commissioner has reliable information that such organization may no longer be qualified. Such revocation shall be in accordance with the provisions of Chapter 54 of the General Statutes.

(Effective July 25, 1994)

Sec. 14-19a-4. Criteria for qualification of an organization

An organization to be qualified shall submit proof acceptable to the commissioner that it meets the following criteria:

(a) It is a non-profit organization as demonstrated in its charter or by-laws and any Internal Revenue Service ruling, copies of which may be required by the commissioner;

(b) The primary purpose of the organization is service to the community through a specific program which has as its goal improvement in public health, education or general welfare, and the organization is not limited to social activities. Organizations of military service veterans, towns, municipal corporations, organizations of police or firefighters, and similar public service organizations, need not comply with this subsection;

(c) The legend of the organization and its emblem are not obscene, do not promote, advertise or endorse a product, brand or service provided for sale, and do not promote any specific religious belief. An organization, association or trade group whose primary purpose is to advertise or promote commerce is not eligible;

(d) The legend of the organization and its emblem as they appear on the special number plate does not infringe or otherwise violate a trademark, trade name, service mark, copyright or other proprietary right or property right, and the organization has the right to use the legend and emblem. The commissioner may require from the officers of the organization a statement under oath that the organization is authorized to use the legend and emblem and that no

infringement or violation of any property right exists, together with an agreement to hold harmless the State of Connecticut or any of its agents or employees for any liability as a result of an infringement or violation of any such right;

(e) The organization shall have its headquarters or a base of operations in this state, and if it is a chapter or branch of an international, national or regional organization located in this state, it shall be in good standing and authorized in writing by the parent organization to use the legend and emblem thereof;

(f) The organization shall designate one of its officers or members as a contact person responsible for all communications with the commissioner. The name, address and telephone number of such person shall be filed with the commissioner. Such person shall be responsible for verifying current membership and good standing of a person in such organization when so requested by the commissioner;

(g) The organization through its contact person shall submit to the commissioner a distinctive emblem which shall appear on each special number plate issued to a member of such organization. Such emblem shall be approved by the commissioner.

(h) Notwithstanding any other provision to the contrary, an organization which consists exclusively of volunteers, and which provides significant community service, may qualify for the issuance of special number plates as determined in the sole discretion of the commissioner.

(Effective July 25, 1994)

Sec. 14-19a-5. Procedure for qualification of an institution of higher education

(a) An institution of higher education shall be qualified upon certification in writing by the Department of Higher Education that it is an accredited institution and in good standing, and upon payment of the fee specified in subsection (b) of this section, if required.

(b) Unless the institution guarantees in writing to the commissioner that application will be made by members of the institution for at least two hundred (200) special number plates, the commissioner may assess a fee to be paid by the institution sufficient to reimburse the commissioner for initial costs in producing the special number plate. Such reimbursement fee shall not exceed three thousand five hundred dollars ($3500).

(c) The commissioner may require the chief executive officer of each qualified institution to verify and approve in writing the legend and emblem for the special number plate issued by the commissioner.

(Effective July 25, 1994)

Sec. 14-19a-6. Qualification of a person for a registration and a special number plate. Procedures

(a) A person is qualified for issuance or renewal of a certificate of registration and a special number plate upon receipt by the commissioner of a certification by an institution qualified in accordance with Section 14-19a-5 that such person has made a contribution of at least fifty dollars ($50) to a scholarship fund or scholarship account at such institution. Such certification shall be on a form or in a format approved by the commissioner. The commissioner may, for ease of administration and in conjunction with the Department of Higher Education, specify procedures for transmittal of such certification by a qualified institution to the Department of Motor Vehicles through the Department of Higher Education.

(b) A person is qualified for issuance of a certificate of registration and a special number plate upon receipt by the commissioner of written verification thereof from an organization qualified in accordance with Sections 14-19a-3 and 14-19a-4. Such verification shall be transmitted by the contact person designated by the organization in accordance with subsection (g) of Section 14-19a-4.

(c) A person who is qualified in accordance with subsection (a) or (b) of this section shall make application to the commissioner for a registration and a special number plate on a form approved by the commissioner.

(Effective July 25, 1994)

Sec. 14-19a-7. Issuance of special number plate

(a) A special number plate issued to an applicant shall contain number and letter combinations as determined solely by the commissioner, except that a person may request a combination of letters and/or numbers, if available, or transfer the letters and/or numbers from an existing number plate, as provided in section 14-19a-8 (a). Except as otherwise provided, a certificate of registration and a special number plate shall be subject to all applicable statutes and regulations of the State of Connecticut.

(b) The emblem of the organization or institution of higher education shall be of a size prescribed by the commissioner. The composition of the emblem and its location on the number plate shall be as prescribed by the commissioner.

(c) The legend of the organization or institution of higher education shall be imprinted on the special number plate at a location and in a manner as prescribed by the commissioner.

(d) A special number plate may be surrendered to the commissioner when the individual or organization is no longer qualified. If upon such surrender the registration is transferred and another number plate is issued, the statutory fees for such transfer and such other number plate shall be paid. The commissioner at any time may request verification from an organization or an institution of higher education that a person is qualified. The commissioner may require return of a special number plate for violation of any provision of section 14-19a of the General Statutes or Sections 14-19a-1 to 14-19a-8, inclusive, of the Regulations of Connecticut State Agencies.

(e) A special number plate which is lost or stolen, and has been reported to the appropriate police authorities and the Department of Motor Vehicles, shall not be replaced earlier than one year from the date it was reported lost or stolen.

(Effective July 25, 1994)

Sec. 14-19a-8. Fees

(a) An applicant for issuance of a special interest number plate containing number and letter combinations as determined by the commissioner, or containing a combination of letters and/or numbers or transferred from an existing number plate, shall except as provided in this section, pay a total of sixty-five dollars ($65.00) at the time of initial registration of a motor vehicle having such number plate. Such fee shall be in addition to any fee that may be required for obtaining a vanity or low number plate in accordance with Sections 14-49 (s) and 14-160 respectively of the Connecticut General Statutes. A bona fide member of the Purple Heart Association, the Pearl Harbor Veteran's Association or a bona fide member of any veterans' organization shall not be required to pay such fee but shall instead pay a fee of ten dollars ($10.00).

(b) The fees provided in subsection (a) shall be one time fees and shall be in addition to other registration fees and renewal fees as required by law.

(c) No additional fees for renewal of a registration for a special number plate shall be assessed except those required by law.

(Effective July 25, 1994; amended November 3, 1999)

Sec. 14-19a-9. Use of special number plate

(a) A special number plate shall be issued by the commissioner only in conjunction with the registration of a motor vehicle of the class defined in Section 14-19a-2 (c) of this regulation. No such plate will be issued without registration of a motor vehicle.

(b) A special number plate may be used only as an official motor vehicle number plate. No such special number plate shall be used for any other purpose.

(Effective July 27, 1992)

Fees and Standards for Issuing Long Island Sound Commemorative Number Plates and Donations and Contributions to the Lighthouse Preservation Account

Sec. 14-21e-1. Definitions

As used in Sections 14-21e-1 to 14-21e-8, inclusive, of the Regulations of Connecticut State Agencies, the following terms shall have the following meanings:

(a) ``Commissioner'' means the commissioner of motor vehicles;

(b) ``Connecticut Lighthouse Preservation Account'' means a separate, nonlapsing account of the Long Island Sound Account;

(c) ``Department'' means the Department of Motor Vehicles;

(d) ``DEP'' means the Department of Environmental Protection;

(e) ``Lighthouse Preservation Donation'' means a voluntary donation or contribution which shall be collected by the Department of Motor Vehicles and shall be deposited into the Connecticut Lighthouse Preservation Account;

(f) ``Long Island Sound Account'' means the fund established in accordance with Section 22a-27k of the Connecticut General Statutes;

(g) ``Long Island Sound Commemorative Number Plate'' means an official motor vehicle registration marker plate issued by the commissioner in accordance with the provisions of Section 14-21e of the Connecticut General Statutes, and with Sections 14-21e-1 to 14-21e-8, inclusive, of the Regulations of Connecticut State Agencies;

(h) ``Low number plate'' means a number plate issued by the commissioner in accordance with Connecticut General Statutes 14-160, as amended;

(i) ``Number plate'' means an official marker furnished by the commissioner on which is displayed the registration number assigned to a motor vehicle by the commissioner;

(j) ``Person'' means a person as defined in Connecticut General Statutes Section 14-1(61) eligible to register a motor vehicle;

(k) ``Registration'' means registration of a motor vehicle with the commissioner in accordance with Part III (A) of Chapter 246 of the Connecticut General Statutes, and includes the certificate of registration and the number plate or plates used in connection with said registration;

(l) ``Vanity plate'' means a number plate issued by the commissioner in accordance with Connecticut General Statutes Section 14-49(s), as amended.

(Effective September 23, 1992; amended September 1, 1999)

Sec. 14-21e-2. Design of number plates

The Long Island Sound Commemorative Number Plate shall be of a design as determined by agreement between the commissioner and the commissioner of environmental protection.

(Effective September 23, 1992)

Sec. 14-21e-3. Application

(a) A person shall apply for a Long Island Sound Commemorative Number Plate by filing an application in writing with the commissioner, and paying the appropriate amount as specified in Section 5;

(b) A person having a low number plate, a vanity plate, or a previously issued passenger number plate may transfer the registration to a Long Island Sound Commemorative Number Plate. The appropriate amount required in Section 5 (b) shall be paid, but no additional fee shall be charged for such transfer.

(Effective September 23, 1992)

Sec. 14-21e-4. Eligible vehicles

The Commissioner will issue a Long Island Sound Commemorative Number Plate in such motor vehicle registration classes as he may deem appropriate in addition to the passenger class.
(Effective September 23, 1992)

Sec. 14-21e-5. Fees

A person who applies for a Long Island Sound Commemorative Number Plate shall pay the following amount which shall be deposited in the Long Island Sound Fund:

(a) Fifty dollars ($50.00) for a number plate with numbers and letters selected by the commissioner, which includes a donation to the Long Island Sound Fund of thirty-five dollars ($35.00);

(b) Seventy dollars ($70.00) for a low number plate or a vanity plate including the transfer of the numbers and letters from a previously issued passenger number plate, which includes a donation to the Long Island Sound Fund of not less than forty-five dollars ($45.00);

(c) One hundred dollars ($100.00) for a number plate having the letters LIS followed by a number between one hundred (100) and nine hundred ninety-nine (999), inclusive, or a number plate having a number between one hundred (100) and nine hundred ninety-nine (999), inclusive, followed by the letters LIS, which includes a donation to the Long Island Sound Fund of eighty-five dollars ($85.00).

(d) The commissioner may conduct an auction or lottery for a limited number of Long Island Sound Commemorative Number Plates with numbers and letters selected by the commissioner to benefit the Long Island Sound Fund. Such auction or lottery shall be public and shall be advertised in at least two (2) newspapers of general circulation in the state. Each such plate may be bid separately, and shall be awarded to the high bidder, or if there is more than one such bid, by lot to one of the high bidders. A minimum bid of one hundred fifty dollars ($150.00) shall be made for each such plate, of which one hundred thirty-five dollars ($135.00) shall be a donation to the Long Island Sound Fund. A person whose bid is higher than the minimum bid shall be requested to donate the additional amount bid above the minimum bid to the Long Island Sound Fund;

(e) A reduction of five dollars ($5.00) shall be allowed to any person who applies for a Long Island Sound Commemorative Number Plate and who submits payment of the appropriate amount prior to December 31, 1992.
(Effective July 27, 1993)

Sec. 14-21e-6. Renewal fee

The renewal fee for a Long Island Sound Commemorative Number Plate shall be the same as that provided for the class of motor vehicle and type of number plate in accordance with the applicable provisions of Sections 14-49 or 14-160 of the General Statutes, as amended.
(Effective September 23, 1992)

Sec. 14-21e-7. Replacement

A Long Island Sound Commemorative Number Plate which is lost or stolen, and such loss is reported to the appropriate police authorities and the Department of Motor Vehicles as required by law, shall not be replaced earlier than one (1) year after such loss is so reported. The commissioner may

substitute another plate of his choosing until such plate is replaced. A fee of fifteen dollars ($15.00) shall be assessed for any such replacement plate.
(Effective September 23, 1992)

Sec. 14-21e-8. Lighthouse preservation donation

The commissioner shall accept voluntary donations or contributions in any amount from any person for the Connecticut Lighthouse Preservation Account at any time. Such donations or contributions shall be used for any of the purposes specified in subsection (b) of Section 22a-27n of the Connecticut General Statutes. All donations shall be made by a separate check and shall be made payable to the state of Connecticut Lighthouse Preservation Account. All donations shall be collected by the department and transferred to the treasurer for deposit into the Connecticut Lighthouse Preservation Account.
(Adopted effective September 1, 1999)

Fees and Standards for Issuing ``Keep Kids Safe'' Motor Vehicle Number Plates

Sec. 14-21f-1. Definitions

As used in Sections 14-21f-1 to 14-21f-6, inclusive:

(1) ``Commissioner'' means the commissioner of motor vehicles, or his designee;

(2) ``Keep Kids Safe account'' means the account established in accordance with Section 2 of Public Act 95-275;

(3) ``Keep Kids Safe Number Plate'' means an official motor vehicle registration marker plate issued by the commissioner in accordance with the provisions of Section 1 of Public Act 95-275;

(4) ``Low number plate'' means a number plate issued by the commissioner in accordance with section 14-160 of the general statutes;

(5) ``Number plate'' means an official marker furnished by the commissioner on which is displayed the registration number assigned to a motor vehicle by the commissioner;

(6) ``Person'' means a person as defined in section 14-1(a) (61) of the general statutes eligible to register a motor vehicle;

(7) ``Registration'' means registration of a motor vehicle with the commissioner in accordance with Part III (A) of Chapter 246 of the general statutes, and includes the certificate of registration and the number plate or plates used in connection with said registration;

(8) ``Vanity plate'' means a number plate issued by the commissioner in accordance with section 14-49(s) of the general statutes.

(Effective December 20, 1996)

Sec. 14-21f-2. Design of number plates

(a) The Keep Kids Safe Number Plate shall be of a design to enhance public awareness of the state's effort to protect the safety of children, which design shall be selected in a manner to be determined by the commissioner.

(b) The commissioner may determine the design of the Keep Kids Safe Number Plate by a contest which he coordinates.

(Effective December 20, 1996)

Sec. 14-21f-3. Application

(a) A person shall apply for a Keep Kids Safe Number Plate by filing an application in writing with the commissioner, and paying the amount as specified in Section 14-21f-4 of the Regulations of Connecticut State Agencies.

(b) A person having a low number plate, a vanity plate, or a previously issued passenger number plate may transfer the registration to a Keep Kids Safe Number Plate. For such transfer the person shall pay only the amount provided in accordance with subsection (b) of Section 14-21f-4 of the Regulations of Connecticut State Agencies.

(Effective December 20, 1996)

Sec. 14-21f-4. Fees

A person who applies for a Keep Kids Safe Number Plate shall pay the following amount which shall be in addition to registration fees required by law, and shall be deposited in the Keep Kids Safe account:

(a) Fifty dollars ($50.00) for a number plate with numbers and letters selected by the commissioner, which includes a donation to the Keep Kids Safe account of thirty-five dollars ($35.00);

(b) Seventy dollars ($70.00) for a low number plate or a vanity plate, including the transfer of the numbers and letters from a previously issued passenger number plate, which includes a donation to the Keep Kids Safe account of fifty-five dollars ($55.00);

(c) The commissioner may conduct an auction or lottery for a limited number of Keep Kids Safe Number Plates, with numbers and letters selected by the commissioner, to benefit the Keep Kids Safe account. Such auction or lottery shall be public, and shall be advertised in at least two (2) newspapers of general circulation in the State. Each such number plate may be bid separately, and shall be awarded to the high bidder, or if there is more than one such bid, by lot to one of the high bidders. A minimum bid of one hundred fifty dollars ($150.00) shall be made for each plate, of which one hundred thirty-five dollars ($135.00) shall be a donation to the Keep Kids Safe account. A person whose bid is higher than the minimum bid shall be requested to donate the additional amount above the minimum bid to the Keep Kids Safe account.

(Effective December 20, 1996)

Sec. 14-21f-5. Renewal fee

The renewal registration fee for a Keep Kids Safe Number Plate shall be the same as provided for the class of motor vehicle and type of number plate in section 14-49 or 14-160 of the Connecticut general statutes.

(Effective December 20, 1996)

Sec. 14-21f-6. Replacement

A Keep Kids Safe number plate which is lost or stolen, and such loss is reported to the appropriate police authorities and the Department of Motor Vehicles as required by law, shall not be replaced earlier than ten (10) months after such loss is so reported. The commissioner may substitute another plate of his choosing until such plate is replaced. A fee as provided by statute shall be charged for any replacement number plate.

(Effective December 20, 1996)

Standards for Issuing Animal Population Commemorative Number Plates

Sec. 14-21h-1. Definitions

In Sections 14-21h-1 through Section 14-21h-7 the following words shall have the following meanings:

(1) ``Animal population control program commemorative number plate'' means a number plate which is issued by the Commissioner of Motor Vehicles to enhance public awareness of pet overpopulation and the state's effort to provide for the low-cost spaying and neutering of unsterilized dogs and cats adopted from municipal pounds.

(2) ``Animal population control program account'' means an account to which fees, other than administrative costs, established and collected pursuant to the provisions of Section 3 of Public Act 97-187, are deposited.

(3) ``Commissioner'' means the Commissioner of Motor Vehicles.

(4) ``Department'' means the Department of Motor Vehicles.

(5) ``Low number plate'' means a number plate issued by the Commissioner in accordance with section 14-160 of the Connecticut General Statutes.

(6) ``Number plate'' means an official marker furnished by the Commissioner on which is displayed the registration number assigned to a motor vehicle by the commissioner.

(7) ``Person'' means a person, as defined in subdivision (61) of subsection (a) of section 14-1 of the Connecticut General Statutes, who is eligible to register a motor vehicle.

(8) ``Registration'' means registration of a motor vehicle with the commissioner as provided in section 14-12 of the Connecticut General Statutes, and includes the certificate of registration and the number plate(s) used in connection with such registration.

(9) ``Vanity plate'' means a number plate issued by the Commissioner in accordance with subsection (s) of section 14-49 of the Connecticut General Statutes.

(Effective September 28, 1998)

Sec. 14-21h-2. Design of number plates

(a) The animal population control program commemorative number plate shall be of a design to enhance public awareness of pet overpopulation and the state's effort to provide for the low-cost spaying and neutering of unsterilized dogs and cats adopted from municipal pounds.

(b) The animal population control program commemorative number plate shall be of a design determined by agreement between the Commissioner of Agriculture and the Commissioner of Motor Vehicles.

(Effective September 28, 1998)

Sec. 14-21h-3. Application for number plate. Transfer fee

(a) A person shall apply for an animal population control program commemorative number plate by filing an application in writing with the commissioner, and paying the fee as specified in section 14-21h-5 of this regulation. Such fee shall be in addition to the fee required by law for registration of a motor vehicle.

(b) No fee in addition to the fee specified in section 14-21h-5 of this regulation shall be charged for the transfer of a motor vehicle registration to or from a registration with animal population control program commemorative number plates.
(Effective September 28, 1998)

Sec. 14-21h-4. Eligible vehicles

In addition to the passenger motor vehicles, as defined in subdivision (59) of subsection (a) of section 14-1 of the Connecticut General Statutes, an animal population control program commemorative number plate may be issued in such other class or classes of motor vehicles as may be decided by the Commissioner of Motor Vehicle, in consultation with the Commissioner of Agriculture.
(Effective September 28, 1998)

Sec. 14-21h-5. Fees

A person who applies for an animal population control program commemorative number plate shall pay the following fees, which shall be deposited in the animal population control program account except for the amount designated for administrative costs as identified hereinafter:

(1) Fifty dollars ($50.00) for a number plate with letters and numbers selected by the Commissioner of Motor Vehicles, of which fifteen dollars ($15.00) shall be deposited in an account controlled by the Department of Motor Vehicles for administrative costs. The fee shall include a donation to the animal population control program account of thirty-five dollars ($35.00); or

(2) Seventy dollars ($70.00) plus the required special plate fees for a new low number or vanity plate, fifty-five dollars ($55.00) of which will be deposited in the animal population control program account.
(Effective September 28, 1998)

Sec. 14-21h-6. Renewal fee

The biennial renewal fee for a registration for which an animal population control program commemorative number plate has been issued shall be an additional fee of fifteen dollars ($15.00), of which five dollars ($5.00) shall be deposited in an account controlled by the Department of Motor Vehicles for administrative costs, and ten dollars ($10.00) shall be deposited in the animal population control program account. Such fee shall be in addition to the registration renewal fee required by law. No fee in addition to that provided in this section, and the registration renewal fee required by law, shall be charged for renewal of a low number plate or a vanity plate.
(Effective September 28, 1998)

Sec. 14-21h-7. Replacement

An animal population control program commemorative number plate which is lost or stolen, and such loss or theft is reported to the appropriate police authorities and the Department of Motor Vehicles as required by law, shall not be replaced earlier than one (1) year after such loss or theft is so reported. The Commissioner may substitute another animal population control program commemorative plate of his choosing until such lost or stolen plate is replaced. A replacement plate fee as required by law shall be charged for any such replacement plate.
(Effective September 28, 1998)

Standards for Issuing Greenways Commemorative Number Plates

Sec. 14-21i-1. Definitions

In sections 14-21i-1 through sections 14-21i-7 the following words shall have the following meanings:

(a) ``Greenways commemorative number plate'' means a number plate that is issued by the Commissioner of Motor Vehicles to enhance public awareness of the state and local efforts to preserve, restore and protect greenways; ``Greenways account'' means an account of the Conservation Fund established under section 22a-27h and referenced in section 22a-27o of the Connecticut General Statutes to which fees, other than administrative costs, shall be deposited pursuant to the provisions of sections 14-21i and sections 22a-27o of the Connecticut General Statutes;

(c) ``Commissioner'' means the Commissioner of Motor Vehicles;

(d) ``Department'' means the Department of Motor Vehicles;

(e) ``Low number plate'' means a number plate issued by the commissioner in accordance with section 14-160 of the Connecticut General Statutes; ``Number plate'' means an official marker furnished by the commissioner on which is displayed the registration number assigned to a motor vehicle by the commissioner;

(g) ``Person'' means a person, as defined in subdivision (61) of subsection (a) of section 14-1 of the Connecticut General Statutes, eligible to register a motor vehicle;

(h) ``Registration'' means registration of a motor vehicle with the commissioner in accordance with Part III (A) of Chapter 246 of the Connecticut General Statutes, and includes the certificate of registration and the number plate(s) used in connection with such registration;

(i) ``Vanity plate'' means a number plate issued by the commissioner in accordance with section 14-49 (s) of the Connecticut General Statutes.

(Adopted effective September 1, 1999)

Sec. 14-21i-2. Design of number plates

The design of the Greenways commemorative number plate shall be determined by agreement between the Commissioner of Motor Vehicles and the Commissioner of Environmental Protection.

(Adopted effective September 1, 1999)

Sec. 14-21i-3. Application for number plate. Transfer fee

(a) A person shall apply for a Greenways commemorative number plate by filing an application in writing with the commissioner, and paying the fee as specified in section 14-21i-5 of the Regulations of Connecticut State Agencies. Such fee shall be in addition to the fee required by law for registration of a motor vehicle.

(b) No fee in addition to the fee specified in section 14-21i-5 of the Regulations of Connecticut State Agencies shall be charged for the transfer of a motor vehicle registration to or from a registration with a Greenways commemorative number plate.

(Adopted effective September 1, 1999)

Sec. 14-21i-4. Eligible vehicles

In addition to the registration for the passenger class of motor vehicle, as defined in subdivision (59) of subsection (a) of section 14-1 of the Connecticut General Statutes, The Greenways commemorative number plate may be issued in such other registration class or classes of motor vehicles as may be decided by the Commissioner of Motor Vehicles.
(Adopted effective September 1, 1999)

Sec. 14-21i-5. Fees

A person who applies for a Greenways commemorative number plate shall pay the following fees, which shall be deposited in the Greenways commemorative account except for the amount designated for administrative costs as identified hereinafter:

(a) Fifty dollars ($50.00) for a number plate with letters and numbers selected by the Commissioner of Motor Vehicles, of which fifteen dollars ($15.00) shall be deposited in an account controlled by the Department of Motor Vehicles for administrative costs. The fee shall include a donation to the Greenways commemorative account of thirty-five dollars ($35.00); or

(b) Seventy dollars ($70.00) plus the required special plate fees for a new low number or vanity plate, fifty-five dollars ($55.00) of which will be deposited in the Greenways commemorative account.
(Adopted effective September 1, 1999)

Sec. 14-21i-6. Replacement

A Greenways commemorative number plate which is lost or stolen, and such loss or theft is reported to the appropriate police authorities and the Department of Motor Vehicles as required by law, shall not be replaced earlier than one (1) year after such loss or theft is so reported. The commissioner may substitute another Greenways commemorative number plate of his choosing until such lost or stolen plate is replaced. A replacement plate fee as required by law shall be charged for any such replacement plate.
(Adopted effective September 1, 1999)

Standards for Issuing Amistad Commemorative Number Plates

Sec. 14-21j-1. Definitions

As used in section 14-21j-1 to section 14-21j-6, inclusive:

(a) ``Amistad commemorative number plate'' means a number plate that is issued by the Commissioner of Motor Vehicles to enhance public awareness of the 1839 uprising against the crew of the Spanish slave schooner, The Amistad;

(b) ``Amistad commemorative account'' means an account to which fees, other than administrative costs, shall be deposited pursuant to the provisions of section 14-21j and section 14-21k of the Connecticut General Statutes.

(c) ``Commissioner'' means the Commissioner of Motor Vehicles;

(d) ``Department'' means the Department of Motor Vehicles;

(e) ``Low number plate'' means a number plate issued by the commissioner in accordance with section 14-160 of the Connecticut General Statutes;

(f) ``Number plate'' means an official marker furnished by the commissioner on which is displayed the registration number assigned to a motor vehicle by the commissioner;

(g) ``Person'' means a person, as defined in subdivision (61) of subsection (a) of section 14-1 of the Connecticut General Statutes, eligible to register a motor vehicle;

(h) ``Registration'' means registration of a motor vehicle with the commissioner in accordance with Part III (A) of Chapter 246 of the Connecticut General Statutes, and includes the certificate of registration and the number plate(s) used in connection with such registration;

(i) ``Vanity plate'' means a number plate issued by the commissioner in accordance with section 14-49 (s) of the Connecticut General Statutes.

(Adopted effective September 1, 1999)

Sec. 14-21j-2. Design of number plates

(a) The Amistad commemorative number plate shall be of a design to enhance public awareness of the 1839 uprising against the crew of the Spanish slave schooner, The Amistad.

(b) The Amistad commemorative number plate shall be of a design determined by the Commissioner of Motor Vehicles.

(Adopted effective September 1, 1999)

Sec. 14-21j-3. Application for number plate. Transfer fee

(a) A person shall apply for an Amistad commemorative number plate by filing an application in writing with the commissioner, and paying the fee as specified in section 14-21j-5 of the Regulations of Connecticut State Agencies. Such fee shall be in addition to the fee required by law for registration of a motor vehicle.

(b) No fee in addition to the fee specified in section 5 of this regulation shall be charged for the transfer of a motor vehicle registration to or from a registration with an Amistad commemorative number plate.

(Adopted effective September 1, 1999)

Sec. 14-21j-4. Eligible vehicles

In addition to the registration for the passenger class of motor vehicle, as defined in subdivision (59) of subsection (a) of section 14-1 of the Connecticut General Statutes, the Amistad commemorative number plate may be

issued in such other registration class or classes of motor vehicles as may be decided by the commissioner of motor vehicles.

(Adopted effective September 1, 1999)

Sec. 14-21j-5. Fees

A person who applies for an Amistad commemorative number plate shall pay the following fees, which shall be deposited in the Amistad commemorative account except for the amount designated for administrative costs as identified hereinafter:

(a) Fifty dollars ($50.00) for a number plate with letters and numbers selected by the Commissioner of Motor Vehicles, of which fifteen dollars ($15.00) shall be deposited in an account controlled by the Department of Motor Vehicles for administrative costs. The fee shall include a donation to the Amistad commemorative account of thirty-five dollars ($35.00); or

(b) Seventy dollars ($70.00) plus the required special plate fees for a new low number or vanity plate, fifty-five dollars ($55.00) of which shall be deposited in the Amistad commemorative account.

(Adopted effective September 1, 1999)

Sec. 14-21j-6. Replacement

An Amistad commemorative number plate which is lost or stolen, and such loss or theft is reported to the appropriate police authorities and the Department of Motor Vehicles as required by law, shall not be replaced earlier than one (1) year after such loss or theft is so reported. The commissioner may substitute another Amistad commemorative number plate of his choosing until such lost or stolen plate is replaced. A replacement plate fee as required by law shall be charged for any such replacement plate.

(Adopted effective September 1, 1999)

Public Service Motor Vehicles

Sec. 14-26-1. Tire requirements

On all public service motor vehicles

(1) tires shall be of sufficient size and construction, as recommended by the tire manufacturer, to support the combined weight of the vehicle and the allowable passenger load safely;

(2) damaged or worn tires shall be replaced before becoming in any way unsafe for operation, and

(3) no recapped or retreaded tires shall be used on the front wheels of any motor vehicle used for the transportation of passengers for hire if operated beyond a twenty-five-mile radius of vehicle headquarters.

(Effective January 12, 1965)

(For brake requirements, see Reg. 14-80.2.)

Municipal Parking Tickets Program

Sec. 14-33-1. Purpose

The purpose of sections 14-33-2 to 14-33-8, inclusive, is to implement the provisions of subsection (c) of section 14-33 of the General Statutes to assist local governments in improving the collection of fines for parking violations by multiple offenders. Sections 14-33-2 to 14-33-8, inclusive, provide guidance to municipalities concerning the administrative requirements for participation in the program, as authorized by said subsection (c) of section 14-33.
(Effective December 20, 1996)

Sec. 14-33-2. Definitions

As used in sections 14-33-2 to 14-33-8, inclusive, the following words and phrases shall have the following meanings:

(a) ``Commissioner'' means the commissioner of motor vehicles or his authorized designee.

(b) ``Parking violation'' means any authorized citation for a violation of municipal parking laws, regulations or ordinances that was not contested by the violator, or, having been contested, has been determined in favor of the municipality.

(c) ``Unpaid fine'' means any fine for a parking violation that has not been paid by the violator after notice and reasonable opportunity to make payment has been afforded by the municipality.
(Effective December 20, 1996)

Sec. 14-33-3. Eligibility

Any municipality is eligible to participate in the municipal parking ticket program.
(Effective December 20, 1996)

Sec. 14-33-4. Application

Any municipality applying to participate in the municipal parking ticket program shall submit formal written request to the commissioner at 60 State Street, Wethersfield, CT 06161. This request shall be made by an official of the municipality. Once the Department of Motor Vehicles has determined that a municipality meets the eligibility criteria, the commissioner shall provide the applicant with written acknowledgement of its participation. Each participating municipality shall designate and provide to the commissioner the name of a contact person for the program, who shall be available during normal business hours.
(Effective December 20, 1996)

Sec. 14-33-5. Notification of owners

A participating municipality shall notify the commissioner of every owner of a registered motor vehicle which has unpaid fines for more than five (5) parking violations committed within such municipality on or after March 1, 1989. This notification shall be on a form or magnetic tape or similar format as prescribed by the commissioner, to be furnished and updated at not less than thirty (30) day intervals. The information to be contained within such notification shall include but shall not be limited to the following: the name of the owner(s), address, class code of the vehicle, and vehicle registration

number. Accompanying the notification shall be a statement certifying that such owner or owners have more than five (5) such violations.
(Effective December 20, 1996)

Sec. 14-33-6. Registrations affected

Upon notification by the municipality in accordance with section 14-33-5 the commissioner shall not issue or renew a motor vehicle registration in the name of the owner or owners therein reported.
(Effective December 21, 1989)

Sec. 14-33-7. Notification of payment status

Each municipality shall be responsible for prompt notification to the commissioner that an owner or owners previously reported to have unpaid fines have made the necessary payment or payments, or have otherwise satisfied the municipality concerning outstanding parking violations. Such notification SHALL be received by the commissioner before a registration will be issued or renewed. In the case of notification by telephone or other electronic means, the municipality shall be responsible for transmission on a prompt follow-up basis of written documentation if so requested by the commissioner.
(Effective December 20, 1996)

Sec. 14-33-8. Exception for lessors

Sections 14-33-1 to 14-33-7, inclusive, shall not apply to an owner who is a person, firm or corporation involved in leasing or renting motor vehicles without drivers in this state with respect to any motor vehicle which is leased or rented.
(Effective December 20, 1996)

International Registration Plan

Sec. 14-34a-1. International registration plan numbering system
Repealed, August 24, 2000.

Sec. 14-34a-1a. International registration plan numbering system

The International Registration Plan is adopted using the plan numbering system as follows:

Article I
Purpose And Principle

100 Title
This reciprocal agreement shall be referred to, cited and known as the International Registration Plan, (herein referred to as IRP).

102 Fundamental Principle
It is the purpose of this agreement to promote and encourage the fullest possible use of the highway system by authorizing apportioned registration of fleets of vehicles, and the recognition of vehicles apportioned in other jurisdictions, thus contributing to the economic and social development and growth of the jurisdictions.

104 One Registration Plate
It is the purpose of this agreement to implement the concept of one registration plate for one vehicle.

106 Reciprocal Grants Of Fees
It is the purpose of this agreement to grant exemptions from payment of certain fees when such grants are reciprocal.

108 Granting Of Reciprocity
It is the purpose of this agreement to grant reciprocity to apportioned fleets of vehicles, and to provide for the continuance of reciprocity granted to those vehicles that are not eligible for apportioned registration under the terms of this agreement.

109 Discharge Of Registrant Responsibility
The payment to the base jurisdiction for all member jurisdictions of apportioned fees due under this agreement discharges the responsibility of the registrant for payment of such apportioned fees to individual member jurisdictions, except as may be provided in Section 410.

110 Registrant From Non-Member Jurisdiction

(a) Registrants based in any jurisdiction not a member of this agreement, and who have been licensing vehicles in any member jurisdiction under basing point, allocation or proration, may declare the member jurisdiction where the most miles or kilometers have been operated as a base jurisdiction for purposes of this agreement until such time as the registrant's base jurisdiction becomes a member of this agreement.
(b) Whenever the base jurisdiction of a registrant changes through application of this section, the re-registration of the registrant's vehicles in

the new jurisdiction shall be accomplished through orderly and equitable procedures to be established by the commissioners of the two jurisdictions involved.

Article II
Definitions

200 Allocated Vehicle

"Allocated vehicle" means a vehicle to which a particular jurisdiction's basic registration plate or apportioned registration plate is attached upon payment of the jurisdiction's full basic registration fee. A portion of each fleet of one-way vehicles is "allocated" to each jurisdiction into or through which the fleet travels (each vehicle of the fleet need not enter every jurisdiction.)

202 Apportionable Fee

"Apportionable fee" means any periodic recurring fee required for licensing or registering vehicles, such as, but not limited to, registration fees, license or weight fees.

204 Apportionable Vehicle

(a) "Apportionable vehicle" means any vehicle, except recreational vehicles, vehicles displaying restricted plates, city pick up and delivery vehicles, buses used in transportation of chartered parties, and Government-owned vehicles, used or intended for use in two or more jurisdictions that allocate or proportionally register vehicles and is used for the transportation of persons for hire or designed, used or maintained primarily for the transportation of property and:

1. is a power unit having two axles and a gross vehicle weight or registered gross vehicle weight in excess of 26,000 pounds or 11,793.401 kilograms; or

2. is a power unit having three or more axles, regardless of weight; or

3. is used in combination, when the weight of such combination exceeds 26,000 pounds or 11,793.401 kilograms gross vehicle weight.

Trucks and truck tractors, and combinations of vehicles having a gross vehicle weight of 26,000 pounds or 11,793.401 kilograms or less and buses used in transportation of chartered parties may be proportionally registered at the option of the registrant.

206 Auxiliary Axle

"Auxiliary axle" means an auxiliary undercarriage assembly with a fifth wheel and tow bar used to convert a semi-trailer to a full trailer.

208 Axle

"Axle" means an assembly of a vehicle consisting of two or more wheels whose centers are in one horizontal plane, be means of which a portion of the weight of a vehicle and its load, if any, is continually transmitted to the roadway. For purposes of registration under the IRP, an "axle" is any such assembly whether or not it is load-bearing only part of the time.

For example, a single-unit truck with a steering axle and two axles in a rear-axle assembly is an apportionable vehicle even though one of the rear axles is a so-called "dummy", "drag", "tag" or "pusher" type axle.

210 Base Jurisdiction

"Base jurisdiction" means, for purposes of fleet registration, the jurisdiction where the registrant has an established place of business, where

mileage is accrued by the fleet and where operational records of such fleet are maintained or can be made available in accordance with the provisions of Section 1602.

212 Base Plate

(a) "Base plate" means the plate issued by the Base Jurisdiction and shall be the only registration identification plate issued for the vehicle by any member jurisdiction.

(b) Base plates shall be identified by having the word "apportioned" or "PRP" and the jurisdiction's name on the plate. The numbering system and color shall be determined by the issuing jurisdiction.

214 Chartered Party

"Chartered party" means a group of persons who, pursuant to a common purpose and under a single contract, and at a fixed charge for the vehicle in accordance with the carrier's tariff, lawfully on file with the Interstate Commerce Commission, have acquired the exclusive use of a passenger-carrying motor vehicle to travel together as a group to a specified destination or for a particular itinerary, either agreed upon in advance or modified by the chartered group after having left the place of origin.

216 Commissioner

"Commissioner" means the jurisdiction official in charge of registration of vehicles.

218 Established Place Of Business

(a) "Established Place of Business" means a physical structure owned, leased or rented by the fleet registrant.

(b) The physical structure shall be designated by a street number or road location, be open during normal business hours, and have located within it:

(1) a telephone or telephones publicly listed in the name of the fleet registrant,

(2) a person or persons conducting the fleet registrant's business, and

(3) the operational records of the fleet (unless such records can be made available in accordance with the provisions of section 1602.)

220 Fleet

"Fleet" means one or more apportionable vehicles.

222 In-Jurisdiction Miles Or Kilometers

"In-jurisdiction miles or kilometers" means the total distance operated by a fleet of apportioned vehicles in a jurisdiction during the preceding year. In those cases where the registrant operated a fleet of apportioned vehicles in jurisdictions that require no apportionment and grant reciprocity, the base jurisdiction may add such miles or kilometers to the in-jurisdiction miles or kilometers.

224 Interjurisdiction Movement

"Interjurisdiction movement" means vehicle movement between or through two or more jurisdictions.

226 Intrajurisdiction movement

"Intrajurisdiction movement" means vehicle movement from one point within a jurisdiction to another point within the same jurisdiction.

228 Jurisdiction

"Jurisdiction" means a state, territory or possession of the United States, the District of Columbia, or a state, province, or territory of a country.

229 Long Term

"Long term" means any period of time exceeding 29 days.

232 Operational Records

"Operational records" means documents supporting the total distance traveled in each jurisdiction and total miles or kilometers traveled such as fuel reports, trip sheets and logs.

234 Owner-Operator

"Owner-operator" means an equipment lessor who leases his vehicular equipment with driver to a carrier.

236 Pool Fleet

"Pool fleet" means a fleet of rental company trailers and semi-trailers having a gross weight in excess of 6,000 pounds or 2,721.554 kilograms, and used solely in pool operation, with no permanent base.

238 Preceding Year

"Preceding year" means the period of twelve consecutive months immediately prior to July 1st of the year immediately preceding the commencement of the registration or license year for which apportioned registration is sought.

240 Reciprocity

"Reciprocity" means that an apportionable vehicle properly registered hereunder shall be exempt from further registration by any other member jurisdiction.

242 Reciprocity Agreement

"Reciprocity agreement" means an agreement, arrangement or understanding governing the reciprocal grant of rights and/or privileges to vehicles which are based in and properly registered under the applicable laws of the jurisdictions which are parties to such an agreement, arrangement or understanding.

244 Recreational Vehicle

"Recreational vehicle" as used in this agreement is one used for personal pleasure or travel by an individual or his family.

246 Registrant

"Registrant" means a person, firm or corporation in whose name or names a vehicle is properly registered.

248 Registration Year

"Registration year" means the twelve-month period during which the registration plates issued by the base jurisdiction are valid according to the laws of the base jurisdiction.

250 Restricted Plate

"Restricted plate" means one that has time (less than a registration year), geographic area, mileage or commodity restrictions.

252 Semi-Trailer

"Semi-trailer" means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so

constructed that some part of its weight and that of its load rests upon or is carried by the towing vehicle.

254 Service Representative

"Service representative" means one who furnishes facilities and services including sales, warehousing, motorized equipment and drivers under contract other arrangements to a carrier for transportation of property by a household goods carrier.

255 Staggered Registration

"Staggered registration" means a method of distributing fleet registration so that credentials expire in different months during the same registration year.

256 Total Distance

"Total distance" means the total number of miles or kilometers operated by a fleet of apportioned vehicles in all jurisdictions during the preceding year. For purposes of motor bus apportionment, total distance shall be calculated as provided in Article XIII. For purposes of reduced operations total distance shall be reduced by the actual miles or kilometers traveled in the eliminated jurisdictions. When a jurisdiction needs to be added back during the registration year, the carrier must use as a minimum the number of miles or kilometers traveled in that state in the preceding year; the original application percentages that were established will not reflect these changes.

258 Trailer

"Trailer" means every vehicle without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

260 Trip Lease

"Trip lease" means a lease of vehicular equipment to a carrier (lessee) for a single interjurisdictional movement. The term may also include a similar movement intrajurisdictional where such movement is authorized under the laws of the jurisdiction.

262 Motor Carrier Audit

"Motor carrier audit" means a physical examination of a motor carrier's operational records including source documentation to verity fleet mileage and accuracy of a carrier's record keeping system.

Article III
Fees For Apportioned Registration

300 Determination of Fees

A. The registration fee for apportionable vehicles shall be determined as follows:

1. Divide the in-jurisdiction miles or kilometers by the total distance generated during the preceding year.
2. Determine the total fees required under the laws of each jurisdiction for full registration of each vehicle at the regular annual or applicable fees, or for the unexpired portion of the registration year.
3. Multiply the sum obtained under Paragraph 2 of this section by the quotient obtained under Paragraph 1 of this section.

302 Non-Waiver of Fees

This agreement does not waive any fees or taxes charged or levied by any jurisdiction in connection with the ownership or operation of vehicles and applies only to those apportioned fees specified. All other fees and taxes shall be paid to each jurisdiction in accordance with the laws thereof.

304 Minimum Fees

There shall be no minimum vehicle fees for any apportionable vehicle, except those base jurisdiction statutory fees for issuance of identifications or filing of applications.

Article IV
Application For Apportioned Registration

400 Application Filed With Base Jurisdiction

(a) An applicant for apportioned registration shall file a uniform application with the Commissioner of the base jurisdiction in lieu of registration under other applicable statutes.

(b) The base jurisdiction commissioner shall adopt the following procedures for renewal and expanded operations.

Upon renewal, the registrant shall use the actual mileage operated during the preceding year (or portion of such year) in computing fees due each jurisdiction pursuant to Article III and all second year and subsequent year estimates shall be computed over 100%.

402 Application Filing

Applications for apportioned registration shall be filed on a date and by standard of measure as determined by the base jurisdiction. The base jurisdiction may issue fleet registrations so that all credentials expire in the same month or stagger fleet registration so that credentials expire in different months during the same registration year.

When converting to staggered registration, jurisdictions may issue fleet registrations for a period that may differ from the registration year. The registration period during conversion shall not be less than six months, nor exceed eighteen months.

Every application for apportioned registration shall, at the time and in the manner required by the commissioner, be supported by the payment of the registration fees in the amount determined in Article III. However, the commissioner may postpone payment of fees until after the commissioner has computed the fees due. If a jurisdiction automates its renewal process, use the standard IRP automated renewal transaction codes, field formats and record formats adopted by a majority of the membership and maintained by the repository. The jurisdiction will have at least 90 days notice to implement changes to these field codes.

404 Trailer Apportionment - Exception To Plan

The applicant for apportioned registration of trailers, semi-trailers and auxiliary axles shall use the application form for such vehicles. The apportionment of registration fees shall be computed by using the same factor determined by in-jurisdiction and total distance in Article III and this shall be applied to the registration fee. Jurisdictions may waive trailer, semi-

trailer and auxiliary axle apportionment. Jurisdictions requiring apportioned registration of trailers, semi-trailers and auxiliary axles shall provide for such requirement by filing an exception as described in Article XIX.

406 Contents Of Application

The application shall contain the number of power units, number of trailers, semi-trailers and auxiliary axles, with such vehicle description as may be required by the jurisdictions concerned and a uniform mileage schedule.

408 Jurisdiction Notification Of Application Filing

The base jurisdiction shall notify the other declared jurisdictions that an apportioned registration application has been filed, and shall furnish the declared jurisdictions documentation to substantiate and verify the application and fees within forty-five (45) days of collection of fees. The 45-day time limit may be extended for transmittal of small amounts of funds, provided the receiving jurisdiction approves of the additional time delay. The base jurisdiction is responsible for consecutively numbering or dating each set of transmittals and recaps for each registration year.

410 Jurisdiction Cooperation

The base jurisdiction shall cooperate with other declared jurisdictions in connection with applications and fees paid.

Article V
Registration Of Apportionable Vehicles

500 Base Jurisdiction Registration

The commissioner of the base jurisdiction shall register apportionable vehicles upon application and payment of the registration fees as provided in Articles III and IV. Payment of additional fees for each vehicle so registered may be required by the commissioner of the base jurisdiction, in an amount provided by statute or regulation of the base jurisdiction for issuance of a plate. A registration card shall be issued for each vehicle registered by the commissioner of the base jurisdiction and the card shall appropriately identify the vehicle for which it is issued, list the jurisdictions in which the vehicle has been apportioned, and the weight for which registered according to the applications. Such registration card shall be carried in or upon the vehicle, for which it has been issued, at all times.

502 Identification Plates and Cab Cards

The base jurisdiction, after receiving its proportionate fees shall supply the necessary identification plates and prepare cab cards, listing on the front of the cab cards the jurisdiction where the vehicles are proportionally registered, the weight (shown in pounds for states and in kilograms for provinces) for which registered and other necessary information in each of the jurisdictions. The base jurisdiction may, in its discretion, withhold issuing plates and cards until it has received evidence of payment due other member jurisdictions.

504 Cancellation Of Plates and Cab Cards

All plates and cards and reciprocal exemptions are subject to cancellation and revocation in the event of erroneous issuance thereof, or if any fees remain unpaid.

506 Operation Under Apportioned Registration

Vehicles registered as provided in Section 500 of this Article shall be deemed fully registered in all jurisdictions where apportioned for any type of movement or operation. The registrant must have proper interjurisdiction or intrajurisdiction authority from the appropriate regulatory agency if not exempt form regulation by the regulatory agency.

508 Variance Of Registered Weights

The commissioner of the base jurisdiction may require supporting documentation for any vehicle if the highest and lowest weights requested for jurisdictions registering by gross vehicle weight vary by ten (10) percent or more and may reject or deny registration for those vehicles if the variance does not reflect actual operating practice.

Article VI
Registration Of Additional Fleet Vehicles

600 Application Of Mileage Percentage

Vehicles acquired by the registrant after the commencement of the registration year and added to the apportioned fleet shall be registered by applying the mileage percentage used in the original application for such fleet for such registration period to the regular registration fees due with respect to such vehicles for the remainder of the registration year.

602 Filing Of Applications

All applications for additional fleet vehicles shall be filed and processed in the same manner as the original application.

Article VII
Withdrawal Of Fleet Vehicles, Credits, Replacement Vehicles And Accounting

700 Vehicle Withdrawn; Disposition Of Fees

If a vehicle is withdrawn from an apportioned fleet during the period for which it is registered, the registrant of such fleet shall so notify the Commissioner on appropriate forms provided by the Commissioner. The Commissioner shall require the registrant to surrender the cab card and identification plates to the base jurisdiction with respect to any such vehicle. If a vehicle is permanently withdrawn from an apportioned fleet because it has been destroyed, sold or otherwise completely removed from the service of the registrant, the unused portion of the fees paid with respect to such vehicle, where permitted by statute, shall be refunded by each jurisdiction or be applied

against liability of such registrant for subsequent additions to such fleet during such registration year or for additional fees upon audit.

702 Replacement Vehicles

If the registrant is replacing a vehicle for one withdrawn from the fleet and such vehicle is of the same weight category as that replaced, the registrant shall file a supplemental application with the base jurisdiction. The base jurisdiction shall, in accordance with provisions in Section 602, issue a new cab card and transfer the identification plates, to the new vehicle. When a replacement vehicle is of a greater weight or requires a larger registration fee, the registrant shall file the re-registration with the base jurisdiction in the manner set forth in Article VI for the registration of additional fleet vehicles.

704 Temporary Registration

Each jurisdiction may provide a means of temporary registration for the movement of new or unlicensed equipment pending receipt of apportioned license plates and cab cards.

Article VIII
New Operations

800 Application for initial registration

Initial application for apportioned registration shall state the mileage data in all jurisdictions for the preceding year with respect to such vehicle or vehicles. If no operations were conducted with such vehicle or vehicles during the preceding year, the application shall contain a full statement of the proposed method of operation and estimates of annual mileage in each of the jurisdictions. The registrant shall determine the in-jurisdiction and total mileage to be used in computing the proportional registration fee for the vehicle or vehicles. The base jurisdiction Commissioner may adjust the estimate in the application if the base jurisdiction Commissioner is not satisfied with its correctness.

Article IX
Registration Of Owner-Operator Vehicles

900 General Provisions

Apportioned registration for owner-operators who lease vehicles to motor carriers may be accomplished in accordance with the provisions of this Article.

902 Owner Operator As Registrant

The owner-operator (lessor) may be the registrant and the vehicle may be registered in the name of such owner-operator. The allocation of fees shall be according to the operational records of such owner-operator. The identification plates and cab card shall be the property of the lessee and may reflect both the owner-operator's name and that of the carrier as lessee. Should an owner-operator, registered pursuant to this section, leave the fleet of the lessee, the lessee may proceed in accordance with Article VII.

906 Place Of Business

If an owner-operator desires to register under the provisions of this Article, but cannot fully comply with the provisions of Section 218 "Established Place of Business," the base jurisdiction shall register the vehicle provided the registrant furnishes a street address and telephone number and such other information as the Commissioner may require. The registrant must satisfy the Commissioner that the owner-operator can be located within the base jurisdiction for purposes of audit under the provisions of Article XV.

908 Trip Permit Requirements

Vehicles of owner-operators that are not apportioned or not fully registered in a jurisdiction having a separate reciprocity agreement with the jurisdiction in which the vehicle is being operated shall be subject to the trip permit requirement as set forth in Article XIV.

910 Hunter's Permit

Each jurisdiction shall provide a means of registration for owner-operators not operating as a lessor. Such registration shall be a restricted plate or permit issued for a minimum fee and for a registered gross weight not in excess of the empty weight of the vehicle.

The temporary registration credential issued by a member jurisdiction shall be honored as a valid registration in all other IRP jurisdictions.

Article X
Trip Leasing

1000 Registration Responsibility And Requirements

The lessee, except as provided for service representatives in Section 1200 and apportioned operator may lease equipment to another apportioned fleet operator and the lessor shall be responsible for reporting on the application the total distance traveled by the leased equipment. The lessee shall be the person using and operating the equipment by the lease agreement. The leased vehicle must bear apportioned registration credentials and be operated only in the jurisdictions to which fees have been paid or a trip permit will be required. The service representative in Section 1200 shall have the same responsibility for qualifying vehicles.

Article XI
Registration Of Rental Vehicles

1100 Effect Of Definitions

In applying the provisions of this Article, member jurisdictions shall adhere to the definitions herein set forth.

1102 Rental Owner

"Rental owner" means an owner principally engaged, with respect to one or more rental fleets, in renting to others or offering for rental the vehicles of such fleets, with or without drivers.

1104 Rental Fleet

"Rental fleet" means vehicles which are rented or offered for rental with or without drivers, and which are designated by a rental owner as a rental fleet.

1106 Rental Vehicle

"Rental vehicle" means a vehicle of a rental fleet.

1108 Renting And Leasing

"Renting and leasing" means the giving of possession and control of a vehicle for valuable consideration for a specified period of time.

1110 Rental Transaction

"A rental transaction" for the rental of a vehicle shall be deemed to occur in the jurisdiction where such vehicle first comes into possession of the user.

1111 Rental Vehicle: Base Jurisdiction

The "base jurisdiction" definition in Section 210 of Article II applies under this Article and the conditions therein specified must be met by the rental company as registrant of the fleet; except when the rental agreement is for more than sixty (60) days, the rental customer must have an established place of business and his fleet must accrue miles or kilometers in the jurisdiction selected as the base jurisdiction for the registration year.

1112 Interjurisdiction and Intrajurisdiction Privileges

Rental fleets registered by any person or firm engaging in the business of renting vehicles shall be extended full interjurisdiction and intrajurisdiction privileges, when such person or firm complies with all provisions of this section:

(a) The vehicles are part of a rental fleet which are identifiable as being a part of such fleet.
(b) The person or firm registers the vehicles in accordance with the provisions set forth in this article.

1114 Rental Trucks and Truck Tractors

Rental trucks and truck tractors shall be registered in accordance with Articles III, IV, V, VI and VII of this agreement, except that the base jurisdiction selected by the rental owner shall conform to the definition of base jurisdiction in Section 1111.

1116 Rental Passenger Cars

To determine the percentage of total fleet vehicles that shall be registered in a jurisdiction, divide the gross revenue received in the preceding year for use of such rental vehicles arising from passenger car rental transactions occurring in the jurisdiction by the total gross revenue received in the preceding year for the use of such rental vehicles arising from passenger car rental transactions occurring in all jurisdictions in which such vehicles are operated. The resulting percentage shall be applied to the total number of passenger cars in the fleet and that figure shall be the number of rental passenger cars that shall be fully registered in the jurisdiction.

1118 Rental Trailers and Semi-Trailers

(a) Trailers and semi-trailers not in separate pool fleets and used in normal tractor-trailer operations shall be licensed according to Section 404.

(b) Where required, trailers and semi-trailers, over 6,000 pounds or 2,721.554 kilograms gross vehicle weight and used solely in pool fleets shall be licensed by dividing the gross revenue received in the preceding year for the use of such rental vehicles arising from rental transactions occurring in the jurisdiction by the total gross revenue received in the preceding year for the use of such rental vehicles arising from rental transactions in all jurisdictions. The resulting percentage shall be applied to the number of units in such fleet, and that number of vehicles fully registered and plated in the jurisdiction.

1120 Utility Trailers

Owners of utility trailers, 6,000 pounds or 2,721.554 kilograms gross vehicle weight and under, engaged in the business of renting such trailers for use in a jurisdiction, shall register a number of trailers equal to the average number of such trailers rented in or through the jurisdiction during the preceding year.

1122 One-Way Vehicle

Owners of trucks of less than 26,000 pounds or 11,793.401 kilograms gross vehicle weight operated as part of an identifiable one-way fleet will allocate vehicles to the respective jurisdictions based on the mileage factor procedure in Article III and fully plate said allocated vehicles in such jurisdiction. All trucks of such one-way fleet so qualified will be allowed to perform both interjurisdiction and intrajurisdiction movements in all jurisdictions.

Article XII
Household Goods Carriers

1200 Equipment Leased From Service Representatives

Household goods carriers using equipment leased from service representatives may elect, with respect to such equipment, to base such equipment in the base jurisdiction of the service representative, or that of the carrier.

1202 Owner-Operator Leased Equipment

For equipment owned and operated by owner-operators, other than service representatives, and used exclusively to transport cargo for the household goods

carrier, the equipment shall be registered by the carrier in the base jurisdiction of the carrier, but in both the owner-operator's name and that of the carrier as lessee, with the apportionment of fees according to the records of the carrier.

1204 Registration In Base Of Service Representative

In those cases where household goods carrier equipment is elected to be registered in the base jurisdiction of the service representative, the equipment shall be registered in said service representative's name and that of the carrier as lessee with the apportionment of fees according to the combined records of the service representative and those of the carrier, and such records must be kept or made available in the service representative's base jurisdiction.

1206 Registration In Base Of Carrier

If the election is the base jurisdiction of the carrier, and such jurisdiction is a member jurisdiction, the equipment shall be registered by and in the name of the carrier and that of the service representative as lessor with the apportionment of fees according to the records of the carrier and the service representative which must include intrajurisdiction miles or kilometer operated by those vehicles applicable under this agreement. The records must be kept or made available in the base jurisdiction of the carrier. Service representatives properly registered under this election shall be fully registered for operations under their own authority as well as under the authority of the carrier.

Article XIII
Motor Bus Apportionment

1300 Apportionment Of Fees

The apportionment of motor bus registration fees shall be based solely on the relationship of base jurisdiction miles or kilometers versus total distance operated. Apportionment shall be accomplished as provided in this article.

1302 Application Filing

The registrant shall file an application for apportioned registration with the base jurisdiction listing buses assigned in pools.

1304 Determination of Total Miles or Kilometers

At the option of the registrant, total distance may be the sum of all actual in-jurisdiction miles or kilometers or a sum equal to the scheduled route miles or kilometers per jurisdiction from the farthest point of origination to the farthest point of origination to the farthest point of destination of the scheduled pool.

1306 Determination Of In-Jurisdiction Mileage Percent

After determining the total distance as specified in Section 1304, in-jurisdiction mileage percent factors shall be derived by dividing the total distance into the in-jurisdiction miles or kilometers.

1308 Miles or Kilometers Operated Outside Of Pool Area

Miles or kilometers generated outside the designated pool are deemed to be reciprocity miles or kilometers and the base jurisdiction may add such miles or kilometers to the base jurisdiction's mileage total.

Article XIV
Trip Permit Registration

1400 Trip Permit Authority

Trip permit registration may be issued for any vehicle or combination of vehicles, which could be lawfully operated in the jurisdiction if full registration or apportioned registration were obtained.

1402 Application For Trip Permit

A person desiring a trip permit registration shall make application therefore on forms provided by the Commissioner. Every such application shall be accompanied by the required fee. Every trip permit shall be carried in the cab of the vehicle for which such permit is issued.

1404 Interjurisdiction or Intrajurisdiction Operation

Any vehicle or combination of vehicles for which a trip permit has been issued may be operated in interjurisdiction or intrajurisdiction commerce in the jurisdiction for the period allowed under such permit.

1406 Misuse Of Trip Permits

Trip permits shall not be used to evade or circumvent this agreement.

1408 Issuance Of Trip Permits

Jurisdictions, members to this agreement, may provide a system of issuing trip permits for other jurisdictions, members of this agreement, so that vehicles may move without waiting for telegraphic or other emergency authorization. The issuing jurisdiction shall collect the necessary trip permit fee and forward it to the jurisdiction for which the permit was issued and deliver to the registrant the permit for movement in the other jurisdiction or jurisdictions.

Article XV
Preservation Of Records And Audit

1500 Preservation and Availability Of Records

Any registrant whose application for apportioned registration has been accepted shall preserve the records on which it is based for a period of three years after the close of the registration year. Such records shall be made available to the Commissioner at his request for audit as to accuracy of computation, payments, and assessments for deficiencies or allowances for credits, during the normal business hours of the day.

1502 Failure To Preserve Or Maintain Records

If any registrant fails to make records available to the Commissioner upon proper request or if any registrant fails to maintain records from which true liability may be determined, the commissioner may, thirty days after written demand for an availability of records or notification of insufficient records, impose an assessment of liability based on the Commissioner's estimate of the true liability of such registrant as determined from information furnished by the registrant, information gathered by the Commissioner at his own instance, information available to the Commissioner concerning operations by similar registrants and such other pertinent information as may be available to the Commissioner.

1505 On-Board Recording Devices

On-board recording devices may (at the option of the carrier) be used in lieu of or in addition to handwritten trip reports for apportioned registration record keeping purposes. If a registrant exercises this option, any device or electronic system used in conjunction with a device shall meet the requirements identified in the Audit Guidelines. Other equipment monitoring devices, such as those, which transmit or may be interrogated as to vehicle location or travel, may (at the option of the carrier) be used to supplement or verify handwritten or electronically-generated trip records.

Article XVI
Audits

1600 Frequency Of Audits

The base jurisdiction shall audit the registrants displaying a base plate of the jurisdiction as to authenticity of mileage figures derived from operational records and registrations. The base jurisdiction shall audit at least 15% of its carriers every five (5) year period.

1602 Records Not Maintained In Base Jurisdiction

In the event that the registrant's operational records are not located in the base jurisdiction and it becomes necessary for the base jurisdiction to send auditors to the place where such records are normally kept, the base jurisdiction may require the registrant to reimburse the base jurisdiction for per diem and travel expense of its auditors incurred in the performance of such audit.

1604 Notification Of Audit Findings

Upon the completion of the audit of a registrant, the base jurisdiction shall provide the audit findings to the registrant and to all member jurisdictions in which the registrant was apportioned or in which it accrued miles. The findings shall include a determination of any fees owed by the registrant, net of any fees owed to the registrant. The time periods specified in Sections 1608 and 1610 shall begin with the date on which the base jurisdiction mails the final audit findings to the registrant and to the other member jurisdictions.

1606 Multiple Audits By Commissioners

Audits may be made by the Commissioners of the several jurisdictions.

1608 Audit Appeals

The registrant shall have thirty days from the date it is notified of the findings of an audit or a reexamination to file a written appeal of the audit or reexamination with the base jurisdiction. Such an appeal shall be resolved under the administrative and appellate procedures of the base jurisdiction. Once these procedures have been exhausted, it may be submitted to the Dispute Resolution Committee under Article XXIII. In the conduct of an appeal, the base jurisdiction shall act on behalf of all member jurisdictions. Upon the resolution of an appeal, the base jurisdiction shall notify all member jurisdictions of the results.

1610 Reexaminations

A jurisdiction shall have forty-five days from the date it is notified under Section 1604 of the findings of an audit to notify the base jurisdiction and the registrant in writing of any error in the findings and of its intent to conduct a reexamination of the records of the registrant. A reexamination conducted under this Section shall be based exclusively on the audit sample period used by the base jurisdiction in conducting its audit, and shall be performed within a reasonable time and in cooperation with the base jurisdiction, which shall notify other affected jurisdictions of the reexamination. The expenses of such a reexamination shall be borne by the jurisdiction or jurisdictions performing the reexamination.

1612 Findings Of A Reexamination

Any adjustment to the original audit findings which occurs as a result of a reexamination conducted pursuant to Section 1610 shall be reconciled with the original findings issued by the base jurisdiction, and revised findings shall be issued by the base jurisdiction pursuant to Section 1604.

1614 Finality Of Audit Findings

The findings of an audit shall be final as to member jurisdictions and the audited registrant, if they do not act as specified in Sections 1608 and 1610 except in conditions of fraud.

Article XVII
Assessment Claims Under Audit

1700 Assessments -- Time Periods

Upon audit, the Commissioner shall assess for any deficiency found to be due. No assessment for deficiency or claim for credit may be made for any period for which records are not longer required.

1702 Jurisdiction Statutory Authority

Assessments based on audit, interest on assessments, refunds, or credits or any other amounts including auditor's per diem and travel shall be made in accordance with the statute of each jurisdiction involved with the audit of a registrant.

1704 Netting Of Audit Adjustments

When the findings of an audit result in a net underpayment by the registrant, the base jurisdiction shall collect the amount of the underpayment from the registrant, pursuant to the base jurisdiction's laws and procedures. When the result is a net overpayment by the registrant, the base jurisdiction shall refund the amount of overpayment to the registrant. If the records are not made available, or if the records made available are inadequate for an examination, any credits calculated for jurisdictions, which are caused by, the inadequacy of records will not be reflected in the fees netted under Article XVI.

1706 Audit Transmittals

Fees adjusted pursuant to audit shall be transmitted to member jurisdictions in the form of appendages to the transmittals of fees among member jurisdictions. Audit transmittal information shall include each audited registrant's name and account number, the registration year or years audited, each registrant's adjusted fees due to or from the member jurisdiction, and the total of adjusted fees transmitted or due.

Article XVIII
Entry And Withdrawal

1800 Jurisdiction Entry Into IRP

Any jurisdiction may become a party to this agreement by executing the prescribed adopting resolution specifying the proposed registration year of entry, and sending it to the IRP, Inc. Repository (hereinafter referred to as IRP, Inc.); however, such resolution must be approved and endorsed by all member jurisdictions using procedures contained in Article XXI, and must provide at least six months notice prior to the beginning of all member jurisdictions' registration years.

1802 Membership Cancellation -- Credentials Issued

This agreement shall continue in full force and effect, after its original adoption, as to each jurisdiction until canceled or revoked by proper officials of any jurisdiction upon thirty days written notice to IRP, Inc. who shall immediately notify the officials of the other member jurisdictions of this agreement. However, cancellation by one jurisdiction shall not effect the agreement between other jurisdictions. All credentials issued under this agreement shall be valid until the end of the current registration year of the applicable jurisdiction.

Article XIX
Exceptions

1900 Jurisdiction Exceptions

Each signatory jurisdiction to this agreement shall list its exceptions, if any. These exceptions will be made a part of the adopting resolution and of this agreement by appendix listing and will be effective upon approval by each member jurisdiction using procedures contained in Article XXI.

1902 Amendments To Exceptions

Any jurisdiction may amend its exceptions by serving copies of the proposed changes on IRP, Inc. and all member jurisdictions. Upon approval of all contracting jurisdictions,
the amended or proposed exception shall be effective in the next succeeding registration year provided at least 30 days notice has been given.

1904 Cancellation Of Exceptions

The withdrawal or cancellation of an exception shall be accomplished by filing due notice of such action with IRP, Inc., and becomes effective upon notification to all member jurisdictions using the procedures contained in Article XXI. The withdrawal or cancellation of an exception shall not require approval by the member jurisdiction.

1906 Prohibited Exceptions

There shall be no exceptions taken, however, to the concepts included in this section.

1. A single registration plate or set of license plates shall be issued only by the base jurisdiction.
2. A single registration (cab) card shall be issued only by the base jurisdiction.
3. Fleets registered under this agreement shall have the ability to perform both interjurisdiction and intrajurisdiction vehicle movements.

Article XX
Other Agreements

2000 Other Agreements

This agreement shall supersede any reciprocal or other agreement arrangement or understanding between any two or more of the member jurisdictions covering, in whole or in part, any of the matters covered by this agreement; but this agreement shall not affect any reciprocal or other agreement, arrangement or understanding between a member jurisdiction and any non-member jurisdiction.

Article XXI
Administration

2100 Board Responsibilities

To provide a facility within this agreement for the handling of matters relating to substantive issues of Plan administration or compliance with this agreement, the power shall be vested in the Board of Directors and shall hereinafter be referred to as the Board.

2102 Composition Of The IRP., Inc. Board Of Directors

The Board shall consist of (10) ten members. The American Association of Motor Vehicle Administrators (hereinafter referred to as AAMVA) chairman of the board shall appoint (4) members, (1)one from each region. These members shall

serve staggered three-year terms and may serve for no more than two successive terms as appointed members.

The AAMVA regions shall elect (4) four members, one from each region. The AAMVA regional presidents shall nominate a minimum of (2) two, but not more than (3) three candidates for their respective regional position. The regional nominations shall be balloted and voted on by the members as stated in Section 2106. These members will serve staggered, three-year terms, and may not serve more than two successive terms as elected members.

One member shall be elected to a rotating position through the AAMVA regions. The regional president, beginning with Region I, shall nominate a minimum of (2) two, but not more than (3) three candidates for the rotating position. The nominations shall be balloted and voted and voted on by the member as stated in Section 2106. This member shall serve a single, two-year term, after which the position shall rotate to the next AAMVA region.

The tenth member shall be the AAMVA president, who would serve Ex Officio.

2104 Nomination For Board Membership

Nominations shall be held using the procedures specified in this section.

a) The regional presidents shall solicit nominations from the IRP jurisdictions in their AAMVA region and shall submit no more than three nominees per available position to the IRP repository.

2106 Election Procedures

Elections shall be held using the procedures specified in this section.

a) The IRP, Inc. shall prepare a ballot and mail by certified mail, return receipt requested, to all IRP member jurisdictions within the region where the vacancy exists;
b) The ballot shall remain open for a period of 60 days;
c) The nominee(s) with a simple plurality shall be declared the winner;
d) The repository shall notify the elected Board members, the Board Chair and the IRP membership of the results of the election.

2108 Term Of Office

Members of the Board shall be appointed or elected as stated in Sections 2102 through 2106. The term of office for a board member appointed by the international chair shall begin on January 1st and end on December 31st of the third year. The term of office for a Board Member elected to a (3) three-year term shall begin on January 1st and end on December of the third year. The term of office for the board member elected to a (2) two year term shall begin on January 1st and end on December 31st of the second year. Upon reaching the end of a term, a board member shall continue to serve until his or her successor has been appointed or elected as stated in Section 2102. Members of the industry advisory panel may be appointed annually at the IRP Board chair's discretion for one-year terms beginning January 1st without limitations to the number of consecutive meetings. All appointments shall be limited to the unexpired term of the replaced member.

2110 Vacancies -- Replacements

Vacancies occurring in Board membership shall be filled by appointment made by the President of the Region lacking the representative as required by Section 2102. The Board, through majority action, shall have the right to ask the Regional President to appoint a replacement when said member is absent for

two or more consecutive meetings. All appointments shall be limited to the unexpired term of the replaced member.

2112 Adopting Actions -- Voters Required

Each member of the Board shall have one vote and Board actions shall require at least five (5) concurring votes to achieve adoption.

2114 Bylaws

The Board shall adopt Bylaws for the conduct of its business.

2116 Official Repository

The IRP, Inc. shall be the official repository of this agreement and shall be responsible for the duties in this agreement. The Board shall establish the repository duties required by this agreement.

2118 Adopting Resolution -- Processing

When two or more jurisdictions become signatories to this agreement, and as each jurisdiction thereafter joins the agreement, each new jurisdiction shall complete the prescribed adopting resolution, indicate the proposed registration year of entry, the time period of its registration and submit to the International Registration Plan, Inc. Upon receipt of such resolution, IRP, Inc. shall provide a copy to each member jurisdiction for the purpose of obtaining the required endorsement. Each member jurisdiction shall notify IRP, Inc. as to its endorsement or rejection of the applicant jurisdiction.

2120 Notification Of Status Of Agreement

The IRP, Inc. shall keep all jurisdictions apprised of the current status of the agreement in the manner determined by the Repository to best accomplish this purpose.

2122 Ballots -- Jurisdiction Approval Or Agreement

All issues requiring approval, or agreement, of the member jurisdictions shall be determined by ballot mailed by the repository, by certified mail return receipt requested, to each member jurisdiction. Entry into the Plan, defined in Article XVIII, and exceptions to the Plan, defined in Article XIX, require approval and endorsement by all member jurisdictions. On all other issues failure on the part of a member jurisdiction to respond to any ballot on matters pertaining to interpretations and amendments as set forth in Sections 2200 and 2310 of the IRP within 120 days of its receipt shall be deemed as an abstention by that jurisdiction. Each member jurisdiction shall be entitled to one vote and shall designate the person who shall cast the vote for the member jurisdiction prior to the commencement of any meeting where a vote may be required.

2124 Member Jurisdictions In Good Standing

A member jurisdiction shall be considered in good standing when the dues requirement of such member jurisdiction has been met and whose rights and privileges have not been suspended under the terms of the plan.

Only member jurisdictions in good standing shall be entitled to vote.

2126 Dues

Annual dues for member jurisdictions shall be for the fiscal year, commencing October 1st and ending on September 30th, and shall be payable to IRP, Inc. on or after the first day of October each year but no later than December 31st of the fiscal year. The payment of full dues of the jurisdiction by any one agency of a state, province or other political subdivision entitles every eligible official for such state, province or political subdivision to active membership. A jurisdiction may bill and collect from its registrants an amount sufficient to pay its annual dues to IRP, Inc.

The IRP member jurisdiction dues shall be proposed from the Board of Directors. The Board shall propose the dues and the jurisdictions shall vote on their approval. Such fee structure may incorporate a minimum or maximum, and may or may not be based on a rate per power unit. The IRP, Inc. Board of Directors proposes a dues structure as follows:

15,000 or less power units equals $6,000.00
15,001 to 30,000 power units equals $12,000.00
More than 30,000 power units equals $18,000.00

The Repository shall provide the Board a list of all jurisdictions that fail to pay dues on or before December 31st of each year. Jurisdictions failing to pay dues shall be referred to the Board of Dispute Resolution in Article XXIII.

2128 Peer Review

Each member jurisdiction's administrative procedures and audit programs will be reviewed on a periodic basis for compliance with the Plan and Audit Guidelines. The Program Compliance Guide utilized for the review will be maintained and updated by the Board or its designee to ensure its compliance with the Plan. The Board will determine the schedule for the periodic review of all jurisdictions assuring each jurisdiction will be audited.

A jurisdiction which is determined by the Peer Review Committee to be in material non-compliance with the Plan will be audited within one year if necessary to determine if corrective action has been taken.

Any jurisdiction that is found to be in material non-compliance, and takes no action to correct the problem area, will be brought before the Board by the Peer Review Committee, as stated in Section 2300.

Article XXII
Amendments

2200 Amendments to Agreement

This agreement may be amended, subject to approval, by three-fourths of the member jurisdictions casting a vote on the amendment, acting through the officials thereof authorized to enter this agreement. Any member jurisdiction not casting a vote shall be deemed to have abstained, and such abstention shall not be considered in determining passage or failure of a ballot.

2202 Amendment Introduction Process

(a) Before being balloted, any proposed amendment shall be submitted in draft form to the repository at least sixty (60) days prior to the open meeting of Commissioners where it is to be discussed. An "open meeting of

Commissioners" means the annual AAMVA Motor Carrier Services Committee and IRP Workshop or a meeting so designated by the IRP Board of Directors.

(1) The draft of the proposed amendments shall show the complete text of the section(s) to be amended, identifying new language by underlining and deleted language shown by strikeout.

(2) Such proposed amendment shall be accompanied by a memorandum setting forth the intent and purpose of the proposed amendment which memorandum shall be filed by the repository along with the amendment.

(b) Upon receipt of the proposed amendment, the repository shall assign a proposed ballot number and distribute the proposed amendment, within 10 days, to the Commissioners of all member jurisdictions, and the members and advisors of the IRP Board for a review and comment period prior to an open meeting of commissioners. Comments may be submitted to the repository prior to the open meeting or submitted to the repository at the open meeting. All proposed amendments shall be discussed at the open meeting. Upon conclusion of the open meeting the sponsor(s) of the proposed amendment shall have forty-five (45) days to resubmit the proposed amendment n final form to the repository. The resubmitted proposed amendment may include changes received through written comments and during discussion at the open meeting.

(c) Upon receipt of the final form proposed amendment, the repository will ensure that the final form proposed amendment is in proper format, complete and ready for distribution to IRP Commissioners.

(d) Any proposed amendment that is not officially balloted during the ninety (90) days after an "open meeting of Commissioners" must be resubmitted as required under section 2202(a).

2204 Amendment Ballot Process

(a) After a final form proposed amendment has met the requirement of section 2202, a member jurisdiction may direct the repository to prepare and distribute an official ballot to the Commissioner of each member jurisdiction with copies to the members and advisors of the IRP Board.

(b) Each official ballot shall contain the following:

(1) A ballot number assigned by the repository.

(2) A ballot date which shall be the date of distribution by the repository.

(3) A vote due date which shall be 120 days from the ballot date.

(4) A ballot effective date shall be in accordance with section 2206

(5) The complete text of the section being amended, identifying new language by underlining and deleted language by strikeout.

(c) The repository, upon receipt of all jurisdictions' ballots or immediately upon the close of the voting period, shall prepare a report of the ballot by ballot number, shall list the votes of all jurisdictions as well as abstentions as of the final voting date. If the ballot has been approved, the repository shall distribute a text of the new or amended provision.

2206 Effective Date

Notwithstanding other provisions of this agreement, amendments to the International Registration Plan become effective and enforceable with the next succeeding registration year of each member jurisdiction, provided however, such amendments must be ratified a minimum of six (6) months prior to the member jurisdiction having the earliest succeeding registration renewal period. For an amendment to become effective at an earlier date requires concurrence by all member jurisdictions.

Article XXIII
Dispute Resolution

2300 Board Action -- Raising Of Issues

Substantive issues of Plan administration or compliance, matters involving Plan procedures, questions of Plan interpretations, or instances of a member jurisdiction failing to pay Plan repository fees may be raised before the Board by any member jurisdiction, and IRP registrant, or the IRP repository staff.

All disputes brought before the Board shall be classified as follows:

Class 1 A member jurisdiction's noncompliance with the Plan, which results in a monetary loss: Disputes between jurisdictions or registrants in which a jurisdiction or a registrant suffers a monetary loss as the result of a member jurisdiction's asserted noncompliance with the Plan.

Class 2 A member jurisdiction's noncompliance with the Plan which does not result in a monetary loss: Asserted procedural violations by a member jurisdiction which do not result in a monetary loss to a jurisdiction or registrant.

Class 3 Failure to pay IRP repository dues: Failure or refusal by a member jurisdiction to make timely payment of IRP repository dues.

Class 4 Interpretation: Questions of interpretation of the Plan and the policies, procedures, and guidelines issued thereunder.

Issues brought before the Board must be submitted in writing to IRP, Inc. With respect to an issue in Class 1,2, or 4, the submission shall include (a) the question to be resolved, (b) relevant Plan references, (c) documents supporting claims made (d) correspondence documenting prior actions taken by the parties to resolve the issue, and (e) other background information.

Within thirty (30) days of the submission of an issue in class 1,2, or 4, the Board shall place the matter on its agenda for action or discussion.

With respect to a Class 3 issue, the repository shall, fifteen (15) days following the delinquent date of repository dues, send a certified letter to any jurisdiction which has not paid its dues, requesting immediate payment. The Board chair shall be notified immediately if the repository fails to receive payment within thirty (30) days of receipt of said certified letter. Such notification shall constitute submission of the issue to the Board, which may place the matter on its agenda for further action or discussion.

2302 Investigation Of Issues

With respect to issues placed on its agenda, the Board is empowered to (a) receive testimony, (b) make inquires, (c) conduct investigations, (d) weigh evidence, (e) review facts, (f) make findings, (g) recommend interpretations, (h) prepare and file a report of its decisions, interpretations, findings, and recommendations, and (i) exercise the powers granted in section 2304 The Board shall provide for a public notice of all meetings and allow all interested parties to attend and be heard.

2304 Power And Duties Of The Board

(a) With respect to a Class 1 issue, the Board is empowered to grant relief to a jurisdiction or registrant by ordering a jurisdiction found by the Board to be out of compliance with the Plan to refund, credit, or transmit fees, at the current interest rate as the Board may decide.

If within forty-five (45) days of such order by the Board, the jurisdiction subject to the order has failed or refuses to comply with the order, the Board may:

(1) extend the time period for compliance,
(2) suspend any and all rights and privileges granted under the Plan to include but not limited to all voting rights, participation on the Board, submission of issues to the Board, input at meetings or working groups, participation in the peer review process,
(3) apply a penalty up to ten (10) per cent of the amount to be refunded credited or transmitted under the Board's order, payable by the jurisdiction to the party granted relief hereunder.
(4) order all member jurisdictions to suspend distribution of fees payable under the Plan to the jurisdiction subject to the order,
(5) permit the jurisdiction or registrant granted relief under the order to withhold distribution or payment of fees payable hereunder to the jurisdiction subject to the order, in an amount not to exceed the amount specified in the order, plus any penalty added hereunder. Parties withholding distribution or payment under this paragraph shall report to the repository by the last day of each month all amounts withheld hereunder during the preceding month. Registrants withholding distribution or payment shall have the retention verified in writing by their base jurisdiction before reporting to the repository, or
(6) petition the Secretary of Transportation to request the U.S. Justice Department to initiate a civil action for injunctive relief in a Court of Competent Jurisdiction.

(b) With respect to a Class 2 issue, the Board is empowered to notify a jurisdiction that the Board finds it to be out of compliance with the Plan. In the event an issue for which such notification has been made under this paragraph is subsequently resubmitted to the Board as a Class 1 issue, such notification shall be prima facie evidence that the jurisdiction so notified was out of compliance with the Plan.

(c) With respect to a Class 3 issue, the Board chair shall suspend any and all voting and Board participation rights of a member jurisdiction which has been certified by the repository under section 2300 to be in arrears with the IRP repository dues. A jurisdiction whose voting rights have been suspended shall not be considered a member of the Plan in good standing.

The Board may further restrict the jurisdiction's participation in decision-making under the Plan. If the jurisdiction continues in arrears for more than ninety (90) days following the Board's finding, the Board may exercise against the jurisdiction any or all of the powers granted the Board in paragraph (a) with respect to a Class 1 issue. Payment of repository dues shall result in the restoration of a jurisdiction's rights and privileges, which may have been suspended hereunder.

(d) With respect to a Class 4 issue, the Board is empowered to issue an interpretation of the Plan and the policies issued thereunder which shall be binding on all jurisdictions.

Nothing in this section shall preclude a jurisdiction from seeking judicial relief after exhausting all of the Plan's dispute resolution procedures.

2305 Disposition Of Board Decision

(a) With respect to a Class 1 issue, the Board shall, within thirty (30) days of making a decision, report its findings and actions to the repository. Within fifteen (15) days of receiving the Board's report, the repository shall notify the parties to the issue of the Board's findings, actions, and orders. A jurisdiction found out of compliance by the Board shall have forty five (45)

days from receipt of such notice to comply with the Board's decision or to present the Board with an acceptable plan for compliance. Failure to comply will subject the jurisdiction, at the discretion of the Board to the remedies enumerated in section 2304 for a Class 1 issue. A record of all Board decisions and findings in Class 1 issues shall be maintained by the repository.

(b) With respect to a Class 2 issue, the Board shall, within thirty (30) days of making a decision, report its findings to the repository. Within fifteen (15) days of receiving the Board's report, the repository shall notify the parties to the issue of the Board's findings. The repository shall maintain a copy of its notice and the Board's report.

(c) With respect to a Class 3 issue, the Board chair shall, within ten (10) days of suspending the voting and Board participation rights of a member jurisdiction under section 2304, notify the member jurisdiction of the action taken. If the Board takes further action against a jurisdiction that is the subject of a Class 3 issue, it shall, within thirty (30) days of taking such action, report its action to the repository, which shall within fifteen (15) days of receiving the Board's report, notify the member jurisdiction of the action taken.

(d) With respect to a Class 4 issue, the Board shall, within thirty (30) days of making an interpretation, report its findings to the repository. Within fifteen (15) days of receiving the Board's report, the repository shall notify the parties to the issue of the Board's decision. The repository shall record all Board interpretations in the official Appendix of the IRP.

2308 Refusal To Act On Issue

If the Board refuses to place an issue on its agenda, or fails to reach a decision in an issue, the issue shall be referred for resolution to the member jurisdictions.

2310 Issues Referred To Jurisdictions

Within a reasonable time following the failure of the Board to consider or decide an issue, the Board shall submit the issue to the repository in a form, which may be accepted or rejected by the member jurisdictions. Within thirty (30) days following the receipt of the issue by the repository, the repository shall submit the issue, in ballot form, to each member jurisdiction for approval or rejection. Decision of the issue shall be determined by a majority of the member jurisdictions in good standing casting a vote within one hundred twenty (120) days following submission of the issue. Such a decision shall be binding upon all member jurisdictions, and a record of all such decisions shall be included in the official Appendix of the IRP.

Sec. 14-34a-1b. Appendix of the International Registration Plan

The official Appendix of the International Registration Plan is on file at the main office of the Department of Motor Vehicles and is available for public inspection during normal business hours by calling the IRP Section at (860) 263-5281 in Wethersfield, Connecticut.

(Effective August 24, 2000)

Sec. 14-34a-2. Administration of the IRP

For the purposes of orderly administration of the International Registration Plan, (herein referred to as IRP), the following procedures shall apply:

(A) Application for registration - In accordance with the provisions of Article IV, Section 402, the application for a proportional registration shall be submitted to the Department of Motor Vehicles together with a nonrefundable deposit of twenty-five dollars ($25.00) for the first vehicle plus ten dollars ($10.00) for each vehicle in the fleet, which deposit shall be credited toward the total fee computed by the department. A bill for the remainder of the fee shall be sent to the applicant. Payment of the fee may be made in cash (only when applying in person), certified check or money order.

(B) Trip permit-A trip permit as described in Article XIV may be issued to any apportionable vehicle either fully or proportionally registered in an IRP jurisdiction. A trip permit will be valid for a period of seventy-two (72) hours.

(C) Temporary authorization-Any IRP registrant based in this state may apply for and be issued temporary authorization to operate a vehicle not in such registrant's fleet for a period not to exceed forty-five (45) days. Any person to whom temporary authorization is issued shall submit an application for permanent registration for the vehicle covered by such temporary authorization within ten days of the date of its issuance. Failure to submit an application for permanent registration within such ten day period may result in the suspension of the temporary authorization and such other suspension action with respect to the registrant's fleet as the Commissioner deems appropriate.

(D) Hunter's permit-A permit may be issued to an owner-operator for a registered gross weight not in excess of the empty weight of the vehicle as provided for in Article IX, Section 910, for a period of twenty days.

(E) Fees-The following fees shall be charged for the item or service indicated:

(1) Trip permit-$15.00

(2) Temporary authorization-$15.00

(3) Hunter's permit-$20.00

(4) A fee of $2.00 shall be charged in addition to the basic fee when any type of vehicle operating privilege is transmitted by wire or other electronic means.

(Effective July 7, 1993, amended August 24, 2000)

General Distinguishing Numbers

Secs. 14-35-1--14-35-5.
Repealed, July 3, 1973.

Issuance of the Transporter's Registration

Sec. 14-35-1a. Purpose

The transporter's registration shall be issued by the commissioner pursuant to Section 14-35 of the General Statutes, as amended. The transporter's registration is not assigned to a particular motor vehicle but may be issued to a registrant for periodic use on motor vehicles owned or in the legal custody of the registrant. Although it may be displayed on such motor vehicles, in accordance with the needs of the registrant, it may not be used for any purpose not authorized by Section 14-35 of the General Statutes and these regulations.
(Effective January 6, 1989)

Sec. 14-35-2a. Permitted uses

The transporter's registration may be used for:
(a) highway operation, transport or towing of a motor vehicle that is repossessed, or otherwise in the temporary, lawful custody of the registrant for the purpose of sale or transfer;
(b) highway operation, transport or towing of a motor vehicle for the purpose of registration or inspection at an office of the Department of Motor Vehicles;
(c) highway operation, transport or towing of a vehicle used on a construction site when it is necessary to move such vehicle from storage or to another site for construction purposes or in connection with emergency service;
(d) transport of a storage or office trailer to or from a site;
(e) transport of a house trailer, modular building or similar temporary structure to or from a site;
(f) operation or transport of a bus or public service vehicle from a location to the depot or garage where it will be maintained for use;
(g) operation or transport of a motor vehicle by an owner, repairer or manufacturer of vehicles or components thereof, in connection with the making of necessary repairs or modifications to the vehicle in connection with the sale or purchase thereof;
(h) transport of a boat by a marine dealer, between a location where it will be tested or demonstrated and such dealer's place of business; and
(i) operation or transport of vehicles designed for purposes other than general highway use for the transport of persons or property for which no specific registration is provided for periodic use of the vehicle.
(Effective January 6, 1989)

Sec. 14-35-3a. Eligibility

A transporter's registration may be issued only to a person, firm or corporation engaged in a business that requires the use of such form of registration. No transporter's registration will be issued to a private individual for personal use.
(Effective January 6, 1989)

Sec. 14-35-4a. Application form

Any person, firm or corporation desiring to obtain a transporter's registration shall make application therefore on a form to be provided at any office of the Department of Motor Vehicles. The applicant shall be required to provide such information as the commissioner deems necessary, including, but not limited to, the following:

(a) name and address of the applicant;

(b) type of business;

(c) types of motor vehicles for which the transporter's registration will be used;

(d) anticipated frequency of use;

(e) whether the applicant holds other current transporter's registrations; and

(f) a statement certified by the applicant, that he has read and will comply with the provisions of Section 14-35 and these regulations concerning the limits and restrictions on the use of the transporter's registration.

(Effective January 6, 1989)

Sec. 14-35-5a. Compliance with vehicle, highway safety and tax laws and regulations

The issuance and use of a transporter's registration shall not relieve the registrant, vehicle operator, or motor vehicle on which the plate is displayed from complying with all applicable vehicle, highway safety, and tax laws and regulations of any government authority.

(Effective January 6, 1989)

Sec. 14-35-6a. Oversize or overweight vehicles

No person may operate an oversize or overweight vehicle with a transporter plate without obtaining a permit from the Department of Transportation. Nothing contained in these regulations shall be construed to alter, amend or supersede existing size and weight limits.

(Effective January 6, 1989)

Sec. 14-35-7a. Loads

Equipment permanently affixed to a vehicle or accessories used to stabilize, secure or operate a vehicle at a site shall not be considered a commercial load under section 14-35 or these regulations.

(Effective January 6, 1989)

Sec. 14-35-8a. Suspension or revocation

(a) If, as a result of an investigation, the commissioner determines that a transporter's registration has been misused, or the registrant has violated any provisions of these regulations, he may revoke or suspend such registration following notice and opportunity for hearing.

(b) The commissioner shall have the authority to suspend or revoke all transporter's registrations issued to any registrant who has misused a transporter's registration.

(c) The commissioner may suspend a transporter's registration without a presuspension hearing in cases where there is misuse that constitutes an immediate threat or peril to highway safety.

(Effective January 6, 1989)

Application of Minor for Operator's License and Registration

Sec. 14-36-1.
Repealed, May 21, 1982.

Sec. 14-36-2.
Repealed, November 14, 1967.

Operators' Licenses for Municipal, State or Federally-owned Vehicles

Sec. 14-36-3. Operators' licenses for government vehicles

All original applications and renewals for operators' licenses giving the operator the right to drive municipal, state or federally-owned vehicles shall bear the signature of the person to whom it is to be issued, together with that of his employer or authorized agent.

Issuing of Graduated Motor Vehicle Operators' Licenses

Sec. 14-36-4. Types of graduated licenses

(a) In accordance with the provisions of subsection (e) of Conn. Gen. Stat. § 14-36, the Commissioner of Motor Vehicles may issue an operator's license with any limitation he deems advisable. A license containing one or more such limitations shall be known as a graduated license. In issuing a graduated license the commissioner shall consider the ability and competence of the licensee or applicant including any health problem or condition as well as the accident record and driving history of such licensee or applicant. The commissioner shall also consider a recommendation by a physician who has examined such licensee or applicant, and any recommendation by the Medical Advisory Board established in accordance with Conn. Gen. Stat. § 14-46a et seq.

(b) A graduated license may contain one or more of the following limitations, which shall be noted on the license document:

(1) Operation of a motor vehicle is permitted only during the period of daylight beginning one-half (½) hour before sunrise and one-half (½) hour after sunset;

(2) Operation of the motor vehicle is permitted only when the person is using corrective lenses, not including telescopic lenses, as prescribed by a licensed optometrist or ophthalmologist;

(3) Operation of a motor vehicle is permitted only on highways that are not limited access highways;

(4) Operation of a motor vehicle is permitted only with a motor vehicle having an automatic transmission;

(5) Operation of a motor vehicle is permitted only with a motor vehicle equipped with external mirrors located on both the left and right sides of the vehicle to reflect to the vehicle operator a view of the highway of at least two hundred (200) feet to the rear;

(6) Operation of a motor vehicle is permitted only with a motor vehicle having special controls or equipment;

(7) Operation of a motor vehicle is permitted only when the person is using an operable hearing aid.

(c) The commissioner shall designate the applicable limitations of subsection (b) on the front of each operator's license.

(d) The commissioner may place a limitation on an operator's license in accordance with subsection (b) of this regulation, or remove a limitation from such license, at the time of initial issue, at the time of renewal, or at any time during the term of the license.

(e) If a temporary operator's license is issued in accordance with Conn. Gen. Stat. § 14-227b (Administrative Per Se program) to a person with a graduated license, such temporary license shall be deemed to incorporate the limitations of the graduated license.

(f) Any person who claims to be aggrieved by the action of the commissioner in placing a limitation on his or her operator's license may request a hearing in accordance with the provisions of chapter 54 of the General Statutes.

(g) A person having a graduated operator's license who operates a motor vehicle of a type or in a manner inconsistent with the limitations appearing on the license shall have committed an infraction under the provisions of subsection (g) of section 14-36 of the general statutes. A person who is convicted of two or more such infractions shall have his or her license suspended by the commissioner for a period of thirty (30) days. The licensee may request a hearing in accordance with chapter 54 of the General Statutes prior to such suspension.

(h) In any case where the Commissioner has reason to believe that an operator's license may be subject to limitation, in accordance with these regulations, the commissioner may, at his discretion, require that the license holder or applicant submit to a behind-the-wheel driving test conducted by the Department of Motor Vehicles to demonstrate that such person has the ability to operate a motor vehicle safely. The Commissioner shall consider the results of such driving test in making any such licensing decision including the placing of any limitation on an operator's license.

(Effective December 18, 1992)

Driver Education in Secondary Schools

Sec. 14-36f-1. Definitions

As used in Sections 14-36f-1 to 14-36f-17, inclusive, the following terms shall have the following meanings:

(1) ``Behind-the-wheel instruction'' means instruction or training provided to a student by a qualified secondary school teacher, or by a commercial driving instructor, which permits the student to obtain driving experience on public roads and highways, in a motor vehicle equipped and registered as required by law, while the student is operating the motor vehicle.

(2) ``Classroom instruction'' means group instruction of students in a classroom or similar group situation, by a qualified secondary school teacher or by a commercial driving school instructor, in accordance with the provisions of Section 14-36f-4.

(3) ``Clock hour'' means sixty (60) minutes.

(4) ``Commercial driving instructor'' means a person employed by a commercial driving school, licensed by the commissioner in accordance with Section 14-69 of the General Statutes, where such person has an instructor's license as provided in Section 14-73 of the General Statutes.

(5) ``Commissioner'' means the commissioner of motor vehicles or his designee.

(6) ``Department'' means the department of motor vehicles.

(7) ``Driver education program'' means an organized system of instruction in secondary schools permitting a student to obtain behind-the-wheel and/or classroom instruction in safe driving procedures and practices.

(8) ``Dual control vehicle'' means a motor vehicle having dual controls on the foot-brake or the clutch, if so equipped, operable by a person in the front seat of the vehicle other than the driver. Such vehicle controls shall be installed and maintained in accordance with the recommendation of the manufacturer thereof.

(9) ``Qualified secondary school teacher'' means a State Board of Education approved teacher in a secondary school, certified in accordance with the provisions of Section 10-145 of the General Statutes, and applicable regulations, to teach grades seven or above, who is endorsed to teach driver education, and is approved by the commissioner in accordance with Section 14-36f-6.

(10) ``Secondary school'' means a public secondary school, a state vocational school, or a private or parochial secondary school.

(11) ``Student'' means a person enrolled in a course of instruction in motor vehicle operation and highway safety at a secondary school.

(Effective April 30, 1997)

Sec. 14-36f-2. Driver education program

(a) Each secondary school conducting a driver education program for students between sixteen (16) and eighteen (18) years of age shall submit to the commissioner its driver education program curriculum for approval. Such curriculum shall include class schedule, the name(s) of instructor(s), and the amount of the fees, if any, charged to students enrolled in such program, as well as any other information concerning the conduct and scope of such driver education program as may be requested by the commissioner. The commissioner shall review the curriculum and shall notify the secondary school of any elements of the curriculum which are inconsistent with the licensing requirements of Section 14-36 of the General Statutes. The secondary school shall revise its curriculum in accordance with such licensing requirements.

Where a secondary school contracts with a licensed commercial driving school to provide either classroom or behind-the-wheel instruction, such instruction shall be included as part of the commercial driving school curriculum, and shall be submitted to the commissioner as provided in subsection (g) of Section 14-78-22 of the Regulations of Connecticut State Agencies.

(b) The commissioner shall issue to a secondary school meeting the driver training qualifications of subsection (a), a certificate attesting thereto, which certificate may be displayed by the school.

(c) Any local or regional board of education, or private or parochial secondary school, may enter into an agreement with a commercial driving school licensed by the commissioner in accordance with Section 14-69 of the General Statutes, to provide either classroom or behind-the-wheel instruction, or both. Any such driver education instruction may be given only by a licensed commercial driving instructor. An agreement with a commercial driving school shall not relieve the secondary school from meeting driver training safety standards. The secondary school shall inform the commissioner if any part of its driver training program is conducted by a commercial driving school.

(d) The commissioner may review the conduct and scope of a secondary school driver education program at any convenient time.

(e) A secondary school shall notify the commissioner of any change in the location of the school, or a permanent change in the classroom in which training is provided.

(f) A secondary school shall inform the commissioner, in writing, of the location of the records maintained with respect to a driver education program, if such records are not maintained at the main office of the secondary school.

(g) No secondary school shall offer a driver education program for profit, or engage in the business of providing driver education.

(h) No secondary school shall conduct a driver education program unless the commissioner has approved its curriculum and the conduct of the program.

(Effective April 30, 1997)

Sec. 14-36f-3. Time and duration of driver education program

(a) A secondary school offering a driver education program shall provide adequate staff, classroom(s) or similar instructional space, and have access to a sufficient number of motor vehicles to accommodate persons enrolled in such program.

(b) Driver education programs may be offered by secondary schools at any convenient time, including during the school day, after school hours, during the evening, weekends or during the summer or any other period when school is not in session.

(c) The driver education program, including both the classroom instruction and the behind-the-wheel instruction, shall be scheduled so that it may be completed by a student, under normal circumstances, during a single school year.

(d) A board of education, in accordance with the provisions of Section 10-24b of the General Statutes, may charge a fee if a course of study of motor vehicle operation is offered at hours other than those in the regular school day. The fee shall not exceed the per pupil cost of maintaining the course. No fee shall be charged for a course of study offered during regular school hours.

(Effective April 30, 1997)

Sec. 14-36f-4. Classroom instruction

(a) Each secondary school offering driver education shall provide classroom instruction consisting of a minimum of thirty (30) hours. The curriculum shall include the following:

(1) The development of driver skills which shall be presented in a simple-to-complex structure of concepts and behavioral patterns;

(2) A variety of instructional methods which shall demonstrate student centered activities for participative education, to include low risk driving values, knowledge for development of safe driving habits, and mental readiness for correct in-vehicle performance;

(3) Presentation of content in the classroom which parallels the presentation of in-vehicle content. The driving related skills and concepts presented in the classroom shall be conducted in a motor vehicle as soon after the classroom activities as possible. All concepts, and where possible skills to be practiced in the motor vehicle, shall first be presented in the classroom; and

(4) Appropriate content for the classroom and in-vehicle sessions which shall include the following topics: the highway transportation system, analysis of crashes, roadway designs and markings, Connecticut motor vehicle laws and regulations, basic control tasks, parking maneuvers, the structure of driving tasks, restraint systems, risk management, perceptual skills development, space management, natural laws and vehicle control, winter driving techniques, handling vehicle emergencies, night driving techniques, effects of alcohol and drugs on driving, emotions and operator fitness, interacting with other vehicle types, and managing high risk locations including intersections and curves.

(b) Each secondary school may provide a safe driving practices program of five (5) hours which shall include the following:

(1) Two (2) hours concerning the nature and effects of alcohol and drugs, as specified in subparagraph (B) of subdivision (1) of subsection (d) of Section 14-36 of the General Statutes; and

(2) Three (3) hours on subjects directed to safe driving practices.

The five (5) hour safe driving practices program of this subsection may be included as part of the thirty (30) hour course of instruction specified in subsection (a) of this section. Any fee for the five (5) hour safe driving practices program shall not exceed the amount specified in subsection (d) of Section 14-36 of the General Statutes.

(c) A student enrolled in the thirty (30) hour course of instruction described in subsection (a) of this section shall receive a maximum of two (2) hours of instruction per day, except that on a day when school is not scheduled, the student may receive a maximum of two and one-half (2½) hours of instruction. A student enrolled in the five (5) hour safe driving practices program of instruction described in subsection (b) of this section shall receive instruction as follows:

(1) On a day on which the secondary school attended by the student is in session, the student may receive a maximum of two and one-half (2½) hours of instruction or;

(2) On a day on which the secondary school attended by the student is not in session, the student may receive a maximum of five (5) hours of instruction, provided that at least a one (1) hour break occurs after the first two and one-half (2½) of instruction.

(d) Each classroom where instruction is offered shall have sufficient floor area to conduct such instruction. No portion of the classroom instruction shall be given if the class size exceeds the capacity of instructional equipment, materials and facilities, as well as reasonable standards of safety and supervision. No classroom or group instruction shall be presented to a group in excess of forty (40) students. The commissioner may inspect any classroom facilities at any reasonable time.

(e) Each student enrolled in the classroom phase of the driver education program shall have access to:

(1) A full-length, current driver education textbook for the purpose of the program, and special materials, which may include the use of video tapes as approved by the commissioner; and,

(2) The Connecticut Driver's Manual, published by the department, which manual shall become the property of the student.

(f) The commissioner may review or monitor the conduct and scope of any of the driver education programs conducted under the provisions of this section.

(g) Classroom instruction shall not be given to a person who has not reached sixteen (16) years of age.

(Effective April 30, 1997)

Sec. 14-36f-5. Behind-the-wheel instruction

(a) Behind-the-wheel instruction shall not be given to a person who has not reached sixteen (16) years of age.

(b) Behind-the-wheel instruction for a student enrolled in a secondary school driver education program shall be given only by a qualified secondary school teacher or a commercial driving instructor.

(c) No student shall receive more than two (2) hours of behind-the-wheel instruction per day.

(d) No more than three (3) students and the instructor shall occupy a vehicle when behind-the-wheel instruction is being provided.

(e) The brakes, lights and other safety features of each motor vehicle used for behind-the-wheel instruction shall be inspected by the instructor, and any defects shall be corrected prior to giving any instruction.

(Effective April 30, 1997)

Sec. 14-36f-6. Instructor requirements

(a) No person shall provide any behind-the-wheel or classroom instruction to a student in a secondary school driver education program unless such person is approved by the commissioner. In order to be approved the person shall:

(1) Be either a qualified secondary school teacher, or be a private school teacher meeting the qualifications of subdivision (6) of this subsection and of subsection (b) of this section, or be a commercial driving instructor employed by a licensed commercial driving school which is under contract to a secondary school to provide behind-the-wheel driving instruction, and which has a branch license to provide such instruction;

(2) Have held an operator's license for the past four (4) consecutive years;

(3) Have an acceptable driving record, with no more than four (4) moving motor vehicle violations which result in convictions arising from separate incidents occurring within a two (2) year period appearing on the person's driving history. A moving violation is one for which points may be assessed pursuant to Section 14-137a-5 of the Regulations of Connecticut State Agencies;

(4) Be physically qualified to operate a motor vehicle and instruct driver's training. Such physical qualification shall be based on a medical examination within the prior three (3) months. A person who provides evidence that he meets the medical standards contained in 49 CFR Sec. 391.41 (Federal Motor Carrier Safety Regulations) shall be deemed to be physically qualified. Any change in an instructor's medical condition which may affect the safe operation of a motor vehicle shall be reported to the commissioner within ten (10) business days;

(5) Take and pass a behind-the-wheel and written test as required by the commissioner. A person failing a behind-the-wheel test shall not be retested

earlier than two (2) weeks after failing such test, unless he presents proof of additional training administered by another qualified secondary school teacher;

(6) Have taken and passed a course in traffic safety or driver education, providing at least three (3) semester hours of credit, of not less than forty-five (45) clock hours, which has been approved by the commissioner;

(7) Undergo annual proficiency testing by the commissioner in accordance with Section 14-36f-16 of the Regulations of Connecticut State Agencies.

(b) Persons approved as qualified secondary school teachers subsequent to adoption of this section shall, within the three (3) years following such approval, successfully complete an advanced course in traffic safety providing at least three (3) semester hours of credit and consisting of at least forty-five (45) clock hours. Such advanced course shall be approved by the commissioner. Proof of successful completion of such course shall be submitted to the commissioner. This requirement shall not apply to a qualified secondary school teacher who has six (6) semester hours of credit and ninety (90) hours of instruction in such advanced courses.

(c) Notwithstanding the other provisions of this section, the commissioner may, for good cause shown, request that a qualified secondary school teacher take and pass both a behind-the-wheel driving test, and a written test concerning knowledge of the mechanism of motor vehicles, the motor vehicle laws and the rules of the road.

(d) The commissioner shall maintain a listing of all driver education programs in secondary schools, and a listing of all qualified secondary school teachers. Such listings shall be made available without charge to the public.

(e) No qualified secondary school teacher shall provide driver training without having been approved by the commissioner. The commissioner may withdraw his approval for good cause shown, subject to the provisions of chapter 54 of the general statutes.

(Effective April 30, 1997)

Sec. 14-36f-7. Driver education certificate

(a) Each student between sixteen (16) and eighteen (18) years of age completing the driver education program, and determined by a qualified secondary school teacher to be a safe and capable driver and qualified to hold an operator's license, shall be issued a drivers' education certificate by the secondary school indicating whichever of the following is or are applicable:

(1) The successful completion of a course consisting of a minimum of thirty (30) hours of classroom instruction as provided in subsection (a) of Section 14-36f-4, which includes successful completion of five (5) hours of safe driving practices;

(2) The successful completion of five (5) hours of safe driving practices, classroom instruction only, as provided in subsection (b) of Section 14-36f-4; or

(3) The successful completion of the number of hours of behind-the-wheel instruction required by law.

(b) Where the student is issued a drivers' education certificate indicating successful completion of behind-the-wheel instruction only, the additional driver education requirements of Section 14-36 of the General Statutes may be met by successful completion by the person of a minimum of thirty (30) classroom hours and, where appropriate, of five (5) hours of safe driving practices instruction, given by a licensed commercial driving school, or by a driver education program in a secondary school. Such additional instruction shall be listed on a certificate issued by the commercial driving school or secondary school providing such instruction, where such additional instruction was successfully completed by the student.

(c) Where a person between sixteen (16) and eighteen (18) years of age is issued a drivers' education certificate indicating successful completion of thirty (30) hours of classroom instruction only, the additional driver education requirements of Section 14-36 of the General Statutes may be met by successful completion by the person of the number of hours of behind-the-wheel instruction required by law, and, where appropriate, of five (5) hours of safe driving practices instruction given by either a licensed commercial driving school, or by a driver education program in a secondary school. Such additional instruction shall be listed on a certificate issued by the commercial driving school or the secondary school providing such instruction.

(Effective April 30, 1997)

Sec. 14-36f-8. Student records

(a) Each secondary school shall maintain records, updated at least monthly, in writing in a permanently bound book with pages consecutively numbered, or in a computer data base or the like, readily available for printing or otherwise providing a copy thereof. The records shall include each student's name, date of birth, residence address, mailing address if different, telephone number, starting date of instruction, ending date of instruction and driver education certificate number.

(b) The following shall be maintained on file at the secondary school:

(1) Where the student is under age eighteen (18), a signed authorization by the student's parent or guardian permitting the student to receive driver instruction and training;

(2) The date of the student's vision screening required in accordance with Section 14-36f-15, the name of the person who administered the vision screening, if other than a licensed medical professional, and whether the student meets the vision standards of Sections 14-45a-1 to 14-45a-4, inclusive, of the Regulations of Connecticut State Agencies;

(3) The types of instruction, including the date each type of instruction was given, and the number of hours for each type of instruction received by the student;

(4) Registration information for each vehicle in which the student received behind-the-wheel instruction;

(5) The fees paid by the student for classroom instruction, behind-the-wheel instruction and/or safe driving practices instruction;

(6) The name(s) of the instructor for each instruction and/or training session;

(7) The date, location of test, motor vehicle used (if a vehicle owned or leased by the secondary school or a commercial driving school is used) and the results of each driving test administered by the department; and

(8) Any additional fees paid by the student.

(c) All records required by subsections (a) and (b) shall be retained by the secondary school for three (3) years. Such records shall be made available to any inspector of the department, or other law enforcement officer, upon reasonable request.

(d) If any records are lost, mutilated or destroyed, the secondary school shall notify the commissioner immediately, and, upon request, shall provide under oath a written explanation of the circumstances of the loss, mutilation or destruction. The secondary school shall also make a reasonable attempt to restore such records.

(e) If a secondary school contracts with a commercial driving school to provide either classroom or behind-the-wheel instruction, all records required in accordance with the provisions of this section shall be maintained by the commercial driving school for that portion of the instruction provided by the commercial driving school. Such records shall be transferred by the commercial

driving school to the secondary school upon dissolution of the commercial driving school business.
(Effective April 30, 1997)

Sec. 14-36f-9. Vehicles used in driver education

(a) Every vehicle used in a secondary school driver education program shall be maintained in safe operating condition in accordance with law.
(b) Every vehicle used in a secondary school driver education program, for the purpose of instructing a student in the operation of a motor vehicle, shall be marked as required by Section 14-292 of the General Statutes.
(c) Every vehicle used for behind-the-wheel instruction of a student in a secondary school driver education program shall be a dual control vehicle.
(d) Every vehicle used in a secondary school driver education program shall be equipped with at least three (3) mirrors which give the operator thereof a clear reflected view of the highway directly to the rear, on a line parallel to the left side of the vehicle body, and on a line parallel to the right side of the vehicle body. In addition to the driver's rear view mirror, each vehicle shall also be equipped with a second rear view mirror mounted to give the person seated in the right front passenger's seat a clear view of the rear zone. Such second rear view mirror may be mounted in a temporary manner.
(e) Each driver education vehicle shall be equipped with seat safety belts for each person in the vehicle which shall be used by all occupants during driver instruction. Every vehicle when being used to provide behind-the-wheel instruction shall have its headlights or running lights turned on.
(f) Every vehicle used in a driver education program shall be registered in accordance with law, and have minimum liability insurance and uninsured motorist coverage for each vehicle of three hundred thousand dollars ($300,000) per occurrence for bodily injury and property damage. In lieu of an insurance policy, proof of self-insurance may be accepted by the commissioner.
(g) No vehicle(s) for which the insurance required by subsection (f) has been canceled or reduced shall be used for behind-the-wheel instruction or examination of students.
(Effective April 30, 1997)

Sec. 14-36f-10. Inspection of motor vehicles

Each motor vehicle, whether new or used, in which behind-the-wheel instruction is given, shall be safety inspected by the commissioner prior to such use. Such vehicle shall thereafter be subject to annual safety inspection by the department. A vehicle which fails such safety inspection shall be repaired as provided in Section 14-36f-11. Upon inspection the commissioner shall apply an inspection decal to each vehicle showing the inspection series. No vehicle shall be used for behind-the-wheel instruction without a current inspection decal. All maintenance records for each motor vehicle shall be retained by the owner and/or lessee of such vehicle, and such records shall be made available to any inspector of the department upon reasonable demand. An inspector of the department may make random inspections and/or audits of any vehicle used for student instruction at any reasonable time.
(Effective April 30, 1997)

Sec. 14-36f-11. Vehicles failing inspection

If a vehicle used for behind-the-wheel instruction does not pass an inspection by the department of motor vehicles, and defects or discrepancies are noted on the vehicle inspection report form issued by the department, the defects and/or discrepancies shall be repaired before the vehicle is again used

to instruct students. Once repairs are completed, the vehicle inspection report form shall be signed and dated in the area marked ``Certification of Repairer'' by the person making the repairs. The vehicle inspection report form shall thereafter be signed and dated by a school official of the secondary school in the area marked ``Certification of School Official.'' Such signature shall acknowledge that repairs have been made correcting the noted defects and/or discrepancies. The inspection report form with the two certification areas properly completed shall be forwarded to the Driver Education Unit of the department, and the vehicle failing the inspection may then be placed back into service. Such vehicles are subject to safety inspection and audits by the department at any reasonable time.
(Effective April 30, 1997)

Sec. 14-36f-12. Safety equipment to remain intact

No motor vehicle shall be used for behind-the-wheel instruction if the seat belts, shoulder straps, warning equipment or other safety equipment with which the vehicle was originally required to be equipped has been dismantled, disconnected, removed or rendered inoperative.
(Effective April 30, 1997)

Sec. 14-36f-13. Reports by schools

Secondary schools providing a driver education program shall report to the commissioner such information as shall be required on a form or in a format provided by the commissioner.
(Effective April 30, 1997)

Sec. 14-36f-14. Laboratory or simulator experience

A student may be provided with driving practice in a laboratory setting using a driving simulator, but no such driving practice shall be construed as behind-the-wheel instruction.
(Effective April 30, 1997)

Sec. 14-36f-15. Students to meet minimum vision requirements

(a) No secondary school shall give any behind-the-wheel instruction to any person, until such person has passed a screening to determine that such person has vision meeting or exceeding the minimum vision standards, as established by the commissioner, for the issuance of a motor vehicle operator's license. Such standards are contained in Sections 14-45a-1 to 14-45a-4, inclusive, of the Regulations of Connecticut State Agencies. This screening may be accomplished by one of the following persons or by other means acceptable to the commissioner:

(1) Optometrist;
(2) Ophthalmologist or other physician;
(3) School nurse;
(4) Motor vehicle inspector at a department office; or
(5) A qualified secondary school teacher or commercial driving instructor.

A record of the results of the vision screening, indicating whether the person passed or failed the screening, shall be maintained by the secondary school. All records relating to vision screening and health matters of students shall be maintained in confidence except as required by law.

(b) No student shall be given behind-the-wheel instruction if the qualified secondary school teacher has reliable evidence that the student does not meet the minimum health standards for operating a motor vehicle as provided in Sections 14-45a-1 to 14-45a-17, inclusive, of the Regulations of Connecticut

State Agencies. Any student not meeting such minimum health standards shall be referred to the department for evaluation prior to any behind-the-wheel instruction. Students having disabilities shall be reasonably accommodated with regard to training and equipment in accordance with law.
(Effective April 30, 1997)

Sec. 14-36f-16. Proficiency testing of qualified teachers

Each qualified secondary school teacher approved by the commissioner, in accordance with Section 14-36f-6, shall take a yearly driving proficiency test administered by the commissioner. A qualified secondary school teacher who fails the yearly proficiency test shall not provide behind-the-wheel instruction to any student. No retest shall be conducted by the commissioner until such qualified secondary school teacher has been provided additional instruction, administered by another qualified secondary school teacher. The proficiency test may include knowledge of recent statutory and regulatory changes which affect motor vehicle operation.
(Effective April 30, 1997)

Sec. 14-36f-17. Driver examinations

(a) A student using a vehicle owned or leased by a secondary school, or by a licensed commercial drivers' school, who wishes to take his driving test at a branch of the department, or at another site approved by the commissioner, shall be required by the commissioner to schedule such driving test at a convenient time and location.

(b) Each secondary school shall properly prepare its students for the driving test, administered by the department, by appropriately teaching all elements of safe driving as provided in Sections 14-36f-4 and 14-36f-5 of the Regulations of Connecticut State Agencies.
(Effective April 30, 1997)

Issuing of Work Permit to Operate a Motor Vehicle

Sec. 14-37a-1. Definitions

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

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

(2) "Department" means the Department of Motor Vehicles

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

(4) "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 14-111c of the Connecticut General Statutes, or conviction of a violation of section 53a-56b of the Connecticut General Statutes, or conviction of a violation of section 53a-60d of the Connecticut General Statutes.

Sec. 14-37a-2. Eligibility for work 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 work permit.

(b) The following persons shall not be eligible for a work 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' license or non-resident operating privilege has been suspended previously pursuant to subsection (i) of section 14-227b of the Connecticut General Statutes.

(c) The commissioner shall not issue a work 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 work permit will cause a significant hardship to such person or his 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 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 work permit has previously been issued in connection with an alcohol-related suspension of his operator's license or non-resident operating privilege;

(4) A person who has on his 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 work permit has on his 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 work 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.

Sec. 14-37a-3. Application for work 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 operators license number and date of birth;

(4) Applicant's employer and place of employment including a telephone number where his employment can be verified;

(5) Applicant's occupation or a description of his duties;

(6) Applicant's hours of employment;

(7) The approximate distance from applicant's present residence to his place of employment;

(8) If applicant's place of employment and/or hours of employment are not fixed, and explanation of his 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 town of residence and town 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 employment schedule; and

(12) The signature of the applicant together with a statement that the application and the statements therein are made under oath as provided in section 14-110 of the Connecticut General Statutes.

If the applicant has more than one employer, such information shall pertain to each employer.

(b) In addition to the requirements of subsection (a) 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 application for a work permit a recent certified driving history from his licensing state or country showing that he possesses a current, valid operator's license issued by such state or country, and listing any violations of motor vehicle laws or regulations. A nonresident to whom a work 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 operator's license in his licensing state or country.

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

(d) The completed application form of subsection (a) and the information required pursuant to subsection (b), if 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. 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 work permit within a reasonable time after receipt of the application and shall notify the applicant in writing of the decision.

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

In determining whether to grant a work 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 place of employment, the availability of other modes of transportation to and from the place of employment, the applicant's efforts to obtain alternate transportation, and the extent of the hardship to the applicant and his dependents if a work 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 place of employment, and such transportation is necessary for the applicant to perform his work or profession.

Sec. 14-37a-6. Issuing of work permit

(a) Upon the granting of an application for a work permit, the department shall issue such permit by mail.

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

Sec. 14-37a-7. Content of work permit

(a) The work permit shall be on a form approved by the commissioner.

(b) The permit shall contain:

(1) The legend "WORK 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 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. A person whose operator's license expires during the period of suspension shall renew his 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 work permit with a revised expiration date;

(3) 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;

(4) The specification of the work schedule, based on the determination of the commissioner as to the normal work hours of the applicant.

(5) The name(s) and 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; and

(6) 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 work permit shall be a controlled document having a unique identifying number or other unique identifier.

Sec. 14-37a-8. Effect of work permit

(a) A person to whom a work 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 work permit is issued shall operate a motor vehicle only under the conditions of such permit.

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

Sec. 14-37a-9. Violation of terms and condition of work permit

(a) If a person commits a violation as enumerated in section 14-37a-8, of the Regulations of Connecticut State Agencies, such work 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 work permit has been issued is not abiding by the terms and conditions of the work 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).

(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 work permit is effective, such permit shall be revoked upon the effective date of the additional suspension and shall become null and void. The work permit holder shall return the work 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 work permit was issued, the

commissioner may stay such revocation and extend the expiration date of the original work permit, or may issue a work permit for such additional suspension.

Sec. 14-37a-10. Miscellaneous

(a) No work 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 work 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 work permit shall be reissued if it is lost, mislaid, stolen or destroyed.

(d) Any change in employment, work location or work hours 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) A notation shall be made on the person's driving history maintained by the department when a work permit is issued and when such permit expires, or is revoked.

(Effective May 5, 2000)

Nonresident Operators - Reciprocity

Section 14-39-1 of the Regulations of Connecticut State Agencies is adopted as follows:

Sec. 14-39-1. Nonresident operators. Reciprocity.

In accordance with the provisions of Sections 14-39 and 14-40 of the Connecticut General Statutes, and subject to the exceptions stated therein, any nonresident sixteen (16) years of age or older, including any person who is a nonimmigrant alien admitted to the United States as a temporary visitor for business or pleasure (B-1 or B-2 status), may operate any registered motor vehicle on the highways of this state, provided that such nonresident is the holder of a motor vehicle operator's license issued by any state or territory of the United States, or by any country that is a member of a currently valid treaty entered into with the United States that provides for the reciprocal extension of driving privileges; and such motor vehicle operator's license is in the possession of such nonresident and is current and valid according to its terms; and if such motor vehicle operator's license is in any language except English or Spanish, it is accompanied by, or has been translated into English and certified under the form of an International Driving Permit, in accordance with Article 24 of the United States Convention on Road Traffic (1949).

(Effective January 28, 2002)

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

Sec. 14-44-1. Minimum physical standards

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

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

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

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

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

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

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

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

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

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

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

(10) Has distant visual acuity of at least 20/40 (Snellen) inh eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocularacuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at

least 70` in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals, and devices showing standard red, green, and amber;

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

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

(13) Has no current clinical diagnosis of alcoholism.

(Effective September 18, 1987)

Renewal of Public Service Motor Vehicle Operator Licenses

Sec. 14-44-2. Renewal of public service operator's license

Pursuant to the provisions of Section 14-44 of the Connecticut General Statutes, the holder of any public service operator's license may apply for renewal of such license, except that a public service operator's license shall not be renewed if the holder thereof has:

(a) A driving history record showing four or more moving motor vehicle violations which result in convictions arising from separate incidents occurring within a two year period. As used in this section of these regulations, the term ``moving motor vehicle violation'' means a conviction for which points are assessed pursuant to Section 14-137a-1 of the Regulations of Connecticut State Agencies.

(b) A driving history record showing any conviction for: (1) driving under the influence in violation of Section 14-227a, (2) reckless driving in violation of Section 14-222, (3) evading responsibility in violation of Section 14-224, or (4) a violation of any law in another state, which law as determined by the commissioner is the equivalent of one of the foregoing laws of this state, within five years of making application for the renewal of such public service operator license.

(c) An operator's license against which ten or more points have been assessed in accordance with the provisions of Section 14-137a-1 of the Regulations of Connecticut State Agencies.

(d) An operator's license suspended under Section 14-111 (c) as a result of a fatal motor vehicle accident within five years of making application for the renewal of such public service operator license.

(e) A conviction of a serious criminal offense which adversely reflects on his or her moral character.

(Effective January 23, 1987)

Sec. 14-44-3. Suspension of public service operator's license

Any public service operator's license may be suspended if the holder thereof would be subject to having his or her renewal of such license refused pursuant to Section 14-44-2. The holder of any public service operator's license suspended pursuant to this section shall be afforded an opportunity for a hearing as provided in Chapter 54 of the Connecticut General Statutes prior to the effective date of such suspension.

(Effective January 23, 1987)

Sec. 14-44-4. Refusal of renewal; request for hearing

Any person whose application for renewal of a public service operator's license is refused for one of the reasons set forth in Section 14-44-2 above may request a hearing on the refusal pursuant to the provisions of Chapter 54 of the Connecticut General Statutes. Prior to the assignment of a hearing date, a staff member of the Department of Motor Vehicles designated by the commissioner shall, within ten days of the receipt of such request for hearing, review the applicant's records to determine whether circumstances justified the renewal of the license. In the event that the review does not reveal such circumstances and the license is not renewed, a hearing will be scheduled at the earliest available date.

(Effective January 23, 1987)

Health Standards for Licensing Decisions for Operators of Motor Vehicles Vision Standards

Sec. 14-45a-1. Vision requirements

(a) An unlimited operator's license shall be issued or retained if the applicant or license holder meets the following visual standards:

(1) A minimum visual acuity of 20/40 (Snellen) or equivalent in both eyes or in the better eye with or without corrective lenses;

(2) An uninterrupted binocular visual field of at least 140° in the horizontal meridian, or a monocular field of at least 100° in the horizontal meridian; and

(3) No evidence of any other visual condition(s) which either alone or in combination will significantly impair driving ability.

(b) A person who has a best corrected visual acuity of worse than 20/40 but at least 20/70 in the better eye, an uninterrupted visual field of not less than 100° in the horizontal meridian, and no other visual condition(s) which alone or in combination will significantly impair driving ability, may be issued an operator's license with vehicle operation limited to daylight only or as otherwise determined by the commission in accordance with the provisions of section 14-36-4 of the Regulations of Connecticut State Agencies.

(c) The commissioner may waive the provisions of subsection (a) or (b) of this section if the applicant or license holder has a visual acuity of no worse than 20/70 (Snellen) or equivalent in the better eye with or without corrective lenses, has an uninterrupted binocular visual field of at least 100° in the horizontal meridian, or a monocular field of at least 70° in the horizontal meridian, has no other visual condition(s) which either alone or in combination will significantly impair driving ability, and demonstrates to the commissioner that he or she is able to operate a motor vehicle safely. The person's driving history and accident record shall be considered. If not otherwise required, the commissioner may request that the person take an on-the-road driving test, and the results of such test shall be considered in determining whether a waiver will be granted.

(d) A person who has a best corrected visual acuity better than 20/200 in the better eye, and has an uninterrupted visual field of at least 100° in the horizontal meridian, may be issued an operator's license containing such limitation(s) as the commissioner deems advisable after consideration of the person's vision, driving ability, driving needs and other relevant factors including the opinion of the person's physician, ophthalmologist, or optometrist. The person may be required to take an on-the-road driving test, and the opinion of the medical advisory board may be requested in accordance with Sections 14-45a-10 through 14-45a-17 of the Regulations of Connecticut State Agencies to determine whether a license shall be issued, and if so the limitation(s) that shall be imposed.

(e) No operator's license shall be issued or retained by a person who has a best corrected visual acuity of 20/200 (Snellen) or worse in the better eye, or has an uninterrupted binocular visual field of less than 100° in the horizontal meridian, or an uninterrupted monocular visual field of less than 70° in the horizontal meridian, or who has any other visual condition(s) which alone or in combination will significantly impair driving ability.

(Effective April 30, 1993)

Sec. 14-45a-2. Submission of report

(a) An applicant for an operator's license or renewal thereof, or a holder of an operator's license, may be required to submit to the commissioner a vision

report as provided in Section 14-45a-3 of this regulation when the commissioner has determined based on reliable information that the person has or may have a visually related health problem or disability which might affect the person's ability to operate a motor vehicle safely, or upon a determination by the commissioner based on reliable information that there is a significant question regarding the ability of the applicant or operator to operate a motor vehicle safely due to a visual deficiency or impairment. Reliable information shall include a written, signed report from a person in the medical or law enforcement professions, or a statement signed under penalty of false statement by a person having personal knowledge.

(b) The vision report shall be prepared by a physician, opthalmologist or optometrist licensed to practice in this or another state, and shall be based on a personal examination of the person no earlier than three (3) months prior to notice to such person of the requirement to submit a report.

(Effective June 22, 1992)

Sec. 14-45a-3. Content of vision report

The vision report required by Section 14-45a-2 shall be on a form or in a format as required by the commissioner, and contain the following information:

(a) The person's name and address; and

(b) The date of the examination; and

(c) The name, address, license number and signature of the doctor of medicine, opthalmologist or optometrist; and

(d) The best corrected visual acuity; and

(e) The extent of the horizontal visual field; and

(f) The presence of any medically induced blind spots; and

(g) The need for glasses or contact lenses; and

(h) A statement as to whether or not the operator has a vision condition which is deteriorating including a diagnosis and prognosis; and

(i) A recommendation for the commissioner's consideration relating to a vision examination or visual screening on a regular basis; and

(j) If the report is submitted by an optometrist, whether or not the person has been referred to the appropriate physician because of a detected or suspected medical condition.

(Effective June 22, 1992)

Sec. 14-45a-4. Use of telescopic aids

An operator's license shall not be issued to an operator who uses spectacle mounted telescopic aids.

(Effective June 22, 1992)

Standards for Persons Having Impairments Other Than Vision

Sec. 14-45a-5. Definitions

In Sections 14-45a-5 through 14-45a-9 of these regulations, the following definitions apply:

(a) ``Altered consciousness,'' means a state of awareness characterized by loss, distortion, or unresponsiveness to the impressions made by the senses.

(b) ``Assessment'' means an examination of the person's use of chemicals.

(c) ``Cognitive skill'' means ability to think, perceive, and remember.

(d) ``Co-morbid'' means that more than one condition is present at the same time.

(e) ``Consciousness'' means the condition of a person when awake and fully

responsive to stimuli.

(f) ``Corrective lens'' means an ophthalmic lens, whether an eyeglass or a contact lens, that corrects the refraction error or other optically correctible deficiency of the eye.

(g) ``Department'' means Department of Motor Vehicles.

(h) ``Driving evaluation'' means an evaluation to determine if a person's actual ability to operate a motor vehicle compensates adequately for the person's medical, mental or physical condition, or functional impairment.

(i) ``Episode'' means any incident or segment of time involving altered consciousness or loss of bodily control.

(j) ``Field of vision'' means the entire horizontal, temporal plane a person has for each eye without shifting the gaze.

(k) ``Functional ability'' means the degree of cognitive, mental or emotional, sensorimotor, and sensory capability in performing activities of daily living, including safely performing the driving tasks.

(l) ``Licensing action'' means any action by the department involving the denial, cancellation, restriction, or issuance of a motor vehicle operator's license, permit or endorsement.

(m) ``Loss of bodily control'' means involuntary movements of the body characterized by muscle spasms or muscle rigidity, or loss of muscle tone or muscle movement.

(n) ``Medical condition'' means any physical, mental or emotional condition affecting a person's health, for which a person is receiving medical treatment, or for which medical treatment is usually prescribed.

(o) ``Medical Advisory Board'' or ``review board'' means the medical board

established under Sec. 14-46a through Sec. 14-46g of the Connecticut General Statutes.

(p) ``Mental or emotional function'' includes interaction and communication skills, adaptive behavior or coping capacity, and affect.

(q) ``Physical disability'' includes any physical limitation interfering with the ability to perform normal tasks associated with operating a motor vehicle.

(r) ``Vision specialist'' means a person who practices optometry, or a physician or ophthalmologist.

(Effective June 22, 1992)

Sec. 14-45a-6. Medical report and licensing decision

(a) An applicant for an operator's license or renewal thereof, or a holder of an operator's license, may be required to submit to the commissioner a medical report, on a form or in a format approved by the commissioner, signed by a licensed physician, attesting to the person's medical condition, when the commissioner has determined based on reliable information that the person has or may have a health problem or disability which might affect the person's ability to operate a motor vehicle safely, or upon a determination by the commissioner based on reliable information that there is a significant question regarding the ability of the applicant or operator to operate a motor vehicle safely due to a medical condition or impairment. Reliable information shall include a written, signed report from a person in the medical or law enforcement professions, or a statement signed under penalty of false statement by a person having personal knowledge.

(b) Except as provided in subsection (c), upon receipt and review of the medical report under subsection (a) of this section, the commissioner shall make a decision with regard to licensing action. Additional medical records may be required from such person if necessary to make such decision, and the

commissioner may request the opinion of the Medical Advisory Board in accordance with Sections 14-45a-10 through 14-45a-16 of this regulation.

(c) If a person has experienced an episode within the previous six (6) month period, the commissioner shall request the opinion of the Medical Advisory Board prior to making a decision with regard to licensing action.

(d) Persons affected by any departmental licensing action shall be given written notice thereof by first class mail sent to the person's mailing address then currently on file. A notice of license denial, cancellation or suspension shall include specific reasons for the action and information on applicable review and appeal procedures.

(Effective June 22, 1992)

Sec. 14-45a-7. Standards for taking licensing action

(a) No operator's license will be issued or reissued, or an operator's license issued to a person will be suspended or revoked, if a person is afflicted with a health problem, medical condition or physical or mental disability which prevents him or her from exercising reasonable and ordinary control over a motor vehicle, and if the commissioner has reason to believe that such person will endanger the public safety by operating a motor vehicle.

(b) Notwithstanding any other provision of this regulation, the commissioner may order immediate suspension of the operator's license of a person prior to a hearing if the commissioner finds that, because of the person's medical condition, the public health, safety or welfare imperatively requires emergency action, and a finding to that effect is incorporated in his order. Such action shall be taken in accordance with the provisions of Chapter 54 of the Connecticut General Statutes, and an opportunity for a hearing shall be afforded for such person as soon as is practicable.

(Effective June 22, 1992)

Sec. 14-45a-8. Information to be considered in licensing actions-

The Medical Advisory Board when making recommendations, and the department when taking licensing action, may consider the following information.

(a) In general:

(1) Information on any medical condition, including but not limited to:

(A) History of illness.

(B) Severity of symptoms and prognosis.

(C) Complications and/or co-morbid conditions.

(D) Treatment and medications, effects and side effects, and person's knowledge and use of medications.

(E) Results of medical tests and reports of laboratory findings.

(F) Physician's medical report on functional ability including mental or emotional function.

(G) Physician recommendations on degree of functional impairment.

(2) Basic driving needs, including but not limited to, the distance from the applicant's home to that person's doctor, place of employment, shopping districts, or other necessary locations.

(3) Reports of driver condition or behavior.

(4) Screening by the department.

(A) Vision.

(B) Hearing.

(5) Examinations by the department.

(A) Knowledge of traffic laws, road signs, rules of the road, vehicle equipment and safe driving practices.

(B) Driving ability.

(6) Traffic accidents that have been caused by a medical condition.
(7) Vision specialist report.
(b) With respect to a condition involving alcohol or other drugs:
(1) Alcohol abuse or dependency.
(2) Drug abuse or dependency.
(3) The department may request information on functional ability, including, but not limited to:
(A) Physician or psychologist examination of alcohol or other drug use.
(B) Alcohol/Drug counselor assessment or evaluation of alcohol or drug use.
(C) Hospital or clinic alcohol/drug treatment discharge summaries.
(c) With respect to a condition affecting cardiovascular function:
(1) Coronary artery disease, including myocardial infarction.
(2) Congestive heart disease.
(3) Valvular disease or replacement valves.
(4) Congenital heart disease.
(5) Cardiomyopathy.
(6) Structural defects.
(7) Inflammation.
(8) Cor Pulmonale.
(9) Conduction difficulties.
(10) Arrhythmias.
(11) Aortic or arterial occlusion or aneurysm.
(12) The department may request information on functional ability, including, but not limited to:
(A) Hypertension.
(B) Orthostatic hypotension.
(C) Presence of pain and its frequency, location, duration, and intensity.
(D) Syncope or presyncopal sensations.
(E) Procedures to correct condition which temporarily impairs functional ability, including surgical procedures such as coronary artery bypass graft.
(F) Pacemaker function.
(G) Implanted defibrillator function.
(H) Results of testing procedures such as electrocardiogram, stress test with thallium scan, angiography, or MUGA.
(I) Cardiac drug use including rhythm control drugs, antianginal agents, cardiac glycosides and side effects of these medications.
(d) With respect to a condition affecting cerebro-vascular function:
(1) Cerebro-vascular accident (stroke).
(2) Transient ischemic attacks.
(3) Carotid artery occlusion.
(4) Aneurysm.
(5) Brain or head injury.
(6) The department may request information on functional ability, including but not limited to:
(A) Hypertension.
(B) Residual motor control effects, for example, limb paralysis.
(C) Memory loss.
(D) Impaired reasoning and judgment.
(E) Disorientation.
(F) Visual disturbances.
(G) Altered consciousness.
(H) Compensatory mechanisms.
(I) Medication effects and side effects.
(e) With respect to a condition affecting endocrine function:
(1) Diabetes mellitis.
(2) Pituitary disorders.

(3) Thyroid disorders.
(4) Parathyroid disorders.
(5) Adrenal dysfunction.
(6) The department may request information on functional ability, including, but not limited to:
(A) Hypoglycemia.
(B) Hyperglycemia.
(C) Complications of condition.
(D) Reliability.
(E) Weakness.
(F) Fluid and electrolyte imbalance.
(G) Mental changes.
(H) Hypokalemia.
(I) Frequency of symptoms.
(J) Medication effects and side effects.
(f) With respect to a condition affecting musculo-skeletal function:
(1) Rheumatoid arthritis.
(2) Osteoarthritis.
(3) Lupus erythematosus.
(4) Osteomyelitis.
(5) Bursitis.
(6) Osteoporosis.
(7) Paralysis.
(8) The department may request information on functional ability, including, but not limited to:
(A) Reduced range of motion.
(B) Pain.
(C) Stiffness.
(D) Reduced mobility.
(E) Medication effects and side effects.
(g) With respect to a condition affecting neurological or neuromuscular function:
(1) Cerebral Palsy.
(2) Multiple sclerosis.
(3) Muscular dystrophy.
(4) Myasthenia gravis.
(5) Neuralgia and Neuritis.
(6) Parkinson's disease and other extrapyramidal symptoms and disorders.
(7) Poliomyelitis.
(8) Seizure disorders.
(9) Spinal cord injury.
(10) The department may request information on functional ability, including, but not limited to:
(A) Episodes of altered consciousness or loss of bodily control.
(B) Degree of functional impairment.
I. Extent to which loss of muscle tone affects functional ability.
II. Extent to which loss of muscle movement affects functional ability.
III. Extent to which muscle spasm affects functional ability.
IV. Extent to which fatigue affects functional ability.
(h) With respect to a condition affecting peripheral-vascular function:
(1) Thrombophlebitis.
(2) Thromboangiitis obliterans.
(3) Arteriosclerosis or atherosclerosis.
(4) Any impairment of peripheral circulation.
(5) The department may request information on functional ability, including, but not limited to:
(A) Tissue ischemia.

(B) Pain.
(C) Weakness.
(D) Impaired mobility.
(E) Numbness.
(F) Procedures to correct conditions which temporarily impair functional ability, including surgical procedures.
(G) Medication effects and side effects.
(i) With respect to a condition affecting pyschosocial, mental or emotional function:
(1) Schizophrenia.
(2) Personality disorders.
(3) Manic-depressive psychosis.
(4) Paranoia.
(5) Dementia.
(6) Organic brain syndrome.
(7) The department may request information on functional ability, including, but not limited to:
(A) Impaired impulse control.
(B) Reality testing.
(C) Impaired affect, mood.
(D) Sociopathic behavior.
(E) Aggression.
(F) Suicidal risk.
(G) Cognitive skill or impairment.
(H) Treatment program, including medications.
(j) With respect to a condition affecting respiratory function:
(1) Chronic obstructive pulmonary disease.
(2) Asthma.
(3) Emphysema.
(4) Bronchitis.
(5) Tuberculosis.
(6) Silicosis.
(7) Pulmonary emboli.
(8) Pulmonary hypertension.
(9) Tumors.
(10) The department may request information on functional ability, including, but not limited to:
(A) Incapacitating cough.
(B) Shortness of breath.
(C) Dyspnea.
(D) Inadequate ventilation.
(E) Fatigue.
(F) Right ventricular enlargement.
(G) Acute respiratory failure.
(H) Hypoxemia, hypercapnia.
(I) Need for medication, oxygen therapy.
(J) Pulmonary function tests.
(k) With respect to a condition affecting visual function:
(1) Cataracts.
(2) Macular degeneration.
(3) Retinitis pigmentosa.
(4) Diabetic retinopathy.
(5) Glaucoma.
(6) The department may request information on functional ability, including, but not limited to:
(A) Visual ability.
(B) Field of vision.

(C) Need for corrective lens.
(Effective June 22, 1992)

Sec. 14-45a-9. Other requirements

(a) The person is responsible for obtaining any such information listed in Section 14-45a-8 as may be requested by the commissioner for his use and consideration. The commissioner may provide forms to the person and/or his physician(s) for reporting such information.

(b) As provided in subsection (e) of Section 14-36, the commissioner may at any time require an on-the-road driving evaluation of any person, without cost, to assist in his determination of the person's driving ability.

(c) Unless otherwise specified, medical reports required by the commissioner must be based on an examination by the physician within the previous three (3) months.

(d) Unless otherwise specified, medical reports required by the commissioner must be submitted within thirty (30) days from receipt of a request by the commissioner.

(e) Follow-up examinations and reports by a physician or vision specialist may be required for progressive or recurring conditions or when more than one medical condition exists.

(f) Whenever the commissioner receives a medical report in accordance with this regulation showing that the person has poor compliance, as described by the person's physician, with a prescribed medical treatment program, the commissioner may suspend the operator's license of such person, consistent with the provisions of Chapter 54 of the General Statutes, if the commissioner finds that continued operation of a motor vehicle by such person will endanger the public safety.
(Effective June 22, 1992)

Referral of Individual Licensing Cases to the Medical Advisory Board

Sec. 14-45a-10. Scope of procedures

(a) In accordance with Connecticut General Statutes Section 14-36 as amended, and Section 14-46c of the General Statutes, as amended, the commissioner of motor vehicles may at any time request the advice and recommendation of the Medical Advisory Board, concerning the case of any person who has a health problem, when such person is the holder of or applicant for an operator's license of any class, including a commercial driver's license, and when the commissioner has reason to believe that such person's health problem may affect his or her functional ability to operate a motor vehicle safely on the highways of this state.

(b) The provisions of this section and the following Sections 14-45a-11 through 14-45a-16 also apply to a person who is the holder of or an applicant for a public passenger transportation permit, as the same have been established pursuant to Section 14-44 of the General Statutes, as amended.

(c) The commissioner herein authorizes and designates the Chief of the Driver Services Division of the Department of Motor Vehicles (hereinafter referred to as ``the Director'') or his successor, or such other person as may be designated by the commissioner, to request and to receive the advice and recommendations of the Medical Advisory Board (hereinafter referred to as ``the Board'') in individual cases.
(Effective June 22, 1992)

Sec. 14-45a-11. Notice to license holder or applicant

(a) Whenever a case is referred to the Board, the Director shall simultaneously give written notice of such referral to the license holder or applicant involved.

(b) The Director shall request that the Board furnish its advice and recommendation in every case with reasonable promptness, considering the complexity of the case and research, interviews, examinations and such other steps as may be necessary for the Board to reach its opinions and judgments. The Director shall not cause or permit the referral of a case to the Board to result in an unreasonable delay with respect to a licensing decision concerning any license holder or applicant.

c) If requested, the Director shall inform the license holder or applicant when he has received the advice and recommendation of the Board with respect to such license holder or applicant.

(d) The Director shall take appropriate action and communicate such action to the holder or applicant within a reasonable time after receipt of the advice and recommendation of the Board.

(Effective June 22, 1992)

Sec. 14-45a-12. Right to submit medical report

As provided by Section 14-46c of the General Statutes, the commissioner shall inform any applicant or license holder whose case has been referred to the Board that he or she may submit to the Board a medical report completed by a licensed physician of his or her choice. It shall be the responsibility of such individual to submit such report in a timely manner, to the Director, who shall forward it to the Board promptly.

(Effective June 22, 1992)

Sec. 14-45a-13. Internal procedure of board

(a) The Director shall refer all cases to the attention of the chairman of the Board. The chairman may retain the case or assign the case to any individual member or members of the Board, as he or she determines to be appropriate given the nature of the health problem that appears from the available evidence. When the assigned member(s) of the Board completes his or her review of the case, all findings, advice and recommendations shall be reported to the chairman.

(b) The chairman shall review the report on the case as completed and submitted by the assigned Board member, and he or she shall forward the same to the Director, either with or without comment. Alternatively, the chairman may ask for a review of the case and the conclusions reached therein by the entire Board. The chairman shall take such further actions as may be necessary to bring the case to the attention of every member, and to obtain the consensus and agreement of the Board as to the advice to be given, which he or she shall report forthwith to the Director.

(c) The chairman may designate an individual member of the Board to receive cases in a particular medical field from the Director, and to report his or her findings, advice and recommendations to the Director.

(Effective June 22, 1992)

Sec. 14-45a-14. Recommendations to be advisory only

As provided by Section 14-46e of the General Statutes, the Director shall give due consideration to the recommendation of the Board in each case, but such

recommendation shall be merely advisory and not binding. The Board is not responsible to make and shall not be regarded as making a licensing decision in

any case, but such decision shall be made by the Director, on behalf of the commissioner.
(Effective June 22, 1992)

Sec. 14-45a-15. Failure to cooperate

As provided by Section 14-46e (b) of the General Statutes, each applicant or license holder whose case is referred to the Board may be requested by the Board to submit to a physical examination or to provide other information to the Board. The Board shall refer such request to the Director who shall communicate the request to the applicant or license holder. The Board shall report to the Director immediately any instance of failure to comply with such a request.
(Effective June 22, 1992)

Sec. 14-45a-16. Confidentiality and exception thereto

As provided by Section 14-46d of the General Statutes, all communications between the Director and the Board with respect to individual cases shall be confidential, and except as may be required by state or federal law, shall not be made public. The reports, records or other documents in any case, however, shall be made available to the subject person or his authorized representative, upon a written request made to the Director. Such documents also may be used for evidence in any administrative proceeding conducted by the department. In furnishing documents pursuant to this section, the department may charge the fees prescribed for copies of public documents by Section 1-15 of the General Statutes, as amended.
(Effective June 22, 1992)

Sec. 14-45a-17. Administrative hearing

The commissioner shall schedule an administrative hearing with respect to the denial, suspension or revocation of the operator's license of any person pursuant to any provision of Connecticut General Statutes Sections 14-36, as amended, and subsection (e) of Connecticut General Statutes Section 14-40a, as amended, and this regulation, and shall give written notice to such person of his or her entitlement to such hearing and the date, time and place of such hearing. The hearing shall be limited to the determination of the ability and competence of such person to operate a motor vehicle safely on the highways of this state.
(Effective June 22, 1992)

Registration of Motor Vehicles Engaged in Seasonal Operations

Sec. 14-48c-1. Definitions

As used in Sections 14-48c-1 to 14-48c-3, inclusive, the following words shall have the following meanings:

(1) ``Commercial motor vehicle engaged in seasonal operations'' means any motor vehicle, including a trailer, used to transport merchandise, freight or persons in connection with any business enterprise and for which a commercial registration is issued in accordance with the fee schedule of subsection (a) of Section 14-47 of the General Statutes.

(2) ``Registration year'' means the period beginning during the month of April and ending during the month of April the following year.

(3) ``Seasonal operations'' means operation of a commercial motor vehicle for construction, farming, landscaping, oil delivery and like industries where business demands vary with the seasons of the year.

(4) ``Permanent registration'' means a registration issued in accordance with the provisions of subsection (a) of Section 14-47 of the General Statutes.

(Effective June 26, 1995)

Sec. 14-48c-2. Registration. Expiration date. Fee

(a) Any commercial motor vehicle engaged in seasonal operations may be registered for a six (6) month period during any registration year. The six (6) months shall be consecutive.

(b) Any seasonal registration issued in accordance with this section shall expire in the sixth calendar month after such registration is issued as follows:

(1) A registration issued during the first fifteen (15) days of any month shall expire on the fifteenth day of the sixth month; and

(2) A registration issued after the first fifteen (15) days of any month shall expire on the last day of the sixth month.

(c) Notwithstanding the provisions of subsection (b) of this section:

(1) A seasonal registration shall not be effective prior to expiration of an existing registration issued for the same commercial motor vehicle; and

(2) Any seasonal registration effective after October 31 of any year shall expire during the next following April.

(d) The fee for a registration issued in accordance with subsection (a) shall be one-half of the annual registration fee provided in subsection (a) of Section 14-47 of the General Statutes.

(e) Nothing in this section shall prohibit the issuing within a registration year of a permanent registration or a second seasonal registration upon the expiration of a first seasonal registration, provided that such permanent registration or such second seasonal registration shall expire no later than the next following April 30.

(Effective June 26, 1995)

Sec. 14-48c-3. Insurance. Inspection. Emissions

(a) A commercial motor vehicle registered in accordance with the provisions of subsection (a) of Section 14-48c-2 shall be subject to all insurance requirements imposed by law.

(b) A motor vehicle registered in accordance with the provisions of subsection (a) of Section 14-48c-2 shall be subject to all other applicable requirements of law including emissions standards.

(c) The commissioner of motor vehicles may issue a distinguishing number plate to a vehicle registered in accordance with the provisions of subsection (a) of Section 14-48c-2.

(d) No late fee as provided in subsection (aa) of Section 14-49 shall be assessed upon the issuing of a seasonal registration.

(e) No inspection shall be required for a commercial motor vehicle issued a seasonal registration provided that the vehicle has been registered previously in this state to the same owner or owners.

(Effective June 26, 1995)

The Operation Of Federally-Owned Vehicles Consigned To The Connecticut National Guard

Sec. 14-49-1. Federally-owned vehicles of national guard need not display number plates

No federally-owned vehicle in use by the Connecticut national guard will be required to display Connecticut number plates. The department of defense, department of army or department of air force serial number assigned to such vehicles will be considered the registration number. Such vehicles will be recorded with the commissioner of motor vehicles. The size of the numerals of the registration number shall be a minimum of two and one-half inches in height with one-half inch stroke. Numbers shall be stenciled on both sides of the hood. (See G.S. § 14-49 (o).)

Sec. 14-49-2. Uniform to be worn by driver

Uniforms will be worn by all motor vehicle drivers when operating such vehicles. The uniform may be as directed by the driver's immediate commanding officer, but in any case shall be a complete uniform.

Sec. 14-49-3. Operator's license required

No one may operate a military motor vehicle who has not been issued a motor vehicle operator's license by the motor vehicle department, state of Connecticut. The operator shall also have an army motor vehicle operator's permit, issued by the unit commander, and both operator's license and army permit shall be carried by the driver at all times while he is operating military motor vehicles.

Sec. 14-49-4. Operator subject to state laws and regulations

The operator of a military vehicle is subject to all penalties for any violation of Connecticut motor vehicle laws or regulations, the same as when operating regularly Connecticut-registered vehicles.

Operation Of Service Buses

Sec. 14-49-5. Operation of service buses

(a) A commercial vehicle, bus or any other type of vehicle owned and used for the transportation of the employees of the registrant without charge to the individual and when engaged in the business of the registrant shall be registered as a ``service bus'' if eight or more persons are to be transported.

(b) Any vehicle that is rented or leased by a farm or plantation owner or other owner and used for the transportation of employees of the lessee only shall be registered as a ``service bus'' in the name of the lessor.

(c) Each occupant of a service bus shall be provided adequate seating space on a suitable seat or bench and in no case shall occupants be permitted or compelled to sit on the floor of the vehicle body.

(d) *** *With the exception of the seating arrangements in vehicles designed solely for the purpose of carrying passengers* all *** seats or benches provided for *** passengers (not the driver or occupants of the cab) *on service buses* shall run lengthwise with the body; and the standard eight-foot body shall

not be equipped with more than three rows of seats or benches while the standard ``pickup'' body type shall be limited to two rows.

(e) All trucks transporting labor shall be equipped with adequate side racks and tail gate or rack, except that a chain or bar at a height of about three feet above the floor may be substituted for the tail gate on ``pickup'' body trucks. Stake body trucks shall be provided with a gate for entrance and exit, which shall be closed securely when the vehicle is in motion. All gates shall be equipped with a latch that may be opened, in case of emergency, by an occupant of the truck.

(f) A ladder for entrance and exit shall be provided and shall have treads, which treads shall not be less than four inches wide and sixteen inches long and not more than twelve inches apart, except that the lowest tread shall not exceed in height the lowest part of the axle housing of the truck. All removable ladders shall be equipped with hooks that attach to the truck body to prevent its slipping while in use. Ladders that are removable shall be carried on the outside of the truck when carrying passengers. Ladders that are permanently attached shall be properly braced. *The provisions of this subsection shall not apply to vehicles designed solely for the purpose of carrying passengers or where all passengers are carried in the cab.*

(g) Each conveyance shall be equipped with suitable covering of water repellant material for use during inclement weather.

(h) Each vehicle shall be operated by a Connecticut licensed motor vehicle operator, who shall be at least eighteen years of age.

(i) All vehicles shall be kept in proper repair and in safe, clean and sanitary condition. The registrant shall cause such vehicles to be inspected frequently to ensure that brakes, steering apparatus, lighting and all other equipment are in safe operating condition.

(j) No operator of any motor vehicle used for the transport of persons shall take on or discharge passengers while the vehicle is in motion.

(k) Before crossing any railway tracks the operator of each motor vehicle used for the transport of persons shall stop the vehicle, look and listen carefully to guard against conflict with approaching trains and, with proper caution, may then proceed to cross the tracks, but in no event shall such operator shift gears while doing so.

(l) No vehicle used for the transport of persons shall be fueled while passengers are in the vehicle nor while the motor is operating.

(m) When accepting or discharging passengers each vehicle used for the transport of persons shall be stopped on the extreme right-hand side of the street or highway to safeguard occupants entering or leaving the vehicle.

(n) *** Any school bus to be placed in permanent operation in labor transport shall be painted a color other than the school bus chrome yellow.

(Effective September 26, 1967)

(See G.S. §§ 14-1(41), 14-29, 14-49(p).)

Farm Registrations for Motor Vehicles

Sec. 14-49-6. Requirements for farm registration. Revocation of registration

(a) Beginning on the effective date of this regulation and until January 1, 1999, every applicant for a new or renewal farm registration for a motor vehicle shall comply with the following requirements:

(1) The applicant shall submit a signed application on a form or in a format prescribed by the commissioner;

(2) The applicant shall pay the fee required by law;

(3) The applicant shall submit proof to the commissioner that he is operating a farm, and that the farm had gross annual sales of two thousand five

hundred dollars ($2,500.00) or more in the calendar year preceding such application for registration. Such proof shall consist of one of the following:

(A) A copy of a current Farmer's Sales Tax Exempt Permit issued by the Connecticut Department of Revenue Services (Form OR-248). A current Permit is one that has been issued no earlier than the first day of October of the year preceding the application for registration; or,

(B) A copy of the prior year's Federal Income Tax Form 1040F in the name of the applicant; or,

(C) Documents acceptable to the commissioner proving that the applicant is operating a farm having the gross annual sales required to qualify for farm registration. The commissioner may require that the documents be certified, or be reviewed and verified by a certified public accountant.

(4) The applicant shall be the same person, firm or corporation identified on the Sales Tax Exempt Permit or other documents submitted in accordance with subdivision (3), except that if the motor vehicle is leased, a farm registration may be issued to the owner thereof if the person operating the farm and identified on the documents is listed on the registration as the lessee. A farm registration may be issued to joint applicants who are individual persons, provided that one of the applicants is the person operating the farm as identified on the documents.

(5) The applicant shall sign, under penalty of false statement, a certification that the vehicle will be used exclusively for farming purposes as defined in subsection (c), and shall not be used for the purpose of transporting goods for hire, or for taking the on-the-road skills test portion of an examination for a motor vehicle operator's license.

(b) On and after January 1, 1999, an applicant for a renewal farm registration shall not be required to submit a copy of the documents as required by subdivision (3) of subsection (a), provided that he submits to the commissioner a current Sales Tax Exemption Permit number.

(c) A motor vehicle is used for farming purposes when it is used in connection with the raising and harvesting of any agricultural or horticultural commodity, dairy farming, forestry, the raising of livestock and poultry, or the raising and harvesting of fish, oysters, clams, mussels or other molluscan shellfish. Farming purposes shall not include, inter alia, personal use, non-farm business, pleasure, recreation, or commuting to school or to non-farm employment. A motor vehicle is also used for farming purposes when it is delivering agricultural and horticultural commodities, or other farm products, from the farm to market or to a customer.

(d) Upon receipt of reliable evidence that a person to whom the commissioner has issued a farm registration has not used the motor vehicle exclusively for farming purposes, or has otherwise misused the farm registration, the commissioner may summon the registrant to a hearing conducted in accordance with chapter 54 of the general statutes, and may revoke such farm registration upon a finding of use otherwise than provided by law.

(Adopted, effective October 3, 1997)

Motor Vehicle Dealers and Repairers
Licensing and Operation

Sec. 14-63-1. Definitions

(a) ``New car dealer'' includes any person, firm or corporation engaged in the business of merchandising new motor vehicles under factory contract who may,

incidental to such business, sell used motor vehicles and repair motor vehicles or cause them to be repaired by qualified persons in his employ. He shall be a qualified person and have a suitable and adequate place of business, which shall be determined by the commissioner of motor vehicles.

(b) ``Used car dealer'' includes any person, firm or corporation engaged in the business of merchandising motor vehicles other than new who may, incidental to such business, repair motor vehicles or cause them to be repaired by qualified persons in his employ. He shall be a qualified person and have a suitable and adequate place of business, which shall be determined by the commissioner of motor vehicles.

(c) ``Repairer'' includes any person, firm or corporation engaged in repairing, overhauling, removing, adjusting, replacing, assembling or disassembling parts of any motor vehicle. He shall be a qualified person having a suitable place of business and having adequate equipment, but ``repairer'' shall exclude a person engaged in making repairs to tires, upholstering, glazing, general blacksmithing, welding and machine work on motor vehicle parts when parts involving such work are disassembled and reassembled by a licensed repairer; provided lubricating motor vehicles, changing tires and tubes or installing light bulbs, windshield wiper blades, spark plugs, fan belts or other similar service incidental to the sale of motor vehicle fuels shall not be construed as constituting the holder of a gasoline pump license in this state a repairer under the provisions of subdivision (d) of part III of chapter 246 of the general statutes.

Sec. 14-63-2. Requirements for new car dealer

The following minimum requirements for qualification as a new car dealer are established:

(a) Previous experience: At least one of the following: (1) In some other line of endeavor; (2) as a former employee of a dealer; (3) as a former member of a firm having a dealer's license.

(b) Personal: (1) Two recommendations from former employers or business associates; (2) two credit statements from reputable business firms; (3) (1) and (2) shall be furnished for each member of a firm.

(c) Franchise: (1) A contract approved by the parent company; (2) a statement that a contract is in force from a factory or distributor on file with the department of motor vehicles.

(d) Place of business: (1) Approved by local authority in accordance with section 14-54 of the general statutes; (2) approved by the commissioner of motor vehicles.

(e) Proper facilities: (1) For the display and storage of new and used motor vehicles; (2) a repair department capable of taking care of at least two motor vehicles simultaneously, exclusive of a grease pit or rack; (3) an office and parts department suitable to conduct business. The requirements of this subsection may be waived for a second or additional license, provided the location for which such license is applied for is adjacent to a location

licensed by such applicant under section 14-52 of the general statutes and complies with the other provisions of this regulation.

(f) Personnel and equipment: (1) At least one mechanic having thorough knowledge of the product handled; (2) sufficient tools and equipment for proper servicing.

(Effective April 11, 1967)

Sec. 14-63-3. Requirements for used car dealer

The following minimum requirements for qualification as a used car dealer are established:

(a) **Previous experience**: At least one of the following: (1) In some other line of endeavor; (2) as a former employee of a dealer; (3) as a former member of a firm having a dealer's license.

(b) **Personal**: (1) Two recommendations from former employers or business associates; (2) two credit statements from reputable business firms; (3) (1) and (2) shall be furnished for each member of a firm.

(c) Place of business: (1) Approved by local authority in accordance with section 14-54 of the general statutes; (2) approved by the commissioner of motor vehicles.

(d) **Proper facilities**: (1) For the display of used cars; (2) a repair department capable of taking care of at least two motor vehicles simultaneously, exclusive of a grease pit or a rack; (3) a suitable office in which business may be conducted. The requirements of this subsection may be waived for a second or additional license, provided the location for which such license is applied for is adjacent to a location licensed by such applicant under section 14-52 of the 1969 supplement to the general statutes and complies with the other provisions of this regulation.

(e) **Personnel and equipment**: (1) At least one mechanic having thorough knowledge of the product handled; (2) sufficient tools and equipment for proper servicing.

(Effective April 11, 1967)

Sec. 14-63-4. Requirements for repairer

The following minimum requirements for qualification as a repairer are established:

(a) **Previous experience**: At least one of the following: (1) In some other line of endeavor; (2) as a former employee of a dealer or repairer; (3) as a former member of a firm having a dealer's or a repairer's license.

(b) **Personal**: (1) Two recommendations from former employers or business associates; (2) two credit statements from reputable business firms; (3) (1) and (2) shall be furnished for each member of a firm.

(c) **Place of business**: (1) Approved by local authority in accordance with section 14-54 of the general statutes; (2) approved by the commissioner of motor vehicles.

(d) **Proper facilities**: (1) A building adequate to receive at least one motor vehicle for repairs, exclusive of a grease pit or rack; (2) a suitable office and storage space for parts and accessories.

(e) **Personnel and equipment**: (1) The applicant shall be a qualified mechanic or have at least one in his employ who has a thorough knowledge of the services to be rendered; (2) sufficient tools and equipment for doing the type of servicing contemplated.

(Effective February 8, 1980)

Sec. 14-63-4a. Requirements for limited repairer

The following minimum requirements for qualification as a limited repairer are established:

(a) **Training or experience**: A person shall be deemed capable of performing the duties of a limited repairer if he (1) in the opinion of the commissioner is a qualified mechanic who has a thorough knowledge of the services to be rendered, or (2) has a certificate of completion of a specialized course from a service school approved by the commissioner, or (3) has satisfactory proof of previous employment by a licensed repairer for a period of three years, or (4) has successfully passed an examination given by the motor vehicle department.

(b) **Personal**: (1) Two recommendations from former employers or business associates, (2) two credit statements from reputable business firms, (3) the requirements of subdivisions (1) and (2) of this subsection shall apply to each member of a firm.

(c) **Place of business**: (1) Approval by local authority in accordance with section 14-54 of the general statutes, (2) approved by the commissioner of motor vehicles.

(d) **Proper facilities**: (1) A building adequate to receive at least one motor vehicle for repairs, exclusive of a grease pit or rack; (2) suitable office and storage space for parts and accessories.

(Effective July 27, 1982)

Sec. 14-63-4b. Repair of unit body construction vehicles

A licensee which is a new car dealer, used car dealer or repairer and which engages in the structural repair of unit body construction motor vehicles shall have and maintain in good operating condition the following tools and equipment:

(1) Apparatus permitting four (4) point clamping to secure the vehicle while making structural repairs;

(2) Electrical or hydraulic pulling equipment appropriate to the type of repair;

(3) Equipment for making three-dimensional measurements for both symmetrical and asymmetrical vehicles;

(4) Reference guides providing dimensions appropriate to the vehicle being repaired;

(5) Welding equipment meeting vehicle manufacturer's requirements for the specific structural repair;

(6) Painting equipment capable of refinishing vehicles to the manufacturer's original specifications; and

(7) Equipment for applying corrosion protection to the vehicle meeting the manufacturer's specifications.

(Effective March 7, 1996)

Sec. 14-63-5. Applications for licenses

Applications for licenses are in two forms: A card application and an additional information sheet.

Sec. 14-63-6. Approval by local authority

A hearing on the location shall be held and the approval certificate, which is part of the additional information sheet, shall be signed by the proper authorities.

Sec. 14-63-7. Approval by police authority

The additional information sheet shall be approved by the chief of police where there is an organized police force and, where there is none, by the commander of the state police barracks in the territory where such location is to be.

Sec. 14-63-8. Presentation of application for license

When applications have been properly filled out, they may be presented to the department with a fee of forty dollars for the initial examination of the proposed location. In addition, a copy of the advertisement of the local hearing and a blue print or accurate sketch of the proposed location shall accompany the application.

Sec. 14-63-9. Final approval

Upon final approval of the application by the commissioner of motor vehicles, the applicant may then present the necessary fees, together with proof of financial responsibility, whereupon the license will be issued.

Sec. 14-63-10.

Repealed, May 8, 1980.

Sec. 14-63-11. Sale of motor vehicles

Motor vehicles cannot be sold by repairers. A dealer's license is required for the sale of motor vehicles.

Sec. 14-63-12. Change in location

When a change in location is contemplated, notification shall be made to the department before the change is made. If the new location has not been previously approved, the same procedure shall be followed as if it were a new application.

Sec. 14-63-13. License nontransferable. Change in name

A dealer's or repairer's license is not transferable. A change of name may be granted as long as the personnel of the concern remains the same.

Sec. 14-63-14. Change in classification

The only change in classification permitted is between new and used car dealers.

Sec. 14-63-15. Use of dealers' and repairers' plates

(a) Business use. Dealer plates may be used for the demonstrating, testing and delivering of new, used and repaired motor vehicles, for service cars, wreckers and any use connected with a licensee's business. Motor vehicles so registered shall not be rented, operated for hire or, if commercial vehicles, operated under any circumstances with a load.

(b) Personal use. Repealed, February 22, 1985.

(c) Legal Loan. Dealers' plates, or a motor vehicle bearing dealers' plates, may be loaned for a period not to exceed thirty days in any year for the following purposes: (1) For the trial of motor vehicles; (2) for use while a customer's motor vehicle, properly registered, is being repaired; (3) for use while a registration is being obtained. Repairers' plates, or a motor vehicle

bearing repairers' plates, may be loaned for a period not to exceed thirty days in any year for use while a customer's motor vehicle, properly registered, is being repaired.

(d) Each motor vehicle displaying a general distinguishing number plate pursuant to Section 14-59 or Section 14-60 of the General Statutes shall be operated by a person who has in his or her possession a supplemental identification document issued by a new dealer, used dealer, repairer or limited repairer licensee indicating such person is validly entrusted with such vehicle. If a vehicle displaying a general distinguishing number plate issued to a licensee is being operated by a customer of such licensee in accord with the provisions of Section 14-58 of the General Statutes a copy of the loan agreement required pursuant to Section 14-60 shall serve as the supplemental identification document. If the motor vehicle is being operated by the licensee or an employee the supplemental identification document shall be prepared in duplicate on a form which is not smaller than 3 3/8 inches by 2 inches. Except as indicated below the type shall be no smaller than 8 point type and contain the following information:

not less than 10 point type

{ Expiration date
Plate number(s)
The below designated owner or employee of_____,_____
(firm name) (firm address)
is the driver validly entrusted with motor vehicles bearing the above

general distinguishing number plate or plates.

Driver's name (type or print)

Driver's signature

Signature of owner

No supplemental identification document may be issued to expire more than six months from the date of issuance. The duplicate copy of this supplemental identification document shall be retained by the licensee at the licensee's place of business for a period of six months from the date of its expiration and shall be available for examination by any police officer or inspector designated by the commissioner of motor vehicles.

(Effective April 3, 1990)

Sec. 14-63-16. Special dealers' plates (commercial)

Dealers having these special plates may demonstrate commercial motor vehicles with a capacity load, or may loan commercial motor vehicle or special number plates, or both, to any person not more than fifteen days in any year, when a commercial motor vehicle, properly registered, owned by such person is disabled or is undergoing repairs, or when such person has purchased a commercial motor vehicle, the registration of which is pending.

Guarantees

Sec. 14-63-17. Requirements for guarantees on orders and invoices on sale of motor vehicles

The following minimum requirements are established for all guarantees contained on orders and invoices as provided for by section 14-62 of the 1969

supplement to the general statutes: Each order and invoice containing the phrase ``This motor vehicle is guaranteed'' as provided for by said section 14-62 shall contain, immediately following such phrase, a correct statement as to the number of miles or period of time for which the guarantee shall run and any portion of any repairs made under such guarantee for which the purchaser shall be liable for payment.
(Effective April 23,1968)

Odometers

Sec. 14-63-18. Recording mileage-transferor

No dealer licensed under the provisions of section 14-52 of the General Statutes shall purchase or accept any motor vehicle unless the transferor has indicated the mileage displayed on the odometer of such motor vehicle on one of the following documents in the manner specified:

(a) The transferor, other than a manufacturer or importer, executing any assignment of a Manufacturer's Statement of Origin shall record such mileage in the space designated or, if not so designated, immediately following the word ``ASSIGNMENT'' in the caption of the assignment section so executed.

(b) The transferor executing any assignment of a Manufacturer's Statement of Origin shall record such mileage in the space designated or, if not so designated, immediately following the word ``ASSIGNMENT'' in the caption of the assignment section so executed.

(c) The transferor executing the first assignment of a certificate of title shall record such mileage in the space designated or, if not so designated, in the space immediately preceding the word ``date''.

(d) Where the title is in the possession of the lienholder, the transferor shall record such mileage in the space designated or, if not so designated, in the lower left-hand corner of Form H-12 (Assignment and Authorization for Payoff), immediately preceding the words ``owner's signature''.

(e) The transferor executing the Assignment of Ownership on an ``Affidavit for Duplicate Certificate of Title'' (form H-6B) shall record such mileage in the space designated or, if not so designated, in the space immediately following the date of such assignment.

(f) When the transferor is required to execute a ``Report of sale of a non-titled motor vehicle'' (form Q-1), he shall record such mileage in the space designated or, if not so designated, in the space immediately above his acknowledgment.

(g) A dealer executing the ``Certification by Connecticut Licensed Dealer'' on a certificate of title shall record such mileage in the space designated or, if not so designated, under the words ``Dealer's License No.''.

(h) Where a vehicle is transferred to a Connecticut licensed dealer through assignment of an out-of-state title the transferor shall record such mileage in any available space in the assignment section as close as is practical to the transferor's signature.
(Effective June 13, 1972)

Sec. 14-63-19. Recording mileage-dealer

On each order and invoice, the selling dealer shall record the mileage displayed on the odometer of such vehicle.
(Effective June 13, 1972)

Sec. 14-63-20. Repairing or replacing

No speedometer shall be repaired or replaced on any vehicle offered for sale by a dealer licensed under the provisions of section 14-52 if such repair or replacement reduces the mileage displayed on the odometer of such vehicle.
(Effective June 13, 1972)

Sec. 14 63-21. Operating motor vehicle

No dealer shall operate or cause to be operated any motor vehicle unless such vehicle is equipped with a properly functioning odometer.
(Effective June 13, 1972)

Retention Tanks for Waste Liquid Petroleum Products

Sec. 14-63-22. Definitions

For the purpose of sections 14-63-22 through 14-63-27 of these regulations

``licensee'' means a person licensed or an applicant for a license as a motor vehicle dealer, motor vehicle repairer, motor vehicle limited repairer, gasoline dealer or motor vehicle junkyard operator under the provisions of section 14-52, 14-319 or 21-16 of the general statutes. ``Retention tank'' means a leak-proof tank with a minimum capacity of 250 gallons designed and used for the retention of waste liquid petroleum products. ``Waste liquid petroleum products'' includes but is not limited to drain oil, solvents and motor vehicle fuels no longer suitable or intended for use in or on motor vehicles.
(Effective June 20, 1972)

Sec. 14-63-23. Issuance of license

Effective July 1, 1974, no licensee shall be issued a license or have his license renewed unless his location is equipped with a retention tank.
(Effective June 20, 1972)

Sec. 14-63-24. Certification

Effective July 1, 1974, no application by a licensee for renewal of a license shall be approved unless it is accompanied by certification by the applicant that the location specified in the application is equipped with a retention tank.
(Effective June 20, 1972)

Sec. 14-63-25. Disposal of waste

No licensee shall dispose of any waste liquid petroleum products other than into a retention tank.
(Effective June 20, 1972)

Sec. 14-63-26. Permit

No licensee shall dispose of the contents of any retention tank to any person unless he furnishes evidence satisfactory to the commissioner that such person holds a currently valid waste oil collector permit issued by the commissioner of environmental protection.
(Effective June 20, 1972)

Sec. 14-63-27. Exemptions

The commissioner of motor vehicles may grant an exemption to compliance with sections 14-63-22 through 14-63-26 of these regulations when the nature of

the business conducted by a licensee does not in the opinion of the commissioner require such facilities for the protection of the environment.
(Effective June 20, 1972)

Issuance of Motor Vehicle Registration by Licensed Dealers

Sec. 14-63-28. Dealer qualifications

No licensed motor vehicle or motorcycle dealer shall be authorized by the commissioner to issue passenger motor vehicle or motorcycle registrations pursuant to the provisions of subsection (c) of section 14-12 of the general statutes until such dealer has satisfied the commissioner that he meets the following requirements:

(a) Such dealer has not had his Connecticut dealer's license suspended pursuant to section 14-64 of the general statutes within one year of the date of the submission of his application for authorization to issue such registrations.

(b) That his application for authorization to issue such registrations is accompanied by a surety bond in such form as the commissioner shall prescribe in the amount of five thousand dollars conditioned on the faithful performance by the applicant of his duties in connection with the issuance of new registrations for passenger motor vehicles or motorcycles, such bond to be held by the commissioner to satisfy any loss suffered by his department through any action, malfeasance or failure to act on the part of such applicant.
(Effective April 18, 1986)

Sec. 14-63-29. Automatic revocation

The forfeiture of any bond under the provisions of subsection (b) of section 14-63-28 or the suspension or revocation of any dealer's license pursuant to section 14-64 of the general statutes shall result in the automatic revocation of any authorization to issue new registrations for passenger motor vehicles or motorcycles granted under the authority of subsection (c) of section 14-12 and all forms, plates and other materials on hand shall be immediately returned to the department.
(Effective April 18, 1986)

Sec. 14-63-30. Inspection

No registration shall be issued to a used passenger motor vehicle or motorcycle as provided in subsection (c) of section 14-12 of the general statutes when such used motor vehicle or motorcycle has not been previously registered in this state until the inspection requirements of subsection (g) of section 14-12 have been complied with; if such motor vehicle or motorcycle is ten or more years old, until the inspection requirements of section 14-16a have been complied with or if such motor vehicle or motorcycle has been totalled pursuant to section 14-16c, until the inspection requirements of that section have been complied with.
(Effective April 18, 1986)

Sec. 14-63-31. Vehicles not to be registered

No registration shall be issued pursuant to subsection (c) of section 14-12 of the general statutes to any motor vehicle or motorcycle sold to a minor, except in accordance with the provisions of section 14-14 of the General Statutes, or to a person, firm or corporation engaged in the business of leasing or renting motor vehicles without drivers in this state, except after presenting

evidence of insurance coverage required by section 14-15 of the General Statutes.
(Effective March 24, 1995)

Sec. 14-63-32. Submission of registration application

Each dealer issuing a registration for a passenger motor vehicle or motorcycle pursuant to the provisions of subsection (c) of section 14-12 shall within five days of the issuance by him of such registration submit to the commissioner an application together with all necessary documents and fees required for the registration and title of such passenger motor vehicle or motorcycle.
(Effective April 18, 1986)

Sec. 14-63-33. Suspension or revocation

In addition to the penalties prescribed by section 14-64, the commissioner may suspend or revoke the authorization to issue registrations pursuant to subsection (c) of section 14-12 when after notice and an opportunity to be heard as provided by the Uniform Administrative Procedures Act as set forth in sections 4-177 through 4-183 of the general statutes it is established to the commissioner's satisfaction that such dealer has violated a provision of these regulations, subsection (c) of section 14-12 of the general statutes or of any other regulation or statute relating to the conduct of his business as a motor vehicle dealer.
(Effective April 18, 1986)

Fees to be Charged by Wrecker Services for Storage and Release of Stored Motor Vehicles Standards for Rates for Nonconsensual Towing or Transporting

Sec. 14-63-34. Wrecker service defined: Definitions

(a) As used in sections 14-63-35 to 14-63-37b, inclusive, of the Regulations of Connecticut State Agencies, the term ''wrecker service'' means any person, firm or corporation operating one or more motor vehicle wreckers, as defined in section 14-1(a) (91) of the General Statutes, pursuant to section 14-66 of the General Statutes.

(b) As used in sections 14-63-35 to 14-63-37b, inclusive, of the Regulations of Connecticut State Agencies, the term ``nonconsensual towing or transporting'' means the nonconsensual towing or transporting of a motor vehicle in accordance with the provisions of section 14-145 or for which arrangements are made by order of a law enforcement officer or traffic authority, as defined in section 14-297.
(Effective May 31, 1974; amended September 30, 1998)

Sec. 14-63-35. Filing of certain information

Each wrecker service shall file with the commissioner certain information pertaining to the operation of its business, as follows:

(a) Name of licensee, number of license, address of business, and registration numbers of all registered wreckers.

(b) **Hours of operation.** The hours during which the wrecker service is open for business, including the hours during which a wrecker service holding and/or storing a motor vehicle will release said motor vehicle to its owner or person legally entitled to custody of such motor vehicle. During the hours specified

any stored motor vehicle when properly claimed shall be immediately released to the person claiming the motor vehicle.

(c) A description of security measures maintained during and after business hours to safeguard stored motor vehicles.

(d) The following information shall be furnished with respect to the outside storage of motor vehicles:

1. Number of vehicles which can be stored;
2. Address of such storage area if different from licensed location;
3. IF the storage area is fenced, what type of fence.

(e) The following shall be furnished if the motor vehicles are stored indoors:

1. Address of storage area if different from that of licensed location;
2. Type of construction of building in which motor vehicles are stored;
3. Number of motor vehicles which can be stored within the storage area;
4. Type of heating system, if any;
5. Type of fire prevention system or devices (sprinkler system, extinguishers, etc.);
6. Type of security alarm system or security devices;
7. Maximum rates to be charged for each twenty-four hours of inside storage for the following classes of motor vehicles:

a. Motor vehicles not in excess of twenty feet in length

b. Motor vehicles over twenty feet but not in excess of thirty-two feet in length

c. Motor vehicles in excess of thirty-two feet in length

(Effective October 3, 1989; amended September 30, 1998)

Sec. 14-63-36. Computation of storage charges

For the purpose of determining whether any charges may be made and for computing storage charges the period of storage shall commence when the motor vehicle is deposited within the storage area and shall not include the period during which the motor vehicle was being towed unless no charge is made for the towing service. The following shall apply with respect to the fees to be charged for motor vehicle storage:

(a) No charge shall be made for the first eight hours of storage if a towing charge was made in connection with the deposit of the motor vehicle within the storage area. Where a motor vehicle is in storage for a period in excess of eight hours, storage charges may be made from the time the motor vehicle was deposited in the storage area and may include the original eight hours of storage.

(b) All storage fees shall be based on the fee charged for twenty-four hours of storage of a motor vehicle. The fee charged for one to twelve hours of storage shall not exceed one-half of the amount on file with the commissioner for twenty-four hours of motor vehicle storage. The fee for any period of storage in excess of twelve hours but not exceeding twenty-four hours shall not exceed that on file with the commissioner for twenty-four hours of storage.

(c) Each wrecker service following approval of its charges for motor vehicle storage by the commissioner shall post its maximum charges for motor vehicle storage in a conspicuous location on its premises. All letters and numbers appearing on such posting shall have a minimum height of one inch.

(Effective May 31, 1974)

Sec. 14-63-36a. Approved rates and charges

The commissioner shall publish a list of uniform rates and charges for the nonconsensual towing and transporting of motor vehicles, and for storage of motor vehicles, which he has determined to be just and reasonable. The

commissioner may consider factors such as rates set by other jurisdictions, towing services provided by contract with automobile clubs and associations, operating costs of the towing and recovery industry in Connecticut, single source contracts resulting from competitive bids on behalf of municipalities and business entities, and rates published in standard service manuals. Such list of rates and charges shall be distributed to each licensed wrecker service, and to other interested parties, upon request. Such rates and charges shall be the maximum rates and charges that the commissioner shall permit for the nonconsensual towing and transporting of motor vehicles, and for storage of motor vehicles, in accordance with subsection (a) of section 14-66 of the general statutes and sections 14-63-36b and 14-63-36c.

(Effective September 30, 1998)

Sec. 14-63-36b. Definitions

In sections 14-63-36b and 14-63-36c, the following words shall have the following meanings:

(1) ``G.V.W.R.'' means the gross vehicle weight rating.

(2) ``Tow charge'' means the maximum amount determined by the commissioner that a licensed wrecker service may charge the owner or operator of a motor vehicle, or a property owner or lessee, for nonconsensual towing or transporting of a motor vehicle having a G.V.W.R. less than ten thousand (10,000) pounds. Except as otherwise specifically provided, the tow charge shall include:

(A) Nonconsensual towing or transporting of a motor vehicle for a maximum of two (2) miles. Additional mileage may be charged at the mileage fee provided in subdivision (6) of this section;

(B) Up to fifteen (15) minutes waiting time at the site of the nonconsensual towing or transporting. Additional waiting time may be charged as provided in subdivision (8) of this section;

(C) All services necessary to clean up the site of the nonconsensual towing or transporting as hereinafter defined in subdivision (3) of this section;

(D) All services necessary to prepare the vehicle for the nonconsensual towing or transporting as hereinafter defined in subdivision (7) of this section;

(E) All services necessary for the removal, installation or reinstallation of any movables, including loose or separated vehicle parts, required to perform the nonconsensual towing or transporting;

(F) All services necessary for the cleaning of any equipment used to perform the nonconsensual towing or transporting; and

(G) Release of the vehicle to the owner or person otherwise entitled to possession of the vehicle upon presentation of appropriate credentials.

(3) ``Clean up'' means the services and time reasonably necessary to restore the site of the nonconsensual towing or transporting to its original condition, or restoration of the site as directed by order of a police official.

(4) ``Exceptional services'' means the use of special equipment such as cutting torches, air compressors and other equipment not generally required for nonconsensual towing or transporting services, at the scene of an accident.

(5) ``Hourly rate'' means the maximum hourly rate determined by the commissioner that may be charged for the nonconsensual towing or transporting and recovery of a motor vehicle with a G.V.W.R. of ten thousand (10,000) pounds or more. Such rate shall not include exceptional services provided by one or more licensed wrecker services.

(6) ``Mileage fee'' means the charge per loaded mile in excess of two (2) miles, determined by the commissioner, permitted in addition to the tow charge, for the nonconsensual towing or transporting of a motor vehicle. Where an hourly

rate is charged, for a G.V.W.R. of ten thousand (10,000) pounds or more, a mileage fee shall not be permitted.

(7) ``Preparation for tow'' means all services necessary to prepare a motor vehicle for nonconsensual towing or transporting including but not limited to unlocking a vehicle, releasing the brakes, disengaging a transmission and unlocking the steering wheel, but shall not include winching, uprighting an overturned motor vehicle or a similar function, securing cargo, or waiting time beyond fifteen (15) minutes. If an hourly rate is used instead of a tow charge, preparation for tow shall include vehicle recovery as defined in subdivision (8) of this section.

(8) ``Recovery'' means winching and other similar functions, performed by a licensed wrecker and necessary to return a motor vehicle to a position where the nonconsensual towing or transporting may be initiated.

(9) ``Waiting time'' means any time spent at the site by a wrecker or transporter summoned to the site, where the wrecker service is prevented from accomplishing any portion of the nonconsensual towing or transporting procedure by order of police or other legal authority. Waiting time beyond the first fifteen (15) minutes shall be invoiced in increments of fifteen (15) minutes, and based on an hourly rate.

(10) ``Extra person'' means the use of an additional person where necessary to perform a nonconsensual tow or transport, except that there shall be no charge for an extra person where the nonconsensual towing or transporting results from the unauthorized presence of a vehicle on private property, or where the vehicle is removed by order of the traffic authority of any city, town or borough as provided in section 14-307 of the general statutes, or where the vehicle is mechanically disabled from a cause other than an accident.

(Effective September 30, 1998)

Sec. 14-63-36c. Permitted charges

(a) Except as otherwise provided in subsection (c) of this section, a licensed wrecker service shall not charge the owner or operator of a motor vehicle, having a G.V.W.R. less than ten thousand (10,000) pounds, for nonconsensual towing or transporting services as defined in section 14-63-34, any fees which are in excess of the tow charge.

(b) Except as otherwise provided in subsection (c) of this section, a licensed wrecker service shall not charge the owner or operator of a motor vehicle, having a G.V.W.R. of ten thousand (10,000) pounds or more, for nonconsensual towing or transporting services as defined in section 14-63-34, any fees in excess of the fees computed on the basis of the hourly rate published by the commissioner.

(c) A licensed wrecker service may charge additional fees for exceptional services, and for services not included in the tow charge or hourly rate, which are reasonable and necessary for the nonconsensual towing or transporting of a motor vehicle. Any such additional fees shall be itemized in accordance with the hourly charge for labor posted by the licensed towing service, as required by the provisions of section 14-65j-3 of the Regulations of Connecticut State Agencies. Such additional fees shall be itemized separately, and the towing service shall maintain accurate records which explain such additional services. The commissioner may require the wrecking service to justify such additional fees. A copy of each towing bill or invoice containing the information required pursuant to section 14-66b of the general statutes shall be given to the customer upon payment of the bill.

(d) A licensed wrecker service shall not charge additional fees for nonconsensual towing or transporting services dispatched at night, or on a weekend or holiday.

(e) No additional fee shall be charged by a licensed wrecker service for releasing a vehicle to its owner or a person legally entitled to its custody.

(f) No additional fee shall be charged by a licensed wrecker service for permitting emergency access to a stored motor vehicle, as provided in Section 14-63-37b of the Regulations of Connecticut State Agencies.

(g) For motor vehicles with a G.V.W.R. of ten thousand (10,000) pounds or more, the minimum charge shall be the hourly rate for one hour, with additional time required to accomplish the nonconsensual towing or transporting and recovery being billed in increments of no more than fifteen (15) minutes, based on the hourly rate.

(Effective September 30, 1998)

Sec. 14-63-37. Filing date

Repealed, October 3, 1989.

Sec. 14-63-37a. Release of towed vehicles

(a) If a wrecker service performs towing for compensation outside its hours of operation as filed with the commissioner pursuant to Section 14-63-35 (b) of the Regulations of Connecticut State Agencies, or contracts to perform towing for compensation outside its hours of operation, or advertises to the public that it is available to perform towing for compensation outside its hours of operation, the wrecker service shall permit the owner or person legally entitled to custody of a motor vehicle to claim a stored motor vehicle at any time including times outside its hours of operation. The wrecker service shall release the vehicle to the owner or person legally entitled to custody within a reasonable period of time after the request for release. For the purpose of this subsection a person is deemed to have made a request for release of a stored motor vehicle by appearing in person at the principal place of business of the wrecker service or by placing a telephone call to the wrecker service at its published telephone number.

(b) An after hours release fee may be charged by a wrecker service for release of a motor vehicle after its hours of operation, as defined in Section 14-63-35 (b), in an amount filed with and approved by the commissioner, provided however that in the event a wrecker service is open after its hours of operation and has a regularly scheduled employee on the premises with authority to release a motor vehicle, no after hour release fee shall be charged.

(Effective October 3, 1989)

Sec. 14-63-37b. Emergency access to stored vehicles

(a) Where a wrecker service has in storage or in its custody a towed motor vehicle, and where the motor vehicle contains personal property which is essential to the health or welfare of any person, the wrecker service shall permit the owner or person entitled to custody of such vehicle, or his authorized designee, to have access to the vehicle and remove therefrom the essential personal property.

(b) Access to such vehicle shall be requested by placing a telephone call to the wrecker service at its published telephone number, and such access shall be permitted by the wrecker service as soon as is practicable and within a reasonable time. A time agreed to by the parties for access to such vehicle shall be considered reasonable, except that in the absence of an agreement access to such vehicle shall be permitted by the wrecker service within a time not to exceed four hours from the time of the request.

(c) The wrecker service may require the person removing the personal property to sign a receipt for the property removed from the stored vehicle.

(d) This section shall not apply to vehicles which have been designated by a law enforcement officer to be secured pending a search warrant or other investigation.
(Effective May 1, 1990)

Records Required to be Maintained by Licensed Motor Vehicle Dealers and Repairers Motor Vehicle Repair Shop Signs

Sec. 14-63-38. Records to be maintained - purchase

Each new or used car dealer licensed pursuant to section 14-52 of the General Statutes shall maintain at his licensed place of business for a period of two years after the purchase by such dealer of a motor vehicle the following records:

(a) The odometer mileage statement, required by Federal odometer requirement regulations;

(b) If such vehicle was purchased from a Connecticut licensed dealer, the order and invoice required by section 14-62 of the General Statutes;

(c) Any trip or transportation tickets or delivery documents or records received by the dealer at the time of purchase or delivery of the vehicle;

(d) Any and all documents or records which come into such dealer's possession relative to prior ownership, prior use, condition, prior registration or prior title of the vehicle which are not required by statute, regulation or the commissioner to accompany an application for title or registration for the vehicle and which are not so used.
(Effective January 8, 1981)

Sec. 14-63-39. Records to be maintained - sale

Each new or used car dealer licensed pursuant to section 14-52 of the General Statutes shall maintain at his licensed place of business for a period of two years after the sale by such dealer of a motor vehicle the following records:

(a) The odometer mileage statement required by Federal odometer requirement regulations;

(b) The order and invoice required by section 14-62 of the General Statutes;

(c) Any and all records and documents relative to preparation, pre-delivery or makeready procedures if such procedures are performed in the normal course of business or if such procedures are required or recommended by the manufacturer of the vehicle sold;

(d) A record of all inspections and repairs made on a vehicle while such vehicle is owned by or in the possession of such dealer;

(e) Any and all documents or records which come into such dealer's possession relative to prior ownership, prior use, condition, prior registration or prior title of the vehicle which are not required by statute, regulation or the commissioner to accompany an application for title or registration for the vehicle and which are not so used.
(Effective January 8, 1981)

Sec. 14-63-40. Records to be maintained - repair

Each new or used car dealer and repairer, including limited repairers, licensed pursuant to section 14-52 of the General Statutes shall maintain at his

licensed place of business for a period of two years after the repair of a motor vehicle the following records:

(a) Any estimate prepared in regard to a repair done;

(b) The repair order specifying the repairs to be made and authorizing the same;

(c) The final bill for such repair;

(d) All bills, statements or reports received from other dealers, repairers or subcontractors in the course of or as a result of repairs to the vehicle or to major component parts thereof;

(e) All bills or statements of charges relative to purchase by the dealer or repairer of major component parts for use in the repair of such vehicle or in connection with such repair;

(f) Any appraisal received or made by the dealer or repairer relative to damage or repairs required to the vehicle.

(Effective January 8, 1981)

Sec. 14-63-41. Records to be maintained - special sales

Each new or used car dealer and repairer, including limited repairers, licensed pursuant to section 14-52 of the General Statutes who sells or otherwise disposes of a vehicle pursuant to section 14-150 or section 49-61 of the General Statutes shall maintain at his licensed place of business for a period of two years from the date of such sale or disposition the following records:

(a) All records and documents relative to placement of such vehicle for storage with the dealer or repairer or to establishment of an artificer's lien on such vehicle;

(b) Copies of all documents or reports sent or submitted to or received from the commissioner pursuant to such statutes;

(c) All correspondence or other written communications sent to or received from the owner of such vehicle, including mailing or return receipts for registered or certified mail directed to such owner;

(d) All advertisements published pursuant to such statutes;

(e) Statements, receipts or other records of monies received or paid out relative to such sale or disposition.

(Effective January 8, 1981)

Sec. 14-63-42. Availability of records

Each dealer or repairer required to maintain records pursuant to these regulations and to section 14-64 of the General Statutes shall have such records available for inspection at his licensed location by the commissioner or his representative during normal business hours and shall allow such inspection at any time during normal business hours upon written notice stating the purpose of such inspection.

(Effective January 8, 1981)

Sec. 14-63-43. Nature of records to be maintained

Each dealer or repairer required to maintain records pursuant to these regulations and to section 14-64 of the General Statutes shall maintain records as follows:

(a) The original of any and all records or documents made or received by such dealer or repairer when such original is not required by statute, regulation, or business
custom to be disbursed to another party;

(b) A carbon copy or exact copy by mechanical means shall be retained when the original is not retained by the dealer or repairer as provided in subsection (a) of this regulation, provided that any such copy shall have legibly reproduced thereon all information and entries contained on such original and shall not have been altered in any material respect subsequent to the execution, receipt or making of such original.
(Effective January 8, 1981)

Motor Vehicle Repair Shop Signs

Sec. 14-63-44.
Repealed, November 26, 1980.

Complaints Against and Stipulations by Motor Vehicle Dealers and Repairers

Sec. 14-63-45. Complaints

All complaints filed with the Department of Motor Vehicles concerning motor vehicle dealers or repairers licensed pursuant to section 14-52 of the general statutes shall be made on a form prescribed by the commissioner. The form will include, but not be limited to, the following information which must be answered by the complainant to the extent that he or she is aware of such information: (1) Name of complainant, (2) Address of complainant, (3) Name of licensee against whom the complaint is being made, (4) Address of licensee against whom the complaint is being made, (5) Year of motor vehicle, (6) Make of motor vehicle, (7) Identification number of motor vehicle, (8) Description of work or service performed or which was to be performed, (9) When work was done or to be done including time period motor vehicle was in the custody of the licensee, (10) Reason for complaint. If the complaint concerns repairs to a motor vehicle questions (11) and (12) as follows should be answered: (11) Was a written repair estimate made available to the complainant prior to the work being done on the motor vehicle, (12) Were any parts which were replaced returned to the complainant.
(Effective February 23, 1987)

Sec. 14-63-46. Stipulation and waiver of hearing

A licensee who has been the subject of a complaint alleging a violation of any provision of any state or federal statute or regulation relating to the conduct of his business, may enter into a stipulation and waive his right to an administrative hearing when, in the opinion of the commissioner or his designated representative, and after a review of the complaint and any investigation, conference, interview or informal hearing which may have been conducted by the Department of Motor Vehicles, it is determined that the proposed terms of settlement are equitable. The terms of the stipulation shall be prepared by the Department of Motor Vehicles, be in writing and shall not be effective until agreed to and signed by both the licensee and the commissioner or his designated representative.
(Effective February 23, 1987)

Evidence of Disclosure of a Lien by a Dealer to a Purchaser of a Used Motor Vehicle

Sec. 14-63-47. Disclosure of security interest

As used in Sections 14-63-47 through 14-63-49, the term ``lien'' refers to any security interest, lien or other encumbrance on the title to a motor vehicle, duly recorded and shown on the certificate of title, in accordance with Sections 14-165 through 14-195 of the Connecticut General Statutes, as amended. If a licensed dealer has in its possession a used motor vehicle showing on its title the existence of any lien, such dealer shall, prior to sale of such vehicle to a purchaser for value, fully disclose the existence of such lien to the purchaser.

(Effective July 25, 1994)

Sec. 14-63-48. Warranty of lien disclosure by dealer

A licensed dealer which issues a temporary registration or transfer, as authorized by Sections 14-12 (c) and 14-61 of the Connecticut General Statutes, and which presents to the Department of Motor Vehicles an application for a permanent registration and title document on behalf of a purchaser for value of a used motor vehicle, shall be deemed to warrant to the commissioner that it has fully disclosed all liens on such used vehicle sold to such purchaser.

(Effective July 25, 1994)

Sec. 14-63-49. Prohibition on use of dealer plates

A licensed dealer who sells a used motor vehicle to a purchaser for value shall not permit use of its dealer's plates, issued in accordance with the provisions of Sections 14-58 and 14-59 of the general statutes, by such purchaser on such vehicle, except in the following circumstances:

(a) Where all liens have been satisfied, discharged and released and such use of a dealer's plate is otherwise authorized by Section 14-63-15 of the Regulations of Connecticut State Agencies; or

(b) Where the purchaser is a licensed Connecticut dealer, or a firm licensed by another state to sell or trade motor vehicles.

(Effective July 25, 1994)

Requirement for Typewritten or Computer Printed Applications Submitted by Motor Vehicle Dealers

Sec. 14-63-50. Requirement for typewritten or computer printed applications submitted by motor vehicle dealers

Each motor vehicle dealer authorized to issue new registrations, transfer registrations, or both, in accordance with the provisions of subsection (c) of section 14-12 and section 14-61 of the Connecticut General Statutes, and who thereafter transmits the application to the Dealer Processing Unit within the Department of Motor Vehicles for processing, shall complete or cause to be completed the official application for registration and title (DMV Form H-13) by the use of a typewriter, electronic or impact printer, or similar device. The department shall no longer accept handwritten applications for registration and title in its Dealer Processing Unit unless it determines, in its sole discretion, that there are extenuating circumstances that warrant an exception.

(Adopted effective July 30, 1999)

Motor Vehicle Auctions

Sec. 14-65-1. Definitions

As used in sections 14-65-1 to 14-65-3, inclusive, the following words shall have the following meanings:

(1) ``Auction dealer'' means a motor vehicle dealer licensed under the provisions of section 14-52 of the general statutes who has been issued an auction permit to conduct a motor vehicle auction on his premises.

(2) ``Auction permit'' means a permit issued to an auction dealer to hold a motor vehicle auction at a specified location on a date requested by the dealer.

(3) ``Commissioner'' means the commissioner of motor vehicles or his designee.

(4) ``Dealer to dealer auction'' means an auction at which the admission thereto and the purchase of vehicles is limited to persons, corporations, firms or other business entities licensed pursuant to sections 14-15, 14-52 or 14-67 of the general statutes, or pursuant to a similar law in another state or jurisdiction, and registered with the auction dealer. The registrant shall inform the auction dealer, prior to registration, of the type of license or licenses held, the license number and the state or jurisdiction which issued such license.

(5) ``Dealer to public auction'' means an auction where the general public is registered, admitted to the auction premises and allowed to bid on motor vehicles.

(6) ``Department'' means the Department of Motor Vehicles.

(7) ``Title brand'' means a conspicuous label or designation imprinted on the face of a motor vehicle title, indicating that the motor vehicle has incurred substantial damage, or has been returned for replacement or refund for failure to conform to a manufacturer's express warranty. The term shall include, without limitation, ``salvage'', ``rebuilt'', ``nonrepairable'', ``salvage parts only'', ``manufacturer buyback'', ``flood'' and other comparable labels.

(Effective February 17, 1970; amended May 27, 1997)

Sec. 14-65-2. Dealer to dealer auction, and auctions to which the public is admitted

The following provisions shall apply to both dealer to dealer auctions and to dealer to public auctions:

(a) Each auction dealer shall provide at the auction location sufficient parking area to accommodate all motor vehicles to be sold and convenient parking for the motor vehicles of persons in attendance at the auction.

(b) The auction dealer's permit issued by the commissioner shall be conspicuously displayed at the dealer's auction location.

(c) Auctions shall be advertised and conducted in the name under which the dealer's license and auction permits are issued.

(d) Auction dealers shall obtain an auction permit from the commissioner prior to each auction. Where auctions are held on a regular schedule, the commissioner may issue permits for periods of up to six (6) months in advance. The commissioner shall assign an inspector or inspectors to each auction, and the auction dealer shall reimburse the commissioner for each inspector's services at the rate of one hundred fifty dollars ($150.00) for four (4) hours or less, and three hundred dollars ($300.00) for longer than four (4) hours for each inspector.

(e) Vehicles with title brands, or vehicles sold true mileage unknown (TMU), shall be announced as such by the auction dealer. Such vehicles shall pass inspection as required by section 14-103a of the general statutes prior to registration.

(f) No auction dealer may sell any motor vehicle having a certificate of title branded ``salvage parts only'', or equivalent, except to a person, corporation, firm or other business licensed by the department under the provisions of Part III (h) of Chapter 246 of the general statutes, or a licensee under a similar statute in another state or jurisdiction. A totalled or salvaged motor vehicle with a certificate of title stamped ``salvage parts only'' shall be sold at auction separately from other motor vehicles.

(g) Each auction dealer is responsible for completing and providing to the purchaser of a motor vehicle at an auction the documentation required by law. Such documents shall include the name and complete address, including street, town, state and zip code, of the last owner to whom the vehicle was registered, the state in which it was registered and the mileage displayed on the odometer of such motor vehicle. The dealer shall retain a copy of the documents so prepared for a period of at least three (3) years. The documents shall include a properly endorsed certificate of title where so required by law.

(h) All vehicles offered for sale shall have a verifiable vehicle identification number (VIN), conforming with commercial standards, or a state issued VIN in the case of abandoned or composite vehicles, or other vehicles which do not have a factory VIN number. Any vehicle bearing a VIN number which has been altered shall not be sold, except where such vehicle has been inspected by, and its sale approved by an inspector of the department.

(Effective July 25, 1994; amended May 27, 1997)

Sec. 14-65-3. Additional requirements for motor vehicle auctions open to the public

The following provisions shall apply only to dealer to public auctions:

(a) The auction dealer conducting such dealer to public auction shall warrant at the time of sale that the auction dealer is the owner of any vehicle offered for sale at such auction, that such vehicle is sold free and clear of all encumbrances, and that the dealer shall furnish each purchaser with all documents necessary to register the vehicle.

(b) Each motor vehicle to be offered for sale at auction shall be made available for examination and demonstration at the place of business of such auction dealer during the full business day preceding the day of the auction. Such business day shall not be less than eight (8) consecutive hours. During this period the auction dealer shall make available to any prospective purchaser an accurate written statement as to the condition of such motor vehicle and the terms of any guarantee or warrantee, or that the vehicle is not subject to any guarantee or warrantee. Such statement shall contain but need not be limited to the vehicle model year, make, last owner (not including the seller), mileage, state where the vehicle was last registered, general condition, duration of warranty, whether or not the vehicle is fit for operation on the highway, and any other terms and conditions relating to such sale as required by the commissioner. Any vehicle with a branded certificate of title shall be presented for, and shall pass, inspection as provided in section 14-103a of the general statutes prior to its sale.

(c) At the time of offering a motor vehicle for sale at auction, and immediately before accepting bids thereon, the auctioneer shall read the statement of condition as provided under subsection (b) of this section. Such reading shall be performed with sufficient clarity and volume, or amplified in a manner so as to be heard by those in attendance at such auction.

(d) Immediately following completion of the bidding on a vehicle, the auction dealer shall provide the successful bidder with an opportunity to examine such vehicle to determine whether or not the vehicle conforms to the written statement of condition required under subsection (b) of this section. If upon inspection the vehicle is found not to conform to said statement, the bidder may withdraw the bid. If the vehicle is accepted by such purchaser, the provisions of section 14-62 of the Connecticut general statutes relating to dealer sales shall prevail.

(Effective February 17, 1970; amended May 27, 1997)

Sec. 14-65-4. Auction dealers. Exclusion

(a) Any person, firm or corporation conducting an auction who is not licensed as a motor vehicle dealer as provided in section 14-52 of the general statutes, or is not selling vehicles owned by a licensed motor vehicle dealer, shall be considered an auction dealer subject to the provisions of sections 14-65-1 to 14-65-3, inclusive, if he sells five (5) or more motor vehicles at any one auction, or more than twenty-five (25) motor vehicles during a calendar year.

(b) Notwithstanding the provisions of subsection (a) of this section, sale at auction of motor vehicles which are part of an estate, business or the like, and are sold in the normal course of business, shall not be considered a sale by an auction dealer.

(Effective May 27, 1997)

Concerning the Signs Required to Be Displayed
By Motor Vehicle Repairers

Correlated Table

Former Section Number	New section Number
14-65d-1	14-65j-1
14-65d-2	14-65j-2
14-65d-3	14-65j-3

Concerning the Form for ``Waiver of Advance Estimate''
of Repairs to a Motor Vehicle

Sec. 14-65d-4. Statutory reference

Subsection (b) of section 3 of public act no. 80-425 requires that a ``Waiver of Advance Estimate'' for repairs to a motor vehicle be substantially in the following form:

Waiver of Advance Estimate

I voluntarily request that repairs be performed on my vehicle without an advance

estimate of their cost. By signing this form, I authorize reasonable and necessary costs to remedy the problems complained of up to a maximum of $. The repair shop may not exceed this amount without my written or oral consent.
Identification of vehicle. . . . . .
year, make or model, I.D. No.
Date . . . . . .
Time . . . . . .

. . . . . .
Customer's Signature

(Effective November 26, 1980)

Sec. 14-65d-5. Form

(a) The waiver of advance estimate form may be a separate document or may be incorporated in a work authorization form.

(b) If separate, such form shall be not less than 4¼ inches by 5 inches. The heading shall be bold face type in capital letters not smaller than 18 point in size and the body copy shall be regular or medium face type style not smaller than 12 point in size. In the event the motor vehicle repair shop finds that the cost of the required work will exceed that amount authorized in the waiver and subsequently secures consent for such work, a work authorization as provided for in section 2 of public act no. 80-425 shal completed. Such authorization may be incorporated in the ``Waiver of Advance Estimate'' form.

(c) If incorporated in a work authorization, such form shall be contained in a separate block not less than 1½ inches by 3 inches. The heading shall be bold face type in capital letters not smaller than 8 point in size and the body copy shall be regular or medium face type style not smaller than 8 point in size.

(d) Each motor vehicle shall be identified in the ``Waiver of Advance Estimate'' by at least its model year, make or model and identification number.

If the ``Waiver of Advance Estimate'' is incorporated in the work authorization form and there is provision on such form in another prominent area providing for the required motor vehicle identification information which has been properly completed, the words ``incorporated by reference'' or the notation ``I/R'' may be inserted in place of the required vehicle identification information on the waiver.

(Effective November 26, 1980)

Signs Required to be Displayed by Motor Vehicle Repairers

Sec. 14-65j-1. Statutory references

Under the provisions of section 14-65j of the Connecticut General Statutes each motor vehicle repair shop is required to display two signs. These signs shall conform to the standards set forth in sections 14-65j-2 and 14-65j-3. (Effective November 29, 1990)

Sec. 14-65j-2. Consumer rights sign

(a) This sign shall be 24 inches by 36 inches and shall be displayed in each area of the premises where work orders are placed by customers.

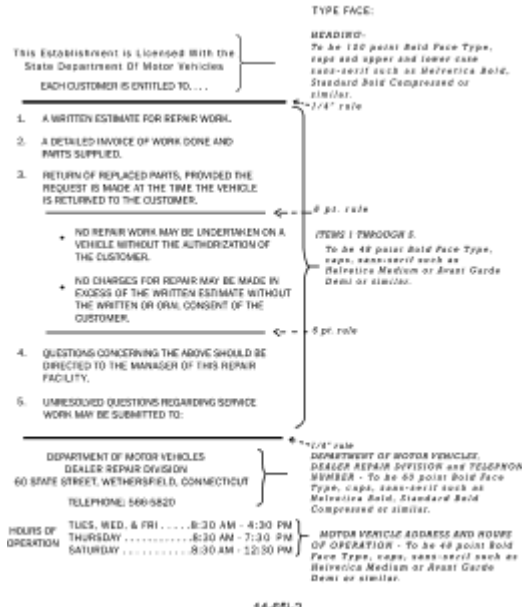
(b) **The type face used in the areas indicated shall be as follows:**

(1) The heading shall be 120 point bold face type, caps, upper and lower case sans-serif such as helvetica bold, standard bold compressed or similar.

(2) The numbered ``rights'' provisions, the words ``**60 STATE STREET, WETHERSFIELD, CONNECTICUT**'' and hours of operation provisions shall be 48 point bold face type, caps, sans-serif such as helvetica medium or avant garde demi or similar.

(3) The words ``**DEPARTMENT OF MOTOR VEHICLES, DEALER REPAIR DIVISION,**'' ``**TELEPHONE**'' and the telephone number shall be 60 point standard bold compressed or similar.

(c) **The sign shall be in the order, form and divided as set forth below:**



(Effective November 29, 1990)

Sec. 14-65j-3. Charges and conditions sign

(a) This sign shall not be less than 17 inches by 24 inches and be displayed in each area of the premises where work orders are placed by customers. The sign shall state:

(1) The hourly charge for labor;

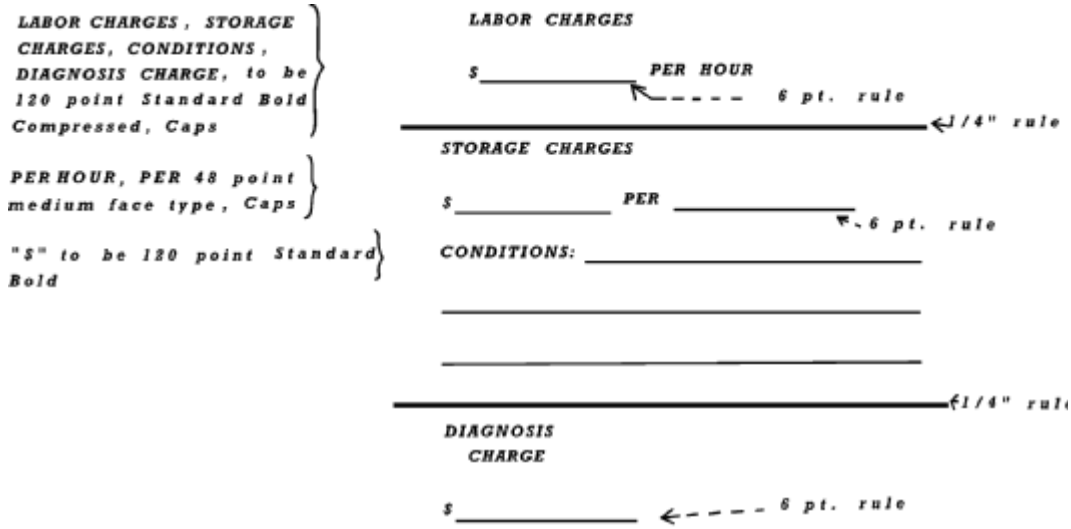
(2) The conditions, if any, under which the shop may impose charges for storage, and the amount of any such charges; and

(3) The charge, if any, for a diagnosis.

(b) Each sign shall have the following headings ``**LABOR CHARGES**,'' ``**STORAGE CHARGES**,'' ``**DIAGNOSIS CHARGE**'' and ``**$**.'' All headings shall be 120 point bold face type, caps, sans-serif such as helvetica bold, standard bold compressed or similar.

(c) Other information on such sign shall be at least 48 point medium face type, caps, sans-serif such as helvetica medium, avant garde demi or similar.

(d) The sign shall be in the order, form and divided as set forth below:



14-65j-3

(Effective November 29, 1990)

Identification of Motor Vehicle Wreckers

Sec. 14-66-1. Display identification

Each wrecker registered pursuant to section 14-66 of the general statutes shall display the name and address or the name and telephone number of the licensee on the two front doors in letters and numerals of at least 3 inches in height and of proportional width.

(Effective March 11, 1980)

Availability of Motor Vehicle Replacement Parts

Sec. 14-67a-1. Procedure governed

These rules govern the requirements established by the commissioner of motor vehicles relating to the fitness of an applicant to engage in business as a manufacturer of motor vehicles for sale in this state as authorized by section 14-67a (g) Connecticut general statutes.
(Effective February 24, 1977)

Sec. 14-67a-2. Definition

As used in these rules, except as otherwise required by the context:
(a) ``Commissioner'' means ``Commissioner'' as defined in subsection (8) of section 14-1 of the Connecticut general statutes.
(b) ``Manufacturer'' means ``Manufacturer'' as defined in subsection (22) of section 14-1 of the Connecticut general statutes.
(c) ``Replacement part'' means any device or accessory which forms any part of a motor vehicle or its equipment.
(d) ``Reasonable anticipated demand'' shall mean a demand based upon the marketing experience of a manufacturer of motor vehicles per one hundred vehicles with the request per year for replacement parts for such motor vehicles.
(e) ``Timely basis'' shall mean ordinary and usual delivery of replacement parts exclusive of acts of God, strikes, breakdown of delivery facilities and other acts of similar import.
(Effective February 24, 1977)

Sec. 14-67a-3. Applicant's written statement

An applicant for a motor vehicle manufacturer's license to engage in the business of manufacturing motor vehicles for sale in this state shall assure the commissioner in writing that a supply of all replacement parts for such motor vehicles as are sold in this state will be available in such quantities as to meet the reasonable anticipated demand for such replacement parts from the purchasers of such motor vehicles and that delivery of such replacement parts to be made on a timely basis.
(Effective February 24, 1977)

Notice Required from Manufacturer upon Termination of Franchise

Sec. 14-67a-4. Application for manufacturer's license

(a) In addition to any other notice requirements contained in chapter 739 of the general statutes, a manufacturer as defined in section 14-1 of the general statutes, upon making application for a license to engage in the business of manufacturing motor vehicles for sale in this state as provided in section 14-67a of the general statutes, shall consent to file with the commissioner of motor vehicles a notice as provided in subsection (b).
(b) Each licensed manufacturer shall notify the commissioner, in writing, on a form or in a format as prescribed by the commissioner, within three (3) business days after first obtaining knowledge with respect to any of the following:
(1) Its intent not to renew a franchise;
(2) The institution of an action to cancel or terminate a franchisee or distributor of the manufacturer;

(3) The abandonment of a franchise by a franchisee or distributor of the manufacturer; or

(4) The filing of a petition in bankruptcy, or for dissolution or other termination of business, of a franchisee or distributor.

Such notice shall include, if known, the dates of any such actions or impending actions, and any other relevant information required by the commissioner.

(c) Such notification shall be made in writing by a person having authority to act for the manufacturer.

(Effective June 23, 1994)

General Distinguishing Numbers

Sec. 14-67d-1. Application

Any manufacturer licensed under the provisions of section 14-67a of the General Statutes may make application to the commissioner of motor vehicles for a general distinguishing registration number or numbers.
(Effective January 21, 1986)

Sec. 14-67d-2. Financial responsibility

Each application for a manufacturer's general distinguishing number shall be accompanied by a certificate of financial responsibility in accord with section 14-112 of the general statutes.
(Effective July 3, 1973)

Sec. 14-67d-3.

Repealed, January 21, 1986.

Sec. 14-67d-4. Display of registration plates

No manufacturer shall display or allow any general distinguishing registration plates issued to him to be displayed on any motor vehicle other than a motor vehicle owned by such manufacturer or lawfully in his custody.
(Effective July 3, 1973)

Sec. 14-67d-5. Use of motor vehicle displaying general distinguishing Numbers

A licensed manufacturer or ``bona fide full-time employee'' of such licensed manufacturer may operate a motor vehicle displaying such general distinguishing registration plates in connection with the business of manufacturing or distributing motor vehicles and for his or her personal use. No commercial motor vehicle displaying such general distinguishing registration plates shall be operated on the highway while carrying a load except for demonstration purposes. ``Bona fide full-time employee'' means a person who is employed by a licensed manufacturer for not less than thirty-five hours per week and appears on the records of such employer as an employee for whom social security, withholding tax and all deductions required by law have been made. If the licensee is a corporation, a motor vehicle displaying such general distinguishing registration plate may be used by any corporate officer actively engaged in the management of the corporation, just as if the officer were an individual licensee.
(Effective January 21, 1986)

Sec. 14-67d-6. Records

Each manufacturer to whom general distinguishing registration plates have been issued shall maintain a record as to the motor vehicle on which each plate is displayed and the location of all such general distinguishing plates which are not in use. The records required to be maintained under the provisions of this section shall be retained for a period of six months and be available during normal business hours for inspection by the commissioner of motor vehicles, any employee of the department of motor vehicles designated by the commissioner, any inspector of the department of motor vehicles, any officer of the state police department or any officer of any organized police department.

(Effective January 21, 1986)

Sec. 14-67d-7. Supplemental identification

Each motor vehicle displaying a general distinguishing registration plate shall be operated by a person who has in his or her possession a supplemental identification document issued by the manufacturer licensee indicating such person is validly entrusted with such vehicle. The supplemental identification document shall be prepared in duplicate on a form which is not smaller than 3 3/8 inches by 2 inches. Except as indicated below the type shall be no smaller than 8 point type and contain the following information:

Expiration date

Plate number(s)

{ The below designated owner or employee of _____,_____,
(firm name)(firm address)

not less than 10 point type

is the driver entrusted with motor vehicle(s) bearing the above general distinguishing number plate(s).

Driver's name (type or print)

Driver's license number

Driver's signature

Signature of manufacturer or agent

No supplemental identification document may be issued to expire more than six months from the date of issuance. The duplicate copy of this supplemental identification document shall be retained by the licensee at the licensee's place of business for a period of six months from the date of its expiration and shall be available for examination by any police officer or inspector designated by the commissioner of motor vehicles.
(Effective January 21, 1986)

Licensing of Intermediate Processors and Processed Vehicle Haulers

Sec. 14-67j-1.

Repealed, February 18, 1983.

Sec. 14-67j-2. Copy of record

No motor vehicle junk yard licensee shall transfer to an intermediate processor and no intermediate processor shall receive any motor vehicle junk from such licensee unless the processor receives a copy of the record required to be kept by such licensee pursuant to the provisions of section 14-67m of the General Statutes.

(Effective March 22, 1984)

Sec. 14-67j-3. Definitions

As used in Sections 14-67j-3 to 14-67j-10, inclusive:

(a) ``Commissioner'' means the commissioner of motor vehicles or his authorized representative;

(b) ``Department'' means the Department of Motor Vehicles;

(c) ``Intermediate Processor'' means an intermediate processor as defined in Section 14-67i (b) of the General Statutes;

(d) ``Junk yard'' means motor vehicle junk business or motor vehicle junk yard as defined in Section 14-67g of the General Statutes;

(e) ``Major shareholder'' means a shareholder of more than fifty percent (50%) of the outstanding shares or voting shares;

(f) ``Processed vehicle hauler'' means any person, firm or corporation which transports or hauls any motor vehicle, or used parts of a motor vehicle, which has been dismantled, crushed or otherwise processed by an intermediate processor as defined herein. The term does not include a licensed motor vehicle junk yard which hauls motor vehicles or used parts of motor vehicles which have been dismantled, crushed or otherwise processed by the junk yard on its property;

(g) ``Scrap metal processor'' means a scrap metal processor as defined in Section 14-67w of the General Statutes;

(Effective January 7, 1992)

Sec. 14-67j-4. Requirements for obtaining license

(a) No person, firm or corporation may obtain a license from the commissioner to establish, operate or maintain an intermediate processor or to haul vehicles processed by an intermediate processor until the applicant has filed with the department an application in writing on a form approved by the commissioner, and has paid the required fee at the time of application.

(b) Each applicant, and if such applicant is a partnership or corporation each partner, officer and any major shareholder must file with the department a statement listing any criminal convictions in any jurisdiction within the five (5) years preceding the filing of such application. Such statement shall be under penalty of false statement.

(c) An applicant for a license which operates or intends to operate under a name different from that of the applicant, or different from the names of the partners or corporate officers, shall file with the department a trade name certificate showing the signature of the town clerk of the town where such applicant has its primary place of business in this state. A corporate applicant must file a certificate of good standing from the Office of the Secretary of State.

(Effective January 7, 1992)

Sec. 14-67j-5. Procedures

(a) Upon receipt of an application containing the information required in accordance with Section 14-67j-4 of this regulation, the department will conduct an investigation. The department may require the applicant to provide proof of sufficient equipment, skilled personnel and other resources to operate as an intermediate processor or a processed vehicle hauler, depending on which license is being requested.

(b) If the application is approved by the department, a license including a unique licensing number will be issued to the applicant. The department will notify the applicant of its decision within ninety (90) days after receipt of a complete application including full payment of the required fees. If the application is not approved, the department will inform the applicant of the reason(s) for disapproval. No fees payable in accordance with Section 14-67j-6 (a) will be refunded if the application is disapproved.

(c) A license issued by the department is not assignable or transferable. Any change in the status of the licensee including but not limited to transfer of ownership, death, bankruptcy or criminal conviction of a licensee or partner, officer or major shareholder of a licensee must be communicated to the department within thirty (30) days. Such license may be revoked by the department at any time with ninety (90) days notice for good cause shown in accordance with the provisions of Chapter 54 of the General Statutes.

(Effective January 7, 1992)

Sec. 14-67j-6. Fee for license

(a) Each application for an intermediate processor license or processed vehicle hauler license shall be accompanied by payment of a portion of the license fee at the time of filing of the application, which portion shall be one hundred thirteen dollars, and on and after July 1, 1992 one hundred forty dollars.

(b) Upon approval of an application and notification to the licensee of such approval, such licensee shall pay to the department within ten (10) days the remainder of such license fee as fixed by law, which payment shall be five hundred sixty-three dollars, and on or after July 1, 1992 seven hundred and five dollars. Upon receipt of such amount the department shall issue the license to the applicant. Such license shall be valid for one (1) year from its date of issue unless otherwise provided
by the commissioner.

(Effective January 7, 1992)

Sec. 14-67j-7. Renewal of licenses

(a) A license may be renewed upon payment to the department of a renewal fee of two hundred eighty dollars. On or after July 1, 1993 the renewal fee shall be three hundred fifty dollars.

(b) Each license shall be renewable annually according to renewal schedules established by the commissioner. The commissioner may establish a staggered renewal schedule. If the adoption of such staggered schedule results in the expiration of a license more or less than one (1) year from its issuance, the commissioner shall prorate the fees. Upon adoption of a staggered renewal schedule, no licensee shall be required to pay a greater fee than would be required without such staggered schedule.

(Effective January 7, 1992)

Sec. 14-67j-8. Display of license by intermediate processors

(a) Each intermediate processor shall have a copy of its license displayed at any solid waste disposal facility where such intermediate processor is operating.

(b) Each intermediate processor shall provide a copy of its license to each solid waste disposal facility where such intermediate processor is operating or is contracted to operate.

(Effective August 19, 1994)

Sec. 14-67j-9. Display of license number by processed vehicle hauler

(a) Any person, firm or corporation granted a processed vehicle hauler's license by the commissioner shall permanently display its licensing number on all vehicles used, contracted or controlled by such licensee and transporting or hauling a motor vehicle which has been dismantled, crushed or otherwise processed by an intermediate processor.

(b) The licensing number shall be prominently displayed in letters at least three (3) inches high on both sides of each vehicle, as follows: ``HAULER LICENSE No _____.''

(c) The display of subsection (b) of this section may be painted on the sides or door of the vehicle, or on a sign permanently mounted to each side of the vehicle. Decals may also be used if securely attached.

(d) A vehicle displaying a hauler license number in accordance with this section shall keep a copy of its hauler license in the vehicle. The name of the licensee as listed on such license copy shall be the same as the name of the vehicle registrant or lessee as listed on the vehicle registration documents maintained in such vehicle. The licensee shall also comply with all other legal requirements.

(Effective January 7, 1992)

Sec. 14-67j-10. Miscellaneous provisions. Scrap metal processor

(a) No license shall be required by a scrap metal processor or its duly authorized agent which hauls processed motor vehicles or motor vehicle parts from a licensed auto dismantler, licensed intermediate processor or a public agency which has processed the motor vehicles to a scrap metal processing facility.

(b) No license shall be required by the duly appointed agent of a licensed junk yard or licensed intermediate processor which hauls processed motor vehicles or motor vehicle parts to a scrap metal processing facility.

(c) Any person, firm or corporation transporting or hauling any motor vehicle or used parts of a motor vehicle which have been dismantled, crushed or otherwise processed by an intermediate processor as an agent for a junk yard, licensed intermediate processor or scrap metal processor shall, upon request, display such documents as required by the commissioner. Such documents shall include as a minimum the name, address and license number of the principal, and a document executed by the principal providing such agent with specific authority to act for the principal in transporting or hauling such motor vehicles or parts thereof. No document providing only general authority for the agent to act for the principal shall be acceptable.

(d) Notwithstanding the provisions of this section, a scrap metal processor which dismantles, crushes or otherwise conditions vehicles or parts for delivery is not exempt from the licensing requirements of this regulation.

(Effective January 7, 1992)

Supplemental Identification for Special Marker Plates

Sec. 14-67*l*-1. Supplemental identification document

Each motor vehicle displaying a general distinguishing number plate pursuant to Section 14-67n of the General Statutes shall be operated by a person who has in his or her possession a supplemental identification document issued by the junk yard licensee indicating such person is validly entrusted with such vehicle. The supplemental identification document shall be prepared in duplicate on a form which is not smaller than 3 3/8 inches by 2 inches. Except as indicated below the type shall be no smaller than 8 point type and contain the following information:

Expiration date

Plate number(s)

{

The below designated owner or employee of_____,_____

(firm name)(firm address

not less than 10 point type

is the driver validly entrusted with motor vehicles bearing the above general distinguishing number plate or plates.

Driver's name (type or print)

Driver's signature

Signature of owner

No supplemental identification document may be issued to expire more than six months from the date of issuance. The duplicate copy of this supplemental identification document shall be retained by the licensee at the licensee's place of business for a period of six months from the date of its expiration and shall be available for examination by any police officer or inspector designated by the commissioner of motor vehicles.

(Effective July 27, 1982)

Motor Vehicle Junk Dealers

Sec. 14-67q-1. Defined. Requirements

A ``motor vehicle junk dealer'' is any person, firm or corporation engaged in the business of purchasing motor vehicles for the purpose of dismantling the vehicles for parts or use of the metal for scrap. He shall have a suitable and adequate place of business which shall be determined by the commissioner of motor vehicles and shall be required to show proof of good moral character.
(Effective June 29, 1984)

Sec. 14-67q-2.

Repealed, July 19, 1990.

Establishment, Operation and Maintenance of Motor Vehicle Junk Businesses or Motor Vehicle Junkyards

Sec. 14-67q-3. Definitions

(1) ``Salvage motor vehicle'' means a motor vehicle purchased or obtained by a motor vehicle junkyard for the value of parts contained on such vehicle, and stored in the motor vehicle junkyard area reserved for such vehicles;

(2) ``Scrap motor vehicle'' means a motor vehicle purchased or obtained by a motor vehicle junkyard for the purpose of processing such motor vehicle for the scrap metal thereon, and stored in a portion of the yard reserved for such processing, and

(3) ``Processed motor vehicle'' means a motor vehicle that has been processed for easy transportation, including the disassembling, separating, cutting, crushing or compacting of the body shell in such manner as to provide for safety in stacking.
(Effective June 29, 1984)

Sec. 14-67q-4. Area required for storage of salvage motor vehicles

Each licensed motor vehicle junkyard shall maintain a separate and distinct area for the storage of salvage motor vehicles, and such area shall in no case exceed eighty per cent of the licensed and usable area of such yard.
(Effective June 29, 1984)

Sec. 14-67q-5. Transfer from salvage area to processing section

Any vehicle purchased for salvage and stored in the portion of the yard reserved for salvage vehicles shall be removed from such area and stored or deposited in the processing section of such yard when the usable parts of such vehicle have been removed.
(Effective June 29, 1984)

Sec. 14-67q-6. Location of stored vehicles

Each salvage or scrap motor vehicle stored or deposited within a motor vehicle junkyard shall be so located as to be within one hundred feet of an accessible roadway or driveway with a minimum width of twelve feet, such driveway or roadway being connected to a public road or highway.
(Effective June 29, 1984)

Sec. 14-67q-7. Proximity to other vehicles

With the exception of a motor vehicle placed or stored on top of another, no scrap or salvage motor vehicle shall be located closer than one foot to an adjacent vehicle, provided when scrap or salvage motor vehicles are deposited or stored in a continuous line not to exceed four passenger motor vehicles in length, it shall be necessary only to maintain the one-foot separation between the sides of such vehicles.
(Effective June 29, 1984)

Sec. 14-67q-8. Location of vehicles purchased for scrap

Each motor vehicle purchased or obtained for scrap shall be deposited or stored in the portion of the yard reserved for the processing of vehicles.
(Effective June 29, 1984)

Sec. 14-67q-9. Stacking of processed vehicles

The stacking of processed motor vehicles in a motor vehicle junkyard is prohibited except in the area reserved for such processing.
(Effective June 29, 1984)

Sec. 14-67q-10. Stacking of other motor vehicles

Stacking of motor vehicles, other than processed motor vehicles, at a height greater than two vehicles is prohibited.
(Effective June 29, 1984)

Sec. 14-67q-11. Stacking of processed vehicles in processing area

The stacking of processed motor vehicles in the area reserved for such processing is permitted, provided the perimeter of the base of each such stack or pile shall be set back from the boundaries of the licensed junkyard property at a distance equal to the highest point of such stack or pile.
(Effective June 29, 1984)

Sec. 14-67q-12. Removal of parts. Restraint of dogs

No person other than the owner or employee of a licensed motor vehicle junkyard or motor vehicle dealer or repairer shall be allowed to remove parts from, or disassemble or assemble, any vehicle located therein. During business hours of each yard all guard dogs shall be restrained.
(Effective June 29, 1984)

Sec. 14-67q-13. Removal and return of registration plates

All registration plates displayed on, or contained in, any motor vehicle purchased by a motor vehicle junkyard shall immediately be removed from such vehicle and returned to the motor vehicle department.
(Effective June 29, 1984)

Sec. 14-67q-14. Fence requirement

Fences required by Section 14-67r of the General Statutes shall be made of solid wood, metal, or opaque plastic of sufficient thickness and durability to remain in position under normal windloading and weather conditions. Posts or supports for fences shall be of sufficient depth or weight to remain in vertical or upright position. It is the responsibility of the licensee to repair and maintain fences.

(Effective December 29, 1988)

Sec. 14-67q-15. Application requirements

(a) Each applicant for a Connecticut motor vehicle junkyard license shall file with the Department of Motor Vehicles, Dealers and Repairer's Division:

(1) An application on a form provided by the Department of Motor Vehicles;

(2) An advertisement from a newspaper for a hearing to be held by the town or city in which the junkyard is to be located for the purpose of approving such junkyard. The advertisement shall be an original taken from a newspaper. Copies of the advertisement are not acceptable;

(3) An examination fee as required by statute;

(4) A certificate of approval of the location endorsed on the application by the local authorities in the city or town in which the junkyard is located. Local authorities means the Zoning Commission, or if there is no Zoning Commission in the municipality, the selectman, the mayor of the city or the warden of the borough;

(5) If requested by the department, a certificate of approval of the location from the State Department of Transportation; and

(6) A site drawing.

(b) Upon approval of the application by the Department of Motor Vehicles, the applicant must submit the following:

(1) The statutory license fee;

(2) Fees for any registrations (marker plates) desired;

(3) Proof of financial responsibility; and

(4) A sales tax permit number obtained from the State Tax Department.

(Effective July 19, 1990)

Sec. 14-67q-16. Site drawing specifications

A site drawing must meet the following specifications:

(1) Every site drawing of the proposed property location must be scaled, and the maximum permissible scale is 1Þin = 40Þft (one inch equals forty feet);

(2) Drawings must be in ink or other permanent process. Pencil drawings are not acceptable;

(3) The drawing(s) must show the proposed property to be licensed, all buildings on the property and the point(s) of access to public roads;

(4) Dimensions must be given for the proposed property, for all buildings on the property, and for the point(s) of access to public roads;

(5) All buildings must show all doors, service areas, parts storage areas and offices;

(6) All rights of way, if any, must be indicated;

(7) All gasoline hoses, if any, must be indicated;

(8) All waste retention facilities, showing capacity, must be indicated;

(9) Each drawing must include the name and address of the person who prepared the drawing and its date of preparation;

(10) The applicant for license must sign the drawing;

(11) Revisions of the drawing must be made in ink or other permanent medium, or in indelible pencil.

(Effective July 19, 1990)

Sec. 14-67q-17. Changes in site

(a) The licensee shall notify the Department of Motor Vehicles, Dealers and Repairers Division, and obtain its approval prior to any changes in the use of the location site, or any part of the location site, to a use different from that for which the location site was initially approved.

(b) The licensee shall notify the Department of Motor Vehicles, Dealers and Repairers Division, submit a revised site plan, and obtain approval prior to any of the following changes to the site:

(1) Addition to or removal of a building or any portion of a building;

(2) Addition of adjacent land to the site;

(3) Deletion of existing land from the site; or

(4) Any changes to the site, or any part of the site, which would require a change in the site plan as originally submitted.

(Effective July 19, 1990)

Sec. 14-67q-18. Parts not for resale

The words establishment, operation or maintenance of a motor vehicle junkyard or motor vehicle junk business shall include the accumulation of motor vehicle parts or old iron, metal, glass, paper, cordage or other waste or discarded or secondhand material which has been a part, or is or was intended to be a part, of any motor vehicle, the sum of which parts or material shall be equal in bulk to two or more motor vehicles, whether or not the parts are for sale or resale, or whether or not intended for use or display.

(Effective July 19, 1990)

Commercial Driving Schools

Secs. 14-78-1--14-78-19.
Repealed, February 24, 1997.

Standards and Procedures for Commercial Driving Schools

Sec. 14-78-20. Definitions

For the purpose of Sections 14-78-20 to 14-78-48, inclusive, the following terms shall have the following meanings:

(1) ``Behind-the-wheel instruction'' means instruction or training provided to a student by a commercial driving instructor, which permits the student to obtain driving experience on public roads and highways, in a motor vehicle equipped and registered as required by law, while the student is operating the motor vehicle.

(2) ``Classroom instruction'' means group instruction of students in a classroom or similar group situation by a commercial driving instructor.

(3) ``Clock hour'' means sixty (60) minutes.

(4) ``Commercial driving instructor'' means a person employed by a commercial driving school, licensed by the commissioner in accordance with Section 14-69 of the General Statutes, where such person has an instructor's license as provided in Section 14-73 of the General Statutes.

(5) ``Commissioner'' means the commissioner of motor vehicles or his designee.

(6) ``Department'' means the department of motor vehicles.

(7) ``Driver education program'' means an organized system of instruction, approved by the commissioner, permitting a student to obtain behind-the-wheel and/or classroom instruction in safe driving procedures and practices.

(8) ``Dual control vehicle'' means a motor vehicle having dual controls on the foot-brake or on the clutch, if so equipped, operable by a person in the front seat of the vehicle other than the driver. Such vehicle controls shall be installed and maintained in accordance with the recommendations of the manufacturer thereof.

(Effective February 24, 1997)

Sec. 14-78-21. Driving school license required

No person shall engage in the business of conducting a commercial driving school without a license. A license shall be issued by the commissioner only upon approval of an application filed in accordance with the provisions of Section 14-78-22.

(Effective February 24, 1997)

Sec. 14-78-22. Application

(a) An application for a license to conduct a commercial driving school shall be in writing, and provide information required by the commissioner, on a form or in a format as determined by the commissioner.

(b) The application shall be signed by the applicant(s).

(c) Each applicant shall be fingerprinted prior to the approval of the application by the commissioner as provided in section 14-69 of the general statutes. If the applicant is other than a sole proprietor, each partner, officer and/or manager shall be fingerprinted.

(d) The applicant(s) shall pay the fee required by section 14-69 of the general statutes.

(e) The applicant(s) shall make a cash deposit or provide a surety bond in an amount determined by the commissioner, as provided in section 14-69 of the general statutes. Lapse or cancellation of any insurance policy or surety bond may result in suspension, revocation or refusal to renew the driving school license in accordance with the provisions of chapter 54 of the general statutes.

(f) The applicant(s) shall certify and submit evidence as required by the commissioner that each place of business including any classroom facility conforms to the requirements of Section 14-78-23.

(g) The applicant(s) shall submit with the application a proposed driver education program curriculum.

(h) The applicant(s) shall file with the application a schedule of rates charged for services provided in the instruction of drivers.

(i) An applicant which is a corporation or other business entity may be required to provide proof of its status and list any trade names under which the business is conducted.

(Effective February 24, 1997)

Sec. 14-78-23. Place of business

(a) Each place of business of a commercial driving school shall be in a fixed location. A business conducted from a house trailer, tent, temporary structure, temporary address, hotel room, by a telephone answering service or the like shall not be considered a fixed location.

(b) Each place of business which is established after adoption of this section, including a branch office, shall have a minimum of two hundred (200) square feet of space. Each school location offering classroom instruction which was established prior to adoption of this section shall have sufficient space and seating to conduct such instruction. Where a driving school shares space in a commercial location, each business shall have a separate and distinct area within the location.

(c) Each place of business shall meet governmental zoning, safety and fire code requirements. A map, sketch or drawing showing the dimensions, doors, windows and other characteristics of the location shall be provided to the commissioner.

(d) The applicant(s) or the licensee shall notify responsible fire marshall(s) for each new place of business by certified mail prior to business use of the facility, and any substantial change in any facility or in its use shall be reported in writing to the responsible fire marshall(s) and to the commissioner.

(e) The classroom facility of each driving school shall be located not more than fifteen (15) miles from the principal place of business or a branch office of the school.

(Effective February 24, 1997)

Sec. 14-78-24. Issuing of license. Display

(a) Upon approval of an application for a license by the commissioner, one or more license certificates shall be issued to the applicant. The license shall be valid during the calendar year of its issue and its expiration date shall appear on the certificate.

(b) A licensee shall display the license certificate at each place of business in a conspicuous place.

(c) If a commercial driving school agrees to provide classroom instruction, or the five (5) hour safe driving practices course of instruction, as provided in Section 14-78-33, for a secondary school, and such classroom

instruction is performed at such secondary school or another municipal site, such site shall be considered a branch of the driving school and a branch license shall be required.

(d) A duplicate of a license certificate shall be issued to a licensee upon proof of loss, mutilation or destruction of the original certificate, and payment of the fee as provided in section 14-69 of the general statutes.

(Effective February 24, 1997)

Sec. 14-78-25. Denial of application

The commissioner may deny an application for a commercial driving school license or its renewal as provided in section 14-70 of the general statutes. A denial shall be in writing and mailed to the applicant, and shall include the reason(s) for such denial.

(Effective February 24, 1997)

Sec. 14-78-26. License renewal

A licensee may renew a license to conduct a commercial driving school by paying the renewal fee, maintaining the prescribed cash deposit or surety bond as prescribed by section 14-69 of the general statutes, and filing a renewal application with the commissioner.

(Effective February 24, 1997)

Sec. 14-78-27. Revocation or suspension of license

A person whose commercial driving school license has been revoked or suspended, or whose application or application for renewal has been refused, may request a hearing. Such hearing shall be scheduled promptly, and shall be conducted in accordance with the provisions of chapter 54 of the general statutes and Sections 14-137-36 to 14-137-39, inclusive, of the Regulations of Connecticut State Agencies.

(Effective February 24, 1997)

Sec. 14-78-28. Change in ownership or address

(a) A licensee shall notify the commissioner within five (5) days, in writing, if there is a change in the ownership of the business, including a change in partners or corporate officers, or a change in members or managers in the case of a limited liability company. Upon a change in ownership or discontinuance of the commercial driving school, the license certificate(s) shall be returned to the commissioner, and no driving instruction or related activities shall thereafter be conducted at such location by the original licensee.

(b) Any change in the residence address of the licensee, or any owner, partner, officer or manager, or any person employed by the licensee to provide instruction, shall be reported immediately to the commissioner in writing.

(c) Upon a change in ownership or sale of an existing commercial driving school, the new owner(s) may apply for a license prior to termination of the license of the previous licensee.

(Effective February 24, 1997)

Sec. 14-78-29. Change in location

(a) No business office, branch office or classroom of a licensee may be moved to a new location without prior approval of the commissioner. The licensee shall submit proof that the new location meets governmental zoning, safety and fire code requirements.

(b) When a licensee discontinues use of a business location, the commissioner shall be notified in writing within five (5) business days. The commissioner may thereafter amend the license certificate(s) issued to the licensee.
(Effective February 24, 1997)

Sec. 14-78-30. Advertising

(a) No commercial driving school shall, through its advertising, or in any other manner, hold out to the public or to any individual that such school can guarantee or assure the issuance of a operator's license. No commercial driving school shall use any advertising which is misleading or misrepresents the course content or quality of instruction available from such school.
(b) Unless authorized by the commissioner, no commercial driving school shall solicit business, or cause business to be solicited on its behalf, or display or distribute any advertising material, within one thousand five hundred (1500) feet of any full service branch of the department of motor vehicles.
(c) A licensed commercial driving school may advertise that it is licensed by the State of Connecticut, but it may not state or imply that it is in any manner approved or recommended by the State of Connecticut or the department of motor vehicles.
(Effective February 24, 1997)

Sec. 14-78-31. Change in curriculum

No substantial deviation in the curriculum approved by the commissioner, as provided in subsection (g) of Section 14-78-22, shall be made by the licensee or its employees without the prior approval of the commissioner. The commissioner may require submission of a new curriculum for good cause shown.
(Effective February 24, 1997)

Sec. 14-78-32. Records

(a) Each driving school shall maintain records, updated at least monthly, in writing in a permanently bound book, with pages consecutively numbered, or in a computer data base or the like, readily available for printing or otherwise providing a copy thereof. The records shall include each student's name, date of birth, residence address, mailing address if different, telephone number, starting date of instruction, ending date of instruction and driver education certificate number.
(b) The following additional records shall be maintained on file at the commercial driving school:
(1) Where the student is under eighteen (18) years of age, a signed authorization by the student's parent or guardian permitting the student to receive driver instruction and training;
(2) The date of the student's vision screening required in accordance with Section 14-78-43, the name of the person who administered the vision screening, if other than a licensed medical professional, and whether the student meets the vision standards of Sections 14-45a-1 to 14-45a-4, inclusive, of the Regulations of Connecticut State Agencies;
(3) The types of instruction, including the date each type of instruction was given and the number of hours for each type of instruction received by the student;
(4) Registration information for each vehicle in which the student received behind-the-wheel instruction;
(5) The fees paid by the student for classroom instruction, behind-the-wheel instruction and/or safe driving practices instruction;

(6) The name(s) of the instructor(s) for each instructional and/or training session;

(7) The date, location of test, motor vehicle used (if a vehicle owned or leased by a licensed commercial driving school is used) and results of each driving test administered by the department; and

(8) Any additional fees paid by the student.

(c) All records required by subsections (a) and (b) shall be retained by the commercial driving school for three (3) years. Such records shall be made available to any inspector of the department of motor vehicles, or other law enforcement officer, upon reasonable request.

(d) If any records are lost, mutilated or destroyed, the licensee shall notify the commissioner immediately, and, upon request, shall provide under oath a written explanation of the circumstances of the loss, mutilation or destruction. The licensee shall also make a reasonable attempt to restore such records.

(Effective February 24, 1997)

Sec. 14-78-33. Classroom instruction for students. Laboratory or simulator experience

(a) No commercial driving school shall offer any classroom instruction intended to meet the driver education requirements for persons under the age of eighteen (18) years, as provided in sections 14-36 and 14-40a of the general statutes, unless such school has been specifically approved by the commissioner to give such instruction.

(b) Each commercial driving school approved to conduct classroom instruction, under subsection (a) of this section shall provide a course of instruction, in accordance with a curriculum approved by the commissioner, consisting of a minimum of thirty (30) hours. An approved curriculum shall include the following:

(1) The development of driver skills which shall be presented in a simple-to-complex structure of concepts and behavioral patterns;

(2) A variety of instructional methods which shall demonstrate student centered activities for participative education to include low-risk driving values, knowledge for development of safe driving habits, and mental readiness for correct in-vehicle performance;

(3) Presentation of content in the classroom which parallels the presentation of in-vehicle content. The driving related skills and concepts presented in the classroom shall be conducted in a motor vehicle as soon after the classroom activities as possible. All concepts, and where possible, skills to be practiced in the motor vehicle, shall first be presented in the classroom;

(4) Appropriate content for the classroom and in-vehicle sessions which shall include the following topics: the highway transportation system, analysis of crashes, roadway designs and markings, Connecticut motor vehicle laws and regulations, basic control tasks, parking maneuvers, the structure of driving tasks, restraint systems, risk management, perceptual skills development, space management, natural laws and vehicle control, winter driving techniques, handling vehicle emergencies, night driving techniques, effects of alcohol and drugs on driving, emotions and operator fitness, interacting with other vehicle types, and managing high risk locations including intersections and curves.

(c) Each commercial driving school approved to conduct classroom instruction in accordance with subsection (a) of this section may, with prior written approval of the commissioner or his representative, provide a safe driving practices program of the five (5) hours which shall include the following:

(1) Two (2) hours concerning the nature and effects of alcohol and drugs, as provided in subparagraph (B) of subdivision (1) of subsection (d) of section 14-36 of the general statutes; and

(2) Three (3) hours on subjects directed to safe driving practices.

The five (5) hour safe driving practices program specified in this subsection may be included as part of the thirty (30) hour course of instruction specified in subsection (b) of this section upon approval by the commissioner.

(d) A person enrolled in the thirty (30) hour course of instruction described in subsection (b) of this section who is a secondary school student shall receive a maximum of two (2) hours of instruction per day, except that on a day when school is not scheduled, the student may receive a maximum of two and one half (2 1/2) hours of instruction. A person enrolled in the five (5) hour program described in subsection (c) of this section, who is a student in a secondary school, shall receive instruction as follows:

(1) On a day on which the secondary school attended by the student is in session, the student may receive a maximum of two and one half (2 1/2) hours of instruction; or

(2) On a day on which the secondary school attended by the student is not in session, the student may receive a maximum of five (5) hours of instruction, provided that at least a one (1) hour break occurs after the first two and one half (2 1/2) hours of instruction.

(e) Any fee charged by the commercial driving school for the five (5) hour safe driving practices program described in subsection (c) of this section shall not exceed the fee specified in subsection (d) of section 14-36 of the general statutes, as amended.

(f) Each student enrolled in the classroom phase of the driver education program shall have access to:

(1) A full-length, current driver education textbook for the purpose of the program, and special materials, which may include the use of video tapes, as approved by the commissioner of motor vehicles; and,

(2) The Connecticut Driver's Manual, published by the department of motor vehicles, which manual shall become the property of the student.

(g) Class size shall not exceed the capacity of instructional materials available and reasonable standards of safety and supervision. No classroom instruction shall be offered to a class exceeding forty (40) students.

(h) A student may be provided with driving practice in a laboratory setting or by a driving simulator, but no such laboratory practice or simulator shall be considered behind-the-wheel instruction.

(i) The commercial driving school shall provide to the commissioner a schedule of classroom instruction sessions including the day of the week of classroom instruction. Significant changes in schedule shall be forwarded in writing to the commissioner prior to the effective date thereof. Classroom sessions may be monitored by the commissioner at any time.

(j) The commissioner shall maintain a listing of all commercial driving schools licensed in accordance with section 14-69 of the general statutes, and a listing of all instructors licensed in accordance with the provisions of section 14-73 of the general statutes, which listings shall be available without charge to the public.

(k) Classroom instruction shall not be given to a person who has not reached the age of sixteen (16) years.

(Effective February 24, 1997)

Sec. 14-78-34. Behind-the-wheel instruction

(a) Behind-the-wheel instruction shall not be given to a person who has not reached the age of sixteen (16) years.

(b) Behind-the-wheel instruction shall be given only by a commercial driving instructor.

(c) No student shall receive more than two (2) hours of behind-the-wheel instruction per day.

(d) No more than three (3) students and the instructor shall occupy a vehicle when behind-the-wheel instruction is being provided.

(e) The brakes, lights and other safety features of each motor vehicle used for behind-the-wheel instruction shall be inspected by the instructor, and any defects shall be corrected prior to any such instruction.

(Effective February 24, 1997)

Sec. 14-78-35. Drivers' education certificates

(a) Each person between the ages of sixteen (16) and eighteen (18) years of age completing the driver education program, and determined by the commercial driving school to be a safe and capable driver and qualified to hold an operator's license, shall be issued a drivers' education certificate by the commercial driving school indicating whichever of the following is or are applicable:

(1) The successful completion of a course consisting of a minimum of thirty (30) hours of classroom instruction as provided in subsection (b) of Section 14-78-33, which includes successful completion of five (5) hours of safe driving practices;

(2) The successful completion of five (5) hours of safe driving practices classroom instruction only, as provided in subsection (c) of Section 14-78-33; or

(3) The successful completion of the number of hours of behind-the-wheel instruction required by law.

(b) Where the student is issued a drivers' education certificate indicating successful completion of behind-the-wheel instruction only, the additional driver education requirements of section 14-36 of the general statutes may be met by successful completion of a minimum of thirty (30) classroom hours and, where appropriate, five (5) hours of safe driving practices instruction, given by a licensed commercial driving school or by an approved driver education program in a secondary school. Such additional instruction shall be listed on a certificate issued by the commercial driving school or secondary school providing such training.

(c) Where a person between sixteen (16) and eighteen (18) years of age is issued a drivers' education certificate indicating successful completion of thirty (30) hours of classroom instruction only, the additional driver education requirements of section 14-36 of the general statutes may be met by the successful completion of the number of hours of behind-the-wheel instruction required by law or, where appropriate, of five (5) hours of safe driving practices instruction given by a licensed commercial driving school or by an approved driver education program in a secondary school. Such additional instruction shall be listed on a certificate issued by the commercial driving school or the secondary school which provided such instruction, where such additional instruction was successfully completed by the student.

(Effective February 24, 1997)

Sec. 14-78-36. Drivers' education certificates for those over the age of eighteen

When a student over the age of eighteen (18) has attained sufficient proficiency in the operation of a motor vehicle, including the successful completion of not less than two (2) clock hours of behind the wheel instruction, to be considered

a safe and capable driver, a commercial driving school shall issue to such student a driver’s education certificate.

(Effective February 24, 1997; amended June 6, 2001)

Sec. 14-78-37. Duration of instruction

Each hour of instruction shall consist of sixty (60) minutes of instruction in both classroom and behind-the-wheel instruction. Behind-the-wheel instruction shall not exceed two (2) hours per day.
(Effective February 24, 1997)

Sec. 14-78-38. Driving test

No commercial driving school shall engage in the business of renting or leasing a motor vehicle to a person who has not previously received behind-the-wheel evaluation by the school, for the purpose of taking a driving test at any testing site of the department of motor vehicles, unless the vehicle is a dual control vehicle. Such evaluation shall consist of observation of the person's behind-the-wheel performance, for at least one (1) hour, for compensation, by the commercial driving school.
(Effective February 24, 1997)

Sec. 14-78-39. Dual controls

All motor vehicles used by a commercial driving school to instruct students in the operation of a motor vehicle shall be equipped with dual controls on the foot brake or on the clutch, if so equipped, and located to enable an instructor seated in the front passenger's seat to control the vehicle in the event of an emergency. Vehicles to which dual controls are added or in which existing dual controls are modified shall be inspected by the department of motor vehicles before such vehicle may be used for behind-the-wheel instruction.
(Effective February 24, 1997)

Sec. 14-78-40. Inspection. Vehicle requirements

(a) Each motor vehicle, whether new or used, in which behind-the-wheel instruction is given, shall be safety inspected by the commissioner prior to such use. An inspection decal shall be affixed to the windshield of each vehicle showing the inspection series. No vehicle shall be used for behind-the-wheel instruction without a current inspection decal. Such vehicles shall thereafter be subject to annual safety inspection by the department.

(b) Vehicles used in driver education programs shall be maintained in safe operating condition in accordance with law. Maintenance records for each vehicle shall be kept by the commercial driving school, and made available to the commissioner upon reasonable request. An inspector of the department or a police officer may inspect any vehicle used in a driver education program at any reasonable time.

(c) Every vehicle used in a driver education program for the purpose of instructing a student in the operation of a motor vehicle shall be marked as required by section 14-292 of the general statutes. On vehicles where mounting of a sign on the front and rear of the vehicle itself is impractical, a secure

roof-mounted sign clearly readable from a distance of at least two hundred (200) feet to the front and rear of the vehicle may be used.

(d) Each driver education vehicle shall be equipped with seat safety belts for each person in the vehicle, which belts shall be used by all occupants during driver instruction. Every vehicle when being used to provide behind-the-wheel instruction shall have its headlights or running lights turned on.

(e) Every vehicle used in a driver education program shall be equipped with at least three (3) mirrors which give the operator thereof a clear reflected view of the highway directly to the rear, on a line parallel to the left side of the vehicle body, and on a line parallel to the right side of the vehicle body. In addition to the driver's rear view mirror, each vehicle shall also be equipped with a second rear view mirror mounted to permit a clear view of the rear zone to a person seated in the front right hand passenger seat. Such second rear view mirror may be mounted in a temporary manner.

(Effective February 24, 1997)

Sec. 14-78-41. Vehicles failing inspection

If a vehicle used for behind-the-wheel instruction does not pass an inspection by the department of motor vehicles, and defects or discrepancies are noted on the vehicle inspection report form issued by the department, the driving school shall repair such defects and/or discrepancies before the vehicle is again used to instruct students. Once repairs are completed, the vehicle inspection report shall be signed and dated in the area marked ``Certification of Repairer'' by the person making the repairs. The vehicle inspection report shall thereafter be signed by the commercial driving school licensee and dated in the area marked ``Certification of School Official''. Such signature shall acknowledge that repairs have been made correcting the noted defects and/or discrepancies. The inspection report with the two certification areas properly completed shall be forwarded to the Driver Education Unit of the department of motor vehicles, and the vehicle may then be placed back into service. Such vehicles are subject to safety inspection and audits by the department at any reasonable time.

(Effective February 24, 1997)

Sec. 14-78-42. Safety equipment to remain intact

No motor vehicle shall be used for behind-the-wheel instruction if the seat belts, shoulder straps, warning equipment, air bags or other safety equipment with which the vehicle was originally required to be equipped has been dismantled, disconnected, removed or rendered inoperative.

(Effective February 24, 1997)

Sec. 14-78-43. Students to meet minimum vision requirements

(a) No driving school shall give any behind-the-wheel instruction to any person until such person has passed a screening to determine that such person has vision meeting or exceeding the minimum vision standards, as established by the commissioner of motor vehicles for the issuance of a motor vehicle operator's license. Such standards are contained in Sections 14-45a-1 to 14-45a-4, inclusive, of the Regulations of Connecticut State Agencies. This screening may be accomplished by one of the following persons or by other means acceptable to the commissioner:

(1) Optometrist;

(2) Ophthalmologist or other physician;

(3) School nurse;

(4) Motor vehicle inspector at a department of motor vehicles office; or

(5) Licensed commercial driving school instructor or qualified secondary school teacher.

A record of the results of the vision screening indicating whether the person passed or failed the screening shall be maintained by the commercial driving school. All records relating to vision screening and health matters of students shall be maintained in confidence except as required by law.

(b) No student shall be given behind-the-wheel instruction if there is reliable evidence that the student does not meet the minimum health standards for operating a motor vehicle as provided in Sections 14-45a-1 to 14-45a-17, inclusive, of the Regulations of Connecticut State Agencies. Any student not meeting minimum health standards shall be referred to the department for evaluation prior to any behind-the-wheel training. Students having disabilities shall be reasonably accommodated with regard to training and equipment in accordance with law.

(Effective February 24, 1997)

Sec. 14-78-44. Driver examinations

(a) Each applicant for a Connecticut motor vehicle operator's license, using a motor vehicle owned by a licensed commercial driving school for such license test, shall be required by the commissioner to take such test at a branch of the department or other sites approved by the commissioner, at a convenient time and location.

(b) Each commercial driving school shall properly prepare its students for the driving test administered by the department by appropriately teaching all elements of safe driving as provided in Sections 14-78-33 and 14-78-34. Failure of a driving school to properly prepare its students, as determined in the sole discretion of the commissioner, may be grounds for suspension of its license in accordance with the provisions of chapter 54 of the general statutes.

(Effective February 24, 1997)

Sec. 14-78-45. Proficiency testing of licensed instructors

Each commercial driving instructor licensed by the commissioner, in accordance with section 14-73 of the general statutes, shall take a yearly driving proficiency test administered by the commissioner. A licensed commercial driving instructor who fails the yearly proficiency test shall not provide behind-the-wheel instruction to any student. No retest shall be conducted by the commissioner until such licensed driving instructor has been provided additional instruction. The proficiency test may include knowledge of statutory and regulatory changes which affect motor vehicle operation.

(Effective February 24, 1997)

Sec. 14-78-46. Insurance

(a) Every vehicle used in a driver education program shall be registered as required by law, and shall have a minimum liability insurance and uninsured motorist coverage for each vehicle of three hundred thousand dollars ($300,000) per occurrence for bodily injury and property damage.

(b) If the commissioner receives notice of cancellation of the required insurance, the vehicle(s) for which the insurance has been canceled shall not be used in behind-the-wheel instruction or examination of students unless proof of a renewed or reinstated insurance policy is received by the commissioner.

(Effective February 24, 1997)

Sec. 14-78-47. Change in rates

Each licensed driving school shall file an amended rate schedule with the commissioner if the fees charged by the driving school for instruction are changed.

(Effective February 24, 1997)

Sec. 14-78-48. Instructor requirements

(a) No person shall provide any behind-the-wheel or classroom instruction to a student in a driver education program unless such person complies with the requirements of section 14-73 of the general statutes, makes application to the commissioner, and is licensed by the commissioner.

(b) An applicant for an instructors license shall present to the commissioner certification by a physician licensed in this state that he is physically fit to operate a motor vehicle and provide driver training. Such certification shall be based on a medical examination within the prior three (3) months. A person who provides evidence that he meets the medical standards contained in 49 CFR Sec. 391.41 (Federal Motor Carrier Safety Regulations) shall be deemed to be physically fit. Any change in an instructor's medical condition which may affect the safe operation of a motor vehicle shall be reported to the commissioner within ten (10) business days.

(c) An applicant for an instructor's license shall take and pass a behind-the-wheel driving test and written test as required by the commissioner. A person failing a behind-the-wheel test shall not be retested earlier than two (2) weeks after failing a test without proof of additional instruction.

(d) An applicant for an instructor's license shall take and pass a course in instructor training having at least three (3) semester hours of credit, of not less than forty-five (45) clock hours in length, which has been approved by the commissioner. Annual proficiency testing of each instructor shall be required by the commissioner.

(e) An applicant for an instructor's license shall be fingerprinted prior to issuance of a license.

(Effective February 24, 1997)

Brakes

Secs. 14-80-1--14-80-4.
Repealed, July 1, 1977.

Sec. 14-80-1a. Stopping distance

``Stopping distance'' as used in section 14-80-2a means the distance traveled by a vehicle or combination of vehicles from the point of application of force to the brake control to the point at which the vehicle reaches a full stop.
(Effective July 1, 1977)

Sec. 14-80-2a. Service brakes

(a) Each motor vehicle or combination of motor vehicles shall be equipped with service brakes maintained in good and proper operating condition adequate to stop such vehicle or vehicles within the following specified stopping distances at the speeds indicated from the point where such brakes are first applied when such vehicle or vehicles are operated on a dry asphalt or concrete pavement surface free from loose material where the surface grade does not exceed one (1) percent.

1. Passenger motor vehicles.

Speed Miles per Hour	*Required Stopping Distance (Ft.)*
20	*24*
30	*54*
40	*91*
55	*172*

2. Each motor vehicle equipped with a hydraulic service brake system having a G.V.W.R. of 10,000 lbs. or less including school buses but not including passenger motor vehicles.

Speed Miles per Hour	*Required Stopping Distance (Ft.)*
20	29
30	65
40	144
55	272

3. Each motor vehicle equipped with a hydraulic service brake system having a G.V.W.R. greater than 10,000 lbs. including school buses but not including passenger motor vehicles.

Speed Miles per Hour	*Required Stopping Distance (Ft.)*
20	36
30	81
40	173
55	326

4. Trucks, buses and trailers equipped with air brake systems.

Speed	*Required Stopping Distance*

Miles per Hour	*(Ft.)*
20	35
30	75
40	131
55	246

5. Motorcycles.

Speed Miles per Hour	*Required Stopping Distance (Ft.)*
15	11
20	19
30	43
40	75
55	155

(b) The service brake on trucks and buses, including public service motor vehicles and service buses manufactured after June 1, 1976 equipped with air brake systems shall have:

1. An air compressor of sufficient capacity to increase pressure in the supply and service reservoirs from 85 P.S.I. to 100 P.S.I. when the engine is operating at the vehicle manufacturer's mum recommended R.P.M. within a time, in seconds, determined by the quotient

$$\frac{\text{Actual reservoir capacity} \times 25}{\text{Required reservoir capacity}}$$

2. One or more service reservoir systems, from which air is delivered to the brake chambers, and either an automatic condensate drain valve for each service reservoir or a supply reservoir between the service reservoir system and the source of air pressure.

3. The combined volume of all service reservoirs and supply reservoirs shall be at least 12 times the combined volume of all service brake chambers at maximum travel of the pistons or diaphragms.

4. Each reservoir shall be capable of withstanding an internal hydrostatic pressure of 5 times the compressor cutout pressure or 500 P.S.I., whichever is greater, for 10 minutes.

5. Each service reservoir system shall be protected against loss of air pressure due to failure or leakage in the system between the service reservoir and the source of air pressure, by check valves or equivalent devices whose proper functioning can be checked without disconnecting any air line or fitting.

6. Each reservoir shall have a condensate drain valve that can be manually operated.

7. If the vehicle is intended to tow another vehicle equipped with air brakes, a system to protect the pressure in the towing vehicle from the effects of a loss of air pressure in the towed vehicle.

8. A pressure gauge in each service brake system, readily visible to a person seated in the normal driving position, that indicates the service reservoir system air pressure. The accuracy of the gauge shall be within plus or minus 7 percent of the compressor cutout pressure.

9. A signal, other than a pressure gauge, that gives a continuous warning to a person in the normal driving position when the ignition is in the ``on'' or ``run'' position and the air pressure in the service reservoir system is below 60 P.S.I. The signal shall be either visible within the driver's forward field ofew, or both audible and visible.

10. Each vehicle equipped with an antilock system shall have a signal that gives a continuous warning to a person in the normal driving position when the ignition is in the on or run position in the event of a total electrical failure of the antilock system. The signal shall be either visible within the driver's forward field of view or both audible, for a duration of at least 10 seconds, and continuously visible. The signal shall operate in the specified manner each time the ignition is returned to the ``on'' or ``run'' position.
(Effective July 1, 1977)

Sec. 14-80-3a. Parking brake

(a) Each passenger motor vehicle or motor vehicle with a G.V.W.R. of 10,000 lbs. or less having a hydraulic or any other type service brake system shall be equipped with a parking brake system which upon actuation by the operator shall be effective in applying braking action either directly or indirectly on at least two wheels. If the service brake system and the parking brake system are functionally connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without parking ability on at least two wheels. The parking brake system shall be of the friction type with a solely mechanical means to retain engagement and shall be capable of holding the vehicle, when loaded to its G.V.W.R., to the limit of traction of the braked wheels in both forward and reverse directions on clean, dry, smooth Portland Cement Concrete pavement (or other surface with equivalent coefficient of surface friction) on grades and under conditions specified as follows:

1. 20% (11.3°) grade for any motor vehicle manufactured prior to January 1, 1976.

2. Any motor vehicle manufactured on or after January 1, 1976 shall meet the requirements of either part ``a'' or parts ``b'' and ``c'' below as applicable:

a. 30% (16.7°) grade for any motor vehicle not equipped with a transmission control parking mechanism feature and any motor vehicle so equipped having the transmission parking mechanism disengaged.

b. 30% (16.7°) grade for any motor vehicle equipped with a transmission control parking mechanism which is engaged simultaneously with the vehicle's parking brake.

c. 20% (11.3°) grade for any motor vehicle equipped with a transmission control parking mechanism which is not engaged and the vehicle's parking brake is applied.

(b) Each truck or bus having a hydraulic or any other type service brake system with a G.V.W.R. greater than 10,000 pounds shall have a parking brake system of a friction type with a solely mechanical means to retain engagement and shall be capable of holding the vehicle stationary, when loaded to its gross vehicle weight rating established by the manufacturer, in both forward and reverse directions on a 20% (11.3°) grade.

(c) Each truck, bus or trailer equipped with an air brake system shall have a parking brake system capable of holding the vehicle or vehicle combination stationary when facing uphill and facing downhill on a smooth, dry Portland Cement Concrete roadway with a 20% (11.3°) grade, both (1) when loaded to its gross vehicle weight rating, and (2) at its unloaded vehicle weight plus 500 pounds (including driver and instrumentation). The parking brakes shall be applied by an energy source that is not affected by loss of air pressure or brake fluid pressure in the service brake system. Once applied, the parking brakes shall be held in the applied position solely by mechanical means.
(Effective July 1, 1977)

Seals and Stickers

Sec. 14-80-5.

Repealed, February 22, 1985.

Siren Permits

Sec. 14-80-6. Siren permits

Permits for the use of sirens on motor vehicles belonging to members of volunteer fire companies or associations shall be limited the volunteer fire chiefs and their first and second deputies or their first and second assistants should there be no deputies. Before any permit is issued to a deputy or assistant, as the case may be, the chief shall provide certification as to the status of the applicant.

(Effective October 26, 1988)

Maximum Permissible Noise Levels for Vehicles

Secs. 14-80a-1--14-80a-18.

Repealed, June 1, 1978.

Sec. 14-80a-1a. Definitions

(a) ``Motor Vehicle'' means any vehicle as defined in subdivision (26) of section 14-1, Connecticut General Statutes.

(b) ``dB(A)'' means the standard abbreviation for ``A'' weighted sound level in decibels.

(c) ``Sound Level'' means the ``A'' weighted sound level obtained by use of fast meter response and ``A'' weighting characteristics specified in American National Standard S1.4-1971 ``Specification for Sound level Meters''.

(d) ``Gross Vehicle Weight Rating (G.V.W.R.)'' means the value specified by the manufacturer as the maximum fully loaded overall weight allowed for a single vehicle;

(e) ``Gross Combination Weight Rating (G.C.W.R.)'' means the sum total of the G.V.W.R. of each vehicle or unit comprising a combination vehicle.

(f) ``Hard Test Site'' means any test site having the ground surface covered with concrete, asphalt, packed dirt, gravel or similar acoustically reflective material for more than one-half the distance between the microphone target point and the microphone location.

(g) ``Soft Test Site'' means any test site having the ground surface covered with grass, other ground cover or similar acoustically absorptive material for one-half or more of the distance between the microphone target point and the microphone location.

(h) ``Ground Cover'' means any of various low, dense-growing plants such as ivy, myrtle, low weeds, or brush.

(i) ``Traffic Railing'' means any longitudinal highway traffic barrier system installed along the side or median of a highway. For the purpose of this regulation, a traffic railing must have at least thirty-five percent of its vertical height from the ground surface to the top of the railing, open to free space in order to qualify as an acceptable object within a noise measurement test site. Posts or other discrete supports shall be ignored when ascertaining open free space.

(j) ``Relatively Flat'' means a sound measuring site which does not contain significant concave curvatures or slope reversals that may result in the focusing of sound waves toward the microphone location.

(k) ``Motorcycle'' means any vehicle as defined in subdivision (25) of section 14-1, Connecticut General Statutes.

(l) ``Snowmobile'' means a vehicle coming within the definition of the term ``snowmobile'' as defined in section 14-379, Connecticut General Statutes.

(Effective December 27, 1978)

Sec. 14-80a-2a. Provisions

Except as provided in section 14-80a-3a of this regulation, the requirements in sections 14-80a-1a through 14-80a-10a apply to motor vehicles and snowmobiles at any time or under any condition of surface grade, vehicle load, acceleration or deceleration.

(Effective June 1, 1978)

Sec. 14 80a-3a. Exceptions

Sections 14-80a-1a through 14-80a-10a do not apply to:

(a) The sound generated by a warning device, such as a horn or siren installed in a motor vehicle, unless such a device is intentionally sounded in order to preclude an otherwise valid noise emission measurement.

(b) An emergency motor vehicle, such as a fire engine, an ambulance, a police van, or a rescue van, when it is responding to an emergency call.

(c) A snow plow in operation.

(d) The sound generated by auxiliary equipment which is normally operated only when the motor vehicle on which it is installed is stopped or is operating at a speed of 5 MPH (8 km/h) or less, unless such device is intentionally operated at speeds greater than 5 MPH (8 km/h) in order to preclude an otherwise valid noise measurement. Examples of that type of auxiliary equipment include, but are not limited to, cranes, asphalt spreaders, ditch diggers, liquid or slurry pumps, auxiliary air compressors, welders and trash compactors.

(Effective June 1, 1978)

Sec. 14-80a-4a. Allowable noise levels

Motor vehicle and snowmobile noise emissions when measured with the sound level measuring microphone located 50 feet (15.2 m) from the target point in accordance with the requirements of section 14-80a-7a shall not exceed the following specified values:

(a) Any motor vehicle or combination motor vehicle having a G.V.W.R. or G.C.W.R. of less than 10,000 pounds (4586 kg) including passenger motor vehicles:

MAXIMUM PERMISSIBLE SOUND LEVEL READINGS DB (A)

	HIGHWAY OPERATION				*STATIONARY*	
	Soft Site		*Hard Site*		*Soft Site*	*Hard Site*
HIGHWAY SPEED LIMIT	35 MPH or less	Above 35 MPH	35 MPH or less	Above 35 MPH		
VEHICLES MANUFACTURED						
Prior to Jan. 1, 1979	76 dB (A)	82 dB (A)	78 dB (A)	84 dB (A)	76 dB (A)	78 dB (A)
On and After Jan. 1, 1979	72 dB (A)	79 dB (A)	74 dB (A)	81 dB (A)	72 dB (A)	74 dB (A)

(b) Any motor vehicle or combination motor vehicle having a G.V.W.R. or G.C.W.R. of 10,000 pounds (4586 kg) or greater excluding buses:

MAXIMUM PERMISSIBLE SOUND LEVEL READINGS DB (A)

	HIGHWAY OPERATION				*STATIONARY*	
	Soft Site		*Hard Site*		*Soft Site*	*Hard Site*
HIGHWAY SPEED LIMIT	35 MPH or less	Above 35 MPH	35 MPH or less	Above 35 MPH		
	86 dB (A)	90 dB (A)	88 dB (A)	92 dB (A)	86 dB (A)	88 dB (A)

(c) Any bus including school buses having a G.V.W.R. or G.C.W.R. of 10,000 pounds (4536 kg) or greater:

MAXIMUM PERMISSIBLE SOUND LEVEL READINGS DB (A)

	HIGHWAY OPERATION				*STATIONARY*	
	Soft Site		*Hard Site*		*Soft Site*	*Hard Site*
HIGHWAY SPEED LIMIT	35 MPH or less	Above 35 MPH	35 MPH or less	Above 35 MPH		
VEHICLES MANUFACTURED						
Prior to Jan. 1, 1979	86 dB (A)	90 dB (A)	88 dB (A)	92 dB (A)	86 dB (A)	88 dB (A)
On and After Jan. 1, 1979	88 dB (A)	88 dB (A)	86 dB (A)	90 dB (A)	83 dB (A)	85 dB (A)

14-80a-4a

(d) Any motorcycle:

MAXIMUM PERMISSIBLE SOUND LEVEL READINGS DB (A)

	HIGHWAY OPERATION				*STATIONARY*	
	Soft Site		*Hard Site*		*Soft Site*	*Hard Site*
HIGHWAY SPEED LIMIT	35 MPH or less	Above 35 MPH	35 MPH or less	Above 35 MPH		
VEHICLES MANUFACTURED						
Prior to Jan. 1, 1979	80 dB (A)	84 dB (A)	82 dB (A)	86 dB (A)	80 dB (A)	82 dB (A)
On and After Jan. 1, 1979	78 dB (A)	82 dB (A)	80 dB (A)	84 dB (A)	78 dB (A)	80 dB (A)

(e) Snowmobiles

(1) Any snowmobile:

MAXIMUM PERMISSIBLE SOUND LEVEL READINGS DB (A)

	OPERATION ANY SPEED		*STATIONARY*	
SNOWMOBILES MANUFACTURED	*Soft Site (including snow)*	*Hard Site (including ice)*	*Soft Site*	*Hard Site*
Prior to Jan. 1, 1973	85 dB (A)	87 dB (A)	86 dB (A)	88 dB (A)
On and After Jan. 1, 1973 and prior to Jan. 1, 1975	82 dB (A)	84 dB (A)	83 dB (A)	85 dB (A)
On and After Jan. 1, 1975	78 dB (A)	80 dB (A)	79 dB (A)	81 dB (A)

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The speed range designated for the maximum permissible sound levels in the
charts above are determined by prevailing speed limits and speed limit advisory

signs. The speed limits do not necessarily have to be posted.

(2) Certification of new snowmobiles. For the purposes of measuring sound

emissions of new snowmobiles sold or offered for sale in Connecticut, independent certification by the Snowmobile Safety and Certification Committee, Inc., or an alternative testing laboratory approved by the Commissioner that a snowmobile model has been tested and does comply with a requirement of not more than 78 dB(A) under SAE J192(a) and 73 dB(A) under SAE J1161 shall be accepted as conclusive evidence of compliance with the maximum permissible sound levels for snowmobiles as established in Subsection (e) of this section.

(Effective June 1, 1978)

Sec. 14-80a-5a. Sound level measurement tolerances

(a) Measurement tolerances shall be allowed to take into account the effects of the following factors:

(1) The standard practice of reporting field sound level measurements to the nearest whole decibel.

(2) Variations resulting from commercial instrument tolerances.

(3) Variations resulting from the topography of the noise measurement site.

(4) Variations resulting from atmospheric conditions such as wind, ambient temperature, and atmospheric pressure.

(5) Variations resulting from reflected sound from small objects allowed within the test site.

(6) The interpretation of the effects of the above cited factors by enforcement personnel.

(b) Measurement tolerances shall not exceed two decibels for a given measurement and such tolerance shall be added directly to the appropriate maximum allowed sound level limit specified in section 14-80a-4a.

(Effective June 1, 1978)

Sec. 14-80a-6a. Instrumentation

(a) Sound level meter: The sound level meter shall meet or exceed the requirement of American National Standard Specification for sound level meters (ANSI S1.4-1971), approved April 27, 1971 and issued by the American National Standards Institute, for Types 1, II or S sound level meters.

(b) Sound level calibrator: A sound level calibration instrument of the coupler type shall be used to calibrate the sound level meter in decibel units and such instrument shall produce a calibration sound pressure level having a tolerance no greater than Þpm.3dB with a reference sound pressure level of 20 micronewtons per square meter.

(c) Anemometer: An anemometer for use in measuring the wind speed at the test site shall be capable of indicating wind speed up to 20 MPH (32.2 km/h) and shall be accurate to within ten percent of the indicated reading.

(d) Remote instrument location system: The sound level meter may be remotely located from the microphone by a cable system connected and used in compliance with the sound level meter manufacturer's recommendations.

(Effective June 1, 1978)

Sec. 14-80a-7a. Measurements of noise emissions

(a) **Ambient conditions**: (1) Prevailing background sound level: The ambient A weighted sound level at the microphone location as measured in the absence of motor vehicle noise emanating from within the test site, with fast meter response shall be 10 dB(A) lower than the sound level limits specified in section 14-80a-4a which corresponds to the maximum permissible sound level reading which is applicable at the test site at the time of testing.

(2) Wind: The wind velocity at the test site shall be measured at the beginning of each series of noise measurements and at intervals of approximately 15 minutes thereafter until it has been established that the wind velocity is essentially determined to be below 12 MPH (19.3 km/h). Once this fact has been established, wind velocity measurements may be made once each hour. Noise measurements shall be made only if the measured wind velocity is 12 MPH (19.3 km/h) or less.

(3) Precipitation: Sound level measurements shall not be made under any condition of precipitation; however, measurements may be made with snow on the ground. The ground surface within the triangular measurement area must be free of standing water.

(b) **Location and operation of sound level system**: (1) Microphone location: The microphone shall be located at a height not less than 2 feet (.6 m) nor more than 6 feet (1.8 m) above the plane of the roadway surface and not less than 3.5 feet (1.1 m) above the surface on which the microphone stands. When the sound level meter is hand held or otherwise monitored by a person located near the microphone, the holder must orient himself relative to the highway in a manner consistent with the recommendation of the manufacturer of the sound level measuring instrument. The holder or observer shall not be closer than 2 feet (.6 m) from the system's microphone nor shall he locate himself between the microphone and the vehicle being measured.

(2) Microphone orientation: The microphone shall be oriented toward the travel lane of the highway at the microphone target point at an angle that is consistent with the recommendation of the system's manufacturer. If the manufacturer of the instrument does not recommend an angle of orientation for its microphone, the microphone shall be oriented toward the highway at a vertical angle of not less than 70° and not more than perpendicular to the horizontal plane of the traveled lane of the highway.

(3) Sound level meter response: The sound level measurement system shall be set to the ``A''-weighting network and ``fast'' meter response mode.

(c) **Measurement procedure – highway operation**: Sound level measurement shall be made of the sound level generated by a motor vehicle or snowmobile operated through the measurement area within the test site, regardless of the highway or surface grade, load, acceleration or deceleration. The sound level generated by the vehicle shall be the highest reading observed on the sound level measurement system as the vehicle passes through the measurement area corrected when appropriate in accordance with section 14-80a-9a. The sound level of the vehicle being measured must be observed to rise at least 6 dB(A) before the maximum sound level occurs and to fall at least 6 dB (A) after the maximum sound level occurs in order to be considered a valid sound level reading.

(d) **Measurement procedure - stationary test**: (1) The motor vehicle or snowmobile shall be parked on the test site as specified in section 14-80a-8a (a)(2). If the motor vehicle is a combination (articulated) vehicle, it shall be parked so that the longitudinal centerline of the towing vehicle and the towed vehicle are in substantial alignment.

(2) All auxiliary equipment on the vehicle designed to be operated under normal conditions only when the vehicle is operated at a speed less than 5 MPH (8 km/in) shall be turned off. Examples of such equipment include cranes,

asphalt spreaders, liquid or slurry pumps, auxiliary air compressors, welders, and trash compactors.

(3) Any motor vehicle equipped with an engine radiator fan automatic clutch system shall be tested with the fan clutch disengaged.

(4) With vehicle's transmission in the neutral position* and its clutch (if equipped) engaged, the engine's throttle shall be quickly depressed or advanced to its maximum displacement and immediately released to allow the engine to return to its idle speed. If the vehicle is equipped with an engine speed governor, the engine control shall be advanced to allow the engine to reach its maximum governed speed before returning the throttle control to the engine idle position. Such measurement shall be exclusive of any overshoot in excess of the governed speed.

*Snowmobiles not equipped with a ``neutral'' transmission shift feature will require ``blocking'' to raise the vehicles drive tread or belt above the test site surface.

(5) The maximum reading observed on the sound level measuring instrument occurring during the procedure specified in item (4) above shall be recorded.

(6) The procedures specified in items (4) and (5) above shall be repeated until the two maximum sound level readings are noted to be within 2 dB(A) of each other. These two readings shall be numerically averaged and the results shall be used for establishing compliance with this regulation.

(Effective June 1, 1978)

Sec. 14-80a-8a. Site characteristics

(a) **Microphone target point**: (1) Highway operations: Sound level measurements shall be made at a test site which is adjacent to and includes a portion of a traffic lane or public highway. A microphone target point shall be established on the center line of the traveled lane.

(2) Stationary test: The motor vehicle or snowmobile to be tested shall be parked on the test site and a microphone target point shall be established within three feet (.91 m) of the vehicle's exhaust system outlet(s) measured on the longitudinal centerline of the motor vehicle or snowmobile.

(b) Microphone location point: A microphone location point shall be established on the ground surface not less than 35 feet (10.7 m) and not more than 83 feet (25.3 m) from the microphone target point and on a line that is perpendicular to the center line of the lane on which the vehicle is located or operated.

(e) **Test site**: A plan view diagram of a standard test site which is enclosed within a 50 foot (15.2 m) radius surrounding both the microphone target point and the microphone location point, is shown in figure one. Within the test site is a triangular measurement area. Measurements may be made at a test site having smaller or greater dimensions in accordance with the requirements of section 14-80a-9a. The test site shall be an open site, essentially free of large sound-reflecting objects. However, the following objects may be within the test site, including the triangular measurement area:

(1) Small cylindrical objects such as fire hydrants or telephone or utility poles.

(2) Rural mail boxes.

(3) Traffic railings of any type of construction except solid concrete barriers.

(4) One or more curbs having a vertical height of one foot (.3 m) or less.

(5) The following objects may be within the test site if they are outside of the triangular measurement area of the site:

a. Any vertical surface (such as a billboard), regardless of size, having a lower edge more than fifteen feet (4.6 m) higher than the surface of the traveled lane of the highway.

b. Any uniformly smooth sloping surface slanting away from the roadway (such as a rise in grade alongside the roadway) with a slope that is less than 45 degrees above the horizontal.

c. Any surface slanting away from the roadway that has a slope between 45 degrees and 90 degrees providing all points on this surface are more than 15 feet (4.G m) above the surface of the test lane or roadway.

The surface of the ground within the measurement area must be relatively flat. Sound level measurements may be made on either ``soft'' or ``hard'' test sites as defined in section 14-80a-1a.

For highway operations, the traffic lane of the highway within the test site must be dry, paved with relatively smooth concrete or asphalt, and substantially free of holes or other defects which would cause a motor vehicle to emit irregular tire, body or chassis impact noise. The traffic lane of any highway on which the microphone target point is situated must not pass through a tunnel or underpass located within 200 feet (61 m) of that point.

(Effective June 1, 1978)

Sec. 14-80a-9a. Microphone distance correction factors

If the distance between the microphone location point and the microphone target point is other than 50 feet, (15.2 m), the maximum observed sound level reading generated by the vehicle being measured must be corrected in accordance with table one prior to determining compliance with the sound level values of section 14-80a-4a.

(Effective June 1, 1978)

Sec. 14-80a-10a. Validity of regulations

If any section or subsection of these regulations is found invalid, the remainder will continue to be valid and enforceable.

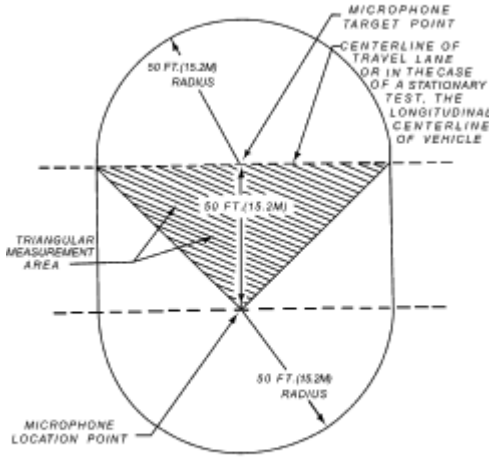
TABLE 1-DISTANCE CORRECTION FACTORS

If the distance between the Microphone location point and the Microphone target point is:	The value (dB(A) to be applied to the observed sound level reading is-
35 feet (10.7 m) or more but less than 39 feet (11.9 m)-	-3
39 feet (11.9 m) or more but less than 43 feet (13.1 m)-	-2
43 feet (13.1 m) or more but less than 48 feet (14.6 m)-	-1
48 feet (14.6 m) or more but less than 58 feet (17.7 m)-	0
58 feet (17.7 m) or more but less than 70 feet (21.3 m)-	+1
70 feet (21.3 m) or more but less than 83 feet (25.3 m)-	+2

See Figure 1 on following page.

(Effective June 1, 1978)

FIGURE 1



STANDARD TEST SITE

14-80a-10a

Safety Standards for Truck Brakes

Sec. 14-80h-1. Scope

These regulations specify the identification of mechanical defects in the braking system of vehicles with a gross vehicle weight of ten thousand pounds (10,000 lbs.) or more that may result in the vehicle being declared ``out of service'' and the establishment of a classification of defects or combination of defects which are deemed to be severe, as required by Public Act No. 88-313. (Effective February 24, 1989)

Sec. 14-80h-2. Definitions

As used in following regulations Sections 14-80h-3 through 14-80h-8, the following words and phrases shall have the following meanings:

(a) Air brakes. Brakes that utilize compressed air as the sole source of energy for application of brakes at the vehicle's wheels.

(b) Air chamber. A device or chamber which receives pressurized air and in turn exerts a force through the actuator to apply the foundation brakes.

(c) Air compressor. Device to build up and maintain required air pressure.

(d) Air check valve. An automatic control device designed to provide air flow in one direction only.

(e) Air hose. A flexible form of air line.

(f) Air lines. Conductor used to carry compressed air from one part of an air brake system to another and from tractor to the trailer. One line is called the emergency or supply line and is always charged with compressed air. The other is called the service or control line. When the air brake treadle valve is depressed, air flows from the supply reservoir through the service line and causes the brakes to apply.

(g) Air over hydraulic brake system. A brake system in which the operator's braking effort is reduced utilizing compressed air acting on the hydraulic system which actuates the wheel brakes.

(h) Air reservoir. Storage tank for compressed air.

(i) Brake, cam. A type of wheel brake in which the brake shoe and lining assemblies are spread apart against the drum by the rotation of a ``S'' shaped or other type cam.

(j) Brake, disc. Brakes that function by causing friction pads to press on either side of a disc rotating along with the wheel.

(k) Brake drum. Means the individual cupped metal drums to which motor vehicle wheels are each attached and against whose interior surface brake shoe pressure is applied to effect stopping, holding or control of forward or backward vehicle movement.

(l) Brake, foundation. The nonrotational components of a brake, including the actuating mechanism for development of retarding forces.

(m) Brake lining/pad. A material designed to create friction that is attached to the brake shoe and that contacts the rotating unit to supply braking force.

(n) Brake shoe. The nonrotating unit of the brake to which the brake lining/pad is attached.

(o) Brake, spider. That portion of the foundation brake which is anchored to either end of the axle bar, variously bolted or welded. Also known as support plate or backing plate.

(p) Brake system components. Any part required for the operation of vehicle brakes including those required under the provisions of the Code of Federal Regulations Title 49 Sections 393.40 thru 393.52, inclusive, and 396.3, 571.105, 571.121 and DMV regulations, Sections 14-80-2a (b) and 14-80-3a.

(q) Brake, wedge. A type of wheel brake in which the brake shoe and lining assemblies are spread apart by forcing a wedge between opposing ends of the assemblies, pushing them outward against the brake drum.

(r) Dolly (or converter gear). The coupling device composed of one or two axles and a fifth wheel by which a semi-trailer can be coupled to the rear of a tractor-trailer combination, forming a double bottom rig, or as otherwise defined in CGS Section 14-260n (7).

(s) Electric brake system. A brake system that utilizes electro-magnetic forces as the sole source of energy for application of brakes at the vehicle's wheels.

(t) Federal motor carrier safety regulations (FMCSR). CFR Title 49, Parts 350 thru 399 inclusive.

(u) Flexural crack. Is any crack that shows movement upon loading, such as brake application.

(v) Governor (air). Device to automatically control the air pressure being maintained by the compressor in the air reservoirs, normally keeping air pressure between 90 and 120 psi, and which prevents excessive air pressure from building up.

(w) Gross vehicle weight. For the purpose of application of this regulation ``gross vehicle weight'' shall mean the GROSS VEHICLE WEIGHT RATING (GVWR) as defined and specified by the vehicle manufacturer for a single vehicle.

(x) Hydraulic brake system. Brakes that depend on transmission of hydraulic pressure from a masterylinder to the wheel cylinders.

(y) Hydraulic boosted brake system. A brake system in which the operator's braking effort is reduced through the use of a hydraulic pump which separately acts on another hydraulic system which actuates the wheel brake. The hydraulic pump may be engine driven or driven by an electric motor.

(z) Imminent hazard. Means any condition of vehicle, employee, or commercial vehicle operations which is likely to result in serious injury or death if not discontinued immediately.

(aa) Low-air-warning device. Means of warning a truck driver that his vehicle is not maintaining the proper amount of air pressure needed to operate the brakes, etc. Can be a buzzer, a flashing red light on the instrument panel, or a small red metal flag that drops into the driver's line of vision.

(bb) Mechanical defect. Any faulty condition which in itself or upon its failure would prevent any mechanical component(s) in the brake system from operating within the manufacturer's specified tolerance.

(cc) Push-rod stroke. The distance traveled by the brake chamber push rod in moving from the fully released position to the fully applied position with minimum air pressure of 85 psi at the vehicle's air pressure gauge.

(dd) Slack adjuster. An adjustable mechanical lever fixed to the brake camshaft on one end, to the brake chamber push rod on the other, and determined to transmit brake chamber energy to the cam shaft.

(ee) Slack adjuster stroke. The distance traveled by the portion of the slack adjuster at its attachment to the push rod in moving from the fully released position to the fully applied position with minimum air pressure of 85 psi at the vehicle's air pressure gauge.

(ff) Vacuum brake system. A brake system in which the operator's braking effort is reduced through a vacuum booster acting on the hydraulic system which actuates the wheel brake.

(Effective February 24, 1989)

Sec. 14-80h-3. Out-of-service condition

Any motor vehicle(s) found to have a defect or combination of defects or severe defects or combination of defects deemed severe in its braking system in accordance with Section 14-80h-5 through Section 14-80h-8 inclusive of this regulation or otherwise determined to be so hazardous as to likely cause an accident or breakdown, or when such condition(s) would likely contribute to loss of control of the vehicle(s) by the driver, said vehicle(s) shall be declared out-of-service. No person shall operate any motor vehicle after being declared or marked out-of-service in accordance with CFR Title 49, Part 396.
(Effective February 24, 1989)

Sec. 14-80h-4. Severe defect or combtion of defects

Any defect(s) in a motor vehicle(s) braking system which in itself is an imminent hazard or in combination are an imminent hazard to highway safety, which is likely to result in serious injury or death, shall be deemed to be severe in accordance with Section 14-80h-7 and Section 14-80h-8 of this regulation. Any person who operates any vehicle with severe defects shall be subject to the penalties provided in CGS Section 14-80h, as amended by Public Act No. 88-313. Any vehicle found with severe defect(s) shall be declared or marked out-of-service.
(Effective February 24, 1989)

Sec. 14-80h-5. Out-of-service braking system defects

Any one of the following listed defects shall be considered to be an out-of-service condition.

(a) **Air brake system.**

(1) Absence of braking action upon application of the service brakes, such as brake shoe(s) failing to move upon application of a wedge, S-cam, cam or disc brake.

(2) Missing or broken mechanical components including: shoes, linings, pads, springs, anchor pins, spiders, cam rollers, push-rods and air chamber mounting bolts.

(3) Loose brake components including air chambers, spiders and cam shaft support brackets.

(4) Audible air leak at a brake chamber.

(5) Beyond readjustment limits. See adjustment limits Diagram No. 2, 3, 5 and 6.

With air brakes applied at 80-90 psi if one brake is more than ¼ inch beyond the readjustment limit. (Example: Type 30 clamp type brake chamber push-rod measured at 2¼ inches would be a defective brake).

(b) **Brake linings or pads.**

(1) Linings or pads not firmly attached to the shoe.

(2) Linings or pads saturated with oil, grease or brake fluid.

(3) Air brakes. Lining with a thickness less than ¼ inch at the shoe center for drum brakes, or less than 1/8 inch for disc brakes.

(4) Hydraulic and electric brake. Lining with a thickness 1/16 inch or less, at the shoe center for drum brakes.

(c) **Missing brake.** Missing brake on any axle required to have brakes in accordance with Federal Motor Carrier Safety Regulation FMCSR-CFR Title 49, 393.42 (b).

(d) **Unbalanced steering axle brakes.** Steering axle brakes include power unit, full trailer, or dolly. When the difference in brake push-rod stroke between each side of a motor vehicle steering axle is ½ inch or more, or when one (1) of the brakes is ¼ inch or more beyond the readjustment limit. See Diagrams Nos. 5 and 6 for readjustment limit.

(e) **Parking brake.** No brakes on the vehicle or combination are applied upon actuation of the parking brake control, including driveline hand-controlled parking brake.

(f) **Brake drum or disc.** One (1) brake drum or disc (rotor) with an external crack or cracks that do not open upon brake application. (Note: Do not confuse short hairline heat cracks with flexural cracks.)

(g) **Brake hose.**

(1) Hose with any damage extending through the outer reinforcement ply. Rubber impregnated fabric cover is not a reinforcement ply. Thermoplastic nylon may have braid reinforcement or color difference between cover and inner tube. Exposure of second color is out of service. See Diagram No. 1.

(2) Hose with audible leak at other than a proper connection.

(3) Air hose cracked, broken or crimped.

(4) Any brake line or hose that is in contact with any part of the exhaust system.

(5) Tubing with an audible leak at other than a proper connection.

(6) Tubing cracked, damaged by heat, broken or crimped.

(7) Two hoses improperly joined, such as a splice made by sliding the hose ends over a piece of tubing and clamping the hose to the tube even if there is no movement at the splice.

(h) **Air pressure gauge.** Missing or inoperative air pressure gauge. See Diagram No. 4.

(i) **Low pressure warning device.** Missing, inoperative, or does not operate
below 60 psi or(½) the governor cutout pressure, whichever is less, except if exempt under Federal Motor Carrier Safety Regulation (FMCSR).

(j) **Air pressure leakage.** It will be necessary to record the pressure over a time interval corresponding to the test gauge increments for accuracy.

(1) With the air system fully charged and the trailer lines connected (if applicable), stop the engine and with the brakes released, observe the time for a pressure drop of two gauge increments. If leakage rate with brakes released in one to five minutes exceeds:

(A) 2 psi/minute for single vehicles.

(B) 3 psi/minute for combination vehicles with additional 2 psi drop allowed for each additional towed vehicle.

(2) After determining the pressure loss with the brakes released, make a full brake application and observe the time for a pressure drop of two gauge increments while the brakes are fully applied (engine off). If leakage rate with full brake application in one (1) minute exceeds:

(A) 3 psi for single vehicles.

(B) 4 psi for combination vehicles with additional 2 psi drop allowed for each additional towed vehicle.

(k) **Tractor-protection valve.** Inoperable or missing air supply protection check valve(s) on power unit.

(l) **Air pressure build-up time.** With trailer(s) uncoupled (if applicable) and tires chocked, fully charge the system to governor cut-out pressure. Make one (1) full brake application and note air pressure reading on gauge. Continue to reduce the air pressure by moderate brake applications to at least 10 psi below the governor cut-in pressure. Release the brake and run the engine at the manufacturers maximum recommended R.P.M. and determine the time required to increase the air pressure from the level achieved after one (1) brake application to the governor cut-out pressure. See Diagram No. 4. Vehicle is to be placed ``Out of Service'' if the time required to build up pressure from the level after one (1) brake application to governor cutout pressure is more than 30 seconds.

(m) **Air compressor.** Normally to be inspected when readily visible or when

conditions indicate compressor problems.

(1) Compressor drive belts in condition of impending or probable failure.

(2) Loose compressor mounting bolts.

(3) Cracked, broken or loose compressor pulley.

(4) Cracked, or broken compressor mounting brackets, braces or adapters.

(n) **Air reservoir.**

(1) Mounting bolts loose or missing, as determined by visible inspection of bolts.

(2) Inoperable or missing air supply protection check valve(s).

(o) **Electric brakes.**

(1) Absence of braking action on a single brake wheel of a vehicle or combination of vehicles.

(2) Missing or inoperable breakaway braking device.

(p) **Hydraulic brakes.** Conditions found on systems including power assist over hydraulic and engine drive hydraulic booster.

(1) Absence of braking action on a single brake wheel of a vehicle or combination of vehicles.

(2) Master cylinder less than ¼ full, as normally inspected when readily visible or problems are apparent.

(3) Seeping or swelling brake hose(s) under application of pressure.

(4) Missing or inoperative check valve.

(5) Any visually observed leaking hydraulic fluid in the brake system.

(6) Hydraulic hose(s) abraded (chafed) through outer cover-to-fabric layer.

(7) Fluid lines or connections restricted, crimped, cracked or broken.

(8) Brake failure light/low fluid warning light on.

(q) **Condition of combination electric hydraulic booster power brake system.**

(1) Absence of braking action on a single wheel of a vehicle or combination of vehicles.

(2) The fluid in the hydraulic pump reservoir is below the minimum level as defined by the manufacturer.

(3) There are broken, kinked or restricted fluid lines or hoses.

(4) There is any leakage of fluid, except for common wetting or weep, at the pump and steering gear hydraulic fluid circuit, or brake booster, or any of the line(s) or hose(s) in the system.

(5) Hydraulic pump belts are frayed, cracked, or excessively worn.

(r) **Operation of combination electric hydraulic booster system.**

(1) Electric motor does not operate.

(2) The brake warning light is not illuminated with the ignition (start) switch in ``on'' position prior to starting engine.

(3) Pedal does not move slightly as engine is started while force is on brake pedal.

(4) Brake warning light remains illuminated after engine is started.

(s) **Height sensing brake proportioning valve (HSBPV**). If link is disconnected, broken, etc. on systems with HSBPV.

(t) **Vacuum brake system.**

(1) Insufficient vacuum reserve to permit one full brake application after engine is shut off.

(2) Vacuum hose(s) or line(s) restricted, abraded, (chafed) through outer cover-to-cord ply, crimped, cracked, broken or has collapse of vacuum hose(s) when vacuum is applied.

(3) Lacks an operative low-vacuum warning device when required.

(4) If audible leak of air into brake vacuum system is heard.

(5) Absence of braking action on a single brake wheel of a vehicle.

(Effective December 28, 1990)

Sec. 14-80h-6. Out-of-service braking system defects in combination

Any of the following combination of defects shall be considered an out-of-
service condition:

(a) **Air brake system.**

(1) Two (2) brakes less than ¼ inch or more beyond the readjustment limit also equal one (1) defective brake. Example: Two (2) type 30 chamber pushrods measured at 2 and 1/8 inches would equal one defective brake. See Brake Adjustment Diagram Nos. 5 and 6 for readjustment limits.

(2) Two (2) or more linings with a thickness less than ¼ inch at the shoe center for drum brakes or less than 1/8 inch for disc brakes.

(b) **Mismatch across a motor vehicle steering axle, full trailer or dolly of:**

(1) One (1) air chamber size;

(2) One (1) slack adjuster length; or

(3) One (1) retracted push-rod length differs by more than ½ inch from opposite push-rod length. See Diagram No. 2.

(c) **Hydraulic brake system.** Two or more linings with a thickness 1/16 inch or less at the center for drum brakes and 1/32 inch or less for disc brake linings/pads.

(d) **Electric brake system.**

(1) Electric brakes with two or more linings with a thickness 1/16 inch or less at the shoe center for drum brakes.

(2) Electric brake system with absence of braking action on 20% or more of
the wheels.

(Effective February 24, 1989)

Sec. 14-80h-7. Severe braking system defects

Any one of the following listed defects shall be considered to be severe:

(a) Brake system. No brake lining on shoe, no brake pad on backer plate, brake lining worn through to exposed metal.

(b) Brake drum or disc. Brake drum or disc (rotor) with external crack or cracks that are open or open upon brake application.

(c) Brake hose. Brake hose with bulge/swelling when air pressure is applied.

(d) Brake hose. Two (2) portions of a brake line improperly joined, such as a splice made by sliding the hose ends over a piece of tubing and clamping the hose to the tube, when, at the point of the splice, hoses can be moved or separated by hand.

(e) Hydraulic brakes. No pedal reserve with engine running except by pumping pedal on systems including power assist over hydraulic and engine drive hydraulic booster.

(f) Hydraulic brakes. Power assist unit fails to operate on systems including power assist over hydraulic and engine drive hydraulic booster.

(g) Hydraulic brakes. Hydraulic brake fluid line(s) or connection(s) with evidence of purposefully being disconnected, restricted or crimped.

(h) Defective brakes. Evidence of intentional removal or rendering any brake system part(s) inoperative or ineffective.

(i) Defective brakes. Absence of braking action on only a right or only a left wheel on any steering axle of any vehicle, including a dolly and the front axle of a full trailer.

(Effective February 24, 1989)

Sec. 14-80h-8. Severe braking system defects in combination

Any one of the following combinations of defects, subsection (a) through (d), shall be considered to be severe:

(a) Air brake system. Air loss rate. If an air leak is discovered and the reservoir pressure is not maintained when the governor is cut-in and, reservoir pressure is between 80 & 90 psi and, the engine is at idle and, the service brakes are fully applied; in combination with one other ``out-of-service'' braking system defect.

(b) Hydraulic brake system. Brake failure warning/low fluid warning light on in combination with two other ``out of service'' hydraulic brake conditions.

(c) Any combination of out-of-service conditions, as specified in Sections 14-80h-5 (a) (1), 14-80h-5 (a) (5) and 14-80h-5 (c) of these regulations, which affect 30% or more of the wheels required to have brakes on a single vehicle or combination vehicle.

(d) Any vehicle with a sufficient number of out-of-service brake defects, as specified in Section 14-80h-5 and 14-80h-6 of these regulations, such that the total number of out-of-service braking system defects on a single vehicle or combination vehicle exceeds the number of axles requiring brakes.

(Effective February 24, 1989)

TRUCK BRAKE DIAGRAMS

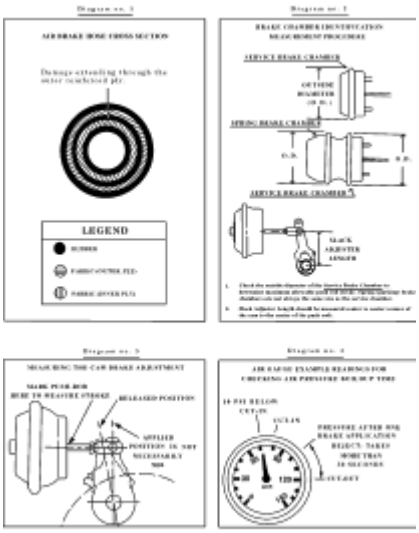


Diagram no. 5

Brake Adjustment. Shall Not Meet Or Exceed Those Specifications Contained Hereunder Relating To Maximum Stroke at Which Brakes Should Be Readjusted. (Dimensions In Inches.)

BOLT TYPE BRAKE CHAMBER DATA

Type	Effective Area (Sq. In.)	Outside Diameter	Maximum Stroke	Maximum Stroke With Brakes Adjusted	Maximum Stroke At Which Brakes Should Be Readjusted
A	12	6-15/16	1-3/4	Should be	1-3/8
B	24	9-3/16	2-1/4	as short as	1-3/4
C	16	8-1/16	2-1/4	possible	1-3/4
D	6	5-1/4	1-5/8	without	1-1/4
E	9	6-3/16	1-3/4	brakes	1-3/8
F	36	11	3	dragging	2-1/4
G	30	9-7/8	2-1/4		2

BENDIX WESTINGHOUSE

DD 2	2
DD 3	2

Diagram no. 6

ROTOCHAMBER DATA

Type	Outside Diameter	Maximum Stroke With Brakes Adjusted	Maximum Stroke At Which Brakes Should Be Readjusted
9	4-9/32	Should be	1-1/2
12	4-13/16	as short as	1-1/2
16	5-13/32	possible	2
20	5-15/16	without	2
24	6-13/32	brakes	2
30	7-1/16	dragging	2-1/4
36	7-5/8		2-3/4
50	8-7/8		3

CLAMP TYPE BRAKE CHAMBER DATA

6	4-1/2	Should be	1-1/4
9	5-1/4	as short as	1-3/8
12	5-11/16	possible	1-3/8
16	6-3/8	without	1-3/4
20	6-25/32	brakes	1-3/4
24	7-7/32	dragging	1-3/4 (See Note)
30	8-3/32		2
36	9		2-1/4

NOTE: 2 Inches for long stroke design.

WEDGE BRAKE DATA

Movement of the scribe mark on the lining shall not exceed 1/16 inch.

Spot Lights and Auxiliary Lights

Secs. 14-84-1--14-84-13.

Repealed. (Effective November 14, 1967.)

Standards For Reflectors and Lighting Devices

Sec. 14-84-14. Minimum standards for the performance of turn signals, reflex reflectors, headlamps and other lighting devices

Repealed. (Effective November 14, 1967.)

Width Lights or Reflectors

Sec. 14-88-1. Width lights or reflectors

Repealed. (Effective November 14, 1967.)

Emergency Vehicles

Sec. 14-94-1. Defined

Repealed. (Effective November 14,1967.)

Auxiliary Lighting on Motor Vehicles Equipped For Snow Removal

Sec. 14-96aa-1. Auxiliary lamps. Speed limit

(a) Any motor vehicle equipped with snow plows or other special snow removal equipment which interferes with the normal beam projection of the headlamp units on such motor vehicles as provided for in sections 14-96u and 14-96v of the 1969 supplement to the general statutes shall be equipped with and use any combination of not less than two or more than four auxiliary lamps in place of such headlamps. Such auxiliary lamps may be mounted at a height not to exceed twelve inches above the roof of the motor vehicle's cab and shall provide sufficient light ahead to show any person, vehicle or object upon the roadway straight ahead of the vehicle on which they are mounted for a distance of at least two hundred feet.

(b) No motor vehicle while operating on the highway utilizing the auxiliary lighting equipment provided for in subsection (a) of this section shall exceed a speed of forty miles per hour.

(Effective February 11, 1969.)

Tires

Sec. 14-98a-1. Definitions

As used in sections 14-98a-1 to 14-98a-4, inclusive: (1) ``Tread depth'' includes both original, retread and recap tread design; and, in addition to the foregoing, in respect to special mileage commercial tires, recut or regrooved tread design; (2) a ``special mileage commercial tire'' means a tire manufactured with an extra layer of rubber between the cord body and original tread design, which extra layer is designed for the purpose of recutting or regrooving.

(Effective February 20, 1968.)

Sec. 14-98a-2. Unsafe conditions

No tire shall be deemed to be in safe operating condition if such tire: (1) Has a fabric break, or a cut in excess of one inch in any direction as measured on the outside of the tire and deep enough to reach the body cords, or has been repaired by the use of blowout patches or boots; or (2) has any bump, bulge or knot related to separation or partial failure of the tire structure; or (3) has any portion of the ply or cord structure exposed; or (4) has a portion of the tread design completely worn, and such worn portion is of sufficient size to affect the traction and stopping ability of the tire.

(Effective February 20, 1968.)

Sec. 14-98a-3. Tire tread depth

Tire tread depth shall be measured by a tread depth gauge which shall be of a type calibrated in thirty-seconds of an inch. Readings shall be taken in a major tread groove of the tire nearest the center at two points of the circumference at least fifteen inches apart. Readings for a tire which has the tread design running across the tire shall be taken at or near the center of the tire at two points of the circumference at least fifteen inches apart.

(Effective February 20, 1968.)

Sec. 14-98a-4. Unsafe tread depth

No tire shall be deemed to be in safe operating condition if such tire is worn to the point where less than two-thirty-seconds of an inch of tread depth remains at both points at which gauge readings are obtained.

(Effective February 20, 1968.)

Requirements for Approval for Aftermarket Tinted or Reflectorized Glazing

Sec. 14-99g-1. Definitions

As used in Sections 14-99g-1 to 14-99g-8, inclusive, the following words and phrases shall have the following meanings:

(1) ``Commissioner'' means the commissioner of motor vehicles or his authorized representative;

(2) ``Department'' means the department of motor vehicles;

(3) ``Glazing'' means the material(s) from which the windows of motor vehicles are constructed;

(4) ``Inspect'' means to ascertain, in accordance with accepted inspection procedures, if the vehicle glazing complies with the inspection standards as defined in this section;

(5) ``Inspection standards'' means the standards established by the provisions of section 14-99g of the general statutes;

(6) ``Light transmittance'' means light transmission as defined in subdivision (1) of subsection (a) of section 14-99g, measured in the range of wavelengths from 400 through 700 nanometers, either corrected for the spectral sensitivity of the human eye or centered at 550 nanometers;

(7) ``Luminous reflectance'' means luminous reflectance as defined in subdivision (2) of subsection (a) of section 14-99g, measured in the range of wavelengths from 400 through 700 nanometers, corrected for the spectral sensitivity of the human eye;

(8) ``Manufacturer'' means:

(A) A person, firm or corporation which engages in the manufacturing or assembling of sunscreening or tinting products, or materials designed to be used in conjunction with vehicle glazing materials; or

(B) A person who fabricates, laminates or tempers the glazing material incorporating the capacity to reflect or to reduce the transmittance of light during the manufacturing process;

(9) ``Sunscreening material'' means a material, including tinting material, which reduces or prevents passage of at least a portion of the sun's energy, and is intended for use with vehicle glazing;

(10) ``Tinting'' means a coloration applied to glazing which reduces light transmittance.

(Effective April 30, 1997)

Sec. 14-99g-2. Allowable levels of light transmittance

(a) No sunscreening material shall be applied to the windshield of any vehicle except as provided in subsection (b), and in subdivision (11) of subsection (c), of section 14-99g of the general statutes.

(b) Front side windows and front side wing vents of every vehicle shall have a measured light transmittance of not less than thirty-two percent (32%), as measured with a light transmittance meter having an accuracy of plus or minus three percent (3%) or better, when sunscreening material has been applied to such windows.

(c) The right and left side windows behind the driver, and the rearmost window, shall have a measured light transmittance of not less than thirty-two percent (32%), as measured with a light transmittance meter having an accuracy of plus or minus three percent (3%) or better, when sunscreening material has been applied to such windows. The provisions of this subsection shall not apply to:

(1) The windows behind the driver on any truck, motor bus, trailer, mobile
manufactured home, or multipurpose passenger vehicle, as defined in Code of Federal Regulations Title 49, Section 571.3, as amended, provided the vehicle is

equipped with outside mirrors on the left and right-hand sides, which are so located as to reflect to the driver a view of the highway for a distance of at least two hundred (200) feet to the rear of such vehicle; and

(2) The rearmost window or windows, provided the vehicle is equipped with outside mirrors on the left and right-hand sides of the vehicle, which are so located as to reflect to the driver a view of the highway for a distance of at least two hundred (200) feet to the rear of such vehicle.

(Effective April 30, 1997)

Sec. 14-99g-3. Allowable levels of luminous reflectance

(a) Front side windows and front side wing vents of every vehicle shall have a luminous reflectance of not more than thirty percent (30%) when sunscreening material has been applied to such windows.

(b) The right and left side windows of every vehicle which are located to the rear of the driver, and the rearmost window, shall have a luminous reflectance of not more than twenty-four percent (24%) when sunscreening material has been applied to such windows.

(Effective April 30, 1997)

Sec. 14-99g-4. Requirements for approval of sunscreening material

(a) Each manufacturer shall make application to the commissioner in writing for approval and registration of each type of sunscreening material made by the manufacturer, and sold or distributed or available for sale in this state, for installation in a vehicle.

(b) Each application for approval shall be accompanied by a sample of the sunscreening material, together with such additional information as the commissioner may require.

(c) Each sample of sunscreening material submitted to the commissioner shall be accompanied by detailed specifications and test results, which include the percentage of visible light transmitted by such material when measured with a light transmittance meter with an accuracy of plus or minus two percent (2%) of full scale, or ten percent (10%) of the reading, whichever is the smaller. The commissioner may, in his discretion, require the submission of information, including detailed specifications and test results, concerning the luminous reflectance for each sunscreening material. The test results shall be certified in writing by a licensed professional engineer, or subscribed and sworn to under oath or penalty of false statement by the person who performed or was responsible for the performance of such tests.
The commissioner may test or cause such sunscreening material to be indepen dently tested.

(d) If the sunscreening material submitted to the commissioner is found to be in conformity with the inspection standards, the commissioner shall issue a distinguishing sticker registration number for each type of sunscreening material, which shall be imprinted on such manufacturer's compliance stickers in accordance with Section 14-99g-5.

(Effective April 30, 1997)

Sec. 14-99g-5. Compliance sticker requirements. Instructions

(a) The manufacturer shall submit to the commissioner, for approval, a sample of a compliance sticker used in the identification and certification of compliance of each type of sunscreening material submitted in accordance with Section 14-99g-4.

(b) Each compliance sticker shall have on its face side a pressure sensitive adhesive and opaque lettering, as provided in subsection (c) of this section, affixed on a contrasting colored background of any color except that

of light yellow. The sticker shall be designed to be self-destructive, and to display either the word ``VOID'' or some other clearly visible indicia of removal, if such sticker is removed after application to a surface.

(c) Each compliance sticker shall have the following information imprinted thereon:

(1) The manufacturer's name or trademark;

(2) A sticker registration number assigned by the commissioner;

(3) A statement of compliance with ``DMV Reg. Sec. 14-99g-5'' or equivalent; and

(4) The word ``REAR ONLY'' when supplied with any sunscreening material which, when combined with the vehicle glazing, would be suitable only for use on the rearmost window, pursuant to subdivisions (1) and (2) of subsection (c) of Section 14-99g-2.

(d) Each compliance sticker shall be designed to be legible, after application to a sunscreening material, to a person who has a visual acuity of no worse than 20/40 (Snellen), corrected or uncorrected, from the outside of the vehicle when viewed from a distance of three (3) feet from the outside surface of the glazing, approximately perpendicular to the glazing surface. A light transmittance of thirty-two percent (32%) or higher through the window, as measured in accordance with the inspection standards, shall be conclusive evidence of legibility.

(e) Each sticker shall be one (1) square inch in area and square or rectangular with a dimension of no more than one and six tenths inches (1.6Þin) along its longest side.

(f) Each manufacturer shall also submit to the commissioner a copy of all instructions supplied with its sunscreening material. Such instructions shall indicate that the adhesive face of a compliance sticker shall be applied to the interior surface of the sunscreening material at the lower left corner as viewed from outside the vehicle.

(Effective April 30, 1997)

Sec. 14-99g-6. Inspection of vehicles with aftermarket sunscreening material

(a) Each vehicle manufactured and sold on and after January 1, 1994, as established by the vehicle manufacturer's safety certification label, that has aftermarket sunscreening material applied to any window, shall bear a valid window tint compliance sticker on each such window.

(b) Each vehicle manufactured and sold prior to January 1, 1994, as established by the vehicle manufacturer's safety certification label, that has aftermarket sunscreening material applied to any window prior to January 1, 1994, shall be presented to the department of motor vehicles to have its aftermarket sunscreening material tested and certified, and to have a compliance sticker applied to each such window. The commissioner may establish a schedule for the testing of such vehicles.

(c) Each vehicle manufactured and sold prior to January 1, 1994, as established by the vehicle manufacturer's safety certification label, that has aftermarket sunscreening material applied to any window after January 1, 1994, shall bear the certification label supplied by the manufacturer on each such window.

(d) Notwithstanding the provisions of subsections (a), (b) and (c) of this section, a motor vehicle for which inspection is required, in accordance with the provisions of section 14-12 or 14-16a of the general statutes, shall not pass such inspection if it is not in compliance with the provisions of Sections 14-99g-1 to 14-99g-8, inclusive, or with any of the provisions of section 14-99g of the general statutes.

(Effective April 30, 1997)

Sec. 14-99g-7. Medical exemptions

(a) Any person required for medical reasons to be shielded from direct rays of the sun, or any person operating a motor vehicle owned or leased by such person, or in which such person is a usual passenger, shall be exempt from compliance with the provisions of Section 14-99g-2 relating to light transmittance characteristics, and with the provisions of Section 14-99g-5 relating to compliance stickers for sunscreening products applied to motor vehicle glazing.

(b) Application by a person for a medical exemption shall be made in writing to the commissioner, and supported by the written recommendation of a physician or optometrist, licensed to practice in this state, after examination of such person.

The application shall be signed by the applicant under penalty of false statement. Upon review of the application and approval of the medical exemption by the commissioner, a form validated by the commissioner verifying such exemption shall be provided to the applicant. The validated form shall be carried in any vehicle exempted under the provisions of this section.

(c) Notwithstanding the provisions of subsections (a) and (b) of this section, no window for which minimum light transmittance standards have been established, as provided in Section 14-99g-2, shall be so dark as to impair driving safety. A light transmittance of less than twenty percent (20%) shall be deemed to impair driving safety. The provisions of this subsection may be waived for good cause shown.

(Effective April 30, 1997)

Sec. 14-99g-8. Exemptions

The provisions of Sections 14-99g-1 to 14-99g-7, inclusive, shall not be applicable to motor vehicles in livery service, as defined in section 13b-101 of the general statutes.

(Effective April 30, 1997)

Safety Glass Standard

Sec. 14-100-1. Safety glass standard

The ``American Standard Safety Code for Safety*** Glazing Materials for Glazing Motor Vehicles Operating on Land Highways, ***Z26.1-1966'' is adopted as
a standard for safety glass according to the requirements in section 14-100 of the general statutes.

(Effective November 15, 1966)

Child Passenger Restraint Systems

Sec. 14-100a-1. Requirements for child passenger restraint systems

Each child restraint system required pursuant to Public Act No. 82-292 to be used in a motor vehicle transporting a child under four years of age shall meet the requirements of Federal Motor Vehicle Safety Standard No. 213-80, Child Restraint Systems, and shall have a permanent label indicating that the child restraint system conforms to all applicable Federal Motor Vehicle Safety Standards.

(Effective November 12, 1982)

High-Mileage Vehicles

Sec. 14-103b-1. Definition

``High-Mileage Vehicle'' means a ``High-Mileage Vehicle'' as defined in subdivision (66) of section 14-1 of the Connecticut General Statutes.
(Effective December 29, 1982)

Sec. 14-103b-2. Performance requirements

(a) Energy efficiency.

(1) Each high-mileage vehicle powered by a gasoline or diesel fuel driven engine shall perform with a fuel efficiency no less than 70 miles per gallon of fuel consumed while operating on a level roadway, loaded with 150 pounds of weight in all designated seating positions while maintaining a forward speed of not less than 35 miles per hour.

(2) Each high-mileage vehicle powered by an electric powered motor(s) shall be capable of operating at a speed of 35 miles per hour on a level roadway with the electrical supply source delivering no greater than 14.4 kilowatts with the vehicle loaded with 150 pounds of weight in each designated seating position.

(b) Range. Each high-mileage vehicle shall be capable of operating over a distance of twenty miles minimum at a speed equal to or greater than 35 miles per hour on a level roadway when loaded with 150 pounds at each designated seating position without replenishing the on-board energy source.

(c) Acceleration. The time required to accelerate from rest to 31 miles per hour (50 kilometers per hour) shall not exceed 13.5 seconds.

(d) Gradeability at speed. The grade which can be traversed up at 15.5 miles per hour (25 kilometers per hour) shall be at least 10 percent (5.7Þdg).

(e) Gradeability limit. The grade on which the vehicle can start and climb for 20 seconds both backward and forward shall be no less than 20 percent (11.3Þdg).

(f) Forward speed capability. The speed which can be maintained for 5 minutes shall be 40.0 miles per hour (64.4 kilometers per hour).

(g) Battery recharge time. Electric powered vehicles shall be capable of satisfying the range requirement above, after being recharged for no more than 10 hours by use of an on-board charger. The on-board charger shall be compatible with an electric power outlet of 110 V. or 220 V. AC, as specified by the vehicle manufacturer.

(h) Recharge control. Electric powered vehicles shall have an automatic recharge control which will meet the requirements of energy, life and safety as such requirements are stated by these performance standards. This applies when the on-board chargers are used and also when off-board chargers supplied by or specified by the vehicle manufacturer for recharge of the vehicle are used.
(Effective December 29, 1982)

Sec. 14-103b-3. Safety requirements for high mileage vehicles

(a) Minimum nominal wheel rim diameter of not less than ten inches (254 mm).

(b) Minimum wheelbase shall be 65 inches (1651 mm).

(c) Vehicle underbody structure and attached components shall be no less than 4 inches above a level road surface with tires inflated.

(d) The overall height of the vehicle including the occupant enclosure shall be no less than 48 inches (1219 mm).
(Effective December 29, 1982)

Sec. 14-103b-4. Safety and equipment requirements

(a) The vehicle shall have at least two opening areas allowing occupant egress each located on a different surface defined as side, back, front or top having a minimum 16 inches by 24 inches rectangular opening or an equivalent oval area having a minimum 16 inches wide opening.

(b) All equipment and equipment performance requirements including but not limited to controls, lighting, brakes, brake performance and instrumentation for passenger cars in the General Statutes of Connecticut and regulations shall apply.

(Effective December 29, 1982)

Sec. 14-103b-5. Safety requirements for electric powered high mileage Vehicles

(a) The electric propulsion circuit shall be electrically isolated from other conductive portions of the vehicle sufficiently to prevent personal hazards due to contacting any portion of the electric propulsion circuit while in contact with other portions of the vehicle.

(b) The vehicle shall be capable of complying with the performance requirements of Federal Motor Vehicle Safety Standards 208 and 301 with all battery materials remaining outside the passenger compartment.

(c) Vehicles with battery vents shall have flame barrier provisions to inhibit battery explosions.

(d) Ventilation shall be adequate within the battery compartment to maintain the concentration of hydrogen below 4 percent by volume during vehicle operation (including charging and maintenance).

(e) The vehicle shall have a state-of-charge meter for the propulsion battery system or other means of providing an indication of remaining range.

(f) The vehicle shall have a device which provides for the positive disconnection of the battery and which is operable from the normal operator position.

(g) The vehicle shall be capable of being parked for up to 8 hours in temperatures of -13°F to 122°F (-25°C to 50°C) and subsequently operated, by moving forward under its own power, at any temperature within this temperature range without damage to the vehicle or hazard to persons.

(Effective December 29, 1982)

Identification of Motor Vehicles Fueled by Liquid Propane Gas

Sec. 14-103c-1.

Repealed, May 11, 1984.

Use of Pressurized Gases as Motor Vehicle Fuels

Sec. 14-103d-1. Identification of vehicles

Any vehicle within the state which carries any pressurized gas as its fuel in a tank attached to the vehicle in any concealed area, including but not limited to, trunks, compartments or under such vehicle pursuant to Public Act No. 83-317 shall have displayed on its exterior the words ``Pressurized Flammable Gas'' in block letters at least two inches high (50.8 mm), which letters shall be contrasting colors and shall be placed as near as possible to the area where the tank is located. In lieu of the above described lettering a vehicle which is required to be so identified may have permanently affixed to its exterior a reflectorized weather resistant sign which shall be horizontally oriented diamond the center height of which shall be two-thirds (2/3) of the centerline length and of sufficient size to accommodate block lettering of at least 50.8 mm (2 inches) and further described as follows:

(a) In the case of vehicles using compressed natural gas or liquified natural gas, in silver or white letters CNG centered on a blue background.

(b) In the case of any vehicle using any liquified petroleum gas, in white letters PROPANE centered on a black background.

(c) In the case of vehicles using pressurized flammable gas other than those provided for in either subsection (a) or subsection (b), in white letters PFG centered on a red background.

d) In the event any such sign is affixed to a vehicle the color of which does not provide significant contrast between the vehicle color and the sign, the sign shall have a 6 mm (1/4 inch) border of the same color as the letters on the sign so as to provide ready recognition of the sign.

(e) (1) Each vehicle required to be identified pursuant to Public Act No. 83-317 shall have the required sign, label or placard affixed to either the body of the vehicle as near as is practicable to the filling connection or directly upon the fuel tank at the filling connection so as to be clearly legible when viewed at a distance of 7.6 meters (25 feet) perpendicular to the vehicle upon which it is displayed.

(2) Unless the sign, label or placard required pursuant to subdivision (1) of this section is located as hereinafter provided, each motor vehicle shall in addition to the identification required pursuant to subdivision (1) have an additional sign, label or placard affixed to the back of the vehicle, not including the bumper, within 76 cm (30 inches) of the license plate which shall be clearly legible when viewed at a distance of 7.6 meters (25 feet) directly to the rear of the motor vehicle on which it is displayed.

(Effective May 11, 1984)

Sec. 14-103d-2. Operation or parking of motor vehicles fueled by pressurized Gases

(a) No motor vehicle using pressurized flammable gas as fuel for its engine shall enter or remain in, whether attended or unattended, any parking garage or other area within this state which is below grade level. For the purposes of this regulation an area shall be deemed to be below grade level when one or more sides at least in part is below the highest ground level surrounding an area enclosed by three or more sides.

(b) Notice of prohibition. Each area used for parking five or more motor vehicles, or for the operation or repair of motor vehicles which is below grade level as defined in subsection (a), whether it is open to the general public or not, shall have posted in a conspicuous place near the grade level entrance to such area, a notice of the prohibition stated in subsection (a). Such notice shall be of sufficient size and contrast with its background if any, to be easily read by the operator of a motor vehicle approaching the entrance.

(Effective May 11, 1984)

Sec. 14-103d-3. Dispensing of fuel

No person shall dispense any pressurized flammable gas to any vehicle for use as fuel for its engine unless such motor vehicle is identified as required in Section 1.
(Effective May 11, 1984)

Sec.14-103d-4. Fuel system standards.

(a) The fuel system for any motor vehicle using a pressurized gas for its fuel shall comply with all applicable provisions of the most current National Fire Protection Association (NFPA) standard for the specific type of pressurized gas used as fuel.

(b) Notwithstanding the provisions of subsection (a), if a current NFPA standard exists which defines standards for the fuel system of a motor vehicle powered by a specified pressurized gas, such fuel system standards shall take precedence over those standards provided in subsection (a). NFPA standards as defined for purposes of this section include any additional standards specifically incorporated therein by reference.
(c) Nothing in this section shall be construed to relate to fuel composition or fuel quality, or to refueling stations.
(Effective April 3, 2001)

Sec.14-103d-5. Fuel storage containers.

In addition to the requirements of Section 14-103d-4 of the Regulations of Connecticut State Agencies, each pressurized gas fuel storage tank or container for a vehicle using such pressurized gas for its fuel shall be installed so that the tank or container, any piping connected to such tank or container, and any associated fittings and valves, shall be protected by a shield designed to absorb impacts and protect such components from damage during loading, unloading, use, maintenance and storage of the vehicle. Such shield shall not have any edges or projections capable of damaging such components upon the absorption of impacts by such shield.
(Effective April 3, 2001)

Sec. 14-103d-6. New vehicles.

Any newly manufactured vehicle using a pressurized gas for its fuel and having a fuel system that is subject to a Federal Motor Vehicle Safety Standard (FMVSS) for the specific pressurized gas used as fuel in effect at the time of vehicle manufacture shall be exempt from any provision of Sections 14-103d-4 and 14-103d-5 that is in conflict with such FMVSS.
(Effective April 3, 2001)

Accidents Involving Nonlicensed Operators

Sec. 14-108-1. Report of accident involving nonlicensed operator
Repealed. (Effective November 14, 1967)

Standards and Procedures for Retraining of Motor Vehicle Operators

Sec. 14-111g-1 Definitions

As used in sections 14-111g-1 to 14-111g-14, inclusive, the following terms shall have the following meanings:

(1) "Commissioner" means the Commissioner of Motor Vehicles or his designee;

(2) "Department" means the Department of Motor Vehicles;

(3) "Moving violation" means a conviction for a motor vehicle violation of section 14-218a, 14-219, 14-222, 14-223, 14-230 to 14-249, inclusive, 14-279, 14-289b, 14-299, 14-301, 14-302, or 14-303 of the Connecticut General Statutes, which conviction appears on the driving history of an operator maintained by the department. A conviction of more than one moving violation resulting from the same incident shall be counted as a single moving violation;

(4) "Operator’s license" means a valid license or permit to operate a motor vehicle issued by the department;

(5) "Operator's privilege” means the nonresident motor vehicle operator's privilege granted to a licensed resident of another state, province or country under the provisions of subsection (a) of section 14-39 of the Connecticut General Statutes;

(6) "Rescind” means an official action taken by the department that withdraws a pending operator’s license or privilege suspension due to the operator’s compliance with the department's requirements prior to the effective date of the operator’s license or privilege suspension;

(7) "Restoration” or “restore” means an official action taken by the department that reinstates an operator’s license or privilege due to compliance with the department's requirements and with subsection (a) of section 14-50b of the Connecticut General Statutes;

(8) ”State” means the State of Connecticut;

(9) ”Suspension” means the temporary withdrawal of a motor vehicle operator’s license or operator's privilege until compliance is attained;

(10) ”Suspension violation” means a conviction for a motor vehicle violation of section 14-222a, 14-224, subsection (a) of section 14-227a, section 53a-56b, 53a-57 or 53a-60d of the Connecticut General Statutes, which conviction appears on the driving history of an operator maintained by the department. A conviction of more than one suspension violation resulting from the same incident shall be counted as a single suspension violation.

Sec. 14-111g-2. Operator retraining program

(a) The Commissioner may require any motor vehicle operator older than twenty-four (24) years of age on the date convicted of a third moving violation, suspension violation, or a combination of both, as appearing on such operator's official driving history as maintained by the Commissioner, to attend and successfully complete an operator retraining program as provided in section 14-111g-3 of the Regulations of Connecticut State Agencies.

(b) The Commissioner may require any motor vehicle operator twenty-four (24) years of age or less on the date convicted of a second moving violation, suspension violation, or a combination of both, as appearing on such operator's official driving history as maintained by the Commissioner, to attend and successfully complete an operator retraining program as provided in section 14-111g-3 of the Regulations of Connecticut State Agencies.

(c) The Commissioner may send a warning letter to a motor vehicle operator older than twenty-four (24) years of age who has been convicted of moving violations or suspension violations or a combination of both, committed on two separate occasions, or in the case of an operator twenty-four (24) years of age or less who has been convicted of a single moving violation or suspension violation, advising such operator that a subsequent conviction of a moving violation or suspension violation will require participation in the operator retraining program.

(d) Following an operator's successful completion of the operator retraining program, each additional conviction for either a moving violation or suspension violation, which appears on the operator's official driving history as maintained by the Commissioner and places the operator above the number of convictions stipulated in section 14-111g-2(a) of the Regulations of Connecticut State Agencies for an operator over twenty-four (24) years of age, or as stipulated in section 14-111g-2(b) of the Regulations of Connecticut State Agencies for an operator who is twenty-four (24) years of age or less, will require the operator to repeat the operator retraining program.

(e) Failure to attend or successfully complete the operator retraining program shall result in suspension of the operator's license until the operator successfully completes the program.

Sec. 14-111g-3. Operator retraining program. Content

(a) The operator retraining program shall consist of at least four (4) hours of classroom training, which shall review principles of motor vehicle operation, develop alternative attitudes for those attitudes contributing to aggressive driving behavior, and emphasize the need to practice safe driving behavior. The curriculum and course content shall provide comprehensive training encompassing the following topics:

(1) Appropriate driving attitudes and behaviors;

(2) The effects of alcohol and drug use on motor vehicle operation; and

(3) Recognition of highway and operator risk factors.

(b) All parts of the operator retraining program shall be conducted by the instructor in the physical presence of the operators and all operators shall be required to attend class for the total scheduled time of the program.

(c) All parts of operator retraining classes shall be conducted only by certified program providers and by instructors approved by the Commissioner.

Sec. 14-111g-4. Certification of program providers

(a) On and after the effective date of sections 14-111g-1 to 14-111g-14, inclusive, of the Regulations of Connecticut State Agencies, the Commissioner may certify one or more program providers to conduct an operator retraining program. For convenience of administration, the Commissioner may determine the number of certified providers needed.

(b) In order to be certified, a provider shall submit an application, in writing, to the Commissioner, in such form and containing such information as the Commissioner shall require. No fee shall be required for such application. The Commissioner may deny an application for certification as a provider, or renewal of such certification, to conduct an operator retraining program for any reason or cause he deems sufficient. A denial shall be communicated in writing and mailed to the applicant.

(c) Each provider certified shall, at a minimum, meet the following criteria:

(1) The provider shall have a permanent place of business in this state, where all operator retraining program records are to be maintained and accessible to the Commissioner, during normal business hours;

(2) The provider shall file and continuously maintain a surety bond in the amount of one hundred thousand dollars ($100,000). Such bond shall be conditioned upon the provider complying with the provisions of any state or federal law or regulation relating to the conduct of any operator retraining program and provided as indemnity for any loss or expense sustained by either the state or any person by reason of any acts or omissions of the provider. Such bond shall be executed in the name of the State of Connecticut for the benefit of any aggrieved party, but the penalty of the bond shall not be invoked except upon order of the Commissioner after a hearing is held before him in accordance with the provisions of chapter 54 of the Connecticut General Statutes;

(3) The provider shall be registered to do business in the State of Connecticut and be in good standing with the Office of the Secretary of State, and shall continuously maintain such status;

(4) The provider shall biennially demonstrate to the Commissioner its compliance with all federal, state and local tax obligations;

(5) The provider shall submit a detailed curriculum and a lesson plan which shall be utilized in each operator retraining class and any amendments to such materials, for approval by the Commissioner;

(6) The provider shall identify all classroom locations and facilities in which the operator retraining program is to be conducted. The provider shall demonstrate compliance with all governmental zoning, health, safety and fire code requirements for each classroom location and each location shall be subject to inspection by the Commissioner, upon written notice, at any reasonable time;

(7) The provider shall furnish and maintain, for the convenience and accessibility of motor vehicle operators, multiple operator retraining program classrooms located throughout the state, and shall allow each operator to attend the program at a location which is geographically convenient for such operator;

(8) The provider shall comply with all applicable provisions of the Americans with Disabilities Act, Title 42, United States Code, section 12101, et seq., as amended;

(9) The provider shall comply with all nondiscrimination and affirmative action provisions as required by sections 4a-60 and 4a-60a of the Connecticut General Statutes, as amended, and with Executive Order Numbers 3 and 17 of Governor Thomas J. Meskill, and Executive Order Number 16 of Governor John G. Rowland;

(10) The provider shall agree not to disclose any personal information, as defined in section 14-10 of the Connecticut General Statutes, obtained from any motor vehicle operator or from the department, except to the department, or as approved and directed by the Commissioner;

(11) The provider shall identify all operator retraining program instructors and the instructors' qualifications. A current roster of instructors shall be continuously maintained on forms approved by the Commissioner at the provider's permanent place of business and shall be available for inspection. Biennially, the provider shall submit the names and qualifications of each instructor for review and approval by the Commissioner;

(12) Each provider shall be responsible for the conduct and content of instruction provided by its instructors, and for maintaining the required curriculum and professional standards during the program.

(d) Prior to the certification of a provider, the Commissioner shall investigate the provider's character, driving history and criminal history. The provider shall submit to the Commissioner a certified driving history and any information pertaining to a criminal or civil action(s).

(e) The certification of a provider shall not be transferable.

(f) The certification of a provider by the Commissioner shall be valid for a two-year period. Re-certification of a provider shall be at the discretion of the Commissioner in such form and manner as the Commissioner may determine.

(g) The certification of a provider may be suspended or revoked by the Commissioner for failure to comply with the requirements of sections 14-111g-1 through 14-111g-14, inclusive, of the Regulations of Connecticut State Agencies. In the event of such occurrence, the provider shall receive a suspension or revocation notice and may request an administrative hearing, in accordance with the provisions of chapter 54 of the Connecticut General Statutes.

(h) Upon certification by the Commissioner, a provider shall, at minimum, comply with the following requirements:

(1) The provider shall maintain complete records of persons who attend the operator retraining program, and provide complete data to the department concerning all persons who have successfully completed the operator retraining program, and separately, data for those who have failed to successfully complete the program, at regular intervals as determined by the Commissioner. Determination of successful completion of the program shall be within the discretion of the assigned instructor.

(2) No portion of the operator retraining program shall be sub-contracted (or otherwise delegated) by a certified provider to a person or firm which is not certified as a provider.

(3) A provider shall submit to the Commissioner a copy of its contract with operators to provide operator retraining and a copy of the receipt, certificate or other document issued by the provider upon successful completion of the operator retraining program. Copies of any changes or alterations to such documents shall be forwarded to the Commissioner within five (5) days.

(i) Each classroom shall be a clean, suitably furnished and equipped facility where the program may be presented in privacy without interruption or distraction.

(j) The provider shall allow language interpreters in the classroom for any operator who is in need of assistance and has informed the provider of such need at the time of enrollment.

(k) The provider shall allow the Commissioner or his designee access to any scheduled operator retraining program class, for the purpose of monitoring compliance or any other aspect of oversight of the provider's performance.

(l) The provider shall agree that the state shall have the right to inspect and review any and all of the provider's documents and records of any kind and contained in any format or media pertaining to its performance of the operator retraining program, upon reasonable notice. Additionally, the provider shall agree that the aforementioned records shall be subject to periodic on-site inspection by a representative of the Commissioner.

Sec. 14-111g-5. Change in location

(a) No classroom of a certified provider may be moved to a new location without prior approval of the Commissioner. No facility shall be approved until the Commissioner is satisfied that the new location meets all of the provisions listed in subsections (c)(6) and (c)(7) of section 14-111g-4 of the Regulations of Connecticut State Agencies. Any change in the location of the business office of a provider shall be reported to the Commissioner within five (5) days.

(b) Should a provider discontinue use of a business office or classroom location, the provider shall notify the Commissioner within five (5) business days.

Sec. 14-111g-6. Change in curriculum

(a) No deviation in the curriculum and lesson plan approved by the Commissioner, as provided for in subsection (c)(5) of section 14-111g-4 of the Regulations of Connecticut State Agencies, shall be made by the provider or by any of its approved instructors, without the prior approval of the Commissioner. The Commissioner may require amendments or adjustments to the curriculum as deemed advisable or appropriate.

(NEW) Sec. 14-111g-7. Approval of instructors

(a) Each instructor who provides any portion of an operator retraining program shall be approved by the Commissioner to teach operator training in this State, and shall have completed course work, of length and of content approved by the Commissioner, specifically related to operator retraining.

(b) The Commissioner shall not approve any applicant as an instructor of an operator retraining program who has not successfully completed a certified provider's operator retraining program course which consists of, at a minimum, thirty (30) hours and which includes, at a minimum, the following course content:

(1) Identification of problem driving attitudes and behaviors;

(2) Development of appropriate motor vehicle operation driving attitudes and behaviors;

(3) Recognition of highway and operating risk factors;

(4) Motor vehicle operation strategies which seek the prevention of future moving or suspension violations;

(5) The effects of alcohol and drug use on motor vehicle operation; and

(6) Connecticut's motor vehicle operation laws and any applicable motor vehicle operation regulations.

(c) Prior to approval of an instructor, the Commissioner shall review the applicant's character, driving history and criminal record. The instructor applicant shall submit a certified driving history and information pertaining to any criminal convictions on forms provided by the Commissioner.

(d) Each instructor, in order to maintain the Commissioner's approval, shall successfully complete an additional program of operator retraining instruction biennially, consisting of not less than three (3) hours, as shall be specified by the Commissioner.

Sec. 14-111g-8. Fees

(a) The provider shall not charge any fee beyond that authorized by section 14-111g of the Connecticut General Statutes.

(b) A provider may require that the fee be paid prior to enrollment of an operator in a retraining program. No operator who has enrolled in an operator retraining program class and has prepaid the fee shall be denied admission to the class without just cause as specified in subsection (b) of section 14-111g-14 of the Regulations of Connecticut State Agencies.

(c) Subsequent to receipt of approval by the Office of Policy and Management, ten dollars ($10.00) of each fee charged by each provider shall be forwarded by the provider to the department to cover administrative expenses as provided in subsection (b) of section 14-111g of the Connecticut General Statutes. This portion of the fee shall be submitted by the provider concurrent with notification of completion of the operator retraining program by each operator. No pending suspension of an operator's license or operator's privilege shall be rescinded, nor shall any operator's license or privilege that has been suspended be restored, until the Commissioner is satisfied that all fees which are due have been received and accounted for. Payment shall be made in such form and manner as determined by the Commissioner.

(d) The Commissioner may suspend or revoke any provider's certification for the provider's failure to submit fees or late submission of fees, or for its failure to submit the data concerning class attendance and

completion described in subsection (h)(1) of section 14-111g-4 of the Regulations of Connecticut State Agencies. In the event of such occurrence, the provider shall receive a suspension or revocation notice and may request an administrative hearing, in accordance with the provisions of chapter 54 of the Connecticut General Statutes.

Sec. 14-111g-9. Notice to operators

(a) Upon receipt of reliable information that an operator over twenty-four (24) years of age has been convicted of a moving violation, a suspension violation or a combination of both committed on at least three (3) separate occasions, or in the case of an operator twenty-four (24) years of age or less who has been convicted of a moving violation, a suspension violation, or a combination of both committed on at least two separate occasions, the Commissioner may send a notice, in writing, to such operator, by bulk certified mail to the operator's address of record on the files of the department, informing the operator that he or she is required to attend an operator retraining program within sixty (60) days, and that failure to successfully complete such operator retraining program within that time shall result in suspension of the operator's license or privilege until all requirements for restoration are attained. The notice shall contain sufficient information to enable the operator to contact a certified provider and to arrange to enroll in the operator retraining program.

(b) The Commissioner, for good cause shown, may extend the time for completion of an operator retraining program, upon a written request, or may permit the operator to attend and successfully complete an equivalent operator retraining program in another state or province or an operator retraining course given by a branch of the armed forces. The determination of equivalency shall be made by the Commissioner in his discretion.

(c) Successful completion of an operator retraining program shall be noted on the operator's driving history as maintained by the department for a period of three (3) years. Each certified provider shall present to the operator, upon successful completion of an operator retraining program and without an additional fee, a certificate of completion which shall include, at a minimum, the operator's name, residence address, and mailing address (if different), date of birth, license number, the date and location of the successful completion of the operator retraining program, the name of the certified provider, and the name of the approved instructor.

Sec. 14-111g-10. Enrollment

(a) Enrollment in an operator retraining program shall be made directly with a certified provider by the operator.

(b) The provider shall give timely notification to all persons enrolled for a scheduled retraining class if, for any reason or cause, the class shall not be held at the time or place specified. Such notification of the postponement or cancellation of any class also shall be provided to

the department. Each operator retraining class shall be limited to approximately twenty-five (25) and in no event more than forty (40) attendees. The provider shall not conduct a retraining class in any facility or classroom where the number of persons in attendance exceeds the lawful capacity, as specified in the applicable fire and safety code.

Sec. 14-111g-11. Records to be maintained. Attendance

(a) Each certified provider shall maintain in its files information requested by the Commissioner, including the name, residence address, mailing address (if different), date of birth, telephone number and operator's license number, for each person enrolled in a operator retraining program; the identity of the approved instructor; and the location and date of the operator retraining program attended. Each provider shall submit to the department such information at such intervals and in such form as shall be directed by the Commissioner.

(b) The information in subsection (a) shall be maintained by each provider for three (3) years following the date of each completed operator retraining program class.

Sec. 14-111g-12. Request for hearing. Issues. Stay

(a) If an operator, who has been required by the Commissioner to complete an operator retraining program, does not attend or does not successfully complete the operator retraining program before the effective date of a suspension, the Commissioner shall suspend the operator's license or operator's privilege on the effective date stated in the department notice of a suspension.

(b) An operator subject to suspension action under subsection (a) may request an administrative hearing in accordance with the provisions of Chapter 54 and section 14-111g of the Connecticut General Statutes.

(c) Upon request for a hearing, the suspension of the operator's license or operator's privilege shall be stayed pending the decision of the hearing officer.

(d) Each hearing held pursuant to this section shall be limited to the determination of the following issues:

(1) Whether it is impossible for the operator to attend an operator retraining program;

(2) Whether there is a mistake or misidentification of the operator; or

(3) Whether the conviction(s) appearing in the official driving history as maintained by the department are not attributable to the operator, or are otherwise inaccurate.

(e) Unless the hearing officer finds in the affirmative on one or more of the stated issues, the hearing officer shall order that the suspension

be imposed and remain in effect until the operator complies with the requirements of section 14-111g of the Connecticut General Statutes and section 14-111g-2 of the Regulations of Connecticut State Agencies.

Sec. 14-111g-13. Provider Indemnification

(a) Each provider shall agree that the department, and any official or employee of the department or the state shall not be responsible for any errors, omissions, or discrepancies in the information furnished to the provider. Each provider shall agree to defend, indemnify and save harmless the department and its officials and employees of the department and the state from any and all claims and suits, and from any liability of any kind whatsoever arising or alleged to arise out of the provider's performance of any aspect of the operator retraining program.

(b) Each provider shall agree to be solely responsible for the handling and disposition of complaints and claims made by operators or by any other parties arising out of any aspect of performance of the operator retraining program.

(c) For the purpose of its compliance with subsections (a) and (b), each provider shall maintain a policy or policies of public liability insurance, and such other forms of insurance as may be necessary, in the amount of not less than two million dollars, combined single limit, which policy or policies shall name the department and the state as additional parties. Satisfactory evidence of such insurance coverage shall be furnished to the department.

Sec. 14-111g-14. Miscellaneous

(a) Each provider shall require positive identification from each operator attending an operator retraining program.

(b) Nothing in sections 14-111g-1 through 14-111g-14, inclusive, of the Regulations of Connecticut State Agencies shall prohibit a provider from denying admission to the program, or to any portion thereof, if the operator is unruly, disruptive or under the influence of drugs or alcohol. A denial of admission under such circumstances shall be treated as a failure to complete the program.

(Effective October 25, 2002)

Radar Detecting Devices

Sec. 14-137-1. Radar detecting device prohibited

No device designed to give advance information to a motorist of the use of a radar speed-indicating instrument in the area of the highway which such motorist is approaching may be installed or used in any motor vehicle operating on the highways of Connecticut.

Motorcycle Handlebars

Sec. 14-137-2.
Repealed, November 14, 1967.

Motor Vehicle Ball Joints and Tie Rod Ends

Sec. 14-137-3.
Repealed, June 27, 1972.

Manufacture or Sale of Defective Recapped Tires

Sec. 14-137-4. Definitions

As used in sections 14-137-4 to 14-137-7, inclusive:

(a) ``Bead'' means that part of the tire which is shaped to fit and contain the tire within the rim.

(b) ``Buffed surface'' means the surface of the tire which has been prepared by rasping, grinding or cutting to reshape and remove the old rubber or other compound and provide a surface to achieve proper adhesion between the casing and the new tread rubber or other compound.

(c) ``Casing'' means the tire structure with the exception of the tread rubber or other compound.

(d) ``Cord'' means the strands of material, other than rubber, forming a ply in a tire.

(e) ``Cord separation'' means cords parting away from adjacent rubber or other compounds.

(f) ``Inner ply'' means the layer of ply nearest the tube or air cavity.

(g) ``Kinked bead'' means a bent bead which cannot be straightened out.

(h) ``Ply'' means a layer of coated cords.

(i) ``Ply separation'' means a parting of the compound between adjacent plies.

(j) ``Puncture'' means a hole in the casing caused by a foreign object entering the casing.

(k) ``Reinforcement'' means any material used to add strength to the casing at an injury.

(l) ``Repaired section'' means an area of a casing that, because of cord damage, has been removed either by cutting or buffing and has been replaced with reinforcement material.

(m) ``Repair plug'' means the rubber or other compound inserted into a puncture in a casing.

(n) ``Repaired casing'' means any casing with puncture, cuts or other types of damage which has been reconditioned.

(o) ``Retreaded easing'' means a tire casing on which the tread rubber or other compound has been replaced to extend the service life of the tire casing.

(p) ``Skiving'' means the removal of injured material by cutting it out in a beveled cut.

(q) ``Tread compound'' means a compound, either unvulcanized or vulcanized
which is used to replace tread on a casing with or without cushion gum.
(Effective April 21, 1970)

Sec. 14-137-5. Defective casing

No casing with any of the following conditions shall be recapped or retreaded:

(a) Kinked, exposed or broken bead wires, (b) torn beads or torn chafer fabric; (c) tread separation which could not or had not been removed by buffing;
(d) ply separation.
(Effective April 12, 1970)

Sec. 14-137-6. Casing with less than five ply rating

In addition to the requirements of section 14-137-5, no casing with less than a five ply rating shall be retreaded if the casing has: (a) Any punctures, cuts or breaks in excess of one inch in diameter after skiving which extend into or through the cord of the tire; (b) two or more closed punctures (nailholes) which extend through the inner ply cord and are less than fifteen inches apart or are outside the tread area; (c) any puncture outside of the tread area; (d) loose or pulled inner ply cord.
(Effective April 12, 1970)

Sec. 14-137-7. Casing with five ply or more rating

In addition to the requirements of section 14-137-5, no casing with a five ply or more rating shall be retreaded if the casing has: (a) More than two punctures, cuts or breaks measuring more than one-quarter of the cross section of the tread in any direction after skiving which extend into or through the cord or are less than fifteen inches apart or are outside the tread area; (b) more than one puncture, cut or break or other injury that requires a repair patch or section repair in excess of one-half of the cross section of the tread in any direction after skiving; (c) any cord damage outside tread area.
(Effective April 12, 1970)

Motor Homes and Camper Modules Installed on Motor Vehicles

Sec. 14-137-8. Definitions

(a) ``Camper module'' as used herein shall mean any unit designed for private living purposes without motive power to be either temporarily or permanently mounted on or in a motor vehicle.
(b) ``Motor home'' as used herein shall mean any self-propelled motor vehicle so constructed as to provide private living facilities within the permanent structure of the motor vehicle.
(e) All other terms shall be defined as provided by law.
(Effective August 16, 1972)

Sec. 14-137-9. Weight limitation

After January 1, 1973, no person shall operate any motor home or motor vehicle with a camper module installed thereon, nor shall the owner or lessee of any motor home or motor vehicle with a camper module installed thereon allow such motor vehicle to be operated on any public highway or bridge, when the combined weight of vehicle and load exceeds by two per cent or more the gross vehicle weight established for the motor vehicle by the manufacturer of such motor vehicle. No motor vehicle shall be used on the highway or loaded so that the weight on the wheels of any axle is less than 20 per cent of the gross weight of the vehicle and load. Any person who violates the provisions of this section shall be deemed to be in violation of section 14-267 of the general statutes.
(Effective August 16, 1972)

Sec. 14-137-10. Registration

Effective January 1, 1973, any motor vehicle registered as a camper or combination motor vehicle or for which a ``camper'' or ``combination'' registration is renewed shall be issued a registration listing the gross vehicle weight of such motor vehicle. The gross vehicle weight indicated on a ``camper'' or ``combination'' registration shall not exceed the maximum as established by the manufacturer.
(Effective August 16, 1972)

Sec. 14-137-11. Restrictions

No motor vehicle on which a camper module has been installed shall be operated on the highway if by the installation of such camper module the structural integrity or safe operation of such motor vehicle is impaired.
(Effective August 16, 1972)

Sec. 14-137-12. Notice of regulations

All licensed motor vehicle dealers who sell campers or pickup trucks upon which camper modules are to be installed shall provide each purchaser of such vehicle with a copy of these regulations.
(Effective August 16, 1972)

Sec. 14-137-13. Safety requirements

After January 1, 1973, all motor homes and camper units consisting of a camper module installed on a motor vehicle for use on the highway shall comply with the following structural standards.

(a) The installation of all plumbing, heating and electrical systems shall conform to standards ANSI (American National Standards Institute) A119.2 and NFPA (National Fire Protection Association) 501C, copyright 1970, or ANSI A119.1 and NFPA 501B, copyright 1971, whichever is applicable.

(b) The glazing in a camper module or motor home shall meet the standards for motor vehicle glazing as provided in section 14-100-1 of the regulations of Connecticut state agencies.

(c) Each camper module must be secured to the frame of the motor vehicle on which it is installed by means of structurally sound, suitably designed fastening equipment capable of holding the camper module firmly in place on the motor vehicle under all possible vehicle operating maneuvers.

(d) All entrance and exit doors, door latches and strikes shall have sufficient strength and be installed in such a manner that any possible movement of personnel or equipment within the motor home or camper module against the door will not cause the door to open or rupture.
(Effective August 16, 1972)

Sec. 14-137-14. Supplemental equipment

No motor home or motor vehicle on which a camper module has been installed shall be operated in this state after January 1, 1973, unless the living area of such unit is equipped with the following:

(a) At least one dry chemical, foam or carbon dioxide fire extinguisher charged in accordance with the manufacturer's specifications. Such fire extinguisher shall display the listing designation of a nationally recognized testing laboratory.

(b) Fuel burning heating appliances, refrigerators and ranges shall be equipped with venting devices conforming to standards NFPA 501C and ANSI A119.2, copyright 1970, or NFPA 501B and ANSI A119.1, copyright 1971, whichever is applicable.
(Effective August 16, 1972)

Sec. 14-137-15. Enforcement

(a) Any person violating any provision of sections 14-137-9, 14-137-10, 14-137-11, 14-137-13 or 14-137-14 shall be subject to the provisions of section 14-111 of the Connecticut general statutes relating to the suspension or revocation of motor vehicle operator licenses, suspension or revocation of motor vehicle registrations and, in the event such person is a non-resident, to the provision of said statute relating to the suspension or revocation of non-resident operating privileges.

(b) A violation of sections 14-137-9, 14-137-10, 14-137-11, 14-137-13 or 14-137-14 shall be considered an equipment violation and any motor vehicle inspector or police officer issuing a citation for any such violation shall issue to the violator a ``Warning ticket'' (form P-2) and observe the procedures set forth in section 14-103 of the Connecticut general statutes pertaining to the issuance of a ``warning of defective equipment''

(Effective August 16,1972)

Sec. 14-137-16. Description of organization

The Department of Motor Vehicles, which derives its duties and authority primarily from Title 14 of the General Statutes, is composed of the following five divisions: Management Services, Dealers and Repairers, Registration and Title, Driver Licensing and Auto Emissions. The Department has as its primary function the protection of life and property through the administration and enforcement of the motor vehicle laws and regulations. This is accomplished through the licensing, disciplining, education and regulation of motor vehicle operators and owners. The areas of responsibility of each of the five divisions are:

Management services: A service unit providing assistance to operating divisions in the areas of administrative and fiscal services, personnel, communications, engineering, data processing, adjudications, legal and other support activities.

Dealers and repairers: Licenses persons providing certain automotive services and products within the state. Investigates and prosecutes complaints regarding alleged violations by such licensees. Provides for registration of vehicles used in the conduct of licensees business.

Registration and title: Issues motor vehicle registrations, operator licenses and title certificates and records security interests in motor vehicles. Issues and renews motorboat registrations.

Driver licensing: Determines the qualifications of person to operate or register motor vehicles. Inspects motor vehicles for compliance with applicable law. In addition the Driver Licensing Division provides services to handicapped operators and courses for driver improvement.

Auto emissions: Monitors the operation of official emissions inspection stations. Licenses and monitors fleet inspection stations. Issues waivers for vehicles requiring an unreasonable cost of repair to bring into compliance with standards. Issues commissioner's certificate in cases where vehicles cannot be presented for inspection as scheduled.

(Effective June 17, 1980)

Sec. 14-137-17. Commissioner

The Commissioner of Motor Vehicles has the overall responsibility of the operations of the department. In carrying out his responsibilities the Commissioner may delegate certain of his functions to a division of the Department, an individual division chief, adjudicator or an inspector.

(Effective October 17, 1974)

Sec. 14-137-18. Official address

All communications should be addressed to Commissioner of Motor Vehicles, 60 State Street, Wethersfield, Connecticut 06109, unless otherwise specifically indicated.
(Effective October 17, 1974)

Sec. 14-137-19. Public inspection

In addition to publication of the adoption, amendment or repeal of regulations pursuant to Subsection (a) of Section 4-167 of the Uniform Administrative Procedure Act as amended, a compilation of all regulations, policy statements, final orders, decisions and opinions are available for public inspection at the office of the Commissioner.
(Effective October 17, 1974)

Sec. 14-137-20. Course and method of operations; rules of practice for procedures available

(a) **Management Services Division:** (1) As it relates the public, the Data Processing Section's function may be found in connection with its responsibilities under the provisions of Section 14-163 of the General Statutes, which requires the furnishing of information to tax assessors with respect to the names and addresses of owners of motor vehicles and snowmobiles residing in their respective towns. Such information is furnished by the use of data processing cards or magnetic tape having a lay out, as outlined in Motor Vehicle Department forms.

(2) The Handicapped Driver Training Unit instructs persons with relatively severe handicaps in the operation of a motor vehicle. Examines handicapped drivers for licensing and may determine adaptive equipment needed on vehicles operated by such licensees. Medical certificates on motor vehicle form P-40 are used.

(3) Furnishing copies of records-Under the provisions of Sections 14-3, 14-192, 52-62, 52-63 and Public Act Number 73-549, the division collects fees for records furnished to the public by other divisions of the department, using various Motor Vehicle Department forms and correspondence for this purpose.

(4) The Traffic Records Unit is responsible for the design and implementation of a data-processing based Traffic Records Information System, which will aid in the formulation and evaluation of problem-solving approaches aimed at reducing the number and severity of traffic crashes. A number of summary-level statistical reports, dealing with such areas as reportable accidents, vehicles registered and operators licensed, are available to the public.

(5) The Pupil Transportation Administrator is responsible for developing and implementing the Federal Pupil Transportation Safety Standard #17 in Connecticut at the state and local level and acts as liaison between individual communities and the Federal government. He formulates programs and assists local communities in various areas of pupil transportation and develops research study statistics for use by the state and local communities.

(6) Hearings - The Adjudications Unit provides for notices and conduct of hearings pursuant to procedures adopted by the Department as required with respect to the following matters:

a. Dealer and Repairer alleged violations
b. Fatalities, under the provisions of Section 14-111(c) of the General Statutes
c. License suspensions
d. License reinstatements
e. Possession of alcoholic beverages in a motor vehicle
f. Accident Security matters

g. Other departmental hearing matters

(b) **Dealers and Repairers Division:** (1) This division issues the following licenses:

a. Motor Vehicle Manufacturer, under Section 14-67a of the Connecticut General Statutes

b. New Car Dealer, under Section 14-52 of the Connecticut General Statutes

c. Used Car Dealer, under Section 14-52 of the Connecticut General Statutes

d. Repairer, under Section 14-52 of the Connecticut General Statutes

e. Limited Repairer, under Section 14-52 of the Connecticut General Statutes

f. Retail Gasoline Dealer, under Section 14-319 of the Connecticut General Statutes

g. Motor Vehicle Junkyard, under Section 21-16 of the Connecticut General Statutes

h. Snowmobile Dealers and ATV Dealers, under Section 14-383 of the Connecticut General Statutes

(2) The division issues motor vehicle auction permits, junk registrations and official motor vehicle inspection station permits.

(3) The division issues to all applicants detailed procedure containing instructions regarding required experience, qualifications, equipment and facilities necessary for the type of license applied for, together with the necessary application forms for such information, in accordance with the statutes cited, to which reference may be had.

(4) The division determines whether or not a proposed site will imperil the safety of the public, as required by Sections 14-53 and 14-320 of the General Statutes.

(5) The division determines the qualifications for and issues the following vehicle registrations:

a. Snowmobile Dealer

b. All Terrain Vehicle Dealer

c. Motor Vehicle Wrecker

d. New Car Dealer

e. Used Car Dealer

f. Repairer

g. Limited Repairer

h. Transporter

i. Junkyard

j. Manufacturer

k. Special Dealers

l. Motorcycle Dealers

(6) The division investigates complaints against licensees; takes administrative action when statutory or regulatory violations are found; enforces compliance with licensing laws and regulations.

(7) Appeals to court are provided from these proceedings in the following sections of the General Statutes; Section 4-183, 14-57, 14-66, 14-324 and 14-331 among others.

(c) **Registration and Title Division:** (1) Application for registration, certificate of title, operator's license, and parkway toll plates may be made at all offices of the department. Learners' permits are available where appropriate by law.

(2) The owner of a motor vehicle must sign the application for the certificate of title and such form must contain (1) name, residence and mail address of the owner (2) a description of the vehicle (3) date of purchase (4) any further information the Commissioner reasonably requires to identify the vehicle. The applicant must also submit documentary evidence to establish ownership of the vehicle (Section 14-171 of the General Statutes). Provisions for appeals are made in Sections 14-194 and 14-195 of the General Statutes.

(3) To obtain a registration the vehicle owner must file with the department a signed application containing such information as the Commissioner shall require and submit proof of ownership and payment of sales tax if due (Section 14-12 and Section 12-431 of the General Statutes) .

(4) An operator's license application approved by the Driver Licensing Division must be signed and presented with proper fee to obtain a new operator's license under Section 14-36 of the General Statutes.

(5) To obtain a parkway toll plate the registered owner of a motor vehicle must sign an application for such plate and must have the vehicle registered in this state as provided in Section 14-155 of the General Statutes.

(6) Leasing licenses may be obtained at the Wethersfield Office and require a signed application and proof of financial responsibility placed on file under the terms of Section 14-15 of the General Statutes.

(7) Automobile club licenses are also issued at the Wethersfield Office as required by Section 14-67 of the General Statutes. To obtain an automobile club license it is required that an application, surety bond, and information concerning services performed be placed on file with the Department.

(8) To obtain a boat registration the owner must file with the department a signed application containing such information as the commissioner may require.

(9) To obtain any of the above registrations, titles or licenses the fees provided for in the Statutes cited must be paid.

(10) Upon presentation of the above mentioned applications and fees the transactions will be processed provided all requirements of statutes and regulations have been satisfied.

(11) Under the provisions of Section 14-12(b) of the General Statutes the commissioner may appoint qualified licensed motor vehicle dealers to issue new registrations for passenger vehicles and certain trucks at the time of sale by such dealer.

(12) Pursuant to the requirements of Section 14-253 of the General Statutes parking privilege cards are issued to handicapped and disabled licensees, upon submission of medical certification.

(d) **Driver Licensing Division**: (1) Motor Vehicle Inspections. The division following departmental procedures established pursuant to the requirements of law, conducts inspections of school buses, public service vehicles, vehicles ten or more years old, composite vehicles, ambulances and out-of-state vehicles.

(2) Financial responsibility. a. Proof of financial responsibility is required of any persons convicted of violations of laws cited in Section 14-112 of the General Statutes.

b. Proof of financial responsibility is required of an uninsured motorist involved in a reportable accident.

(3) Warnings and Public Complaints. a. This division processes and accounts for warnings related to:

1) Defective equipment warnings, as provided in Section 14-103 of the General Statutes, using various department forms.

2) Moving violation warnings are processed and filed for further reference.

(4) Accident Security. a. This division assimilates reports and information relating to reportable accidents; separates all uninsured operators involved in accidents; evaluates cases for the amount of bond required in each such accident; determines through a departmental procedure the possibility of a judgment being rendered against uninsured motorists; arranges for informal hearing procedure where requested, using departmental questionnaires and forms.

b. This Division arranges for formal hearings by hearing officers and processes refunding of deposits not claimed, using affidavits and forms provided by the department, all as provided by Sections 14-113 through 14-133 of the General Statutes, to which reference may be had.

(5) Driver Licensing. a. Upon completion of personal data sheet and application, this division examines all applicants for knowledge of law, vision

and ability to operate, requiring medical certificates where necessary Examinations are given in English, Spanish and several other foreign languages.

b. The division issues public service licenses to qualified licensed operators of good moral character, after fingerprinting and investigation in accord with Section 14-44 of the General Statutes. Special appeal provisions are provided in Section 14-44 of the General Statutes.

(6) Miscellaneous Permits. a. This division also, upon proper application, issues permits for the following items, as required in the statutes cited:

1) Flashing light permits under Section 14-96p and 14-96q of the General Statutes.

2) Siren permits, as provided in subsection (d) of Section 14-80.

3) Motor vehicle racing permits as provided by Section 14-164

(7) Driving Schools. The division provides for the licensing of commercial driving schools as required by Section 14-69 of the General Statutes and the licensing and training of commercial driving school instructors, as provided for by Section 14-73 of the General Statutes, all upon written applications provided by the department, including necessary insurance and other data found necessary by the Commissioner and provided for on forms furnished for that purpose.

(8) Enforcement authority. This division, using uniform traffic ticket and uniform warning forms enforces motor vehicle laws.

(9) Driver improvement courses. Conducts driver improvement clinics for motor vehicle licensees meeting departmental criteria.

(e) **Auto Emissions Division:** (1) Periodically monitor official emissions inspection stations to verify proper procedures are being followed regarding testing of vehicles, record keeping and calibration of vehicle testing equipment.

(2) Licenses and monitors official emissions fleet inspection stations to verify proper procedures are being followed regarding testing of vehicles, record keeping and maintenance and calibration of testing equipment.

(3) The division will issue a waiver of compliance to owners of vehicles that cannot pass the minimum standards and will require a cost of $70.00 or more to repair (excluding air pollution control devices) to meet the standards an estimate of cost of repairs must be presented verifying the $70.00 minimum will be exceeded. A low emissions tune-up can be prescribed as a condition of waiver.

(4) Vehicles that can not be presented for inspection in accordance with the schedule established by the commissioner may apply for a commissioners certificate which will delay the inspection until such time as is reasonably convenient for the vehicle to be presented. A letter of request stating the reason for inconvenience and the date it would be convenient should be mailed to the division's office in Wethersfield.

(Effective June 17, 1980)

Sec. 14-137-21. Petition for declaratory ruling

The Department of Motor Vehicles will accept a petition for declaratory ruling as to the applicability of any statute or regulation administered by the Department of Motor Vehicles in the following form:

1. A petition stating the factual background of the issue must be in writing and include or have attached thereto a certificate indicating the manner in which and the date on which it is being filed with the Department of Motor Vehicles at the main office in Wethersfield, Connecticut.

2. The petition shall be signed by the petitioner and shall include his address for purposes of reply.

3. A petitioner shall serve a copy of the petition on any party who he has reason to believe may not otherwise have knowledge thereof and may fairly have an interest therein. The petition or certificate shall indicate such service therein.

4. The petition shall state clearly the question of applicability upon which it seeks a ruling.

5. The petition shall state the position of the petitioner with respect to the question of applicability.

6. The petition may include an argument in support of the position of the petitioner with such legal citation as may be appropriate.

(Effective October 17, 1974)

Sec. 14-137-22. Petition for requesting the promulgation, amendment or repeal of regulation

The Department of Motor Vehicles will accept petitions requesting the promulgation, amendment or repeal of a regulation of said Department in the following form:

1. A petition must be in writing and include or have attached thereto a certificate indicating the manner in which and the date on which it is being filed with the Department of Motor Vehicles at the main office in Wethersfield, Connecticut.

2. The petition shall be signed by the petitioner and shall include his address for purposes of reply.

3. A petitioner shall serve a copy of the petition on any party who he has reason to believe may not otherwise have knowledge thereof and may fairly have an interest therein. The petition or certificate shall indicate such service therein.

4. The petition shall clearly state the language to be promulgated, amended or repealed. The same petition may include matter to be promulgated as well as matter to be amended as well as matter to be repealed.

5. The petition may include a statement of facts and arguments in support thereof.

Where the requirements of the paragraph have been complied with, the Department of Motor Vehicles shall promptly rule on such petition.

(Effective October 17, 1974)

Sec. 14-137-23.

Repealed, August 4, 1988.

Automotive Suspension Systems

Sec. 14-137-24. Definitions

(a) ``Suspension System'' of a vehicle is that assembly of mechanical, structural, pneumatic and hydraulic members which provides a flexible support between the ground or roadway and the engine, load and passenger carrying structure of the vehicle.

(b) ``Spring Rate'' is the change of load, or force, on a spring member required to produce unit deflection of the spring member at the location of the applied load or force.

(c) ``Shock Absorber'' is a generic term which is commonly applied to hydraulic or pneumatic mechanisms used for the purpose of damping or suppressing oscilatory motion of vehicle bodies.

(d) ``Wheel Track'' is the lateral distance between the centers of the tire contact of the outermost tires mounted on wheels on the same axle.

(Effective October 24, 1972)

Sec. 14-137-25. Limitations

Each ``passenger motor vehicle'' as defined in subdivision (35) of section 14-1 of the General Statutes operating on the highways of this state shall be equipped with a suspension system that complies with the following:

(a) Vehicle suspension configuration. Each motor vehicle shall be equipped with a suspension system consisting of the basic elements originally provided by the vehicle manufacturer and geometrically arranged in accordance with the manufacturer's specifications. No suspension system component shall be replaced unless such replacement component meets or exceeds the quality and performance standards established by the vehicle manufacturer and the safe operating characteristics of the vehicle on which such replacement component is installed are not adversely affected by such installation.

(b) Height adjustment limitations. No additional devices shall be installed or equipment substitutions made at any location on any motor vehicle when such installation or addition either:

(1) Raises the sprung portion of the vehicle in excess of four (4) inches above the vehicle's unladen height as established by the vehicle manufacturer; or,

(2) Lowers any part of the sprung portion of the vehicle so as to reduce the vertical clearance, between the sprung portion of the vehicle and a level surface on which it rests unladen, to less than four (4) inches.

(c) Spring replacement limitation. No suspension springs which have a load carrying capacity or spring rate below that specified by the vehicle manufacturer shall be installed on any vehicle.

(d) Shock absorber mounting limitation. No shock absorber shall be installed in any manner which will allow it to reach its extreme stroke limitation while the vehicle is being operated.

(e) Tires - Limitation. All tires on the same axle or on axles which are less than six feet apart must be of the same tire size with respect to diameter and maximum width. Each such tire shall have a load carrying capacity specified by the tire manufacturer in excess of the intended maximum axle load divided by the number of tires on the axle. Federal Motor Vehicle Safety Standard No. 571.109 shall apply in establishing the load capabilities of tires.

(f) Wheel track distance. No modification of a vehicle suspension system geometry shall result in any reduction of such vehicle's wheel track distance.

(Effective August 29, 1990)

Sec. 14-137-26. Penalty

The commissioner may refuse to register for operation in this state any vehicle which violates the provisions of this regulation and may after due notice and hearing revoke the registration of any previously registered vehicle found in violation of any part of this regulation.

(Effective October 24, 1972)

Issuance and Use of Marker Plates by Volunteer Fire Fighters

Sec. 14-137-27. Scope

This procedure covers the issuance of Connecticut state vehicle license plates bearing a special marker to persons engaged as volunteer fire fighters, and is adopted under the authority of Public Act No. 87-304 and section 14-137 of the General Statutes.

(Effective April 27, 1988)

Sec. 14-137-28. Definition of special marker plates

A special marker plate is a vehicle license plate which includes the international fire department symbol and is issued under the authority of Public Act No. 87-304.

(Effective April 27, 1988)

Sec. 14-137-29. Eligibility

Special marker plates are issued only to parties who are currently engaged as active volunteer fire fighters for a volunteer fire department or company in the state of Connecticut, for those passenger motor, commercial motor or passenger and commercial motor vehicles registered with the Department of Motor Vehicles as owned by the volunteer firefighter.
(Effective April 27, 1988)

Sec. 14-137-30. Application

(a) Each request for the issuance of a special marker plate shall be in writing, via an application form designated by the commissioner of the Department of Motor Vehicles. The application form shall include a request for the identity of the person seeking the special marker plates and a statement showing the eligibility of the applicant to receive the plates and require the signature of the applicant and the chief executive officer of the volunteer fire department or company.

(b) All requests for the issuance of special marker plates shall be submitted for approval to the commissioner of motor vehicles. Where a request for approval is rejected by the commissioner of motor vehicles, a notice clearly stating the reason for the rejection shall be sent to the chief executive officer of the volunteer fire department or company.
(Effective April 27, 1988)

Sec. 14-137-31. Renewal

Each application for renewal of a special marker plate shall be made in writing, as provided in sections 14-22 of the General Statutes and the preceding regulation 14-137-30.
(Effective April 27, 1988)

Sec. 14-137-32. Fee

(a) For a special marker plate, the commissioner of motor vehicles shall charge each applicant a one time plate fee of seven dollars ($7.00). A registration renewal fee shall be charged with respect to such registration in accordance with expiration schedules established pursuant to section 14-22.

(b) Upon surrendering the special marker plates, such former volunteer fire fighter is responsible for any outstanding fees that are required prior to receiving any other vehicle license plates.
(Effective April 27, 1988)

Sec. 14-137-33. Revocation

If as a result of an investigation by the commissioner of motor vehicles or employee designated by the commissioner, he determines that a special marker vehicle license plate has been misused, he may require the holder of the plate to immediately cease use of the plate and to return the plate to the commissioner.
(Effective April 27, 1988)

Sec. 14-137-34. Surrender

The special marker plates shall be returned to the commissioner of the Department of Motor Vehicles upon termination of the fire fighter's membership in the volunteer fire department or company.
(Effective April 27, 1988)

Temporary Registration of Permitted Overweight Vehicle

Sec. 14-137-35. Overweight permit

Whenever a permit is issued by the Department of Transportation for the operation of an overweight motor vehicle, or combination vehicle, trailer, or object, pursuant to the provisions of section 14-270 of the Connecticut General Statutes, and the regulations adopted thereunder by the commissioner of transportation, the registration of such vehicle shall be deemed to be a temporary registration at the gross vehicle weight stated in the permit for a period of ten (10) days, notwithstanding the gross vehicle weight stated in the permanent registration or any applicable weight restriction pertaining to the permanent registration of such vehicle. Nothing contained herein shall affect the expiration date or any other term, condition or obligation of the permanent registration.

(Effective April 27, 1988)

Rules of Practice

Sec. 14-137-36. Procedure governed

These rules of practice set forth the nature and requirements of all formal and informal procedures available at the Department of Motor Vehicles in conformance with the Connecticut Uniform Administrative Procedure Act.

(Effective August 4, 1988)

Sec. 14-137-37. Informal procedures

To the extent permitted by law the following informal procedures shall be available to any person or licensee affected by any order or licensing requirement of the department:

(a) **Informal conferences.** Informal conferences may be scheduled by the department to attempt to resolve any appropriate matter within its statutory jurisdiction. Informal conferences also may be scheduled at the request of licensees. Notification of such an informal conference may be by telephone or by regular or certified mail, in the discretion of the commissioner or other authorized official or hearing officer of the department. The notice shall contain (1) a statement of the time, date, and place of the conference; (2) a reference to the statutory sections allegedly violated, or with respect to which any question of application exists; (3) a short statement of the facts surrounding the alleged violation or intended application of the statutory section(s) by the department; and (4) a statement that the respondent or person requesting the conference may be accompanied by counsel, if he or she so desires. Informal conferences need not be recorded and transcribed. Formal rules of procedure and evidence shall not be observed.

(b) **Opportunity to show compliance.** Unless otherwise required or authorized by statute, or by judicial order or decision, no revocation, suspension, annulment or withdrawal of a license is lawful unless prior to the institution of department proceedings, the department gave notice by mail to the holder thereof of facts or conduct which warrant the intended action, and the holder thereof was given the opportunity to show compliance with all lawful requirements for the retention of the license.

(1) Notification of such compliance conference shall be by certified mail. Said notice shall contain:

(A) A statement of the time, date and place of the compliance conference;

(B) A reference to the statute(s) or regulation(s) allegedly violated;

(C) A clear and concise factual statement sufficient to inform each respondent of the facts or practices alleged to be in violation of the law; and

(D) A statement that each respondent may be represented by counsel.

(2) Compliance conferences shall be recorded but need not be transcribed, and the rules of evidence are not applicable.

(3) The commissioner shall designate a hearing officer or other person to preside at such compliance conference. After said compliance conference, said designated presiding officer shall report in writing his recommendations to the commissioner.

(4) Any agreement reached as a result of a compliance meeting shall not preclude the department from further proceeding against the alleged violator.

(Effective August 4, 1988)

Rules of Practice/Nature and Requirements of all Formal and Informal Procedures Available

Sec. 14-137-38. Hearing procedure

Hearings are conducted where required or authorized by statute or regulation under general authority of Connecticut General Statutes Section 14-4a. Pursuant to Section 14-4a, the commissioner may designate any person to act as a hearing officer for the motor vehicle department for the purpose of conducting hearings and rendering decisions. In any hearing where the hearing officer has been authorized by the commissioner to render a final decision, the fact of such authorization shall be noticed on the record. In any contested case in which the hearing officer assigned to conduct the hearing has not been authorized to render a final decision in the matter, this fact shall be noticed on the record at the start of the hearing and the party(ies) of record shall be notified of the identity of the individual who will render the final decision.

(a) **Official address.** All correspondence relating to formal hearings should be addressed to: Adjudications Unit, Legal Services Division, Department of Motor Vehicles, 60 State Street, Wethersfield, Connecticut 06109-1896.

(b) **Waiver of rules.** Where good cause appears, the commissioner or his designee may permit deviation from these rules, except where precluded by statute or where the rights of any party would be prejudiced substantially.

(c) **Notice of hearings.**

(1) The department shall mail a notice of hearing to the last known address or the last address provided by the respondent, at least ten (10) days before the scheduled hearing, unless the respondent has received actual notice or waived the requirement of advance notice.

(2) The notice shall include:

(A) A statement of the time, place, and nature of the hearing;

(B) A statement of the legal authority and jurisdiction under which the hearing is to be held;

(C) A reference to the particular sections of the statutes and regulations involved;

(D) A short and plain statement of the matters asserted. If the department or other party is unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved. Thereafter upon application a more definite and detailed statement shall be furnished.

(d) **Location of hearings.** Hearings are held at 60 State Street, Wethersfield, Connecticut and at such other location or locations as the commissioner may designate.

(e) **Postponements and adjournments.**

(1) Only for good cause shown will a continuance be granted to any licensee upon a request made to the commissioner or his designee.

(2) A continuance will be granted when, due to an emergency, a police officer scheduled to appear at a hearing is required by his superiors to be on duty. Any hearing so continued will be rescheduled to the earliest possible time after the original hearing.

(3) No second continuance will be granted for the convenience of any party. An attorney for a respondent who has a conflicting court appearance may be granted a second continuance upon a request in writing, stating the name and location of the court, the date, time and case number of the conflicting court appearance. Such written request shall be directed to the attention of the Adjudications Unit, Legal Services Division, Department of Motor Vehicles, 60 State Street, Wethersfield, CT 06109-1896.

(4) The requirements in subdivisions (1), (2) or (3) may be waived by the commissioner or his designee only for good cause shown. The commissioner or his designee may request written certification of the facts surrounding the request for a continuance.

(5) The commissioner or his designee may reschedule a hearing or adjourn a hearing in progress to another date and time.

(f) **Waiver of oral hearing and personal appearance.** The respondent may waive oral hearing and personal appearance and request that the matter be adjudicated on the basis of the available written and demonstrative evidence on file with the department including any evidence submitted by the respondent.

(g) **Adjudication in absence of a party.** Where the commissioner or his designee finds that the notice of hearing has been properly served by mail and the respondent or any witness has failed to appear, the commissioner or his designee may in his or her discretion hear the case and render a decision.

(h) **Pre-hearing procedure in contested cases.**

(1) At any time after the issuance of a complaint or order and before the scheduled hearing date, and where not otherwise precluded by law, the commissioner may order or a respondent may request an informal, pre-hearing conference. The granting or denial of a request for a pre-hearing conference is within the complete discretion of the commissioner or such hearing officer as has been designated by the commissioner.

(2) A pre-hearing conference may be held for any of the following purposes:

(A) To narrow the scope of the issues in dispute;

(B) To obtain stipulations as to matters of fact;

(C) To stipulate as to the authenticity of documents which are to be offered in evidence;

(D) To stipulate as to the qualifications of any expert witnesses who are to testify at the hearing; and

(E) To discuss the possibility of an informal disposition of a complaint.

(3) A pre-hearing conference need not be recorded, but a written record will be made of any stipulations as to matter of fact, as to the authenticity of documents, or as to the qualifications of expert witnesses. Any such written record will be signed by each of the individual respondents or his counsel and by the commissioner or his authorized representative.

(i) **Informal disposition in contested cases.**

(1) Unless precluded by law, informal disposition may be made of any contested case by stipulation, agreed settlement, consent order, or default. A respondent may agree to enter an agreement containing a consent order in lieu of a hearing on the issue(s). Such agreement may be negotiated by the respondent and the counsel for a complainant or an authorized representative of the department. The acceptance of a consent agreement and order is within the complete discretion of the commissioner, or his designee, the chief of legal services for the department.

(2) A consent agreement and order shall contain:

(A) An admission of all jurisdiction facts;

(B) An express waiver of the right to seek judicial review or otherwise challenge or contest the validity of the order;

(C) An express waiver of the requirement that the decision contain findings of fact and conclusion of law;

(D) A provision that the complaint may be used in construing the terms of the order;

(E) A statement that the order contained therein shall have the same force and effect as an order entered after a full hearing and shall become final when issued;

(F) A statement that said order shall not be effective unless and until accepted and approved by the commissioner, or his designee, the chief of legal services for the department;

(G) The signature of each respondent or his attorney and the counsel for the complainant; and

(H) The signature of the commissioner or his said designee accepting and approving the consent agreement and order.

(j) **Motions.** Parties or their attorneys may file any appropriate motion in writing in advance of the hearing, at the hearing, or after the hearing. Any appropriate oral motion may be made at the hearing. The commissioner or his designee shall rule on pre-hearing and post hearing motions or refer them to the hearing officer hearing the case. The presiding hearing officer may rule on motions at the hearing, or may in his discretion incorporate a ruling on a motion in an intermediate or final decision.

(k) **Witnesses, subpoenas, and production of records.** All testimony shall be taken under oath or affirmation. The commissioner or his designee may subpoena witnesses and require the production of records, papers and documents. If any person disobeys such process or, having appeared in obedience thereto, refuses to answer any pertinent question put to him by or under the direction of the commissioner or his designee or to produce any records and papers pursuant thereto, the commissioner may apply to the superior court for the judicial district of Hartford-New Britain setting forth such disobedience to process or refusal to answer, as provided in Sections 4-177b and 14-110 of the Connecticut General Statutes.

(*l*) **Rules of evidence.** The following rules of evidence shall be followed in the admission of testimony and exhibits in all hearings:

(1) General. Any oral, documentary or physical evidence may be received. The commissioner or his designee shall, as a matter of policy, provide for the exclusion of irrelevant, immaterial or unduly repetitious evidence. The commissioner or his designee shall give effect to the rules of privilege recognized by law in Connecticut where appropriate to the conduct of the hearing.

(2) Documentary evidence. Documentary evidence may be received at the discretion of the commissioner or his designee in the form of copies or excerpts, if the original is not found readily available. Upon request by any party an opportunity shall be granted to compare the copy with the original which shall be subject to production by the person offering such copies, within the provisions of Section 52-180 of the Connecticut General Statutes.

(m) (1) **Limiting number of witnesses.** To avoid unnecessary cumulative evidence, the commissioner or his designee may limit the number of witnesses or the time for testimony upon a particular issue in the course of any hearing.

(2) The commissioner or his designee may permit any party to offer testimony in written form, if it will expedite the hearing. Such written testimony shall be received in evidence with the same force and effect as though it were stated orally by the witness who has given the evidence, provided that the interests of the parties will not be prejudiced substantially. Prior to its admission, such written testimony shall be subject to objections by parties.

(3) Cross-examination. A party may conduct cross-examinations required for a full and true disclosure of the facts.

(4) Facts noticed, scope and procedure. The department may take official notice of generally recognized technical or scientific facts within its specialized knowledge. Parties shall be afforded an opportunity to contest the material so noticed by being notified before or during the hearing, or by an appropriate reference in preliminary reports or otherwise of the material noticed. The department shall nevertheless employ its experience, technical competence, and specialized knowledge in evaluating the evidence presented at

the hearing for the purpose of making its findings of facts and arriving at a final decision. Where an adjudication of violation or responsibility has been determined, the records and prior decisions of the department may be considered in determining an appropriate disposition.

(n) **Filing of added exhibits and testimony.** Upon order of the commissioner or his designee before, during or after the hearing, any party may be given an opportunity to submit additional pleadings and evidence unless the rights of any party would be substantially prejudiced. Such added exhibits and testimony shall be subject to such comment, reply and contest as due process may require.

(o) **Party and intervenor status in a contested case.**

(1) The commissioner or his designee shall grant a person status as a party in a contested case if:

(A) Such person has submitted a written petition to the department and mailed copies to all parties at least five days before the date of hearing; and

(B) The petition states facts that demonstrate that the person's legal rights, duties or privileges shall be specifically affected by the decision of the department in such contested case.

(2) The commissioner or his designee may grant any person status as an intervenor in a contested case if:

(A) Such person has submitted a written petition to the department and mailed copies to all parties at least five days before the date of hearing; and

(B) The petition states facts that demonstrate that the person's participation is in the interests of justice and will not impair the orderly conduct of the proceedings.

(3) The five-day requirement in subdivisions (1) and (2) of this subsection may be waived at any time before or after commencement of the hearing by the hearing officer on a showing of good cause.

(4) If a petition is granted pursuant to subdivision (2) of this subsection, the intervenor's participation may be limited to designated issues in accordance with the provisions of section 4-177a (d) of the General Statutes.

(p) **Final decision in a contested case.**

(1) A final decision or order adverse to a party in a contested case shall be in writing or stated in the record. A written decision shall be signed and dated by the hearing officer authorized to render the decision.

(2) In a contested case where the commissioner or his designee is to render the final decision or order, the commissioner or his designee shall give due consideration to the entire record before rendering such decision or order.

(3) Parties shall be notified either personally or by mail of any decision or order. Upon request, a copy of the text of the final decision or order shall be sent by mail to each of the respondents and respondents' counsel, and to any other party of record.

(4) If no written request was filed for the preparation of a transcript, a final decision may be rendered at any time following the close of the hearing in compliance with the provisions of this subsection. If a transcript was requested in writing, the final decision may be rendered within a reasonable time following preparation and availability of the transcript in compliance with the provisions of this subsection.

(5) The Department shall proceed with reasonable dispatch to conclude any matter pending before it and shall render a final decision in all contested cases within ninety days following the close of evidence or the due date for the filing of briefs, whichever is later, in accordance with the provisions of Section 4-180 of the Connecticut General Statutes.

(q) **Record and transcripts**:

(1) The record in a contested case shall include:

(A) All pleadings, motions and intermediate rulings;

(B) Evidence received or considered;

(C) Questions and offers of proof, objections and rulings thereon;

(D) Any decision, opinion or report by the commissioner or his designee.

(2) Oral proceedings or any part thereof shall be transcribed on request of any party. The requesting party shall pay the cost of such transcript or part thereof.

(r) **Petition for reconsideration.**

(1) Any petition for reconsideration of a contested case must be filed in writing within fifteen (15) days after the personal delivery or mailing of the notice of final decision. Within forty days of the personal delivery or mailing of the final decision, the department, regardless of whether a petition for reconsideration has been filed, may decide to reconsider the final decision.

(2) Petitions for reconsideration shall be addressed to: Legal Services Division, Department of Motor Vehicles, 60 State Street, Wethersfield, Connecticut 06109-1896.

(s) **Motion for stay pending appeal.** A motion for stay of suspension, fine or other order pending appeal, should ordinarily be presented to the superior court. Alternatively, the motion may be presented to the commissioner, or to both the superior court and the commissioner.

(t) **Judicial appeal.** Unless otherwise provided by statute or regulation, appeals from final decisions of the department are governed by applicable provisions of Chapter 54 of the Connecticut General Statutes (Uniform Administrative Procedure Act).

(Effective April 1, 1996)

Sec. 14-137-39. Inconsistent regulations

Unless precluded by law, these regulations 14-137-36 through 14-137-39 shall take precedence over any other conflicting or inconsistent regulation pertaining to informal procedures available and to hearing procedures within the Department of Motor Vehicles.

(Effective August 4, 1988)

Sec. 14-137-40. Fees for volume searches of motor vehicle files

(a) **Definitions**

(1) A suspension case file is a numbered file which contains supporting material for operator's license and/or registration suspensions, financial responsibility requirements, administrative hearings and associated correspondence and communications with the person(s) involved or his agent.

(2) An accident case file is a numbered file which contains operator accident reports, police accident reports and associated correspondence and communications with the person(s) involved or his agent.

(b) In accordance with Section 14-50a (b) of the General Statutes, the commissioner shall charge a fee of three dollars ($3.00) for a search of each accident case file, and a fee of three dollars ($3.00) for a search of each suspension case file, when a search of more than one hundred of such files is made by any person or firm for a business purpose. The commissioner may require prepayment of the total fee payable in connection with such a volume request.

(Effective November 1, 1989)

Ambulance Flashing Lights

Sec. 14-137-41. Placement of flashing white lights on ambulances

All flashing white lights are to be placed facing forward and mounted above the cab, and as near the top of the box or body of the ambulance, as practicable.

(Effective August 4, 1988)

Sec. 14-137-42. Furnishing of license and registration information by Telephone

In carrying out its responsibility to allow public inspection of its license and registration files, the Department of Motor Vehicles shall permit such inspection pursuant to Section 14-10 of the General Statutes, and shall furnish copies of requested information pursuant to Section 14-50a, during the department's normal business hours. Persons requesting such information who do not appear personally at the department must make their requests in writing accompanied by the prescribed fees. The following shall be the only exceptions to these requirements:

(1) Connecticut state and municipal police departments, and officers at state institutions and departments having police powers under applicable provisions of the General Statutes, may continue to receive license and registration information through telephone inquiries by providing appropriate identification;

(2) Law enforcement and other government agencies which have been assigned identification numbers by the department shall be permitted to receive license and registration information through telephone inquiries;

(3) Persons calling about emergency situations shall be provided license and registration information after providing a description of the nature of this emergency; and

(4) License and registration information related to any matter of immediate public interest or concern may be provided, in the discretion of the commissioner, to any public official or representative of the news media requesting such information by telephone.

(Effective April 20, 1990)

Acceptable Forms of Payment of Motor Vehicle Fees and Handling of Cash Receipts

Sec. 14-137-43. Payment of fees

The payment of all fees to the Commissioner provided for in Chapter 246 through Chapter 248 of the General Statutes shall be by means of cash, personal check, or form of certified or bank draft that is immediately payable without recourse. All checks must be

(1) completed,

(2) made payable to the Commissioner or the Department of Motor Vehicles, or other official or agency, such as the Commissioner of Revenue Services, for which the Department is acting as collection agent,

(3) identified to the specific transaction, and

(4) shall be in the exact amount required by the transaction. No third party checks or incomplete or postdated instruments will be accepted. No cash refunds in excess of ten ($10) dollars will be made at the main office or any branch office of the Department. The commissioner retains the option to accept the use of commercial credit cards as a form of payment, provided the same shall be approved in the future by the State Treasurer.

(Effective February 24, 1989)

Secs. 14-137-44-14-137-60. Reserved

Assessment of Late Fee for Motor Vehicle Registration Renewal

Sec. 14-137-61. Mailing of renewal application

For the purpose of assessment of a late fee for renewal of motor vehicle registration in accordance with Connecticut General Statutes Section 14-49 (aa), a registration renewal application that is properly completed and signed and includes payment of the proper fee shall be considered submitted in a timely manner if transmitted by mail in response to the department's request

and received by the department not more than five (5) calendar days after the scheduled expiration date of the registration period.
(Effective January 7, 1992)

Issuing of Motor Vehicle Operator's License

General Requirements

Sec. 14-137-62. Submission of application

(a) In accordance with Sections 14-36 and 14-40a of the General Statutes, the commissioner shall not issue a motor vehicle or motorcycle operator's license to any person unless such person signs and files with the commissioner an application under oath.

(b) The following regulation Sections 14-137-63 through 14-137-79, inclusive, set forth requirements for the contents of every such application, including the information to be contained therein, and supporting documents that must be submitted as part of the application. Such requirements pertain to the issuance of a motor vehicle and motorcycle operator's license to:

(1) Persons who hold an operator's license either with or without a photograph issued by another state or territory which is currently valid or which has expired within the preceding two (2) months; and

(2) Persons who do not hold such license issued by another state or territory, or who never have held an operator's license in this state, or who have an operator's license in this state which has expired more than two (2) years previously.

(c) The provisions of this regulation also pertain to applications for a duplicate motor vehicle operator's license which is issued by the commissioner upon payment of the fee prescribed in Section 14-50a of the General Statutes, as amended.

(d) This regulation does not apply to the issuance of suppressed licenses authorized in accordance with Section 14-11a of the General Statutes and Sections 14-11a-1 through 14-11a-7 of the Regulations of Connecticut State Agencies.
(Effective December 3, 1991)

Sec. 14-137-63. Evidence of identity and date of birth

(a) No motor vehicle or motorcycle operator’s license shall be issued to an applicant without presentation of documents furnishing satisfactory evidence of the identity of such applicant, and the date of birth of such applicant, as more specifically provided in this regulation.

(b) Except as otherwise provided in subsection (c), the commissioner shall presume that the name of the applicant as shown on the applicant’s birth certificate, or other primary document submitted as evidence of the applicant’s identity, is the legal name of the applicant, and the commissioner shall not place any other name on a motor vehicle operator’s license unless the applicant presents an order of the superior court, or other court of competent jurisdiction, pertaining to a change of the applicant’s name.

(c) Notwithstanding the provisions of subsection (b), the commissioner shall accept an original or certified copy of a marriage license or divorce decree for the purpose of establishing the applicant’s legal name to be placed on an operator’s license issued to the applicant

(Effective December 3, 1991; amended August 31, 1999; amended June 6, 2001)

Sec. 14-137-64. Provision of residence address

(a) An applicant for a motor vehicle or motorcycle operator's license, or an identity card as provided by section 1-1h of the Connecticut General Statutes, shall provide to the commissioner a residence address, which address shall be imprinted on the operator's license or identity card. The commissioner may require evidence of the applicant's place of residence.

(b) Persons who have previously been issued an operator's license or identity card which does not have a residence address appearing thereon shall be required at the time of renewal to provide a residence address to the commissioner in accordance with subsection (a) of this section. Official communications from the Department of Motor Vehicles shall thereafter be mailed to a person's residence address unless a separate mailing address is specified. Any change in the person's residence or mailing address shall be reported to the commissioner as required by section 14-45 of the Connecticut General Statutes.

(Effective December 3, 1991; amended December 29, 2000)

Requirements for Operator's License and Proof of Identity

Regulation became effective January 28, 2002

Sections 14-137-64a and 14-137-65 of the Regulations of Connecticut State Agencies are amended to read as follows:

Sec. 14-137-64a. Residence of applicant for operator's license.

(a) Any applicant for a motor vehicle operator's license or an identification card as provided in section 1-1h of the Connecticut General Statutes, must be required to indicate whether he is a citizen of the United States of America. If any applicant indicates that he is not a citizen of the United States of America, the applicant must be required to submit evidence that (i) he is a national of the United States, and has been accorded the status of a permanent resident, or (ii) he is a nonimmigrant alien, within the classes set forth in Title 8 of the United States Code, Section 1101(a)(15), excluding any such person who is a temporary visitor for business or pleasure (known as B-1 or B-2 status). Such evidence as to (i) or (ii) stated above, may consist of any currently valid document issued to the applicant by the Immigration and Naturalization Service of the United States Department of Justice. An applicant, whether a citizen, permanent resident, or nonimmigrant described above, must provide proof that he has established a primary place of dwelling in this state. Such evidence as to primary place of dwelling may consist of one or more prima facie reliable documents that show the applicant's current residence address, including but not limited to, a utility bill, mortgage document, lease or rental agreement, or a postmarked letter.

(b) If the applicant is unable to present any such document referenced above, or if any such document presented is of questionable validity or indicates that the applicant is no longer entitled to be present in the United States, or is otherwise inconsistent with information known to the commissioner concerning the applicant, the Department must decline to issue an operator's license or identification card to such applicant.

(c) If the commissioner receives reliable information that a non-citizen who has been issued an operator's license or identification card is no longer entitled to be present in the United States, the commissioner may revoke such operator's license or identification card. An individual subject to such revocation must be given an opportunity for a hearing in accordance with the provisions of Chapter 54 of the Connecticut General Statutes.

(d) An applicant who presents to the Department a birth certificate or other similar document for the purpose of identification may be required to provide to the Department a certified translation if such document is in a language other than English or Spanish.

(Effective January 28, 2002)

Sec. 14-137-65. Licensing of person holding out-of-state operator's license. Identification. Surrender of out-of-state license.

(a) If an applicant for a Connecticut operator's license presents to the commissioner an operator's license from another state or territory which is currently valid or which expired no more than two (2) months previously, and such operator's license includes a photograph of the applicant, such applicant must also present to the commissioner one document furnishing proof of identity as follows:

(1) A birth certificate or registration of birth having a raised seal thereon applied by a certifying authority, or a duplicate copy of such document on which the seal is clearly visible; or
(2) A current document issued by a federal or state government containing the person's signature and either a photograph or physical description of the person; or
(3) A valid passport; or
(4) A military ID or military dependent card with photograph; or
(5) An ID card issued by the Department of Income Maintenance with photograph; or
(6) An alien registration document with photograph; or
(7) A social security card with signature; or
(8) A bankbook with signature; or
(9) An original baptismal certificate; or
(10) A pistol or firearm permit; or
(11) A military discharge form DD214; or
(12) A naturalization certificate; or
(13) An original or a certified copy having a raised seal thereon of an adoption decree or order; or
(14) An original or a certified copy having a raised seal thereon of school records.

(b) If such operator's license from another state or territory does not contain a photograph,two documents from the list contained in subdivisions (1) through (14) must be presented.

(c) If the out-of-state license presented to the commissioner does not contain the date of birth of the applicant, at least one of the additional documents must contain such date of birth.

(d) An applicant issued an operator's license in this state must be required to surrender to the commissioner the out-of-state operator's license presented and any other current operator's license from another state or territory in his or her possession.

(e) If any such proof of identity document referenced in subsection (a) of this section is of questionable validity or is inconsistent with other information known to the commissioner concerning the applicant, the Department must decline to issue an operator's license.

(f) The commissioner must have the right to refuse to issue an operator's license to the holder of an operator's license from another state or territory if the commissioner reasonably believes that such state or territory issues operator's licenses to individuals who would not be issued an operator's license under Connecticut law. Any such applicant refused an operator's license must be required to meet the standards for the issuance of an operator's license to a person not holding an out-of-state license, as set forth in section 14-137-67 and, if such applicant is not a citizen or national, the standards of the preceding section, 14-137-64a of the Regulations of Connecticut State Agencies.

(Effective January 28, 2002)

Sec. 14-137-66. Certification of driving status. Commissioner may request Information

(a) An applicant for a Connecticut operator's license who has previously been issued an operator's license in another state or territory shall certify under penalty of false statement that his or her right or privilege to operate a motor vehicle is not presently under suspension in any state or territory, or is not subject to suspension at a date certain in the future in any state or territory.

(b) The commissioner may at any time independently request information concerning the driving status of such person from any state or territory, or from any regional or national organization maintaining such information, and shall revoke and declare void the operator's license of any person providing false information concerning his or her driving status in addition to any other penalties or sanctions required or permitted by law.

(Effective December 3, 1991)

Issuance of Operator's License to a Person Who Does Not Hold Valid Out-of-State License

Sec. 14-137-67. Licensing of person not holding out-of-state license. Identification

(a) If an applicant for a Connecticut operator's license does not have an operator's license from another state or territory which is currently valid or which expired no more than two (2) months previously, or if an applicant has never held an operator's license in this state, or if an applicant has held an operator's license in this state which has expired more than two (2) years previously, such applicant must present to the commissioner two documents furnishing proof of identity from the following list:

(1) A birth certificate or registration of birth having a raised seal thereon applied by a certifying authority;

(2) A current document issued by a federal or state government containing the person's signature and either a photograph or physical description of the person;

(3) A passport;

(4) A military ID or military dependent card with photograph;

(5) An ID card issued by the Department of Income Maintenance with photograph;

(6) An alien registration document with photograph;

(7) A social security card with signature;

(8) A bankbook with signature;

(9) An original baptismal certificate;

(10) A pistol or firearm permit;

(11) A military discharge form DD214;

(12) A naturalization certificate;

(13) An original or a certified copy having a raised seal thereon of an adoption decree or order;

(14) An original or a certified copy having a raised seal thereon of school records;

(15) A Connecticut identification card with photograph issued in accordance with section 1-1h of the Connecticut General Statutes.

(b) Only one document listed in subsection (a) of this section must be presented if the applicant has previously held an operator's license in this state with a photo graph which has expired more than two (2) years previously, and such previous operator's license is presented upon filing of the application for a Connecticut operator's license.

(c) At least one of the documents presented to the commissioner must include the date of birth of the applicant.

(Effective August 19, 1994)

Sec. 14-137-68. Testing of applicant

In addition to any other requirements for obtaining an operator's license in this state imposed by law, in order to assure that an applicant as defined in subsection (a) of Section 14-137-67 of this regulation can safely operate motor vehicles of the class for which the applicant has applied, has sufficient knowledge of motor vehicles to ensure safe operation and has satisfactory knowledge of the laws concerning motor vehicles, such applicant shall be required by the commissioner to take and pass a knowledge test and a driving skills test including an on-the-road driving test.

(Effective December 3, 1991)

Issuance of Duplicate Operator's License

Sec. 14-137-69. Issuance of duplicate license

Except in the case of a damaged original license as provided in Section 14-137-74 of this regulation, a duplicate operator's license shall be issued only to a person whose operator's license has been lost, stolen or destroyed.

(Effective December 3, 1991)

Sec. 14-137-70. Submission of application. Duplicate license

Except in the case of a damaged original license as provided in Section 14-137-74 of this regulation, an applicant for a duplicate license shall state the circumstances surrounding the loss or destruction of the prior operator's license, or that such circumstances are unknown, shall certify compliance with this regulation, and shall subscribe the application under penalty of false statement as provided in Connecticut General Statutes Sections 14-110 and 53a-157.

(Effective December 3, 1991)

Sec. 14-137-71. Requirements for application for duplicate license

(a) An applicant may apply in person for a duplicate license at any branch of the Department of Motor Vehicles.

(b) The applicant must pay the fee required in Connecticut General Statutes Section 14-50a (2), as amended.

(c) A photograph or electronic image of the applicant will be taken by the department prior to issuance of the duplicate license, unless an electronic image is already on file.

(d) An applicant may be required to submit satisfactory evidence of identity and date of birth as provided in Section 14-137-75 of this regulation.
(Effective December 3, 1991; amended August 31, 1999)

Sec. 14-137-72. Operator's license under suspension

A duplicate license shall not be issued to any person whose operator's license and/or privilege to operate a motor vehicle in this state is under suspension, or who has been issued a temporary, paper license to operate a motor vehicle under the provisions of the administrative per se law, Connecticut General Statutes Section 14-227b, as amended. Any person who is under suspension or who has been issued a temporary license, and who obtains or attempts to obtain a duplicate license, shall commit an infraction, and shall be reported to the appropriate prosecuting authority.
(Effective December 3, 1991)

Sec. 14-137-73. Discovery of original operator's license

If a person, having obtained a duplicate operator's license in accordance with these regulations, finds or otherwise comes into possession of the operator's license which was alleged to be lost, stolen or destroyed, such person shall surrender such original operator's license to the department within three (3) business days.
(Effective December 3, 1991)

Sec. 14-137-74. Replacement of damaged license

The commissioner shall issue a duplicate license to an applicant whose current operator's license has been accidentally damaged, mutilated or otherwise rendered illegible. Such applicant shall be required to submit an application, surrender the current operator's license and comply with the requirements of subsections (a), (b), (c) and (d) of Section 14-137-71 of this regulation.
(Effective December 3, 1991)

Sec. 14-137-75. Evidence of identity and date of birth

Satisfactory evidence of identity and date of birth for issuance of a duplicate license means identification of an individual based on at least two (2) documents, one of which must contain the applicant's date of birth, as follows:

(1) A birth certificate or registration of birth having a raised seal thereon applied by a certifying authority, or a duplicate copy of such document on which the seal is clearly visible; or

(2) A current document issued by a federal or state government containing the person's signature and either a photograph or physical description of the person; or

(3) A passport; or

(4) A military ID or military dependent card with photograph; or

(5) An ID card issued by the Department of Income Maintenance with photo graph; or

(6) An alien registration document with photograph; or

(7) A social security card with signature; or

(8) A bankbook with signature; or

(9) An original baptismal certificate; or

(10) A pistol or firearm permit; or

(11) A military discharge form DD214; or

(12) A naturalization certificate; or

(13) An original or a certified copy having a raised seal thereon of an adoption decree or order; or

(14) An original or a certified copy having a raised seal thereon of school records.
(Effective December 3, 1991)

Miscellaneous Provisions

Sec. 14-137-76. Valid-without-photo licenses

(a) If a person who has been issued a temporary valid-without-photo operator's license in accordance with Connecticut General Statutes Section 14-36d (c) applies for a license containing a photograph, the applicant shall surrender the valid-without-photo operator's license and shall present proof of identity.

(b) The proof of identity shall consist of a prior Connecticut operator's license with photograph issued to such applicant, or if the applicant does not have such license, one (1) document as required for an applicant for a duplicate license in accordance with Section 14-137-75 of this regulation shall be presented, except that a social security card shall not be accepted as proof of identity for purposes of this section.
(Effective December 3, 1991)

Sec. 14-137-77. Health standards

Nothing in this regulation shall be construed to limit the authority of the commissioner to deny an operator's license to any person who does not meet the health standards specified in regulations promulgated by the commissioner in accordance with Sections 14-36 (e) and 14-45a of the General Statutes or applicable Federal rules.
(Effective December 3, 1991)

Sec. 14-137-78. Competence of person

No provision of this regulation shall be construed to limit the authority of the commissioner under Chapter 246 of the General Statutes to ensure that before issuing a motor vehicle or motorcycle operator's license to any person, such person has the ability and competence to operate a motor vehicle or motorcycle safely on the highways of this state.
(Effective December 3, 1991)

Sec. 14-137-79. Applicability of regulation

This regulation shall apply to the issuance of all classes of motor vehicle and motorcycle operators' licenses, except that it shall not be construed to conflict with or limit the application and enforcement by the commissioner of requirements for the issuance of Class 2 licenses and Class 1 licenses, including commercial drivers' licenses, imposed by any provision of Chapter 246 of the General Statutes and any other regulations of the commissioner adopted thereunder.
(Effective December 3, 1991)

Sec. 14-137-79a. Request for social security number

(a) In order to assist the Department of Motor Vehicles in maintaining its driver records and providing accurate driver identification, the Department shall make a request to obtain an operator's social security number as provided in subsection (b) of this section.

(b) The Department of Motor Vehicles shall require each applicant for a commercial driver's license (CDL), as defined in Section 14-1 (a) (10) of the

General Statutes, to furnish to the Department his Social Security number in accordance with the provisions of Section 14-44c of the General Statutes.

(c) The Department shall not disclose to a third party the Social Security number of a holder of an operator's license except as follows:

(1) to another agency of government for use by that agency in carrying out its functions; if such agency is authorized by law to utilize social security numbers;

(2) with the express permission of the license holder; or

(3) as may otherwise be authorized by law for a law enforcement purpose.

(Effective November 30, 1995)

Sec. 14-137-80. Reserved

Sec. 14-137-81. Child restraint systems for ambulances

Any ambulance which transports a child under the age of four years on the highways of this state shall provide and require the child to use a child restraint system meeting the standards of Section 14-100a-1 of the Regulations of Connecticut State Agencies, or if the child is between the ages of one year and four years a seat safety belt as required by Connecticut General Statutes § 14-100a (d). This section shall not apply where it is medically inadvisable to use any such restraint system or seat belt, or where the child is being transported as a patient in the patient compartment of the ambulance.

(Effective February 3, 1993)

Sec. 14-137-82. Suspension of operator's license for history of unsafe Operation

(a) Pursuant to subsection (a) of Section 14-111 of the Connecticut General Statutes, the Commissioner of Motor Vehicles is authorized to suspend or revoke any operator's license issued under the provisions of any statute relating to motor vehicles for any cause that he deems sufficient. All orders made by the commissioner under Section 14-111 (a) shall find their sanction in conduct which if persisted in by the operator of a motor vehicle, would, in general, evoke a reasonable apprehension of danger resulting to the operator himself and to others lawfully upon the public highways.

(b) Each holder of a motor vehicle operator's license shall be deemed to have engaged in conduct in the manner of operation of a motor vehicle that is unsafe, and that, if continued, will cause an unreasonable danger to such license holder and to others lawfully upon the public highways if such license holder:

(1) Has a driving record on file with the commissioner which contains convictions for three (3) unsafe moving traffic violations as hereinafter defined in subsection (d); and

(2) Is convicted of one (1) such additional unsafe moving traffic violation within two (2) years of the date of conviction for the first such unsafe traffic violation.

(c) Any such license holder who engages in such conduct shall be subject to a suspension of his operator's license for a period of thirty (30) days.

(d) An unsafe moving traffic violation is a conviction of a violation of one of the following Connecticut statutes:

(1) Sec. 14-218a. Traveling unreasonably fast.

(2) Sec. 14-223 (a). Disobeying orders of officer.

(3) Sec. 14-224 (c). Wagering, speed record.

(4) Sec. 14-227a (b). Driving while impaired.

(5) Sec. 14-231. Failure to keep right when meeting opposing traffic.

(6) Sec. 14-240. Failure to drive reasonable distance apart.

(7) Sec. 14-240a. Failure to drive reasonable distance apart, intent to harass.

(8) Sec. 14-250. Certain motor vehicles to stop at railroad crossing.
(9) Sec. 14-279. Passing stopped school bus.
(10) Sec. 14-281a. Operation of school bus at unreasonable speed.
(11) Sec. 14-299. Failure to obey control signal.
(12) Sec. 14-301. Failure to obey stop sign.

(e) Prior to the imposition of such suspension the license holder shall be given an opportunity for a hearing on the proposed suspension of his license, but such hearing shall be limited to the identity of such license holder, and whether such license holder has in fact been convicted of four (4) such serious violations within a two (2) year period.

(f) For the purpose of this regulation, the terms ``conviction'' or ``convicted'' shall be as defined in subdivision (16) of subsection (a) of Section 14-1 of the Connecticut General Statutes, and shall include payment of a fine to the centralized infraction bureau in accordance with Section 51-164n of the Connecticut General Statutes.

(Effective July 27, 1993)

Sec. 14-137-83. Skills test requirements

(a) Prior to issuing a motor vehicle operator's license to any person permitting operation of any motor vehicle identified in subsection (b) of this section, the commissioner, as authorized in accordance with sections 14-36 and 14-36a of the general statutes, shall require that such person demonstrate personally that he is competent to operate such a motor vehicle, and shall require such person to take and pass an on-the-road skills test. The test shall be administered by an inspector of the department of motor vehicles in a representative vehicle under typical driving conditions, and in accordance with standards prescribed by the commissioner. Such vehicle shall be provided by the operator and shall meet all legal requirements for highway operation.

(b) The skills test shall be required prior to licensing for operation of a commercial motor vehicle, as defined in section 14-1(a)(11) of the general statutes and for which a skills test is required by the provisions of section 14-44e of the general statutes.

(c) Any person who does not pass the skills test shall be entitled to request and take at least one (1) additional test, and may, in the discretion of the commissioner, be permitted to take further tests upon condition that such person will undergo such additional training as the commissioner prescribes.

(d) This section shall not be construed to apply to proficiency testing for operators of school buses, as conducted in accordance with the requirements of subsection (b) of section 14-276a of the general statutes.

(Effective January 26, 1996)

Secs. 14-137-84--14-137-98. Reserved

Motor Vehicle Lighting Devices

Sec. 14-137-99. Lighting requirements for motor vehicles

Any motor vehicle equipped with lamps or other lighting devices required under the provisions of Title 49, Code of Federal Regulations, Part 571.108, as amended, but not otherwise required by any provision of Title 14 of the Connecticut General Statutes, shall have and maintain such lamps or lighting devices in proper operating condition when operating on the highways of this state.

(Effective July 25, 1994)

Sec. 14-137-100. Miscellaneous lighting devices for motor vehicles

Unless a lighting device is specifically required for a motor vehicle in accordance with Sections 14-96a through 14-96aa of the General Statutes, or is required for a motor vehicle in accordance with Federal Motor Vehicle Safety Specification (FMVSS) #108, or is otherwise permitted by law, any illuminating device for a motor vehicle shall conform to the specifications in Sections 14-137-101 to 14-137-104 of the Regulations of Connecticut State Agencies.
(Effective July 25, 1994)

Sec. 14-137-101. Allowable colors

Any light visible from a motor vehicle shall not be of a color except as follows:

(a) Any light visible from the front of the vehicle shall be white, yellow or amber;

(b) Any light visible from the forwardmost edge of the rear tire of the vehicle to the front of the vehicle shall be amber or yellow;

(c) Any light visible from the forwardmost edge of the rear tire of the vehicle to the rear of the vehicle shall be red; and

(d) Any light visible from the rear of the vehicle shall be red or amber.
(Effective July 25, 1994)

Sec. 14-137-102. Definition of colors

Allowable colors specified in Sec. 14-137-101 shall comply with the color definitions in the Society of Automotive Engineers (SAE) Standard J578 MAY 88 for the colors red, yellow (amber), selective yellow, white (achromatic) or white to yellow.
(Effective July 25, 1994)

Sec. 14-137-103. Luminous intensity

The luminous intensity of a lighting device in accordance with Sec. 14-137-100 which is not required or permitted lighting shall not exceed three hundred (300) candela unless an SAE or FMVSS standard exists for the device permitting a different intensity in a specified direction.
(Effective July 25, 1994)

Sec. 14-137-104. Certification

Unless a lighting device is required or permitted by law as specified in Sec. 14-137-100, a lighting device used in connection with a motor vehicle shall be certified for use by the American Association of Motor Vehicle Administrators (AAMVA) in accordance with the provisions of Section 14-137 (b) of the General Statutes.
(Effective July 25, 1994)

Sec. 14-137-105. Headlamp modulator for motorcycles

A motorcycle headlamp which is constructed and operated in conformance with the provisions of the Title 49, Code of Federal Regulations, Part 571.108, as amended, shall not be considered a flashing light and may be used on the highways of this state.
(Effective August 19, 1994)

Sec. 14-137-106. Reserved

Notice to Owners and Lienholders of Motor Vehicles Upon Nonconsensual Tow of Motor Vehicles from Private Property, and Notice Upon Sale or Other Disposition

Sec. 14-137-107. Definitions

As used in Sections 14-137-107 to 14-137-109, inclusive, the following words and phrases shall have the following meanings:

(1) ``Commissioner'' means the commissioner of motor vehicles or his designee;

(2) ``DMV'' means the department of motor vehicles;

(3) ``Market value'' means the average trade-in value, appearing in the current month's issue of the N.A.D.A. Official Used Car Guide, Eastern Edition;

(4) ``Motor vehicle'' or ``vehicle'' means a motor vehicle as defined in section 14-1 of the general statutes;

(5) ``Storage facility'' means a registered place of storage for motor vehicles for which a schedule of storage charges has been filed by a tower, in accordance with section 14-66 of the general statutes;

(6) ``Tower'' means a person, firm or corporation licensed as a dealer or repairer and engaged in the business of towing or transporting motor vehicles for compensation, as provided in accordance with section 14-66 of the general statutes;

(7) ``VIN'' means the motor vehicle identification number;

Adopted, effective December 8, 1997)

Sec. 14-137-108. Notice to police and owner concerning non-consensual tow of a motor vehicle from private property, and notice upon sale or disposition

(a) When a motor vehicle which has been left, without authorization, on private property, is towed or removed by a tower upon request of the owner or lessee in possession of the property, the tower or storage facility shall notify the local police department in the time required by section 14-145 of the general statutes. Such notice may be given by telephone if the tower or storage facility maintains a written record including the name of the person contacted. The vehicle shall be completely identified including make, model, year, color, and, to the extent available, its registration number, VIN, and the name and address of the registered owner and/or lessee.

(b) No operator of a storage facility shall charge a storage fee for the time that a motor vehicle is stored prior to giving the notification to the local police department in accordance with subsection (a).

(c) If the motor vehicle towed from private property is not claimed within forty-eight (48) hours, the tower or storage facility shall complete the designated portions of DMV Form ``Motor Vehicle Notice of Tow'' and shall mail a copy of the said Form by certified mail, return receipt requested, to the owner and to all lienholders of record.

(d) If the motor vehicle is not claimed by its owner or lessee within the time periods specified in subsection (e) of section 14-150 of the general statutes, the tower or the storage facility where such motor vehicle is stored may sell or dispose of it in accordance with the provisions of subsections (g), (h) and (i) of section 14-150 of the general statutes. Notification shall include notice to the motor vehicle owner, to all lienholders of record, and to the commissioner. Notice of intent to sell shall be provided to the commissioner by returning, with the signature of the tower or storage facility under penalty of false statement, the DMV Form ``Notice of Intent to Sell''. The notice to the commissioner shall include evidence that notice has been given by certified mail, return receipt requested, to the owner and to all lienholders of record at least five (5) days before the date of sale. Upon receipt of such notice of intent, the commissioner shall make such notice available as a public record.

(e) Any tower or storage facility which sells a motor vehicle in accordance with this section shall report such sale to the commissioner as provided in section 14-150-5 of the Regulations of Connecticut State Agencies. The tower or storage facility shall also issue to the purchaser of the motor vehicle a completed and executed DMV Form ``Affidavit of Compliance''. DMV

shall not register or title any such motor vehicle sold by a tower or storage facility unless the application for registration and title is accompanied by the duly executed ``Affidavit of Compliance''.
(Adopted, effective December 8, 1997)

Sec. 14-137-109. Value of motor vehicle

The commissioner shall require any tower or storage facility which files with the commissioner a DMV Form ``Notice of Intent to Sell'' to state on such form the market value of the motor vehicle which it intends to sell, where such value is greater than five hundred dollars ($500.00). Such statement shall be under penalty of false statement. If the tower or storage facility claims that the market value is not an accurate estimate of the value of the motor vehicle, then a reasonable estimate of current market value may be provided together with a statement of the facts on which such estimate is based.
(Adopted, effective December 8, 1997)

Notice to Owner of Motor Vehicle Upon Sale or Intent to Sell by Bailee for Hire

Sec. 14-137-110. Definitions

As used in Sections 14-137-110 to 14-137-111, inclusive, the following words and phrases shall have the following meanings:
(1) ``Bailee'' means a bailee for hire of a motor vehicle;
(2) ``Commissioner'' means the Commissioner of Motor Vehicles or his designee;
(3) ``DMV'' means the Department of Motor Vehicles;
(4) ``Motor vehicle'' or ``vehicle'' means a motor vehicle as defined in section 14-1 of the general statutes;
(5) ``VIN'' means the motor vehicle identification number.
(Adopted, effective December 8, 1997)

Sec. 14-137-111. Notice to owner of motor vehicle upon sale or intent to sell by bailee for hire

(a) If a bailee for hire claims to have a lien on a motor vehicle, and the lien has not been dissolved upon the substitution of a bond with surety as provided by subsection (a) of section 49-61 of the general statutes, and if the bailee proposes to sell the motor vehicle in accordance with the provisions of said section 49-61, the bailee shall give written notice to the commissioner and pay the fee as provided in subsection (b) of said section 49-61. The notice to the commissioner shall be by certified mail, return receipt requested, and shall include completion and filing of the DMV Form ``Notice of Intent to Sell'' by the bailee, and the mailing or delivery of such DMV form to the commissioner. The commissioner shall make such notice available as a public record.
(b) Compliance with the provisions of subsection (a) of this section shall not relieve a bailee from providing notice to the owner and/or lessee of record of the motor vehicle, and to any lienholder as recorded on the certificate of title of the motor vehicle, upon advertising of the motor vehicle for sale, and from complying with all other requirements of subsection (d) of section 49-61 of the general statutes. The DMV shall, upon request by a bailee by telephone, immediately provide to such bailee such title and/or registration information regarding any bailed motor vehicle as may be permitted by law and necessary for providing such notice to the owner and/or lessee of record and to any or all lienholders of record. The bailee shall maintain in its files a record including the date of such request and such information including VIN provided by the bailee to the DMV.

(c) Upon sale of the motor vehicle in accordance with the provisions of section 49-61 of the general statutes, the bailee shall issue to the purchaser(s) thereof the DMV Form ``Affidavit of Compliance''. The bailee may be required to provide to the commissioner evidence that the provisions of subsection (d) of section 49-61 have been fulfilled. The commissioner shall not issue registration or title for a motor vehicle which has been sold in accordance with the provisions of this section unless the application is accompanied by the duly executed ``Affidavit of Compliance''.

(d) Any sale found to be in violation of the notice requirements of Section 49-61 of the general statutes and this regulation shall be void.

(Adopted, effective December 8, 1997)

Secs. 14-137-112--14-137-114. Reserved

Rental of Motor Vehicles

Sec. 14-137-115. Credit card not required

As provided in section 14-153b of the general statutes, no person, firm or corporation licensed in accordance with the provisions of Section 14-15 of the General Statutes and engaged in the business of renting or leasing passenger motor vehicles, as defined in subsection (59) of subsection (a) of Section 14-1 of the General Statutes, without drivers, for periods of thirty (30) days or less, shall require any customer to show proof that he holds a card provided by a credit card issuer as a condition to the rental of a passenger motor vehicle.

(Adopted effective May 4, 1998)

Sec. 14-137-116. Identification and deposit

Notwithstanding the provisions of Section 14-137-115, a licensee may require from a customer both suitable identification in accordance with the provisions of Section 14-137-117, and a reasonable deposit in accordance with the provisions of Section 14-137-118.

(Adopted effective May 4, 1998)

Sec. 14-137-117. Suitable identification

In addition to a current operator's license, a licensee may require a customer to provide one other form of identification as listed in Section 14-137-65 of the Regulations of Connecticut State Agencies. Prior to acceptance of an operator's license as suitable identification, the licensee shall be permitted to perform a status check on such license with the department of motor vehicles, or any agent of or contractor with such department.

(Adopted effective May 4, 1998)

Sec. 14-137-118. Deposit

A licensee may, as a condition of rental, require a customer to provide a reasonable deposit, which deposit shall not exceed five hundred dollars ($500.00) or one and one half (1½) times the anticipated cost of the rental, whichever is the greater amount.

(Adopted effective May 4, 1998)

Sec. 14-137-119. Conditions. Waiting period

(a) Except as provided in Sections 14-137-115 through 14-137-119, inclusive, no licensee shall impose any additional fees or conditions on customers who do not show proof of holding a card provided by a credit card issuer that are not equally imposed on customers who do show proof of holding

such card. In the event there is any waiting period associated with the policies of a licensee for customers who do not show proof of holding a card provided by a credit card issuer to obtain a motor vehicle rental, such waiting period shall be deemed an additional condition if it exceeds one (1) business day.

(b) Nothing in sections 14-137-115 to 14-137-119, inclusive, shall be construed to prohibit a licensee from denying a motor vehicle rental to a customer in the ordinary course of business provided such denial is not a consequence of a customer not showing proof of holding a credit card.

(Adopted effective May 4, 1998)

Assessment of Points Against an Operator's License for Motor Vehicle Law Violations

Secs. 14-137a-1--14-137a-4.
Repealed, February 4, 1992.

Sec. 14-137a-5. Point assessment. Schedule

The holder of an operator's license shall have points assessed against his or her driving record for a conviction of the indicated motor vehicle violations in accordance with the following schedule:

(a) One point shall be assessed for:

(1) Sec. 14-218a-Operating at unreasonable rate of speed

(2) Sec. 14-219-Speeding

(3) Sec. 14-230-Failure to drive in right-hand lane

(4) Sec. 14-230a-Illegal use of limited access highway by bus, commercial vehicle or vehicle with trailer

(5) Sec. 14-236-Improper operation on multiple-lane highways

(6) Sec. 14-237-Improper operation on divided highway

(7) Sec. 14-239-Wrong direction at rotary or one-way street

(8) Sec. 14-242-Improper turn, illegal turn, illegal stopping, failure to signal intention to turn

(9) Sec. 14-243-Improper backing or starting

(10) Sec. 14-244-Failure to give proper signal

(11) Sec. 14-277-Operator's duties on stopping a school bus

(12) Sec. 14-289b-Operation of motorcycles abreast, illegal passing

(13) Sec. 14-303-Wrong way on one-way street

(b) Two points shall be assessed for:

(1) Sec. 14-220-Slow speed, impeding traffic

(2) Sec. 14-223 (a)-Disobeying orders of officer

(3) Sec. 14-238-Entering or leaving controlled access highway at other than designated entrance or exit

(4) Sec. 14-238a-Entry upon a limited access highway other than a highway intersection or designated point

(5) Sec. 14-241-Executing turn from wrong lane or contrary to traffic control devices

(6) Sec. 14-249-Failure to obey signal at railroad crossing

(7) Sec. 14-250-Failure to stop at railroad crossing by school bus, commercial motor vehicle carrying flammable or explosive substance, taxicab, motor vehicle in livery service, motor bus, motor vehicle used for the transportation of school children

(8) Sec. 14-298-Failure to observe parkway or expressway restrictions

(9) Sec. 14-299-Failure to obey traffic control signal light

(10) Sec. 14-301-Failure to obey stop sign

(11) Sec. 14-302-Failure to obey yield sign

(12) Sec. 14-304-Operating a vehicle through pedestrian safety zone

(c) Three points shall be assessed for:

(1) Sec. 14-227a (b)-Driving while impaired

(2) Sec. 14-231-Failure to keep to right when meeting opposing traffic

(3) Sec. 14-232-Improper passing or failure to yield to passing vehicle

(4) Sec. 14-233-Passing on right

(5) Sec. 14-234-Passing in no passing zone

(6) Sec. 14-235-Failure to keep to right on curve, grade or when approaching intersection

(7) Sec. 14-240-Failure to drive reasonable distance apart

(8) Sec. 14-245-Failure to grant right of way at intersection
(9) Sec. 14-246a-Failure to grant right of way at junction of highways
(10) Sec. 14-247-Failure to yield when emerging from driveway or private road
(11) Sec. 14-247a-Failure to grant right of way when emerging from alley, driveway or building
(12) Sec. 14-283-Failure to grant right of way to ambulance, police or fire apparatus
(13) Sec. 14-300-Failure to grant right of way to pedestrian
(d) Four points shall be assessed for:
(1) Sec. 14-224 (c)-Wagering, speed record
(2) Sec. 14-240a-Failure to drive reasonable distance apart, intent to harass
(3) Sec. 14-279-Passing stopped school bus
(e) Five points shall be assessed for:
(1) Sec. 14-281a-Operation of school bus at excessive speed
(2) Sec. 14-222a-Negligent homicide with a motor vehicle
(Effective February 4, 1992)

Sec. 14-137a-6. Recording assessment

Points shall remain assessed against the driving record of the holder of an operator's license for a period of twenty-four (24) months from the date of such assessment.
(Effective February 4, 1992)

Sec. 14-137a-7. Warning

A warning letter will be sent to the holder of an operator's license advising such licensee of his or her point assessment record when a conviction of a motor vehicle violation in accordance with this regulation causes the point total of such licensee to equal or exceed six (6) points. The licensee shall also be advised by such warning letter that in the event of a future conviction(s) of a motor vehicle(s) violations which result in a point total in excess of ten (10) points, the department shall suspend his or her operator's license as provided in Section 14-137a-8.
(Effective February 4, 1992)

Sec. 14-137a-8. Suspension. Hearing

(a) When the holder of an operator's license is convicted of a motor vehicle violation which raises his or her point total above ten (10) points, the commissioner shall give notice that his or her operator's license is suspended for a period of thirty (30) days, effective as of a date certain. Prior to such effective date, the license holder may request a hearing, but such hearing shall be limited to the issues of the identity of such licensee, and that such licensee has in fact accumulated more than ten points within a twenty-four (24) month period.
(b) When a person, having had his or her operator's license suspended for thirty (30) days in accordance with subsection (a) of this section, is convicted of a motor vehicle violation which again raises his or her point total above ten (10) points within five (5) years of the beginning of any such thirty (30) day suspension, as shown by the driving record maintained by the commissioner, such person shall have his or her operator's license suspended by the commissioner until his or her point total is reduced to or below ten (10) points. Prior to the imposition of such suspension, such person may request a hearing, but such hearing shall be limited to the issues of the identity of the licensee, that such licensee has in fact had his or her operator's license suspended previously under subsection (a) of this section, and that such

licensee has been convicted of a violation(s) which again raises his or her point total above ten (10) points.

(c) All points shall be added to a person's point assessment as of the date that such person is convicted of a violation. A ``conviction'' shall be as defined in Section 14-1 (a) (16) of the Connecticut General Statutes, as amended. At any hearing held in accordance with this section, an entry on the certified driving history of the person showing the offense charged, the date of such offense, and the date of conviction of such offense, shall be accepted in evidence as sufficient proof of conviction of the person, unless such entry is contested by the person by the introduction of competent evidence that such entry is erroneous.

(Effective February 4, 1992)

Sec. 14-137a-9. Adjustment of records. Warning

(a) Upon the adoption of Sections 14-137a-5 through 14-137a-8, inclusive, of this regulation, the department shall adjust its driving history records and recompute the point total for each person for whom points have been assessed. Such recomputation will erase points assessed under the previous regulations of the department, Sections 14-137a-1 through 14-137a-4, if any such violation(s) no longer is deemed to require point assessment, and will reduce the number of points on the driving history record of each person with respect to any violation(s) for which the point assessment has been reduced.

(b) If the driving record of any license holder, as adjusted in accordance with subsection (a) of this section, contains ten (10) or more points, and such licensee has not been subject to any previous action by the commissioner with respect to his or her point accumulation, the department shall send a letter to such person, warning him or her that in the event of any future conviction(s) or violation(s) resulting in the assessment of additional points which raise the point total above ten (10) points, such person shall be subject to suspension action in accordance with subsection (a) of section 14-137a-8 of this regulation.

(Effective February 4, 1992)

Hearings Procedures for Motor Vehicles Taken into Custody Pursuant to Section 14-150

Sec. 14-150-1. Definitions

(a) ``Hearing officer'' means that person duly and properly appointed, according to these regulations and Section 14-150 to conduct hearings under the provisions of Sections 14-150 and 14-307 of the General Statutes.

(b) ``Appointing official'' means that person or persons authorized to appoint hearing officers pursuant to Section 14-150 of the General Statutes.

(Effective January 26, 1977; amended December 8, 1997)

Sec. 14-150-2. Qualifications, appointment and removal of hearing officers

(a) Hearing officers shall be appointed by the chief executive officer of each town, except that when two or more towns join in making such appointment they shall appoint one hearing officer among the several towns involved.

(b) No person shall be appointed to the position of hearing officer unless such person is:

(1) At least eighteen years of age;

(2) In the opinion of the appointing official, a person capable of fairly administering the applicable provisions of law based on such person's background and experience, including but not limited to his education, special skills and training, and history of criminal and motor vehicle violations.

(c) The names and addresses of the hearing officers shall be sent by the appointing official to the commissioner of motor vehicles.

(d) Any hearing officer whose personal interests do or may give the appearance of conflict with his official responsibilities herein enumerated shall remove himself from presiding over any such hearing, and in such case the appointing official shall appoint a substitute hearing officer for that hearing.

(e) Any hearing officer may be removed at any time by the appointing official for whatever reason such official deems sufficient.

(Effective January 26, 1977)

Sec. 14-150-3. Hearing procedures

(a) Upon receipt of an application for hearing pursuant to subsection (e) of section 14-150 of the general statutes, or section 14-307 the hearing officer shall promptly schedule a hearing.

(b) Any party may for good cause request a continuance of a hearing, but the decision to allow such continuance will be at the reasonable discretion of the hearing officers.

(c) At the hearing, the owner of the motor vehicle may produce any relevant evidence to show that the towing of his vehicle was not authorized by section 14-150 or 14-307 of the General Statutes.

(d) At the hearing, the authority which made the decision to tow the motor vehicle may produce any relevant evidence to show that such towing was authorized by section 14-150 or 14-307 of the General Statutes.

(Effective April 27, 1988; amended December 8, 1997)

Sec. 14-150-4. Final decision

(a) The hearing officer shall proceed with reasonable dispatch to conclude any matter pending before him and render a decision.

(b) The hearing officer shall provide both parties with written notice of his decision, which shall state the reason for his determination.

(Effective January 26, 1977)

Sec. 14-150-5. Report of sale of an unclaimed motor vehicle

Any garage owner, keeper, bailee for hire, tower or storage facility reporting the sale of an unclaimed motor vehicle to the commissioner of motor vehicles pursuant to section 14-150, 14-307 or section 49-61 of the General Statutes, shall include the following information:

(a) The sales price;

(b) The charges for storing, towing, repairs, if any, any other charges, and the total of all charges;

(c) The buyer's name and address;

(d) The make, model and vehicle identification number of the motor vehicle, and the number plate, if any;

(e) The name and address of the motor vehicle owner on the records of the Department of Motor Vehicles, if available, at the time the motor vehicle came into possession of the garage owner, keeper, bailee for hire, tower or storage facility; and

(f) The name and address of the publication in which a notice of auction or advertisement of sale was published, the date of such publication, and a copy of the notice.

(Effective November 26, 1980; amended December 8, 1997)

Towers Acquiring Title to Abandoned Towed Motor Vehicles

Sec. 14-150-6. Towers in compliance

The provisions of Sec. 14-150-6 to 14-150-8, inclusive, of this regulation shall apply to a tower who is the operator of a motor vehicle wrecker business who is in compliance with the provisions of section 14-66 of the General Statutes who:

(a) Tows and stores a motor vehicle abandoned within the limits of a highway as provided in section 14-150 of the General Statutes. or

(b) Tows a motor vehicle abandoned within the limits of a highway as provided in section 14-150 to a storage facility for which the storage operator has filed a schedule of storage charges pursuant to section 14-66.

(Effective April 24, 1987)

Sec. 14-150-7. Issuance of certificate of title

Any tower, as provided in section 14-150-6, who complies with the provisions of section 14-150-6 and this section shall be entitled to the issuance of a Connecticut certificate of title to such towed motor vehicle provided the tower submits to the commissioner of motor vehicles certification that such tower or storage operator towed such motor vehicle from within the limits of a highway and has complied with the provisions of subsection (g) of section 14-150 of the General Statutes as amended by Section 1 of Public Act No. 87-372 governing the sale of an abandoned motor vehicle. The certification shall include a statement as to the reasons why the public sale pursuant to section 14-150 did not result in the abandoned motor vehicle being sold. In addition, if the value of the motor vehicle exceeds the storage charges, the certification shall include a statement that any amount in excess of the storage charges has been paid to the owner of the motor vehicle or if the owner cannot be identified or located, that such excess has been deposited in a bank licensed to do business in this state. Any amount so deposited shall remain on deposit for a period of one year during which the motor vehicle owner may make demand on the depositor for the payment of such funds and any accrued interest. If a period of one year elapses without such funds being paid to the owner they shall escheat to the state.

(Effective April 27, 1988)

Sec. 14-150-8. Value of vehicle; issuance of certificate of title

No title to any motor vehicle with a value in excess of $500.00 shall be issued in the name of any tower if such tower claimed to have more than one hundred and fifty days of storage charges due the tower at the time such motor vehicle was offered at auction pursuant to section 14-150-7 have been complied with, the vehicle has been presented for and passed the same inspection as is required of used motor vehicles not previously registered in Connecticut and a hearing held by the commissioner or his designee for the purpose of determining that the applicable requirements of section 14-150 of the general statutes and sections 14-150-6 to sections 14-150-8, inclusive, of the Regulations of Connecticut State Agencies have been met. If the commissioner or his designee conducting such hearing determines that the current market value of the motor vehicle on the date of the advertised auction sale was at least $2,500.00, he or she shall order such motor vehicle to be auctioned at a ``dealer to dealer auction'' as provided in section 14-65-2 of the Regulations of Connecticut State Agencies. In the event the motor vehicle is not sold at such auction, the commissioner or his designee shall order that a certificate of title be issued in the name of the tower.

(Effective April 24, 1987)

Sec. 14-150-9. Acquired title to abandoned motor vehicle

When any municipality that has acquired title to an abandoned motor vehicle pursuant to subsection (d) of section 14-150 of the General Statutes, as amended by section 1 of Public Act 87-372, transfers the ownership of said vehicle, it shall complete the form H-109 supplied by the commissioner and furnish the same to the transferee in lieu of a certificate of title.

(Effective April 27, 1988)

Manner for Determining Reimbursement to Municipalities

Sec. 14-150b-1. Determination of amount of reimbursement

The amount of the expenses incurred by a municipality to be reimbursed to the municipality from the resources of the Municipal Abandoned Vehicle Trust Fund by the secretary of the Office of Policy and Management shall be determined
as follows:

(a) Each municipality shall, in the periodic reports prepared and submitted to the commissioner of motor vehicles concerning abandoned passenger vehicles as required by Section 14-150 (f) (2) of the General Statutes, indicate the amount of the charge imposed by the tower for each abandoned vehicle towed and also shall indicate if the municipality claims reimbursement for such towing charge;

(b) The commissioner of motor vehicles shall forward to the chief executive officer of each municipality, on an annual basis, a listing of all vehicles reported by such municipality under Subsection (a) including the towing charge for each vehicle and whether reimbursement has been claimed by the municipality. The chief executive officer of each said municipality shall, within thirty days of receipt of such listing, compute and report to the secretary of the Office of Policy and Management the annual total of such expenses, together with the total amount for which the municipality is entitled to be reimbursed based on an amount equal to twenty-five dollars or fifty per cent of the cost of each tow, whichever is less, for each towed vehicle for which reimbursement has been claimed.

(Effective October 17, 1990)

Report of Stolen Motor Vehicle

Sec. 14-151a-1. Report of stolen motor vehicle

Any person reporting a motor vehicle as stolen in this state pursuant to Public Act No. 82-450 shall do so on a report form supplied by the Commissioner of Motor Vehicles. In developing the content of the reporting form or any revision to the form the Connecticut Chiefs of Police Association and the Division of State Police within the Department of Public Safety shall be consulted. The form shall be printed in duplicate. The first copy shall go to the state or local police department to whom the report is required to be submitted. The second copy shall go to the person making the report. The report shall be signed by the person making the report.

(Effective January 21, 1983)

Operators' Licenses or Registration Fees-Refunds

Sec. 14-159-1. Refund of operator's license fee for temporary or duplicate License

When a temporary or duplicate operator's license is issued by any branch office upon the applicant's statement that he held such a license for the current or preceding year and the records of the department disclose that he was not the holder of such a license, no refund shall be given.

Sec. 14-159-2. Refunds of license or registration fees for error

Refunds for operators' licenses or registration fees will not be made for any reason other than bona fide evidence of error on the part of the applicant or the department and then only upon the approval of the chief of the division of registry.

Motor Carrier Safety Regulations

Sec. 14-163c-1. Adoption of regulations

The following parts of the Code of Federal Regulations, Title 49, are incorporated by reference thereto as regulations of the Department of Motor Vehicles:

(1) Part 382, ``Controlled Substances and Alcohol Use and Testing,'' as amended;

(2) Part 383, ``Commercial Driver's License Standards; Requirements and Penalties,'' inclusive, as amended;

(3) Part 385, ``Safety Fitness Procedures,'' inclusive, as amended;

(4) Part 386, ``Rules of Practice for Motor Carrier Safety and Hazardous Materials Proceedings,'' inclusive, as amended;

(5) Part 387, ``Minimum Levels of Financial Responsibility for Motor Carriers,'' inclusive, as amended;

(6) Part 390, ``Federal Motor Carrier Safety Regulations: General,'' inclusive, as amended;

(7) Part 391, ``Qualifications of Drivers,'' inclusive, as amended;

(8) Part 392, ``Driving of Motor Vehicles,'' inclusive, as amended;

(9) Part 393, ``Parts and Accessories Necessary for Safe Operation,'' inclusive, as amended;

(10) Part 394, ``Removed and Reserved,'' inclusive, as amended;

(11) Part 395, ``Hours of Service of Drivers,'' inclusive, as amended;

(12) Part 396, ``Inspection, Repair and Maintenance,'' inclusive, as amended; and

(13) Part 397, ``Transportation of Hazardous Materials; Driving and Parking Rules,'' inclusive, as amended.

(Effective January 18, 1996)

Sec. 14-163c-2. Application of regulations

The regulations adopted in accordance with Section 1 shall apply to:

(1) Any motor vehicle in intrastate commerce which has a gross vehicle weight rating or gross combination weight rating of eighteen thousand one (18,001) or more pounds;

(2) Any motor vehicle in interstate commerce which has a gross vehicle weight rating or gross combination weight rating of ten thousand one (10,001) or more pounds;

(3) Any motor vehicle which is designed to transport more than fifteen (15) passengers, including the driver;

(4) Any motor vehicle which is used in the transportation of hazardous materials in a quantity such as to require placarding of the vehicle under the Hazardous Materials Transportation Act, 49 USC App. 1801-1813, unless such placarding is exempted under the provisions of the Code of Federal Regulations or the provisions of Section 3;

(5) The driver of any motor vehicle as provided in subsections (1) through (4) of this section; and

(6) A motor carrier as defined in the Code of Federal Regulations, Title 49, Part 390, Section 390.5, which is responsible for the operation of any motor vehicle or the driver thereof as provided in subsections (1) through (5) of this section.

(Effective October 21, 1994)

Sec. 14-163c-3. Exceptions to driving and on-duty time

The provisions of the Code of Federal Regulations, Title 49, Part 395, Section 395.3, adopted in accordance with the provisions of subsection (10) of Section 1, and applicable to maximum driving and on-duty time of operators of

motor vehicles, shall not apply to any public service company vehicle with a commercial registration when such vehicle is used to transport passengers or property to or from any portion of the state for the purpose of relief or assistance in the case of major loss of utility service, a disaster or other state of emergency declared by the governor. For the purpose of this section, ``disaster'' shall include, but not be limited to, a hurricane, snowstorm, ice storm, flood, fire or earthquake.
(Effective October 21, 1994)

Sec. 14-163c-4. Minimum age of operator

Insofar as the provisions of Section 1 apply to vehicles employed solely in intrastate use, the minimum age of an operator as stated in Code of Federal Regulations, Title 49, Part 391, Section 391.11 (b) (1), shall be 18 years old in lieu of 21 years old.
(Effective October 21, 1994)

Sec. 14-163c-5. Motor vehicle out-of-service condition

(a) Any motor vehicle identified in accordance with the provisions of subsections (1) through (4) of Section 2, which by reason of its mechanical condition or loading, and in accordance with the provisions of Code of Federal Regulations, Title 49, Part 396, Section 396.9, is determined by a person having inspection authority as defined in Section 8 to be so unsafe as to likely cause an accident or breakdown, or when such mechanical condition or loading would likely contribute to loss of control of the vehicle by the driver, shall be issued an out-of-service order.

(b) Standards for inspection of a motor vehicle as provided in subsection (a) of this section shall be in accordance with the most recent revision of the publication entitled ``North American Uniform Out-of-Service Criteria'' including Part II thereof entitled ``North American Uniform Vehicle Out-of-Service Criteria'' and Part III thereof entitled ``North American Hazardous Materials Out-of-Service Criteria.'' Reference to said publication and its use in connection with motor vehicle inspections shall be in accordance with the provisions of Appendix G to Subchapter B of the Code of Federal Regulations, Title 49.
(Effective October 21, 1994)

Sec. 14-163c-6. Motor vehicle out-of-service infraction

(a) Violation of any of the standards adopted in accordance with Section 1 for which a motor vehicle is placed out-of-service shall be an infraction.

(b) A complaint for a violation of subsection (a) of this section may be issued by a person with inspection authority as defined in Section 9 to the motor carrier or to the owner or lessee of such motor vehicle.
(Effective October 21, 1994)

Sec. 14-163c-7. Driver out-of-service condition

Each driver of a motor vehicle listed in subsection (1) through (4) of section 2 shall conform to the out-of-service criteria of the Code of Federal Regulations, Title 49, Part 395, Section 395.13, in accordance with the standards provided in the most recent edition of the publication entitled ``North American Uniform Out-of-Service Criteria,'' Part I, ``North American Uniform Driver Out-of-Service Criteria.''
(Effective October 21, 1994)

Sec. 14-163c-8. Driver out-of-service infraction

Any driver to whom an out-of-service order has been issued by a person with inspection authority as defined in Section 9 for violations of any of the standards adopted in accordance with Section 1 shall have committed an infraction.

(Effective October 21, 1994)

Sec. 14-163c-9. Inspection authority

(a) A person having inspection authority shall mean any motor vehicle inspector, appointed by the commissioner in accordance with Section 14-8 of the General Statutes, or any state or municipal police officer, who has satisfactorily completed forty hours of on-the-job training and a course of instruction as prescribed by the U.S. Department of Transportation, Federal Highway Administration, Office of Motor Carriers, in federal motor carrier safety regulations, safety inspection procedures, and out-of-service criteria. As used in Sections 1 through 12, inspection authority means authorization to enter upon and perform inspections of motor carriers' vehicles in operation, to record the results of such inspections, and to declare a motor vehicle or its operator ``Out of Service'' as provided in the Title 49, Code of Federal Regulations, Part 395, Section 395.13, and Part 396, Section 396.9.

(b) A person having inspection authority as defined in subsection (a) of this section may enter upon and inspect the lands, buildings and equipment of persons subject to the provisions of Section 1, in accordance with law, to determine compliance with such provisions. Such persons subject to the provisions of Section 1, including motor carriers, may be required by the commissioner to submit for inspection and copying their accounts, books, records, memoranda, correspondence and other documents, as such documents relate to the requirements and standards of Section 1.

(c) In order to maintain inspection authority motor vehicle inspectors shall annually receive in-service training in current federal motor carrier safety regulations, safety inspection procedures, and out-of-service criteria. The type and extent of such training shall be as determined by the commissioner.

(Effective October 21, 1994)

Sec. 14-163c-10. Exemptions from compliance

(a) The commissioner of motor vehicles may grant variations or exemptions from, or approve equivalent or alternate compliance with, any of the parts of the Code of Federal Regulations, Title 49, adopted in accordance with Section 1, when strict compliance with any of such provisions would entail practical difficulty or unnecessary hardship, or would be otherwise adjudged unwarranted.

(b) Any variation, exemption, approved equivalent or alternate compliance with the requirements of Section 1 as provided in subsection (a) of this section shall be requested in writing addressed to the Commissioner of Motor Vehicles, 60 State Street, Wethersfield, CT 06161-4010. Such request shall explain fully how strict compliance with the regulation would not serve the public interest, and how the requested modification or other change would maintain public safety no less secure than the compliance required by the original regulation. No such variation, exemption, approved equivalent or alternate compliance shall be permitted except as authorized in writing by the commissioner.

(Effective October 21, 1994)

Sec. 14-163c-11. Violation

No motor carrier as defined in Code of Federal Regulations, Title 49, Part 390, Section 390.5, shall require nor shall any person operate any motor vehicle declared and marked ``out-of-service'' until all required repairs of

violations which resulted in the out-of-service condition have been completed. If as determined by the person having inspection authority, it is less hazardous to the public to relocate the vehicle, such vehicle shall be towed, transported, or escorted only at the direction of such person having inspection authority.
(Effective October 21, 1994)

Sec. 14-163c-12. Enforcement. Infraction

In addition to out-of-service infractions as provided in Sections 6 and 8, any person who violates any of the standards adopted in accordance with Section 1 which does not require an out-of-service order shall have committed an infraction. A complaint for such violation may be issued by a person with inspection authority or by any police officer within his jurisdiction.
(Effective October 21, 1994)

Minimum Safety Requirements for Motor Vehicle Racing or Exhibitions of Speed or Skill

Sec. 14-164a-1. Scope

This regulation specifies minimum standards for the conditions under which a motor vehicle race or exhibition may be conducted, including the requirements as to the issuing of permits, type and construction of the facilities and the vehicles, safety of facilities, the provision of first aid and medical supplies and equipment including ambulances, attendance of doctors or other persons qualified to give emergency medical aid, police or fire protection, and such other requirements as will eliminate any unusual hazards to participants in such race or exhibition or to the spectators.
(Effective July 27, 1993)

Sec. 14-164a-2. Definitions

As used in Sections 14-164a-2 through 14-164a-17, the following words and phrases shall have the following meanings:

(a) ``Acceleration and performance race'' means a race run over a straight course against time or against one other vehicle, including the acceleration and deceleration portion of such race.

(b) ``Commissioner'' means commissioner of motor vehicles or his designee as defined in Section 14-1 (14) of the General Statutes.

(c) ``Credentials'' means a unique and clearly defined item of personal identification, which is readily visible.

(d) ``Department'' means department of motor vehicles.

(e) ``Event'' means a scheduled race or a scheduled public exhibition.

(f) ``Facility'' means a stadium, arena, race course or associated areas where a permitted event occurs or is scheduled to occur.

(g) ``Media area'' means a portion of a restricted area which is designated for members of the press.

(h) ``Motor vehicle'' means a vehicle as defined in Section 14-1 (47) of the General Statutes.

(i) ``Open track enduro'' means an event operated at limited speeds where disabled vehicles generally are not removed from the racing surface during the event.

(j) ``Paddock area'' means an area at a roadrace or motocross race facility where vehicles may be refueled, adjusted, repaired and pushed or moved under their own power at a speed no greater than five (5) miles per hour, in restricted lanes, monitored and controlled by track officials.

(k) ``Participant'' means a driver, crew member or track official.

(l) ``Permitted event'' means any race, contest, or demonstration of speed or skill with motor vehicles or a public exhibition for which a permit has been issued or is required pursuant to Section 14-164a of the General Statutes.

(m) ``Permitted facility'' means any facility identified in a permit issued pursuant to Section 14-164a of the General Statutes.

(n) ``Permittee'' means the person, firm or corporation to whom a permit is issued by the department, or the designated agent of such permittee.

(o) ``Person'' includes any individual, corporation, association, co-partner-ship, company, firm or other aggregation of individuals.

(p) ``Pit area'' means that portion of the racing facility where vehicles are prepared to participate in events, are stored awaiting their turn to participate, are refueled, or where adjustments and repairs are made to participating vehicles.

(q) ``Pit lane'' means a designated area having an open exit and an open entrance to the track and used exclusively for refueling, repairing or adjusting a vehicle during a scheduled event.

(r) ``Public exhibition of speed, skill or endurance'' means a display in which the primary purpose is to show the vehicles and where a race or competition of speed or endurance occurs and is open to the general public.

(s) ``Road racing'' means a race conducted on a track which simulates actual topographical highway conditions.

(t) ``Sanctioning body'' means the organization which publishes the rules by which an event is conducted.

(u) ``Track'' means the course over which vehicles move during a scheduled event.

(v) ``Vintage vehicle'' means any vehicle over ten years of age which participates in events other than races.

(Effective July 27, 1993)

Sec. 14-164a-3. Annual requirements. Inspection

(a) At least thirty (30) days prior to the seasonal opening or first event at each facility in a calendar year, the applicant for a permit for such facility shall notify the commissioner in writing of such opening or event, and shall include in such notice a listing of all events scheduled or proposed for the season or during the calendar year as of the time of the notice.

(b) At least thirty (30) days prior to the seasonal opening or first event at each facility in a calendar year, the applicant for a permit for such facility shall submit to the commissioner in writing the following:

(1) A copy of a letter of notification sent by certified mail, together with a postal receipt of such letter, previously mailed to the mayor, manager, first selectman or other chief official of the municipality where such facility is located wherein the applicant has informed such official of events scheduled during the year and that such official may notify the Department of Motor Vehicles immediately, in writing, if any such event or scheduled event violates or may violate any ordinance or local law.

(2) A copy of an executed contract or a letter signed by a responsible party agreeing to provide the following services for such facility at each event during the calendar year:

(A) Police protection including at least two (2) persons with police authority. The applicant shall submit a written security plan for each different type of event to the highest police authority of the municipality where such facility is located, or absent a municipal police authority to the resident or cognizant state police authority;

(B) Fire protection, including the number of personnel, appropriate type and number of fire apparatus and equipment, and the availability of such personnel and equipment for each type of event;

(C) Ambulance service from a company licensed by the State of Connecticut, Office of Emergency Medical Services, including the company name and license number, and type and number of equipment and personnel to be provided for each type of event;

(D) A certificate of liability insurance issued by a company licensed by the Insurance Commissioner of the State of Connecticut showing the following minimum coverages for the types of events listed:

Automobile events- $3,000,000
Motorcycle events- $1,000,000
Snowmobile/ATV events- $1,000,000
Truck events- $3,000,000;

(E) A safety evaluation report prepared by a civil or general professional engineer licensed by the State of Connecticut, stating that he or she has fully inspected the facility and found it to be free of unusual hazards to participants in such event(s) and to spectators;

(F) For each facility having outdoor grandstands and/or bleachers with supporting superstructures that are partially or completely constructed of wood, a safety evaluation report from a licensed structural engineer certifying that such grandstands and/or bleachers are structurally sound and are free of unusual hazards. A second such report shall be submitted for each such facility for which a report is required on or before July 30 of each calendar year or as otherwise designated by the commissioner;

(G) A safety evaluation report prepared by an electrician licensed by the State of Connecticut certifying that he or she has inspected the facilities and that the facilities have been found to be free of unusual hazards to participants in such event(s) and to spectators;

(H) An accurate map or drawing of the complete facilities including the track, buildings, grandstands, grounds and all associated areas. The scale of such map or drawing shall be no less than 1Þin = 100Þft. The map or drawing must be submitted each year prior to the issuance of a permit;

(I) A copy of the track rules for each type of event scheduled or proposed during the calendar year clearly stating how each event will be conducted.

(c) Upon receipt of the notification required by subsection (a) of this section, the commissioner shall inspect and examine the facility. Upon a finding that the conditions of the facility including the track, and all appurtenances thereto, present no unusual hazard(s) to participants in such event(s) or to persons attending such event(s), and upon a finding that the requirements of subsection (b) of this section have been satisfied, the commissioner shall approve such facility, and shall communicate said approval in writing to the operator of such facility.

(Effective July 27, 1993)

Sec. 14-164a-4. Issuance of a permit

(a) No permit for an event shall be issued by the commissioner unless:

(1) The commissioner has inspected and approved the facility in accordance with Section 14-164a-3 (c) of this regulation; and

(2) The person applying for such permit makes application to the commissioner in writing at least ten (10) days prior to each such event setting forth in detail the time of such event and a description of the number and kind of motor vehicles in such event, and listing in detail all activities scheduled to take place during the event which require a permit or license from another local, state or federal agency; and

(3) The fee required in Section 14-164a (a) of the General Statutes is paid at least ten (10) days prior to the event; and

(4) The person desiring to manage, operate or conduct such event submits a statement that no changes have occurred in the character or use of the facility since the approval of the facility by the commissioner in accordance with Section 14-164a-3 (c) of this regulation, or that no such changes have occurred since the last event, whichever is the later, or if significant changes have occurred to the character or use of the facility since the said approval of the facility by the commissioner or since the last event, whichever is the later, such person shall make new submissions, in writing, at least one (1) business day prior to the event, as follows:

(A) For physical changes in the character or use of the facility, a new safety evaluation report as provided in Section 14-164a-3 (b) (2) (E) and a new map or drawing as provided in Section 14-164a-3 (b) (2) (H) of these regulations;

(B) For changes which add to or delete from the facility's electrical or wiring system, a statement from a licensed electrician that such changes are in compliance with existing state and local electrical codes;

(C) For changes to the track rules, a copy of the revised track rules, as provided in Section 14-164a-3 (b) (2) (I) of this regulation.

(b) The ten 10) day period of subsections (a) (2) and (a) (3) of this section may be waived upon a showing, in writing, of extenuating circumstances.

(c) A permitted event may be rescheduled and a permit reissued without the payment of a new fee only with the approval of the commissioner and only if the permitted event was postponed and the Department of Motor Vehicles was notified of such postponement not less than two (2) hours prior to the scheduled starting time of the event, excluding practices, or was postponed prior to 11:00 A.M. of the day of the event, whichever time is the later. If any changes have occurred in the conditions of the track or the character or use of the facility prior to the rescheduled event, the applicant shall notify the commissioner of such changes in writing and submit the necessary documents prior to the reissuance of a permit.

(Effective July 27, 1993)

Sec. 14-164a-5. Facility requirements. Guidelines

Each type of facility as listed below holding or scheduling a permitted event shall comply with facility guidelines as may be issued by the commissioner. Such guidelines shall be made available by the department to permittees and to applicants for a permit upon request. Failure to comply with such guidelines may be grounds for denial of a permit. The types of facilities are:

(a) Oval motor speedway circuits.

(b) Road race tracks.

(c) Motorcycle/all terrain vehicle (ATV) race tracks.

(d) Acceleration and performance exhibition tracks.

(e) Indoor facilities.

(f) Facilities for truck and tractor pulls, except for facilities used only for farm tractors.

(Effective July 27, 1993)

Sec. 14-164a-6. Restricted and controlled areas

(a) The following areas of a permitted facility are restricted, and shall be posted appropriately with notice that only persons with credentials are admitted to the restricted areas:

(1) Pit area including pit lane;

(2) Track;

(3) Oval track enduro;

(4) Media areas;

(5) Any area unprotected from participating vehicles.

(b) The following area of a permitted facility is a controlled area:

(1) Paddock.

(c) The permittee shall be solely responsible for issuing restricted and controlled area credentials. Only those persons to whom credentials have been issued shall be permitted in a restricted or controlled area, and no person under sixteen (16) years of age shall be allowed into any restricted area except as provided by law. A sample of the credentials issued by a permittee shall be submitted to the commissioner at least one (1) hour prior to the start of any permitted event. Restricted area credentials shall be clearly distinguishable from controlled area credentials.

(d) The permittee shall be responsible for the stationing of a readily identifiable guard at each entrance to a restricted and controlled area. All persons desiring entrance to any such area shall present the appropriate credentials permitting entry into such area. Entry to any such area shall be denied to any person without proper credentials and to the following persons, whether or not in possession of proper credentials:

(1) Any person under the influence of alcohol and/or drugs; and

(2) Any person in possession of alcoholic beverages or illegal drugs.

(e) (1) Each permitted facility may provide credentials to two (2) official track photographers permitting such photographers and one assistant (spotter) for each photographer to have access to all areas of the facility;

(2) Any photographer other than those authorized in subdivision (1) of this subsection may be issued credentials which permit entry to restricted areas which contain protective barriers. Photographers admitted to restricted areas in accordance with this subdivision must remain behind the protective barriers at all times. The protective barriers must be approved by the Department of Motor Vehicles.

(f) Persons who have been issued proper credentials for and have been admitted to a restricted or controlled area may be denied reentry to such area upon evidence of possession of or being under the influence of alcohol or drugs.

(Effective July 27, 1993)

Sec. 14-164a-7. Enforcement of rules

The commissioner shall be present at a facility prior to and during a permitted event, and shall be advised by a permittee of any decision affecting the termination, cancellation or postponement of any event. The commissioner shall be advised by the permittee and may assist the permittee in the enforcement of any law, regulation or procedure necessary to the safety or well-being of the public or the participants of any permitted event.

(Effective July 27, 1993)

Sec. 14-164a-8. Removal of unruly persons

(a) The commissioner, upon a determination that the conduct of any person at a permitted event, whether a participant in an event or otherwise, is such as to constitute a threat to the health or safety of those participating in or attending the event, or is illegal or is likely to impair the morals of a child, may order such person to leave the facility, and shall notify the permittee of such order.

(b) In the event that any person ordered to leave the permitted facility in accordance with subsection (a) of this section fails to leave the facility within a reasonable time, the commissioner, or the permittee, may request the assistance of the law enforcement authorities on duty at the event to remove such person from the facility.

(Effective July 27, 1993)

Sec. 14-164a-9. Vehicle inspection

(a) The officials of the sanctioning body are primarily responsible for inspection and approval of motor vehicles entered into a permitted event prior to and during such event.

(b) Notwithstanding the provisions of subsection (a) of this section, any vehicle which, in the opinion of the commissioner is not suitable for an event and endangers the safety of the operator, the participants or the public, may be barred from participating in such event.

(c) If a motor vehicle has been barred from participation in accordance with subsection (b) of this section, and if the unsafe condition(s) for which such vehicle has been barred has, in the opinion of the commissioner been corrected, the motor vehicle may be returned to competition in any permitted event.

(Effective July 27, 1993)

Sec. 14-164a-10. Safety equipment and use

The permittee shall advise the participants of the following safety rules:

(a) All vehicles, except for motorcycles, open go-carts, snowmobiles and all terrain vehicles (ATVs) which run on unimproved surfaces, shall be equipped with an appropriate quick release type of personal restraint in good condition, and have as a minimum webbing and a buckle meeting Federal Motor Vehicle Safety Standard (FMVSS) #209. Such safety belt shall be fastened in accordance with the motor vehicle specifications of the sanctioning body of a permitted event. All hardware and anchorages must be made of steel, or be equivalent in strength to steel. Anchorages must meet FMVSS #210.

(b) Each driver shall wear a properly sized and buckled helmet which meets the standards of SNELL 85.

(c) The driver of any vehicle without a windshield, or with a windshield that in the opinion of the permittee does not adequately protect the driver, shall wear wind and shatter resistant goggles, or shall wear a face shield. Enclosed cockpit vehicles with side windows need not meet the requirements of this subsection.

(d) Vehicles which participate in a stock car event, except for an oval track enduro event or a demolition derby, shall be equipped with fuel cells and no-spill rollover valves of the ball-check type.

(e) A driver's safety net of the quick-release type shall be installed and maintained in good condition on closed body vehicles in which the driver is not seated along the longitudinal center-line of the vehicle.

(f) Fire-resistant suits of the fire-retardant type in good condition are required to be worn by all drivers and fuelers of vehicles which are fueled or refueled with alcohol, and such suits are recommended when any vehicle is refueled with the engine running during an event.

(g) Except for a vehicle participating in a demolition derby, roll caging tubing shall meet the rules of the sanctioning body, or absent such rules shall be a minimum of 1¾" outside diameter steel with a wall thickness of .090" for stock cars and a size commensurate with vehicle weight for lighter classes.

(h) The thickness of the vehicle firewall shall meet the rules of the sanctioning body, or absent such rules shall be twenty-two (22) gauge steel.

(i) Except for subsections (g) and (h) of this section, any sanctioning body rules which require safety standards greater than those required in this section shall be enforced.

(Effective July 27, 1993)

Sec. 14-164a-11. Ambulances

There shall be available to the facility during all times for which a permit has been issued by the commissioner at least one (1) ambulance equipped and manned in accordance with Chapter 368d of the Connecticut General Statutes. No permitted event shall be conducted without the physical presence of an ambulance so equipped and manned at the facility. During the actual running of any event, an ambulance shall be located at an entrance to the track or in the infield with direct access to the track.

(Effective July 27, 1993)

Sec. 14-164a-12. Fire fighting equipment. Fire extinguishers

(a) There shall be available at the facility for each permitted event a fire extinguisher of the BC type of such size and at such location(s) as required by the commissioner.

(b) In addition to the fire extinguishers required in accordance with subsection (a) of this section, there shall be available at the facility at all times fire extinguishers having at least one hundred (100) pounds of BC type fire extinguishing material, and at the start of any event there shall be available at the facility fire extinguishers having at least two hundred (200) pounds of BC type fire extinguishing material.

(c) Except for motorcycle, ATV or snowmobile events, the permittee shall have present at the facility, during all times for which a permit has been

issued, appropriate equipment of a type and number approved by the commissioner, for extricating persons from motor vehicles.

(d) There shall be available at the facility, during all times for which a permit has been issued by the commissioner, appropriate fire fighting equipment together with a sufficient number of trained and qualified fire fighting personnel to operate such equipment. The fire equipment and personnel shall not be less in number and type than that specified in writing submitted to the commissioner in accordance with subparagraph (b) (2) (B) of Section 14-164a-3 of this regulation, or as specified by the permittee in accordance with Section 14-164a-4 of this regulation. The personnel may be staff at the facility, or paid or volunteer fire fighters from a municipal fire department.

(e) The fire chief or the highest ranking fire official present at the facility, upon a finding of an unusual hazard to person or property at the facility, shall immediately inform the commissioner and race officials of the actions considered necessary to eliminate or reduce such hazard.

(Effective July 27, 1993)

Sec. 14-164a-13. Police protection

(a) Police officials including security guards with police authority, as specified in accordance with subparagraph (b) (2) (A) of Section 14-164a-3 of this regulation, shall be in uniform and readily identifiable.

(b) Any police official who observes an unusual hazard to person or property at the facility shall immediately inform the commissioner and the officials conducting such event of the action(s) considered necessary to eliminate or reduce such hazard.

(Effective July 27, 1993)

Sec. 14-164a-14. Refueling of vehicles. Fuel storage. Smoking

(a) In all instances where refueling of a motor vehicle during an event is permitted, a carbon dioxide (CO_2) fire extinguisher with 20 B.B. Underwriters Laboratory rating and containing a thirty (30) pound charge shall be located within the designated refueling area where the contents of the fire extinguisher can be directed immediately upon any fire.

(b) After any use of a fire extinguisher as specified in subsection (a) of this section, such fire extinguisher shall be replaced with a fully charged fire extinguisher of the same type.

(c) Where a vehicle entered in a permitted event has an open cockpit, and has a full filler pipe located within twenty-four inches (24Þin) of the cockpit, the driver's compartment of such vehicle shall be unoccupied during fueling or refueling of such vehicle unless the dry brake system of refueling is used.

(d) Smoking or carrying a lighted smoking implement shall be prohibited in any area where fuel is stored or transferred.

(e) In each area where smoking is prohibited, such area shall be cordoned off and there shall be conspicuously displayed signs containing either the words ``NO SMOKING'' or the international symbol. The lettering on such signs shall be at least four (4) inches high with major letter strokes being at least one-half inch (½) in width, and the lettering shall contrast with the background to make the words readily visible. No other lettering or symbols shall appear on the signs. The signs shall be placed at intervals of not less than ten feet (10´) on all sides of an enclosed area, or on the outside of fuel storage facilities.

(f) All fuel storage containers over five gallons and all sites for storing such fuel shall be inspected and approved by fire department officials prior to each permitted event.

(Effective July 27, 1993)

Sec. 14-164a-15. Restrictions of permits

(a) Any permit issued in accordance with Section 14-164a-4 shall contain such restrictions or limitations as the commissioner shall determine to be necessary for the public health and safety.

(b) The permittee shall, upon the request of the commissioner, provide to the commissioner or assist in providing to the commissioner, all necessary documents and information relating to any accident or complaint in connection with a permitted event.

(Effective July 27, 1993)

Sec. 14-164a-16. Revocation of permit

The commissioner may refuse to issue a permit if the applicant has not fully complied with applicable laws and regulations. Any applicant denied a permit may request a hearing in accordance with Chapter 54 of the Connecticut General Statutes and Sections 14-137-36 through 14-137-39, inclusive, of the Regulations of Connecticut State Agencies.

(Effective July 27, 1993)

Sec. 14-164a-17. Emergency powers of commissioner

If a hazard is observed by the commissioner at any time prior to or during a permitted event, and such hazard is deemed to be an imminent threat to the health and/or safety of any person and emergency action is deemed necessary, the commissioner may order an immediate cessation of any race or event until such hazard is eliminated.

(Effective July 27, 1993)

Periodic Motor Vehicle Emissions Inspection and Maintenance

Secs. 14-164c-1--14-164c-12.
Repealed, January 1, 1995.

Sec. 14-164c-1a. Definitions

The following definitions shall apply to Section 14-164c-1a to 14-164c-17a of the Regulations of Connecticut State Agencies:

(1) ``ASM 25/25 Test'' means a single mode ASM 25/25 test procedure as specified in Section 85.2(D)(2) of the EPA Acceleration Simulation Mode Test Procedure, emission standards, quality control requirements, and equipment specifications pursuant to the EPA Acceleration Simulation Mode test procedures, emission standards, quality control requirements, and equipment specifications: technical guidance (EPA-AA-RSPD-IM-96-2) July 1996, as may be amended.

(2) ``Commissioner'' means the Commissioner of Motor Vehicles.

(3) ``Commissioner's certificate'' means a written instrument issued by the commissioner extending the time for compliance with a periodic inspection.

(4) ``Compliance'' means meeting emissions standards, or waiver of such standards.

(5) ``Contractor'' means an independent contractor which operates the system of official emissions inspection stations.

(6) ``Dealer'' includes any person licensed pursuant to chapter 246 of the general statutes and who is actively engaged in buying, selling, or exchanging motor vehicles in this state and who, incidental to such business, repairs motor vehicles, or causes them to be repaired by persons in his employ.

(7) ``Department'' means the department of motor vehicles.

(8) ``DEP'' means the Department of Environmental Protection.

(9) ``Diagnostics'' means the identification of the problem area or areas which cause a vehicle to fail to meet emissions or other inspection standards.

(10) ``Emissions'' means products of combustion and volatile organic compounds including carbon monoxide, oxides of nitrogen and hydrocarbons emitted into the atmosphere from any motor vehicle and its engine.

(11) ``Emissions inspector'' means an individual employed by an independent contractor, the department or a fleet emissions station qualified to conduct inspections.

(12) ``Emissions standards'' means the current maximum allowable emissions for vehicles defined by the Commissioner of Environmental Protection in section 22a-174-27 of the Regulations of Connecticut State Agencies, as amended. Emissions standards shall include standards for exhaust emissions, air pollution control system integrity standards (pressure test) and purge system standards (purge test) for selected vehicles.

(13) ``EPA'' means the United States Environmental Protection Agency.

(14) ``Fail mark'' means a mark indicated on a vehicle inspection report which signifies the vehicle does not meet emissions standards.

(15) ``Fail sticker'' means a sticker issued for a motor vehicle on which an emissions inspection has been performed if the vehicle does not meet emissions standards.

(16) ``Failure and repair report'' means that part of the vehicle inspection report describing the nature of the failure of the vehicle to meet emissions standards and the repairs made to correct the reason for failure.

(17) ``Fleet sticker'' means that sticker issued for a fleet motor vehicle which meets emissions standards.

(18) ``Idle test'' means an exhaust emissions test sampling and analysis performed while the vehicle engine is operating at or approximately at the vehicle manufacturer's recommended normal curb idle speed. The idle test may involve conditioning the vehicle on a dynamometer at a vehicle drive wheel speed of approximately thirty (30) miles per hour.

(18) ``Gas cap test'' means a test of integrity of the gas cap of a vehicle as tested on a special rig using compressed air to determine whether gas fumes may leak through the gas cap's seal.

(19) ``Initial inspection'' means the first emissions inspection of a vehicle during a periodic inspection.

(20) ``Inspection'' means the mandatory periodic vehicle emissions inspection. The term includes ``Initial Inspection'' and ``Reinspection''.

(21) ``Junk yard'' means a motor vehicle junk business or motor vehicle junk yard as defined in section 14-67g of the Connecticut General Statutes to which junk plates may be issued.

(22) ``Model-year'' means the year designated by the manufacturer of the motor vehicle and appearing on the registration certificate.

(23) ``Motor vehicle'' means motor vehicle as defined in subdivision (47) of subsection (a) of section 14-1 of the Connecticut General Statutes.

(24) ``New vehicles at the time of initial registration'' means all motor vehicles coming within the definition of ``New Motor Vehicle'' as defined in section 14-1 of the Connecticut General Statutes, which are of the previous, current or succeeding model-year, relative to the current calendar year, for a period not to exceed one year from the month of issuance of the first permanent registration for such motor vehicles.

(25) ``New vehicle sticker'' means that sticker issued upon initial registration of a motor vehicle of the previous, current or succeeding model-year in relation to the calendar year of such initial registration.

(26) ``On-road testing'' means an emissions inspection as provided in subsection (f) of section 14-164c of the Connecticut General Statutes.

(27) ``Pass mark'' means a mark indicated on the vehicle inspection report which signifies that the vehicle meets emissions standards.

(28) ``Pass sticker'' means that sticker issued for a motor vehicle for which an emissions inspection has been performed if the vehicle meets emissions standards.

(29) ``Permanent replacement windshield sticker'' means that sticker affixed by an official emissions inspection station to a motor vehicle which has a replacement windshield for the purpose of replacing a previous validly issued sticker.

(30) ``Reinspection'' means an inspection conducted within thirty days after a vehicle has failed its initial inspection and after proof of appropriate vehicle repairs is submitted.

(31) ``Repairer'' means a qualified person licensed to repair motor vehicles in accordance with the provisions of section 14-51 of the Connecticut General Statutes. ``Repairer'' includes a limited repairer.

(32) ``State'' means the State of Connecticut.

(33) ``Sticker'' means a label applied to the inside of the windshield or as otherwise provided by the commissioner showing the status of the vehicle with respect to its compliance with periodic emissions inspection requirements.

(34) ``Temporary compliance sticker'' means that sticker affixed to a motor vehicle displaying valid dealers' or repairers' plates, junk plates or transporter plates.

(35) ``Temporary new vehicle sticker'' means that sticker which is affixed by a new car dealer to a new motor vehicle upon registration of the vehicle for a purchaser by the dealer.

(36) ``Temporary replacement windshield sticker'' means that sticker affixed by a glass dealer or a repair shop to a replacement motor vehicle windshield.

(37) ``Transporter'' means a person who has been issued a transporter's registration and number plate in accordance with the provisions of section 14-35 of the Connecticut General Statutes.

(38) ``Vehicle'' means the term as defined in subdivision (89) of subsection (a) of section 14-1 of the Connecticut General Statutes.

(39) ``Vehicle description information'' means the information describing the vehicle such as identification number, make, registration class and registration number, year of vehicle and name of registrant.

(40) ``Vehicle inspection report'' means a document issued by the contractor on behalf of the commissioner which, when validated by a pass or fail mark constitutes proof of inspection. Waiver, failure and repair report, diagnostics, vehicle test results, vehicle description information, and certification of inspection are all parts constituting the vehicle inspection report, in accordance with Title 40, Code of Federal Regulations, Part 51.358(a)(3).

(41) ``Waiver sticker'' means that sticker issued for a motor vehicle which has qualified for a waiver pursuant to subsection (d) of section 14-164c of the Connecticut General Statutes.

(Effective January 1, 1995, amended April 7, 1998)

Sec. 14-164c-2a. The state inspection requirements

(a) The owner of any motor vehicle registered in this state, which is not within the exempted classes of motor vehicles set forth in subsection (c) of section 14-164c of the general statutes, shall present such motor vehicle for periodic inspection at such times as provided in an inspection schedule established by the commissioner. The purpose of such inspection shall be to determine whether such vehicle is in compliance with the emissions standards as determined by the Commissioner of Environmental Protection. The fee for such inspection shall be as established by the commissioner in accordance with the provisions of subsection (g) of section 14-164c of the Connecticut General Statutes.

(1) A commissioner's certificate may be issued for good cause shown when a motor vehicle cannot be presented for inspection at the time scheduled for periodic inspection. A request for a commissioner's certificate shall be made in writing by the owner, except that a lessee or other person rightfully entitled to possession or custody of a vehicle may make the request, and proof of such right to possession or custody may be required. No commissioner's certificate shall be issued to extend the time for the inspection for more than one month from the previously scheduled time, provided a vehicle continuously outside of this state for an extended period of time as determined by the commissioner may be issued a commissioner's certificate extending the time for the inspection to no more than fifteen days after the return of such vehicle to this state.

(2) If a person presents a motor vehicle for inspection more than thirty (30) days after the time for periodic inspection established by the commissioner, a late fee of twenty dollars ($20.00) shall be assessed as provided in subsection (g) of section 14-164c of the general statutes.

(b) Used motor vehicles not otherwise exempt from inspection which are not in compliance shall be presented for initial inspection as provided in subsection (a) of this section prior to the issuance of permanent registrations for such used motor vehicles.

(Effective January 1, 1995, amended April 7, 1998)

Sec. 14-164c-3a. Miscellaneous inspection procedures

(a) New vehicles at the time of initial registration may be issued a new vehicle sticker which shall have an expiration date not to exceed one year from the month of issuance of the first permanent registration for such motor vehicle. Such expiration date shall serve as the time for the periodic emissions inspection for such vehicle beginning at the date of expiration of the new vehicle sticker.

(b) Any new or used car dealer or repairer or motor vehicle junk yard licensed in this State may be issued a temporary compliance sticker which shall be used only for the purpose of transporting the motor vehicle displaying such

sticker to a repair facility or to an official emissions inspection station. Any holder of a transporter's registration issued pursuant to section 14-35 of the general statutes may be issued a temporary compliance sticker for the purpose of transporting a motor vehicle as provided in said section 14-35. A temporary compliance sticker shall have a validity period not to exceed thirty days and both the effective date and the date of expiration shall be noted on such sticker by the dealer, junk yard, repairer or transporter to whom such sticker was issued. The temporary compliance sticker shall be affixed to the vehicle as provided in subsection (b) of section 14-164c-7a. Each dealer, junk yard, repairer or transporter shall submit a listing of motor vehicles for which temporary compliance stickers have been issued at times as required by the commissioner. Such listing shall be on a form furnished by the commissioner. A temporary compliance sticker may be used only by the dealer, junk yard, repairer or transporter to whom it was issued and may not be sold or otherwise transferred to another dealer, junk yard, repairer, transporter or person.

(c) Any new car dealer may be issued a demonstrator sticker which shall be affixed by the new car dealer as provided in subsection (b) of section 14-164c-7a only to a new motor vehicle bearing a new car dealer plate and only for the purpose of demonstrating the vehicle. The effective date shall be entered by the dealer on the demonstrator sticker when the sticker is initially affixed to the vehicle, and the sticker shall be valid for six (6)months from its effective date, or until the vehicle is registered, whichever is the lesser time.

(d) Any new car dealer may be issued a temporary new vehicle sticker which shall be affixed by the new car dealer as provided in subsection (b) of section 14-164c-7a to a vehicle registered for a purchaser by the dealer. The effective date shall be entered by the dealer on the temporary new vehicle sticker when the sticker is initially affixed to the vehicle, and the sticker shall be valid for a maximum of sixty (60) days from its effective date.

(e) For stickers which are applied to the vehicle windshield in accordance with subsection (b) of section 14-164c-7a, any glass dealer or repair shop may be issued a temporary replacement windshield sticker which shall be affixed by the dealer or shop to a replacement motor vehicle windshield. The effective date shall be entered by the dealer or shop on the temporary replacement windshield sticker, and the sticker shall be valid for ten (10) days from its effective date. A permanent replacement windshield sticker shall be obtained as follows:

(1) The glass dealer or repair shop shall remove the original sticker from the replaced windshield, attach the original sticker on a form provided by the commissioner, fill out and sign the form and give the completed form and the original sticker to the motor vehicle owner or operator; and

(2) A permanent replacement windshield sticker of the same type and for the same time fixed by the original sticker shall be issued and affixed to the replacement windshield as provided in subsection (b) of section 14-164c-7a at any official emissions inspection station upon presentation by the vehicle owner or operator of the completed form with the original sticker attached, the vehicle registration certificate and the most current vehicle inspection report for the vehicle.

(f) Except as provided in subsection (g) of this section, any motor vehicle displaying a valid sticker as provided in subsections (a), (b), (c), (d) or (e) of this section shall be deemed to be in compliance with the provisions of subsection (d) of section 14-164c of the general statutes, and may be operated on the highways of this state. Operation of any motor vehicle not in compliance with the requirements of this section shall be an infraction as defined in subsection (j) of section 14-164c of the general statutes.

(g) Notwithstanding the provisions of subsection (f) of this section, any motor vehicle for which emissions inspection is required is subject to on-road testing.

(Effective January 1, 1995)

Sec. 14-164c-4a. Deactivation of air pollution control system or mechanism

(a) Any motor vehicle presented for inspection which is required, pursuant to the regulations of the Commissioner of Environmental Protection as authorized by sections 14-164c and 22a-174 of the general statutes, to be equipped with an ``air pollution control system or mechanism,'' as defined by subsection (a) of section 22a-174-200 of the Regulations of Connecticut State Agencies, shall be deemed to have failed to meet emissions standards if such control system or mechanism is found to have been removed, to have been dismantled or is otherwise inoperable. Such control system or mechanism may be inspected prior to emissions inspection, during emissions inspection, after a vehicle has failed a required emissions inspection, or in connection with on-road testing.

(b) Any motor vehicle not meeting emissions standards pursuant to subsection (a) of this section, whether during periodic emissions inspection or on-road testing, shall be required to pass a reinspection within thirty days of such failure or the owner thereof shall be subject to revocation of registration for such vehicle as provided in subsection (j) of section 14-164c of the general statutes.

(Effective January 1, 1995)

Sec. 14-164c-5a. Vehicles not admitted for inspection

(a) Vehicles not having a valid registration certificate or having any of the following unacceptable conditions shall not be admitted to an official emissions inspection station for emissions inspection:

(1) An exhaust system with obvious leakage or any other condition which could, in the opinion of the inspector, affect the validity of the emissions test;

(2) Vehicles with excessive oil leaks, fuel leaks, or coolant leaks;

(3) Emission of visible air pollutants for longer than five consecutive seconds, except that different standards may be provided by the commissioner for diesel powered vehicles;

(4) Drive axle tires that are under-inflated, worn or damaged to such a degree that it would be unsafe to operate the vehicle on the testing equipment;

(5) Loud internal engine noises or other evidence which would indicate imminent major mechanical failure.

(6) Vehicles without gas caps.

(b) A record of vehicles not admitted for emissions inspection in accordance with subsection (a) of this section shall be maintained. Operators of vehicles not admitted for any of the conditions of subsection (a) of this section shall not be assessed an inspection fee. Rejection of a vehicle under any or all of the conditions of subsection (a) of this section shall not be construed as a release from the requirement to obtain an inspection in accordance with the inspection schedule established by the commissioner.

(c) The commissioner may refuse to inspect, or may determine that any such vehicle is not in compliance with emissions standards, if a vehicle presented for inspection has not fully complied with a manufacturer's recall related to or affecting emissions in accordance with Title 40, Code of Federal Regulations, Part 51.370. Such vehicles shall be identified by reference to a list of the vehicle identification numbers of vehicles subject to emissions related recalls available to the commissioner.

(Effective January 1, 1995, amended April 7, 1998)

Sec. 14-164c-6a. The mandatory vehicle emissions inspection

(a) An emissions inspection shall be conducted by measuring the emissions

from the vehicle and comparing individual components thereof with the emissions

standards for each component. The ASM 25/25 test shall be performed on all gasoline and gaseous fuel powered vehicles. A gas cap test shall be performed on all non-exempt vehicles. An inspection shall be performed on vehicles for the presence of a catalytic converter number when required by the manufacturer of model years 1975 and an idle test procedure with loaded preconditioning shall be performed for vehicles unable to be tested by ASM 25/25 test.

(b) All vehicles shall be inspected in accordance with inspection techniques and procedures provided by the Commissioner of Environmental Protection in accordance with the provisions of subsection (b) of section 14-164c of the Connecticut General Statutes.

(c) If a person alters any component of a motor vehicle, or adds or alters any substance that is usable in connection with a motor vehicle, or alters any document, with the intent of misrepresenting the emissions of a motor vehicle subject to emissions inspection, the motor vehicle shall be deemed not in compliance with emissions standards, and shall be subject to suspension or revocation of registration in accordance with the provisions of subsection (a) of section 14-111 of the Connecticut General Statutes. Such person may also be subject to criminal penalties in accordance with Title 53a of the Connecticut General Statutes.

(d) During the performance of the ASM 25/25 test, the operator and any other occupants of a motor vehicle being inspected may be required to exit such motor vehicle and enter a designated waiting area. An emissions inspector shall enter and operate the vehicle throughout the designated driving cycle on a dynamometer. The requirements of this section are intended to protect the safety of operators and passengers, and to ensure that the necessary inspection data is obtained.

(Effective January 1, 1995, amended April 7, 1998)

Sec. 14-164c-7a. Procedure for vehicles which meet emissions standards at the time of inspection

(a) Vehicles meeting emissions standards, whether an initial inspection or a reinspection, shall have a pass mark indicated on all copies of the vehicle inspection report at the termination of the inspection, and a pass sticker shall be issued for each such vehicle.

(b) Each sticker shall be affixed either to the inside lower left hand corner, driver side of the windshield of the vehicle, or as otherwise determined by the commissioner.

(c) The pass marks and stickers shall be of a design and nature as determined by the commissioner.

(d) The contractor shall be responsible for affixing the stickers and for the safeguarding and use of the pass marking devices and stickers.

(e) Pass marking devices shall be used by only licensed or certified emissions inspectors employed at an inspection station and shall not be used for any purpose other than marking certificates of inspection of vehicles in compliance.

(Effective January 1, 1995)

Sec. 14-164c-8a. Procedures for vehicles which do not meet emissions Standards

(a) Operators of vehicles subject to emissions inspections that do not meet the emissions standards as defined by the Commissioner of Environmental Protection when presented for inspection shall be issued a vehicle inspection report with a fail mark, and a fail sticker shall be affixed as provided in subsection (b) of section 14-164c-7a. A fail sticker shall be valid for a period not to exceed thirty (30) days, and no more than a total of three fail stickers may be issued to any vehicle during an inspection cycle. If a vehicle

does not thereafter meet emissions standards, or is not issued a waiver, the commissioner shall suspend the registration of such vehicle in accordance with the provisions of chapter 54 of the general statutes.

(b) The vehicle inspection report shall contain all data elements prescribed by Title 40, Code of Federal Regulations, Part 51.365, including but not limited to the following:

(1) The test serial number;

(2) The date of the test;

(3) The vehicle identification number;

(4) The year and make of the vehicle;

(5) Emissions test results and standards for the vehicle;

(6) The reason(s) for the failure;

(7) Instructions that the vehicle is to be returned to any emissions inspection station for reinspection. A vehicle presented for reinspection and not accompanied by a vehicle inspection report will not receive a free reinspection;

(8) Space to indicate repair by operators or owners (if so permitted and accomplished);

(9) Space to indicate repair by a garage or repair facility (name, address and license number);

(10) Space to indicate the cost of new parts and labor for emissions related repairs;

(11) Space to indicate the emissions related repair(s) performed;

(12) Vehicle class code and registration number;

(13) The identity of the person conducting the inspection.

(c) A vehicle registered in this state which is not presented for emissions inspection in accordance with the schedule established by the commissioner, and for which a commissioner's certificate has not been issued, shall have its registration suspended in accordance with the provisions of chapter 54 of the general statutes.

(Effective January 1, 1995)

Sec. 14-164c-9a. Reinspection of vehicles which do not meet emissions Standards

(a) Except as provided in subsection (a) of section 14-164c-8a, a reinspection shall be required of every vehicle which has been inspected and which does not meet emissions standards. A vehicle shall be eligible for one free reinspection within thirty (30) days as provided in subsection (g) of section 14-164c of the general statutes. A person presenting a vehicle for reinspection shall be required to provide proof that the vehicle has been repaired before it will be reinspected.

(b) A vehicle meeting the emissions standards at the time of reinspection shall have a pass mark indicated on all copies of the vehicle inspection report at the termination of the reinspection, and a pass sticker affixed. One copy of the vehicle inspection report shall be given to the operator of the vehicle.

(c) An operator of a vehicle not meeting emissions standards at reinspection shall receive a vehicle inspection report with a fail mark, and a fail sticker shall be affixed.

(d) Except as provided in subsection (a) of section 14-164c-8a, any vehicle not meeting emissions standards at reinspection and not issued a waiver in accordance with the provisions of section 14-164c-11a shall again be presented for inspection and an inspection fee shall be paid as established by the commissioner. A late fee may also be required in accordance with law.

(Effective January 1, 1995)

Sec. 14-164c-10a. Requirements for inspection equipment and personnel

(a) Each official emissions inspection station shall be equipped with emissions analyzers and other necessary testing equipment and instrumentation

approved by the commissioner. All testing equipment and instrumentation shall be maintained in accordance with the provisions of Title 40, Code of Federal Regulations, Part 51.363 (c) and 51.358.

(b) Equipment used by the official emissions inspection station in its inspections shall be subject to both scheduled and unscheduled checks for accuracy and condition by the department of motor vehicles.

(c) The equipment used for testing emissions shall meet any standards or equipment requirements promulgated or established by the Commissioner of Environmental Protection.

(d) Emissions inspectors shall be competent, as demonstrated by examinations, training and performance, and shall be licensed or certified to perform inspections as the commissioner may prescribe.

(e) Emissions inspectors shall be prohibited from making any recommendations or estimates relative to repairs.

(f) The department of environmental protection and its designated employees shall have all vehicle inspection records made available, and shall have the authority to sample and inspect vehicles, testing equipment and procedures, as agreed between the Commissioner of Motor Vehicles and the Commissioner of Environmental Protection.

(g) An emissions inspector or other employee of the departments of motor vehicles or environmental protection, or of any contractor, who alters or misrepresents the results of an emissions inspection or any document related thereto, may be subject to criminal penalties in accordance with Title 53a of the general statutes.

(Effective January 1, 1995)

Sec. 14-164c-11a. Waivers

(a) A waiver shall be issued only after a vehicle has failed a reinspection performed after all qualifying repairs have been completed, and evidence satisfactory to the commissioner is presented that an unreasonable cost of repair, as defined in subsection (b) of this section, is required to bring the vehicle into compliance as provided in subsection (d) of section 14-164c of the Connecticut General Statutes. A waiver also may be issued in a demonstrated case of economic hardship as authorized by Title 40, Code of Federal Regulations, Part 51.360, as more particularly set forth in subsection (f) of this section.

(b) An unreasonable cost of repair shall be an actual expenditure of a minimum of one hundred twenty-five (125) dollars on emissions related repairs. Beginning on January 1, 1998, for all vehicles of model years 1981 and later, an unreasonable cost of repair shall be an actual expenditure for emissions related repairs of a minimum of two hundred and fifty (250) dollars. Beginning on January 1, 2000, for all vehicles of model years 1981 and later, an unreasonable cost of repair shall be an actual expenditure for emissions related repairs of a minimum of four hundred and fifty dollars. The latter amount shall be adjusted in January of each year (beginning January 1, 2001) by the percentage, if any, by which the consumer price index for the preceding calendar year differs from the consumer price index of 1989. The amount required to be expended for emissions related repairs during the current calendar year in order to qualify for a waiver shall be posted in plain view at each emissions inspection facility.

(c) All expenditures made pursuant to subsection (b) of this section for vehicles of model-year 1981 and later shall be for actual vehicle repairs made after available emissions related warranty coverage or written denial of such warranty coverage by the vehicle manufacturer. All such repairs for vehicles of model-year 1981 and later shall be made by a repairer licensed by the commissioner pursuant to section 14-52 of the general statutes. Such repairer shall have one or more mechanics in its employ recognized by the commissioner as qualified to perform emissions repairs. A list of such repairers employing mechanics so certified including the names of such certified mechanics shall be

made available without charge at all branches of the department and all emissions inspection facilities. Repairs performed by the vehicle owner or operator, or a person not certified by the commissioner, shall not be included as expenditures. Repairs required because of tampering with the air pollution control system or any emissions related mechanism shall not be included as expenditures, and waivers shall not be issued to vehicles for tampering related

repairs. Repair estimates shall not be considered for purposes of obtaining a waiver.

(d) Notwithstanding the provisions of subsections (a), (b) and (c) of this section, the commissioner may determine compliance of a vehicle that has failed an ASM 25/25 retest by means of a complete, documented physical and functional diagnosis and inspection of the vehicle, in accordance with the provisions of Title 40, Code of Federal Regulations, Part 51.360, showing that no additional emissions related repairs are needed. Such retest shall be performed only by employees of the department of motor vehicles, and not by a contractor.

(e) Any owner of a motor vehicle requesting a waiver under this section shall make a formal application on such form as the commissioner shall prescribe.

(f) An extension of time, not to exceed the period of inspection frequency, may be granted to obtain needed repairs on a vehicle in the case of economic hardship of the owner when waiver requirements have not been met. Only one such extension may be granted for any vehicle. The commissioner shall provide a procedure for a person to request an extension of time, and the commissioner shall make a notation on the records of the department that such extension has been granted. Economic hardship shall be determined in individual cases in accordance with guidelines in regulations adopted by the commissioner, and shall include the owner's or driver's employment status and ability to pay, including but not limited to receipt of public assistance, food stamps, aid for dependent children, utilities assistance, Medicaid, Connpace, or similar programs of assistance from government agencies.

(g) Vehicles meeting the waiver requirements of this section shall be issued a waiver sticker. Any motor vehicle displaying a valid waiver sticker shall be deemed in compliance with emissions standards and may be operated on the highways of this state.

(h) No waiver sticker shall be issued for any vehicle which fails an inspection by reason of non-compliance with section 14-164c-4a.

(i) No waiver shall be granted to a vehicle owned or operated by an employee of a contractor except by the department of motor vehicles.

(Effective January 1, 1995, amended April 7, 1998, June 24, 1999)

Sec. 14-164c-11b. Guidelines for waiver due to economic hardship

(a) As used in this section, “waiver” means an extension of the period of time, not to exceed the period of inspection frequency for a motor vehicle in accordance with the schedule established by the commissioner, for attaining compliance with the applicable emissions standards for a motor vehicle.

(b) In accordance with subsection (f) of 14-164c-11a of the Regulations of Connecticut State Agencies, the following guidelines shall apply to all applications for a waiver of emissions compliance for economic hardship:

(1) Employment status: The applicant shall submit an affidavit on a form prescribed by the commissioner that he or she is not gainfully employed, or if employed, the applicant’s annual income is at or below the poverty level as established by state and federal guidelines.

(2) Assistance status: The applicant shall submit satisfactory evidence as to all governmental and utility assistance programs of which the applicant is a beneficiary, and as to the level of benefits received in each such program.

(3) Other requirements: The applicant shall attest to the fact that he or she has not other assets that can be used for the needed repairs of the failed vehicle.

(c) Each application for a waiver for economic hardship, together with all supporting documentation, shall be fairly reviewed and considered. All such information submitted to the commissioner shall be maintained on a confidential basis and shall be used by the commissioner solely for the purposes of this section, except to the extent that disclosure of the information, in whole or in part, may be required by law. A decision of the commissioner to deny any such application shall not be subject to further review or proceedings, absent a showing of changed conditions or extraordinary circumstances.

(d) Each applicant granted a waiver shall notify the commissioner in a timely manner of any change in his or her financial condition which would make such person ineligible for a waiver due to economic hardship. The commissioner may revoke any waiver that has been granted n he becomes aware of any facts to indicate that the person granted the waiver no longer has a sufficient hardship.

(Effective October 27, 2000)

Sec. 14-164c-12a. Fleet emissions inspection station

(a) The commissioner may license the owners of fleets of twenty-five (25) or more vehicles to perform fleet inspections as provided in subsections (b) through (h) of this section.

(b) To qualify for a license as a fleet emissions inspection station an applicant shall satisfy the following:

(1) Have a fleet of twenty-five (25) or more vehicles which are required to be inspected pursuant to subsection (c) of section 14-164c of the Connecticut General Statutes. No vehicles other than those owned or leased by the fleet emissions inspection station licensee shall be inspected by such licensee;

(2) Not be engaged in the business of repairing vehicles for profit;

(3) Have sufficient equipment accredited by the commissioner of motor vehicles, an approved location, and a facility suitable for the conduct of emissions inspections;

(4) Properly complete an application for a fleet emissions inspection station license on a form furnished by the commissioner.

(c) In the event the applicant desires to establish a fleet emissions inspection station at more than one location, a separate application shall be submitted for each location. Where the applicant applies for more than one license or for an additional licensed location, the commissioner may reject an application on the basis that the applicant's fleet is of such a size and so located that the issuance of a fleet emissions inspection license at this location is not warranted.

(d) The fees for fleet emissions inspections shall be in accordance with the provisions of subsection (g) of section 14-164c of the Connecticut General Statutes.

(e) The commissioner shall establish policies and procedures for the purpose of maintaining fleet inspection records and shall prescribe the necessary forms to provide proof of compliance and fees collected.

(f) Each motor vehicle required to be inspected pursuant to section 14-164c of the Connecticut General Statutes, which is within a fleet, will be assigned an inspection period as determined by the commissioner. Each fleet vehicle shall be presented for initial inspection during the assigned inspection period, and shall be issued a fleet sticker by the fleet emissions inspection station only if the fleet vehicle is in compliance with emissions standards. No fleet vehicle shall be deemed in compliance with subsection (d) of section 14-164c of the Connecticut General Statutes, or operated on the highways of this state without a current fleet sticker. The operation of any

fleet vehicle not in compliance with the requirements of this section is deemed to be an infraction for each violation, as authorized by subsection (j) of section 14-164c of the general statutes.

(g) The licensing of any fleet emissions inspection station shall be within the discretion of the commissioner, and if a license is not granted to any applicant therefor, the vehicles in such fleet shall be required to be inspected at official emissions inspection stations in the manner of other vehicles for which emissions inspection is required.

(Effective January 1, 1995, amended April 7, 1998)

Sec. 14-164c-13a. Proof of repair of motor vehicles failing emissions Inspection

No motor vehicle to which a fail sticker is affixed shall again be inspected, or reinspected, without proof that the vehicle has been repaired. Such proof shall include presentation of the vehicle inspection report indicating thereon any repairs made to the vehicle by the operator or owner thereof, and indicating any repairs made to the vehicle by a repair facility licensed in accordance with section 14-52 of the Connecticut General Statutes. If repairs have been made to a gasoline powered vehicle by a licensed repair facility, the inspection report shall show the name, address and license number of the repairer, the cost of new parts and labor for emissions related repairs, and a description of the emissions related repairs performed. Except as provided in subsection (a) of section 14-164c-9a, an inspection fee shall be required prior to any inspection of a vehicle having a fail sticker.

(Adopted effective April 7, 1998)

Sec. 14-164c-14a. Requirements for registered emissions repair facilities

(a) Any Connecticut new car dealer, used car dealer or general repairer, licensed in accordance with the provisions of section 14-52 of the Connecticut General Statutes, may make application to the commissioner for registration as a registered emissions repair facility for gasoline and gaseous fuel powered vehicles. The commissioner shall specify the requirements for such registration, which shall include proof of the ability of the applicant to perform emissions diagnosis and repair.

(b) The applicant shall certify that it has in its employ, and shall continuously maintain in its employ, a certified emissions repair technician as provided in section 14-164c-15a.

(c) The applicant shall agree to notify the commissioner in writing by the next business day of any change in the employment status of any certified emissions repair technician which it employs.

(d) The commissioner and the contractor shall maintain a list of local emissions repair facilities registered in accordance with this section and in good standing, which list shall be updated on a regular basis and distributed without cost to each operator of a motor vehicle which fails an emissions inspection.

(Adopted effective April 7, 1998)

Sec. 14-164c-15a. Requirements for certified emissions repair technicians

(a) Any person may apply to the commissioner for registration as a certified emissions repair technician for gasoline and gaseous fuel powered vehicles upon compliance with the following requirements:

(1) The person shall complete successfully a training course prescribed by the commissioner as provided in subsection (b); and

(2) The person shall thereafter take and pass a state certification test at a time and place determined by the commissioner; and

(3) The person shall submit proof acceptable to the commissioner that he is employed by a registered emissions repair facility or by the owner of a fleet of vehicles as provided in subsection (a) of section 14-164c-12a.

(b) The training course shall comprise a course or courses given at both state technical and vocational schools, at community colleges, and at private training schools certified by the commissioner. Alternatively, a certified emissions repair technician may be trained by a manufacturer where such training is approved by the commissioner. Two levels of courses shall be given, a basic course for entry level persons, and an advanced course for persons who have emissions repair experience and knowledge as determined by the commissioner. ASE certification may be substituted for the basic course within the discretion of the commissioner.

(c) A certified emissions repair technician may be required by the commissioner to take and pass a re-certification test as follows:

(1) Four (4) years after initial certification; or

(2) When such technician has an emissions repair success record, as provided in section 14-164c-16a, which is, in the sole discretion of the commissioner, below a reasonable standard in accordance with records maintained by the commissioner.

(Adopted effective April 7, 1998)

Sec. 14-164c-16a. Registered emissions repair facility and certified emissions repair technician success record

(a) The commissioner and the contractor shall maintain a record of the repair success rate of each registered emissions repair facility and of each certified emissions repair technician based on the performance of previously failed gasoline or gaseous fuel powered vehicles upon subsequent emissions inspection or reinspection. The commissioner shall assign a unique identification number to each such registered emissions repair facility and to each certified emissions repair technician, which numbers shall be inserted on the vehicle inspection report upon repair of a gasoline powered vehicle by a registered emissions repair facility and certified emissions repair technician. Upon subsequent inspection or reinspection of a vehicle, the commissioner and the contractor shall collect the unique numbers and the results of the inspection or reinspection, and shall maintain a record of the gasoline powered vehicles which pass and the gasoline powered vehicles which fail the inspection or reinspection. Such record shall be used to produce a list which provides the success and failure record for each certified emissions repair facility and each registered repair technician performing the repairs of gasoline powered vehicles.

(b) Each operator of a motor vehicle which fails an emissions test shall be given, without charge, a list of registered emissions repair facilities for gasoline or gaseous fuel powered vehicles in the local area, including a record of the success rate of each emissions repair facility and/or each certified repair technician. No information regarding success rates shall be listed for an emissions repair facility which has not repaired at least twenty (20) vehicles.

(Adopted effective April 7, 1998)

Sec. 14-164c-17a. Denial or revocation of registration

For good cause shown, the commissioner may refuse to issue, or, if issued, cancel, revoke, suspend or withdraw the registration of any registered emissions repair facility or certified emissions repair technician, subject to an opportunity for a prior hearing conducted in accordance with the provisions of chapter 54 of the general statutes.

(Adopted effective April 7, 1998)

Diesel-Powered Commercial Motor Vehicle Emissions Standards

Sec. 14-164i-1. Definitions

For the purposes of Sections 14-164i-1 through 14-164i-7, inclusive, of the Regulations of Connecticut State Agencies, the following terms shall have the following meanings:

(1) ``Air pollution control system or mechanism'' means a system or mechanism as defined by subsection (a) of section 22a-174-200 of the Regulations of Connecticut State Agencies.

(2) ``Commercial motor vehicle'' or ``Vehicle'' means a vehicle designed or used to transport passengers or property, except a vehicle used within one hundred fifty miles of a farm in connection with the operation of such farm, fire fighting apparatus or other authorized emergency vehicles, or a recreational vehicle in private use, which (A) has a gross vehicle weight rating of twenty-six thousand and one pounds or more; (B) is designed to transport sixteen or more passengers, including the driver; or (C) is transporting hazardous materials and is required to be placarded in accordance with the Code of Federal Regulations Title 49, Part 172, Subpart F, as amended, but does not include a school bus, as defined in subdivision (68) of subsection (a) of section 14-1 of the Connecticut General Statutes.

(3) ``Commissioner'' means the Commissioner of Motor Vehicles.

(4) ``Compliance'' means meeting the inspection standards for diesel-powered commercial motor vehicles as established by the Department of Environmental Protection.

(5) ``Contractor'' means an independent contractor who is a party to an agreement entered into under the authority of subsection (e) of section 14-164c of the Connecticut General Statutes.

(6) ``Department'' means the Department of Motor Vehicles.

(7) ``Diesel smoke'' means particles, including aerosols, suspended in the exhaust stream of a diesel engine which absorb, reflect, or refract light.

(8) ``Diesel emissions'' means diesel smoke that is emitted into the environment from any diesel-powered commercial motor vehicle.

(9) ``Diesel emissions inspection report'' or ``Inspection report'' means a document, issued by the Commissioner at the time of inspection, in such form as the Commissioner shall prescribe, containing a designation of pass or fail, which shall constitute proof of inspection.

(10) ``Emissions inspector'' means an employee of the Department of Motor Vehicles in the inspector job classification.

(11) ``Emissions related repairs'' means any emissions repair intended to bring a diesel-powered commercial motor vehicle, which has received a fail designation during an inspection, into compliance with the established inspection standards.

(12) ``Fail designation'' means a designation on an inspection report which signifies that the diesel-powered commercial motor vehicle does not meet the inspection standards as established by the Department of Environmental Protection.

(13) ``Initial inspection'' means the first diesel emissions inspection of a diesel-powered commercial motor vehicle at a roadside inspection.

(14) ``Inspection'' means a snap-acceleration smoke opacity test conducted by an emissions inspector in accordance with the Society of Automotive Engineers (SAE) J1667 Recommended Practice, and related administrative procedures.

(15) ``Inspection standards'' means the acceptable level of peak smoke opacity for diesel-powered commercial motor vehicles as established by the Department of Environmental Protection, as required under subsection (a) of section 14-164i of the Connecticut General Statutes.

(16) ``Invalid test'' means the diesel-powered commercial motor vehicle's exhaust sample does not meet the prerequisite opacity sample volume for a proper emissions test reading.

(17) ``Model year'' means the year designated by the manufacturer of the diesel-powered commercial motor vehicle and appearing on the registration certificate.

(18) ``Opacity'' means the percentage of light transmitted from a source, which is prevented from reaching a light detector.

(19) ``Operator'' means the person driving the diesel-powered commercial motor vehicle to the emissions inspection station or operating the vehicle during a diesel-powered commercial motor vehicle emissions roadside test.

(20) ``Pass designation'', means a designation on an inspection report which signifies that the diesel-powered commercial motor vehicle meets the inspection standards as established by the Department of Environmental Protection.

(21) ``Peak smoke opacity'' means the highest numerical value of smoke opacity obtained through the testing procedures for the snap-acceleration smoke opacity test.

(22) ``Person'' shall have the meaning set forth in subsection (g) of section 14-164i of the Connecticut General Statutes.

(23) ``Preliminary snap-acceleration test cycles'' means a procedure utilized by an emissions inspector to clean out the exhaust of a diesel-powered commercial motor vehicle and to normalize the engine.

(24) ``Roadside testing'' means an emissions inspection as provided in subsection (b) of section 14-164i of the Connecticut General Statutes.

(25) ``SAE'' means the Society of Automotive Engineers.

(26) ``Smoke opacimeter'' means a type of smokemeter, approved by the Commissioner, designed to measure the opacity of a plume or sample of smoke by means of a light extinction principle.

(27) ``Snap-acceleration smoke opacity test'' means a test adopted by the Society of Automotive Engineers for the testing of diesel-powered commercial motor vehicles. Such test is commonly referred to as the SAE J1667 Recommended Practice test. The test includes five phases: vehicle preparation and safety check; test preparation and equipment set-up; driver familiarization and vehicle preconditioning; execution of the snap-acceleration test; and calculation and reporting of final results.

(Effective September 28, 1998)

Sec. 14-164i-2. Inspection standards

The inspection standards for diesel-powered commercial motor vehicles, as established by the Department of Environmental Protection, are as follows:

(1) For model years 1991 and newer, the level of peak smoke opacity shall not exceed forty (40) percent;

(2) For model years 1974 to 1990, the level of peak smoke opacity shall not exceed fifty-five (55) percent; and

(3) For model years 1973 and older, the level of peak smoke opacity shall not exceed seventy (70) percent. This standard shall remain in effect until January 1, 2003. After January 1, 2003, model years 1973 and older shall be subject to the standards set forth in subdivision (2) of this section.

(Effective September 28, 1998)

Sec. 14-164i-3. Inspection requirements and procedure

(a) The Department shall perform random inspections of diesel-powered commercial motor vehicles that operate on the highways of this state. The purpose of such inspections shall be to determine whether such vehicles are in compliance with the inspection standards for diesel-powered commercial motor vehicles.

(b) The inspection of diesel-powered commercial motor vehicles shall be performed by an emissions inspector at a safety or weight inspection station, or at any other location designated by the Commissioner.

(c) The inspection procedures for the emissions inspection of diesel-powered commercial motor vehicles are as follows:

(1) The vehicle's wheels are chocked for safety;

(2) A measurement of the vehicle's exhaust pipe is taken by an emissions inspector;

(3) The test equipment is inserted into the vehicle's exhaust stack;

(4) The vehicle's brakes are disengaged to activate all emissions control equipment;

(5) The vehicle's transmission is placed in neutral;

(6) The vehicle's accelerator is rapidly depressed and held at governed speed for a few seconds, then returned to idle. This procedure is repeated according to SAE J1667 Recommended Practice requirements while the equipment measures the opacity of the smoke. The final result will be the average of the last three test readings; and

(7) The operator will be given an inspection report documenting the final results of the diesel emissions inspection.

(Effective September 28, 1998)

Sec. 14-164i-4. Procedure for diesel-powered commercial motor vehicles which meet inspection standards at the time of inspection

(a) Each operator of a diesel-powered commercial motor vehicle meeting the inspection standards shall be issued, at the termination of the inspection, an inspection report indicating a pass designation.

(b) A pass designation shall only be provided to diesel-powered commercial motor vehicles found in compliance with the established inspection standards.

(c) Any diesel-powered commercial motor vehicle, which has been tested within the previous one year period, and has received a pass designation, may be exempted from inspection, unless in the opinion of the emissions inspector, the vehicle's emissions appear to contain an excessive level of diesel smoke.

(Effective September 28, 1998)

Sec. 14-164i-5. Procedure for diesel-powered commercial motor vehicles which do not meet inspection standards at the time of inspection

(a) Each operator of a diesel-powered commercial motor vehicle not meeting the inspection standards shall be issued, at the termination of the inspection, an inspection report indicating a fail designation.

(b) Each person who operates or permits the operation of any diesel-powered commercial motor vehicle that fails the diesel emissions inspection shall be issued a two hundred dollar ($200) infraction for the first offense, and a five hundred dollar ($500) infraction for each subsequent offense.

(c) The owner of any diesel-powered commercial motor vehicle receiving a fail designation shall be required to submit documentation to the Department within forty-five (45) days of the diesel emissions inspection date that the vehicle has undergone emissions related repairs. Failure to have the vehicle repaired within the forty-five (45) day period, and to provide documentation of such emissions repair within said time period, shall result in the suspension of the vehicle's registration or the privilege to operate the vehicle on the highways of the state until the owner submits evidence satisfactory to the Commissioner that such vehicle is in compliance with the established inspection standards. Any diesel-powered commercial motor vehicle not meeting the inspection standards pursuant to section 14-164i-2 of the Regulations of Connecticut State Agencies shall be subject to the requirements of this

subsection and section 14-164i-6 of the Regulations of Connecticut State Agencies.

(d) Any diesel-powered commercial motor vehicle presented for inspection which is required, pursuant to the regulations of the Commissioner of Environmental Protection as authorized by sections 14-164c and 22a-174 of the Connecticut General Statutes, to be equipped with an air pollution control system or mechanism, shall be deemed to have failed to meet the inspection standards if such control system or mechanism is found to have been dismantled or is otherwise inoperable. Such control system or mechanism may be inspected prior to an emissions inspection, during an emissions inspection, after a vehicle has failed a required emissions inspection, or in connection with roadside testing.

(Effective September 28, 1998)

Sec. 14-164i-6. Suspension of registration. Notice of right to hearing

(a) If any operator of a diesel-powered commercial motor vehicle which is required to be inspected in accordance with sections 14-164i-1 to 14-164i-7, inclusive, of the Regulations of Connecticut State Agencies, fails to stop or otherwise to submit to such inspection, the Commissioner shall (1) suspend the registration or privilege to operate the vehicle on the highways of the state, and (2) notify the jurisdiction in which the vehicle is registered and request said jurisdiction to suspend the registration of the vehicle. Prior to the suspension, the Commissioner shall send, by bulk certified mail, a written suspension notice informing the owner that the vehicle's registration will be suspended in the State of Connecticut, as of the effective date specified in the suspension notice. Each such owner notified shall, have the right, prior to said effective date of suspension, to request an administrative hearing, which shall be conducted in accordance with chapter 54 of the Connecticut General Statutes.

(b) Upon failure by an owner of a diesel-powered commercial motor vehicle to submit documentation of such emissions repairs, as required in subsection (c) of section 14-164i-5 of the Regulations of Connecticut State Agencies, the Commissioner shall send, by bulk certified mail, a written suspension notice informing the owner that the vehicle's registration will be suspended in the State of Connecticut, as of the effective date specified in the suspension notice. Each such owner notified shall have the right, prior to said effective date of suspension, to request an administrative hearing, which shall be conducted in accordance with chapter 54 of the Connecticut General Statutes.

(Effective September 28, 1998)

Sec. 14-164i-7. Requirements for inspection equipment and personnel

(a) Each emissions inspector will be equipped with:

(1) The BOSCH RTT100 smoke opacimeter (test equipment);

(2) Stack gauge to determine the vehicle's stack diameter;

(3) Truck chocks;

(4) Protective masks;

(5) Diesel emissions inspection reports and other administrative reports;

(6) Computerized data processor; and

(7) Properly equipped enforcement vehicles and properly uniformed emissions inspector.

(b) Each emissions inspector will have vehicle safety inspection training, training in the conduct of the snap-acceleration smoke opacity test, and will be certified to perform on the BOSCH RTT100 smoke opacimeter (test equipment).

(Effective September 28, 1998)

Use of Divided Controlled Access Highways and Bridges

Secs. 14-212-1--14-212-29.

Repealed. (Effective September 5, 1967.) See Regs. 14-298-236 to 14-298-259, inclusive.

Taking Possession of Operators' Licenses by Certain State and Local Authorities

Sec. 14-217-1. Police authorized to take operator's license, when

Upon the apprehension or arrest of any person operating a motor vehicle on the highways of this state who in the judgment of the officer in charge of any established police barracks, precinct or police station is an unfit person to operate a motor vehicle without endangering the safety of the public due to his physical or mental condition, the operator's license of such person shall be suspended and such officer may, in the name and behalf of the commissioner, take possession of the operator's license of such person and forward the same to the commissioner's office within twenty-four hours, together with a brief statement and explanation of the offense or violation.

(Effective December 28, 1971)

Measurement of Alcohol in Blood, Breath or Urine

Sec. 14-227a-1—14-227a-10.
Repealed, April 7, 2000.

Sec. 14-227a-1a. Definitions

As used in Sections 14-227a-1a to 14-227a-10a, inclusive, of the Regulations of Connecticut State Agencies:

(1) "Alcohol analysis" means a quantitative method of analysis for alcohol by means of direct or indirect measurement or physico-chemical technique performed on a sample of blood, breath or urine of a person suspected of operating a motor vehicle while under the influence of intoxicating liquor;

(2) "Alveolar air" means air expired from the lungs;

(3) "Analyst" means an individual trained and certified in toxicological laboratory procedures;

(4) "Blood ethyl alcohol concentration" means the unit weight of alcohol per one hundred (100) unit weights of blood expressed as percentage; for example, five hundredths (0.05) gram of alcohol per one hundred (100) grams of blood shall be expressed as five hundredths (0.05) per cent.

(5) "Commissioner" means the Commissioner of Public Safety or his designee;

(6) "Department" means the Department of Public Safety, Division of Scientific Services;

(7) "Device" or "instrument" means any apparatus and associated accessories by means of which equivalent blood alcohol concentration is indicated or recorded on a dial, meter, scale, chart or printed record activated by a reaction between a sample introduced and appropriate detector in a chamber, tube or vessel within such apparatus;

(8) "Direct breath alcohol analysis" means the analysis of a sample of an individual's expired breath using an instrument designed for this purpose in order to determine the concentration of ethyl alcohol in the individual's blood;

(9) "Equipment" means the usual and customary laboratory and sampling instruments and apparatus other than those defined in subsection (7) of this section;

(10) "Instructor" means an individual trained and certified to make an analysis with a direct breath alcohol analysis device or instrument and to train operators in the conduct of such analysis;

(11) "Laboratory" means any place or area in which any sample of blood, breath or urine is subjected to a chemical or instrumental analysis. Such definition shall not include a place or area under the jurisdiction of a law enforcement agency or organization in which direct breath alcohol analyses are performed, except a place or area under the jurisdiction of the Division of Scientific Services within the Department of Public Safety.

(12) "Operator" means an individual trained and certified to make an analysis with a direct breath alcohol analysis device or instrument;

(13) "Person" shall have the meaning ascribed to it in subsection (k) of section 1-1 of the Connecticut General Statutes;

(14) "Phlebotomist" means a person whose normal duties include withdrawing blood samples under the supervision of a licensed physician or registered nurse; and

(15) "Test" means a method of trial to determine the concentration of alcohol in a sample or samples of blood or urine or a sample of breath, using a device or instrument designed for such purpose.

Sec. 14-227a-2a. General requirements and exemptions

Sections 14-227a-1a to 14-227a-10a, inclusive, of the Regulations of Connecticut State Agencies, shall apply to the alcohol analysis of blood, breath and urine when the results thereof may be offered as evidence in a court of law or in an administrative proceeding affecting persons suspected of operating a motor vehicle while under the influence of intoxicating liquor. When used exclusively for purposes other than the provision of such evidence, Sections 14-227a-1a to 14-227a-10a, inclusive, of the Regulations of Connecticut State Agencies, shall not apply.

Sec. 14-227a-3a. Approval and certification required

(a) No person shall operate a laboratory for the performance of chemical tests within the scope of Sections 14-227a-1a to 14-227a-10a, inclusive, of the Regulations of Connecticut State Agencies, until the commissioner approves the methods of conducting the alcohol analyses and certifies each analyst who will be performing such chemical tests.

(b) To be eligible for approval, a method shall be based upon one or more of the following quantitative techniques:

(1) titration with potassium dichromate;

(2) use of alcohol dehydrogenase;

(3) gas chromatography;

(4) infrared analysis; or

(5) fuel cell analysis.

(c) The commissioner may approve a method not based on the techniques listed in subsection (b) of this section, provided that such alternative method produces a comparable degree of precision and accuracy.

(d) Test results shall not be reported until the requirements of subsection (a) of this section are met. Failure to obtain such approvals or certifications may result in the suspension or revocation of any approvals or certifications subsequently obtained.

Sec. 14-227a-4a. Application for approval of methods and equipment

Application for approval of the methods to be used in conducting alcohol analyses shall be made to the commissioner by the person seeking to operate the laboratory where such analyses are to be performed. The application shall be in writing, shall be accompanied by a complete description of the proposed method(s), including specifications for laboratory sampling equipment and associated accessories, and shall include any additional information that the commissioner may require in evaluating the application. Citation to any publication wherein such proposed method(s) have been described may be substituted in whole or in part for a written description. The commissioner may consider design, susceptibility to environmental influences or other limitations, and any other factors relevant to a determination of whether the device or instrument should be approved for use, even in instances where the initial test results were accurate.

Sec. 14-227a-5a. Application for certification of analysts to perform alcohol tests

An individual or his or her employer may apply for certification to allow the individual to perform alcohol analyses. Such application for certification as an analyst shall be in writing, shall be accompanied by a statement of the training and experience of the applicant, and shall include any additional information that the commissioner may require in evaluating the application.

Sec. 14-227a-6a. Granting of approvals and certifications

(a) An approval or certification shall be made subject to such conditions as the commissioner determines are necessary to protect the health and safety

of persons who submit to chemical tests and to insure reasonable accuracy in testing results.

(b) An applicant for certification shall be required to demonstrate the ability to perform and control alcohol analyses or to operate and control analytical devices or instruments before certification is granted.

(c) An approval or certification shall be subject to periodic review by the commissioner. Such review shall include performance evaluations.

(d) Approval of an alcohol analysis method shall include the equipment and associated accessories specified in the application for approval, provided that such equipment is, in the opinion of the commissioner, properly maintained. When such equipment includes a device or instrument as defined in subdivision (7) of Section 14-227a-1a, of the Regulations of Connecticut State Agencies, such device or instrument shall be subject to the provisions of Section 14-227a-8a, of the Regulations of Connecticut State Agencies.

Sec. 14-227a-7a. Suspension or revocation of approval or certification

The commissioner may suspend or revoke an approval or certification in instances where such commissioner determines that fraudulent or inaccurate test results are being reported or where it is proven that the performance or practices of a laboratory or certified analyst or operator are otherwise unethical or unsatisfactory. For the purposes of this section, the term "unsatisfactory" may include, but its definition shall not be limited to, any violation of the provisions of Sections 14-227a-1a to 14-227a-10a, inclusive, of the Regulations of Connecticut State Agencies.

Sec. 14-227a-8a. Operation and use of alcohol test devices

(a) No device or instrument may be used to conduct alcohol analyses in accordance with the provisions of Sections 14-227a-1a to 14-227a-10a, inclusive, of the Regulations of Connecticut State Agencies, until the commissioner inspects such device or instrument and determines that it is capable of providing accurate test results.

(b) Only a certified analyst or operator may operate a device or instrument.

(c) Each time a sample is analyzed by a device or instrument other than a direct breath alcohol analysis device or instrument, the analyst shall analyze duplicate samples.

(d) A certified analyst shall check each device or instrument for accuracy immediately before and after each test. A certified operator shall verify the accuracy of a direct breath alcohol analysis device or instrument immediately before and after each test.

Sec. 124-227a-9a. Requirements for the conduct of the testing and analysis of blood and urine

(a) **Requirements for blood testing**

(1) Blood shall be withdrawn by a person licensed to practice medicine and surgery in this state, a phlebotomist as defined in subsection (14) of Section 14-227a-1a, of the Regulations of Connecticut State Agencies, a qualified laboratory technician, an emergency medical technician II, a registered nurse or such other occupational classification as the commissioner determines may competently and safely withdraw blood for the purposes of Sections 14-227a-1a to 14-227a-10a, inclusive, of the Regulations of Connecticut State Agencies.

(2) Blood samples shall be collected using a sterile syringe and hypodermic needle or other equipment of equivalent sterility. The skin at the area of puncture shall be thoroughly cleansed and disinfected, provided that any solution containing ethyl alcohol shall not be used as a skin antiseptic.

(3) Containers and other equipment for sample collection shall be of a type that will preserve the integrity and suitability of the s ample form the time of collection until it is tested. Following collection, the container for each sample shall be sealed and labeled. Only those samples that have been properly sealed shall be tested.

(b)**Requirements for urine testing**

(1) No test results may be reported or used for the purposes specified in Section 14-227a-2a, of the Regulations of Connecticut State Agencies, unless the method(s) used to conduct the alcohol analysis are approved by the commissioner and such analysis is performed by a certified analyst.

(2) All alcohol analyses shall be performed in duplicate and results shall be reported only when duplicate results correspond to plus or minus 0.01 percent.

(3) The analyst shall use such standards and controls in the performance of the alcohol analysis as the commissioner may require in approving the method used to conduct the analysis.

(4) All reports, written and oral, shall indicate the determined or equivalent blood alcohol concentration in terms of hundredths of a percent by weight. When determinations are made to the nearest thousandth of a percent by weight, only the first two figures shall be used. For example, a determination of 0.149 percent shall be reported as 0.14 percent.

Sec. 14-227a-10a. Direct breath alcohol analysis

(a) No person shall operate a direct breath alcohol analysis device or instrument unless such person has been certified by the commissioner and is employed by a law enforcement agency or the department. Such operator shall conduct tests according to methods and with equipment approved by the commissioner and shall verify the accuracy of the device or instrument immediately before and after each test.

(b) **Department approval of instrumentation**

(1) Standard of performance

Approval of a particular type and model of device or instrument shall be based on a laboratory evaluation of each device or instrument and its accessories to meet the following standard of performance:

(A) The device or instrument shall be capable of collecting and analyzing breath samples that are alveolar in composition;

(B) The device or instrument shall be capable of accurately analyzing a blank sample and suitable reference samples, such as air equilibrated with reference solutions of known alcohol concentration at known temperature;

(C) The device or instrument shall be capable of alcohol analyses that result in a concentration less than one hundredth (0.01) gram per one hundred (100) grams of blood, i.e. one hundredth (0.01) percent, when alcohol-free subjects are tested.

(2) Evaluation and approval

(A) The applicant shall provide the commissioner with each device or instrument and all related accessories for which approval is sought, complete operating instructions, an such other materials or technical assistance as the commissioner requires to conduct an evaluation of the application.

(B) The commissioner may also approve modified versions of such instruments and accessories when the modification do not alter the capabilities of the devices or instruments and their associated accessories to meet the standards of performance as provided in subdivision (1) of this subsection.

(3) Certification of specific devices or instruments

(A) Each device or instrument shall be examined and certified prior to being placed in operation and after repairs that affect or alter its calibration. Repairs to printers shall not be subject to the requirements of this subdivision.

(B) Annual certification shall not be required.

(4) Sales of instruments

Any manufacturer who sells direct breath alcohol analysis devices or instruments in Connecticut or any buyer or such devices or instruments shall report all sales and purchases to the commissioner. Such report shall include the name, address, and telephone number of the agency purchasing such device or instrument, and the make and serial number of the device or instrument sold or purchased. This subdivision shall not apply to devices or instruments purchased or sold for purposes other than the provisions of evidence in a court of law or in an administrative proceeding affecting persons suspected of operating a motor vehicle while under the influence of intoxicating liquor.

(c) **Methods for conducting direct breath alcohol analysis tests**

All direct breath alcohol analysis tests shall be conducted in accordance with the following procedures:

(1) Sample collection

(A) The expired breath sample shall be air that is alveolar in composition. The breath sample shall be collected only after the subject has been monitored for at least 15 minutes prior to the collection of each sample. During this period, the test subject shall not have ingested alcoholic beverages or food, regurgitated or smoked.

(B) Samples of the test subject's breath shall be collected with a device or instrument approved in accordance with subsection (b) of this section.

(2) Operation of device or instrument

(A) Operators shall follow the manufacturer's operating instructions for the device or instrument, unless the commissioner has modified such instructions. If such instructions have been so modified, then the instructions as modified shall be followed. The operating instructions applicable to the device or instrument shall be available at each location where a device or instrument is used.

(B) All law enforcement agencies shall make available for inspection by the commissioner all devices or instruments used by them, together with the current logbook associated with each device or instrument. Such logbook shall include the identity of each operator using the device or instrument, the frequency with which the device or instrument has been checked for accuracy, and the results of each subject's analysis and calibration.

(d) **Certification of operators and instructors**

(1) Certification of operators

(A) General requirements

An operator of a direct breath alcohol analysis device or instrument shall meet the following requirements:

(i) Employment by a law enforcement agency or the department;

(ii) Successful completion of at least four hours of training in the operation of the device or instrument to be used. Such training may be acquired by attending training courses offered by the department or by certified instructors; and

(iii) Demonstration to the commissioner of the proper use and application of such device or instrument.

(B) Proficiency instruction and review

(i) At any time after certification, the commissioner may require an operator to satisfactorily demonstrate proficiency in the use of such device or instrument.

(ii) Each operator shall demonstrate to a certified instructor competence in the operation of a device or instrument at least once during the 12-month period following the last such demonstration. The results of each such review shall be reported to the commissioner.

(2) Certification of instructors

In order to be certified as an instructor in the use of a direct breath alcohol analysis device or instrument, the following requirements shall be met:

(A) Employment by a law enforcement agency or the department;

(B) Successful completion of at least seven hours of instruction approved by the commissioner on a designated device or instrument. Such instruction shall include the following:

(i) The theory of the devices or instruments used in the analytical process that measures the alcohol content of the blood;

(ii) Practical application and experience in the use of such devices or instruments; and

(iii) Presentations and discussions of the pharmacological and physiological effects of alcohol on the human body.

(C) Proficiency instruction and review

Each instructor shall attend an annual course of instruction conducted by the commissioner.

(e) **Revocation of certification of operators and instructors**

(1) The commissioner may revoke a certification issued to an operator for the following reasons:

(A) Failure to remain employed by a law enforcement agency or the department;

(B) Misuse of the device or instrument or incompetence in the performance of alcohol analyses; or

(C) Failure to participate in proficiency review and testing or failure to properly perform alcohol analyses during proficiency review and testing.

(2) The commissioner may revoke a certification issued to an instructor for the following reasons:

(A) Failure to remain employed by a law enforcement agency or the department;

(B) Failure to demonstrate knowledge of the device or instrument or testing procedures to the extent necessary to instruct operators; or

(C) Failure to attend an annual course of instruction conducted by the commissioner.

(Effective April 7, 2000)

Administrative Procedures for ``Per Se'' Suspension of Motor Vehicle Operator's License

Sec. 14-227b-1. Definitions

For the purpose of Sections 14-227b-1 through 14-227b-29a, inclusive, the following terms shall have the following meanings:

(1) ``Chemical analysis'' or ``chemical test'' means the quantitative analysis by means of direct or indirect measurement or physicochemical technique performed on a sample of blood, breath or urine of a person.

(2) ``Commissioner'' means the commissioner of motor vehicles or his designee as defined in subdivision (14) of subsection (a) of Section 14-1 of the General Statutes.

(3) ``Department'' means the department of motor vehicles.

(4) ``Enumerated offense'' means one or more of the following offenses:

(A) Operating a motor vehicle while under the influence of intoxicating liquor or any drug or both as provided in subsection (a) of Section 14-227a of the General Statutes; or

(B) Operating a motor vehicle while the ability to operate such motor vehicle is impaired by the consumption of intoxicating liquor as provided in subsection (b) of Section 14-227a of the General Statutes.

(5) ``Failed'' or ``failure'' of a chemical test means that the ratio of alcohol in a person's blood, as determined by chemical analysis, is ten-hundredths of one percent or more of alcohol, by weight.

(6) ``Notice of arrest'' means the initial receipt of notice by a person that he has been arrested, whether by being taken into custody by a police officer and informed of his arrest by the officer, or by receipt of a summons, or by receipt of a warrant served by a sheriff or other court officer.

(7) ``Operator's license'' means a valid license or permit to operate a motor vehicle issued by the Connecticut Department of Motor Vehicles.

(8) ``Privilege'' means the nonresident motor vehicle operating privilege granted to a licensed resident of another state, province or country under subsection (a) of Section 14-39 of the General Statutes.

(9) ``Statutory period'' means one of the following periods of time:

(A) Ninety days if a person submitted to a chemical test and the results of such chemical test indicate that the person failed the test; or

(B) Six months if a person refused to submit to a chemical test; or

(C) One year if a person either submitted to a chemical test and the results of such chemical test indicate that the person failed the test, or refused to submit to a chemical test, and such person also has had his operator's license or privilege suspended previously in accordance with sections 14-227b-1 through 14-227b-29a, inclusive; or

(D) Two years if a person either submitted to a chemical test and the results of such chemical test indicate that the person failed the test, or refused to submit to a chemical test, and such person also has had his operator's license or privilege suspended two or more times previously in accordance with sections 14-227b-1 through 14-227b-29a, inclusive.

(10) ``Suspension'' means the temporary withdrawal of a person's motor vehicle operator's license or privilege to drive in this state for a specific period of time.

(11) ``Temporary operator's license'' means a license form issued by a police officer after taking possession of a person's Connecticut operator's license or permit.

(12) ``Temporary privilege'' means a privilege form issued by a police officer to a nonresident giving the person the privilege of driving in this state.

(13) ``Test'' means a chemical analysis.

(Effective January 1, 1990; amended September 3, 1997)

Sec. 14-227b-2. Consent to chemical analysis

(a) Any person who operates a motor vehicle in this state is deemed to have given his consent to a chemical analysis for determination of the alcohol or drug content, or both, of his blood.

(b) If the operator of a motor vehicle in this state is a minor, it shall be deemed that his parent(s) or guardian(s) has given consent to a chemical analysis for determination of the alcohol or drug content, or both, of the blood of such minor.

(c) Chemical analysis for the purpose of determining the amount of alcohol in the blood of any person shall be performed in accordance with the applicable provisions of Sections 14-227a-1 through 14-227a-10, inclusive, of the Regulations of Connecticut State Agencies.

(d) Chemical analysis for the purpose of determining the amount of a drug or drugs other than alcohol in the blood of any person shall be performed in accordance with procedures approved by the Department of Public Health Services.

(Effective January 1, 1990; amended September 3, 1997)

Sec. 14-227b-3. Request that person submit to a chemical analysis

A police officer may request that a person operating a motor vehicle and having been arrested for an enumerated offense submit to a chemical analysis to determine the alcohol or drug content, or both, of his blood.

(Effective January 1, 1990)

Sec. 14-227b-4. Selection of blood, breath or urine test

(a) The police officer has the option of selecting for the chemical analysis the blood, breath or urine test, except that if the person refuses or is unable to submit to a blood test, the police officer shall designate the breath or urine test for the chemical analysis.

(b) If a person refuses to take either the blood test or the test designated by the police officer in lieu thereof, no chemical analysis or test shall be given, and the person shall be deemed to have refused to submit to a chemical analysis.

(Effective January 1, 1990)

Sec. 14-227b-5. Communication of assent to request to take test

A person shall be deemed to have refused to submit to a chemical analysis if he remains silent or does not otherwise communicate his assent after being requested to take a blood, breath or urine test under circumstances where a response may reasonably be expected.

(Effective January 1, 1990)

Sec. 14-227b-6. Chemical analysis not required if medically inadvisable

Any person who claims that his physical condition is such that submission to a chemical analysis is medically inadvisable shall submit competent medical evidence at the hearing requested by such person sufficient to substantiate such claim. If the evidence presented at the hearing is insufficient, or if no hearing is requested by the person, the person shall be deemed to have refused to submit to such chemical analysis.

(Effective January 1, 1990)

Sec. 14-227b-7. Refusal to take additional test

A person who refuses to submit to a second blood, breath or urine test of the same type after having taken a first test shall be deemed to have refused to submit to a chemical analysis.
(Effective January 1, 1990)

Sec. 14-227b-8. Availability of chemical analysis results

The person who has submitted to a chemical analysis, or the person's attorney, will be afforded access to the test results by the department prior to a scheduled hearing.
(Effective January 1, 1990)

Sec. 14-227b-9. Revocation of license and issuance of temporary license

(a) If the person arrested has a current valid motor vehicle operator's license, the arresting officer, after revoking and taking possession of the person's Connecticut operator's license, or, if the person is not a resident of this state, suspending the privilege of such person, shall issue to such person a temporary Connecticut operator's license, or if the person is not a resident of this state a temporary privilege, on a form as approved by the commissioner. The temporary operator's license or privilege form shall contain the person's name, address, date of birth, licensing state, operator license number, the date and time of issuance, the effective date and time, the expiration date, and other information as required by the commissioner, and shall be signed by the person arrested and by the issuing police officer.

(b) If the person arrested does not have a current valid Connecticut or nonresident operator's license, or if the person's Connecticut or nonresident motor vehicle operator's license or privilege is under suspension, no temporary operator's license or privilege shall be issued.

(c) Any temporary operator's license or privilege issued by a police officer in error or to a person not entitled to receive such temporary license or privilege may be revoked by written notification to the person by the commissioner, and the immediate return of the temporary operator's license or privilege form from the person to whom it was issued shall be required.

(d) The temporary operator's license or privilege issued by a police officer shall be revoked automatically, and the commissioner may request immediate return of the temporary license or privilege form, if the person's operator's license or privilege is suspended under any provision of law by the commissioner or any court of law and the suspension becomes effective prior to the expiration of the temporary operator's license or privilege.

(e) The temporary operator's license or privilege shall be valid for a period beginning twenty-four hours after issuance and ending thirty (30) days after the date such person received notice of his arrest by the police officer. In computing the thirty (30) days, the day on which the person received notice of his arrest shall not be included.
(Effective January 1, 1990; amended September 3, 1997)

Sec. 14-227b-10. Report to Department of Motor Vehicles

(a) The arresting police officer shall prepare a written report of the facts surrounding the person's arrest on a form approved by the commissioner. The report shall be subscribed and sworn to under penalty of false statement by the arresting officer. The written report shall adequately identify the person arrested.

(b) Additional statements or materials necessary to explain any item of information on the written report form may be attached to the report form. Such attachment(s) shall be considered a part of the report form having the approval of the commissioner, as provided in subsection (c) of section 14-227b of the General Statutes, if sworn to under penalty of false statement.

(c) If the person arrested refused to submit to a chemical test, the written report shall also be signed by a person other than the arresting officer who witnessed the refusal. The person signing the report as a witness is not prohibited from administering an oath or acting as the acknowledging officer in connection with the written report.

(d) The signed original of the written report shall be delivered or shall be forwarded to the Administrative Per Se Unit, Department of Motor Vehicles, Wethersfield, CT 06161-4010 by prepaid first class mail, and shall include the following:

(1) A copy of the completed temporary license or privilege form, if any; and

(2) Any Connecticut operator's license taken into possession; and

(3) A copy of the results of any chemical test administered to the person.

(Effective January 1, 1990; amended September 3, 1997)

Sec. 14-227b-11. Mailing address of person

If a person arrested for an enumerated offense provides to the arresting officer a mailing address different from the address of record of such person as recorded in the files of the department, all correspondence and notices required by sections 14-227b-1 through 14-227b-29a, inclusive, shall be mailed to both the address of record and to the mailing address provided to the arresting officer.

(Effective January 1, 1990; amended September 3, 1997)

Sec. 14-227b-12. Suspension of operator's license or nonresident operating privilege. Notice of right to hearing

(a) Upon receipt of the written report required by Section 14-227b-10, the commissioner shall send to the person who was arrested, by bulk certified mail, a written suspension notice informing such person that his Connecticut operator's license or privilege is suspended, the length of the suspension and the effective date of the suspension.

(b) The suspension notice shall also notify such person that he is entitled to a hearing as a matter of right before a hearing officer prior to the effective date of the suspension, and that the person or his attorney may schedule such hearing by mail, in person or by telephoning the Administrative Per Se Unit, Department of Motor Vehicles, Wethersfield, CT 06161-4010, at (860) 566-8902 or as included in such suspension notice. The suspension notice shall also inform the person clearly and in a conspicuous manner that the hearing shall be requested by the person or his attorney and the hearing request received by the department within seven days of the date of mailing of the suspension notice, and if not so requested the person's Connecticut operator's license or privilege shall be suspended automatically on the effective date. The suspension notice shall clearly specify the reasons and statutory grounds for the suspension. The final date for requesting the hearing shall appear on the suspension notice in a conspicuous place and shall be so labeled.

(c) In computing the seven days, calendar days shall be used unless the seventh day falls on a day when the department is not open to the public, in which case the seventh day shall be the next following full business day of the department.

(d) It shall be presumed that the person received the suspension notice if it was mailed by bulk certified mail as provided in Section 14-227b-11.

(Effective January 1, 1990; amended September 3, 1997)

Sec. 14-227b-13. Failure to request hearing. Affirming suspension

If the person to whom a suspension notice has been mailed in accordance with the provisions of Section 14-227b-12 does not request a hearing within seven days after the date of mailing of the suspension notice, the commissioner shall send to the person a notice by bulk certified mail that the suspension of which he was notified in the suspension notice is affirmed and that his Connecticut operator's license or privilege is suspended as of the effective date contained in the suspension notice.

(Effective January 1, 1990; amended September 3, 1997)

Sec. 14-227b-14. Scheduling of hearing

(a) If the person or his attorney contacts the department after the person's arrest and prior to the expiration of seven days after the mailing of the suspension notice and requests a hearing, the department shall immediately assign a date, time and place for the hearing and shall communicate such information to the person or his attorney. Such request for a hearing shall be made by mail, in person or by telephone. The hearing shall be scheduled prior to the effective date of the suspension.

(b) The department upon receipt of a request for hearing shall forward a letter to the person or his attorney confirming the date, time and place for the hearing.

(Effective January 1, 1990)

Sec. 14-227b-15. Granting a continuance of hearing

(a) Only for good cause shown will a continuance be granted to a person who has requested a hearing or to his attorney.

(b) Upon a showing of good cause the hearing officer may continue a hearing.

(c) A hearing may be continued only once, and any such continuance shall be for a period not to exceed fifteen (15) days.

(d) A request for a continuance may be made by the person or his attorney either in person, or by telephone, at the Administrative Per Se Unit, Department of Motor Vehicles, Wethersfield, CT 06161-4010, during normal hours of operation of the department.

(e) When a hearing is continued beyond thirty (30) days from the time the person received notice of his arrest, the department shall extend the effective date of the suspension and the expiration date of the temporary operator's license or privilege of the person who requested the hearing for a time not to exceed forty-five (45) days from the time the person received notice of his arrest.

(f) To obtain an extension of the expiration date of a temporary operator's license or privilege, the person or his designee shall present the original of the temporary license or privilege form at the Administrative Per Se Unit, Department of Motor Vehicles, Wethersfield, CT 06161-4010 to obtain the necessary endorsement.

(Effective January 1, 1990; amended September 3, 1997)

Sec. 14-227b-16. Failure to appear at hearing

If a person for whom a hearing has been scheduled fails to appear at the hearing, the commissioner shall send to the person a notice that the suspension of which he was notified in the suspension notice is affirmed and that his Connecticut operator's license or privilege is suspended as of the effective date contained in the suspension notice.

(Effective January 1, 1990)

Sec. 14-227b-17. Hearing

(a) The hearing shall be conducted by a hearing officer appointed by the commissioner pursuant to Section 14-4a of the General Statutes, and shall be limited to a determination of the issues stated in subsection (f) of Section 14-227b of the General Statutes.

(b) The findings required to be made at the hearing in accordance with subsection (f) of Section 14-227b of the General Statutes shall be based on substantial evidence when the record is considered as a whole.

(Effective January 1, 1990; amended September 3, 1997)

Sec. 14-227b-18. Attendance of arresting officer at hearing

(a) At the hearing the commissioner shall not require the presence and testimony of the arresting officer, or any other person, but the hearing officer may make an appropriate order, as authorized by Section 14-110 of the General Statutes, to obtain the testimony of such arresting officer or other witness, if the same appears necessary to make a proper finding on one or more of the issues stated in subsection (f) of Section 14-227b of the General Statutes.

(b) A person arrested for an enumerated offense may at his own expense and by his own solicitation summon to the hearing the arresting officer and any other witness to give oral testimony. The failure to appear at the hearing of any witness summoned by the person arrested shall not be grounds for such person to request a continuance or dismissal of the hearing.

(c) If the person arrested for an enumerated offense wishes to summon to the hearing the arresting officer or any other witness, but such person is indigent, such person must file with the commissioner a sworn affidavit stating facts proving such indigency, at least seven days prior to the hearing. In such case the commissioner shall summon such arresting officer or witness to the hearing.

(d) The fees of any witness summoned to appear at the hearing shall be the same as provided by the General Statutes for witnesses in criminal cases.

(Effective January 1, 1990; amended September 3, 1997)

Sec. 14-227b-19. Admissibility of police report at hearing

(a) The written report filed by the arresting officer shall be admissible into evidence at the hearing if it conforms to the requirements of subsection (c) of Section 14-227b of the General Statutes.

(b) The chemical test results in the form of the tapes from a breath analyzer or other chemical testing device submitted contemporaneously with the written report shall be admissible into evidence at the hearing if they conform to the requirements of subsection (c) of Section 14-227b of the General Statutes.

(Effective January 1, 1990; amended September 3, 1997)

Sec. 14-227b-20. Finding of facts

(a) The hearing officer shall make a determination of the facts at the hearing on the basis of all the relevant evidence presented at the hearing. A separate finding of fact shall be made by the hearing officer for each of the issues.

(b) The determination of the facts by the hearing officer shall be independent of the determination of the same or similar facts in the adjudication of criminal charges arising out of the person's arrest for the enumerated offense.

(Effective January 1, 1990)

Sec. 14-227b-21. Time of notice of decision

The decision of the hearing officer shall be in writing, and a copy of the decision shall be sent to the person who requested the hearing by bulk certified mail not later than thirty (30) days, or if a continuance is granted not later than forty-five (45) days, after the person received notice of his arrest.
(Effective January 1, 1990; amended September 3, 1997)

Sec. 14-227b-22. Filing of appeal. Stay of suspension

The filing of an appeal of the decision of the hearing officer to a court having jurisdiction thereof, or the filing of a request for reconsideration by the commissioner shall not of itself stay enforcement of a suspension.
(Effective January 1, 1990)

Sec. 14-227b-23. Form of decision

The decision of the hearing officer, if adverse to the person, shall include the findings of fact and conclusions of law necessary to the decision and any appeal thereof.
(Effective January 1, 1990)

Sec. 14-227b-24. Recording of hearing. Transcripts

The hearing shall be recorded in a form susceptible to transcription. A request for a transcript of the hearing shall be made in writing to the Administrative Hearing Section, Department of Motor Vehicles, Wethersfield, CT 06161-4010. A charge is made by the hearing reporter for each page of the transcript.
(Effective January 1, 1990; amended September 3, 1997)

Sec. 14-227b-25. Return of operator's license

If the decision rendered by the hearing officer is that the person's Connecticut operator's license is to be reinstated, the operator's license that has been taken into possession shall be returned by mail to such person together with the notice of decision mailed in accordance with Section 14-227b-21 of these regulations.
(Effective January 1, 1990)

Sec. 14-227b-26. Failure to render timely decision

(a) If the hearing officer fails to render a decision after a hearing within thirty (30) days from the date of the notice of arrest to such person or, if a continuance has been granted, within forty-five (45) days from the date of the notice of arrest to such person, the commissioner shall reinstate such person's Connecticut operator's license or privilege by mailing to the person by first class mail a reinstatement notice and, if such person's Connecticut operator's license has been taken, returning the person's license.

(b) Notwithstanding the reinstatement notice and return of any operator's license in accordance with subsection (a) of this section, the hearing officer may render a decision not later than thirty-two (32) days from the date of the notice to the person of his arrest, or if a continuance is granted, not later than forty-seven (47) days from the date of the notice to the person of his arrest, suspending the person's Connecticut operator's license or privilege. In such event the commissioner shall notify the person by first class mail of the decision and suspension, and request surrender of any Connecticut operator's license previously returned to the person. The suspension notice shall indicate a date certain for the beginning of the suspension.
(Effective January 1, 1990; amended September 3, 1997)

Sec. 14-227b-27. Restoration fee. Removal of name from suspension files

(a) No restoration fee shall be required for the return of an operator's license in accordance with Sections 14-227b-25 or 14-227b-26.

(b) Any person whose operator's license is to be reinstated in accordance with Sections 14-227b-25 or 14-227b-26 shall have his name removed from the suspension files of the department.

(Effective January 1, 1990; amended September 3, 1997)

Sec. 14-227b-28. Payment for blood test

(a) If a physician, at the request of any municipal or state police department, performs a chemical test by taking a blood sample from any person, the state shall pay reasonable charges to such physician.

(b) Any person who pays a physician for a blood sample in accordance with subsection (a) may request reimbursement by mailing a receipted copy of any payment and a statement of the surrounding facts to the commissioner. The commissioner may request details or proofs from such person.

(Effective January 1, 1990; amended September 3, 1997)

Sec. 14-227b-29. Information

Information, requests for assistance, and answers to questions relating to sections 14-227b-1 through 14-227b-29a, inclusive, may be obtained from the Administrative Per Se Unit, Department of Motor Vehicles, Wethersfield, CT 06161-4010.

(Effective January 1, 1990; amended September 3, 1997)

Sec. 14-227b-29a. Retention of records

A record of an operator's license suspension in accordance with the provisions of Sections 14-227b-1 through 14-227b-29, inclusive, shall be maintained on the operator's driving history at the Department of Motor Vehicles for a period of ten (10) years from the date of the license suspension. Such record shall be used by the commissioner, as provided in subsection (h) of Section 14-227b of the General Statutes, to determine the period of operator's license suspension for an operator whose operator's license has been suspended previously in accordance with the provisions of said Sections 14-227b-1 through 14-227b-29, inclusive.

(Adopted, effective September 3, 1997)

Standards for Substance Abuse Treatment Program

Sec. 14-227f-1. Definitions

For the purposes of Sections 14-227f-1 to 14-227f-12, inclusive, the following words shall have the following meanings:

(1) ``Certified counselor'' means a person who is a `Connecticut certified substance abuse counselor' as provided in section 20-74o of the general statutes, or who has a similar certification in another state or jurisdiction.

(2) ``Client'' means a person receiving services from a substance abuse care or treatment facility, or from a treatment program.

(3) ``Commissioner'' means the commissioner of motor vehicles, or his designee.

(4) ``Department'' means the department of motor vehicles.

(5) ``Medical Advisory Board'' means the Motor Vehicle Operator's License

Medical Advisory Board established and constituted in accordance with section 14-46b of the general statutes.

(6) ``Provider'' means a person or organization approved by the commissioner to provide a treatment program.

(7) ``Treatment program'' means a program providing responsible services for the treatment of alcohol and/or drug addiction which has been approved by the commissioner.

(8) ``Violator'' means a person whose operator's license or nonresident operating privilege, as shown on the person's driving history maintained by the department, has been suspended for one of the following:

(A) A conviction of a second or subsequent violation of subsection (a) of section 14-227a of the general statutes; or

(B) A violation of section 14-227b of the general statutes for a second or subsequent time.

(Effective June 3, 1997)

Sec. 14-227f-2. Treatment required

(a) Except as provided in section 14-227f-6, the commissioner shall not reinstate the operator's license or nonresident operating privilege of any violator until such person submits evidence to the commissioner that he has satisfactorily completed a treatment program.

(b) Satisfactory completion of the treatment program shall be in addition to other requirements for reinstatement of a person's operator's license or nonresident operating privilege.

(Effective June 3, 1997)

Sec. 14-227f-3. Notice

Each violator shall be notified of the requirement to satisfactorily complete a treatment program at the time that he is notified by the department of suspension of his operator's license or nonresident operating privilege. Such notice shall be in writing and addressed to the person's address of record in the files of the department. The notice shall provide a telephone number where the person may obtain further information including treatment program providers, costs and schedules of program availability.

(Effective June 3, 1997)

Sec. 14-227f-4. Content of program. Conditions

Except as otherwise provided, a treatment program shall comprise the following three (3) phases of treatment:

(a) **The Phase I component of the program shall comprise:**

(1) An intake interview including a physical, mental and psychological assessment of the client including the client's medical and treatment history, from which the client's functional capacity and his present needs may be determined. The assessment and a plan for the client's treatment shall be made by a certified counselor. The assessment and plan shall be made at the beginning of Phase I, except that if it is determined by the certified counselor that the client does not require immediate medical treatment, the assessment and plan may be made in conjunction with the portion of the program specified in subdivision (2) of this subsection. Clients identified by the certified counselor as requiring detoxification shall receive immediate medical screening and, if medically appropriate, shall be referred to detoxification services in an appropriate clinical setting with qualified medical personnel. A complete physical examination of the client by a licensed physician may be required, which examination shall be the responsibility of the client and not included in the program fee. Clients diagnosed as having severe addiction problems shall be referred to more appropriate treatment;

(2) A program with the clients in an environment which is segregated from other persons and activities for a period of forty-eight (48) consecutive hours, which period shall include appropriate time and reasonable accommodations for meals, sleep and other necessary personal functions. The program shall have a maximum of twenty (20) participants and a client-to-counselor ratio of no greater than 10:1. The portion of the treatment program specified in this subdivision shall, where appropriate, include some or all of the following topics and exercises, conducted or supervised by certified counselors:

(A) Instruction relating to the disease concept of alcoholism and addiction, including cross addiction and the progressive nature of addiction;

(B) Information on issues relevant to addiction, including but not limited to the legal consequences of addiction, blood content upon intake of addictive substances, the social consequences of addiction, and the physical and mental effects and consequences of substance abuse;

(C) Substance abuse as a family disease including denial of the abuse, the influence of enablers and employers, and family interaction;

(D) Living without active addiction and its benefits;

(E) Interactive peer group exercises including lectures, written exercises and videos;

(F) The benefits of self-help programs such as Alcoholics Anonymous (AA) and Narcotics Anonymous (NA). An actual or simulated meeting may be conducted;

(G) Intervention strategies including avoidance of driving under the influence of alcohol or drugs;

(H) Prevention of relapse; and

(I) An exit interview including an assessment or evaluation.

(3) An after-care program including the components described as Phases II and III, unless the exit evaluation indicates that the client has a medical, psychiatric or other problem which requires immediate treatment and is inconsistent with Phases II and III, which immediate treatment shall be recommended by the provider. Any additional treatment recommended by the provider shall be the responsibility of the client, and is not included in the fee paid by the client. The Phase II and Phase III components of the treatment program may, if feasible, be undertaken concurrently with any additional recommended treatment, and the client shall be required to complete such after-care program unless other more appropriate treatment is required.

(b) **Phase II:**

The Phase II component of the program shall be a continuation of the Phase I program, and shall include after-care treatment of at least twenty (20) hours conducted by a certified counselor, or conducted by the provider and supervised by a certified counselor. The sessions may be scheduled on a weekly or monthly basis or as otherwise determined by the provider, but no session held shall be more than four (4) hours in length. The sessions may be in a

group or individual format, as determined by the provider and the client's treatment plan. The Phase II component shall, if appropriate for the client, include mandatory attendance at a self-help treatment organization.

(c) **Phase III:**

The Phase III component of the program shall include:

(1) A minimum of twelve (12) months of after-care monitoring, with at least four (4) follow-up visits for evaluation of the client's progress. The visits shall be conducted or supervised by a certified counselor;

(2) Blood and/or urine screening at random intervals as recommended by the provider; and,

(3) Attendance at self-help treatment meetings with verified attendance, as may be recommended by the provider.

(d) A client satisfactorily completing the entire treatment program shall be issued a certificate of completion by the provider.

(e) Notwithstanding any other provision of this section, no client shall be issued a certificate of completion, or have his operator's license or nonresident operating privilege reinstated, if he is found to have a current addiction problem which affects his ability to operate a motor vehicle in a safe manner.

(f) A client who attends any portion of the treatment program under the influence of, or in possession of, intoxicating liquor or any addictive drug not prescribed by a physician, or who does not abide by reasonable rules of conduct prescribed by the provider, shall be summarily dismissed from the treatment program.

(g) Each client who enrolls in a treatment program shall agree to submit to a blood, breath or urine test upon request by the provider at any time during the program. Failure to take such test when so requested shall result in dismissal from the program, except that a client may decline to take a blood test, and a test of another type may then be required.

(h) Each client who attends a treatment program shall agree to permit access by the commissioner, and by the Medical Advisory Board, to his medical and treatment records which are relevant to the treatment program. The commissioner shall seek the advice of the Medical Advisory Board with respect to issues concerning relevancy of records.

(Effective June 3, 1997)

Sec. 14-227f-5. Cost of program

(a) The treatment program shall be paid for by the client. Payment may be required by the provider in advance of the program, or any component thereof.

(b) The charge for the treatment program shall be approved by the commissioner, and no provider shall make any charges in excess of the amount approved.

(Effective June 3, 1997)

Sec. 14-227f-6. Waiver of requirement

(a) Upon receipt of notification from the commissioner of the requirement to participate in a treatment program, a person may, within thirty (30) days, petition the commissioner, in writing, for a waiver of such requirement on the following grounds:

(1) The petitioner is presently undergoing a substantial treatment program for alcohol or drug addiction, or has completed such a program subsequent to his most recent arrest, either as a result of an order of a court or on a voluntary basis; and

(2) The petitioner does not, in the opinion of a physician licensed in this state, and based upon a personal examination, have a current addiction problem which affects his ability to operate a motor vehicle in a safe manner, or pose a significant risk of having such a problem in the foreseeable future.

(b) In reviewing and determining whether to grant any petition, the commissioner shall request and give due consideration to the advice of the Medical Advisory Board.

(c) The commissioner shall communicate his decision to the petitioner in writing, and if the petition is denied, the reason for denial shall be provided.

(d) The commissioner may request that a physician who examines a petitioner and provides an opinion, in accordance with subsection (a) of this section, state in writing how long he has been treating the petitioner, and the basis for his opinion.

(Effective June 3, 1997)

Sec. 14-227f-7. Standards for waiver of requirements

A treatment program shall be deemed substantial for purposes of the waiver requirements of Section 14-227f-6 if it meets the following criteria:

(1) It is operated, licensed or funded by the Connecticut Department of Mental Health and Addiction Services, or a similar facility in another state, territory or province, or meets the standards of either the Joint Commission of Accredited Hospital Organizations, or the Commission of Accredited Rehabilitation Facilities;

(2) It provides inpatient or outpatient treatment and/or treatment services for persons who are substance abusers or substance dependent as defined in Section 19a-495-570 of the Regulations of Connecticut State Agencies, which treatment is substantially similar to that specified in Section 14-227f-4. Treatment shall be deemed substantially similar if it meets the following criteria:

(A) If inpatient care, it comprises at least seven (7) consecutive days in a licensed hospital/rehabilitation center, for the purpose of alcohol/drug abuse rehabilitation, and has an aftercare component of at least twenty (20) hours. If recommended by the provider, monitored attendance at self-help meetings shall be required for a period of up to three times per week for a minimum of six (6) months;

(B) If intensive outpatient care, day treatment, it comprises a minimum of ten (10) sessions totaling fifty (50) hours, at a licensed facility, for the purpose of alcohol/drug abuse rehabilitation. It shall also have an aftercare component and, if recommended by the provider, a self-help component, as provided in subdivision (A);

(C) If intensive outpatient care, evening treatment, it comprises a minimum of sixteen (16) sessions totaling forty-eight (48) hours, at a licensed facility, for the purpose of alcohol/drug abuse rehabilitation. It shall also have an aftercare component of at least thirty (30) hours, and, if recommended by the provider, monitored attendance at self-help meetings for a period of up to three times per week, for a minimum of one (1) year;

(D) A combination of inpatient and outpatient treatment which is equivalent to the care provided in subdivisions (1) to (3), inclusive, of this subsection.

(3) It develops as part of its services a plan for the person's treatment, in conjunction with the client and his certified counselor, who shall be certified by the Department of Mental Health and Addiction Services;

(4) The client has been discharged with the advice of the facility, and the facility and/or the client's certified counselor certifies that the client is not a substance-dependent or substance-abusing person;

(5) Notwithstanding the other provisions of this section, a treatment program shall be deemed equivalent, for purposes of the waiver requirements specified in Section 14-227f-6, if so determined by the commissioner, upon the recommendation of the Medical Advisory Board.

(Effective June 3, 1997)

Sec. 14-227f-8. Failure to complete program

A person who fails to complete the program specified in Section 14-227f-4 satisfactorily, or does not receive a waiver in accordance with Section 14-227f-6, shall not have his operator's license or nonresident operating privilege reinstated.
(Effective June 3, 1997)

Sec. 14-227f-9. Approval of program providers. Observers

(a) The commissioner, upon application in writing and submission to him of the details of a proposed treatment program in such form as he shall require, shall approve or disapprove any such provider applicant to provide a treatment program. A provider applicant shall be a public or private entity which is experienced in, or is presently engaged in, providing responsible services for the treatment of alcohol and drug addiction. No applicant shall be approved by the commissioner unless the proposed program provides treatment substantially in accordance with Section 14-227f-4.

b) The commissioner may at any reasonable time observe and monitor the conduct of a treatment program conducted by an approved provider. Each approved provider shall abide by reasonable professional standards as required by the commissioner.
(Effective June 3, 1997)

Sec. 14-227f-10. Additional requirements for providers

In addition to conforming to the program contents as provided in Section 14-227f-4, an approved program provider shall comply with the following requirements:

(1) The provider shall be financially sound, and provide indemnification for the performance of its obligations to all program participants;

(2) The Phase I component of the program shall have immediate access to a licensed physician;

(3) All portions of the program shall be conducted or supervised by counselors certified pursuant to section 20-74o of the general statutes;

(4) If a client does not satisfactorily complete the program, or if it is determined that the client needs additional treatment, the provider shall make a report to the commissioner of the reasons for such evaluation and/or recommendation;

(5) The program provider shall maintain, for a minimum of five (5) years, or as otherwise required by law, records for each client, which records shall fully identify the client and shall include such history of the client's treatment, diagnosis and prognosis as shall be reasonable and necessary for evaluation of the client by the commissioner and the Medical Advisory Board. The provider shall maintain such records in confidence, except for disclosure to designated employees of the department, and the members of the department's Medical Advisory Board, or as otherwise required by law;

(6) The provider shall permit the commissioner access to its financial statements and records, and shall permit audits, as deemed necessary by the commissioner. The provider shall agree to approval by the commissioner of the fees charged to its clients for the program. The fees may include a reasonable profit to the provider, and also may include a designated additional amount above actual costs which shall be used by the provider to assist clients who prove indigence;

(7) The provider shall agree to submit to the commissioner, and to interested persons, detailed information about the location of such programs, the facilities, the credentials of the personnel, the program contents and the costs for such program.
(Effective June 3, 1997)

Sec. 14-227f-11. List of approved providers. Demographics. Trial programs

(a) The commissioner shall maintain a list of approved program providers, and the cost of each program. Such list shall be made available to the public upon request at no cost.

(b) The commissioner may, in his discretion, prescribe the number and location of approved providers and treatment programs, to assure geographical balance and continuity of treatment programs.

(c) The commissioner may, upon initial approval of a provider, require or permit the provider to conduct one or more treatment programs on a trial basis, in order to evaluate such provider and the conduct of the treatment program, prior to final approval of the provider.

(Effective June 3, 1997)

Sec. 14-227f-12. Request for advice by commissioner. Confidentiality

(a) The commissioner may, at any time, request the advice and assistance of the Medical Advisory Board, and any other public or private agency or individual person or entity, engaged in providing responsible services for the treatment of alcohol and drug addiction, with regard to any portion of a treatment program or its conduct.

(b) Each provider, the commissioner and the department shall maintain in confidence all records concerning an individual's treatment and medical records, except as otherwise provided by law.

(Effective June 3, 1997)

Special License Plates and Placards for Persons Who Are Blind or Disabled

Sec. 14-253a-1. Definitions

As used in Sections 14-253a-1 through 14-253a-13, inclusive, the following words have the following meanings:

(1) ``Commissioner'' means the commissioner of motor vehicles or his designee;

(2) ``Blind'' means having vision as defined in subsection (a) of Section 1-1f of the Connecticut General Statutes;

(3) ``Department'' means the department of motor vehicles;

(4) ``Disability'' means limited or impaired in the ability to walk as defined in the Code of Federal Regulations, Title 23, Section 1235.2;

(5) ``Special license plates'' means license or number plates displaying the international symbol of access in a size identical to that of the letters or numerals on the plate and in a color that contrasts with the background color of the plate;

(6) ``Removable windshield placard'' means a two-sided, hanger-style placard which bears on both of its sides:

(A) The international symbol of access with a height of three (3) inches or more centered on such placard and colored white on a blue background;

(B) A unique identification number;

(C) A date of expiration; and

(D) A statement indicating that the Connecticut Department of Motor Vehicles issues such placard;

(7) ``Temporary removable windshield placard'' means a placard that is the same as a removable windshield placard except that the international symbol of access appears on a red background.

(Effective April 1, 1996)

Sec. 14-253a-2. Application. Fee

(a) The following may make application for special license plates and/or a removable windshield placard:

(1) Any person who is blind;

(2) Any person with a disability which limits or impairs the ability to walk;

(3) Any parent or guardian of a person who meets the provisions of subdivisions

(1) or (2) of this subsection and is under eighteen (18) years of age at the time of application; and

(4) An organization which meets the qualifications established in accordance with Section 14-253a-11.

(b) An application shall be made on a form and contain such information as required by the commissioner.

(c) Each application shall be accompanied by a fee of five (5) dollars.

(d) Each application by or for an individual person shall include certification of blindness or disability as provided in Section 14-253a-3. The application shall be signed by the individual person making application, except that if the person is unable to sign the application, another person designated by him may sign the application. Except as otherwise provided, upon approval of an application by the commissioner the certification shall remain valid for a period of five (5) years.

(Effective April 1, 1996)

Sec. 14-253a-3. Certification of blindness or disability

(a) An individual person, or the parent or guardian of an individual person, who first makes application for special license plates and/or a

removable windshield placard shall submit with the application a certification of disability or blindness of such person.

(b) In the case of a person who is blind, the certification shall be by a opthalmologist or optometrist licensed in this state.

(c) In the case of a person with a disability which limits or impairs the person's ability to walk, the certification shall be by a physician licensed in this state, or by an employee of the department who is a member of the handicapped driver training unit established in accordance with Section 14-11b of the General Statutes and is designated by the commissioner.

(d) The certification made in accordance with subsection (b) or (c) of this section may be made on the application form or as otherwise required by the commissioner.

(e) If the commissioner has reliable evidence that the person may not meet the criteria for a person who is blind or disabled, the commissioner may require additional evidence or certification that the person is blind or has a disability which limits or impairs his ability to walk.

(f) A request for additional evidence or certification in accordance with subsection (e) shall be made in writing by first class mail addressed to the person's address of record at the department.

(g) If a person who has been requested to submit additional evidence or certification in accordance with subsection (e) of this section fails to do so within thirty (30) days of the mailing of such request, or if upon receipt such additional evidence or certification is deemed to be unfavorable by the commissioner, the commissioner may refuse to issue, or, if already issued, may suspend or revoke and require the return of any special license plates and/or removable windshield placard(s) issued to or on behalf of such person.

(h) Any person whose application has been denied, or whose special license plates and/or removable windshield placard(s) have been suspended or revoked in accordance with subsection (g) of this section, shall be provided notice and afforded an opportunity for a hearing in accordance with the provisions of Chapter 54 of the General Statutes. Any suspension or revocation shall be stayed pending the decision when a hearing is requested.

(i) Any medical reports or medical evidence submitted in accordance with this section shall be maintained in confidence by the commissioner and shall not be open to public inspection except as required by law.

(Effective April 1, 1996)

Sec. 14-253a-4. Issuing of special license plates

(a) Any person who has made application as provided in Section 14-253a-2 and whose application is approved by the commissioner shall be eligible to obtain special license plates and/or a removable windshield placard.

(b) If the person whose application is approved has a motor vehicle registered in his name as either a passenger vehicle, passenger and commercial motor vehicle or motorcycle, as such terms are defined in subsection (a) of Section 14-1 of the General Statutes, such person shall upon his request be issued number plates in accordance with the provisions of subsection (a) of Section 14-21b of the General Statutes. Such number plates shall bear letters or numbers or any combination thereof as determined by the commissioner, followed by the international symbol of access as defined in the Code of Federal Regulations, Title 23, Section 1235.2.

(c) Any special license plates issued in accordance with subsection (b) of this section shall be subject to the provisions of Section 14-22 of the General Statutes, with regard to expiration and renewal of vehicle registration, shall be subject to the applicable provisions of Section 14-49 of the General Statutes with regard to payment of fees for such registration, and shall be subject to all other applicable provisions of law.

(d) Any person eligible to obtain special license plates pursuant to this section who transfers the registration of a registered motor vehicle owned by him within ninety (90) days prior to its expiration and replaces his existing

number plates with special license plates shall be exempt from payment of any fee for such transfer or replacement.
(Effective April 1, 1996)

Sec. 14-253a-5. Issuing of additional special license plates

A person who has been issued special license plates in accordance with the provisions of Section 14-253a-4 may make application for a second set of special license plates for another motor vehicle upon compliance with the following requirements:

(1) The vehicle is requested to registered to the person making such application;

(2) The vehicle is in a registration class as provided in subsection (b) of Section 14-253a-4; and

(3) An application for such additional special license plates is filed. No additional certification of blindness or disability shall be required upon application for an additional set of special license plates provided a current certification of disability or blindness is on file at the department.
(Effective April 1, 1996)

Sec. 14-253a-6. Removable windshield placard. Display

(a) Upon approval of a person's application filed as provided in Section 14-253a-2, the commissioner shall, upon request of such person, issued a removable windshield placard to the applicant. The placard shall be displayed by hanging it from the front windshield rearview mirror of any vehicle utilizing a parking space reserved for persons who are blind or persons with disabilities. If there is no rearview mirror in such vehicle, the placard shall be displayed in clear view on the driver's side of the dashboard of such vehicle. The placard shall have an expiration date five (5) years from the month of issuance.

(b) If a person has not requested special license plates as provided in Section 14-253a-4, the person may make application for a second removable windshield placard.
(Effective April 1, 1996)

Sec. 14-253a-7. Renewal

(a) Each person to whom special license plates and/or a removable windshield placard(s) have previously been issued may file a renewal application prior to expiration of the five (5) year period of subsection (d) of Section 14-253a-2. The commissioner shall specify the time period in which a renewal application may be filed. Each renewal application shall be accompanied by a fee of five (5) dollars.

(b) No additional certification of blindness or disability by a physician, optometrist or other person pursuant to Section 14-253a-3 shall be required if the applicant certifies under penalty of false statement, or as otherwise provided by the commissioner, that the original disability or blindness continues to exist.
(Effective April 1, 1996)

Sec. 14-253a-8. Temporary removable windshield placard

(a) If a person who has a disability which limits or impairs his ability to walk, or is blind, or the parent or guardian of such person as provided in Section 14-253a-2, claims that such disability or blindness is not permanent or is anticipated to last for a period of six (6) months or less, such person, or such parent or guardian, upon filing the application and paying the fee as provided in Section 14-253a-2, and filing the certification as provided in Section 14-253a-3, shall upon approval by the commissioner be issued a

temporary removable windshield placard which shall have an expiration date no later than six (6) months from the month of issue.

(b) A person eligible for a temporary removable windshield placard may make application for a second such placard.

(c) Prior to the expiration of a temporary removable windshield placard, a person whose disability or blindness still exists or is expected to continue, or his parent or guardian, may file an application for another such temporary removable windshield placard in accordance with the provisions of subsection (a) of this section.

(d) A person who is eligible for a temporary removable windshield placard shall not be eligible for special license plates.

(Effective April 1, 1996)

Sec. 14-253a-9. Replacement of special license plates or windshield placard. Lost or stolen plates or placards

(a) A person shall report to the commissioner and to the local police authority the theft, loss or destruction of any special license plates, and shall report to the commissioner the theft, loss or destruction of any windshield placard.

(b) A person who certifies under penalty of false statement that his special license plates or removable windshield placard or temporary removable windshield placard have been lost, stolen, mutilated or destroyed, shall be issued replacement special license plates or a replacement placard(s) with the same expiration date as the plates
or placard(s) being replaced. Mutilated special license plates or placards shall be surrendered to the commissioner.

(Effective April 1, 1996)

Sec. 14-253a-10. Return of special license plates and placards

(a) Any special license plates issued pursuant to Sections 14-253a-4 and 14-253a-5, and any removable windshield placard issued in accordance with Sections 14-253a-6 and 14-253a-8, shall be returned to the commissioner upon the subsequent change of residence to another state or death of the person to or for whom the special plates and/or removable windshield placard(s) were issued, upon revocation of the person's certification of blindness or disability by the commissioner, or upon suspension or revocation of such special license plates and/or removable windshield placard(s).

(b) A person whose blindness or disability is determined by a responsible medical authority to have ended shall return to the commissioner any special license plates and/or removable windshield placard(s) issued by the commissioner.

(Effective April 1, 1996)

Sec. 14-253a-11. Application by an organization

(a) An organization may make application for and be issued special license plates and/or a removable windshield placard as provided in Section 14-253a-2 upon submission of an application and payment of an application fee of five (5) dollars. The application shall be signed by an officer or authorized representative of the organization. Special license plates and one (1) removable placard may be issued for each vehicle certified as provided in subsection (b).

(b) An officer or authorized representative of an organization shall certify under penalty of false statement that each motor vehicle for which such special license plates and/or such removable windshield placard are intended is used primarily to transport persons who are blind or disabled. Primary use means that more than one-half (1/2) of the usage of such vehicle is for

transportation of blind or disabled persons. The commissioner may request proof of such usage. The commissioner may require that the ownership or affiliation of such motor vehicle be identified clearly by markings thereon. Any such markings shall be subject to the inspection and approval of the commissioner. The motor vehicle shall be registered in the name of, or leased by, the organization.

(c) No medical certification of disability or of blindness as provided in Section 14-253a-3 shall be required upon an application filed by an organization which meets the requirements of this section.

(d) A qualified organization may be issued two (2) removable windshield placards for each vehicle if no special license plates are issued for such vehicle. If special license plates are issued, only one (1) removable windshield placard may be issued for each vehicle.

(e) The commissioner may waive any of the provisions of this section for good cause shown.

(Effective April 1, 1996)

Sec. 14-253a-12. Revocation or suspension

The commissioner may investigate and may thereafter suspend or revoke any special license plates or removable windshield placards, issued pursuant to Sections 14-253a-1 through 14-253a-11, when the commissioner has reliable evidence that the person or organization to whom such special license plates or placards have been issued has used or permitted the use of such special license plates or placards in a manner which violates the provisions of Section 14-253a of the general statutes. Such person or organization shall be afforded notice and an opportunity for a hearing in accordance with Chapter 54 of the general statutes prior to the effective date of any such suspension or revocation. Upon failure to request a hearing, or upon receipt of a final decision which affirms the commissioner's order to suspend or revoke, any special license plates or placards issued to or on behalf of such person or organization shall be returned to the commissioner.

(Effective April 1, 1996)

Sec. 14-253a-13. Use of plates and placards

(a) Vehicles displaying special license plates or a removable windshield placard or a temporary removable windshield placard issued pursuant to Sections 14-253a-1 through 14-253a-11, or issued by authorities of other states, territories, provinces or countries for the purpose of identifying vehicles permitted to utilize parking spaces reserved for persons with disabilities or blind persons, shall be allowed to park, without limitation as to time, in areas where parking is legally permissible, and no penalty may be imposed for the overtime parking of any such motor vehicle, provided the operator of or a passenger in such motor vehicle is a blind person or a person with disabilities.

(b) A removable windshield placard or temporary removable windshield placard shall not be displayed on any motor vehicle when such vehicle is not being operated by or carrying as a passenger the person with disabilities or the blind person to or for whom the removable windshield placard was issued. An organization shall not display a placard a placard issued to it on a motor vehicle which is not carrying a blind or disabled person.

(c) Private vehicles bearing special license plates shall not utilize parking spaces reserved for persons with disabilities when such vehicles are not being operated by or carrying as a passenger the blind person or a person with a disability to or for whom such special license plates were issued. A motor vehicle owned or leased by an organization to which special license plates have been issued shall not utilize such parking spaces when the vehicle is not carrying a blind person or a person with a disability.

(d) No person who is blind or disabled who is a bona fide resident of this state shall park in a public or private area reserved for the exclusive use of such person if such person does not display on or within his vehicle special license plates or a placard issued in accordance with Sections 14-253a-1 through 14-253a-11.

(Effective April 1, 1996)

Towed Motor Vehicles

Sec. 14-261-1. Towed motor vehicles

(a) If two fully equipped and properly registered motor vehicles are hooked together so that one is attached to the rear of the other and they are both propelled on the highways solely by means of the motor of the leading vehicle, the vehicle in the rear is a ``towed motor vehicle'' and does not become a trailer by reason of its being towed and is not subject to other laws relative to trailers.

(b) If the motor vehicle being towed is attached to the towing vehicle by means of a rope, chain or other flexible device, there shall be an operator in the towed vehicle. If the attachment is by means of a standard, safe, rigid tow bar so that the operator of the towing vehicle has reasonably safe control of the towed vehicle, no operator is required in the vehicle being towed.

Transportation of Motor Vehicles in Driveaway Service Operations

Sec. 14-261-2. Definitions

(a) Saddlemount defined. The term ``saddlemount'' means a device, designed and constructed as to be readily Remountable, used in driveaway services to perform the functions of a truck tractor fifth wheel.

(b) Driveaway service defined. The term ``driveaway service'' means any operation utilizing one or two saddlemounts in which a motor vehicle or motor vehicles constitute the commodity being transported, when one set or more of wheels of any such motor vehicle or motor vehicles are on the roadway during the course of transportation.

(Effective January 7, 1975)

Sec. 14-261-3. Transportation of vehicles

All motor vehicles being transported in driveaway service operations, to the extent such driveaway service operations are permitted by the state, shall be transported in accord with the provisions of ``Subpart F - Coupling Devices and Towing Methods'' as set forth in Sections 393.70 and 393.71 of the ``Motor Carrier Safety Regulations of the United States Department of Transportation Administration'' (49 CFR 393.70 - 393.71).

(Effective January 7, 1975)

Requirements for the Issuance of a Class 1A Operator's License and Administrative Penalty for Operating a Commercial Vehicle Combination without Such License

Sec. 14-261a-1. Procedure to obtain a class 1A license

To obtain a Class 1A license to operate commercial vehicle combinations on designated roads in Connecticut, an application shall be submitted to the Wethersfield office of the Department of Motor Vehicles. If the application and screening process result in favorable consideration of the application, the applicant will be scheduled for a Class 1A road test unless such road test is waived pursuant to subsection (g)of Section 14-261a-3. It will be necessary for the applicant to provide a tractor and two trailers of the type authorized to be used in a commercial vehicle combination. The trailers are to be brought to the test site independently and not in combination except when the commercial vehicle combination is being operated pursuant to a permit issued by the commissioner of transportation as provided in subsection (a)of Section 3 of Public Act No. 84-372.

(Effective March 22, 1985)

Sec. 14-261a-2. Applicant holds class 1 license

The following procedures shall apply with respect to an applicant for a Connecticut Class 1A motor vehicle operator's license if the applicant holds a valid Connecticut Class 1 license:

(a) Applicant has held Class 1 license or a Class 1 and equivalent license from another jurisdiction for at least 3 years.

(b) Applicant completes application form and pays statutory examination fee.

(c) Applicant submits evidence satisfactory to the commissioner that he has successfully completed the physical examination as prescribed by Section 14-44-1 of the Regulations of Connecticut State Agencies or an equivalent physical examination within the past two years.

(d) Applicant's driving record checked.

(e) Applicant approved by supervising inspector to take practical examination.

(f) Applicant tested for ability to hitch-up tractor and units making up commercial vehicle combination as defined in Public Act No. 84-372. Road test over prescribed course.

(g) If applicant is determined by the examining inspector to have successfully completed the examination and is otherwise qualified a type 1A license is issued.

(Effective March 22, 1985)

Sec. 14-261a-3. Applicant does not hold Connecticut class 1 license

The following procedures shall apply with respect to an applicant for a Connecticut Class 1A motor vehicle operator's license if the applicant does not hold a valid Connecticut Class 1 license.

(a) Applicant completes application for Connecticut motor vehicle operator's license and pays statutory examination fee.

(b) Applicant submits evidence satisfactory to the commissioner that he has successfully completed the physical examination as prescribed by Section 14-44-1 of the Regulations of Connecticut State Agencies or an equivalent physical examination within the past two years.

(c) Applicant submits certified copy of driving record from jurisdiction in which he holds a valid motor vehicle operator's license.

(d) Applicant submits proof that he or she has held a license at least equivalent to a Class 1 from another jurisdiction for a minimum period of three years (certified statement from present jurisdiction).

(e) Applicant's Connecticut driver's history checked.

(f) Applicant approved by supervising inspector to take practical examination.

(g) Applicant tested for ability to hitch-up tractor and other units making up commercial vehicle combination as defined in Section 14-260n of the General Statutes. Road test over prescribed course. Road test may be waived if applicant demonstrates to the commissioner that he has had at least five years experience in operating commercial vehicle combinations. Certification as to five years experience may be from licensing authority or in lieu of such certification, an affidavit from an employer stating applicant has operated commercial vehicle combinations for a minimum of five years.

(h) If applicant is determined by the examining inspector to have successfully completed the examination and is otherwise qualified a type 1A license is issued upon payment of the statutory license fee.

(i) An out-of-state applicant who is granted a Class 1A license will be allowed to retain his home state operator's license; however, the Connecticut Class 1A license issued will be stamped ``valid in CT only'' on its face in 3/8 inch high letters.

(Effective March 22, 1985)

Secs. 14-261a-4--14-261a-5.

Repealed, March 22, 1985.

Commercial Vehicle Combination Safety Inspection Program

Sec. 14-261a-6. Definition of commercial vehicle combination

In order to establish and maintain the Commercial Vehicle Inspection Program provided for in Subsection (c) of Section 14-261a of the General Statutes a commercial vehicle combination shall be regarded as consisting of the following three units:

(1) Tractor
(2) First trailer
(3) Second trailer

(Effective January 24, 1986)

Sec. 14-261a-7. Examination and testing

Each commercial vehicle combination operating on Connecticut highways shall be examined or tested on a staggered annual basis with respect to its:

(1) Brakes
(2) Tires
(3) Wheels
(4) Mirrors
(5) Operating controls
(6) Glazing
(7) Lighting devices
(8) Suspension
(9) Steering
(10) Exhaust system
(11) Electrical system

(Effective January 24, 1986)

Sec. 14-261a-8. Passing sticker

A sticker will be affixed to each component unit of a commercial vehicle combination upon its passing such examination or test. On and after October 1,

1985, a sticker will only be issued to the tractor of a commercial vehicle combination provided the person, firm, corporation or association which operates such vehicle has a preventive maintenance program approved by the commissioner.
(Effective January 24, 1986)

Sec. 14-261a-9. Waiver of examination or testing

The examination or test required pursuant to Section 14-261a of the General Statutes and this regulation may be waived if the commercial vehicle combination bears an equivalent certificate of inspection issued by another state.
(Effective January 24, 1986)

Sec. 14-261a-10. Establishment of staggered inspection system

To establish a staggered inspection system for commercial vehicle combinations the total number of commercial vehicle combinations registered in Connecticut shall be divided into twelve groups consisting of an approximately equal number of commercial vehicle combinations. In no case shall the number of commercial vehicle combinations assigned to be examined or tested in any month exceed or be less than 10% of the average monthly assignment except such limits may be exceeded in the event such scheduling results in fewer than fifty commercial vehicle combinations being assigned to any given month. In the event less than fifty commercial vehicle combinations are assigned to a month they may be reassigned to another month so long as either no more than fifty are scheduled for inspection in such month or the limits established by this section are not exceeded. Each commercial vehicle combination shall be inspected annually during the same month it was initially inspected. Each inspection sticker issued for any unit of a commercial vehicle combination shall indicate the month and year in which the next annual inspection of such unit is required. The initial monthly period for which a commercial vehicle combination is scheduled for inspection shall be determined by a random data processing selection process.
(Effective January 24, 1986)

Sec. 14-261a-11. Time limitation for testing or examining upon reentering this state

Any commercial vehicle combination which is outside the state during the entire period when it is scheduled for inspection shall have ten days after reentering this state to complete the test or examination required by Section 14-261a of the General Statutes and this regulation.
(Effective January 24, 1986)

Weight of, and Route Restrictions for, Vehicles and Trailers

Secs. 14-268-1--14-268-7.

Repealed, November 5, 1999.

Oversize/Overweight Vehicle Permit Regulations

Sec. 14-270-1. Definitions

(a) **Cargo** - the items or freight to be moved; including items placed on or in a vehicle, towed by a vehicle, or a vehicle itself.

(b) **Divisible load** - any load consisting of a product, material or equipment which can be reduced in height, weight, length and/or width to the specified statutory limit.

(c) **Flag** - a plain red cloth marker having a minimum size of 18 inches square.

(d) **Gross weight** - the weight of a vehicle and/or vehicle combination without load plus the weight of any load thereon.

(e) **Height** -the total vertical dimension of any vehicle above the ground surface including any load and load-holding device thereon.

(f) **Highway** - includes any state or other public highway, road, street, avenue, alley, driveway, parkway or place, under the control of the state or any political subdivision thereof, dedicated, appropriated or opened to public travel or other use.

(g) **House trailer** - (a) a trailer or semi-trailer which is designed, constructed, and equipped as a dwelling place, living abode, or sleeping place, either permanent or temporary, and is equipped for use as a conveyance on streets and highways; (b) a trailer or semi-trailer whose chassis and exterior shell is designed and constructed for use as a house trailer as defined in paragraph (a), but which instead is used permanently or temporarily for the advertising, sales, display, or promotion of merchandise or services, or for any other commercial purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier.

(h) **Indivisible load** - a vehicle or load which cannot be dismantled, disassembled, or loaded so as to meet the specified statutory limit for height, weight, length and/or width of the subject vehicle.

(i) **Length** - the total longitudinal dimension of any vehicle or combination of vehicles, including any load or load-holding device thereon.

(j) **Load** - a weight or quantity of anything resting upon something else regarded as its support.

(k) **Mobile home** - same definition as ``house trailer'' as defined in subsection (g).

(l) **Modular home** - same definition as ``house trailer'' as defined in subsection (g).

(m) **Motor vehicle** - means any vehicle suitable for operation on a highway

which is propelled or drawn by any power other than muscular, except aircraft, motor boats, road rollers, baggage trucks used about railroad stations, electric battery-operated wheel chairs when operated by physically handicapped persons at speeds not exceeding fifteen miles per hour, golf carts operated on highways solely for the purpose of crossing from one part of the golf course to another, agricultural tractors, farm implements, such vehicles as run only upon rails or tracks and self-propelled snow plows, snow blowers and lawn mowers, when used for the purposes for which they were designed and operated at speeds not exceeding four miles per hour, whether or not the operator rides on or walks behind such equipment.

(n) **OOV** - Oversize and/or overweight vehicle or vehicle and load. The combination of vehicles required to transport a heavy or large load.

(o) **Owner** - means any person, firm, corporation or association holding title to a motor vehicle, or having legal right to register the same including purchasers under conditional bills of sale.

(p) **Permit** - a written authorization to move or operate on a highway a vehicle or vehicle with load of size and/or weight exceeding the limits prescribed for vehicles in regular operation.

(q) **Permittee** - an applicant for a permit who has received written permission to make an oversize and/or overweight movement.

(r) **Sectional house** - same definition as ``house trailer'' as defined in subsection (g).

(s) **Semi-trailer** - any vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and load rests upon or is carried by another vehicle.

(t) **Transceiver** - an apparatus, system or process for communicating at a distance by electric transmission over wire.

(u) **Trailer** - means any rubber-tired vehicle without motive power drawn or propelled by a motor vehicle.

(v) **Tractor** - a motor vehicle designed and used for the purpose of drawing a semi-trailer.

(w) **Truck** - every motor vehicle designed, used or maintained primarily for the transportation of property.

(x) **Truck tractor** - same definition as ``Tractor'' as defined in subsection (v).

(y) **Vehicle** - includes any device suitable for the conveyance, drawing or other transportation of persons or property, whether operated on wheels, runners, cushion of air between it and the surface or by any other means, except those propelled or drawn by human power or those used exclusively upon tracks.

(Effective August 26, 1985)

Sec. 14-270-2. Requirement for oversize/overweight transportation permit

A permit is required for the operation of any vehicle(s), or vehicles and load, upon any Connecticut highway, whose dimensions or weight exceed those specified in the Connecticut General Statutes, as revised, either with or without cargo.

(Effective August 26, 1985)

Sec. 14-270-3. Application for permit

All applications for permits are directed to the Commissioner of Transportation through the Department of Transportation, Bureau of Public Transportation, Motor Transport Services Unit (MTSU). Application may be made in person, by mail, or by telephone. All permits are issued to the person, firm, or organization who will actually transport the load. Each application shall include: identification of the vehicle(s) and load, date of the move, points of origin and destination, and the proposed route to be traveled. The MTSU reserves the right to make final routing designations.

(Effective August 26, 1985)

Sec. 14-270-4. Acceptance of permit

(a) The use of any vehicle(s), or vehicle(s) and load, on any Connecticut highway after the issuance of a permit shall be regarded as an acceptance by the permittee of all the terms and conditions of the permit.

(b) The permit shall be strictly construed and any move other than that specifically stated on the face of the permit will render the permit null and void.

(Effective August 26, 1985)

Sec. 14-270-5. Responsibility of permittee

(a) The permittee accepts all responsibility for injury to persons or damage to public or private property caused directly or indirectly by OOV under permit.

(b) The permittee agrees to hold the State of Connecticut, the Department of Transportation and other State Agencies harmless from all suits, claims, damages, or proceedings of any kind, as a direct or indirect result of the transportation of the vehicle(s) and load.

(Effective August 26, 1985)

Sec. 14-270-6. Compliance with laws

The applicant shall certify to the Commissioner of the Connecticut Department of Transportation that:

(a) The vehicle(s) is properly registered with the Connecticut Department of Motor Vehicles or is registered with a state with which Connecticut has a reciprocal agreement;

(b) The operator has a valid operators license for such class of vehicle(s) from the Connecticut Department of Motor Vehicles or from a state which has a reciprocal agreement with the State of Connecticut; and

(c) That he (the applicant) has operational authority from the Connecticut Department of Motor Vehicles, Department of Public Utilities Control or the Interstate Commerce Commission.

(Effective August 26, 1985)

Sec. 14-270-7. Divisible load permits

(a) (1) A permit may be issued for a divisible load when the Commissioner of Transportation determines: (i) that it is in the best interest of public safety and welfare or (ii) that it is in the best interest of the State.

(2) A divisible load permit may be granted to any applicant who demonstrates to the Commissioner that his single unit vehicle will be converted to meet the legal statutory weight limits.

Section (a) (i) and (ii) permits will be issued for *axle* weight waivers only. Gross vehicle weights must comply with statutory limits.

(3) Permits for single unit four-axle vehicles may be limited to those vehicles with axles fixed to the ground. In these instances, statutory axle weights must be complied with. The permit will allow up to 76,500 pounds maximum gross vehicle weight.

(b) Divisible load permits will be issued in six-month increments through April 30, 1990.

(c) Divisible load permits may be issued to allow vehicles to operate within construction projects, subject to the following:

(l) the vehicle has the proper safety equipment to operate over the road (proper brakes, lights, etc.),

(2) vehicle gross weight or haul capacity is not exceeded,

(3) vehicle is properly registered with construction plates, a commercial registration, or heavy duty registration,

(4) permits will be limited to (A) specific projects within the construction site and (B) axle weights are not to exceed 25,000 pounds or its rated capacity whichever is less. Tire weight not to exceed 900 pounds/inch width of tire,

(5) additional gross and/or axle weights may be authorized when existing pavement and structures are to be replaced. Those weights will be determined on an individual basis,

(6) divisible load permits for off-the-road vehicles to cross a highway within the construction site will be granted on an individual site basis. In these instances uniformed traffic guards will be required along with the maintenance and repair of the road to the satisfaction of the Commissioner of Transportation.

(Effective August 26, 1985)

Sec. 14-270-8. Failure to comply with regulations

Failure by the applicant to agree to comply with these regulations may be the basis for refusal to issue a permit. The violation of any provision of a permit, either those specifically stated in the permit or set forth in these regulations may be the basis for refusal to issue future permits.
(Effective August 26, 1985)

Sec. 14-270-9. Bonds

The applicant agrees to furnish to the Commissioner of Transportation, upon request, an acceptable bond or other security, to cover damages that might occur to roads, bridges or structures, which might be caused by the transportation of OOV's under a permit.
(Effective August 26, 1985)

Sec. 14-270-10. Department jurisdiction

A permit issued by the Commissioner of Transportation is effective only insofar as the Department has jurisdiction and authority. It does not release the permittee from complying with other existing laws, local ordinances, or regulations which apply to the movement of OOV.
(Effective August 26, 1985)

Sec. 14-270-11. Waiver of requirements

The requirements set forth in these regulations may be waived upon application and approval either in emergency situations such as emergency roadway or bridge repairs or when determined to be in the best interest of the State. Applications for such waivers must be submitted to and approved by the Commissioner of the Connecticut Department of Transportation.
(Effective August 26, 1985)

Sec. 14-270-12. Permit fee

Fees shall be charged for permit(s) in accordance with Section 14-270 (d) of the Connecticut General Statutes, as revised.
(Effective August 26, 1985)

Sec. 14-270-13. Confirmation of permit

Any permit issued shall be retained in possession of the OOV operator for which such permit was issued, except that a facsimile copy, telegram or the use of the special number plates described in Section 14-24 of the Connecticut General Statutes, shall be sufficient to fulfill the requirements of this regulation.
(Effective August 26, 1985)

Sec. 14-270-14. Single trip permits

Unless specifically stated on the permit, the permit is valid for three days and for one trip between the points designated. A single trip consists of a vehicle leaving the terminal, loading the vehicle, delivering the load and returning to the terminal in one continuous move, or in the case of thru state moves, from state line to state line.
(Effective August 26, 1985)

Sec. 14-270-15. Blanket permits

No blanket permits for fleets of vehicles will be issued.
(Effective August 26, 1985)

Sec. 14-270-16. Emergency moves

Emergency moves shall be limited to those moves made in the interest of national defense and certified as such by the Department of the Army, Military Traffic Management Command, Washington, D.C. or an emergency defined as: A calamity, existing or imminent, caused by fire, flood, riot, windstorm, explosion, or other act of god, which require immediate remedial action to protect life or property, and proclaimed as an emergency by the Governor, or in any life threatening situation.

(Effective August 26, 1985)

Sec. 14-270-17. Heavy duty permit plates

(a) Any business domiciled in Connecticut whose equipment is permanently registered in Connecticut may be eligible for a Heavy Duty Permit Plate.

(b) Such a Heavy Duty Permit Plate may be obtained by filing an application in writing, on a form furnished by the Department of Transportation, MTSU.

(c) A plate holder shall pay the annual permit fee established by Section 14-270 (d) of the Connecticut General Statutes.

(d) The maximum weight specified on any permit issued to a vehicle displaying a Heavy Duty Permit Plate will be the weight the vehicle is registered for with the Connecticut Department of Transportation.

(e) This plate may be revoked at any time if the holder is found to be in violation of these regulations.

(Effective August 26, 1985)

Sec. 14-270-18. Restrictions on travel time

(a) Permits will not be issued for the movement of oversize or overweight vehicles or combinations of vehicle and load on Saturdays, Sundays, or Holidays. Holiday restrictions may include a period of time before and after each holiday. A list of these holiday periods shall be published annually by the Department of Transportation and can be obtained by contacting the MTSU.

(b) No permittee shall move his vehicle(s) and load except during daylight hours (one-half hour after sunrise to one-half hour before sunset) unless he obtains special permission, before the move, from the Commissioner of Transportation and if weather and highway conditions are favorable.

(c) Permits may limit the hours or days of travel within those specified in subsection (a) and (b), depending upon local highway and traffic conditions.

(d) The permittee, his operator or agent, shall use reasonable judgment and shall reschedule, suspend or postpone a trip if said trip will impair the public safety because of local highway and traffic conditions.

(Effective August 26, 1985)

Sec. 14-270-19. Highway to remain open: operational standards

(a) All movements are to be made in such a manner that the highways will remain open at all times and in such a manner that traffic will not be obstructed.

(b) If an operator of an OOV under permit obstructs the passage of more than ten (10) vehicles, he shall at the first opportunity, within the requirements of safety, remove his vehicle and load from the highway and allow traffic to pass.

(c) The permittee, his operator or agent, shall not load, unload or park the vehicle or its load/cargo upon the State Highway System, during the day or at night, without specific written permission from the Commissioner of Transportation. Such written permission may not be required in emergency situations for periods of temporary duration.

(Effective August 26, 1985)

Sec. 14-270-20. Equipment

The permittee shall have the responsibility for selecting the equipment to be used when transporting oversize and/or overweight loads. However, the Commissioner of Transportation, through the MTSU may specify the type of equipment to be used when an extremely large or heavy load is to be moved.
(Effective August 26, 1985)

Sec. 14-270-21. Escort (pilot car) vehicles and flagmen

(a) When specified in the permit, it is the responsibility of the permittee to provide escort vehicles. Failure of pilot car operators and flagmen to comply with these regulations in properly warning and directing traffic is considered a violation of the terms of the permit.

(b) Flagmen, in order to warn and direct approaching traffic, must wear a red jacket or vest and use a red flag to direct traffic.

(c) When a single escort/pilot car is required, it shall precede on two or three lane conventional roads or follow on four or more lane divided roads. When two pilot cars are required, one shall precede and one shall follow the piloted load or vehicle. Exceptions to these provisions are to be specifically stated on the face of the permit. The permit may require additional pilot cars.

(d) Pilot cars and the OOV shall remain right of the centerline of the roadway at all times except when prevented by the physical limitations of the highway. The use of a pilot car does not grant to the Permittee the right to pre-empt the opposing traffic lane. When it becomes necessary because of physical limitations of the highway to use a portion of the opposing traffic lane, the OOV shall not occupy that lane until it has been advised by the pilot car that the lane is clear of all on-coming traffic. Opposing traffic is not to be stopped except in extreme emergencies. It shall be the responsibility of the OOV to stop safely and wait until the opposing lane is free of traffic before proceeding. Pilot cars shall not be used to tow another vehicle while being utilized as a pilot car. Convoying, or using one pilot car for more than one OOV, will not be permitted unless specifically authorized on the face of the permit. All vehicles or loads exceeding 12 feet in width, or the lane width, will require a pilot car. In some areas a pilot car will be required for loads of lesser width or additional pilot cars will be called for depending on the character of the road and the traffic volume.

(e) All OOV's exceeding 25 feet front/rear overhang measured from the last visible means of support will require a pilot car. Pilot cars will also be required for loads where any part of the vehicle or load will be expected to encroach on opposing traffic lanes due to alignment, lane width, traffic density, etc., or if assistance is needed at on or off ramps in interchange areas. The interval between pilot car(s) and the OOV shall provide the maximum warning to other traffic and shall be adequate to allow traffic to pass each vehicle separately. Pilot cars shall be in accordance with the following requirements:

(1) VEHICLE SIZE. Minimum width-60 inches; maximum-1½ ton capacity.

(2) LIGHTS. Display top mounted flashing or rotating amber light(s), which must be operated at all times while escorting an OOV unless otherwise specified on the face of the permit. Lights shall be visible to the front when leading, and to the rear when following from a distance of not less than one thousand feet.

(3) SIGNS. Display a top-mounted sign with minimum height of the bottom of the sign 48 inches above the roadway. The sign shall contain the message ``OVER SIZE LOAD AHEAD/FOLLOWING,'' ``WIDE LOAD AHEAD/FOLLOWING,'' or ``LONG LOAD AHEAD/FOLLOWING'' may be substituted for the ``OVER SIZE LOAD AHEAD/FOLLOWING'' sign. The sign shall be painted with 8-inch minimum height black letters on a yellow background, using a minimum 1-inch brush stroke. Signs shall not be displayed when not escorting an OOV.

(4) RADIO. Two-way radio communications between pilot cars and the OOV is required.

(5) RED FLAGS. Each pilot vehicle shall be equipped with red hand flag, and a red vest or jacket. These items are to be utilized by the pilot car operator in the event it becomes necessary to park the pilot car and stop or control highway traffic. Flags (18" square) must be displayed on all corners of the OOV and on the front or rear corners of the escort vehicle whichever is appropriate.

(Effective August 26, 1985)

Sec. 14-270-22. Overweight permit limits

(a) No overweight permits will be issued for less than 80,000 pounds on five axles except for special use vehicles that are not designed for transporting persons or property and are only incidentally operated or moved over a highway. Permit applications for weight up to 122,000 pounds require vehicles with five axles; 130,000 pounds require vehicles with six axles.

(b) Any permit application to haul more than 130,000 pounds will require special consideration by the Commissioner. Permits in this category may take up to two weeks for approval.

(Effective August 26, 1985)

Sec. 14-270-23. Buildings

(a) The movement of buildings will be governed by the size of the building, the roadway width, alignment and traffic.

(b) No permits to move a building will be issued allowing travel on any portion of limited access highways.

(c) Applications for permits to move buildings are subject to investigation, and require a written application to the MTSU when the width is 12 feet or greater. The MTSU will assign an engineer to inspect the building, route and equipment pertaining to the proposed move. Conditions of the permit shall be determined by the MTSU after the engineering review has been completed.

(Effective August 26, 1985)

Sec. 14-270-24. Excess dimensions

With the exception of house moves and moves that are essential for national defense, the maximum width is limited to 16 feet. The maximum height is limited to the physical restraints of the route. In most cases, excess dimensions require an engineering review of the route to determine the least disruption to traffic. Two weeks should be allowed to schedule the review.

(Effective August 26, 1985)

Sec. 14-270-25. Special restrictions for mobile homes, modular homes, house trailers, or sectional houses

In addition to the normal policies of transporting oversize loads, the following restrictions are required when transporting mobile homes, modular homes, house trailers, or sectional houses on Connecticut highways. Transporters failing to comply with these restrictions will be denied future permits. These restrictions pertain to all house trailers.

(1) The towing vehicle shall have a minimum manufacturer's gross vehicle weight rating of 10,000 pounds and shall have dual wheels on the drive axle. All towing features shall conform to ICC requirements.

(2) (a) Travel for all mobile homes, modular homes, house trailers, or sectional houses except those in subsection 2 (b), is restricted to daylight hours, Monday through Friday, under favorable weather and road conditions.

(b) Units that are in excess of 12’ft wide are restricted to hours between 9:00 a.m. and 4:00 p.m., Tuesday through Thursday.

(3) The maximum width for house trailers is 14 feet. This 14 feet includes all roof overhangs, sills, knobs and siding.

(4) Convoy style hauling is not permitted. A safe passing distance is required between vehicles on all movements when the overall width exceeds ten feet.

(5) The combined length of the unit when attached to the towing vehicle shall not exceed eighty-five feet except that 90 feet is permitted when the towed unit does not exceed 66 feet in length excluding the hitch.

(Effective August 26, 1985)

Construction, Equipment and Seating Standards of School Buses

Sec. 14-275-1. Definition

A school bus for the purpose of these regulations is a ``school bus'' as defined in section 14-275 of the general statutes.

Sec. 14-275-2. Color and identification

(a) With the exception of fenders and trim, school bus bodies, including hood, cowl and roof, shall be painted a uniform color: National School Bus Chrome, a chrome yellow paint offered for sale under that name by leading paint manufacturers. The fenders and trim may be painted black, and up to three (3) alphanumeric characters no more than six (6) inches in height may appear on one side of the front and/or rear bumper(s) within a horizontal span of no more than eighteen (18) inches along the bumper. Such characters shall be colored national school bus chrome.

(b) School bus bodies shall bear the words ``School bus-Stop On Signal,'' in black letters at least four inches high on both the front and rear of the body.

(c) Vehicles that are not school buses as defined in section 14-275 of the general statutes, when used for the transportation of children to and from school or school activities, private or public camps or any other activities concerning the transportation of groups of children, may display a portable sign on the front and rear of the vehicle inscribed with the words ``School Bus'' in letters not less than three and one-half inches high.

(Effective December 1, 1993)

Sec. 14-275-3. Body

Construction shall be all-steel or other metal with a strength equivalent to all-steel as certified by the bus body manufacturer. The body shall be sufficient strength to support the entire weight of a fully loaded bus on its top or side if overturned, without undue deformation.

Sec. 14-275-4. Weight requirements

(a) Bodies for body-on-chassis type vehicles shall be limited to lengths shown in the table below. Body lengths are measured from the back of the cowl to the rear of the body at floor level. Sizes are based on twenty-seven inch center to center spacing between rows of forward facing seats, over all width of ninety-six inches, center aisle width of twelve inches minimum.

Table for body-on-chassis type vehicles

Minimum
Measurement

Number of rows of seats	*Maximum body length in inches*	*Cowl to center line of rear axle in inches*	*Minimum measurement of frame in inches*
4	178	102	173
5	196	123	187
6	222	125	210
7	250	142	241
8	277	160	268
9	304	192	295
10	332	211	323
11	355	229	349
12	388	250	380

(b) The gross weight of a loaded school bus shall at no time exceed the manufacturer's maximum gross vehicle weight rating.
(Effective March 25, 1982)

Sec. 14-275-5. Remounting bodies

No bus body that does not meet all specifications shall be mounted on a new or rebuilt chassis.

Sec. 14-275-6. Extensions of frames

Extensions or shortening of frames of school buses may be made by either the chassis or body manufacturer, if guaranteed by the company making the installation. Extensions are permissible only when alterations are behind the rear hanger of the rear springs. Extension of wheel base is not permitted.

Sec. 14-275-7.

Repealed, June 27, 1972.

Sec. 14-275-8. Inside height

The inside height of all school buses shall be seventy inches measured at the longitudinal center line from the back of the first row of seats to the back of the next to the last row of seats.

Sec. 14-275-9. Entrance or service door

(a) The entrance door shall be located on the right side near the front of the bus and shall have a minimum horizontal opening of twenty-four inches clearance. The entrance door shall be manually or power operated, under control of the driver and so designed as to prevent accidental opening. Lower panels as well as upper panels shall be of safety glass to permit the driver to see children who are waiting to enter the bus and the ground where children step off.

(b) There shall be no door at the left of the driver.

Sec. 14-275-10. Emergency door

(a) The emergency door shall be located either in the center of the rear of the bus or near the rear on the left-hand side. It shall have a minimum horizontal clearance of twenty-four inches, a minimum vertical height of forty-eight inches and shall be marked ``Emergency Door'' both inside and out. The

emergency door shall be equipped with a fastening device which may be quickly released, but so designed as to offer protection against accidental release. Provision for opening from the outside shall consist of a nondetachable device of such design as to prevent ``hitching'' but permit opening when necessary. The rear emergency door shall be hinged on the right side of the body, shall open outward and shall be designed to open from both inside and outside of the bus.

(b) No seat or other object shall be so placed in the bus as to restrict the passage to the emergency door.

Sec. 14-275-11. Wiring

All wires in or on the school bus body shall be insulated and protected by a covering of fibrous loom, BX cable or the equivalent, which will protect them from external damage and which will eliminate danger from short circuits. Wires shall be fastened securely to the body and/or chassis at intervals of not more than twenty-four inches. All joints shall be soldered or joined by equally effective connectors.

Sec. 14-275-12. Floors

Floors shall be of metal at least equal in strength of fourteen gage steel and so constructed that exhaust gases cannot enter the bus. The floor shall be of nonskid metal or a fire-resistant, non-slipping surface may be applied to the metal floor. All closures between the bus body and the engine compartment shall be fitted with gaskets which will effectively prevent gases from entering the body.

Sec. 14-275-13. Gasoline tank

There shall be no fuel tank or container inside of any school bus. The gasoline tank shall be installed in compliance with the Minimum Standards for School Buses and filled, drained and vented from the outside of the body.

Sec. 14-275-14. Exhaust pipe

(a) The exhaust pipe, muffler and tail pipe shall be outside the bus body and attached to the chassis frame. (b) The exhaust tail pipe shall be deflected slightly downward at the rear end and extend at least three inches beyond the chassis frame but not beyond the rear bumper. (c) The exhaust pipe shall be properly insulated from the gasoline tank and connections thereof by a metal shield, at any point where it is twelve inches or less from tank or connections.

Sec. 14-275-15. Capacity

The seating capacity of any school bus shall not exceed seventy-two children. The following words shall be painted on the body of the bus to the left of the entrance door in black letters at least two inches in height:

NO STANDEES

(Effective March 25, 1982)

Sec. 14-275-16. Change in seating arrangement to be reported to commis sioner

Any changes in the seating arrangement of any school bus shall be reported within twenty-four hours to the commissioner of motor vehicles.

Sec. 14-275-17. Seats; protective padding

(a) **Seats.** All seats shall be forward facing and with the exception of fiber-glass seats shall be suitably padded and covered with leather, imitation leather or other washable material. All seats shall have a minimum clearance of twenty-four inches at seat line, between the front of the back or back cushion and the nearest forward obstruction. Each child shall be provided a fore and aft seat depth of between twelve and fifteen inches. Fiber-glass seats may be used provided they meet the following standards:

(1) Fiber-glass seats shall meet all foregoing provisions for seats except those concerning the construction of seat cushions.

(2) Fiber-glass seats shall combine rigid construction of welded tubular steel with contoured matched die-formed or hand-sprayed molded plastic shell. Exposed steel shall be stainless steel or shall be finished with baked enamel.

(3) Plastic shells shall consist of good commercial grade, fire-resistant, color-pigmented resin reinforced with glass fibers in such manner as to avoid resin-rich sections. Shells shall be shaped to provide maximum comfort.

(4) Both metal frames and plastic shells shall have rounded corners and be free from sharp edges.

(5) Fiber-glass seats shall be padded as required in subsection (b).

(b) **Protective padding.** After September 1, 1974, each school bus registered in this state shall be equipped with interior protective padding as follows:

(1) Where a seatback is so situated that it is in front of another seat, padding shall be affixed to the uppermost part of all such seatbacks including the top rail, if so equipped, and the top rear edge of the seatback. Such padding shall have a minimum rearward facing projected surface height equal to three times the thickness of the padding material on each surface protected. The padding shall cover the entire width of the rail, if so equipped, and seatback to within one inch of each end of the seat.

(2) Padding shall be affixed to the uppermost part of the modesty panels or rails at the top of such panels, stanchions and rails when they are located within forty inches directly in front of any forward surface of a seatback and within ten to sixty inches in height from the floor surface.

(3) Padding installed on any school bus prior to January 1, 1974, in the locations specified in this subsection shall be exempt from meeting the express requirements of this subsection regarding compressive strength, resiliency factor, installed thickness and flame transmission providing the commissioner determines that such padding is substantially equivalent to the padding required by this subsection.

Such padding shall be shock absorbing cellular material having the following compressive strength at a temperature of seventy-two degrees Fahrenheit when tested in accordance with the American Society for Testing Materials (A.S.T.M.) Procedure D-1056, copyright 1971:

At 10% defection between 1.5 and 3.0 pounds per square inch
At 25% deflection between 4.0 and 6.5 pounds per square inch
At 50% defection between 10.0 and 16.0 pounds per square inch

The padding shall have a resiliency factor (ball rebound) no greater than fifty per cent measured at seventy-two degrees Fahrenheit using a one inch diameter steel ball dropped from a height of twelve inches on a one inch thick sample of padding resting on a firm hard surface. The padding shall be covered with a plastic or leather covering. The padding material and its cover shall have an installed thickness between 0.4 and 0.8 inches. The uncompressed thickness of the padding material shall be no greater than one hundred and fifty per cent of the installed thickness. The padding material and its cover shall not burn or transmit a flame front across its surface at a rate of more than four inches per minute. Modesty panels and all other objects located as

specified in this subdivision shall be protected over their entire width. All protective padding shall be affixed in such a manner that its impact absorption qualities shall not be impaired in the areas required for occupant protection.
(Effective June 20, 1974)

Sec. 14-275-18. Aisles

The minimum clearance of all aisles, including the aisles leading to the emergency door, shall be twelve inches. All aisles or passageways shall be kept free of extra seats or obstructions of any kind.

Sec. 14-275-19. Defroster

Every school bus shall be equipped with a defrosting device in good working order, adequate to prevent the formation of snow, ice or fog on the windshield.

Sec. 14-275-20. Heaters

Exhaust heaters shall not be used in any school bus. Hot water or other types of heaters approved by the National Board of Fire Underwriters' Laboratories may be used.

Sec. 14-275-21. Lights and signals

(a) **Directional signals.** Each bus shall be equipped with flashing directional signals that have been approved by the commissioner of motor vehicles.

(b) **Tail and stop lights.** Each bus shall be equipped with two combination tail and stop lights emitting a red light plainly visible from a distance of five hundred feet to the rear and mounted not less than six inches or more than twenty inches from the rear edge of the body and not less than thirty or more than forty-five inches from the surface on which the vehicle stands. Flashing tail and stop lights are not permitted.

(c) **Width or clearance lamps.** There shall be two red clearance lamps in the rear and two amber clearance lamps in the front, mounted on the permanent structure of the bus in such a manner as to indicate its extreme width and as near the top thereof as is practicable.

(d) **Interior lights.** Interior lights shall be provided which adequately illuminate interior, aisles and step wells.

(e) **Warning lights.** School bus warning lamps shall be installed and operated as follows: A minimum of four such lamps shall be installed, two located in the rear above the rear window and showing to the rear, two located in the front above the windshield and showing to the front. These lamps shall be designed to pass the Specifications of the Society of Automotive Engineers, 1959 Handbook, for ``School Bus Warning Lamps'' or ``Class A, Type I Turn Signal Lamps.'' Lenses in the school bus warning lamps showing to the front and the rear shall be red in color.

(f) **Switches.** For operating the school bus warning lamps, switches shall be installed in the circuit as follows: A manual switch to cut off power to the lamps when the bus is not in service; a switch which can be used to turn on the warning lamps before the bus comes to a stop and a switch that will automatically operate the warning lamps when the entrance door is open. One or more combinations of such switches are permitted. There shall be a device or devices in the circuit that cause the lamps to flash when lighted. There shall be a monitor light installed in view of the operator which indicates when the warning lights are operating. The warning lamps shall be on a circuit that is not connected to the brake pedal so that they light up only when the switch controlling the lamps is turned on by the bus operator or are automatically operated when the entrance door is open.

(g) **Automatic traffic signalling device.** An automatic traffic signalling device showing red, green and amber lights may be used instead of the school bus warning lamps. One such device shall be located on the left rear of the bus and one on the left front. The red signal on these devices shall be a flashing light but the amber and green may not flash.

Sec. 14-275-22. Rear vision

(a) A nonglare interior rear-view mirror large enough (at least four inches by fifteen inches) to afford a good view of the road to the rear, as well as of the pupils, shall be installed on each bus. It shall have rounded corners and protected edges.

(b) Each school bus shall be equipped with one outside mirror on the right side and one outside mirror on the left side of the bus forward of the operator's seat. The reflecting surfaces of these mirrors shall not be obscured by the unwiped portion of the windshield or by the corner pillars. These mirrors shall be rectangular in shape and shall have a minimum horizontal dimension of five inches and a minimum vertical dimension of ten inches. A convex mirror with a minimum diameter of five inches (5”in) shall be firmly mounted at the right front side of the vehicle to provide an additional close-in field of vision and shall be located so as not to reduce the visual field of the flat surfaced mirror below fifty (50) square inches.

(c) A mirror assembly approved by the commissioner which may comprise more than one mirror shall be fixedly secured at the left and right front corners of the bus, and the mirror assembly shall be adjustable so that any seated driver using seat belts or other restraints as required by law is able to observe the following areas by looking at the mirror assembly:

(1) The road or ground from the front bumper of the bus to a point forward of the front bumper of the bus where the seated driver can observe the road directly without the use of any mirror; and

(2) The road or ground along the left side of the bus from the front bumper of the bus rearwardly to a point rearward of the driver's seat or the front wheel, whichever is the more rearward, and along the right side of the bus from the front bumper to a point rearward of the service door or the front wheel, whichever is the more rearward, whereby the view provided to the seated driver by the mirror assembly on both the left and right corners shall overlap the view provided to the seated driver by the left and right side outside mirrors, whether rectangular or convex.

(Effective August 27, 1992)

Sec. 14-275-23. Reflectors

Every school bus shall be equipped with approved reflectors, of the long seven-button type, located at the extreme outside corners of the bus, front and rear. Rear reflectors shall be red and front reflectors shall be amber. Reflectors shall be attached not less than twenty-four inches nor more than fifty-six inches from the ground.

Sec. 14-275-24. Ventilators

School bus bodies shall be equipped with a suitable, controlled ventilating system of sufficient capacity to maintain the proper quantity of air under operating conditions without opening windows except in extremely warm weather.

Sec. 14-275-25. Windshield and windows

All glass in the windshield, windows and doors shall be of safety glass manufactured and installed in conformance with American Standard Safety Code for Safety Glass for Glazing Motor Vehicles, Operating on Land Highways, Z26.1-

1950, and approved by the commissioner of motor vehicles. No bars or grille shall cover any window. All full side windows shall be of the standard split-sash type, opening from the top. The opening shall not be over five inches from the top, measured from the bottom of the rain shield to the top of the open sash. The window to the left of the driver may be fully opened.

Sec. 14-275-26. Windshield wipers

There shall be two windshield wipers installed on every school bus, so arranged as to clean the windshield in front of the driver and on the righthand side. They shall be kept in good working order.

Sec. 14-275-27. Chain non-skid devices

A full set of chain non-skid devices shall be installed on at least one outside rear tire on each side of all school buses whenever weather or highway conditions require such use.
(Effective April 21, 1970)

Sec. 14-275-28. Axe

Each school bus shall have a suitable axe, readily accessible and located close to the driver's seat, to be used for breaking windows and sash for escape in case of emergency.

Sec. 14-275-29. Fire extinguisher

Every school bus shall be equipped with a fire extinguisher of a type approved by the Underwriters' Laboratories, Inc., subject to the provisions of section 29-44a of the general statutes, and accessibly located and maintained in good condition.

Sec. 14-275-30. Flags and flares

(a) Each bus shall carry, at all times, three red flags and means for mounting for use in warning traffic in the event of prolonged stops on the highway.

(b) Buses that are operated at night shall be equipped with flares approved by the commissioner of motor vehicles.

Sec. 14-275-31. Condition of bus and equipment

The school bus and its equipment shall be kept in proper repair and in safe, clean and sanitary condition. The operator shall inspect the bus each morning to determine that the brakes, steering apparatus, stop light and all other equipment are in good condition.

Operation of School Buses

Secs. 14-275-32--14-275-46.
Repealed, August 19, 1974.

Minimum Requirements for Type II (Type 2) School Bus Construction and Equipment

Sec. 14-275a-1. Scope

This regulation specifies minimum standards for the construction and equipment of type II school buses manufactured on or after April 1, 1977 and on or before the effective date of Sections 14-275a-11 through 14-275a-20 of the Regulations of Connecticut State Agencies.
(Effective January 26, 1990)

Sec. 14-275a-2. Definition

A ``type II school bus'' also known as a ``Type 2 School Bus'' means any school bus conforming to the definition of ``school bus'' as found in section 14-275 of the General Statutes and has a gross vehicle weight (GVW) of ten thousand (10,000) pounds or less.
(Effective January 26, 1990)

Sec. 14-275a-3. Identification and color

(a) School bus bodies shall bear the words ``School Bus-Stop on Signal,'' in black letters at least four inches high on both the front and rear of the body.

(b) The external surfaces of the school bus body shall be painted National School Bus Glossy Yellow, also known as national school bus chrome, in accordance with the colorimetric specification of Federal Standard Number 595a, color 13432, except for the fenders and trim which may be painted black. The areas around the flashing warning lights shall be painted black as provided in Section 14-275a-7. Bumpers shall be painted glossy black, matching Federal Standard Number 595a, color 17038; unless, for increased night visibility, they are covered or painted with a retroflective material.
(Effective December 1, 1993)

Sec. 14-275a-4. Dimensions

The outside body width of the bus shall not exceed ninety-six inches. The outside overall length of the bus shall not exceed twenty-five feet. The inside standing height measured on the longitudinal center line of the bus adjacent to any seat rows or seat positions shall be no less than sixty inches, measured from the walking surface to the ceiling liner of the roof structure.
(Effective July 1, 1977)

Sec. 14-275a-5. Construction

(a) **Bus body strength.**

(1) Weight distribution of the fully loaded bus on a level surface shall be such that not more than seventy-five percent of the gross vehicle weight is on the rear tires, and not more than thirty-five percent is on the front tires.

(2) There shall be at least one rub rail formed of steel, having a minimum thickness of sixteen gauge located approximately at seat level on each side of the bus. Each such rub rail shall be continuous with the exception of doorways and shall pass over all areas where there is internal adjacent seating. There shall be one rub rail formed of steel, having a minimum thickness of sixteen gauge located approximately at the floor line of the bus which shall extend over the same longitudinal distance as the upper rub rail, except it may be discontinuous at wheel housings and door entrances. All rub rails shall be constructed of corrugated or ribbed steel, and shall be a

minimum of four (4) inches wide. The rub rails shall be continuous having no joints in its installed length.

(3) A vertical stanchion shall be installed from floor to roof at the right corner of the driver's seat in such a position as to neither interfere with the adjustment of the seat or obstruct the twelve inch minimum aisle width. A guard rail and guard panel shall be installed from the vertical stanchion to the left wall of the bar. The guard rail shall be approximately thirty inches above the floor, but not higher than the driver's seat back when it is adjusted to its lowest position shall be located behind the driver. Such guard rail shall not interfere with the fore-and-aft adjustment of the driver's seat and shall extend from the vertical stanchion to the left wall of the bus structure. A vertical stanchion shall be installed rearward of the entrance stepwell or aisle and shall extend from the floor to the roof located so as to not restrict the entrance passageway at any level to less than twenty-four inches, nor the width of the longitudinal aisle to less than twelve inches nor shall it be located in front of a passenger seat. A guard rail and stepwell or aisle guard panel shall be installed from the stepwell or aisle vertical stanchion to the right wall of the bus. This guard rail shall be approximately thirty inches above the floor and its guard panel shall not restrict the width of the entrance passageway to less than twenty-four inches at any level. The panel shall extend from the guard rail to within two inches of the floor. The guard panel shall be fastened to the floor or flanged in a manner that prevents its lower edge from extending over the stepwell or reducing the entrance aisle width to less than twenty-four inches. Clearance between the stepwell guard panel and the first seat on the right side shall be at least twenty-four inches measured from the panel to the front face of the seat back at seat cushion height. All stanchions and guard rails shall be constructed of steel and shall have a minimum outside diameter of one inch and a minimum tubing wall thickness of three-sixteenths inch.

(b) **Seating.**

(1) All seating shall comply with the current requirements of FMVSS-222 and all seats shall have a minimum fore-and-aft depth of fourteen inches. Seat cushions shall be securely fastened to the seat structure.

(2) The longitudinal aisle width shall be no less than twelve inches at any location between the floor and ceiling and shall be straight and unobstructed.

(3) The forwardmost seat on the right side of the bus shall be located so as not to interfere with the driver's vision and be not farther forward than the rear of the operator's seat when it is adjusted to its rearmost position.

(4) The minimum distance between the steering wheel and the backrest of the unoccupied driver's seat shall be eleven (11) inches. The operator's seat shall be rigidly positioned, and have vertical and fore-and-aft adjustment of not less than four (4) inches. Such adjustment must be accomplished without the use of tools or other separated or non built-in devices.

(5) The backs of seats of similar size shall be of the same width at the top and of the same height from the floor and shall slant at the same angle with the floor.

(6) Seat padding and covering shall be of a fire resistant material which shall not flash or explode upon contact with spark or fire.

(7) The driver's seat shall be equipped with a seat belt.

(8) The provisions of this subsection shall not apply to any special seating arrangements for handicapped pupils which may be provided in a school bus accommodating both handicapped and nonhandicapped pupils when such seating arrangement whether temporary or permanent has been approved by the commissioner of motor vehicles.

(c) **Insulation and interior paneling.** The bus body shall be thermally insulated between the inner and outer panels with a fire resistant material conforming to FMVSS 302. The interior of the bus, including the ceiling shall be free of all unnecessary projections likely to cause injury, and an inner lining material shall be provided on ceiling and walls. The rear edge of the

interior lining panels shall be lapped and covered by the front edge of the next rearward panel. Any exposed edges shall be beaded, hemmed or flanged.

(d) **Frame.**

(1) Buses equipped with a chassis frame shall have such frame extend at least to the rear edge of the rear body cross member. Any alterations to the frame may be made only when designed and guaranteed by the original chassis or body manufacturer.

(2) The chassis frame, for body on chassis type buses, shall extend to the rear edge of the rear body cross member. The body shall be attached to the chassis frame in such a manner as to prevent shifting or separation of the body from the chassis under severe impact. Alteration in the length of the frame may be made only behind the rear hangers of the rear springs or in front of the front spring hanger of the front springs, and shall not be for the purpose of extending the wheel base. Any alterations to the frame may be made only when designed and guaranteed by the original chassis or body manufacturer.

(3) The body front shall be attached and sealed to the chassis cowl in such a manner as to prevent the entry of water, dust or fumes through the joint between the chassis cowl and the body.

(4) For body on chassis type buses, insulating material shall be placed at all contact points between the body and chassis frame, and shall be so attached to the chassis frame or body member that it will remain in position under any operating condition.

(e) **Floor covering.**

(1) The floor in the driver's compartment, and the toe-board areas including the tops of the wheel housings, shall be covered with a non-skid fire-resistant material, in compliance with FMVSS-302.

(2) The floor covering in the aisle and the entrance area shall be of a non-skid, wear resistant and fire-resistant material, in compliance with FMVSS-302.

(3) The floor covering shall be crack-resistant and shall be securely bonded to the floor with a waterproof adhesive, all seams shall be sealed with a waterproof sealer.

(f) **Body mounting.** The bus body, if equipped with a front structure or engine compartment, shall have such structure or compartment attached and sealed to the chassis cowl in such a manner as to prevent the entry of water, dust or fumes through the joint between the chassis cowl and the body. The entire floor area of the bus including wheelwells and stepwalls, shall be constructed in a manner that prevents the entry of water, dust or fumes from entering the occupant compartment at any location throughout the floor and underbody area.

(g) **Bumpers.**

(1) Front and rear bumpers shall meet the requirements of Federal Motor Vehicle Safety Standard Number 215 which is in effect at the time of vehicle manufacture.

(2) Bumper front. The front bumper shall be a minimum of 3/16 inch thickness, pressed steel channel and shall have not less than a 8 inch face, painted black, and shall extend to protect the outer edges of the fenders. It shall be of sufficient strength to permit pushing another vehicle of equal gross weight without distortion. The front bumper shall be located at a height of not more than 22 inches when measured from the bottom edge of the bumper to the level surface upon which the unloaded bus stands.

(3) Bumper, rear. The rear bumper shall be a minimum of 3/16 inch thickness, pressed steel channel and shall not have less than a 8 inch face and shall wrap around the rear corners of the body to a point 12 inches forward from the rearmost point of the body at floor line. It shall be attached directly to the chassis frame with provision for easy removal, the prevention of hitching to or riding thereon, the development of full strength against side or rear impact, and shall be of sufficient strength to permit the bus being pushed by another vehicle without permanent distortion and shall extend

rearward sufficiently to protect all lamps. The rear bumper shall extend beyond rearmost part of body surface at least one inch, measured at floor line.

(4) Notwithstanding any other provisions of this section or section 14-275a-3 of the regulations of Connecticut state agencies to the contrary, up to three (3) alphanumeric characters, no more than six (6) inches in height, may appear on one side of the front and/or rear bumper(s) within a horizontal span of no more than eighteen (18) inches along the bumper. Such characters shall be colored national school bus chrome.

(h) **Service entrance**. The service entrance shall be located on the right side near the front in a location which shall provide the seated driver an unobstructed view of the door. The entrance shall have a minimum horizontal width not less than twenty-four (24) inches and a minimum vertical opening of fifty (50) inches. The service door may be of the sedan, swingslide, accordion, or split type and shall be manually or power operated by the seated driver through a mechanism designed to prevent accidental opening. No parts of a hand door operating lever shall come together in a manner that could shear or crush fingers. Both sections of a split type door shall open outward. Vertical closing edges shall be equipped with padding to prevent injury. In other than sedan type doors, the bottom of the lower glass panel if so equipped shall be not more than thirty-five (35) inches from the ground when the bus is unloaded. The top of the upper glass panel shall be not more than six (6) inches from the top of the door. A grab handle of stainless clad steel not less than ten (10) inches in length shall be properly secured in an unobstructed location inside the doorway. All power operated doors shall be equipped for modulated control and for manual operation in case of power failure. The service door shall be labeled on the inside in letters at least one-half (½) for emergency opening. If a sedan type door is used, it shall be reinforced to support the door control operating mechanism.

(i) **Emergency exit requirements.**

(1) Emergency exits shall conform to FMVSS-217 and there shall be a head bumper pad installed on the inside at the top of the emergency door exit. This pad shall extend across the entire opening of the exit and shall be designed to protect the heads of passengers using such exit.

(2) The passage to the emergency door shall be kept clear of obstructions.

(3) The upper portion of the center rear emergency door shall be equipped with safety glass meeting the requirements of the American National Standards Institute Code Z-26.1, dated 1966. The exposed area of such glass shall not be less than four hundred (400) square inches. The left side emergency door shall be equipped with safety glass meeting the same requirements in its upper portion. The lower portion of rear and side emergency doors shall be of at least the same gauge metal as the body.

(4) The emergency door shall be equipped with a latch which shall extend into, or overlap the door frame no less than one inch. If a vertical slide bar latch system is used it must simultaneously engage latch plates in both the floor and overhead structure no more than four and one half (4½) door(s). The outside handle shall be such as to minimize ``hitching'' and shall be a non-detachable device.

(j) **Windows.**

(1) All window glass shall be in compliance with FMVSS-205 and shall be installed such that the identification mark is legible. The windshield glass shall be in accordance with ANSI Z-26.1 specification for AS-1 safety glass.

(2) No bars or grille shall cover any window. All side windows other than door glass shall be of the standard split-sash type opening from the top. The opening shall be no greater than five inches measured from the underside of the upper horizontal window frame to the top of the sash in its fully open position. The window to the left of the driver may be fully opened. If push-out windows are used they must comply with FMVSS-217.

(3) Emergency windows shall conform to the requirements of FMVSS-217. The rear emergency window shall be designed so as to be opened from both the inside and the outside. It shall be hinged at the top and assure against accidental closing in an emergency. A positive latch on the inside shall provide for quick release but offer protection against accidental release. The outside handle shall be non-detach able and designed to minimize ``hitching.'' Each bus equipped with a rear emergency window shall have a rear divan seat the top of which shall not be higher than the lower edge of the emergency window. If the distance from the top of the back of such divan seat to the rear of the bus is greater than two (2) inches such space shall be covered by a shelf installed parallel to the floor capable of supporting a weight of 600 pounds over any four square inch area of shelf. The seat back shall not obstruct the clear opening of the emergency window.

(k) **Tires, axles and suspension.**

(1) Each school bus shall be equipped with tires of good quality, proper size and ply rating commensurate with the chassis manufacturer's gross vehicle weight rating. No recapped or retreaded tire shall be used. Recapped or retreaded tires may be used on the rear wheels of school buses with dual rear wheels.

(2) The axles and suspension system shall be so designed that any failure of a spring system will not dislocate the axle in a manner to cause ``dog tracking'' or other abnormal steering characteristics of the unsprung axle.

(3) Shock absorbers shall be utilized at all wheel locations and shall be properly maintained to perform their intended function.

(l) **Drive shaft protection.** Each segment of the drive shaft shall be equipped with a suitable guard to prevent accident or injury in the event of universal joint failure or disconnection for any other reason.

(Effective December 1, 1993)

Sec. 14-275a-6. Body structure

The bus body shall conform to FMVSS-220 and FMVSS-221.

(Effective July 1, 1977)

Sec. 14-275a-7. Equipment

(a) **Lamps and signals.**

(1) The installation of all exterior lamps and signals shall be in conformance with the requirements of Federal Motor Vehicle Safety Standard Number 108 in effect at the time of vehicle manufacture.

(2) Stop lamps. Two red, seven (7) inch diameter stop lamps shall be mounted on the rear as high as practical but below the window line with centers as far apart laterally as practical, but no less than three (3) feet. Their light emission shall be of an intensity at least equal to of class A turn signal lamps established by S.A.E. Standard J586c. These lamps shall be actuated upon the initial application of the service brake pedal.

(3) Flashing warning lamps. (a) Each school bus shall be equipped with flashing signal lamps in compliance with Federal Motor Vehicle Safety Standard Number 108, in effect at the time of vehicle manufacture. Switches for operating the school bus warning lamps shall be installed in a circuit as follows: a manual switch shall be provided to cut off power to the lamps when the bus is not in service. A switch readily available to the driver shall be provided which will turn on the warning lamps before the bus comes to a stop and an automatic switch shall be provided that will operate the warning lamps independently from the manually operated driver's switch, when the entrance door is in a partially opened and full open position. There shall be a device or devices in the warning lamp electrical circuit that causes the lamps on each side of the bus to flash in an alternate manner at a rate between sixty (60) to

one hundred and twenty (120) cycles per minute. There shall be a monitor light installed in view of the operator which indicates when the warning lights are operating. The warning lamps shall be on a circuit that is not connected to the brake pedal so that they light up only when the switch controlling the lamps is turned on by the bus operator or are automatically operated when the entrance door is opened. Maximum brightness of the lamps shall be attained in each cycle of flashing.

(b) Hoods with a minimum thickness of 20 gauge steel or other comparable material shall be securely fastened to the lamp housing. They shall extend at least five (5) inches in front of the lens and from the vertical centerline of the lamps shall measure 80 degrees along the perimeter from each side of the center, with the centerline of the hood coinciding with the top of the vertical centerline of the lamp housing.

(c) The area around the lens of alternately flashing signal lamps and extending outward approximately 3 inches and the hoods shall be painted black. In installations where there is no flat vertical portion of the body immediately surrounding the entire lens of the lamps, a circular or square band of black approximately 3 inches wide, immediately below and to both sides of the lens, shall be painted on the body or the roof area against which the signal lamps are seen.

(d) Each school bus manufactured on and after October 1, 1984, registered in this state shall be equipped with an eight light warning system consisting of four (4) red warning lights and four (4) amber warning lights and shall be installed in conformance with the requirements of Federal Motor Vehicle Safety Standard 108 in effect at the time of manufacture.

(1) Right and left warning lights shall flash alternately at a rate between sixty (60) to one hundred and twenty (120) cycles per minute.

(2) Hoods shall be provided for each light of the eight light warning system or a hood for each set of lights, and shall have a minimum thickness of twenty (20) gauge steel or other comparable material, and shall be securely fastened to the light housing. The area around the lens of the eight light warning system and extending outward approximately 3 inches and the hoods shall be painted black. In installations where there is no flat vertical portion of the body immediately surrounding the entire lens of the lamps, a circular or square band of black approximately 3 inches wide, immediately below and to both sides of the lens, shall be painted on the body or the roof area against which the signal lamps are seen.

(3) The eight light warning system shall be equipped with a visual indication that the warning lights are functioning properly or improperly.

(4) The eight light warning system shall operate as follows:

(i) With a master switch on, entrance door closed, depress foot or hand switch. Operational indicator light and amber signals shall go on.

(ii) Open entrance door. Operational indicator light and amber signal lamps shall go off, and operational indicator light and red signal lamps shall go on. Stop arm, if air, vacuum or electrically powered, shall automatically extend.

(iii) Close entrance door. Operational indicator light and signal lamps shall go off, and stop arm, if air, vacuum or electrically powered, shall automatically retract.

(iv) Open entrance door without depressing foot or hand switch for amber light activation. Operational indicator light and red signal lamps shall go on. Stop arm, if air, vacuum or electrically powered, shall automatically extend.

(v) With master switch off, depressing hand or foot switch will not actuate the amber signal system, nor will opening entrance door actuate the red signal system and stop arm.

(4) Turn signals. Class A turn signal lamps shall be provided and shall comply with FMVSS-108. These signals shall be independent units and be equipped with a four-way hazard warning signal switch available to the driver which will cause simultaneous flashing of all turn signal lamps when needed as a vehicle traffic hazard warning. Flush mounted ``armored'' type amber clearance lamps

with a minimum of four candlepower each, shall be mounted on the sides of the body at approximately seat level, rub rail height just to the rear of the service door on the right side and approximately opposite the driver's seat on the left side. These lamps are to be connected to function independently and with the respective right or left turn signal lamps.

(5) Interior lamps. Interior lamps shall be provided which adequately illuminate the entire aisle, emergency passageway and entrance stepwell or passage area.

(b) **Reflectors.** External reflectors shall be provided which conform to the requirements of Federal Motor Vehicle Safety Standard Number 108. Each reflector shall be mounted at a height not less than fifteen (15) inches and not higher than sixty (60) inches above the surface on which the unloaded bus stands.

(c) **Semaphore stop signals.**

(1) A swingout type semaphore stop signal may be used on the left side of the bus providing such stop sign when extended may have an override feature which allows the sign to swing freely in toward the bus if struck from either side. It shall be octagonal in shape, shall have a red background and shall carry the word "stop" in white letters at least one-third the height of the sign and may be equipped with two flashing red lights, one located near the top and one located near the lower portion of the sign. Such semaphore stop signal, if used, shall be coordinated with the operation of the flashing warning lights. The extended position of the semaphore stop signal shall not exceed twenty-two (22) inches from the vertical side surface of the bus.

(2) Each school bus manufactured on and after October 1, 1984, registered in this state shall be equipped with a stop semaphore which shall be octagonal in shape, shall have a red background, and shall carry the word "stop" in white letters at least one-third the height of the sign, and shall be equipped with two flashing red lights, one located near the top and one located near the bottom of such sign. The stop semaphore, when in the full opened position, shall not extend more than twenty-two (22) inches from the side of the school bus and shall have an override in both the forward and rearward direction. The stop semaphore shall activate simultaneously with the red warning lights.

(d) **Mirrors.**

(1) All mirrors shall be in conformance with the current requirements of FMVSS-111. An interior mirror constructed of safety glass of a size at least five (5) inches high by fifteen (15) inches wide, shall be installed to afford a clear view of pupils and roadway to the rear. The mirror shall be metal backed and framed; it shall have rounded corners and protected edges which shall be padded to reduce danger of injury upon impact.

(2) Each school bus shall be equipped with one outside mirror on the right side and one outside mirror on the left side of the bus, forward of the operator's seat. The reflecting surfaces of these mirrors shall not be obscured by the corner pillars. These mirrors shall be rectangular in shape and shall have a minimum horizontal dimension of five (5) inches and minimum vertical dimension of ten (10) inches. A convex mirror with a minimum diameter of five inches (5Þin) shall also be located on the outside of the school bus at the right and left sides to provide an additional close-in field of vision.

(3) A mirror assembly approved by the commissioner which may comprise more than one mirror shall be fixedly secured at the left and right corners of the bus, and the mirror assembly shall be adjustable so that any seated driver using seat belts or other restraints as required by law is able to observe the following areas by looking at the mirror assembly:

(A) The road or ground from the front bumper of the bus to a point forward of the front bumper of the bus where the seated driver can observe the road directly without the use of any mirror; and

(B) The road or ground along the left side of the bus from the front bumper of the bus rearwardly to a point rearward of the driver's seat, and along the right side of the bus from the front bumper to a point rearward of the service door, whereby the view provided to the seated driver by the mirror

assembly on both the left and right corners shall overlap the view provided to the seated driver by the left and right side outside mirrors, whether rectangular or convex.

(e) **Heaters.**

(1) Bus heaters shall be of the hotwater type.

(2) The bus heater shall have the ability to maintain an inside temperature of not less than fifty (50) degrees Fahrenheit when the outside temperature is minus ten (10) degrees Fahrenheit in still air.

(3) Heater hoses shall be adequately supported to guard against excessive wear due to vibration. The hoses shall not dangle or rub against the chassis or sharp edges, and shall not interfere or restrict the operation of any engine function. Heater hose shall conform to S.A.E. Standard J20, in effect at the time of vehicle manufacture. Heater hoses inside the passenger compartment shall be guarded to prevent accidental contact by driver or passengers. Each heater installation shall include a shut off valve at the engine on each heater hose.

(f) **Ventilation.** The body shall be equipped with a suitable, controlled ventilating system of sufficient capacity to maintain a proper quantity of air under operating conditions without the opening of windows except in extremely warm weather. If static type exhaust roof ventilators are used, they shall be non-closable and be installed such that the forward motion of the bus results in air being drawn out of the bus body.

(g) **Brakes.**

(1) All braking systems shall conform to either FMVSS-105 if hydraulic, or FMVSS-121 if air.

(2) Buses using vacuum in the operation of the brake systems shall be equipped with a warning signal readily audible and visible to the driver which will give a continuous warning when the vacuum in the system available for braking is eight inches of mercury or less and an illuminated gauge which will indicate to the driver the inches of mercury available for the operation of the brakes.

(3) Brake lines and hoses shall conform to FMVSS-106 and shall be protected from excessive heat and vibration and be so installed as to prevent chafing.

(4) Brake fluid installed in school bus hydraulic brake systems shall conform to the requirements of Federal Motor Vehicle Safety Standard Number 116, in effect at the time of vehicle manufacture.

(5) Each brake drum or rotor shall be permanently and plainly marked to clearly indicate in legible cast or stamped legend the maximum safe diameter of the drum or minimum safe thickness of a rotor beyond which these brake components must not be worn or machined. Brake drums or rotors which exceed these limits must be discarded.

(6) Repealed, July 8, 1975.

(h) **Exhaust system.** The exhaust system and muffler including the engine exhaust manifold, gaskets, and piping leading from the flange of the exhaust manifold shall be pressure-tight, free from leaks and shall be insulated from the electrical wiring or any combustible part of the bus and shall not pass within twelve (12) inches of the fuel tank or its connections unless a heat baffle is placed between the exhaust system and the fuel tank, its piping and connections. No part of the exhaust system shall pass within twelve (12) inches of any flexible brake line or hose. The size of the pipes in the exhaust system shall not be reduced below that provided by the engine manufacturer at the engine manifold. No part of the exhaust system shall extend into the body of the bus. All exhaust and tail pipes shall be of a non-flexible sixteen gauge steel and shall extend to, but not beyond, the rear bumper of the vehicle.

(i) **Fuel tank.**

(1) The fuel tank shall have a minimum capacity of twenty-two (22) gallons and shall be mounted either on the right or left side or in the rear. If side mounted, it shall be along the outside of the chassis frame immediately forward of the rear wheels. If mounted in the rear, it shall be located between

the frame rails immediately to the rear of the axle. In either location, it shall be filled and vented entirely outside the bus body. The location of the fuel tank fill opening shall be such that accidental fuel spillage will not drip or drain onto any part of the exhaust system.

(2) The fuel tank shall conform to Section 393.65 and 393.67 of the Motor Carrier Safety Regulations of the United States Department of Transportation, with reference to material, construction, fitting design and location, drop test requirements, air and safety vents, pressure release, rupture and spillage restrictions.

(3) The fuel tank fittings or lines shall not extend above the top of the chassis or frame rail. Fuel lines shall be mounted to obtain maximum possible protection from rubbing against the chassis frame or body structure.

(4) Wherever mounted, the fuel tank shall be protected by a three-inch wide, twelve-gauge minimum thickness steel band located horizontally around the median height of the tank at a distance of at least three (3) inches from the tank in all areas where the tank is not protected by the vehicle frame. The steel band shall be of ribbed configuration for increased strength.

(j) **Horn.** Two horns shall be provided which conform to SAE Standard J377 in effect at the time of vehicle manufacture. The horn shall be conveniently controlled from the driver's seated position. Each bus shall be equipped with a reverse direction alarm in compliance with SAE Standard J994A.

(k) **Ignition Lock.** A lock, key or other device to prevent the vehicle's engine from being started by unauthorized persons, or otherwise contrary to the will of the owner or person in charge thereof shall be provided.

(l) **Instruments.** The bus shall be equipped with the following non-glare illuminated instruments and gauges as a minimum, mounted for easy maintenance and repair and in such a position that each is clearly visible to the seated driver:

1. Speedometer
2. Fuel gauge
3. Oil pressure gauge
4. Water temperature gauge
5. Ammeter
6. Upper beam headlamp indicator
7. Odometer
8. Air pressure or vacuum gauge where air or vacuum brakes are used

(m) **Windshield wipers.** Two variable speed windshield wipers with non-glare arms and blades shall clean the maximum possible area of the windshield. A windshield washer which will effectively clean the entire area covered by both windshield wipers shall be provided. Windshield wiper equipment shall meet the Federal Motor Vehicle Safety Standard Number 104, in effect at the time of vehicle manufacturer.

(n) **Skid chains.** A full set of chain non-skid devices shall be installed on at least one outside rear tire on each side of all school buses whenever weather or highway conditions require such to be used.

(o) **Axe.** Each school bus shall have a suitable axe, readily accessible and located close to the driver's seat, to be used for breaking windows and sash for escape in the case of an emergency.

(p) **Fire extinguisher.** The bus shall be equipped with at least one pressurized, dry chemical-type fire extinguisher, mounted in the extinguisher manufacturer's bracket of automotive type and located in the driver's compartment in full view of and readily accessible to the driver. A pressure gauge shall be so mounted on the extinguisher as to be easily read without removing the extinguisher from its mounted position. The fire extinguisher shall be of a type approved by the Underwriters' Laboratories, Inc., with a rating of not less than 10-B.C. The operating mechanism shall be sealed with a type of seal that will not interfere with use of the fire extinguisher.

(q) **First aid kit.** The bus shall carry a first-aid kit, removable and readily identifiable, mounted in full view and in an accessible place in the

driver's compartment, the contents of which shall include but not be limited to the following:

(1) Four-inch bandage compress-one package
(2) Two-inch bandage compress-one package
(3) One-inch adhesive bandage-two packages
(4) Forty-inch triangular bandage with two (2) safety pins-one package
(5) Wire Splint-one package
(6) Tourniquet-one package
(7) Burn ointment
(8) A recognized fluid skin antiseptic except preparations containing iodine or phenol (carbolic acid).

(r) **Warning devices for disabled vehicles.** At least three red electric lanterns or red emergency reflectors which comply with FMVSS-125 shall be provided.

(Effective August 27, 1992)

Sec. 14-275a-8. Electrical system

(a) **Battery carrier.** The battery shall be securely mounted within the engine compartment or within an enclosed container outside of the engine compartment. Such enclosed container shall be vented to the outside of the vehicle and completely sealed from the occupant compartment of the vehicle. The battery compartment door shall open to the outside of the vehicle and be secured by an adequate and conveniently operated latch or other type fastener. Electrical cables leading to the battery shall not be spliced.

(b) **Electrical wiring.** (1) All wiring shall conform to the Society of Automotive Engineers Standard Number J555a, in effect at the time of vehicle manufacture.

(2) Electrical wiring shall be arranged in at least nine regular circuits as follows:

a. Head lamps
b. Clearance lamps, stepwell, stop and instrument panel lamps
c. Dome lamps
d. Starter motor
e. Ignition and emergency door signal
f. Turn signal lamps
g. Alternately flashing signal lamps
h. Horn
i. Heater and defroster

Any of the above combination circuits may be subdivided into independent circuits. All other electrical functions including electric type windshield wipers shall be provided with independent and properly protected circuits. A separate fuse or circuit breaker shall be provided for each circuit except the starter motor and ignition circuits.

(3) All wires within the body shall be insulated and protected by covering of fibrous loom (or equivalent) which will protect them from external damage and minimize danger from short circuits. Whenever wires pass through body or chassis members, additional protection in the form of a grommet or other appropriate type insert shall be provided.

(4) Wires not enclosed within the body shall be fastened securely at intervals of not more than eighteen (18) inches. All electrical wire joints shall be soldered or joined by equally effective connectors.

(5) Two extra fuses for each size of fuse used on the bus shall be conveniently mounted in the bus body.

(Effective July 1, 1977)

Sec. 14-275a-9. Interpretation

Any references in sections 14-275a-1 through 14-275a-8 of the regulations of Connecticut State agencies to any federal motor vehicle safety standard, SAE

standard, American society for testing material procedure, code of federal regulations or other nationally accepted standard, procedure or regulation shall be deemed to include any revision to such standard, procedure or regulation as may be subsequently adopted.
(Effective July 1, 1977)

Sec. 14-275a-10. Reserved

Sec. 14-275a-11. Scope

Sections 14-275a-12 through 14-275a-20, inclusive, specify minimum standards for the construction and equipment of type II school buses manufactured after the effective date of Sections 14-275a-11 through 14-275a-20 of the Regulations of Connecticut State Agencies.
(Effective January 26, 1990)

Sec. 14-275a-12. Definition

(a) A ``type 2 school bus'' also known as a ``type II school bus,'' means any school bus conforming to the definition of ``school bus'' as found in Section 14-275 of the General Statutes that has a complete gross vehicle weight rating (GVWR) of ten thousand (10,000) pounds or less.
(b) SAE - Society of Automotive Engineers
(c) FMVSS - Federal Motor Vehicle Safety Standard
(d) FMCSR - Federal Motor Carrier Safety Regulations
(Effective January 26, 1990)

Sec. 14-275a-13. Identification and color
(a) School bus bodies shall bear the words ``School Bus,'' in black letters at least eight (8) inches high and conform to ``Series B'' of the standard alphabet for highway signs. Such words shall be placed as high as practicable on the national school bus yellow background on both the front and rear of the body.
(b) The external surfaces of the school bus body shall be painted National School Bus Glossy Yellow, also known as National School Bus Chrome, in accordance with the colorimetric specification of Federal Standard Number 595a, color 13432, except:
(1) The areas around the flashing warning lights, as provided in Section 14-275a-7, required and permitted marking and lettering, and trim shall be glossy black in accordance with the colorimetric specification of Federal Standard 595a, color 17038.
(2) The top surface of the hood shall be painted lusterless black in accordance with the colorimetric specification of Federal Standard 595a, color 37038.
(Effective December 1, 1993)

Sec. 14-275a-14. Dimensions

The outside body width of the bus shall not exceed one hundred two (102) inches. The outside overall length of the bus shall not exceed two hundred-seventy (270) inches. The inside standing height measured on the longitudinal center line of the bus adjacent to any seat rows or seat positions, except under any air conditioning unit meeting the requirements of Section 14-275a-15 shall be no less than sixty (60) inches, measured from the walking surface to the ceiling liner of the roof structure.
(Effective January 26, 1990)

Sec. 14-275a-15. Construction

(a) **Bus body strength.**

(1) Weight distribution of the fully loaded bus on a level surface shall be such that not more than seventy-five percent of the gross vehicle weight is on the rear tires, and not more than thirty-five percent is on the front tires at any time.

(2) There shall be at least one rub rail located approximately at seat level, but not above the height of the midpoint of the seat back on each side of the bus. Each such rub rail shall be continuous with the exception of doorways and at one fuel filler pipe provided the floor level rub rail is continuous below the fuel filler pipe. Each such rub rail shall pass over all areas where there is internal adjacent seating. There shall be one rub rail located approximately at the floor line of the bus which shall extend over the same longitudinal distance as the upper rub rail, except it may be discontinuous at one fuel filler pipe, wheel housings and door entrances. All rub rails shall be constructed of 0.056 inch minimum thickness (approximately 16 gauge) longitudinally corrugated or ribbed steel, or suitable material of equivalent strength and shall be a minimum of four (4) inches wide. The rub rails shall be continuously formed having no joints in their installed length.

(3) The stanchion may be installed from floor to roof for the transportation of the physically handicapped. A padded restraining barrier the same height as the seat backs shall be provided between the driver's seat and the left front seat. The restraining barrier shall be placed so as not to interfere with the fore-and-aft adjustment of the driver's seat and shall extend the width of the left front seat back. The bottom of the restraining barrier shall be no more than fourteen (14) inches above the floor. The driver's seat, when adjusted to the rearmost position, shall provide two (2) inches of clearance between the rear of the driver's seat and the restraining barrier unless sufficient padding is provided to prevent injury to a passenger when the driver's seat is in its rearmost position. A vertical stanchion may be installed for transportation of the physically handicapped at the rear of the entrance stepwell from floor to roof and located so as not to restrict the entrance passageway to less than twenty-two (22.0) inches nor the aisle to less than twelve (12.0) inches.

A padded restraining barrier with kick panel shall be installed extending the width of the right front seat back to the right wall to prevent passengers in the front seat from being thrown into the stepwell. The restraining barrier shall be the same height as the seat backs above the floor and it or it's kick panel shall not restrict the entrance passageway to less than twenty-two (22.0) inches measured eighteen (18) inches above the floor. The kick panel shall extend from the barrier to within two (2) inches of the floor. The kick panel shall be positioned or flanged to avoid having its lower edge extended over the stepwell, and may be fastened to the floor. All stanchions and guard rails shall be constructed of stainless steel and shall have a minimum outside diameter of one inch and a minimum tubing wall thickness of three-sixty-fourths (3/64) inch and shall be covered with adequate padding.

(b) **Seating.**

(1) All seating shall comply with the current requirements of FMVSS-222 and all seats shall have a minimum fore-and-aft depth of fourteen inches. Seat cushions shall be securely fastened to the seat structure.

(2) The longitudinal aisle width shall be no less than twelve (12.0) inches at any location between the floor and ceiling and shall be straight and unobstructed.

(3) The forwardmost seat on the right side of the bus shall be located so as not to interfere with the driver's vision and be not farther forward than the rear of the operator's seat when it is adjusted to its rearmost position.

(4) The driver's seat shall be standard seating available from the original chassis manufacturer otherwise the minimum distance between the steering wheel and the backrest of the unoccupied driver's seat shall be eleven (11) inches. If not as supplied by the original chassis manufacturer the operator's seat shall be rigidly positioned, and have vertical and fore-and-aft adjustment of not less than four (4) inches. Such adjustment must be

accomplished without the use of tools or other separate or non built-in devices.

(5) The backs of seats of similar size, excluding the driver's seat, shall be of the same width at the top and of the same height from the floor and shall slant at the same angle with the floor.

(6) Seat padding and covering shall be of a fire resistant material which shall not flash or explode upon contact with spark or fire. Certification of compliance with FMVSS-302 will meet the criteria of this paragraph.

(7) The driver's seat shall be equipped with a seat belt so installed as to be readily available for use at all times.

(8) The provisions of this subsection shall not apply to any special seating arrangements for handicapped pupils which may be provided in a school bus accommodating both handicapped and non-handicapped pupils when such seating arrangement whether temporary or permanent has been approved by the commissioner of motor vehicles.

(c) **Insulation and interior paneling**. The bus body shall be thermally insulated between the inner and outer panels with a fire resistant material conforming to FMVSS-302. The interior of the bus, including the ceiling, shall be free of all unnecessary projections likely to cause injury, and an inner lining material shall be provided on ceiling and walls. The rear edge of the interior lining panels, excluding padding material, shall be lapped and covered by the front edge of the next rearward panel. Any exposed edges shall be beaded, hemmed or flanged. The configuration of any air conditioner unit mounted on the roof shall be installed so as to minimize the potential for injuries during a roll-over accident and shall not reduce the clear passageway to the rear emergency exit. No luggage racks may be installed within the bus interior. Any portion of an air conditioner unit encroaching on the sixty (60) inch floor to ceiling space shall be equipped with a high impact plastic cover with rounded corners.

(d) **Frame.**

(1) Buses equipped with a chassis frame shall have such frame extend at least to the rear edge of the rear body cross member. Any alterations to the frame may be made only when designed and guaranteed by the original chassis or body manufacturer.

(2) The chassis frame, for body on chassis type buses, shall extend to the rear edge of the rear body cross member. The body shall be attached to the chassis frame in such a manner as to minimize shifting or separation of the body from the chassis during a collision. Alteration in the length of the frame may be made only behind the rear hangers of the rear springs or in front of the front spring hanger of the front springs, and shall not be for the purpose of extending the wheel base. Any alterations to the frame may be made only when designed and guaranteed by the original chassis or body manufacturer.

(3) The body front shall be attached and sealed to the chassis cowl in such a manner as to prevent the entry of water, dust or fumes through the joint between the chassis cowl and the body.

(4) For body on chassis type buses, insulating material shall be placed at all contact points between the body and chassis frame, and shall be so attached to the chassis frame or body member that it will remain in position under any operating condition.

(e) **Floor covering.**

(1) The floor in the driver's compartment, and the toeboard areas including the tops of the wheel housings, shall be covered with a non-skid fire-resistant material, in compliance with FMVSS-302.

(2) The floor covering in the aisle and the entrance area shall be of a non-skid, wear resistant and fire-resistant material, in compliance with FMVSS-302.

(3) The floor covering shall be crack-resistant and shall be securely bonded to the floor with a waterproof adhesive. All seams shall be sealed with a waterproof sealer.

(f) **Body mounting.** The bus body, if equipped with a front structure or engine compartment, shall have such structure or compartment attached and sealed to the chassis cowl in such a manner as to prevent the entry of water, dust or fumes through the joint between the chassis cowl and the body. The entire floor area of the bus including wheelwells and stepwells, shall be constructed in a manner that prevents water, dust or fumes from entering the occupant compartment at any location throughout the floor and underbody area.

(g) **Bumpers.**

(1) Front and rear bumpers shall meet the requirements of standard SAE J689.

(2) Bumper, front. The front bumper shall be either a minimum of .110 inch plus or minus .008 inch thickness, pressed steel channel or equivalent strength material and shall have not less than a 6 inch face, painted black, or of the energy absorbing type utilizing self-restoring, integral black urethane capable of repeated protection with no damage to the bumper and bus during both a 5 MPH fixed barrier impact at full curb weight and both a 5.5 MPH 30˚ corner impact and 6.5 MPH center impact tested in accordance with SAE J980a and shall extend to protect the outer edges of the fenders. It shall be of sufficient strength to permit pushing another vehicle of equal gross weight without permanent distortion. The bumper shall be located at a height of not more than twenty (20) inches when measured from the bottom edge of the bumper to the level surface upon which the unloaded bus stands.

(3) Bumper, rear. The rear bumper shall be either a minimum of one-eighth (0.125 plus or minus .005) inch thickness, pressed steel channel or equivalent strength material and shall have not less than a six (6) inch face, painted black and shall wrap around the rear corners of the body to a point three (3) inches forward from the rearmost point of the body at floor line or of the energy absorbing type utilizing self-restoring, integral black urethane capable of repeated protection with no damage to the bumper and bus during both a 2 MPH fixed barrier impact at full curb weight and both a 4 MPH 30˚ corner impact and a 5 MPH center impact tested in accordance with SAE J980a. It shall be attached directly to the chassis frame with provision for easy removal, the prevention of hitching to or riding thereon, and shall be of sufficient strength to permit the bus to be pushed by another vehicle without permanent distortion and shall extend rearward sufficiently to protect all lamps. The rear bumper shall extend beyond rearmost part of body surface at least one inch, measured at floor line.

(4) Notwithstanding any other provisions of this section or section 14-275a-3 of the regulations of Connecticut state agencies to the contrary, up to three (3) alphanumeric characters, no more than six (6) inches in height, may appear on one side of the front and/or rear bumper(s) within a horizontal span of no more than eighteen (18) inches along the bumper. Such characters shall be colored national school bus chrome.

(h) **Service entrance.** The service entrance shall be located on the right side near the front in a location which shall provide the seated driver an unobstructed view of the door. The entrance shall have a minimum horizontal width not less than twenty-four (24) inches and a minimum vertical opening of fifty (50) inches. The service door may be of the sedan, swingslide, accordion, or split type and shall be manually or power operated by the seated driver through a mechanism designed to prevent accidental opening. No parts of a door operating lever shall come together in a manner that could shear or crush fingers. Both sections of a split type door shall open outward. Vertical closing edges shall be equipped with padding to prevent injury. In other than sedan type doors, there shall be a lower glass panel the bottom of which shall be not more than thirty-five (35) inches from the ground when the bus is unloaded. The top of the upper glass panel if so equipped shall be not more than six (6) inches from the top of the door. A grab handle of stainless steel or equivalent strength and corrosion resistant material not less than ten (10) inches in length shall be properly secured in an unobstructed location inside the doorway. All power operated doors shall be equipped for modulated control

and for manual operation in case of power failure, and shall be labeled on the inside in letters at least one-half (½) type door is used, it shall be reinforced to support the door control operating mechanism. A head bumper pad and adequate service entrance lighting shall be provided.

(i) **Emergency exit requirements.**

(1) Emergency exits shall conform to FMVSS-217 and there shall be a head bumper pad installed on the inside at the top of the emergency door exit. This pad shall extend across the entire opening of the exit and shall be designed to protect the heads of passengers using such exit.

(2) The passage to the emergency door shall be kept clear of obstructions.

(3) The upper portion of the center rear emergency door shall be equipped with safety glazing meeting the requirements of the American National Standards Institute Standard Z-26.1. The exposed area of such glass shall not be less than four hundred (400) square inches. Any left side emergency door shall be equipped with safety glazing meeting the same requirements in its upper portion. The lower portion of rear and side emergency doors shall be of at least the same gauge metal as the body.

(4) The emergency door shall be equipped with a fastening device which may be quickly released but so designed as to offer protection against accidental release. Split type or biparting emergency exit doors shall be modified as necessary to prevent jamming when both doors are pushed at the same time after releasing the primary latch. Provision for opening from the outside shall consist of a vertical nondetachable device of such design as to prevent ``hitching'' but permit opening when necessary. Any handle requiring special tools, other than a screwdriver, for attachment will be considered non-detachable.

(5) The engine starting system shall not operate if any emergency exit is locked from either inside or outside the bus. The term locked does not include normal door latching for which instructions are provided in accordance with FMVSS-217.

(j) **Windows.**

(1) All window glazing shall be in compliance with FMVSS-205 and shall be installed such that the identification mark is legible. The windshield glazing shall comply with American National Standards Institute Standard Z-26.1. specification for AS-1 safety glazing.

(2) No bars or grille shall cover any window. All side windows other than door glass shall be of the standard split-sash type opening from the top. No more than two (2) of the split-sash side windows may be fixed in the closed position if located above an exhaust pipe which terminates at the side. The opening shall be no greater than five inches measured from the underside of the upper horizontal window frame to the top of the sash in its fully opened position. The window to the immediate left of the driver may be fully opened. If push-out windows are used they must comply with FMVSS-217.

(3) Emergency windows shall conform to the requirements of FMVSS-217. Any rear emergency window shall be designed so as to be opened from both the inside and the outside. It shall be hinged at the top and assure against accidental closing in an emergency. A positive latch on the inside shall provide for quick release but offer protection against accidental release. The outside handle shall be non-detachable and designed to minimize ``hitching.'' Each bus equipped with a rear emergency window shall have a rear divan seat back the top of which shall not be higher than seven inches above the lower edge of the emergency window. If the distance from the top of the back of such divan seat to the rear of the bus is greater than two (2) inches such space shall be covered by a shelf installed parallel to the floor capable of supporting a weight of six hundred (600) pounds over any four square inch area of shelf. The seat back shall not obstruct the clear opening of the emergency window.

(k) **Tires, axles and suspension.**

(1) Each school bus shall be equipped with tires of good quality, proper size and ply rating commensurate with the chassis manufacturer's gross vehicle weight rating. No recapped or retreaded tire shall be used, except that recapped, regrooved or retreaded tires may be used on the rear wheels of school buses with dual rear wheels.

(2) The axles and suspension system shall be so maintained to prevent any failure of a spring system.

(3) Shock absorbers shall be utilized at all wheel locations and shall be properly maintained to perform their intended function.

(l) Drive shaft protion. Each segment of the drive shaft shall be equipped with a suitable guard to prevent accident or injury in the event of universal joint failure or disconnection for any other reason.

(Effective December 1, 1993)

Sec. 14-275a-16. Body structure

The bus body shall conform to FMVSS-220 and FMVSS-221, except that for buses manufactured in two or more stages the portion of the bus body supplied by the manufacturer of the chassis need not comply with FMVSS-221.
(Effective January 26, 1990)

Sec. 14-275a-17. Lamps and signals

(a) The installation of all exterior lamps and signals shall be in conformance with the requirements of FMVSS Number 108 in effect at the time of vehicle manufacture.

(b) **Stop lamps.** Two red, seven (7) inch diameter or equivalent area stop lamps shall be mounted on the rear as high as practical but below the window line with centers as far apart laterally as practical, but no less than three (3) feet. Their light emission shall be of an intensity at least equal to that of class A turn signal lamps established by SAE Standard J1398 May 85. These lamps shall be actuated upon the initial application of the service brake pedal.

(c) **Flashing warning lamps.**

(1) Each school bus shall be equipped with flashing signal lamps in compliance with FMVSS Number 108, in effect at the time of vehicle manufacture.

(2) Each Type II school bus registered in this state shall be equipped with an eight light warning system consisting of four (4) red warning lights and four (4) amber warning lights and shall be installed in conformance with the requirements of FMVSS-108 in effect at the time of manufacture.

(A) Right and left warning lights shall flash alternately at a rate between sixty (60) to one hundred and twenty (120) cycles per minute.

(B) Hoods shall be provided for each light of the eight light warning system or a hood for each set of lights, and shall have a minimum thickness of twenty (20) gauge steel or other comparable material, and shall be securely fastened to the light housing. The area around the lens of the eight light warning system and extending outward approximately 3 inches and the hoods shall be painted black. In installations where there are no flat vertical portions of the body immediately surrounding the entire lens of the lamps, a circular or square band of black approximately 3 inches wide, wherever sufficient room allows, but in no case less than 0.50 inches, immediately below and to both sides of the lens, shall be painted on the body or the roof area against which the signal lamps are seen.

(C) The eight light warning system shall be equipped with a visual indication that each warning lamp is functioning properly or improperly. The visual indication shall allow the driver to determine specifically which individual lamp or lamps are not functioning properly without leaving the driver's seat.

(D) The eight light warning system shall operate as follows:

(i) With a master switch on, entrance door closed, depress foot or hand switch. Operational indicator light and amber signals shall go on.

(ii) Open entrance door. Operational indicator light and amber signal lamps shall go off, and operational indicator light and red signal lamps shall go on. Stop arm, if air, vacuum or electrically powered, shall automatically extend.

(iii) Close entrance door. Operational indicator light and signal lamps shall go off, and stop arm, if air, vacuum or electrically powered, shall automatically retract.

(iv) Open entrance door without depressing foot or hand switch for amber light activation. Operational indicator light and red signal lamps shall go on. Stop arm, if air, vacuum, or electrically powered, shall automatically extend.

(v) With master switch off, depressing hand or foot switch will not actuate the amber signal system, nor will opening entrance door actuate the red signal system and stop arm.

(d) **Turn signals.** Class A turn signal lamps shall be provided and shall comply with FMVSS-108. These signals shall be independent units and be equipped with a four-way hazard warning signal switch available to the driver which will cause simultaneous flashing of all turn signal lamps when needed as a vehicle traffic hazard warning. Flush mounted ``armored'' type amber clearance lamps with a minimum of four (4) candlepower each, shall be mounted on the sides of the body at approximately seat level, rub rail height just to the rear of the service door on the right side and to the rear of the driver's seat on the left side. These lamps are to be connected to function independently of the clearance lamps and in conjunction with the respective right or left turn signal lamps.

(e) **Interior** lamps. Interior lamps shall be provided which adequately illuminate the entire aisle, emergency passageway and entrance stepwell or passage area.

(f) **Reflectors.** External reflectors shall be provided which conform to the require ments of FMVSS-108. Each reflector shall be mounted at a height not less than fifteen (15) inches and not higher than sixty (60) inches above the surface on which the unloaded bus stands.

(g) **Semaphore stop signals.** Each type 2 school bus shall be equipped with a stop semaphore which shall be octagonal in shape, shall have red background, and shall carry the word ``stop'' in white letters at least one-third the height of the sign, and shall be equipped with two flashing red lights, one located near the top and one located near the bottom of such sign. The stop semaphore, when in the full opened position, shall not extend more than twenty-two (22) inches from the side of the school bus and shall have a full override in the rearward direction and partial override in the forward direction. The stop semaphore shall activate simultaneously with the red warning lights, shall conform to SAE J1133 Apr84 and shall be mounted at a height of no less than twenty-four (24) inches nor more than forty-eight (48) inches above a level surface measured to the bottom of the octagonal shape.

(Effective January 26, 1990)

Sec. 14-275a-18. Equipment

(a) **Mirrors.**

(1) All mirrors shall be in conformance with the current requirements of FMVSS-111. An interior mirror constructed of safety glass of a size at least five (5) inches high by fifteen (15) inches wide, shall be installed to afford a clear view of pupils and a view of the roadway to the rear. The mirror shall be metal backed and framed; it shall have rounded corners and protected edges which shall be padded to reduce danger of injury upon impact.

(2) Each school bus shall be equipped with one outside mirror on the right side and one outside mirror on the left side of the bus, forward of the operator's seat. The reflecting surfaces of these mirrors shall not be obscured by the corner pillars. These mirrors shall be rectangular in shape and

shall have a minimum horizontal dimension of five (5) inches and a minimum vertical dimension of ten (10) inches. The outside mirror mounts shall include a side angle adjustable convex mirror with a minimum diameter of five inches (5Þin) to provide an additional close-in field of vision located so as to not reduce the visual field of the flat surfaced mirror below fifty (50) square inches.

(3) A mirror assembly approved by the commissioner which may comprise more than one mirror shall be fixedly secured at the left and right corners of the bus, and the mirror assembly shall be adjustable so that any seated driver using seat belts or other restraints as required by law is able to observe the following areas by looking at the mirror assembly:

(A) The road or ground from the front bumper of the bus to a point forward of the front bumper of the bus where the seated driver can observe the road directly without the use of any mirror; and

(B) The road or ground along the left side of the bus from the front bumper of the bus rearwardly to a point rearward of the driver's seat, and along the right side of the bus from the front bumper to a point rearward of the service door, whereby the view provided to the seated driver by the mirror assembly on both the left and right corners shall overlap the view provided to the seated driver by the left and right side outside mirrors, whether rectangular or convex.

(b) **Heaters.**

(1) Bus heaters shall be of the hot-water type.

(2) The bus heater shall have the ability to maintain an inside temperature of not less than fifty (50) degrees Fahrenheit when the outside temperature is minus ten (-10) degrees Fahrenheit in still air.

(3) Heater hoses shall be adequately supported to guard against excessive wear due to vibration. The hoses shall not dangle or rub against the chassis or sharp edges, and shall not interfere or restrict the operation of any engine function. Heater hoses shall conform to SAE Standard J20, in effect at the time of vehicle manufacture. Heater hoses inside the passenger compartment shall be guarded to prevent accidental contact by driver or passengers. Each heater installation made by the body manufacturer shall include a shut off valve in the engine compartment on each heater hose. The valve shall be securely mounted in the engine compartment and any hose between the chassis manufacturer's connections and the shut off valves shall meet the requirements of SAE 20R1, SAE 20R2, or SAE 20R3HT type hose and be marked accordingly, or carry an approved label in the engine compartment indicating the hose rating.

(c) **Ventilation.** The body shall be equipped with a suitable, controlled ventilating system of sufficient capacity to maintain a proper quantity of air under any operating conditions without the opening of windows except in extremely warm weather. If static type exhaust roof ventilators are used, they shall be nonclosable and be installed such that the forward motion of the bus results in air being drawn out of the bus body.

(d) **Brakes.**

(1) All braking systems shall conform to either FMVSS-105 if hydraulic, or FMVSS-121 if air.

(2) Buses using vacuum in the operation of the brake systems shall be equipped with a warning signal readily audible and visible to the driver which shall give a continuous warning upon loss of vacuum in a firewall mounted reservoir, and on the other type reservoirs when the vacuum in the system available for braking is eight inches of mercury or less, and buses without a firewall mounted reservoir shall have an illuminated gauge which shall indicate to the driver the inches of mercury available for the operation of the brakes.

(3) Buses using a hydraulic-assist brake system shall be equipped with warning signals, readily audible and visible to the driver, that shall provide continuous warning in the event of a loss of fluid flow from primary source or loss of electric source powering the back-up system. Buses using any newly developed brake assist system shall have warning devices approved by the commissioner.

(4) Brake lines and hoses and hydraulic-assist lines shall conform to FMVSS-106 and shall be protected from excessive heat and vibration and be so installed as to prevent chafing.

(5) Brake fluid installed in school bus hydraulic brake systems shall conform to the requirements of FMVSS-116, in effect at the time of vehicle manufacture.

(6) Each brake drum or rotor shall be permanently and plainly marked to clearly indicate in legible cast or stamped legend the maximum safe diameter of the drum or minimum safe thickness of a rotor beyond which these brake components must not be worn or machined. Brake drums or rotors which exceed these limits shall be discarded.

(e) **Exhaust system**. The exhaust system and muffler including the engine exhaust manifold, gaskets, and piping leading from the flange of the exhaust manifold shall be pressure-tight, free from leaks and shall be insulated from the electrical wiring or any combustible part of the bus and shall not pass within eight (8) inches of the fuel tank or its filler connections unless a heat shield is placed between the exhaust system and the fuel tank, except that a diesel engined vehicle's exhaust system may come within four (4.0) inches of the fuel tank or its connections before a heat shield shall be required. No part of the exhaust system shall pass within twelve (12) inches of any flexible brake line or hose. The size of the pipes in the exhaust system shall not be reduced below that provided by the engine manufacturer at the engine manifold. No part of the exhaust system shall extend into the body of the bus. All exhaust and tail pipes shall be of continuously formed sixteen gauge steel. The exhaust system shall terminate at the left side or rear of the bus, but not more than
one inch beyond the side or rear bumper, and such termination shall be to the rear of the rearmost tire and rearward of the rearmost openable window.

(f) **Fuel tank**

(1) The fuel tank shall have a minimum capacity of twenty-two (22) gallons and shall be mounted either on the right or left side or between the frame rails. If side mounted, it shall be along the outside of the chassis frame immediately forward of the rear wheels. If mounted between the rails, it shall be located in the rear immediately to the rear of the axle except that it may be located in the center of the wheel base provided the original chassis manufacturer has specified that the chassis is to be completed as a school bus and if equipped with an additional drive shaft guard meeting the requirements of Sec. 14-275a-15 (l) so that each end of each segment is protected. In either location, it shall be filled and vented entirely outside the bus body. The fuel tank fill opening and any of its drain holes shall be such that accidental fuel spillage shall not drip or drain onto any part of the exhaust system. If the fuel tank filler opening is located above the exhaust termination point, adequate shielding of the area above the exhaust pipe shall be provided to prevent direct contact of fuel emanating from the filler opening.

(2) The fuel tank shall conform to FMVSS No. 301, fuel system integrity.

(3) The fuel tank fittings or lines shall not extend above the top of the chassis or frame rail, except that the fuel filler pipe on a fuel tank mounted between the frame rails may extend above the frame rail when located between two crossmembers. Fuel lines shall be mounted to obtain maximum possible protection from rubbing against the chassis frame or body structure.

(4) When side-mounted, the fuel tank shall be protected by a three-inch wide, twelve-gauge minimum thickness steel bank located horizontally around the median height of the tank at a distance of at least three (3) inches from the tank in all areas where the tank is not protected by the vehicle frame. The steel band shall be of ribbed configuration for increased strength.

(g) **Horn**. Two horns shall be provided which conform to SAE J377 FEB87 in effect at the time of vehicle manufacture. The horn shall be conveniently controlled from the driver's seated position. Each bus shall be equipped with a Type B reverse direction alarm in compliance with SAE J994 MAR85.

(h) **Ignition lock.** A lock, key or other device to prevent the vehicle's engine from being started by unauthorized persons, or otherwise contrary to the will of the owner or person in charge thereof shall be provided.

(i) **Instruments.** The bus shall be equipped with the following non-glare illuminated instruments and gauges as a minimum, mounted for easy maintenance and repair and in such a position that each is clearly visible to the seated driver:

(1) Speedometer with odometer
(2) Fuel gauge
(3) Oil pressure gauge or low pressure warning light
(4) Water temperature gauge or warning light
(5) Ammeter or voltmeter
(6) Upper beam headlamp indicator
(7) Brake warning light where hydraulic assist brakes are used
(8) Air pressure or vacuum gauge where air or vacuum brakes with separate reservoir are used.

(j) **Windshield wipers.** Two variable speed windshield wipers with non-glare arms and blades shall clean the maximum possible area of the windshield. A windshield washer which will effectively clean the entire area covered by both windshield wipers shall be provided. Windshield wiper equipment shall meet the FMVSS-104, in effect at the time of vehicle manufacture.

(k) **Skid chains.** A full set of metal non-skid devices shall be installed on at least one rear tire on each side of all school buses except as otherwise provided by CGS Section 14-275 (c) whenever weather or highway conditions require such to be used.

(l) **Fire extinguisher.** The bus shall be equipped with at least one pressurized, dry chemical-type fire extinguisher, mounted in the extinguisher manufacturer's bracket of automotive type and located in the driver's compartment in full view of and readily accessible to the driver. A pressure gauge shall be so mounted on the extinguisher as to be easily read without removing the extinguisher from its mounted position. The fire extinguisher shall be of a type approved by the Underwriters' Laboratories, Inc. with a rating of not less than 10-B.C. The operating mechanism shall be sealed with a type of seal that will not interfere with use of the fire extinguisher.

(m) **First aid kit.** The bus shall carry a first aid kit, readily removable without the use of tools and readily identifiable, mounted in full view and in an accessible place in the driver's compartment, the contents of which shall include but not be limited to the following:

(1) Four-inch bandage compress - one package
(2) Two-inch bandage compress - one package
(3) One-inch adhesive bandage - two packages
(4) Forty-inch triangular bandage with two (2) safety pins - one package

(n) **Warning devices for disabled vehicles.** At least three warning devices which comply with FMVSS-125 shall be provided for use in warning traffic in the event of a prolonged stop on the highway.

(Effective December 1, 1993)

Sec. 14-275a-19. Electrical system

(a) **Battery carrier.** The battery or batteries shall be securely mounted within the engine compartment or within an enclosed container outside of the engine compartment. Such enclosed container shall be vented to the outside of the vehicle and completely sealed from the occupant compartment of the vehicle. The battery compartment door shall open to the outside of the vehicle and be secured by an adequate and conveniently operated latch or other type fastener. Electrical cables leading to the battery or batteries shall not be spliced in any manner to extend their length, however, splices utilized by the chassis manufacturer to provide an alternate current path will be allowed.

(b**) Electrical wiring.**

(1) All wiring shall conform to the Society of Automotive Engineers Standard

SAE J1292 in effect at the time of vehicle manufacture.

(2) Electrical wiring shall be arranged in regular circuits as follows:

(A) Head lamps

(B) Clearance lamps, stepwell, stop and instrument panel lamps and dome lamps

(C) Ignition and emergency door signal

(D) Turn signal lamp and alternating flashing signal lamps

(E) Turn signal lamps

(F) Heater and defroster

(G) Any of the above combination circuits may be subdivided into independent circuits. All other electrical functions including electric type windshield wipers shall be provided with independent and properly protected circuits. A separate fuse or circuit breaker shall be provided for each circuit except the starter motor and ignition circuits.

(3) All wires within the body shall be insulated and protected by covering of fibrous loom (or equivalent) which will protect them from external damage and minimize danger from short circuits. Whenever wires pass through body or chassis members, additional protection in the form of a grommet or other appropriate type insert shall be provided.

(4) Wires not enclosed within the body shall be fastened securely at intervals of not more than eighteen (18) inches. All electrical wire joints shall be soldered or joined by equally effective connectors.

(Effective January 26, 1990)

Sec. 14-275a-20. Interpretation

(a) Any reference in Sections 14-275a-11 through 14-275a-19 of the Regulations of Connecticut State Agencies to any Federal Motor Vehicle Safety Standard, SAE Standard, American Society for Testing Material Procedure, Code of Federal Regulations or other nationally accepted standard, procedure, recommended practice or regulation shall be deemed to include any revision to such standard, procedure, recommended practice or regulation as may be subsequently adopted.

(b) Any dimensions specified in Sections 14-275a-13 through 14-275a-19 shall comply within the following limits:

(1) Measurements specified in whole numbers with no decimal point specified, shall be rounded either up or down to the next whole number in accordance with standard engineering practice.

(2) Measurements specified as decimals or whole numbers with a decimal shall be rounded to the least significant digit specified.

(3) Tolerances specifically noted in the references mentioned in Section 14-275a-20 (a) shall prevail.

(Effective January 26, 1990)

Minimum Requirements for Type I School Bus Construction and Equipment (On or after April 1, 1977, and before October 1, 1988)

Sec. 14-275b-1. Scope

This regulation specifies minimum standards for the construction and equipment of type 1 school buses manufactured on or after April 1, 1977 and before October 1, 1988.
(Effective October 1, 1988)

Sec. 14-275b-2. Definitions

(a) A ``type I'' school bus means any school bus conforming to the definition of a school bus as found in section 14-275 of the General Statutes and has a gross vehicle weight (GVW) which exceeds ten thousand (10,000) pounds.
(b) SAE-Society of Automotive Engineers.
(c) Body on Chassis Type-This refers to the mounting of a body on a truck or bus chassis.
(d) Integral Type Bus-A bus manufactured as an integral unit and not constructed of a separate body and chassis.
(e) FMVSS-Federal Motor Vehicle Safety Standard
(Effective July 1, 1977)

Sec. 14-275b-3. Dimensions

Outside body width not to exceed 96 inches. Outside overall length-maximum 40 feet. Inside height-minimum 72 inches, aisle floor surface to ceiling.
(Effective July 1, 1977)

Sec. 14-275b-4. Air cleaners

The bus shall be equipped with an adequate oil bath, dry element, or equivalent type air cleaner mounted outside the passenger compartment. The air cleaner shall be in accordance with the SAE Air Cleaner Test Code J726b.
(Effective July 1, 1977)

Sec. 14-275b-5. Axles

(a) The front axle or other type of suspension assembly shall be of sufficient capacity at ground to support that portion of the load as would be imposed by the manufacturer's maximum gross vehicle weight rating.
(b) The rear suspension assembly shall have a gross weight rating at ground equal to that portion of the load as would be imposed by the manufacturer's maximum gross vehicle weight rating.
(c) The axles and suspension system of type I buses shall be so designed that any failure of a spring system will not dislocate the axle in a manner to cause ``dog tracking'' or other abnormal steering characteristics of the unsprung axle.
(Effective July 1, 1977)

Sec. 14-275b-6. Battery

The storage battery shall be of sufficient capacity to supply all electrical requirements, and shall be of rating not less than 90 ampere hours, at 12 volts, measured at a 20-hour rate.
(Effective July 1, 1977)

Sec. 14-275b-7. Battery carrier

When the battery is mounted outside of the engine compartment by the chassis manufacturer, the body manufacturer shall securely attach battery in a closed, drained, weathertight and vented compartment in the body skirt, which shall contain the battery during upset or roll-over of the vehicle. The battery shall be accessible from the outside for convenient servicing. The battery compartment door or cover shall be secured by an adequate and conveniently operated latch or other type fastener. The cables to the battery shall not be spliced.

(Effective July 1, 1977)

Sec. 14-275b-8. Body structure

(a) Construction shall be of fire resistant material and all materials used inside the occupant compartment shall comply with the applicable provisions of FMVSS-302.

(b) Construction shall provide a reasonably dustproof, weathertight and fume proof unit. Openings between the chassis and passenger compartment shall be sealed to prevent fumes or exhaust gas from entering the bus body.

(c) Body strength: The bus body shall conform to FMVSS-220 and FMVSS-221.

(Effective July 1, 1977)

Sec. 14-275b-9. Brakes

(a) All braking systems shall conform to either FMVSS-105 if hydraulic, or FMVSS-121 if air.

(b) Brake lines and hoses shall conform to FMVSS-106 and shall be protected from excessive heat and vibration and be so installed as to prevent chafing.

(c) Brake linings shall be maintained in such sufficiency as to prevent metal to metal contact between brake drum and brake shoe.

(d) Brake fluid installed in school bus hydraulic systems shall conform to FMVSS-116.

(e) Each brake drum or rotor shall be permanently and plainly marked to clearly indicate in legible cast or stamped legend the maximum safe diameter of the drum or minimum safe thickness of the rotor beyond which it must not be worn or machined, but must be discarded.

(f) Buses using vacuum in the operation of the brake systems shall be equipped with a warning signal readily audible and visible to the driver which will give a continuous warning when the vacuum in the system available for braking is eight inches of mercury or less and an illuminated guage which will indicate to the driver the inches of mercury available for the operation of the brakes.

(Effective July 1, 1977)

Sec. 14-275b-10. Bumper, front

The front bumper shall be a minimum of 3/16 inch thickness, pressed steel channel and shall have not less than a 8 inch face, painted black, except as provided in section 14-275b-13 (b), and shall extend to protect the outer edges of the fenders. It shall be of sufficient strength to permit pushing another vehicle of equal gross weight without distortion. The front bumper shall be located at a height of not more than twenty two (22) inches when measured from the bottom edge of the bumper to the level surface upon which the unloaded bus stands.

(Effective December 1, 1993)

Sec. 14-275b-11. Bumper, rear

The rear bumper shall be a minimum of 3/16 inch thickness, pressed steel channel and shall have not less than a 8 inch face and shall wrap around the rear corners of the body to a point 12 inches forward from the rearmost point of the body at floor line. It shall be attached directly to the chassis frame with provisions for easy removal, the prevention of hitching to or riding thereon, the development of full strength against side or rear impact, and shall be of sufficient strength to permit the bus being pushed by another vehicle without permanent distortion and shall extend rearward sufficiently to protect all lamps. The rear bumper shall extend beyond rearmost part of body surface at least one inch, measured at floor line.
(Effective July 1, 1977)

Sec. 14-275b-12. Ceiling

The ceiling shall be thermally insulated with a fire-resistant material listed by the Underwriters' Laboratories, Inc. which shall reduce the noise level and vibrations. There shall be no projections which might cause injury. The inside body height measured from floor to ceiling at any point on the longitudinal center line between the front and rear vertical bows shall be at least 72 inches.
(Effective July 1, 1977)

Sec. 14-275b-13. Color

(a) Buses shall be painted National School Bus Glossy Yellow, in accordance with the colorimetric specification of Federal Standard No. 595a, Color 13432, except that the hood shall be either that color or lusterless black, matching Federal Standard No. 595a, Color 37038.

(b) Bumpers shall be glossy black, matching Federal Standard No. 595a, Color 17038; unless, for increased night visibility, they are covered with a reflective material. Up to three (3) alphanumeric characters no more than six (6) inches in height may appear on one side of the front and/or rear bumper(s) within a horizontal span of no more than eighteen (18) inches along the bumper. Such characters shall be colored national school bus chrome.
(Effective December 1, 1993)

Sec. 14-275b-14. Defrosters

Defrosting equipment shall keep the windshield and the window to the left of the driver clear of fog, frost, and snow, using heat from heater or heaters conforming to section 14-275b-26 and circulation from fans. Defroster ducts shall be designed to prevent the placing of objects which might obstruct the flow of air. All defrosting equipment shall meet FMVSS-103. Portable heaters may not be used.
(Effective July 1, 1977)

Sec. 14-275b-15. Drive shaft

Each segment of the drive shaft shall be equipped with a suitable guard to prevent accident or injury in the event of its fracture or disconnection.
(Effective July 1, 1977)

Sec. 14-275b-16. Emergency exit requirements

(a) Emergency exits shall conform to FMVSS-217 and there shall be a head bumper pad installed on the inside at the top of the emergency door exit. This pad shall extend across the entire opening of the exit and shall be designed to protect the heads of passengers using such exit.

(b) The passage to the emergency door shall be kept clear of obstructions.

(c) The upper and lower portion of the central rear emergency door shall be equipped with approved safety glass, the exposed area of which shall be not less than four hundred (400) square inches in the upper portion and not less than three hundred (300) square inches in the lower portion. The left side emergency door shall be equipped with safety glass in the upper portion and the lower portion shall be of at least the same guage metal as the body outer panels.

(d) The emergency door shall be equipped with a latch which shall extend into, or overlap the door frame no less than one inch. If a vertical slide bar latch system is used it must simultaneously engage latch plates in both the floor and overhead structure no more than 4½ inches from the opening side of the door(s). The outside handle shall be installed to minimize hitching and shall be a non-detachable device.

(Effective July 1, 1977)

Sec. 14-275b-17. Emergency windows

(a) Emergency windows shall conform to the requirements of FMVSS-217. The rear window shall be designed so as to be opened from either the inside or the outside. It shall be hinged at the top and be equipped with a linkage or mechanism that will automatically hold the opened window against the force of gravity at a minimum hinge opening angle of 60 ±5° measured from the closed window position. Such linkage or mechanism shall not prevent the window from opening a full 90° due to gravitational forces should the bus be inverted. The outside handle shall be non-detachable and designed to minimize hitching.

(b) Each bus equipped with a rear emergency window shall have a rear divan seat the top of which shall not be higher than the lower edge of the emergency window. If the distance from the top of the back of such divan seat to the rear of the bus is greater than two inches such space shall be covered by a shelf installed parallel to the floor capable of supporting a weight of 600 pounds over any four square inch area of shelf. The seat back and shelf if required shall not obstruct the clear opening of the emergency window.

(Effective July 1, 1977)

Sec. 14-275b-18. Exhaust system and muffler

The exhaust system shall include the exhaust manifold and gaskets, piping leading from the flange of the exhaust manifold to and including the muffler(s). The system shall not extend into the body and shall be attached to the chassis. The exhaust system pipes shall be nonflexible sixteen gauge steel or equivalent and shall extend to but not beyond the rear limit of the bumper. The complete exhaust system shall be tight and free from leaks and shall be properly insulated from the electrical wiring or any combustible part of the bus. It shall not pass within twelve inches of the fuel tank or its connections except that the exhaust system may come within four inches of the fuel tank or its connections if a suitable heat baffle is installed between the exhaust system and such tank or connections. The size of the pipes in the exhaust system shall not be reduced below that at the engine manifold.

(Effective July 1, 1977)

Sec. 14-275b-19. Fire extinguishes

(a) The bus shall be equipped with at least one pressurized, dry chemical-type fire extinguisher, mounted in the extinguisher manufacturer's bracket of automotive type, and located in the driver's compartment in full view of and readily accessible to the driver. A pressure gauge shall be so

mounted on the extinguisher as to be easily read without removing the extinguisher from its mounted position.

(b) The fire extinguisher shall be of a type listed by the Underwriters' Laboratories, Inc., with a rating of not less than 10-B.C. The operating mechanism shall be sealed with a type of seal that will not interfere with the use of the fire extinguisher.

(Effective July 1, 1977)

Sec. 14-275b-20. First aid kit

The bus shall carry a first-aid kit, removable and readily identifiable, mounted in full view and in an accessible place in the driver's compartment, the contents of which shall include but not be limited to the following:

(a) 4 inch bandage compress	1 package
(b) 2 inch bandage compress	1 package
(c) 1 inch bandage compress	2 packages
(d) 40 inch triangular bandage with 2 safety pins	1 package
(e) Wire splint	1 package
(f) Tourniquet	1 package
(g) Burn ointment	

(h) A recognized fluid skin antiseptic except preparations containing iodine or phenol (carbolic acid)

(Effective July 1, 1977)

Sec. 14-275b-21. Floor covering

(a) The floor in the driver's compartment, and the toeboard areas including the tops of the wheel housings, shall be covered with a non-skid fire-resistant material, in compliance with FMVSS-302.

(b) The floor covering in the aisle and the entrance area shall be of a non-skid, wear resistant and fire-resistant material, in compliance with FMVSS-302.

(c) The floor covering shall be crack-resistant and shall be securely bonded to the floor with a waterproof adhesive. All seams shall be sealed with a waterproof sealer.

(Effective July 1, 1977)

Sec. 14-275b-22. Frame

The chassis frame shall extend at least to the rear edge of the rear body cross member. Alteration in length of the frame may be made only behind the rear hangers of the rear springs or in front of the front spring hanger of the front springs and shall not be for the purpose of extending the wheel base. Any alterations to the frame may be made only when designed and guaranteed by the original chassis or body manufacturer.

(Effective July 1, 1977)

Sec. 14-275b-23. Fuel system and tank(s)

(a) The fuel tank shall have a minimum capacity of thirty (30) gallons and shall be mounted either on the right or left side or in the rear. If side mounted, it shall be along the outside of the chassis frame immediately forward of the rear wheels. If mounted in the rear, it shall be located between the frame rails immediately to the rear of the axle. In either location, it shall be filled and vented entirely outside the bus body. The location of the fuel tank fill opening shall be such that accidental fuel spillage will not drip or drain to any part of the exhaust system.

(b) The fuel tank shall conform to sections 393.65 and 393.67, of the motor carrier safety regulations of the United States Department of Transportation, with reference to material, construction, fitting design and

location, drop test requirements, air and safety vents, pressure release, rupture and spillage restrictions.

(c) The fuel tank fittings or lines shall not extend above the top of the chassis or frame rail. Fuel lines shall be mounted to obtain maximum possible protection from rubbing against the chassis frame or body structure.

(d) Wherever mounted, the fuel tank shall be protected by a three-inch wide, twelve-gauge minimum thickness steel band horizontally around the median height of the tank at a distance of at least three inches from the tank in all areas where the tank is not protected by the vehicle frame. The steel band shall be of ribbed configuration for increased strength.

(Effective July 1, 1977)

Sec. 14-275b-24. Generator or alternator

The electrical generator or alternator with rectifier shall have an operational rating capable of supplying sufficient electrical power to maintain a fully charged storage battery with all electrical equipment operating simultaneously with the exception of the horn and engine starting motor while the bus is engaged in normally anticipated use.

(Effective July 1, 1977)

Sec. 14-275b-25. Glass, safety

All glass shall be installed so that the identification mark is legible and shall conform to the FMVSS-205. Laminated AS-1 safety glass shall be used in the windshield.

(Effective July 1, 1977)

Sec. 14-275b-26. Heaters

(a) Each school bus must be equipped with a heating system capable of sustaining an inside temperature of not less than 50 degrees Fahrenheit throughout the bus when the outside temperature is minus ten (-10) degrees Fahrenheit in still air.

(b) All heaters shall bear a name plate which shall indicate the heater rating in accordance with the Standard Code for Testing and Rating Automotive Bus Hot Water Heating and Ventilating Equipment, said plate to be affixed by the heater manufacturer which shall constitute certification that the heater performance is as shown on the plate. Exhaust heaters shall not be used.

(c) Heater hoses shall be adequately supported to guard against excessive wear due to vibration. The hoses shall not dangle or rub against the chassis or sharp edges and shall interfere with or restrict the operation of any engine function. Heater hose shall conform to standard SAE J20c. Heater lines inside the passenger compartment shall be shielded to prevent accidental contact by driver or passengers.

(Effective July 1, 1977)

Sec. 14-275b-27. Heater connections

Each heater installation shall include a shut off valve at the engine on each hose.

(Effective July 1, 1977)

Sec. 14-275b-28. Horn

A suitable horn providing an audible warning at a distance of 300 feet to other highway users shall be conveniently controlled from the driver's seated position. Each bus shall be equipped with a reverse direction alarm in compliance with SAE Standard J994a.

(Effective July 1, 1977)

Sec. 14-275b-29. Identification

(a) Exterior - The body shall be painted a uniform color known as National
School Bus Glossy Yellow, according to specification available from the General

Services Administration (Color No. 13432, Glossy Yellow, of Federal Standard No. 595a).

(b) The trim on the exterior of the body, including the bumper, the emergency exit arrow, and the lettering on the front, rear, and on both sides of the body shall be in Color No. 17038, Black, of Federal Standard No. 595a.

(c) Signs or lettering, other than that required or permitted by this regulation, or required by federal regulation, shall not appear on the front, back or sides of the bus, but the wording as specified in subdivision (1), and the owner's name shall be displayed on the body to the left of the service door in letters not less than one inch high. The words ``School Bus - Stop on Signal'' shall be displayed in black on the front and rear of the bus in letters at least four inches in height and conforming to ``Series B'' of the standard alphabets for highway signs on the National School Bus Yellow background. Such words shall be placed as high as practicable and be plainly legible. Legend on pusher type or forward control buses shall occupy approximately the same area.

(1) The wording shall be lettered as follows:

NO STANDEES

(Effective December 1, 1993)

Sec. 14-275b-30. Ignition lock

A lock, key or other device to prevent the vehicle's engine from being started by unauthorized persons shall be provided.

(Effective July 1, 1977)

Sec. 14-275b-31. Instruments

The bus shall be equipped with the following non-glare illuminated instruments and gauges maintained in good working order, mounted for easy maintenance and repair and in such a manner that each is clearly visible to the seated driver.

(1) Speedometer.

(2) Fuel Gauge.

(3) Oil Pressure Gauge.

(4) Water Temperature Gauge.

(5) Ammeter with graduated charge and discharge.

(6) Upper Beam Headlamp Indicator.

(7) Air Pressure or Vacuum Gauge, where air or vacuum brakes are used, with low energy supply warning system.

(8) If hydraulic brakes are used, a warning light or an audible warning device that indicates failure of the hydraulic system.

(9) Odometer.

(Effective July 1, 1977)

Sec. 14-275b-32. Interior

(a) The body shall be thermally insulated between the inner and outer panels with a fire-resistant material conforming to FMVSS-302. This material shall also serve to reduce the noise level and vibrations.

(b) The interior of the bus, including the ceiling, shall be free of all unnecessary projections likely to cause injury, and an inner lining shall be provided on ceiling and walls. Rearward components shall be lapped over forward components to reduce likelihood of injury in the event of separation. Exposed edges shall be beaded, hemmed or flanged.
(Effective July 1, 1977)

Sec. 14-275b-33. Lamps and signals

(a) All exterior lamps and signals shall be in conformance with current requirements of FMVSS-108.

(b) Two red, seven inch stop lamps shall be mounted on the rear at a height of no less than fifteen inches nor more than seventy-two inches above the level surface upon which the unloaded bus rests, with centers as far apart laterally as practical. They shall be activated upon application of the service brake pedal.

(c) School bus alternately flashing signal lamps - each school bus shall be equipped with the following system:

(1) School bus alternately flashing signal lamps shall comply with FMVSS-108. A signal lamp switch shall be provided to permit the driver to: (a) turn the lamps off at his discretion, (b) turn the lamps on when the service door is closed.

(2) School bus alternately flashing red signal lamps shall be actuated by an automatic door switch, a momentary contact switch, and a master control switch. Additional devices for controlling the signal lamps shall, (a) alternately flash the lamps at 60 to 120 cycles per minute and (b) warn the driver when any of the signal lamps are inoperative. Maximum brightness shall be attained in each cycle of flashing. Audible or visual indication that the signals are flashing shall be provided.

(3) Hoods with a minimum thickness of 20 gauge steel or other comparable material shall be securely fastened to the lamp housing. They shall extend at least five inches in front of the lens and from the vertical centerline of the lamps shall measure 80 degrees along the perimeter from each side of the center, with the centerline of the hood coinciding with the top of the vertical centerline of the lamp housing.

(4) The area around the lens of alternately flashing signal lamps and extending outward approximately 3 inches and the hoods shall be painted black. In installations where there is no flat vertical portion of the body immediately surrounding the entire lens of the lamps, a circular or square band of black approximately 3 inches wide, immediately below and to both sides of the lens, shall be painted on the body or the roof area against which the signal lamps are seen.

(d) Two red clearance lamps on the rear and two amber clearance lamps on the front shall be mounted as high as practical on the permanent structure of the bus to indicate its extreme width. Two side marker lamps, amber at the front and red at the rear shall be mounted on each side of the bus. Three red identification lamps shall be mounted on the same level not more than eight inches apart in the center rear of the body as high as practical, and three amber identification lamps shall be likewise mounted in the center front of the body.

(e) The rear registration number plate shall be illuminated by a white light so as to be plainly legible at 50 feet during periods of darkness. The registration plate lamp shall be so wired as to be lighted whenever the headlamps are lighted.

(f) Interior lamps shall adequately illuminate the entire aisle, emergency passageway and step well.

(g) Class A turn signal lamps which comply with FMVSS-108 shall be provided. These signals shall be equipped with a four-way hazard warning signal switch to cause simultaneous flashing of the turn signal lamps when needed as a vehicular traffic hazard warning. Flush mounted ``armored'' type amber

clearance lamps with a minimum of four candlepower each shall be mounted on the sides of the body at approximately seat level rub rail height just to the rear of the service door on the right side, and approximately opposite the driver's seat on the left side. They are to be connected to function with the regular turn signal lamps.

(h) Back up lamps shall be provided and shall conform to FMVSS-108.

(i) Parking lamps shall be provided and shall conform to FMVSS-108.

(Effective July 1, 1977)

Sec. 14-275b-33a. Requirements for new school buses

Each school bus manufactured on and after October 1, 1984, registered in this state shall be equipped with a stop semaphore and eight light warning system as follows:

(a) The stop semaphore shall be octagonal in shape, shall have a red background, and shall carry the word ``stop'' in white letters at least one-third the height of the sign, and shall be equipped with two flashing red lights, one located near the top and one located near the bottom of such sign. The stop semaphore, when in the full opened position, shall not extend more than twenty-two (22) inches from the side of the school bus and shall have an override in both the forward and rearward direction. The stop semaphore shall activate simultaneously with the red warning lights.

(b) The eight light warning system shall consist of four (4) red warning lights and four (4) amber warning lights and shall be installed in conformance with the requirements of federal motor vehicle safety standard 108 in effect at the time of manufacture.

(1) Right and left warning lights shall flash alternately at a rate between sixty (60) to one hundred and twenty (120) cycles per minute.

(2) Hoods shall be provided for each light of the eight light warning system or a hood for each set of lights, and shall have a minimum thickness of twenty (20) gauge steel or other comparable material, and shall be securely fastened to the light housing. The area around the lens of the eight light warning system and extending outward approximately 3 inches and the hoods shall be painted black. In installations where there is no flat vertical portion of the body immediately surrounding the entire lens of the lamps, a circular or square band of black approximately 3 inches wide, immediately below and to both sides of the lens, shall be painted on the body or the roof area against which the signal lamps are seen.

(3) The eight light warning system shall be equipped with a visual indication that the warning lights are functioning properly or improperly.

(4) The eight light warning system shall operate as follows:

(a) With a master switch on, entrance door closed, depress foot or hand switch. Operational indicator light and amber signals shall go on.

(b) Open entrance door. Operational indicator light and amber signal lamps shall go off, and operational indicator light and red signal lamps shall go on. Stop arm, if air, vacuum or electrically powered, shall automatically extend.

(c) Close entrance door. Operational indicator light and signal lamps shall go off, and stop arm, if air, vacuum or electrically powered, shall automatically retract.

(d) Open entrance door without depressing foot or hand switch for amber light activation. Operational indicator light and red signal lamps shall go on. Stop arm, if air, vacuum or electrically powered, shall automatically extend.

(e) With master switch off, depressing hand or foot switch will not actuate the amber signal system, nor will opening entrance door actuate the red signal system and stop arm.

(Effective January 22, 1985)

Sec. 14-275b-34. Locked compartment

The first-aid kit, warning devices, and wheel chocks may be stored under lock and key provided that the locking device is connected with an automatic audible warning signal to notify the driver of the locked compartment when the ignition is turned on.

(Effective July 1, 1977)

Sec. 14-275b-35. Mirrors

(a) All rearview mirrors shall be in conformance with the current requirements of FMVSS-111. Rear view mirrors shall be located inside and outside of the bus, shall be firmly supported and adjustable and shall afford the driver a clear, stable reflected view of the road surface at each side of the vehicle and for a continual distance beginning at a point not greater than 200 feet to the rear and continuing to the horizon when measured on a straight and level road. The interior mirror shall be clear view safety glass having a reflecting surface at least five (5) inches by twenty-nine (29) inches and shall be metal backed and framed. It shall have rounded corners and edges which shall be padded to reduce danger of injury upon impact. It shall afford the driver a good view of the bus interior and the roadway to the rear.

(b) Outside mirrors shall be located on each side of the bus forward of the driver's seat, and the reflecting surface shall not be obscured by the corner pillar. They shall be rectangular in shape and the reflecting surface shall have a minimum horizontal dimension of five (5) inches and a minimum vertical dimension of ten (10) inches. The outside mirror mounts shall include a side angle adjustable convex mirror with a minimum diameter of five inches (5”) to provide an additional close-in field of vision located so as not to reduce the visual field of the flat surfaced mirror below 50 square inches.

(c) A mirror assembly approved by the commissioner which may comprise more than one mirror shall be fixedly secured at the left and right front corners of the bus, and the mirror assembly shall be adjustable so that any seated driver using seat belts or other restraints as required by law is able to observe the following areas by looking at the mirror assembly:

(1) The road or ground from the front bumper of the bus to a point forward of the front bumper of the bus where the seated driver can observe the road directly without the use of any mirror; and

(2) The road or ground along the left side of the bus from the front bumper of the bus rearwardly to a point rearward of the driver's seat or the front wheel, whichever is the more rearward, and along the right side of the bus from the front bumper to a point rearward of the service door or the front wheel, whichever is the more rearward, whereby the view provided to the seated driver by the mirror assembly on both the left and right corners shall overlap the view provided to the seated driver by the left and right side outside mirrors, whether rectangular or convex.

(Effective August 27, 1992)

Sec. 14-275b-36. Mounting

(a) The chassis frame, for body on chassis type buses, shall extend to the rear edge of the rear body cross member. The body shall be attached to the chassis frame in such a manner as to prevent shifting or separation of the body from the chassis under severe impact. Alteration in the length of the frame may be made only behind the rear hangers of the rear springs and shall not be for the purpose of extending the wheel base. Any alterations to the frame may be made only when designed and guaranteed by the original chassis or body manufacturer.

(b) The body front shall be attached and sealed to the chassis cowl in such a manner as to prevent the entry of water, dust or fumes through the joint between the chassis cowl and the body.

(c) For body on chassis type buses, insulating material shall be placed at all contact points between the body and chassis frame, and shall be so

attached to the chassis frame or body member that it will remain in position under any operating conditions.
(Effective July 1, 1977)

Sec. 14-275b-37. Reflectors

(a) Reflectors shall conform to FMVSS-108.
(b) Each reflector shall be mounted at a height not less than fifteen (15) inches and not higher than sixty (60) inches above the surface on which the unloaded bus stands.
(Effective July 1, 1977)

Sec. 14-275b-38. Rub rails

(a) There shall be one rub rail located approximately at seat level which shall extend from the rear side of the service door completely around the bus body, except at the emergency door or rear compartment, to a point of curvature near the front of the body on the left side.
(b) There shall be one rub rail located approximately at the floor line which shall extend over the same longitudinal distance as the upper rub rail, except at the wheel housing, and which shall extend at least to the forwardmost point of curvature of the rear corners of the bus.
(c) Rub rails shall be constructed of 16-guage minimum thickness longitudinally corrugated or ribbed steel of 4-inch minimum width. All rub rails shall be securely fastened to each vertical structural member over which they are mounted. Each rub rail except as provided in subsections (a) and (b) shall run the entire length of each side of the bus without being joined except any rub rail may be joined at the rearmost vertical floor to roof structural member on each side.
(Effective July 1, 1977)

Sec. 14-275b-39. Seat belt for the driver

A lap belt installation shall be provided for the driver and shall conform to the FMVSS-208 - Occupant Crash Protection; No. 209 - Seat Belt Assemblies; and No. 210 - Seat Belt Assembly Anchorages.
(Effective July 1, 1977)

Sec. 14-275b-40. Seating

(a) All seating shall comply with the current requirements of FMVSS-222 and all seats shall have a minimum fore and aft depth of 14 inches.
(b) Jump seats are not acceptable. The longitudinal width aisle shall be not less than twelve (12) inches at any location between the floor and ceiling and shall be straight and unobstructed.
(c) The forwardmost seat on the right side of the bus shall be located so as not to interfere with the driver's vision and be not farther forward than the rear of the driver's seat when adjusted to its rearmost position.
(d) The minimum distance between the steering wheel and the back rest of the driver's seat shall be 11 inches. The driver's seat shall be rigidly positioned, shall have vertical adjustment and fore and aft adjustment of not less than 4 inches, without the use of tools.
(e) The backs of seats of similar size shall be of the same width at the top and of the same height from the floor and shall slant at the same angle with the floor.
(f) Seat padding and covering shall be of a fire resistant material which will not flash or explode upon contact with spark or fire. Seat cushions shall be securely fastened to the seat structure.
(Effective March 25, 1982)

Sec. 14-275b-41. Service entrance

(a) The service entrance shall be located on the right side near the front in such a manner as to afford the seated driver an unobstructed view of the entrance. The entrance shall have a minimum horizontal opening of 24 inches and a minimum vertical opening of 68 inches. The service door shall be manually or power operated by the seated driver and shall be designed to afford easy release and prevent accidental opening. No parts of the hand lever shall come together so as to shear or crush fingers. Both sections of a split type door shall open outward. Vertical closing edges shall be equipped with padding to prevent injury. The bottom of the lower glass panel shall be not more than 35 inches from the ground when the bus is unloaded. The top of the upper glass panel shall not be more than six (6) inches from the top of the door. A grab handle of stainless clad steel not less than 10 inches in length shall be properly secured in an unobstructed location inside the doorway. Power operated doors shall be equipped for modulated control and for manual operation in case of power failure. If equipped with a power operated service door, instructions for emergency opening in letters at least ½ inch high shall be printed on the door or adjacent thereto.

(b) The step risers shall be approximately equal in height, with the upper riser no more than 15 inches in height. The steps shall be enclosed to prevent accumulations of ice and snow, shall not protrude beyond the width of the body and be surfaced with a non-skid material with a one and one half (1-½) inch white nosing as an integral piece. The stepwell shall be illuminated by at least one lamp providing a white light actuated automatically by the opening of the door. The lower step shall be of a height not less than 12 inches and not more than 16 inches measured on a level surface upon which the unloaded bus rests.

(Effective July 1, 1977)

Sec. 14-275-42. Shock absorbers

Two front and two rear double-acting shock absorbers of sufficient capacity shall be provided.

(Effective July 1, 1977)

Sec. 14-275b-43. Springs

Springs shall be capable of supporting their designed share of the vehicle gross weight.

(Effective July 1, 1977)

Sec. 14-275b-44. Stanchions and guard rails

(a) A stanchion shall be installed from floor to roof at the right rear corner of the driver's seat in such a position as to neither interfere with the adjustment of the seat nor obstruct the aisle. A guard rail, approximately 30 inches above the floor with a guard panel shall be provided between the driver's seat and the left front seat. The guard rail and guard panel shall be placed so as not to interfere with the fore and aft adjustment of the driver's seat and shall extend from the stanchion to the left wall. The bottom of the guard panel shall be not more than ten inches above the floor. The driver's seat when adjusted to the rearmost position shall provide two inches of clearance between the rear of the driver's seat and the guard rail or guard panel.

(b) A vertical stanchion shall be installed at the rear of the entrance stepwell from floor to roof and located so as not to restrict the passageway at any level to less than 24 inches nor the aisle to less than 12 inches.

(c) A guard rail and stepwell guard panel shall be installed from the right vertical stanchion to the right wall to prevent passengers in the front

seat from being thrown into the step well. The guard rail shall be approximately 30 inches above the floor and its guard panel shall not restrict the entrance passageway to less than 24 inches at any level. The panel shall extend from the guard rail to within 2 inches of the floor. The guard panel shall be positioned or flanged to avoid having its lower edge extended over the stepwell, and may be fastened to the floor.

(d) The clearance between the stepwell guard panel and the first seat shall be at least 24 inches measured from the panel to the front face of the seat back at seat cushion height.

(e) All stanchions and guard rails shall be a minimum of one inch outside diameter steel or equivalent strength tubing.

(Effective July 1, 1977)

Sec. 14-275b-45. Steering gear

The steering gear shall provide safe and accurate performance at maximum load and speed and shall be easily adjusted. Only changes approved by the chassis manufacturer shall be permitted.

(Effective July 1, 1977)

Sec. 14-275b-46. Steering wheel

The steering wheel circumference shall have at least two inches of clearance at all points.

(Effective July 1, 1977)

Sec. 14-275b-47. Stirrup steps

There shall be at least one folding stirrup step or recessed foothold and suitably located handles on each side of the front of the body for easy accessibility for cleaning the windshield and lamps.

(Effective July 1, 1977)

Sec. 14-275b-48. Stop signs

A stop semaphore may be provided. If a school bus is equipped with such sign it shall be octagonal in shape, shall have a red background and shall carry the word ``STOP'' in white letters at least one-third the height of the sign and may be equipped with two flashing red lights, one located near the top and one located near the bottom of such sign. The stop sign, when in the full opened position, shall not extend more than twenty-two inches from the side of the bus and may have an over-ride in both the forward and rearward direction.

(Effective July 1, 1977)

Sec. 14-275b-49. Storage compartment tools

If a storage compartment is provided it shall be securely fastened to the body or chassis to prevent the container or its contents from becoming accidentally dislodged.

(Effective July 1, 1977)

Sec. 14-275b-50. Sun visor

An interior adjustable sun visor not less than 6 inches wide and 30 inches long shall be so installed that it can be turned up when not in use. It shall be supported by at least two brackets.

(Effective July 1, 1977)

Sec. 14-275b-51. Tires

Tires of good quality and proper size and ply rating commensurate with chassis manufacturer's gross vehicle weight rating shall be provided. Recapped, retreaded tires shall not be used on the front wheels of the bus.
(Effective July 1, 1977)

Sec. 14-275b-52. Undercoating

The entire underside of the body, including the front fenders, floor members and side panels below the floor level shall be coated with a fire-resistant undercoating material in order to seal, insulate, and to reduce oxidation and the noise level.
(Effective July 1, 1977)

Sec. 14-275b-53. Ventilation

The bus body shall be equipped with a suitable, controlled ventilation system of sufficient capacity to change the air within the stationary bus at a rate no less than five cubic feet per minute multiplied by the designated seating capacity of the bus. If static type exhaust roof ventilators are used, they shall be non-closable and be installed such that the forward motion of the bus results in air being drawn out of the bus body.
(Effective July 1, 1977)

Sec. 14-275b-54. Weight distribution and gross weight

The gross weight of the loaded vehicle shall at no time exceed the manufacturer's maximum gross vehicle weight rating.
(Effective March 25, 1982)

Sec. 14-275b-55. Wheel housings

(a) The wheel housing opening shall allow for easy tire removal and service.

(b) The wheel housings shall be designed to support seat and passenger loads and shall be attached to the floor sheets in such a manner as to prevent any dust, water, or fumes from entering the body.

(c) The inside height of the wheel housing above the floor line shall not exceed ten (10) inches.

(d) The wheel housings shall provide clearance for installation and use of tire chains on single and dual (if so equipped) power driving wheels.
(Effective July 1, 1977)

Sec. 14-275b-56. Window openings

All side windows shall operate freely, and with the exception of the driver's, shall open a maximum of five inches, shall open from the top only and shall be equipped with no latches other than those of the recessed type. If push-out windows are used they must comply with FMVSS-217. All exposed edges of glass shall be banded. Windows shall be free of window guards or bars either on the inside or outside.
(Effective July 1, 1977)

Sec. 14-275b-57. Windshields

(a) The windshield shall be approved laminated safety glass, so mounted that its identification mark is visible and shall comply with FMVSS-205.

(b) The windshield shall be large enough to permit the driver to see the highway clearly, shall be slanted to reduce glare, and shall be installed between front corner posts that are so designed and located as to afford a minimum of obstruction to the driver's view of the highway.

(c) The windshield shall have a horizontal gradient band starting slightly above the line of the driver's vision and gradually decreasing in light transmission to 20 percent or less at the top of the windshield, in compliance with FMVSS-205.
(Effective July 1, 1977)

Sec. 14-275b-58. Windshield wipers

A two speed windshield wiping system shall be used having required equipment and wiped glass area which complies with FMVSS-104.
(Effective July 1, 1977)

Sec. 14-275b-59. Windshield washer

A windshield washer which will effectively clean the entire area covered by both windshield wipers shall be provided. Windshield washer equipment shall meet FMVSS-104.
(Effective July 1, 1977)

Sec. 14-275b-60. Warning devices for disabled vehicles

At least three warning devices which conform to FMVSS-125 for use in warning traffic in event of prolonged stops on the highway shall be provided.
(Effective July 1, 1977)

Sec. 14-275b-61. Wiring

(a) All wiring shall conform to SAE standard J555a.
(b) Wiring shall be arranged in at least nine regular circuits as follows:
(1) Head lamps
(2) Clearance lamps, stepwell lamps, taillamps, stoplamps and instrument lamps, and other interior lamps
(3) Dome lamps
(4) Starter motor
(5) Ignition and emergency door signal
(6) Turn signal lamps
(7) Alternately flashing signal lamps
(8) Horn
(9) Heater and defroster

Any of the above combination circuits may be subdivided into independent circuits. When possible, all other electrical functions (sanders, electric-type wind shield wipers) shall be provided with independent and properly protected circuits. Each body circuit shall be coded by number or letter at 4 inch intervals or by color. The code shall appear on a diagram of the circuits in a readily accessible location.
(c) A separate fuse or circuit breaker shall be provided for each circuit required under section 14-275b-61(b) except the starter motor and ignition circuits and shall be readily accessible to the driver.
(d) All wires within the body shall be insulated and protected by a covering which will protect them from external damage and minimize dangers from short circuits. Whenever wires pass through body or chassis members, additional protection in the form of a grommet or other appropriate type of insert shall be provided.
(e) Wires not enclosed within the body shall be fastened securely at intervals or not more than 18 inches. All joints shall be soldered or joined by equally effective connectors.
(f) The chassis manufacturer shall install a readily accessible electrical terminal so that the body and chassis electrical load can be

indicated through a chassis ammeter without dismantling or disassembling the chassis component. The chassis wiring system to terminal shall have a minimum 100 ampere capacity. The chassis ammeter and wiring shall be compatible with the generating capacity, and the ammeter shall be capable of indicating a continuous draw of 100 amperes.
(Effective July 1, 1977)

Sec. 14-275b-62. Interpretation

Any references in sections 14-275b-1 through 14-275b-61 of the regulations of Connecticut state agencies to any federal motor vehicle safety standard, SAE standard, American society for testing material procedure, code of federal regulations or other nationally accepted standard, procedure or regulation shall be deemed to include any revision to such standard, procedure or regulation as may be subsequently adopted.
(Effective July 1, 1977)

Sec. 14-275b-63.

Repealed, July 1, 1977.

Secs. 14-275b-64--14-275b-69. Reserved
(On or after October 1, 1988)

Sec. 14-275b-70. Scope

Sections 14-275b-71 to 14-275b-131, inclusive, specify minimum standards for the construction and equipment of type 1 school buses manufactured on or after October 1, 1988.
(Effective October 1, 1988)

Sec. 14-275b-71. Definitions

(a) A ``type 1'' school bus means any school bus conforming to the definition of a school bus as found in section 14-275 of the General Statutes that has a gross vehicle weight rating (GVWR) which exceeds ten thousand (10,000) pounds.
(b) SAE-Society of Automotive Engineers.
(c) Body on Chassis Type-This refers to the mounting of a body on a truck or bus chassis.
(d) Integral Type Bus-A bus manufactured as an integral unit and not constructed of a separate body and chassis.
(e) FMVSS-Federal Motor Vehicle Safety Standard
(f) FMCSR-Federal Motor Carrier Safety Regulations
(Effective October 1, 1988)

Sec. 14-275b-72. Dimensions

Outside body width shall not exceed one hundred and two (102) inches. Outside overall length maximum shall not exceed 40 feet. Inside body height shall be a minimum of 72 inches, as measured from the aisle floor surface to ceiling.
(Effective October 1, 1988)

Sec. 14-275b-73. Air cleaners

The bus shall be equipped with an adequate oil bath, dry element, or equivalent type air cleaner to filter engine intake air mounted outside the passenger compartment. The air cleaner shall be in accordance with the SAE Air Cleaner Test Code J726 MAY81.

(Effective October 1, 1988)

Sec. 14-275b-74. Axles

(a) The front axle and suspension assemblies shall be of sufficient capacity as defined by chassis manufacturers front GAWR at ground to support that portion of the load as would be imposed in service under any condition of loading.

(b) The rear axle and suspension assemblies shall be of sufficient capacity as defined by the chassis manufacturers rear GAWR, at ground to support that portion of the load as would be imposed in service under any condition of loading.

(Effective October 1, 1988)

Sec. 14-275b-75. Battery

The storage battery or batteries shall be of sufficient capacity to supply all electrical requirements, and at least one battery shall be of rating not less than 475 cold cranking amps at 0° F with a reserve capacity of not less than 120 minutes when measured in accordance with SAE J537 JUN86.

(Effective October 1, 1988)

Sec. 14-275b-76. Battery carrier

When the mounting of the battery or batteries is outside of the engine compartment by a manufacturer other than the chassis manufacturer, the batteries shall be securely attached in a closed, drained and vented compartment in the body skirt, which shall contain the battery during upset or rollover of the vehicle. The battery shall be accessible from the outside for convenient servicing. The battery compartment door or cover shall be secured by an adequate and conveniently operated latch or other type fastener. The cables to the battery shall not be spliced in any manner to extend their length, however, splices utilized by the chassis manufacturer to provide an alternate current path will be allowed.

(Effective as of September 19, 2001)

Sec. 14-275b-77. Body structure

(a) Construction shall be of fire resistant material and all materials used inside the occupant compartment shall comply with the applicable provisions of FMVSS-302.

(b) Construction shall provide a reasonably dustproof, weathertight and fume proof unit. Openings and access panels between the chassis and passenger compartment shall be tightly sealed to prevent any liquid or gas from entering the bus body.

(c) Body strength. The bus body shall conform to FMVSS-220 and FMVSS-221.

(Effective October 1, 1988)

Sec. 14-275b-78. Brakes

(a) All braking systems shall conform to either FMVSS-105 if hydraulic, or FMVSS-121 if air.

(b) Brake lines and hoses shall conform to FMVSS-106 and shall be protected from excessive heat and vibration and be so installed as to prevent chafing.

(c) Brake linings shall be maintained such that not less than 0.0625 (Two Thirty Seconds) inch thickness of friction material remains intact on the shoe or pad to which it is fastened.

(d) Brake fluid installed in school bus hydraulic systems shall conform to FMVSS-116.

(e) Each brake drum or rotor shall be permanently and plainly marked to clearly indicate in legible cast or stamped legend the maximum safe diameter of the drum or minimum safe thickness of the rotor beyond which it must not be worn or machined, but must be discarded.

(f) Buses using air or vacuum in the operation of the brake systems shall be equipped with warning signals, readily audible and visible to the driver, that will give a continuous warning when the air pressure available in the system for braking is sixty (60) PSI (Pounds Per Square Inch) or less or the vacuum in the system available for braking is eight (8) inches of mercury or less. An illuminated gauge that will indicate to the driver the air pressure in pounds per square inch or the inches of mercury vacuum available for the operation of the brakes shall be provided.

(1) Vacuum-assist brake systems shall have a reservoir used exclusively for brakes that shall be adequate to ensure loss in vacuum at full stroke application of not more than 30 percent with the engine not running. Brake system on gas-powered engines shall include suitable and convenient connections for the installation of a separate vacuum reservoir.

(2) Any brake system dry reservoir shall be so safeguarded by a check valve or equivalent device, that in the event of failure or leakage in its connection to the source of compressed air or vacuum, the stored dry air or vacuum shall not be depleted by the leakage or failure.

(g) Buses using a hydraulic-assist brake system shall be equipped with a continuously operable backup system and warning signals, readily audible and visible to the driver, that will provide continuous warning in the event of a loss of fluid flow from primary source or loss of electric source powering the back-up system.

(h) Buses using any newly developed power assist brake system not addressed in section 14-275b-78 (f) or (g) shall have warnings and safeguarding approved by the commissioner.

(Effective October 1, 1988)

Sec. 14-275b-79. Bumper, front

The front bumper shall be either a minimum of three sixteenths (0.1875 plus or minus .0156) inch thickness, pressed steel channel and shall have not less than a 8 inch face, painted black except as provided in section 14-275b-82 (d), or of the energy absorbing type utilizing self restoring, integral black urethane capable of repeated protection with no damage to the bumper and bus during both a 5 mph fixed barrier impact at full curb weight and both a 5.5 mph 30° corner impact and 6.5 mph center impact tested in accordance with SAE J980a and shall extend to protect the outer edges of the fenders. It shall be of sufficient strength to permit pushing another vehicle of equal gross weight without permanent distortion. The front bumper shall be located at a height of not more than 22 inches when measured from the bottom edge of the bumper to the level surface upon which the unloaded bus stands.

(Effective December 1, 1993)

Sec. 14-275b-80. Bumper, rear

The rear bumper shall be either a minimum of three sixteenths (0.1875 plus or minus .0156) inch thickness, pressed steel channel and shall have not less than a 8 inch face and shall wrap around the rear corners of the body to a point 12 inches forward from the rearmost point of the body at floor line, or, except as provided in Section 14-275b-82 (d), shall be of the energy absorbing type utilizing self restoring, integral black urethane capable of repeated protection with no damage to the bumper and bus during both a 2 mph fixed barrier impact at full curb weight and both a 4 mph 30° corner impact and a 5 mph center impact tested in accordance with SAE J980a. It shall be attached directly to the chassis frame with provision for easy removal, the prevention of hitching to or riding thereon, and shall be of sufficient strength to permit

the bus being pushed by another vehicle without permanent distortion and shall extend rearward sufficiently to protect all lamps. The rear bumper shall extend beyond rearmost part of body surface at least one inch, measured at floor line.
(Effective December 1, 1993)

Sec. 14-275b-81. Ceiling

The ceiling shall be thermally insulated with a fire-resistant material listed by the Underwriters' Laboratories, Inc. which shall reduce the noise level and vibrations. There shall be no projections which might cause injury. The inside body height measured from floor to ceiling at any point on the longitudinal center line between the front and rear vertical bows shall be at least 72 inches.
(Effective October 1, 1988)

Sec. 14-275b-82. Color

(a) Buses shall be painted National School Bus Glossy Yellow, in accordance with the colorimetric specification of Federal Standard No. 595a, Color 13432, except that the hood excluding the portion over the tires with a tilt hood, shall be lusterless black, matching Federal Standard No. 595a, Color 37038.

(b) Except as provided in subsection (d), bumpers and trim on the exterior of the body shall be glossy black, matching Federal Standard No. 595a, Color 17038 if 3/16” steel or integral black urethane if of the energy absorbing type. For the purposes of this regulation, ``trim'' means:

(1) All required lettering

(2) Emergency exit arrow

(3) Manufacturer's logo and stripe (stripe not to exceed four (4) inches in width)

(4) Company logo (not to exceed 100 square inches in size)

(c) Rub rails may be painted either school bus glossy yellow or black no. 17038.

(d) Up to three (3) alphanumeric characters no more than six (6) inches in height may appear on one side of the front and/or rear bumper(s) within a horizontal span of no more than eighteen) inches along the bumper. Such characters shall be colored national school bus chrome.
(Effective December 1, 1993)

Sec. 14-275b-83. Defrosters

Defrosting equipment shall keep the windshield and the window to the left of the driver clear of fog, frost, and snow, using heat from heater or heaters conforming to section 14-275b-95 and circulation from fans. All defrosting equipment shall meet FMVSS-103. Portable heaters may not be used.
(Effective October 1, 1988)

Sec. 14-275b-84. Drive shaft

Each segment of the drive shaft shall be equipped with a suitable guard to prevent accident or injury in the event of its fracture or disconnection.
(Effective October 1, 1988)

Sec. 14-275b-85. Emergency exit requirements

(a) There shall be a head bumper pad installed on the inside at the top of the emergency door exit and emergency exits shall conform to FMVSS-217. The pad shall extend across the entire opening of the exit and shall be designed and positioned to protect the heads of passengers using such exit.

(b) The passage to the emergency door shall be free of obstructions.

(c) The upper and lower portion of the central rear emergency door shall be equipped with approved safety glazing, the exposed area of which shall be not less than four hundred (400) square inches in the upper portion and not less than three hundred (300) square inches in the lower portion. The left side emergency door shall be equipped with safety glazing in the upper portion and the lower portion shall be of at least the same gauge metal as the body outer panels.

(d) The emergency door shall be equipped with a latch which shall extend into or overlap the door frame no less than 0.750 inch. If a vertical slide bar latch system is used it must simultaneously engage latch plates in both the floor and overhead structure no more than four and one-half (4.5) inches from the opening side of the door(s). The outside handle shall be non-detachable and mounted vertically to minimize hitching. Any handle requiring special tools, other than a screwdriver, for attachment will be considered non-detachable.

(e) The engine starting system shall not operate if any emergency exit is locked from either inside or outside the bus. The term locked does not include normal door latching for which instructions are provided in accordance with FMVSS-217.

(Effective October 1, 1988)

Sec. 14-275b-86. Emergency windows

(a) Emergency windows shall conform to the requirements of FMVSS-217. The rear window shall be designed so as to be opened from either the inside or the outside. It shall be hinged at the top and be equipped with a linkage or mechanism that shall automatically hold the opened window against the force of gravity at a minimum hinge opening angle of 60±5° measured from the closed window position. Such linkage or mechanism shall not prevent the window from opening a full 90° due to gravitational forces should the bus be inverted. The outside handle shall be non-detachable and designed to minimize hitching. For vehicles manufactured after October 1, 1993, the linkage or mechanism shall provide a counterbalancing force sufficient to reduce the effort necessary to open the window to ten pounds (10 lbs) or less out to the full 60° opening position.

(b) If a bus equipped with a rear emergency window is equipped with a rear divan seat, the top of the seat back shall not be higher than 7 inches above the lower edge of the emergency window. If the distance from the top of the rearmost seat back to the rear of the bus is greater than two inches such space shall be covered by a shelf installed approximately parallel to the floor or sloped downward to the rear and shall be capable of supporting a weight of 600 pounds over any four square inch area of shalf. The seat back and shelf if required shall not obstruct the clear opening of the emergency window and if sloped, such slope shall not exceed 15 degrees and the sloped shalf shall provide a skid-resistant surface. Each bus not equipped with a divan seat back shall have a foothold approximately the same height as the seat cushion to facilitate access to the rear emergency window.

(c) Each bus may be equipped with no more than two (2) emergency roof exits with a minimum opening of 16” × 23” and shall not cause any roof bows to be cut or manufactured discontinuously.

(Effective December 1, 1993)

Sec. 14-275b-87. Exhaust system and muffler

The exhaust system shall include the exhaust manifold and gaskets, piping leading from the flange of the exhaust manifold to and including the muffler(s). The system shall not extend into the body and shall be attached to the chassis. The exhaust system pipes shall be continuously formed manufacturer's standard sixteen (16) gauge steel or equivalent strength material. Jointed type flexible piping shall not be used. The complete exhaust

system shall be tight and free from leaks and shall be properly insulated from the electrical wiring or any combustible part of the bus. It shall not pass within twelve inches of the fuel tank or its connections except that the exhaust system may come within four inches of the fuel tank or its connections in a diesel fuel system or if a suitable heat shield is installed between the exhaust system and such tank or connections. The size of the pipes in the exhaust system shall not be reduced below that at the engine manifold. The exhaust system pipes shall not extend more than one (1) inch beyond the limit of the rear bumper or its wraparound.
(Effective October 1, 1988)

Sec. 14-275b-88. Fire extinguishers

(a) The bus shall be equipped with at least one pressurized, dry chemical-type fire extinguisher, mounted in the extinguisher manufacturer's bracket of automotive type, and located in the driver's compartment in full view and readily accessible. A pressure gauge shall be so mounted on the extinguisher as to be easily read without removing the extinguisher from its mounted position.

(b) The fire extinguisher shall be of a type listed by the Underwriters' Laboratories, Inc., with a rating of not less than 10-B.C. The operating mechanism shall be sealed with a type of seal that will not interfere with the use of the fire extinguisher.
(Effective October 1, 1988)

Sec. 14-275b-89. First aid kit

The bus shall carry a first-aid kit, removable and readily identifiable, mounted in full view and in an accessible place in the driver's compartment, the contents of which shall include but not be limited to the following:

(a) 4 inch bandage compress	1 package
(b) 2 inch bandage compress	1 package
(c) 1 inch bandage compress	2 packages
(d) 40 inch triangular bandage with 2 safety pins	1 package

(Effective October 1, 1988)

Sec. 14-275b-90. Floor covering

(a) The floor in the driver's compartment, and the toe-board areas including the tops of the wheel housings, shall be covered with a non-skid fire-resistant material, in compliance with FMVSS-302.

(b) The floor covering in the aisle and the entrance area shall be of a non-skid, wear resistant and fire-resistant material, in compliance with FMVSS-302.

(c) The floor covering shall be crack-resistant and shall be securely bonded to the floor with a waterproof adhesive. All seams shall be sealed with a waterproof sealer.
(Effective October 1, 1988)

Sec. 14-275b-91. Frame

The chassis frame shall extend at least to the rear edge of the rear body cross member.
(Effective October 1, 1988)

Sec. 14-275b-92. Fuel system and tank(s)

(a) The fuel tank shall have a minimum capacity of thirty (30) gallons. The fuel tank shall not be mounted under any emergency or service exit except that it may be under one emergency exit when an additional emergency exit is

available on the same side of the bus. The fuel tank shall either be mounted between the front and the rear wheels for side tanks, or if mounted between the frame rails, it shall be behind the rear wheels on front engine, rear drive buses. It shall be filled and vented entirely outside the bus body. The location of the fuel tank fill opening shall be such that accidental fuel spillage shall not drip or drain to any part of the exhaust system.

(b) The fuel tank shall conform to FMCSR 393.65 and 393.67 and FMVSS-301 fuel system integrity.

(c) The fuel tank fittings or lines shall not extend above the top of the chassis or frame rail except that the fuel filler pipe on a fuel tank mounted between the frame rails may extend above the frame rail when located between two crossmembers. Fuel lines shall be mounted to obtain maximum possible protection from rubbing against the chassis frame or body structure.

(d) Side mounted fuel tanks shall be protected by a three-inch wide, manufacturers standard twelve-gauge minimum thickness steel band horizontally around the median height of the tank at a distance of at least three inches from the tank in all areas where the tank is not protected by the vehicle frame. The steel band shall be of ribbed configuration for increased strength.

(Effective September 24, 1996)

Sec. 14-275b-92a. Pressurized flammable gas (PFG) fuel systems

(a) Notwithstanding the provisions of Section 14-275b-92, the commissioner may permit registration and operation of a school bus as defined in Conn. Gen. Stat. § 14-275, which is powered by pressurized flammable gas (PFG) provided that all the following criteria are met:

(1) The school bus is new and has been equipped by the manufacturer of the chassis with a PFG fuel system approved by the commissioner;

(2) The manufacturer of the school bus chassis, upon written request by the commissioner, provides test documentation confirming that the fuel system is in full compliance with Federal Motor Vehicle Safety Standard (FMVSS) #301, including barrier testing and the appropriate NFPA (National Fire Protection Association) Standard for the type of fuel used;

(3) The school bus is equipped with a suitable detector device for sensing leakage of the PFG located in the engine compartment;

(4) The school bus passes a safety inspection by the Department of Motor Vehicles prior to its registration and operation as a school bus;

(5) At least six (6) weeks prior to presenting the school bus to the Department for safety inspection, the manufacturer of the chassis provides the commissioner with diagrams, plans and specifications of the fuel system. Any such documents stamped or otherwise submitted as being proprietary will be kept in confidence by the commissioner;

(6) After review of the plans, or after inspection by the Department, the manufacturer of the completed school bus shall modify the fuel system to incorporate safety features deemed reasonable and necessary by the commissioner. An additional safety inspection may be required.

(b) The commissioner may restrict the number of school buses powered by pressurized flammable gas that will be registered in accordance with subsection (a) of this section, or may limit the use of such school buses to selected school districts or geographic areas of the state, for a period of time sufficient to demonstrate the safety of such school buses and the capability of the Department of Motor Vehicles to adequately inspect such school buses. Such period of time shall be not less than 24 months. The commissioner may extend such period of time for good cause shown.

(c) Nothing in this section shall prohibit the commissioner from declaring ``Out of Service'' any school bus powered by pressurized flammable gas, or from revoking or suspending the registration of any such school bus, in accordance with the provisions of Conn. Gen. Stat. § 14-275c and Regulations adopted thereunder, during the period of time specified in subsection (b) of this section.

(d) The commissioner may require the owner and/or operator of any school bus registered in accordance with this section to maintain records and report to him on a regular basis such information and data concerning the operation of such school bus as deemed appropriate by the commissioner.

(e) The owner or operator of a school bus powered by pressurized flammable gas shall obtain written approval from each school district where such bus will be operated under the provisions of subsection (b), and shall provide a copy of such document to the commissioner upon request.

(f) Each school bus powered by pressurized flammable gas shall be clearly marked in a manner approved by the commissioner to indicate that the bus is powered by a pressurized flammable gas.

(Effective April 30, 1993)

Sec. 14-275b-93. Generator or alternator

The electrical generator or alternator with rectifier shall have an operational rating at 1500 RPM, capable of suing sufficient electrical power to maintain a fully charged storage battery with all electrical equipment operating simultaneously with the exception of the horn and engine starting motor while the bus is engaged in normally anticipated use.

(Effective October 1, 1988)

Sec. 14-275b-94. Glazing, safety

All glazing shall be installed so that the identification mark is legible and shall conform to FMVSS-205. Laminated AS-1 safety glazing shall be used in the windshield.

(Effective October 1, 1988)

Sec. 14-275b-95. Heaters

(a) Each school bus must be equipped with a heating system capable of sustaining an inside temperature of not less than fifty (50) degrees Fahrenheit throughout the bus when the outside temperature is minus ten (-10) degrees Fahrenheit in still air.

(b) All heaters shall bear a name plate which shall indicate the heater rating in accordance with the Standard Code for Testing and Rating Automotive Bus Hot Water Heating and Ventilating Equipment, said plate to be affixed by the heater manufacturer which shall constitute certification that the heater performance is as shown on the plate. Exhaust heaters shall not be used.

(c) Heater hoses shall be adequately supported to guard against excessive wear due to vibration. The hoses shall not dangle or rub against the chassis or sharp edges and shall not interfere with or restrict the operation of any engine function. Heater hose shall conform to standard SAE J20e. Heater lines inside the passenger compartment shall be shielded to prevent accidental contact by driver or passengers.

(Effective October 1, 1988)

Sec. 14-275b-96. Heater connections

Each heater system shall include a shut off valve on the supply and return line. The valve shall be securely mounted in an accessible location in or near the engine compartment.

(Effective as of September 19, 2001)

Sec. 14-275b-97. Horn

A horn capable of producing complex sound in the bands of audio frequencies between 250 and 2000 cycles per second and tested in accordance with SAE J377 MAR 85 at no less than 92dB (A) shall be conveniently controlled from the driver's seated position.

(Effective October 1, 1988)

Sec. 14-275b-98. Identification

(a) Signs or lettering, other than required or permitted by this regulation shall not appear on the front, back, or sides of the bus, but the wording ``No Standees'' and the owner's name shall be displayed on the body to the left of the service door in letters not less than two (2) inches high. The words ``School Bus'' shall be displayed in black on the front and rear of the bus in letters at least eight (8) inches in height and conforming to ``Series B'' of the standard alphabets for highway signs on the National School Bus Yellow background. Such words shall be placed as high as practicable and be plainly legible.

(b) The following means of identification may be displayed on the bus in Color No. 17038, black, of Federal Standard No. 595A.

(1) The owner's name on the side in letters not to exceed six inches in height.

(2) Company number on the front, rear, and sides of the bus in figures not to exceed six (6) inches in height.

(3) The manufacturer's rated seating capacity to the left of the service door in figures not less than two (2) inches high.

(4) A town name on the sides of the bus in letters not to exceed six (6) inches in height.

(5) The trip number in figures not to exceed eight (8) inches in height.

(Effective October 1, 1988)

Sec. 14-275b-99 Ignition lock

A lock, key or other device to prevent the vehicle's engine from being started by unauthorized persons shall be provided.

(Effective October 1, 1988)

Sec. 14-275b-100. Instruments

The bus shall be equipped with the following non-glare illuminated instruments and gauges maintained in good working order, mounted for easy maintenance and repair and in such a manner that each is clearly visible to the seated driver.

(1) Speedometer.

(2) Fuel Gauge.

(3) Oil Pressure Gauge or warning light.

(4) Water Temperature Gauge.

(5) Ammeter or voltmeter with graduated charge and discharge.

(6) Upper Beam Headlamp Indicator.

(7) Air Pressure or Vacuum Gauge, where air or vacuum brakes are used, with low energy supply warning system.

(8) If hydraulic brakes are used, a warning light that indicates failure of the wheel brake activation hydraulic system.

(9) If hydraulic assist brake system is used, a warning light and audible warning device that indicates any loss of hydraulic assistance or electric current to the back-up system.

(10) Odometer.

(Effective October 1, 1988)

Sec. 14-275b-101. Interior

(a) The body shall be thermally insulated between the inner and outer panels with a fire-resistant material conforming to FMVSS-302. This material shall also serve to reduce the noise level and vibrations.

(b) The interior of the bus, including the ceiling, shall be free of all unnecessary projections likely to cause injury, and an inner lining shall be provided on ceiling and walls. Rearward metal or equivalent components shall be lapped over forward components except for any panel joints rearward of a line seventeen (17) inches forward of the rearmost seat back cushion to reduce likelihood of injury in the event of separation. Exposed edges shall be beaded, hemmed or flanged. There shall be no luggage, book or parcel racks.
(Effective October 1, 1988)

Sec. 14-275b-102. Lamps and signals

(a) All exterior lamps and signals shall be in conformance with current requirements of FMVSS-108.

(b) Two red, seven (7) inch stop lamps shall be mounted on the rear at a height of no less than fifteen inches nor more than seventy-two (72) inches above the level surface upon which the unloaded bus rests, with centers as far apart laterally as practical. They shall be activated upon application of the service brake pedal.

(c) A stop semaphore and eight light warning system shall be provided as follows:

(1) The stop semaphore shall conform to SAE standard No. J1133 APR84, be octagonal in shape, have a red background, carry the word ``Stop'' in white letters at least one-third the height of the sign, and be equipped with two flashing red lights, one located near the top and one located near the bottom of such sign. The stop semaphore, when in the full opened position, shall not extend more than twenty-two (22) inches from the side of the school bus and shall have an override in the rearward direction. The stop semaphore shall activate simultaneously with the red warning lights.

(2) The eight light warning system shall consist of four (4) red warning lights and four (4) amber warning lights and shall be installed in conformance with the requirements of Federal Motor Vehicle Safety Standard 108 in effect at the time of manufacture.

(A) Right and left warning lights shall flash alternately at a rate between sixty (60) to one hundred and twenty (120) cycles per minute.

(B) Hoods shall be provided for each light of the eight light warning system or a hood for each set of lights, and shall have a minimum thickness of twenty (20) gauge steel or other comparable material, and shall be securely fastened to the light housing. The area around the lens of the eight light warning system and extending outward approximately two (2) inches and the hoods shall be painted black. In installations where there is no flat vertical portion of the body immediately surrounding the entire lens of the lamps, a circular or square band of black approximately two (2) inches wide, immediately below and to both sides of the lens, shall be painted on the body or the roof area against which the signal lamps are seen.

(C) The eight light warning system shall be equipped with a visual indication that each warning lamp is functioning properly or improperly. The visual indication shall allow the driver to determine specifically which individual lamp or lamps are not functioning properly without leaving the driver's seat.

(D) The eight (8) light warning system shall operate as follows:

(i) With a master switch on, entrance door closed, depress foot or hand switch. Operational indicator light and amber signals shall go on.

(ii) Open entrance door. Operational indicator light and amber signal lamps shall go off, and operational indicator light and red signal lamps shall go on. Stop arm, if air, vacuum or electrically powered, shall automatically extend.

(iii) Close entrance door. Operational indicator light and signal lamps shall go off, and stop arm, if air, vacuum or electrically powered, shall automatically retract.

(iv) Open entrance door without depressing foot or hand switch for amber light activation. Operational indicator light and red signal lamps shall go on. Stop arm, if air, vacuum, or electrically powered, shall automatically extend.

(v) With master switch off, depressing hand or foot switch will not actuate the amber signal system, nor will opening entrance door actuate the red signal system and stop arm.

(d) Two red clearance lamps on the rear and two amber clearance lamps on the front shall be mounted as high as practical on the permanent structure of the bus to indicate its extreme width. Two side marker lamps, amber at the front and red at the rear shall be mounted on each side of the bus. Three red identification lamps shall be mounted on the same level not more than eight inches apart in the center rear of the body as high as practical, and three amber identification lamps shall be likewise mounted in the center front of the body.

(e) The rear registration number plate shall be illuminated by a white light so as to be plainly legible at 50 feet during periods of darkness. The registration plate lamp shall be so wired as to be lighted whenever the headlamps are lighted.

(f) Interior lamps shall adequately illuminate the entire aisle, emergency passageway and step well.

(g) Class A turn signal lamps which comply with FMVSS-108 shall be provided. These signals shall be equipped with a four-way hazard warning signal switch to cause simultaneous flashing of the turn signal lamps when needed as a vehicular traffic hazard warning. Flush mounted ``armored'' type amber clearance lamps with a minimum of four candlepower each shall be mounted on the sides of the body at approximately seat level rub rail height just to the rear of the service door on the right side, and approximately opposite the driver's seat on the left side. They are to be connected to function with the regular turn signal lamps.

(h) Back up lamps shall be provided and shall conform to FMVSS-108.

(i) Parking lamps shall be provided and shall conform to FMVSS-108.

(Effective October 1, 1988)

Sec. 14-275b-103. Locked compartment

The first-aid kit, warning devices, wheel chocks and fire extinguisher may be stored under lock and key provided that the locking device is connected with an automatic audible warning signal or will prevent the bus from starting to notify the driver of the locked compartment when the ignition is turned on. The locked compartment shall have a transparent cover allowing a full view of the first aid kit and fire extinguisher inside.

(Effective October 1, 1988)

Sec. 14-275b-104. Mirrors

(a) All rearview mirrors shall be in conformance with the current requirements of FMVSS-111. Rear view mirrors shall be located inside and outside of the bus, shall be firmly supported and adjustable and shall afford the driver a clear, stable reflected view of the road surface at each side of the vehicle and for a continual distance beginning at a point not greater than two hundred (200) feet to the rear and continuing to the horizon when measured on a straight and level road. The interior mirror shall be clear view safety glass having a reflecting surface at least five (5) inches HIGH by twenty-nine (29) inches wide, except that a cutaway van chassis mirror shall be at least fifteen (15) inches wide, and shall be backed and framed with a durable material. It shall have rounded corners and edges, which

shall be padded to reduce danger of injury upon impact. It shall afford the driver a good view of the bus interior and the roadway to the rear.
(Effective as of September 19, 2001)

Sec. 14-275b-105. Mounting

(a) The chassis frame, for body on chassis type buses, shall extend to the rear edge of the rear body cross member. The body shall be attached to the chassis frame in such a manner as to minimize shifting or separation of the body from the chassis during collision. Alteration in the length of the frame may be made only behind the rear hangers of the rear springs or in front of the front spring hanger of the front springs and shall not be for the purpose of extending the wheel base. Any alterations to the frame may be made only when designed and guaranteed by the original chassis or body manufacturer.

(b) The body front shall be attached and sealed to the chassis cowl in such a manner as to prevent the entry of water, dust or fumes through the joint between the chassis cowl and the body.

(c) For body on chassis type buses, insulating material shall be placed at all contact points between the body and chassis frame, and shall be so attached to the chassis frame or body member that it will remain in position under any operating conditions.
(Effective October 1, 1988)

Sec. 14-275b-106. Reflectors

(a) Reflectors shall conform to FMVSS-108.

(b) Each reflector shall be mounted at a height of not less than fifteen (15) inches and not higher than sixty (60) inches above the surface on which the unloaded bus stands.
(Effective October 1, 1988)

Sec. 14-275b-107. Rub rails

(a) There shall be one rub rail located approximately at seat level which shall extend from the rear side of the service door completely around the bus body, except at the emergency door or rear compartment and any opening which is structurally reinforced when such structural reinforcement is fastened to the rub rail, to a point of curvature near the front of the body on the left side forward of the front of the driver's seat. On a chassis with a driver’s door on the left side, the rub rail shall continue around the forward point of curvature to the side of the driver’s compartment attaching to a structural member and does not have to extend forward of the driver’s seat.

(b) There shall be one rub rail located approximately at the floor line which shall extend over the same longitudinal distance as the upper rub rail, except at the wheel housing and any opening which is structurally reinforced when such structural reinforcement is fastened to the rub rail, and which shall extend at least to the forwardmost point of curvature of the rear corners of the bus.

(c) Rub rails shall be constructed of 0.056 inch minimum thickness longitudinally corrugated or ribbed steel or suitable material of equivalent strength of a four (4) inch minimum width. All rub rails shall be securely fastened to each vertical structural member over which they are mounted. Each rub rail except as provided in subsections (a) and (b) shall run the entire length of each side of the bus without being joined except any rub rail may be joined at one point rear of the rear wheels at a vertical floor to roof structural member of each side. On a chassis with a driver’s door on the left side, a lap joint may be present if welded on both sides of the lap and if located within twelve inches (12”) of the point of curvature at the front.

(Effective as of September 19, 2001)

Sec. 14-275b-108. Seat belt for the driver

A lap belt or lap and shoulder belt installation shall be provided for the driver and shall conform to FMVSS-208 & 302 Occupant Crash Protection; No. 209-Seat Belt Assemblies; and No. 210-Seat Belt Assembly Anchorages. The seat belt shall be equipped with a push button release buckle and with retractors of the automatic or emergency locking type.

(Effective October 1, 1988)

Sec. 14-275b-109. Seating

(a) All seating shall comply with the current requirements of FMVSS-222 and all seats shall have a minimum fore and aft depth of fourteen (14) inches. Seating capacity at the time of registration shall be determined in accordance with FMVSS-222.

(b) Jump or flip-up seats are not acceptable except as provided in subsection (h) of this section. The longitudinal width aisle shall not be less than twelve (12) inches at any location between the floor and ceiling and shall be straight and unobstructed.

(c) The forwardmost seat on the right side of the bus shall be located so as not to interfere with the driver's vision and be not farther forward than the rear of the driver's seat when adjusted to its rearmost position.

(d) The minimum distance between the steering wheel and the backrest of the driver's seat shall be eleven (11) inches. The driver's seat shall be rigidly positioned, shall have vertical adjustment and fore and aft adjustment of not less than four (4) inches, without the use of tools. The vertical adjustment need not be provided on a cutaway van chassis if the driver’s seat is of the type supplied by and installed in accordance with the chassis manufacturer’s specifications.

(e) The backs of seats of similar size shall be of the same width at the top and of the same height from the floor and shall slant at the same angle with the floor.

(f) Seat padding and covering shall be of a fire resistant material which will not flash or explode upon contact with spark or fire. Seat cushions shall be securely fastened to the seat structure.

(g) The provisions of this section shall not apply to any special seating arrangements for special education pupils which may be provided in a school bus accommodating both special education and non-special education pupils when such seating arrangement has been approved by the commissioner of motor vehicles.

(h) Any fixed seat having more than one-half of its seat cushion located adjacent to a side emergency door shall be installed such that no less than six (6) inches of clear space is provided between the interior surface of the emergency door and the closest portion of the seat cushion, excluding the seat back. In accordance with the provisions of FMVSS-217, any flip-up seat adjacent to a side emergency door shall meet the following requirements:

(1) Automatic flip-up seats shall be designed and constructed to prevent any limb of a passenger from becoming entrapped between the seat back and the seat cushion when the seat cushion is at or near the upright position;

(2) The bottom of the flip-up seat shall be covered with sheet metal or other similar material of equal strength and durability, designed and installed to reduce possible injury or snagging of clothing;

(3) The automatic flip-up seat shall be constructed and installed so that no supporting portion accessible to occupants shall cause pinching of or injury to an occupant upon movement of such seat. Guards may be used to prevent accidental access to such supporting portion(s).

(Subsection (d) effective September 19, 2001, all other subsections effective August 29, 1996)

Sec. 14-275b-110. Service entrance

(a) The service entrance shall be located on the right side near the front in such a manner as to afford the seated driver an unobstructed view of the entrance. The entrance shall have a minimum horizontal opening of twenty-four (24) inches and a minimum vertical opening of sixty-eight (68) inches. At no point shall any door hardware reduce the service entrance pathway width below 22.0 inches. The service door shall be manually or power operated by the seated driver and shall be designed to afford easy release and prevent accidental opening. No parts of the hand lever shall come together so as to shear or crush fingers. Both sections of a split type service entrance door shall open outward. Vertical closing edges shall be equipped with padding to prevent injury. The bottom of the lower glass panel shall be not more than thirty-five (35) inches from the ground when the bus is unloaded. The top of the upper glass panel shall not be more than six (6) inches from the top of the door. A grab handle of stainless steel or equivalent strength stainless, corrosion resistant material not less than twenty (20) inches in length shall be properly secured in an unobstructed location inside the doorway. Power operated doors shall be equipped for modulated control and for manual operation in case of power failure. If equipped with a power operated service door, instructions for emergency opening in letters at least one-half (½) inch high shall be printed on the door or adjacent thereto. The service entrance pathway shall be measured along lines parallel to the seat isle and shall cease at the right most forward projection of the seat isle and shall provide at least a twenty-two (22.0) inch clear path measured eighteen (18) inches above any step or the floor.

(b) The step risers shall be approximately equal in height, with the upper riser no more than fifteen (15) inches in height. The steps shall be enclosed to prevent accumulations of ice and snow, shall not protrude beyond the width of the body and shall be surfaced with a non-skid material with a one and one half (1½) white nosing as an integral piece. The stepwell shall be adequately illuminated by at least one lamp providing a white light actuated automatically by the opening of the door. The lower step shall be of a height not less than ten (10.0) inches and not more than sixteen (16) when measured on a level surface upon which the unloaded bus rests. The average width of any step shall not be less than sixteen (16) inches. The average width shall be determined by measuring parallel to the nosing of the step and dividing the sum of the narrowest and widest measurement by two.

(c) A head bumper pad shall be installed on the inside at the top of the service door. The pad shall extend across the entire opening of the exit and shall be designed and positioned to protect the head of passengers using the exit.

(Subsection (b) effective September 19, 2001, all other subsections effective December 1, 1993)

Sec. 14-275b-111. Shock absorbers

Two front and two rear double-acting shock absorbers of sufficient capacity shall be provided.

(Effective October 1, 1988)

Sec. 14-275b-112. Suspensions

Suspensions shall be capable of supporting their designed share of the vehicle gross weight.

(Effective October 1, 1988)

Sec. 14-275b-113. Stanchions and restraining barriers

(a) A stanchion may be installed from floor to roof for transportation of the physically handicapped. A restraining barrier the same height as the seat backs shall be provided between the driver's seat and the left front seat. The restraining barrier shall be placed so as not to interfere with the fore and aft adjustment of the driver's seat and shall extend the width of the left front seat back. The driver's seat when adjusted to the rearmost position shall provide two inches of clearance between the rear of the driver's seat and the restraining barrier.

(b) A vertical stanchion may be installed for transportation of the physically handicapped at the rear of the entrance stepwell from floor to roof and located so as not to restrict the entrance passageway to less than twenty-two (22.0) inches nor the aisle to less than twelve (12.0) inches.

(c) A restraining barrier with kick panel shall be installed extending the width of the right front seat back to the right wall to prevent passengers in the front seat from being thrown into the stepwell. The restraining barrier shall be the same height as the seat backs above the floor and its kick panel shall not restrict the entrance passageway to less than twenty-two (22.0) inches measured eighteen (18) inches above the floor. The panel shall extend from the barrier to within two (2) inches of the floor. The kick panel shall be positioned or flanged to avoid having its lower edge extended over the stepwell, and may be fastened to the floor.

(d) All stanchions shall be a minimum of one inch outside diameter steel or equivalent strength tubing.

(Effective October 1, 1988)

Sec. 14-275b-114. Steering gear

The steering gear shall provide safe and accurate performance at maximum load and speed and shall be adjustable. Only changes approved by the chassis manufacturer shall be permitted.

(Effective October 1, 1988)

Sec. 14-275b-115. Steering wheel

The steering wheel circumference shall have at least two inches of clearance at all points.

(Effective October 1, 1988)

Sec. 14-275b-116. Stirrup steps

There shall be at least one folding stirrup step or recessed foothold and suitably located handles on each side of the front of the body for easy accessibility for cleaning the windshield and lamps. Cutaway van chassis buses may have only one stirrup step if positioned in the center with a suitable handle above the step.

(Effective September 19, 2001)

Sec. 14-275b-117. Reverse direction alarm

Each bus shall be equipped with a reverse direction alarm in compliance with SAE Standard J994 MAR85.

(Effective October 1, 1988)

Sec. 14-275b-118. Storage compartment tools

If a storage compartment is provided it shall be securely covered and fastened to the body or chassis to prevent the container or its contents from becoming accidentally dislodged.

(Effective October 1, 1988)

Sec. 14-275b-119. Sun visor

An interior adjustable sun visor not less than six (6) inches wide and thirty (30) inches long shall be so installed that it can be turned up when not in use. It shall be supported by at least two brackets. A chassis manufacturers' standard sun visor shall be acceptable on a cutaway van chassis if installed on each side of the windshield.
(Effective September 19, 2001)

Sec. 14-275b-120. Tires

Tires of good quality and proper size and ply rating commensurate with chassis manufacturer's gross vehicle weight rating shall be provided. Recapped, retreaded tires shall not be used on the steering axle of the bus.
(Effective October 1, 1988)

Sec. 14-275b-121. Undercoating

The entire underside of the body, including the front fenders, floor members and side panels below the floor level shall be coated with a fire-resistant undercoating material in order to seal, insulate, and to reduce oxidation and the noise level. Any portion of the body which is constructed entirely of fiber glass need not have such undercoating applied.
(Effective August 29, 1990)

Sec. 14-275b-122. Ventilation

The bus body shall be equipped with a suitable, controlled ventilation system of sufficient capacity to change the air within the stationary bus at a rate no less than five (5) cubic feet per minute multiplied by the designated seating capacity of the bus. If static type exhaust roof ventilators are used, they shall be non-closable and be installed such that the forward motion of the bus results in air being drawn out of the bus body. If so designed, emergency roof exits may be considered as roof ventilators.
(Effective October 1, 1988)

Sec. 14-275b-123. Weight distribution and gross weight

The gross weight of the loaded vehicle shall at no time exceed the chassis manufacturer's maximum gross vehicle weight rating.
(Effective October 1, 1988)

Sec. 14-275b-124. Wheel housings

(a) The wheel housing opening shall allow for easy tire removal and service.

(b) The wheel housings shall be designed to support seat and passenger loads and shall be attached to the floor panels in such a manner as to prevent any dust, water, or fumes from entering the body.

(c) The inside height of the wheel housing above the floor line shall not exceed twelve (12) inches.

(d) The wheel housings shall provide clearance for installation and use of tire chains on single and dual (if so equipped) power driving wheels.
(Effective October 1, 1988)

Sec. 14-275b-125. Window openings

All side windows shall operate freely, and with the exception of the driver's, shall open a maximum of five (5) inches, shall open from the top only

and shall be equipped with no latches other than those of the recessed type. If push-out windows are used they must comply with FMVSS-217. All exposed edges of glass shall be banded. Windows shall be free of window guards or bars either on the inside or outside.
(Effective October 1, 1988)

Sec. 14-275b-126. Windshields

(a) The windshield shall be approved laminated safety glass, so mounted that its identification mark is visible and shall comply with FMVSS-205.
(b) The windshield shall be large enough to permit the driver to see the highway clearly, shall be slanted to reduce glare, and shall be installed between front corner posts that are so designed and located as to afford a minimum of obstruction to the driver's view of the highway.
(c) The windshield shall have a horizontal gradient band starting slightly above the line of the driver's vision and gradually decreasing in light transmission to twenty (20) percent or less at the top of windshield, in compliance with FMVSS-205.
(Effective October 1, 1988)

Sec. 14-275b-127. Windshield wipers

A two speed windshield wiping system shall be used having required equipment and wiped glass area which complies with FMVSS-104.
(Effective October 1, 1988)

Sec. 14-275b-128. Windshield washer

A windshield washer which will effectively clean the entire area covered by both windshield wipers shall be provided. Windshield washer equipment shall meet FMVSS-104.
(Effective October 1, 1988)

Sec. 14-275b-129. Warning devices for disabled vehicles

At least three warning devices which conform to FMVSS-125 for use in warning traffic in event of prolonged stops on the highway shall be provided.
(Effective October 1, 1988)

Sec. 14-275b-130. Wiring

(a) All wiring shall conform to SAE Standard J1292.
(b) Wiring shall be arranged in at least nine (9) regular circuits as follows:
(1) Head lamps
(2) Clearance lamps, stepwell lamps, taillamps, stoplamps and instrument lamps, and other interior lamps
(3) Dome lamps
(4) Starter motor
(5) Ignition and emergency door signal
(6) Turn signal lamps
(7) Alternately flashing signal lamps
(8) Horn
(9) Heater and defroster
Any of the above combination circuits may be subdivided into independent circuits. When possible, all other electrical functions (sanders, electric-type windshield wipers) shall be provided with independent and properly protected circuits. Each body circuit shall be coded by number or letter at six (6) inch intervals or by color. The code shall appear on a diagram of the circuits in a readily accessible location.

(c) A separate fuse or circuit breaker shall be provided for each circuit required under section 14-275b-130 (b) except the starter motor and ignition circuits and shall be readily accessible to the driver.

(d) All wires within the body shall be insulated and protected by a covering which will protect them from external damage and minimize dangers from short circuits. Whenever wires pass through body or chassis members, additional protection in the form of a grommet or other appropriate type of insert shall be provided.

(e) Wires not enclosed within the body shall be fastened securely at intervals of not more than eighteen (18) inches. All joints shall be soldered or joined by equally effective connectors.

(f) The chassis manufacturer shall install a readily accessible electrical terminal. The chassis wiring system to terminal shall have a minimum one hundred (100) ampere capacity.

(Effective October 1, 1988)

Sec. 14-275b-131. Interpretation

(a) Any references in sections 14-275b-70 through 14-275b-130 of the Regulations of Connecticut State Agencies to any Federal Motor Vehicle Safety Standard, SAE Standard, procedure or recommended practice, American Society for Testing Material Procedure, Code of Federal Regulations or other nationally accepted standard, procedure or regulation shall be deemed to include any revision to such standard, procedure or regulation as may be subsequently adopted.

(b) Any dimensions specified in sections 14-275b-70 through 14-275b-130 shall comply within the following limits:

(1) Measurements specified in whole numbers with no decimal point specified, shall be rounded either up or down to the next whole number in accordance with standard engineering practice.

(2) Measurements specified as decimals or whole numbers with a decimal shall be rounded to the least significant digit specified.

(3) Tolerances specifically noted in the references mentioned in section 14-275b-131 (a) shall prevail.

(Effective October 1, 1988)

Standards for Vehicles Used for Transportation of Students Who Are Mobility Impaired

Sec. 14-275b-132. Purpose. Effective date. Scope

The purpose of this regulation is to establish standards for vehicles used for the transportation of students who are mobility impaired. The standards in Sections 14-275b-133 through 14-275b-149, inclusive, apply to all vehicles which are manufactured or are converted to carry students who are mobility impaired on or after July 1, 1993. For purposes of this section, the word ``converted'' shall mean making significant changes to a vehicle which has not previously been used to carry students or persons with mobility impairments.

(Effective December 18, 1992)

Sec. 14-275b-133. Definitions

As used in sections 14-275b-133 to 14-275b-149, inclusive:

(a) ``Bus'' means a motor vehicle with motive power, except a van-type vehicle or trailer, designed for carrying more than ten (10) persons;

(b) ``Carrier'' means any local or regional school district, any educational institution providing elementary or secondary education or any person, firm or corporation under contract to such district or institution engaged in the business of transporting school children;

(c) ``Commissioner'' means the commissioner of motor vehicles or his authorized representative;

(d) ``Department'' means the Department of Motor Vehicles;

(e) ``Inspect'' means to view closely and critically in order to ascertain, in accordance with accepted inspection standards, if the vehicle is in proper mechanical condition and all manufactured systems, including safety features, are intact;

(f) ``Maintain'' means to preserve from operational failure or decline; to keep in a state of repair and good working order;

(g) ``Operate'' means in the possession, control and use of the carrier, regardless of whether the vehicle is owned by the carrier;

(h) ``Repair'' means to restore by replacing a part or putting together what is torn, broken or otherwise malfunctioning;

(i) ``School Bus'' means any motor vehicle so defined in Section 14-275 (a) of the General Statutes, as amended, which meets the construction standards set forth in regulations of the Department of Motor Vehicles;

(j) ``Scooter'' means a type of wheelchair with a removable seat on a pedestal and/or handle bars, and a foot platform located between the front and rear wheels;

(k) ``Student Transportation Vehicle (STV)'' means any motor vehicle other than a registered school bus used by a carrier for the transportation of students, including children requiring special education;

(l) ``Student with a Mobility Impairment'' means a person who has a temporary or permanent physical disability limiting normal movement as determined by a licensed physician;

(m) ``Vehicle'' means any school bus or student transportation vehicle;

(n) ``Wheelchair'' means a wheeled seat frame for the support and conveyance of a person who is mobility impaired, comprising at least a frame, seat and wheels, including a scooter type wheelchair.

(Effective September 24, 1993)

Sec. 14-275b-134. Classification of vehicles

As used in sections 14-275b-135 to 14-275b-149, inclusive, of the Regulations of Connecticut State Agencies, the following vehicle classes will have the following meanings:

CLASS OF VEHICLE	VEHICLE TYPE
HS	A school bus.
HS-1	A Type I school bus equipped to accommodate students with mobility impairments.
HS-2	A Type II school bus equipped to accommodate students with mobility impairments.
HB	A bus other than a school bus equipped to accommodate students with mobility impairments.
HV	A van-type vehicle.
HV-1	A van-type vehicle without modifications to the headroom of a manufactured body equipped to accommodate students with mobility impairments.
HV-2	A van-type vehicle with modifications to the head room of a manufactured body equipped to accommodate students with mobility impairments.
HP	A passenger vehicle with a minimum wheelbase specified in Section 14-275a of the Connecticut General Statutes equipped to accommodate students with mobility impairments.

(Effective December 18, 1992)

Types of Equipment

Sec. 14-275b-135. Seating systems

All seating systems for students with mobility impairments shall meet the following requirements:

(a) **For class HS vehicles:**

(1) Conventional seating shall meet the requirements of Federal Motor Vehicle Safety Standard (FMVSS) #222, as amended;

(2) Special seating arrangements shall meet the requirements of Section 14-275c-31 (c) of the Regulations of Connecticut State Agencies;

(3) Wheelchair anchorages shall meet the requirements of Section 14-275b-138 of the Regulations of Connecticut State Agencies and any FMVSS that may subsequently be adopted.

(b) **For classes of vehicles other than class HS:**

(1) Conventional seating shall meet the requirements of the test procedures of FMVSS #207, as amended;

(2) Special seating arrangements shall meet the requirements of Section 14-275c-31 (c) of the Regulations of Connecticut State Agencies;

(3) Wheelchair anchorages shall meet the requirements of Section 14-275b-138 of the Regulations of Connecticut State Agencies.

(c) The seating systems for all classes of vehicles shall be forward facing unless otherwise specifically allowed under FMVSS #222 as amended.

(d) The padding and seating materials for all classes of vehicles required in accordance with subsections (a) and (b) of this section shall meet the flammability requirements of FMVSS #302.

(Effective December 18, 1992)

Sec. 14-275b-136. Lifts

All lift platforms on vehicles used to transport students with mobility impairments shall meet the following requirements and shall be able to lift a maximum weight of eight hundred (800) pounds on HS and HB vehicles and seven hundred fifty (750) pounds on all other classes of vehicles:

(a) For class HS, HB and HV vehicles:

(1) The lift platforms shall have a minimum usable width of thirty (30) inches and a minimum usable length of forty-two (42) inches when measured two (2) inches above the platform surface, and shall have a minimum usable width of twenty-eight and one-half (28½) inches and a minimum usable length of forty (40) inches when measured at the platform surface as shown in figure 1. The platform surface shall be skid resistant and shall be equipped with protective curbing on each side no less than one and one-half (1½) inches above the platform surface. The platform slope shall not exceed ten percent (10%) in the passage direction when loaded with six hundred (600) pounds evenly applied in a thirty by thirty (30 x 30) inch square at the center of the platform. A self-adjusting steel or equivalent strength ramp transition plate shall be provided to allow smooth wheelchair passage from ground level onto the lowered lift platform. The transition plate shall raise to a position perpendicular to the platform plus or minus twenty degrees (±20°) and shall latch in order to provide a roll-off barrier or end flap for the wheelchair.

(2) In order to prevent a wheelchair located on the lift platform from tipping or inadvertently rolling or falling from the lift platform, the lift platform shall incorporate either:

(A) a raised end flap as provided in subdivision (1) of this subsection extending a minimum of three and one-half (3½) inches in height, together with an adjustable restraint belt installed between the lift handrails or otherwise positioned across the open side(s) of the lift platform; or

(B) a raised end flap extending at least eight (8) inches in height from the lift platform floor along the open side(s) of the platform.

When required, the restraint belt shall be connected electrically or mechanically to the lift mechanism to prevent raising or lowering of the lift unless the restraint belt is properly latched. Both the raised end flap and/or

restraint belt shall be installed in a manner to minimize risk to wheelchair occupants while on the lift platform. All electrical controls and wiring shall be weatherproof. The electrical system of the vehicle shall be capable of supporting the electrical requirements of the lift without significantly reducing the electrical supply to the remainder of the vehicle.

(3) A manual backup system shall also be provided for use in the event of power loss. The backup system shall be capable of repeatedly lowering and raising the platform in no more than two (2) minutes per complete cycle and shall be operable from inside the vehicle.

(b) For all classes of vehicles other than classes HS, HB or HV, the lift platforms shall conform to the requirements of Section 14-275c-31 (a) of the Regulations of Connecticut State Agencies.

(c) Controls shall be provided that enable the operator to activate the lift from either the inside or outside the bus. There shall be a means for preventing the lift platform from falling while in operation due to a power failure or a single component mechanical failure.

(d) The lift platform shall be equipped with two (2) handrails which shall be not less than twenty-five (25) inches in height and eighteen (18) inches in length and designed to fold when in stowed position so as not to add to overall lift projection into the vehicle.

(e) An appropriate sized circuit breaker shall be installed between the power source and lift motor if electrical power is used.

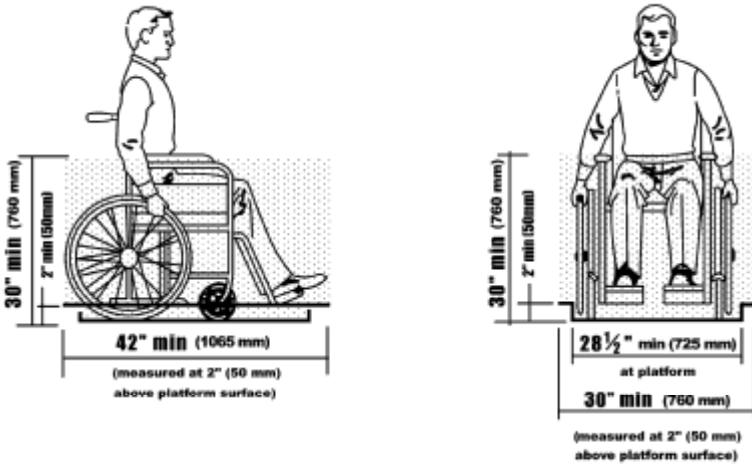
(f) Lift design shall prevent excessive pressure that could damage the lift system when the platform is fully lowered or raised, or that could jack the vehicle.

(g) The lift mechanism shall be designed to prevent folding or stowing of the lift when the lift platform is occupied.

(h) Any lift platform which does not provide a clear opening of at least thirty (30) inches when folded or stowed shall provide a mechanical emergency release which allows the platform to be unfolded in the event of electrical or hydraulic failure.

(i) Notwithstanding any other provision of this section to the contrary, any lift platform on a vehicle used to transport students with mobility impairments and which meets the requirements of The Americans with Disabilities Act of 1990, Public Law 101-336, July 26, 1990, 104 Stat. 327, shall be deemed to meet the requirements of this section.

Figure 1. Minimum Clearance on Lifts



(Effective June 26 1995)

Sec. 14-275b-137. Ramps

For all classes of vehicles, ramps shall meet the requirements of Section 14-275c-31 (b) of the Regulations of Connecticut State Agencies, except that ramps not used for emergency exit purposes shall have a slope not exceeding ten (10) percent. Any ramp shall be stowed in a manner to protect it from the weather and so that it will not present a hazard.
(Effective December 18, 1992)

Sec. 14-275b-138. Wheelchair and appliance anchorages (tiedowns)

(a) All wheelchair and appliance anchorage straps, or an equivalent floor to appliance flexible anchorage, when not in use, shall not be located on the floor of the vehicle but shall be securely retained or placed in a secure, clean, dry storage container so as not to present a hazard. Anchorage straps without a manufacturer's label shall not be used. Belts and anchorages shall be attached to the vehicle in accordance with the strength requirements of FMVSS #210. All vehicle mounted portions of anchorages shall be installed so that when in use they will not obstruct the movement of other passengers or present a hazard to persons or property.

(b) For wheelchairs occupied during vehicle motion, wheelchair anchorages shall comply with the requirements of Section 14-275c-31 (d) of the Regulations of Connecticut State Agencies. Anchorage labels shall be marked to indicate the maximum wheelchair weight for which the anchorages have been tested. The anchorages shall have passed impact testing using a deceleration of twenty (20) g's from 30 MPH. In no case shall the elongation of the anchorage tested exceed that of the passenger restraint. Placement of such anchorages shall allow a minimum clear space of thirty (30) inches wide by fifty-three (53) inches long.

(c) For wheelchairs not occupied during vehicle motion, anchorages for empty chairs shall maintain the position of the empty wheelchairs so as to prevent contact with occupants during a sudden stop or collision and shall comply with the strength requirements of subsection (d).

(d) Appliance anchorages shall be provided for other apparatus for the occupants including but not limited to crutches and walkers. Appliance anchorages for apparatus in this subsection shall be composed of and installed using materials capable of withstanding a force equal to twenty (20) times the weight of the heaviest appliance to be restrained, and shall be marked to indicate the maximum weight capable of being restrained.

(e) Bulky, heavy or frangible portable items used by wheelchair bound individuals such as oxygen bottles, radios, lap-top computers or the like must

be firmly attached to the persons's wheelchair and shall meet the requirements of subsection (d) of this section.

(f) Instructions for use and installation of wheelchair or appliance anchorages shall be located so as to be readily visible upon removal of the anchorages from their stored location. The instructions shall be in explanatory words and/or symbols, the text portion of the instructions having a minimum height of one eighth (1/8) inch on a contrasting background. The instructions shall be protected with clear durable laminate.

(g) All wheelchair or appliance anchorages not permanently attached shall be a ``positive latch'' type to prohibit accidental disconnecting. All anchorages designed to be connected or disconnected frequently shall be accessible and operable without the use of tools or other mechanical assistance.

(Effective December 18, 1992)

Sec. 14-275b-139. Passenger restraints

(a) All occupants of a vehicle used exclusively or customarily to transport students with mobility impairments shall be provided with at least one (1) restraint complying with FMVSS #209 and #210, and labeled as so complying. Any additional restraint(s) necessary to safely maintain the seating position of an impaired occupant of the vehicle shall also be provided.

(b) Occupants of wheelchairs shall be provided with a Type 2 occupant securement system complying with FMVSS #209 and #210, and labeled as so complying. The occupant securement system shall be designed to be attached to the vehicle body either directly or in combination with the wheelchair securement system by a method which prohibits the transfer of weight or force from the wheelchair to the occupant in the event of an impact.

(Effective December 18, 1992)

Sec. 14-275b-140. Modifications to vehicle headroom

(a) No modification from the manufactured standard shall be made to the vehicle headroom in class HS or class HB vehicles.

(b) Class HV-2 vehicles may be modified in accordance with the following standards:

(1) Raised roofs of such vehicles shall be equipped with at least three (3) roll bars with side stringers and gussets or equivalent structural reinforcement independent of the added rooftop;

(2) Lowered floors of such vehicle shall be constructed of ten (10) gauge or stronger steel with lateral reinforcing joists, and the floors shall be fully sealed to prevent entry of liquid gas into the vehicle. Body lift kits used in conjunction with lowered floors shall be installed with bolts at least as strong as SAE grade five (5) or the strength used by the vehicle manufacturer, whichever is stronger, and at least equal in diameter to the bolts used by the vehicle manufacturer.

(Effective December 18, 1992)

Sec. 14-275b-141. Interior construction

(a) All interior surfaces of a vehicle shall be free from sharp edges and protruding surfaces presenting a hazard to occupants. Any fiberglass materials added to vehicles shall be covered with a smooth or cushioning interior liner so that no fiberglass strands are visible or protruding. Ceiling and walls must be constructed or reinforced to withstand a static pull of at least three thousand (3000) pounds and floors must be constructed to withstand a static pull of at least five thousand (5000) pounds at restraint attachment points.

(b) Insulation shall be added to the vehicle as needed to maintain the temperature level in the interior of the vehicle within acceptable limits in all weather conditions that may reasonably be encountered.

(c) Lighting within the vehicle shall comply with Section 14-275c-30 (a) of the Regulations of Connecticut State Agencies.

(d) Flooring within the vehicle shall adequately support the weight of occupants up to the manufacturer's recommended weight limit. Floor covering shall be skid resistant and fire resistant, and shall be securely bonded to the floor.

(e) In class HS vehicles, air conditioning shall be provided if requested by the local or regional board of education, and if provided shall maintain acceptable interior temperature and airflow while the vehicle is stationary.

(f) In class HB, HV and HP vehicles, air conditioning shall be provided whenever the ambient outside temperature exceeds 74°F. The equipment shall comply with the requirements of Section 14-106 of the General Statutes.

(g) Any auxiliary equipment extending into the interior of the vehicle shall be configured, mounted and/or protected to minimize the potential for injuries to occupants of the vehicle at all times.

(h) Any modifications to the vehicle from its manufactured configuration to create or enlarge door openings shall include headers, framing and/or other structural reinforcements attached to the original structure. Any such modifications shall be attached such that there shall be no reduction in structural strength of the vehicle from the original manufactured vehicle. All class HS vehicles shall also have seat and floor level rub rails attached to any such structural reinforcements or their necessary extensions.

(i) Emergency equipment shall comply with Section 14-275c-30, subsections (b), (c), and (d), of the Regulations of Connecticut State Agencies, except that items (5) and (6) of subsection (c) are not required, and the flashlight of item (9) of subsection (c) shall be of a size that has at least two (2) size ``D'' batteries.

(1) A belt cutter shall be carried for use in emergencies. It shall be designed to eliminate the possibility of the operator or others being cut during use, and shall be secured in the first aid kit or other easily accessible compartment.

(2) A body fluids clean-up kit shall be provided, the contents of which shall include, but not be limited to, latex gloves, absorbent material, disinfectant, a scoop, plastic bags and ties.

(3) A fire blanket may be carried for emergency purposes, including evacuation.

(j) When fully loaded with passengers, equipment or both, the GVWR and the gross axle weight rating of a vehicle as determined by the manufacturer shall not be exceeded.

(k) In all vehicles there shall be a heater operable when the ambient temperature is below 70°F and having sufficient capacity to maintain the vehicle interior at a comfortable temperature when the ambient temperature is 0°F.

(Effective December 18, 1992)

Sec. 14-275b-142. Signs

(a) Special signs for vehicles other than class HS shall be constructed and attached in accordance with the provisions of Section 14-280 (b) of the General Statutes and any regulations enacted thereunder. Signs and markings for class HS vehicles shall conform to the provisions of Section 14-275 of the General Statutes and any regulations enacted thereunder.

(b) All vehicles used customarily to transport students with mobility impairments shall display universal handicapped symbols. Such symbols shall be white on blue background, shall not exceed twelve (12) inches in size, and shall be of reflectorized material meeting U.S. DOT FHWA FP-85 standards. One symbol shall be located below the windowline to the left of the service door, and one shall be located below the windowline on the rear of the vehicle.

(Effective December 18, 1992)

Sec. 14-275b-143. Communication

For each vehicle equipped to carry students with mobility impairments, two-way communications shall be provided from and to the vehicle by means of electromagnetic devices. Such devices shall be capable of remaining in contact with a base at all times.
(Effective December 18, 1992)

Sec. 14-275b-144. Access

(a) All classes of vehicles equipped to carry wheelchair bound students with mobility impairments shall provide two (2) means of egress from the vehicle.

(b) All classes of vehicles except HP shall provide at least one (1) means of egress from the vehicle having a useable width of at least thirty-six (36) inches and equipped with a lift or ramp meeting the requirements of Section 14-275b-136 of the Regulations of Connecticut State Agencies. A second means of egress shall be provided on class HS and HB vehicles with a width of at least thirty (30) inches and equipped with mounts for a portable ramp which shall be carried and available for emergency use only. Mounts for portable ramps when not in use shall meet the requirements of Section 14-275b-138 (d) of the Regulations of Connecticut State Agencies.

(c) Class HS vehicles shall have a lift service door with a clear opening at least forty-eight (48) inches high and thirty-nine (39) inches wide equipped with illuminating devices sufficient for loading during hours of darkness.

(d) Wheelchair service doors shall be weather sealed and shall have positive fastening devices to hold doors in the open position.

(e) When manually operated dual doors are provided, the rear side door or left rear door shall have at least a one-point fastening device to the header. The forward mounted side door or right rear door shall have at least three-point fastening devices, one to the header, one to the floor line of the body, and the other into the rear side or left rear door. The door and hinge mechanism shall be of a strength that is equivalent to or greater than the emergency exit door.

(f) Doors shall be equipped with a device that will actuate an audible or visible signal located in the driver's compartment when a door is not securely closed and the ignition is in the ``on'' position.

(g) A switch shall be installed to prevent the lifting mechanism from operating when the lift platform door is closed.

(h) Doors shall be equipped with padding at the top edge of the door opening. Pads shall be not less than three (3) inches wide and one (1) inch thick and shall extend the full width of the door opening.

(i) Class HS vehicles shall maintain a thirty (30) inch aisleway to both required exits from all occupied wheelchair seating positions.
(Effective December 18, 1992)

Sec. 14-275b-145. Inspection, maintenance and records

(a) All vehicles meeting the definitions of school bus or student transportation vehicle shall be subject to the requirements of Sections 14-275c-36 through 14-275c-43 of the Regulations of Connecticut State Agencies, as amended.

(b) All other vehicles, if used by or on behalf of a regional or local school board of education to transport students requiring special education or with mobility impairments, shall comply with the following:

(1) Each vehicle shall be inspected by the department prior to being placed into service, and at least once during each school year thereafter; and

(2) All records pertaining to the maintenance and repair of each such vehicle shall be retained and made available at the request of the department. A separate record shall be maintained for each vehicle, and shall identify the

vehicle by year, make, model, registration number and vehicle identification number (VIN). Routine maintenance shall be conducted in accordance with the schedule recommended by the manufacturer.
(Effective December 18, 1992)

Sec. 14-275b-146. Wheelchair batteries

On or after July 1, 1995, no wheelchair containing other than a gell type of battery may be transported in any school bus or student transportation vehicle.
(Effective December 18, 1992)

Sec. 14-275b-147. Operator's license

Each person operating a vehicle used by or on behalf of a regional or local board of education and transporting students with mobility impairments shall possess a valid public passenger transportation permit and, if required by law, a commercial driver's license.
(Effective December 18, 1992)

Sec. 14-275b-148. Operation

All vehicles used by or on behalf of a regional or local board of education for the transportation of students with mobility impairments shall adhere to the following:

(a) No operator or passenger shall smoke or carry a lighted smoking implement in the vehicle;

(b) The operator shall require each passenger to remain seated and use appropriate available restraining devices or anchorages while the vehicle is moving;

(c) Scooter type wheelchairs shall not be occupied while the vehicle is moving unless the anchorage manufacturer provides instructions for restraining such scooter;

(d) Each vehicle shall stop at all railroad crossings as required by Section 14-250 of the General Statutes. Signs or lettering stating that the vehicle stops at railroad crossings may be provided on the back of each vehicle in letters not to exceed two (2) inches;

(e) No STV shall be operated with unsecured wheelchairs or appliances.
(Effective December 18, 1992)

Sec. 14-275b-149. Conflicting regulations

If there is a conflict between any provision of Sections 14-275b-132 through 14-275b-148 of the Regulations of Connecticut State Agencies, and Sections 14-275c-16 through 14- 275c-33 of the Regulations of Connecticut State Agencies relating to motor vehicles used to transport special education students, the provisions of Sections 14-275b-132 through 14-275b-148 of these regulations shall prevail.
(Effective December 18, 1992)

Operation of School Buses

Sec. 14-275c-1.

Repealed, January 25, 1994.

Sec. 14-275c-2. No smoking

The smoking of or carrying of a lighted cigar, cigarette or pipe by the driver or passengers of a school bus is prohibited.
(Effective August 19, 1974)

Sec. 14-275c-3. Driver to safeguard children

The school bus driver shall apply all reasonable measures to safeguard the children when they are riding on the bus and getting on and off the bus.
(Effective August 19, 1974)

Sec. 14-275c-4. Driver not to leave seat

The driver of a school bus shall not leave his seat while the motor is running.
(Effective August 19, 1974)

Sec. 14-275c-5. Passengers in excess of seating capacity prohibited

The driver of any vehicle used for the transportation of school children shall not take on any extra passengers after the rated seating capacity has been reached.
(Effective August 19, 1974)

Sec. 14-275c-6. Passengers not to be taken on or discharged while vehicle in motion

The driver of any motor vehicle used for the transportation of school children shall not take on or discharge passengers while the vehicle is in motion.
(Effective August 19, 1974)

Sec. 14-275c-7. Crossing railway tracks

Before crossing any railway tracks at grade, the driver of every school bus shall stop the bus, open the door, look and listen, close the door; and when safe to do so, may then proceed with caution across the tracks. Gears shall not be shifted while passing over any such crossing.
(Effective August 19, 1974)

Sec. 14-275c-8. Stopping of bus

The driver shall not stop his bus on the main traveled portion of the roadway when discharging or boarding passengers when existing shoulders or adequate roadway width is available or when curbs, bus stops or special facilities exist.
(Effective August 19, 1974)

Sec. 14-275c-9. Signalling on stopping

The driver, when about to bring his bus to a stop to receive or discharge passengers, shall signal his intention to do so by turning on the appropriate school bus warning lights no less than 50 feet before bringing the bus to a stop. When he has brought the school bus to a stop, he shall not open the

entrance door far enough to discharge or receive passengers until it is clear that vehicles approaching and overtaking the bus have stopped in recognition of his signal.
(Effective August 19, 1974)

Sec. 14-275c-10. Stop signal to be switched off

After all passengers to be taken on are safely aboard the bus and all discharged passengers are safely off the traveled portion of the roadway, the driver shall switch off the school bus warning signals. If the driver intends to remain stationary in any position on the highway for an extended period of time and not take on or discharge passengers during that time, he shall make certain that no stop signals are visible so that the operators of vehicles approaching and overtaking the bus may know that they may safely and legally pass the bus.
(Effective August 19, 1974)

Sec. 14-275c-11. Use of emergency door

The emergency door shall not be used as an entrance or exit by passengers except in case of emergency or practice school bus evacuation drills.
(Effective August 19, 1974)

Sec. 14-275c-12. Registration of vehicles other than school bus

While passenger style vehicles and suburbans or station wagons do not come within the definition of a ``school bus,'' as defined in section 14-275 of the general statutes, if such vehicles are used to transport school children under contract with the town, the owner shall report the contract to the motor vehicle department, pay the additional registration fee required by law for this privilege and have a seating capacity assigned and entered on the certificate of registration. Any motor vehicle being operated pursuant to this section may display a portable sign mounted on its front and rear with the wording ``School Bus'' in black lettering no less than 3½ inches high on a yellow background visible to operators of vehicles approaching from the front and rear.
(Effective August 19, 1974)

Sec. 14-275c-13. Daily physical requirements

In addition to the requirements of Section 14-275c-14, a school bus driver shall drive a school bus only on days when he has:

a. Enough physical strength to handle the bus with ease.

b. Full and normal use of both hands and feet, unless a qualified physician states that the lack of such use is not a handicap to the school bus driver.

c. Freedom from a communicable disease of extraordinary nature.

d. Freedom from any disease or injury which impairs the ability to drive.

e. Freedom from the use of medication which may impair ability to drive.

f. Freedom from the effects of alcohol and other drugs.

g. Freedom from mental, nervous, organic, or functional disease, likely to interfere with safe driving.
(Effective August 19, 1974)

Sec. 14-275c-14. Physical examination requirements

No license for the operation of a school bus shall be issued or renewed until the applicant has successfully passed a physical examination conforming to Section 14-44-1 of the Regulations of Connecticut State Agencies.
(Effective July 8, 1975)

Sec. 14-275c-15. Annual licensing requirements

After September 1, 1974, no person shall operate a school bus as defined in section 14-275 for the purpose of transporting school children unless such person has during the twelve months immediately preceding such operation: (1) Successfully completed a course in safety training for school bus operation administered by the commissioner; and (2) passed an examination in proficiency in school bus operation given by the commissioner.
(Effective August 19, 1974)

Sec. 14-275c-16. Pupil instruction

At least twice during each school year, each pupil shall be instructed in safe riding practices, and participate in emergency evacuation drills. Precautions shall be taken to prevent accidental injuries. Responsibility for compliance with this section shall rest with the school administration.
(Effective August 19, 1974)

Sec. 14-275c-17. Driver's seat belt

A school bus driver shall not drive a bus unless the seat belt provided is securely buckled around him.
(Effective August 19, 1974)

Sec. 14-275c-18. Backing

Backing of the school bus shall be avoided, if possible. When backing maneuvers cannot be avoided, children shall be retained inside the bus. If there are children outside the bus, no backing maneuver shall be made unless a competent adult observer is on hand to direct the maneuver.
(Effective August 19, 1974)

Sec. 14-275c-19. Driver's view

The school bus driver shall assure himself that he has a clear and unobstructed view of traffic conditions which affect the safe operation of his bus.
(Effective August 19, 1974)

Sec. 14-275c-20. Access to emergency equipment and exits

The school bus driver shall at all times maintain a clear and unobstructed path to emergency equipment and exits from the vehicle.
(Effective August 19, 1974)

Sec. 14-275c-21. Transporting items

No books, chairs, seats, instruments, equipment or articles shall be transported in the school bus driver's compartment or placed in the school bus aisles.
(Effective August 19, 1974)

Sec. 14-275c-22. Driver to secure bus when leaving

If the driver must leave the bus because of an emergency or to check the exterior when children are inside, he shall set the parking brake, turn the motor off, remove the ignition key, use the appropriate emergency equipment and assure himself that disciplined behavior will be maintained. He shall not leave the immediate vicinity of a bus if there are pupil passengers aboard.

(Effective August 19, 1974)

Secs. 14-275c-23--14-275c-25.
Repealed, March 27, 1991.

Motor Vehicles used to Transport Special Education Students

Sec. 14-275c-26. Definition

``Special education child'' means a child who requires special education and related services as determined by a board of education pursuant to section 10-76d-6 of the Regulations of Connecticut State Agencies.
(Effective February 26, 1982)

Sec. 14-275c-27. Special education vehicles

Except as provided in sections 14-275c-28 and 14-275c-29 no special education child shall be transported by or on behalf of any local or regional board of education in any motor vehicle other than one meeting the requirements of sections 14-275c-26 through 14-275c-35 which are applicable to such motor vehicle.
(Effective February 26, 1982)

Sec. 14-275c-28. Use of school bus

A special education child may be transported in a Type I or Type II school bus as defined in Section 14-275 of the General Statutes when the local or regional board of education determines that the school bus is suitably equipped to ensure the safety of such child. Each such Type I or Type II school bus shall conform to those provisions of Secs. 14-275-1 - 14-275c-22 of the Regulations of Connecticut State Agencies as are applicable to school buses of such design.
(Effective March 27, 1991)

Sec. 14-275c-29. Exceptions

Sections 14-275c-26 through 14-275c-30 shall not apply to any motor vehicle used under a contract between a local or regional board of education and a person who is a parent, guardian or family household member of the special education child or children being transported by such person.

(Effective February 26, 1982)

Sec. 14-275c-30. Equipment of vehicles

Each motor vehicle used by or on behalf of a regional or local board of education to transport special education children shall have the following equipment:

(a) **Interior lighting.** Each motor vehicle shall be equipped with overhead lighting located either in the ceiling area or above the mid height at each side and the light source shall be of sufficient intensity and configuration to produce a minimum incident light reading of 4 foot candles measured at any interior location 1 foot from each light source using a photoelectric photometer or equivalent light intensity meter having an accuracy of ± 2 foot candles.

(b) **Fire extinguisher.** Each motor vehicle shall be equipped with one pressurized, dry chemical-type extinguisher, readily accessible to the driver. The fire extinguisher shall be of a type approved by the Underwriters' Laboratories, Inc., with a rating of not less than 10-B.C. The operating mechanism shall be sealed with a type of seal that will not interfere with the

use of the extinguisher. It shall be equipped with a readily visible pressure gauge having a dial face not less than 1 inch in diameter or equivalent area indicating:

(1) The actual pressure in pounds per square inch (psi) within the extinguisher case and:

(2) The fully charged safe operating pressure range for the extinguisher as established by the manufacturer.

(c) **First aid kit.** Each motor vehicle shall carry a first-aid kit, removable and readily identifiable, mounted in full view, the contents of which shall include but not be limited to the following:

(1) Four-inch bandage compress - one package

(2) Two-inch bandage compress - one package

(3) One-inch adhesive bandage - two packages

(4) Forty-inch triangular bandage with two (2) safety pins - one package

(5) Wire splint - one package

(6) Tourniquet - one package

(7) Burn ointment

(8) A recognized fluid skin antiseptic except preparations containing iodine or phenol (carbolic acid).

(9) Flashlight

(d) **Warning devices.** Each motor vehicle shall carry at least three red emergency reflectors which comply with FMVSS 5125.

(Effective February 26, 1982)

Sec. 14-275c-31. Special devices

If any motor vehicle, including a school bus, used to transport special education children, is equipped with any of the special devices described below, such device or devices shall meet or exceed the requirements established herein:

(a) **Lifts.** If a power or manually operated lift is provided, it shall be capable of reliably and safely raising and lowering a wheelchair and added ballast having a combined weight of no less than 600 pounds. The lift platform shall have a minimum usable width of not less than 30 inches and a minimum usable length of not less than 42 inches except that the commissioner may approve a lift having a minimum usable width of not less than 26 inches and a minimum usable length of not less than 36 inches if he determines that such lift is adequate for the service which will be performed by the vehicle on which it is installed. The lift platform shall be constructed or covered in a manner to provide protection against slipping and skidding of personnel and wheelchairs. The lift platform shall be equipped with protective curbing on each side in the passage direction no less than 1.0 inch in height above the platform surface. The platform surface between the curbing shall be unencumbered with wiring, tubing, switches or other material. The ramp slope in the passage direction shall not exceed 10.0° (17.6%) in any lift position when loaded with wheelchair and occupant. A self-adjusting steel or equivalent ramp transition plate shall be provided to allow smooth wheelchair passage from ground level onto the lowered lift platform; the transition plate shall raise to a position perpendicular to the platform ± 20° and latch to provide a roll off barrier for the wheelchair. A power-operated lift shall be capable of being opened and lowered at least one time in the event of power loss to the lift. All electrical controls and wiring shall be weather proof. The electrical system of the vehicle shall be capable of supporting the electrical requirements of the lift without reducing the electrical demands of the vehicle.

(b) **Ramps.** If a ramp is provided it shall be capable of supporting a minimum total weight of 600 lbs. It shall be equipped with protective flanges on each longitudinal side sufficient in height to prevent a wheelchair from accidentally falling off the side of the ramp. The ramp surface shall be composed of or covered with a non-skid material. The ramp shall be of a weight

that would permit the driver to set it in place and return it to its storage compartment. When the ramp is in use, it shall be securely fastened to the side of the vehicle to prevent accidental detachment. The ramp shall be connected to the vehicle floor level in such a manner to permit easy access for wheelchairs. The ramp shall be of sufficient length so that the slope shall not exceed 30%. If the ramp is to be stored under the vehicle chassis, the ramp shall be provided with a dust-proof, waterproof compartment. When the ramp is in the storage position, it shall be secured to prevent it from becoming accidentally dislodged while the vehicle is in motion.

(c) **Special seating.** Special seating arrangements may be provided for vehicles transporting handicapped children, and shall be appropriate to the needs of those being transported. Such seating arrangements must be approved by the commissioner of motor vehicles. Each handicapped child shall be provided a minimum of 15 inches of seating width and a minimum of 12 inches fore and aft. Each seat shall be fully padded on the seating surface. Where a seat back is so situated that it is in front of another seat, padding shall be affixed to the uppermost part and the top rear edge of the seat back. Each handicapped child shall be provided with a seat restraint system that will adequately restrain the individual without causing physical injury.

(d) **Wheelchair anchorages.** For those special education children confined to a wheelchair, a restraint system shall be provided for the occupant of the wheelchair which will effectively maintain his or her position in the wheelchair, and a restraint system shall be provided which will effectively maintain the position of the wheelchair within its designated position in the vehicle.

(e) **Special service doors.** These doors may be of the hinged swing type or sliding-type single door with a minimum clear opening of 45 inches in width and 46 inches in height.

(Effective February 26, 1982)

Sec. 14-275c-32. Inspection

Before being placed in service and annually thereafter each motor vehicle used by or on behalf of a regional or local board of education to transport special education children shall pass an inspection conducted by the Department of Motor Vehicles.

(Effective February 26, 1982)

Sec. 14-275c-33. Maintenance

Maintenance and repair records shall be available at the request of the Department of Motor Vehicles for each motor vehicle used by or on behalf of a regional or local board of education to transport special education children. A separate record shall be maintained on each motor vehicle. Each record shall identify the motor vehicle by year, make or model, registration number and vehicle identification number. Routine maintenance shall be conducted on a schedule as recommended by the vehicle manufacturer.

(Effective February 26, 1982)

Sec. 14-275c-34. Operator licensing

Each person operating a motor vehicle used by or on behalf of a regional or local board of education for transporting special education children shall hold a public service operator's license.

(Effective March 9, 1984)

Sec. 14-275c-35. Operation

The following requirements shall apply to all motor vehicles used by or on behalf of a regional or local board of education for the transportation of special education children.

(a) **Smoking.** No operator or passenger shall smoke.

(b) **Passenger security.** The operator shall apply all reasonable measures to seat and restrain each child while a passenger on the vehicle.

(c) **Railroad crossings.** Each motor vehicle used by or on behalf of a local or regional board of education shall stop at all railroad crossings as required by section 14-250 of the Connecticut General Statutes.

(Effective January 21, 1983)

Minimum Requirements for Inspection, Maintenance and Repair of School Buses and Other Vehicles Used For the Transportation of School Children

Sec. 14-275c-36. Scope

This regulation specifies minimum standards for the inspection, maintenance and repair of school buses and other Connecticut registered motor vehicles used for the transportation of school children, including special education students. It also establishes sanctions for noncompliance with the standards by owners, registrants and operators of such vehicles.

(Effective March 27, 1991)

Sec. 14-275c-37. Definitions

As used in the following Sections 14-275c-38 through 14-275c-43 the following words and phrases shall have the following meanings:

(1) **Carrier:** any local or regional school district, any educational institution providing elementary or secondary education or any person, firm or corporation under contract to such district or institution engaged in the business of transporting schoolchildren;

(2) **Commissioner:** the Commissioner of Motor Vehicles or his authorized representative;

(3) **Contract Location:** Any town, municipal subdivision, board of education or school system which enters into a separate contract with a carrier to provide transportation for school children;

(4) **Department:** the Department of Motor Vehicles;

(5) **Driver:** the duly licensed operator of a school bus or student transportation vehicle (STV);

(6) **DVIR:** the driver's vehicle inspection report;

(7) **Inspect:** to view closely and critically in order to ascertain, in accordance with accepted inspection standards, if the vehicle is in proper mechanical condition and all manufactured systems, including safety features, are intact;

(8) **Inspection Procedure:** the publication entitled ``School Transportation Vehicle Inspection Procedure'' dated 6/89, as the same may be revised and updated, which describes a step-by-step process for inspecting a student transportation vehicle;

(9) **Inspection Standards:** includes both (1) the standards published in the ``School Transportation Vehicle Inspection Guideline'' dated 6/89, as the same may be revised and updated, and insofar as the standards may be applied under field conditions using ordinary visual and manual inspection techniques, and (2) equipment and performance standards established by any provision of Title 14 of the General Statutes;

(10) **Inspector:** any inspector of the Department of Motor Vehicles, with powers set forth in Section 14-8 of the General Statutes, as amended;

(11) **Maintain:** to preserve from operational failure or decline; to keep in a state of repair and good working order;

(12) **Operated**: in the possession, control and use of the carrier, regardless of whether the vehicle is owned by the carrier;

(13) **Repair**: to restore by replacing a part or putting together what is torn, broken or otherwise malfunctioning;

(14) **School Bus**: any motor vehicle so defined in Section 14-275 (a) of the General Statutes, as amended, and the construction standards for which are set forth in regulations of the Department of Motor Vehicles;

(15) **Student Transportation Vehicle**: any motor vehicle other than a registered school bus used by a carrier for the transportation of students, including children requiring special education;

(16) **STV**: student transportation vehicle;

(17) **Vehicle**: any school bus or student transportation vehicle.

(Effective March 27, 1991)

Sec. 14-275c-38. Inspection and maintenance required

(a) Every carrier shall systematically inspect, maintain and repair every school bus and student transportation vehicle (STV) which it owns or operates. Such inspection and necessary repairs shall be performed by the carrier in accordance with the published inspection standards in regular intervals not to exceed three (3) months. Routine maintenance shall be conducted on a schedule as recommended by the vehicle manufacturer.

(b) Said regular inspection, maintenance and repair shall pertain to and include the following: brakes; tires and wheels; suspension and steering; lighting and electrical equipment; vehicle glazing; body and sheet metal; fuel system and exhaust; and additional parts and accessories which may affect safe operation, including but not limited to frame and frame assemblies, axles and attaching parts. Carriers shall be responsible for compliance of their vehicles with the construction requirements set forth in applicable regulations of the department.

(c) In addition to the foregoing requirements, pushout windows, emergency doors, emergency door marking lights, seats and seat belts, as may be required, shall be inspected by the carriers at least once every ninety (90) days and shall be repaired and kept in good working order at all times.

(d) Inspection, maintenance and repair as herein required shall be conducted by or performed under the supervision of a qualified mechanic who has thorough knowledge of the inspection standards and inspection procedure of the department. A qualified mechanic is a person who is knowledgeable and experienced in the technical specialty in which the inspection, maintenance or repair of the vehicle, its parts or equipment, is conducted or to be conducted. If such work is performed by a repair facility licensed under C.G.S Section 14-52, the work shall be reviewed by a qualified mechanic.

(e) Copies of the ``School Transportation Vehicle Inspection Guideline'' and the ``School Transportation Vehicle Inspection Procedure'' shall be made available without cost at the department.

(f) A motor vehicle not used for the business of transporting school children but otherwise used for transporting school children and for which mileage or other compensatory remuneration is paid by any local or regional board of education or other authority responsible for primary, secondary or special education, and which vehicle is not subject to the provisions of subsections (a), (b), (c) and (d) of this section, shall be presented for inspection at least once during each calendar year at any designated state motor vehicle inspection facility. No fee shall be charged for such inspection. A record of the most recent vehicle inspection and the results thereof shall be kept with such vehicle and available for inspection at all times.

(Effective March 27, 1991)

Sec. 14-275c-39. Required records

(a) For all school buses or STVs owned and/or operated for thirty (30) consecutive days or more, the carrier shall keep and maintain the following written records with respect to each vehicle:

(1) Identification of the vehicle including registration number, company number, vehicle identification number, year of manufacture and tire size. If the vehicle is not owned by the carrier, the carrier shall retain and have available all documents pertaining to its right to use and operate the vehicle, which documents shall identify ownership and other interests;

(2) Schedule of the nature and due date of the various inspection and maintenance operations;

(3) Record of all inspections, maintenance and repairs, including date, description, parts replaced and vehicle mileage in accordance with the preceding Section 14-275c-38. Such records shall be maintained on a form prescribed by the commissioner;

(4) Lubrication record including vehicle mileage;

(5) Dates and results of tests conducted on pushout windows, emergency doors, emergency door marking lights, and all other vehicle lighting systems.

(b) All required records shall be available for inspection at the principal place of business in Connecticut of the carrier, and the carrier shall permit such inspection by the commissioner at any time during customary business hours. If the STVs owned and operated by the carrier are not located at the carrier's principal place of business, the carrier shall make records available for inspection at the central or primary location where the vehicles are parked or garaged, at the time of scheduled vehicle inspection.

(c) All required records shall be retained for a period of not less than two (2) years for each vehicle the carrier owns or operates. If the subject vehicle ceases to be owned and/or operated by the carrier, the carrier shall be responsible to transfer the records to any new owner or operator. Records may be discarded six (6) months after a vehicle is permanently removed from the road or its use as a school bus or STV is permanently discontinued.

(d) The commissioner may from time to time request in writing that the carrier provide to the department a copy of the inspection, maintenance and repair records for a vehicle or vehicles required to be retained by the carrier. The carrier shall provide such documents to the department within fifteen (15) days of receipt of such request.

(Effective March 27, 1991)

Sec. 14-275c-40. Inspections by the department

(a) **Time for inspection.**

(1) Any inspector of the department may conduct an inspection of a school bus or STV at any reasonable time which does not conflict with the contractual obligations of the carrier, and may for this purpose enter upon the property of the carrier or other location where the subject vehicle is parked or garaged, as authorized by Section 14-275 (a) of the General Statutes.

(2) The department may notify a carrier of a scheduled inspection of any or all of its school buses or STVs by giving at least five (5) days advance notice to the carrier. Saturdays, Sundays or state or federal holidays shall not be counted in computing the recommended notice.

(b) The inspection shall be conducted by an authorized department inspector in accordance with the current federal and state statutes and regulations, and the current inspection standards and inspection procedure. The carrier shall make available a relatively level paved surface of sufficient area to perform an inspection. A form provided by the commissioner shall be used to record the results of school bus or STV inspections. The form shall indicate the date and time of inspection, and shall be signed and attested as true, accurate and complete by the inspector. A copy of the report shall be furnished to the carrier.

(c) **Procedure following inspection.**

(1) Following inspection, the inspector shall apply a Student Transportation Vehicle Inspection Control (STVIC) sticker to the windshield of the vehicle and shall indicate on the sticker the year of inspection, the quarter of the year in which the inspection took place, the class of the vehicle, and the STVIC control number used on the inspection form.

(2) The inspector shall declare and mark ``Out of Service'' any school bus or student transportation vehicle which, by reason of any defect or combination of defects in its mechanical, structural or safety-related systems and equipment, is more likely to suffer an accident or breakdown than a properly maintained and repaired vehicle of the same class and type. To mark a vehicle ``Out of Service,'' a sticker bearing the legend ``Out of Service'' shall be affixed to the front windshield of the subject vehicle, and shall not be removed by the carrier or any other person without authorization.

(3) An inspector may also declare and mark ``Out of Service'' any school bus or STV which cannot be fully inspected due to refusal by a carrier to permit an inspection at any reasonable time which does not conflict with the contractual obligations of the carrier, or to undue interference with the inspection procedure by a carrier or a person connected therewith.

(4) If, during a scheduled inspection as provided in subsection (a) (2) of this section, a defect is found in any school bus or STV in connection with its brakes, steering, suspension, tires or exhaust which will cause the school bus or STV to be more likely to suffer an accident or breakdown than a properly maintained and repaired vehicle of the same class and type, such vehicle or vehicles may be declared and marked ``Out of Service.''

(5) If an inspector, during a scheduled inspection, finds an alleged defect or defects in a school bus or an STV of the type described in subsection (c) (4) of this section, and if the carrier disagrees with the finding(s) of the inspector, the carrier may:

(A) Request, in writing, a reinspection by a supervising inspector of the department of any such vehicle(s). The request shall be mailed to the Department of Motor Vehicles, Office of Commercial Vehicle Safety, 60 State Street, Wethersfield, CT 06109-1896. Such reinspection shall be performed by the department within a reasonable time not exceeding five working days from receipt of the request, and the finding of the supervising inspector shall be final; or,

(B) At its own expense have the vehicle(s) inspected by an authorized dealer and provide to the department at the above address a written report by the dealer certifying that the vehicle(s) conforms to the department's inspection guidelines and is safe for operation. Such inspection and report shall be limited to the alleged defect(s) which is disputed by the carrier. The carrier will not be subject to any sanction for such alleged defects. An authorized dealer means a franchised dealer for the make and type of vehicle chassis in question.

(6) Until reinspection in accordance with subdivision (5) (A) of this section, or receipt by the department of the written report in accordance with subdivision (5) (B) of this section, all vehicles shall remain ``Out of Service'' if so declared and marked by the original inspector.

(d) Subject to the sanctions hereinafter stated in Section 14-275c-42, the carrying of passengers in any school bus or STV that has been declared and marked ``Out of Service'' is hereby prohibited. A school bus or STV that has been declared ``Out of Service'' because of a defect in its brakes, steering, suspension, tires or exhaust, or because of any other inherently dangerous condition, shall not be operated on any highway.

(e) When a school bus or STV is declared and marked ``Out of Service'' the inspector shall furnish to the carrier a notice stating the defects or conditions found and the nature of the repairs or maintenance that must be performed in order for the ``Out of Service'' designation to be removed. The carrier shall repair the defect(s) and/or condition(s) in the notice within ten (10) days after the inspection. The carrier shall thereupon submit to the department, within five (5) days after making the repair(s), on a form approved

by the commissioner, a signed report certified under penalty of false statement that all defects noted during the inspection have been repaired or corrected. If the carrier does not repair all defects and/or conditions on the notice within ten (10) days after the inspection, the carrier shall submit to the department within fifteen (15) days after the inspection a report explaining the cause of the delay in repairing the vehicle, together with a statement signed under penalty of false statement that the vehicle will not be operated on the highway or for carrying passengers until all repairs have been completed. When the repairs are completed the carrier is authorized to remove the ``out of service'' sticker and shall report to the department that such repairs are completed. The vehicle shall then be eligible to resume highway operation and to carry passengers. After the department receives a report of completion of required repairs and maintenance, with respect to any vehicle previously declared ``Out of Service,'' it may in its discretion conduct a reinspection at any reasonable time in order to verify the report. If the inspector finds that the required work was not performed or was not completed in a satisfactory manner, he shall once again declare the vehicle ``Out of Service.''

(f) If a school bus or STV has been inspected in accordance with this section and is found to have a defect(s) which does not require the vehicle to be declared and marked ``out of service,'' the carrier shall repair the defect(s) within ten (10) days after the inspection. The carrier shall thereupon submit to the department, within five (5) days after making the repair(s), on a form approved by the commissioner, a signed report under penalty of false statement that all defects noted during the inspection have been repaired or corrected. If any defect(s) cannot be repaired within such time, the signed report shall so state and shall explain the cause of the delay and the steps that will be taken to repair such defect(s). Upon receipt of such signed report, the commissioner may declare such vehicle ``out of service'' until such defect(s) is repaired upon a finding that continued operation of such vehicle poses a hazard.

(g) If a school bus or STV has been inspected in accordance with this section and is found to have both an ``out of service'' defect(s) and a defect(s) which does not require the vehicle to be declared and marked ``out of service,'' the carrier shall repair all defects and shall file reports as required in subsections (e) and (f) of this section.

(Effective September 23, 1992)

Sec. 14-275c-41. Driver's vehicle inspection report (DVIR)

(a) Every carrier shall require its driver or drivers to prepare and submit to the carrier a written report on a daily basis with respect to each school bus or STV operated. The report shall identify the vehicle and list any defects or deficiencies discovered by or otherwise known to the driver which could affect safety of operation, safety of passengers, or result in a mechanical failure or breakdown. If no such defects or deficiencies are discovered or become known, the report shall so state. The report shall be signed and dated by the driver, attesting to its completion and accuracy, and shall be signed by the carrier, through its authorized agent or employee, in acknowledgment of its receipt.

(b) The DVIR required by subsection (a) of this section shall include explicit reference to the following parts, accessories or mechanical systems:

(1) Service brakes
(2) Parking (hand) brake
(3) Steering mechanism
(4) Lighting devices and reflectors
(5) Tires
(6) Horn
(7) Windshield wipers
(8) All mirrors

(9) Wheels and rims

(10) Emergency equipment

(c) The DVIR shall also require the driver to list and identify problems with respect to other components, systems, or aspects of vehicle on-road performance that in the judgment of the driver comprise a defect or deficiency of the type referred to in subsection (a) of this section.

(d) Whenever a DVIR submitted to the carrier indicates a defect or deficiency, the carrier shall immediately inspect or cause to be inspected the relevant component or system of the vehicle, prior to any further highway operation. If the carrier determines the DVIR to be accurate it shall proceed immediately to make the necessary repairs, adjustments or replacements. If, after inspection, the carrier is unable to confirm the existence of the defect or deficiency, it shall inform the driver. In either case the carrier shall make note of its inspection, findings and repairs, if any, on the DVIR.

(e) All DVIRs shall be retained and kept on file by the carrier for a minimum time of six (6) months. They shall be made available for inspection on request of the commissioner or any authorized representative of the department. They shall also be available for inspection at any time by any driver of the carrier. A copy of the DVIR from the previous operating day of each vehicle shall be carried in such vehicle.

(Effective March 27, 1991)

Sec. 14-275c-42. Sanctions

(a) The commissioner may suspend the registration of a vehicle for any of the following violations, after notice and opportunity for a hearing as provided in Section 14-275c-43, except that if the commissioner finds that as a result of any of the following violations the public health, safety or welfare imperatively requires emergency action, the commissioner may take summary action and suspend the registration of the vehicle prior to holding a hearing. If summary action is taken, the commissioner will immediately notify the registrant of such action and schedule a prompt hearing for such registrant in accordance with the provisions of Section 14-275c-43. The violations are:

(1) The vehicle has not been systematically inspected, maintained or repaired as required by Section 14-275c-38;

(2) Written records with respect to the vehicle have not been kept or made available for inspection as required by Section 14-275c-39;

(3) An opportunity to inspect the vehicle requested by the department has been refused by the carrier contrary to the requirements of Section 14-275c-40 (a);

(4) During a scheduled inspection a vehicle has been declared ``Out of Service'' as a result of a defect in its brakes, steering, suspension, tires or exhaust as provided in Section 14-275c-40 (c) (4);

(5) A vehicle declared and marked ``Out of Service'' has been used to carry passengers as prohibited in Section 14-275c-40 (d);

(6) A report required by subsections (e), (f) or (g) of Section 14-275c-40 was not submitted; or

(7) An ``Out of Service'' sticker was removed from a vehicle as a result of a certified report that repairs or items of maintenance had been completed, or a report was submitted certifying that defects not requiring the vehicle to be declared ``out of service'' were corrected, and upon reinspection it was found that the required work was not performed or was not satisfactorily performed as required by subsections (e), (f) or (g) of section 14-275c-40.

(8) A DVIR has not been prepared by a driver or submitted to the carrier for a vehicle as required by Section 14-275c-41 (a);

(9) No inspection or necessary repair has been made after a vehicle defect or deficiency has been reported by a driver in a DVIR as required by Section 14-275c-41 (d); or

(10) DVIRs for a vehicle have not been retained or kept on file as required by Section 14-275c-41 (e).

(b) Any driver who knowingly carries passengers on a vehicle marked ``Out of Service,'' or who carries passengers on a vehicle which he knows, or in the exercise of reasonable diligence and observation should know, is not in safe operating condition, or who knowingly carries passengers on a vehicle which has a defect or deficiency in its brakes, steering, suspension, tires or exhaust which has been reported on three (3) or more DVIRs and which has not been repaired or corrected, shall be subject to suspension, revocation or nonrenewal of his public passenger transportation permit pursuant to the commissioner's authority under Section 14-44 (c) of the General Statutes.
(Effective September 23, 1992)

Sec. 14-275c-43. Right to hearing

(a) Any driver, carrier or person who claims to be aggrieved by any decision, order or sanction imposed by the commissioner under Sections 14-275c-37 through 14-275c-42 of these regulations may make a written request to the commissioner for a hearing. Such request shall be granted and the hearing scheduled with reasonable promptness.

(b) Except as otherwise provided, the request for and scheduling of a hearing shall operate as a stay of the commissioner's intended action until such time as the commissioner renders a final decision in the matter. Notice of such stay shall be provided to the parties. No stay shall be granted where the commissioner finds that public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in his order.

(c) The hearing and all pre-hearing and post-hearing procedures shall be conducted in accordance with applicable provisions and standards of Sections 4-177 through 4-182 of the General Statutes (Uniform Administrative Procedures Act) and Sections 14-137-36 through 14-137-39 of the Regulations of Connecticut State Agencies (Rules of Practice of the Department of Motor Vehicles).
(Effective March 27, 1991)

Responsibilities of Carriers for School Bus and Student Transportation Vehicle Drivers

Sec. 14-275c-44. Scope

These regulations specify the responsibilities of carriers as defined in Section 14-275c-45 of these regulations for the qualification and training of drivers of school buses and student transportation vehicles. The carriers are required to maintain records for each driver and appoint a safety coordinator. The drivers are required to submit to their employers an application for employment, updated annually.
(Effective January 25, 1994)

Sec. 14-275c-45. Definitions

As used in Sections 14-275c-45 through 14-275c-53, the following words and phrases mean:

(a) ``Carrier'' means any local or regional school district, any educational institution providing elementary or secondary education or any person, firm or corporation under contract to such district or institution engaged in the business of transporting school children.

(b) ``Commissioner'' means the commissioner of motor vehicles or his authorized representative.

(c) ``Department'' means the Department of Motor Vehicles.

(d) ``Driver'' means the duly licensed operator of a school bus or student transportation vehicle (STV).

(e) ``School Bus'' means any motor vehicle so defined in Section 14-275 (a) of the General Statutes, as amended, used for transporting school children to and from school or school activities.

(f) ``Student Transportation Vehicle (STV)'' means any motor vehicle other than a registered school bus used by a carrier for the transportation of students, including children requiring special education.

(g) ``Vehicle'' means any school bus or student transportation vehicle.

(Effective January 25, 1994)

Sec. 14-275c-46. Responsibility of the carrier for qualification and training of drivers

Every carrier shall investigate and determine for each driver in its employ:

(a) That such driver is a competent driver with at least three (3) consecutive years of driving experience;

(b) That such driver has a current Connecticut motor vehicle operator's license with appropriate endorsement and/or permit as required by law, and that such license, endorsement and/or permit is/are not under suspension, revocation or disqualification;

(c) That such driver is fully informed of the motor vehicle laws and regulations of the department concerning vehicle operation;

(d) That such driver is fully informed of vehicle inspection and vehicle defect reporting procedures;

(e) That such driver is fully informed of his scheduled route or destination, loading and unloading locations, and any specifically assigned tasks and responsibilities;

(f) That each driver has fulfilled the training requirements contained in the Regulations of Connecticut State Agencies; and

(g) That each driver has passed a urinalysis drug test.

(Effective January 25, 1994)

Sec. 14-275c-47. Responsibility of the carrier to maintain a driver qualifica tion file

(a) Every carrier shall maintain for each driver in its employ a driver qualification file. A driver's qualification file may be combined with his personnel file. The qualification file shall include:

(1) A copy of the application for employment as specified in Section 14-275c-51 (a) of these regulations;

(2) The training history for training administered by the carrier after the effective date of this regulation, or the date the driver is hired, whichever is later, including the dates, places and subjects of training or instruction, types of vehicles for which the driver is licensed and qualified to operate, any school bus driver proficiency test evaluation history, including corrective action taken by the carrier, and any other information prescribed by the commissioner from time to time;

(3) A copy of the driving history for Connecticut and for any other state in which the driver had resided in the last three (3) years;

(4) A record of all substantive written complaints received by the carrier concerning the driver within the previous three (3) years, and the disposition of such complaints, including corrective action taken;

(5) A record giving details of all motor vehicle accidents involving a school bus or STV driven by the driver while in the employ of the carrier;

(6) A record of any disciplinary or corrective action taken by the carrier due to deviations by the driver from laws, regulations, procedures and instructions;

(7) The medical examiner's certificate of the driver's physical qualification to drive a motor vehicle, or a legible copy of the certificate, and if a medical waiver was issued, a copy of the letter or other document granting such waiver;

(8) The results of the urinalysis drug test required by the provisions of Section 14-276a (d) of the General Statutes;

(9) Annual updates prepared by the driver under Section 14-275c-53 of these regulations; and

(10) Any other matter which relates to the driver's qualifications or ability to drive a motor vehicle safely.

(b) All records required by subsection (a) of this section shall be retained by the carrier for a period of three (3) years, and are subject to inspection by the department at any time upon reasonable notice. A copy of any materials in the driver's qualification file shall be transferred to another carrier upon written request and express written consent of the driver. (Effective January 25, 1994)

Sec. 14-275c-48. Appointment of a safety coordinator

(a) Each carrier which is not an individual person shall appoint one or more safety coordinator(s) who shall be responsible for carrying out the duties imposed on the carrier in accordance with the requirements of Sections 14-275c-46 through 14-275c-53 of these regulations. The safety coordinator(s) shall also serve as the carrier's contact person for the department with respect to driving qualifications. Each carrier required to appoint a safety coordinator(s) shall report to the commissioner annually in writing prior to the beginning of each school year the name, address and telephone number of its safety coordinator(s), and shall notify the commissioner in writing of any change in the information so reported.

(b) Any local or regional board of education or other authority responsible for primary, secondary or special education whose carriers are individual persons shall appoint a safety coordinator having the same duties as specified in subsection (a) of this section. Each authority required to appoint a safety coordinator shall report to the commissioner annually in writing prior to the beginning of each school year the name, address and telephone number of the safety coordinator so appointed, and shall notify the commissioner in writing of any change in the information so reported.

(Effective January 25, 1994)

Sec. 14-275c-49. Accident reports

Upon written request by the commissioner, every carrier shall make available to the commissioner, or authorize for release to the commissioner, accident reports of personal injury or property damage involving a school bus or STV owned by or controlled by the carrier. Such reports shall include those submitted by law enforcement authorities to the Department of Transportation and those submitted by the carrier to an insurance company. Where appropriate, such reports shall distinguish between school bus and STV accidents.

(Effective January 25, 1994)

Sec. 14-275c-50. Notification of convictions for driver violations and driver's license suspension

(a) Each driver shall notify his employer of all violations of a state or local law relating to motor vehicle traffic control (other than a parking violation). The notification shall be made within ten (10) days after the date the driver has been convicted or found to have committed a violation.

(b) Each driver shall notify his employer of the revocation, cancellation, suspension or disqualification of his operator's license, endorsement or permit or his right or privilege to drive for any period. The notification to his employer shall be made before the end of the business day following the day the driver received such notice.

(c) Each driver shall notify his employer within three (3) days of his arrest for, conviction of or an administrative sanction as a result of any of the following offenses:

(1) Driving under the influence of alcohol or drugs as defined in Section 14-227a of the General Statutes, or a similar statute in another jurisdiction;

(2) Refusal to submit or failure of a chemical test as defined by Section 14-227b of the General Statutes, or a similar statute in another jurisdiction;

(3) Leaving the scene of an accident or evasion of responsibility in operating a motor vehicle as defined by Section 14-224 (a) or Section 14-224 (b) of the General Statutes, or a similar statute in another jurisdiction;

(4) A felony involving the use of a motor vehicle;

(5) A felony or misdemeanor involving rape or sexual assault as provided in Sections 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b, or 53a-73a of the General Statutes, or a similar statute in another jurisdiction;

(6) A felony involving force or the threat of force against persons; or

(7) A felony or misdemeanor involving firearms, drugs or controlled substances.

(d) No carrier shall knowingly allow, require, permit or authorize a driver to operate a school bus or STV during any period when the driver's operator's license, endorsement or permit is suspended, revoked, cancelled or disqualified by any state.

(Effective January 25, 1994)

Sec. 14-275c-51. Application for employment as a driver

(a) Every applicant for employment as a driver shall furnish to any prospective employer an application for employment which shall contain the following information:

(1) The applicant's name, address, sex, date of birth and social security number;

(2) All addresses at which the applicant has resided during the three (3) years preceding the date on which the application is submitted;

(3) The issuing state, number, and expiration date of every unexpired motor vehicle operator's license, permit, endorsement or the like from any jurisdiction;

(4) The nature and extent of the applicant's experience in the operation of school buses or similar equipment during the past three (3) years including any employment as a school bus or STV driver;

(5) A list of all motor vehicle accidents in which the applicant was involved during the three (3) years preceding the date the application is submitted, specifying the date and nature of each accident and fatalities or personal injuries it caused, and any liability by the applicant or claims against the applicant as a result of the accident;

(6) A list of violations of motor vehicle laws or ordinances of any jurisdiction (other than minor violations or infractions involving only parking) of which the applicant was convicted or forfeited bond or collateral during the five (5) years preceding the date the application is submitted;

(7) A statement setting forth in detail the facts and circumstances of any denial, revocation, refusal, disqualification or suspension of any license, permit, endorsement or privilege to operate a motor vehicle by any jurisdiction, or a statement, subject to the penalty of law, that no such denial, revocation, refusal, disqualification or suspension has occurred;

(8) A list of all of the applicant's criminal convictions (except for motor vehicle violations) in any jurisdiction for the five (5) years preceding the date the application is submitted;

(9) A list of the names and addresses of the applicant's employers during the three (3) years preceding the date the application is submitted, together with the dates he was employed by, and his reason for leaving the employ of, each employer;

(10) A list of the names and addresses of the applicant's employers during the seven (7) year period preceding the three (3) years contained in subdivision (9) of this subsection for which the applicant was an operator of a school bus, student transportation vehicle or commercial vehicle;

(11) The names, addresses and telephone numbers of two reputable citizens who shall vouch under oath for the good character of the applicant;

(12) A notification that the applicant shall be required to submit to a urinalysis drug test; and

(13) The following verification and signature line, which shall appear at the end of the application form and be signed by the applicant:

This certifies under penalty of false statement that this application was completed by me, and that all entries on it and information in it are true and complete to the best of my knowledge.

_____ _____

(Date) (Applicant's Signature)

(b) A prospective employer may require the applicant to provide information in addition to the information required in subsection (a) of this section.

(c) Before an application is submitted, the employer or prospective employer shall inform the applicant that the information he provides shall be used for investigating the applicant's background.

(Effective January 25, 1994)

Sec. 14-275c-52. Investigation and inquiries

(a) Each prospective employer of a driver shall make reasonable efforts to obtain the following information:

(1) The driver's driving record for every state in which the driver held a motor vehicle operator's license or permit during the preceding three (3) years;

(2) The driver's school bus, student transportation vehicle and commercial vehicle employment record during the preceding three (3) years; and

(3) Employment verification by employers of the driver during the preceding three (3) years.

(b) Any documents and facts uncovered during the inquiry and investigation required in subsection (a) of this section shall be retained as part of the driver's qualification file, and shall be considered together with the application for employment in an employer's decision to hire or not to hire or retain a driver.

(Effective January 25, 1994)

Sec. 14-275c-53. Annual update of driving record

(a) Every carrier shall, at least once every twelve (12) months, review the driving record of each driver it employs to determine whether that driver meets minimum requirements for safe driving and is a proper person to drive a school bus or STV.

(b) Every year, in conjunction with the review required by subsection (a) of this section, every carrier shall require each driver to update the driver's qualification file:

(1) By preparing and furnishing to the carrier a list of all violations of motor vehicle traffic laws and ordinances (other than violations involving only parking) occurring in Connecticut or elsewhere of which the driver has been convicted or on account of which he has forfeited bond or collateral during the period since the submission of his employment application or the last update of his driver's qualification file; and

(2) By preparing and furnishing to the carrier a list of all criminal convictions occurring in Connecticut or elsewhere since the submission of his

employment application or the last update of his driver's qualification file; and

(3) By certifying in writing that the list of motor vehicle violations and convictions submitted in accordance with subdivisions (1) and (2) of this subsection is a true and complete list, or by certifying in writing that no such motor vehicle violations and/or convictions occurred during the preceding twelve (12) months.

(Effective January 25, 1994)

School Bus Driver Training Requirements

Secs. 14-276-1--14-276-5

Repealed, March 27, 1997.

School Bus and Student Transportation Vehicle Driver Training Requirements

Sec. 14-276a-1. Definitions

In Sections 14-276a-1 to 14-276a-15, inclusive, the following words shall have the following meanings:

(1) ``Activity vehicle'' means a student transportation vehicle used exclusively to transport students to school-related activities and shall not include any vehicle used to transport students to and from school.

(2) ``Behind-the-wheel driving instruction'' means driving a school bus or student transportation vehicle, and shall not include the use of driving simulators or other nonoperational instruction.

(3) ``Carrier'' means a carrier as defined in section 14-212 of the general statutes.

(4) ``Approved instructor'' means a person approved by the commissioner to provide safety training in accordance with Section 14-276a-9.

(5) ``Commercial driver's license'' or ``CDL'' means a commercial driver's license or CDL as defined in subdivision (10) of subsection (a) of section 14-1 of the general statutes.

(6) ``Commercial motor vehicle'' or ``CMV'' means a vehicle as defined in subsection (11) of subsection (a) of section 14-1 of the general statutes.

(7) ``Commissioner'' means the commissioner of motor vehicles or his designee.

(8) ``Department'' means the department of motor vehicles.

(9) ``Master instructor'' means a person approved by the commissioner to provide instructor training, and who meets the requirements of Section 14-276a-11.

(10) ``Passenger endorsement'' means a ``P'' endorsement authorizing the holder of a commercial driver's license (CDL) to operate a commercial motor vehicle (CMV) which carries passengers in accordance with sections 14-36a and 14-44d of the general statutes.

(11) ``School bus'' means a school bus as defined in subsection (a) of section 14-275 of the general statutes.

(12) ``School endorsement'' means an ``S'' endorsement authorizing the holder of a commercial driver's license (CDL) to operate a school bus or student transportation vehicle, or authorizing the holder of Class 1 or Class 2 operator's license to operate a student transportation vehicle, in accordance with the provisions of sections 14-36a and 14-44d of the general statutes.

(13) ``Student transportation vehicle'' means a student transportation vehicle as defined in subdivision (8) of section 14-212 of the general statutes.

(14) ``V restriction'' means a restriction which limits the holder of an operator's license with a school endorsement to driving activity vehicles only.

(Effective March 27, 1997)

Sec. 14-276a-2. Requirements for applicants for a school endorsement

(a) No school endorsement for operation of a school bus or student transportation vehicle shall be issued or renewed until the applicant has submitted to the department a certificate of safety training, certifying that the applicant has successfully completed the training specified in Section 14-276a-3 or Section 14-276a-5. The certificate shall be signed by the applicant and by an approved instructor. This subsection shall not apply to an operator having a school endorsement accompanied by a "V" restriction.

(b) An applicant for a school endorsement to operate a school bus shall hold a valid commercial driver's license with a passenger endorsement.

(c) An applicant for a school endorsement to operate a student transportation vehicle shall hold a valid operator's license.

(Effective March 27, 1997)

Sec. 14-276a-3. Preservice training

(a) The safety training required by Section 14-276a-2 for issuance of a school endorsement shall be administered or supervised by an approved instructor, and shall consist of at least ten (10) hours of training divided between behind-the-wheel driving instruction, and classroom instruction, according to the applicant's need as determined by the approved instructor, except that an applicant who meets the following requirements may receive no less than four (4) hours of training:

(1) The applicant holds a valid commercial driver's license; or

(2) The applicant for a school endorsement to operate a student transportation vehicle was appropriately licensed and employed as a student transportation vehicle driver for at least two (2) of the preceding four (4) years; or

(3) The applicant for a school endorsement to operate a school bus was appropriately licensed and employed as a school bus driver for at least two (2) of the preceding four (4) years.

(b) The safety training required by subsection (a) shall be given during the six (6) month period prior to application for a school endorsement.

(Effective March 27, 1997)

Sec. 14-276a-4. Content of preservice training subjects

The training required by Section 14-276a-3 shall include as a minimum the following:

(1) Training to obtain a commercial driver's license, if such license is required by law;

(2) Techniques for conducting a pre-trip safety inspection and completing a driver's vehicle inspection report (DVIR) as required by Section 14-275c-41 of the Regulations of Connecticut State Agencies;

(3) Loading and unloading procedures;

(4) Procedures for crossing railroad tracks;

(5) Emergency procedures, accident management and evacuation, and instruction relative to the location, contents and use of the first aid kit in the school bus;

(6) Motor vehicle laws and regulations; and

(7) Use of passenger restraint systems and special equipment for students with mobility impairments if the driver intends to operate a vehicle so equipped.

(Effective March 27, 1997)

Sec. 14-276a-5. In-service training

The training required in Section 14-276a-2 for renewal of a school endorsement shall consist of a minimum of six (6) hours annually, and shall be administered or supervised by an approved instructor, or shall be provided in a safety training class approved by the commissioner. No more than three (3) hours of instruction in any
one day shall count toward the total six (6) hours.

(Effective March 27, 1997)

Sec. 14-276a-6. Content of in-service training

The safety training required by Section 14-276a-5 shall include as a minimum the following subjects:

(1) Seasonal safety problems affecting driving, and loading and unloading procedures;

(2) Student management;

(3) Emergency procedures including first aid and universal precautions;
(4) Substance use and abuse;
(5) Communication skills;
(6) Activity trip procedures;
(7) Characteristics of students with disabilities; and
(8) Updates of laws, regulations and policies.
(Effective March 27, 1997)

Sec. 14-276a-7. Records of training

A record of the safety training provided in accordance with Sections 14-276a-3 and 14-276a-5 shall be retained for each driver in the driver qualification file, maintained as required by Section 14-275c-46 of the Regulations of Connecticut State Agencies.
(Effective March 27, 1997)

Sec. 14-276a-8. Audits by the department

(a) Any inspector of the department may conduct an audit of the driver qualification files required by Section 14-275c-46 of the Regulations of Connecticut State Agencies, including the training records required by Section 14-276a-7, at any reasonable time which does not conflict with the contractual obligations of the carrier, and for this purpose may enter the property of the carrier or other location where the records are maintained.
(b) As part of the audit, an inspector may conduct a road test to evaluate the proficiency of any driver whose qualification records are being inspected. Such test shall be conducted in the type of vehicle that the driver usually operates, at a reasonable time which does not interfere with the driver's contractual obligations.
(Effective March 27, 1997)

Sec. 14-276a-9. Instructor requirements

No person shall be approved as an instructor of school bus and student transportation vehicle drivers unless he:
(1) Holds a valid commercial driver's license, class B, pursuant to section 14-44d of the general statutes, with passenger and school endorsements;
(2) Has been employed as a school bus driver for three (3) consecutive years;
(3) Has had no more than two (2) moving violations as defined in Section 14-137a-5 of the Regulations of Connecticut State Agencies within the previous two (2) years;
(4) Has been under the direct supervision of an approved instructor for at least one (1) year;
(5) Is recommended for approval by his employer and by the safety coordinator appointed in accordance with Section 14-275c-48 of the Regulations of Connecticut State Agencies, and such person's supervisor attests that he is a proficient driver, has good oral and written communication skills, and will be utilized as an instructor;
(6) Successfully completes a forty (40) hour classroom program conducted by a master instructor.
(Effective March 27, 1997)

Sec. 14-276a-10. Maintaining status

To maintain status as an approved instructor of school bus and student transportation vehicle drivers, a person shall:
(1) Successfully complete an annual class conducted by a master instructor who is approved as provided in Section 14-276a-11;
(2) Maintain the appropriate license and endorsements; and

(3) Conduct at least one preservice or in-service training session including driver evaluations annually.
(Effective March 27, 1997)

Sec. 14-276a-11. Master instructors

(a) No person shall be approved as a master instructor unless he:
(1) Holds a valid commercial driver's license, class B, with passenger and school endorsements, and without air brake restriction, as provided in section 14-44d of the general statutes;
(2) Has been an active approved instructor for at least five (5) years;
(3) Has had no more than two (2) moving violations as defined in Section 14-137a-5 of the Regulations of Connecticut State Agencies within the previous two (2) years;
(4) Is recommended for approval by his employer, and by a panel of department and industry representatives, as specified in Section 14-276a-13; and
(5) Successfully completes a forty (40) hour master instructor program administered under the authority of the commissioner.
(b) Each master instructor shall report to the commissioner his scheduled classes for instructors, including date, location and curriculum. An inspector for the department may audit any class conducted by a master instructor to verify the class content and to evaluate effectiveness.
(c) The department shall maintain a record of master instructors, including applications, driving histories, classes conducted, and annual activity sheets.
(Effective March 27, 1997)

Sec. 14-276a-12. Maintaining master instructor status

To maintain status as a master instructor, a person shall:
(1) Successfully complete an annual class administered by the commissioner;
(2) Conduct at least one class for approved instructors annually;
(3) Maintain the appropriate license and endorsements; and
(4) Successfully perform any additional duties reasonably imposed from time to time by the commissioner.
(Effective March 27, 1997)

Sec. 14-276a-13. Evaluation panel

There shall be assembled a panel composed of the commissioner or his representative, a department inspector responsible for testing school bus drivers, and two (2) representatives of the Connecticut School Transportation Association (COSTA) for the purpose of evaluating candidates for master instructor status. The duties of the panel shall include:
(1) Reviewing and evaluating the applications of candidates for master instructor status;
(2) Conducting interviews of such prospective candidates and determining eligibility on an individual basis;
(3) Approving the curriculum for the master instructor program; and
(4) Reviewing complaints, accidents, or moving violations which may affect the status of a master instructor.
(Effective March 27, 1997)

Sec. 14-276a-14. Sanctions

(a) Any driver who fails a road test conducted in accordance with subsection (b) of Section 14-276a-8 shall be disqualified from operating a

school bus or student transportation vehicle until he passes a retest. Such retest shall be conducted within five (5) working days.

(b) Any master instructor or approved instructor who fails to maintain the qualifications required by Section 14-276a-10 or 14-276a-12 shall have his status as a master instructor or approved instructor withdrawn.

(Effective March 27, 1997)

Sec. 14-276a-15. Right to hearing

Any person who claims to be aggrieved by any decision or sanction imposed by the commissioner under the provisions of Sections 14-276a-1 to 14-276a-14, inclusive, may make a written request to the commissioner for a hearing. A hearing shall be scheduled within fourteen (14) days, excluding Sundays and state holidays. The hearing shall be conducted in accordance with applicable provisions of sections 4-177 to 4-182, inclusive, of the general statutes, and Sections 14-137-36 to 14-137-39, inclusive, of the Regulations of Connecticut State Agencies.

(Effective March 27, 1997)

Standards for the Construction and Attachment of Portable Signs on Vehicles Transporting Children

Sec. 14-280-1. Construction of portable signs

A portable sign permitted or required to be used when transporting children in a motor vehicle in accordance with Section 14-280 (a) of the General Statutes shall be constructed of a planar, non-frangible material which is sufficiently rigid that it will not bend, deform or incline when attached to a motor vehicle traveling at highway speeds, shall not have sharp edges, and shall be mounted to the motor vehicle in a manner capable of withstanding a wind of 50 miles per hour without separating from the motor vehicle when the vehicle is traveling at highway speeds. Perforations may be made in a sign to reduce wind resistance if such perforations do not interfere with the visibility of the words on the sign.

(Effective August 29, 1990)

Sec. 14-280-2. Attachment of portable signs

(a) A portable sign constructed in accordance with Section 14-280-1 of these regulations shall be mounted securely on or above the roof of the motor vehicle perpendicular to the sides of the vehicle and when in use extend vertically upward from a horizontal plane defining the vehicle roof in a manner that permits the words on the portable sign to be clearly visible to the operators of other vehicles at a distance of between fifteen (15) feet and two hundred (200) feet on a straight line to the front and rear of the motor vehicle. If necessary to provide the required visibility, a second portable sign may be mounted on the roof of the vehicle, or on the rear of the vehicle as permitted in Section 14-280-3 (a).

(b) Any mounting brackets, straps, clamps or mounting hardware used to secure a portable sign to a vehicle shall not interfere with normal window or door operation of the vehicle, shall be of sufficient strength to withstand the load applied thereto by the sign, and shall not pose a danger to or interfere with the occupants of the vehicle. Suction cups, magnets or other easily detached devices shall not be used unless in addition to secure mounting hardware. A portable sign may be screwed, bolted or otherwise fixedly secured to a vehicle in a manner that will permit its removal. A layer of protective or non-slip material may be used between a portable sign and/or its mounting hardware and the surface of a motor vehicle.

(Effective August 29, 1990)

Sec. 14-280-3. Sign requirements

(a) A portable sign shall be placed at a height of at least four (4) feet above ground level and display the words ``CARRYING SCHOOL CHILDREN'' in black lettering at least three (3) inches high on a yellow background. The lettering may be painted on the sign, or the lettering may be applied to the sign by a permanent decal. The words ``STOP'' or ``STOP ON SIGNAL'' shall not be used on a portable sign. A portable sign shall not be mounted below the windshield of a vehicle, or on the hood or the rear of a vehicle, except that to provide the required visibility required by Section 14-280-2 (a) a second portable sign may be mounted securely on the rear of a vehicle if the sign does not pose a danger to persons or property, or does not interfere with the driver's vision or with ingress or egress to the vehicle.

(b) When a motor vehicle is being used for purposes other than transporting school children, portable sign(s) shall be removed, completely covered, folded or otherwise concealed so that the words displayed thereon are not visible to the operators of other vehicles.

(Effective August 29, 1990)

DEPARTMENT OF PUBLIC SAFETY

Uniform Statewide Pursuit Policy

Sec. 14-283a-1. Purpose

The purpose of this policy is to establish a Uniform Statewide Pursuit Policy in accordance with the provisions of Public Act 99-171. This policy shall serve as the minimum standard for all police pursuits in Connecticut. Additional requirements adopted by an individual police agency shall not conflict with any provision of this policy.
(Adopted effective August 24, 2000)

Sec. 14-283a-2. Policy

Pursuits of fleeing motor vehicles may present a danger to the lives of the public, officers, and those vehicle occupants involved in the pursuit. Each police agency shall be responsible for assisting police officers in the safe performance of their duties.
(Adopted effective August 24, 2000)

Sec. 14-283a-3. Definitions

(1) "Pursuit" means an attempt by a police officer in an authorized emergency vehicle to apprehend any occupant of another moving motor vehicle, when the driver of the fleeing vehicle is attempting to avoid apprehension by maintaining or increasing the speed of such vehicle or by ignoring the police officer's attempt to stop such vehicle.

(2) "Authorized emergency vehicle" means a police vehicle equipped with operable emergency equipment, including audible siren and red or blue flashing lights, while such vehicle is being operated by a police officer.

(3) "Primary unit" means the police vehicle operated by a police officer that initiates a pursuit or any police vehicle operated by a police officer that assumes control of the pursuit.

(4) "Secondary unit" means any police vehicle operated by a police officer that becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.

(5) "Supervisor" means a person designated by the police agency to have supervisory control over the operation of the agency's vehicles during a pursuit.

(6) "Communications" means the central dispatch center or personnel staffing the central dispatch center of the police agency in the jurisdiction where the pursuit is occurring.

(7) "Uniform Statewide Pursuit Policy," known as "the policy" or "this policy," means Sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies.

(8) "Police agency" means the Division of State Police within the Department of Public Safety, including local police officers serving in municipalities with a Resident State Trooper, or an organized municipal police department.
(Adopted effective August 24, 2000)

Sec. 14-283a-4. Procedures

(a) **Initiation of Pursuit.**

(1) The decision to initiate a pursuit shall be based on the pursuing police officer's conclusion that the immediate danger to the police officer and

the public created by the pursuit is less than the immediate or potential danger to the public should the occupants of such vehicle remain at large.

(2) In deciding whether to initiate a pursuit, the police officer shall take the following factors into consideration:

(A) Road, weather and environmental conditions;

(B) Population density and vehicular and pedestrian traffic;

(C) Whether the identity of the occupants is known and immediate apprehension is not necessary to protect the public or police officers and apprehension at a later time is feasible;

(D) The relative performance capabilities of the pursuit vehicle and the vehicle being pursued;

(E) The seriousness of the offense; and

(F) The presence of other persons in the police vehicle.

(b) **Pursuit Operations.**

(1) All authorized emergency vehicle operations shall be conducted in strict conformity with Sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies, and section 14-283a of the Connecticut General Statutes.

(2) Upon engaging in or entering into a pursuit, the pursuing vehicle shall activate appropriate warning equipment. An audible warning device shall be used during all such pursuits.

(3) Upon engaging in or entering in a pursuit, the police officer shall immediately notify communications of the location, direction and speed of the pursuit, the description of the pursued vehicle and the initial purpose of the stop. The police officers shall keep communications updated on the pursuit. Communications personnel shall immediately notify any available supervisor of the agency or agencies involved in such pursuit, clear the radio channel of non-emergency traffic, and relay necessary information to other police officers of the involved police agency or agencies, and adjacent police agencies in whose direction the pursuit is proceeding.

(4) When engaged in a pursuit, police officers shall drive with due regard for the safety of persons and property.

(5) Unless circumstances dictate otherwise, a pursuit shall consist of no more than three police vehicles, one of which shall be designated as the primary unit. No other personnel shall join the pursuit unless instructed to participate by a supervisor.

(6) The primary unit involved in the pursuit shall become secondary when the fleeing vehicle comes under police air surveillance or when another unit has been assigned primary responsibility.

(c) **Supervisory Responsibilities.**

(1) When made aware of a pursuit, the appropriate supervisor shall evaluate the situation and conditions that caused the pursuit to be initiated, the need to continue the pursuit, and shall monitor incoming information, coordinate and direct activities as needed to ensure that proper procedures are used. Such supervisor shall also have the authority to terminate the pursuit. When the agency supervisor communicates a termination directive, all agency vehicles shall disengage warning devices and cease the pursuit.

(2) Where possible, a supervisory police officer shall respond to the location where a vehicle has been stopped following a pursuit.

(d) **Pursuit Tactics.**

(1) Police officers not engaged in the pursuit as the primary or secondary unit shall not normally follow the pursuit on parallel streets unless authorized by a supervisor or when it is possible to conduct such an operation without unreasonable hazard to other vehicular or pedestrian traffic.

(2) When feasible, available patrol units having the most prominent markings and emergency lights shall be used to pursue, particularly as the primary unit. When a pursuit is initiated by other than a marked patrol unit, such unit shall become the secondary unit when a marked unit becomes available as the primary unit, and such unit shall disengage from the pursuit when another marked unit becomes available as the secondary unit.

(3) Motorcycles may be used for a pursuit in exigent circumstances including, but not limited to, situations where a felony has been committed, deadly force has been used by a vehicle occupant, or the pursuit is necessary to preserve a life, provided that weather and related conditions allow such pursuit to continue. Motorcycles shall disengage from the pursuit when support from marked patrol units becomes available.

(4) All intervention techniques short of deadly force shall be used when it is possible to do so in safety and when the police officers utilizing them have received appropriate training in their use. Such techniques shall include, but not be limited to, boxing in the vehicle or using controlled termination devices.

(5) Firearms shall not be discharged from pursuit vehicles while such vehicles are in motion, except to the extent necessary to protect a police officer or innocent person from the imminent use of deadly physical force. Roadblocks are prohibited unless specifically authorized by the supervisor in charge after consideration of the necessity of applying deadly physical force to end the pursuit.

(6) Once the pursued vehicle is stopped, police officers shall utilize appropriate police officer safety tactics and shall be aware of the necessity to utilize only the force the police officer reasonably believes to be necessary to take occupants into custody.

(e) **Termination of the Pursuit.**

(1) The police officer serving as the primary unit engaged in the pursuit shall continually re-evaluate and assess the pursuit situation, including all of the initiating factors, and terminate the pursuit whenever he or she reasonably believes that the risks associated with continued pursuit are greater than the public safety benefit of making an immediate apprehension.

(2) The pursuit may be terminated by the primary unit at any time.

(3) A supervisor may order the termination of a pursuit at any time and **shall** order the termination of a pursuit when the potential danger to the public outweighs the need for immediate apprehension. Such decision shall be based on information known to the supervisor at the time of the pursuit.

(4) A pursuit may be terminated if the identity of the occupants has been determined, immediate apprehension is not necessary to protect the public or police officers, and apprehension at a later time is feasible.

(5) A pursuit may be terminated when the police officers are prevented from communicating with their supervisors, communications or other police officers.

(f) **Inter-jurisdictional Pursuits.**

(1) The primary unit shall notify communications when it is likely that a pursuit will continue into a neighboring police agency's area of law enforcement responsibility or cross the state line. Municipal police agencies and the State Police shall notify each other whenever entering the other's area of law enforcement responsibility.

(2) A pursuit into a bordering state shall comply with the laws of both states and any applicable inter-agency agreements.

(3) In all cases where a pursuit enters an area of law enforcement responsibility of a police agency other than that of the initiating police agency, the police agency in pursuit shall be responsible for immediately notifying the police agency responsible for such area. The desk officer or duty supervisor for the police agency responsible for such area shall determine if assistance is necessary and police officers from police agencies other than the initiating agency shall not join the outside pursuit unless:

(A) Directed by such duty supervisor or desk officer; or

(B) The involved pursuit unit is unable to request assistance; or

(C) The situation demands immediate assistance.

The supervisors of the respective police agencies involved in the pursuit shall communicate with each other to determine the respective responsibilities of each police agency and to determine which police agency will assume primary operational control of the pursuit. The supervisors shall also communicate

with each other regarding any external conditions pertinent to the continued conduct of the pursuit. Communications between police agencies shall be controlled by inter-agency police radio systems, if they exist, or by telephone, if they do not.

(4) In all cases where the pursuit enters a municipality without a regularly organized police department, notification shall be made to the State Police troop responsible for that area. Such troop shall maintain radio communications with all local police officers serving in any such municipality.

(g) **After-pursuit Reporting.**

(1) Whenever a police officer engages in a pursuit, the police officer shall file a written report on the appropriate form required by his or her agency describing the circumstances. This report shall be reviewed by the appropriate supervisor or supervisors to determine if policy has been complied with and to detect and correct any training deficiencies.

(2) Each police agency shall periodically analyze its police pursuit activity and identify any additions, deletions or modifications warranted in agency pursuit procedures.

(h) **Training.**

Police officers who drive police vehicles shall be given initial and periodic update training in the agency's pursuit policy and in safe driving tactics. The provisions of Sections 14-283a-1 to 14-283a-4, inclusive of the Regulations of Connecticut State Agencies shall be a part of the curriculum for all police basic recruit-training and re-certification programs in Connecticut.

(Adopted effective August 24, 2000)

Protection of Vision for Motorcycle Operators

Sec. 14-289d-1. Windshields and wind screens. Face shields. Goggles

(a) The ``United States of America Standards Institute (formerly American Standards Association) Safety Code for Safety Glazing Materials for Glazing Motor Vehicles Operating on Land Highways, Z26.1-1966'' is adopted as the standard for flexible plastic glazing material which shall be used in windshields and wind screens on motorcycles. All wind screens and windshields shall be constructed and maintained so as to provide the operator with an unobstructed view of the highway. Materials other than those meeting the requirements of this standard may be used in areas below that which is necessary to provide an unobstructed view of the highway and in any supporting frame.

(b) All face shields shall be made of plastic material and shall attach to the wearer's helmet. Such face shield shall cover the wearer's face from above both eyes to a point below both eyes on a horizontal line even with the tip of the nose. During such periods as vehicles are required to display lights, only face shields of non-tinted (clear) plastic shall be used. No material which will obscure or reduce the wearer's field of vision shall be affixed to or be contained in such face shield other than such devices as may be necessary for attachment to the helmet.

(c) All goggles or glasses shall be equipped with lenses of plastic or shatter-proof glass and shall be so designed as to shield the eyes of the wearer and deflect small objects, bugs or other similar material. All glasses and goggles shall be so designed as to allow the wearer an angle of vision of not less than 105 degrees and shall be worn in such a manner as not to be accidentally dislodged. During such periods as vehicles are required to display lights only goggles or glasses with non-tinted (clear) lenses shall be used.

(Effective September 26, 1967)

Helmets for Operators and Passengers on Motorcycles

Sec. 14-289e-1.
Repealed, January 15, 1974.

Sec. 14-289e-2.
Repealed, October 14, 1976.

Protective Headgear for Operators and Passengers of Motorcycles

Sec. 14-289g-1. Protective headgear for operators and passengers of motor cycles

(a) Protective headgear required to be worn by operators and passengers on motorcycles who are under the age of eighteen, and by those with a learner's permit who operate a motorcycle, shall conform to Federal Motor Vehicle Safety Standard No. 218 of the Code of Federal Regulations Title 49, Section 571.218, as amended. Such protective headgear shall be permanently labeled with manufacturer's name or trademark, and bear the symbol ``DOT'' on the outer surface in a color that contrasts with the background in letters at least 3/8 inch in height.

(b) Protective headgear in accordance with this section shall be provided with a suitable retention device conforming to the Federal Standard of subsection (a) of this section, and the retention device shall be properly fastened during operation of the motorcycle such that it cannot be readily dislodged from its normal position on the wearer's head.

(c) Protective headgear in accordance with this section shall be of a size which is appropriate to the head size of the wearer.

(Effective February 27, 1990)

Responsibility of a Motor Vehicle Operator When Approaching a Person Riding a Horse

Sec. 14-293b-1. When approaching a horse with a vehicle

Each operator of a vehicle approaching a person riding a horse on a public highway shall reduce speed, proceed with caution, or stop if necessary, to avoid endangering the equestrian or frightening or striking the horse.
(Effective March 6, 1986)

Sec. 14-293b-2. Noises prohibited

No operator of a vehicle in the vicinity of an equestrian and horse may blow a horn, or cause loud or unusual noises, in a manner to startle or frighten the horse.
(Effective March 6, 1986)

Traffic Control Devices and Signs

Sec. 14-298-1.
Disapproved, June 8, 1965.

Sec. 14-298-2.
Repealed, November 5, 1999.

Sec. 14-298-3.
Repealed, June 24, 1969.

Sec. 14-298-3a. Traffic control devices and measures at grade crossings

Traffic control devices and traffic control measures shall be installed on state highways at railroad grade crossings as prescribed by the state traffic commission. The violation of this regulation shall come within the intent of section 14-314 of the 1969 supplement to the general statutes.
(Effective June 24, 1969)

Secs. 14-298-4--14-298-56.
Repealed, November 3, 1981.

Secs. 14-298-57--14-298-110.
Repealed, April 24, 1973.

Secs. 14-298-111--14-298-147.
Repealed, November 3, 1981.

Secs. 14-298-148--14-298-148a.
Repealed, August 29, 1973.

Secs. 14-298-149--14-298-205.
Repealed, November 3, 1981.

Secs. 14-298-206--14-298-234.
Repealed, May 17, 1973.

The Use of Limited Access State Highways

Sec. 14-298-235. Speed

The maximum speed limit for all vehicles on limited access state highways shall be 55 miles per hour, except as otherwise established by the State Traffic Commission.
(Effective November 20, 1975; amended November 5, 1999)

Sec. 14-298-236. Definitions

As used in sections 14-298-237 to 14-298-252, inclusive, the following terms shall be construed as follows:

(a) ``camper'' means any motor vehicle primarily equipped, designed, converted or used for private living quarters by one or more individuals;

(b) ``commercial motor vehicle'' means any motor vehicle designed for the transportation of merchandise or freight and bearing commercial motor vehicle registration;

(c) ``commission'' means state traffic commission;

(d) ``commissioner'' means commissioner of transportation;

(e) ``emergency vehicle'' means all police and ambulance vehicles and fire apparatus responding to an official call or performing an actual service;

(f) ``highway right-of-way'' means the entire area, including highways, bridges, buildings, structures and lands encompassed by the lateral property lines purchased and owned by the state for the construction and maintenance of highways, bridges and access to service facilities. Where ``highway'' is used herein, it shall be interpreted as meaning or including the highway right-of-way;

(g) ``limited access state highway'' means any state highway so designated under the provisions of section 13-27 of the general statutes of Connecticut, as revised, so as to allow access only at highway intersections or designated points;

(h) ``median divider'' means the portion of a divided highway separating the traveled ways for traffic in opposite directions;

(i) ``motor scooter'' or ``motorized bicycle'' means any motor vehicle having a saddle or seat for the use of the operator and designed to travel on not more than three wheels in contact with the ground at a maximum sustained speed of less than fifty-five miles per hour;

(j) ``motor vehicle'' means any vehicle propelled or drawn by motor power, specifically designated for transportation of passengers or commodities, not including agricultural tractors or farm implements, electric wheel chairs, motorized bicycles and motor scooters;

(k) ``parked vehicle'' means a motor vehicle in a stationary position within the limits of the highway right of way;

(l) ``parkway'' means any state highway receiving special treatment in landscaping and marginal planting, especially designed for, and devoted exclusively to, the use and accommodation of noncommercial motor vehicle traffic, and to which access may be allowed only at highway intersections designated by the commissioner and designed by him so as to eliminate cross traffic of vehicles;

(m) ``passenger motor vehicle'' means a motor vehicle designed and used for the purpose of transporting persons with their necessary personal belongings;

(n) ``passenger and commercial motor vehicle'' means a motor vehicle designed for use and used for passenger and commercial purposes;

(o) ``pedestrian'' means any person on foot;

(p) ``shoulder'' means that portion of a highway for emergency use immediately adjacent and contiguous to the travel lanes;

(q) ``travel lane'' means that portion of the highway for the forward movement of a single line of vehicles;

(r) ``wrecker or wrecker vehicle'' means a vehicle which is properly registered, designed, equipped and used exclusively for the purpose of towing for compensation wrecked or disabled motor vehicles.

(Effective June 3, 1976)

Sec. 14-298-237. Compliance

All persons using limited access state highways shall comply with the commission rules and regulations, signs, signals and markings except as follows:

(a) When engaged in official duties, personnel of the commission, department of transportation, motor vehicle department, state and local police departments and operators of emergency vehicles shall be exempt from these regulations;

(b) Contractors and their employees engaged in construction, maintenance and/or landscaping or surveys directly related to traffic with the written approval of the commissioner or his authorized representative shall be exempt from these regulations.

(Effective June 3, 1976)

Sec. 14-298-238. Restricted use of limited access state highways

The following are prohibited from entry upon and use of the highway right of way of the parkways and other limited access state highways;

(a) Pedestrians, except during emergencies or except on facilities specifically provided therefore;

(b) Animals, other than in vehicles and horses ridden or led on bridle paths provided by proper authorities;

(c) Bicycles, except on paths specifically provided therefore;

(d) Motorized bicycles and motor scooters;

(e) Vehicles drawn or propelled other than by motor power;

(f) Self-propelled or drawn construction and agricultural equipment or equipment not designed or employed in general highway transportation, except contractors' vehicles performing in accordance with department of transportation contracts directly connected with the facility and only via the nearest entrance to and exit from the work site;

(g) Vehicles in tow by a non-rigid connection;

(h) Vehicles with car top loads which extend beyond the lateral limits of the vehicle.

(Effective June 3, 1976)

Sec. 14-298-239. Slow vehicles

Vehicles unable to maintain a reasonable speed shall be driven within the extreme right travel lane of the highway and removed from the highway at the nearest exit.

(Effective June 3, 1976)

Sec. 14-298-240. Disabled vehicles

Disabled vehicles shall be immediately removed from the travel lanes and shall be removed from the highway as promptly as possible by the owner or his agent, or by a law enforcement agency at the owner's expense. Such vehicles shall be towed by duly authorized and properly equipped wrecker vehicles, using a rigid tow bar and shall use the extreme right hand travel lane.

(Effective June 3, 1976)

Sec. 14-298-241. Parking in highway right of way

No person shall allow his vehicle to remain standing or parked within the highway right-of-way except in areas provided for this purpose and in obedience to signs, signals or the directions of officers.

(Effective June 3, 1976)

Sec. 14-298-242. Picking up or discharging passengers

Picking up or discharging passengers within the highway right-of-way is prohibited except in areas designed for such purposes.

(Effective June 3, 1976)

Sec. 14-298-243. Hitchhiking

(a) Hitchhiking, soliciting of rides and loitering are prohibited within the highway right of way.

(b) The picking up of hitchhikers within the highway right of way is prohibited.

(Effective June 3, 1976)

Sec. 14-298-244.

Repealed, November 5, 1999.

Sec. 14-298-245. Prohibited movements

(a) ``U'' turns and crossing the median divider are prohibited.
(b) Backing of vehicles on the highway is prohibited.
(c) No vehicle shall be operated in a direction contrary to the normal or directed flow of traffic.
(Effective June 3, 1976)

Sec. 14-298-246. Caravans

Vehicles traveling in caravan, convoy or cortege shall use the extreme right travel lane provided for traffic.
(Effective June 3, 1976)

Sec. 14-298-247. Picnicking and camping

(a) Picnicking or the lighting of fires is prohibited except at locations provided.
(b) Camping, hunting or shooting within the highway right of way is prohibited.
(Effective June 3, 1976)

Sec. 14-298-248. Sale or distribution of goods

No person, firm or corporation shall distribute, sell or offer for sale any goods within the highway right of way except at facilities provided and as set forth in contracts with the commissioner.
(Effective June 3, 1976)

Sec. 14-298-249. Restricted use of parkways

The following are prohibited from entry upon and use of the highway right of way of those limited access state highways designated as parkways:
(a) commercial motor vehicles;
(b) trailers;
(c) all towed vehicles except as provided in section 14-298-240;
(d) buses;
(e) hearses when part of a procession or cortege;
(f) vehicles bearing other than passenger, camper, taxicab, vanpool, or hearse registrations and those vehicles bearing combination registrations which have a gross weight in excess of seventy-five hundred pounds;
(g) vehicles whose dimensions, including any load, exceed one of the following: Length-twenty-four feet, width-seven feet, six inches, height-eight feet.
(Effective November 23, 1984)

Sec. 14-298-250. Authorized tasks

Persons may, with written permission of the commission perform such tasks on a limited access state highway as are authorized in said written permission subject to such restrictions as set forth by the commission. A copy of said written permission shall be carried by such persons.
(Effective June 3, 1976)

Sec. 14-298-251. Parkway permits

Permits for entry upon and use of the parkways by vehicles normally excluded therefrom may be issued by the commission when, in its opinion, the

interests of public necessity are served thereby. Such permits shall be in writing and shall specify the period of validity of such permit, the parkway or portion thereof and the identity of the vehicle concerned. A copy of the permit shall be carried in the vehicle.
(Effective June 3, 1976)

Sec. 14-298-252. Emergency permission

When emergency requires, the state police commissioner or his authorized representative may grant permission for the use of the parkways by vehicles normally excluded therefrom. Such permission shall designate the vehicle or vehicles and shall specify the portion of the parkways over which travel will be permitted.
(Effective June 3, 1976)

Secs. 14-298-253--14-298-259.
Repealed, June 3, 1976.

Sec. 14-298-260.
Repealed, June 24, 1969.

Sec. 14-298-260a.
Repealed, April 20, 1971.

Sec. 14-298-260b.
Repealed, May 16, 1972.

Sec. 14-298-260c.
Repealed, May 22, 1973.

Sec. 14-298-260d.
Repealed, April 26, 1976.

Sec. 14-298-260e.
Repealed, June 27, 1977.

Sec. 14-298-260f.
Repealed, July 17, 1978.

Sec. 14-298-260g.
Repealed, June 20, 1979.

Sec. 14-298-260h.
Repealed, April 7, 1980.

Sec. 14-298-260i.
Repealed, April 14, 1981.

Sec. 14-298-260j.
Repealed, April 27, 1982.

Sec. 14-298-260k.
Repealed, November 5, 1999.

LARGE VOLUME TRAFFIC GENERATORS

Sec. 14-298-261.
Repealed, August 4, 1970.

Sec. 14-298-261a.

Repealed, March 26, 1981.

USE OF STATE HIGHWAYS FOR PARADES AND OTHER SPECIAL EVENTS

Sec. 14-298-262. Use of state highways

(a) As used in this section ``special event'' means a gathering of persons assembled for patriotic, religious, athletic, political, memorial or civic purposes.

(b) The legal traffic authority of any municipality shall obtain permission from the state traffic commission to use a state highway for a parade, a bike-a-thon, a walk-a-thon, or a special event.

(c) Such required permission shall be requested not less than ninety (90) days prior to the scheduled event.

(d) The state traffic commission shall in cooperation with the legal traffic authority and/or state police, determine the necessity for an alternate route for through traffic on state highways, the location and type of traffic control devices and for uniform traffic personnel required.

(e) The legal traffic authority shall be responsible for seeing that all requirements of the state traffic commission are complied with and all emergency services and public utilities which could be affected are notified.

(f) The state traffic commission may waive any one or more of the above requirements upon showing of justification for such action.

(Effective January 24, 1975)

Sec. 14-298-263. Description of organization

The State Traffic Commission, which derives its authority from Section 14-298 of the Connecticut General Statutes, is composed of the Commissioner of Transportation, Commissioner of Motor Vehicles and Commissioner of Public Safety and was established to provide for a uniform system of traffic control signal devices, signs and markings consistent with the provisions of Chapter 249 of the Connecticut General Statutes.

The Executive Director of the Commission has the responsibility of the operation of the State Traffic Commission office and related functions duly delegated to him by the Commission.

The State Traffic Commission office processes all traffic regulatory matters investigated by the Department of Transportation, in conjunction with the Department of Motor Vehicles, the Department of Public Safety and the Legal Traffic Authorities of the municipalities. Reports and recommendations are submitted by the Department of Transportation - Bureau of Engineering and Highway Operations - Division of Traffic Engineering to the State Traffic Commission for review at its regularly scheduled monthly meetings.

(Effective December 3, 1996)

Sec. 14-298-264. Official address

All communications should be addressed to Executive Director, State Traffic Commission, P. O. Box 317546, 2800 Berlin Turnpike, Newington, CT 06131-7546.

(Effective December 3, 1996)

Sec. 14-298-265. Public inspection

In addition to publication of the adoption, amendment or repeal of regulations pursuant to Public Act 854, Section 3, of the 1971 General Assembly, a compilation of all regulations, policy statements, final orders, decisions and opinions is available for public inspection at the State Traffic Commission office.

(Effective December 3, 1996)

Sec. 14-298-266. Legal traffic authority

All formal requests for traffic studies of a regulatory nature should be made through the Legal Traffic Authority of each municipality. A copy of the list of legal traffic authorities is available from the commission's office.
(Effective August 29, 1972)

RULES OF PRACTICE

Sec. 14-298-267. Course and methods of operation: Rules of practice for procedures available; blanket approval

(a) **Traffic signal permits**

Application forms for traffic signal permits are available from the State Traffic Commission office. Pursuant to Section 14-299 of the Connecticut General Statutes, permits for the installation of approved traffic control signal lights are issued to the traffic authority having jurisdiction.

(b) **Speed limit certificates**

Application forms for speed limit certificates are available from the State Traffic Commission. Pursuant to Section 14-218a of the Connecticut General Statutes, speed limit certificates are issued to the local municipalities for approved speed limits on town roads and speed limits are also established on any state highway, bridge or parkway built or maintained by the state.

(c) **No Passing zones**

No Passing zones on state highways are recommended by engineering study and pursuant to Section 14-234 of the Connecticut General Statutes approved by the Commission and indicated by appropriate signs and/or markings.

(d) **Through truck routes**

Pursuant to Section 14-298 of the Connecticut General Statutes the Commission makes regulations, in cooperation and agreement with local traffic authorities, respecting the use by through truck traffic of streets and highways within the limits of and under the jurisdiction of, any city, town or borough of the state for protection and safety of the public.

(e) **Certificate for traffic generator**

Upon proper application and subsequent investigation, certificates for traffic generators, as described in Section 14-312-1 of State Traffic Commission regulations, are issued upon approval pursuant to Section 14-311, 14-311a, and 14-311c of the Connecticut General Statutes.

(f) **Miscellaneous permits**

Pursuant to Section 14-298 of the Connecticut General Statutes, the following permits are issued: (1) to perform such tasks as are authorized in written permission on a state highway subject to such restrictions as are set forth by the commission as cited in Section 14-298-250 of the State Traffic Commission regulations. (2) for use of parkways by vehicles normally excluded therefrom as cited in Section 14-298-251 of the State Traffic Commission regulations. (3) for use of state highways for special events as authorized in written permission subject to such restrictions as set forth by the commission as cited in section 14-298-262 of the State Traffic Commission regulations.

(g) **State-owned properties**

Pursuant to Section 14-298 of the Connecticut General Statutes, regulations are adopted for the use of state highways and roads on state-owned properties.

(h) **Assistance to towns**

The State Traffic Commission, through the office of the Commission, aids and assists towns on all other traffic regulatory matters which come under its jurisdiction.

(i) The State Traffic Commission approves various traffic regulatory measures as defined by the federal *Manual On Uniform Traffic Control Devices*, except for those matters of a routine nature for which the commission has granted the Department of Transportation blanket approval to implement. The Commission shall retain on file a list of such items.
(Effective December 3, 1996)

Sec. 14-298-268. Petition for requesting the promulgation, amendment or repeal of regulation

The State Traffic Commission will accept petitions requesting the promulgation, amendment or repeal of a regulation of said Commission in the following form:

(1) A petition must be in writing indicating the manner in which and the date on which it is being filed at the State Traffic Commission office.

(2) The petition shall be signed by the petitioner and shall include his address for purpose of reply.

(3) The petition shall clearly state the language to be promulgated, amended or repealed.

(4) The petition may include a statement of facts and arguments in support thereof.

When the requirements of the above have been complied with, the State Traffic Commission shall promptly rule on such petition.
(Effective December 3, 1996)

Sec. 14-298-269. Petition for declaratory ruling

The State Traffic Commission will accept a petition for declaratory ruling as to the applicability of any statutory provision or of any regulation or order of the agency administered by the Commission in the following form:

(1) A petition stating the factual background of the issue must be in writing and include the date on which it is being filed in the State Traffic Commission office.

(2) The petition shall be signed by the petitioner and shall include his address for purpose of reply.

(3) The petition shall state clearly the question of applicability upon which it seeks a ruling.

(4) The petition shall state the position of the petitioner with respect to the question of applicability.

(5) The petition may include an argument in support of the position of the petitioner with such legal citation as may be appropriate.
(Effective August 29, 1972)

Secs. 14-298-270--14-298-271. Reserved

Sec. 14-298-270(a). Through trucks exemption

Through trucks operating under a special permit issued pursuant to section 14-270 of the general statutes of Connecticut, as revised, shall be exempt from those no through truck restrictions as deemed necessary by the commissioner of transportation and as specified in the permit.
(Effective April 22, 1977)

THROUGH TRUCK TRAFFIC

Secs. 14-298-272--14-298-321.
Repealed, November 5, 1999.

Secs. 14-298-322--14-298-499. Reserved

Part

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Signs

A

General Provisions

Sec. 14-298-500. Uniformity

(a) All regulatory and warning signs on public highways, parking lots having a capacity of 20 or more vehicles, commercial establishments and private roads shall be of the type approved by the state traffic commission.

(b) They shall conform as noted in these regulations, except that those signs that are used on interstate systems shall conform to interstate standards.

(c) Any exceptions to these regulations shall be based on an engineering study subject to approval of the state traffic commission.

(d) The Connecticut Department of Transportation's catalogue of signs may be used as a guide.

(e) All dimensions in this part are expressed in English units. Connecticut Department of Transportation standards, manuals, and guidelines have been developed in metric dimensions and are considered equivalent.

(Effective November 3, 1981; amended December 9, 1999)

Sec. 14-298-501. Legal authority

(a) Traffic signs shall be placed only by the authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

(b) No traffic sign or its support shall bear any message that is not essential to traffic control.

(Effective November 3, 1981; amended December 9, 1999)

Sec. 14-298-502. Standardization of application

(a) Each standard sign shall be displayed only for the specific purpose presented for it in these regulations.

(b) Before any new highway or any detour or temporary route is opened to traffic all necessary signs shall be in place.

(c) Signs required by road conditions or restrictions shall be removed without undue delay when those conditions cease to exist or the restrictions are withdrawn.

(Effective November 3, 1981)

Sec. 14-298-503. Variable message signs

Repealed, December 9, 1999.

Sec. 14-298-504. Classification of signs

(a) Regulatory signs give notice of traffic laws or regulations.

(b) Warning signs call attention to conditions on or adjacent to a highway or street that are potentially hazardous to traffic operations.

(c) Guide signs show route designations, destinations, directions, services, points of interest and other geographical, recreational or cultural information.

(Effective November 3, 1981)

Sec. 14-298-505. Standardization of signs

(a) In situations where messages are required other than those herein provided for, the signs should be of the same shape and color as standard signs of the same functional type.

(b) The term ``legend'' as used in these regulations includes all word messages and symbol designs that are intended to convey specific meanings. For purposes of design, borders are included as part of the sign legend.

(c) As rapidly as feasible, signs of non-standard design or application shall be replaced by new standard signs. Signs which are not dangerously inconsistent with current standards or not clearly inadequate may remain in use for a period of normal service life.

(Effective November 3, 1981)

Sec. 14-298-506. Design

(a) Uniformity in design includes shape, color, dimensions, legends and illumination or reflectorization.

(b) Standardization of these designs does not preclude further improvement by minor changes in the proportion of symbols, width of borders or layout of word messages, but all shapes and colors shall be as indicated.

(Effective November 3, 1981)

Sec. 14-298-507. Shapes

(a) The octagon shall be reserved exclusively for the STOP sign.

(b) The equilateral triangle, with one point downward, shall be reserved exclusively for the YIELD sign.

(c) The round shape shall be used for the advance warning of a railroad crossing and for the civil defense evacuation route marker.

(d) The pennant shape, an isosceles triangle, with its longest axis horizontal, shall be used to warn of no passing zones.

(e) The diamond shape shall be used only to warn of existing or possible hazards either on the roadway or adjacent thereto.

(f) The rectangle, ordinarily with the longer dimension vertical, shall be used for regulatory signs, with the exception of STOP signs and YIELD signs.

(g) The rectangle, ordinarily with the longer dimensions horizontal, shall be used for guide signs, with the exception of certain route markers and recreational area guide signs.

(h) The pentagon, point up, shall be used for school advance and School Crossing signs.

(Effective November 3, 1981)

Sec. 14-298-508. Colors

The colors to be used on standard signs shall be as follows:

(a) Red is used only as a background color for STOP signs, multi-way supplemental plates, DO-NOT-ENTER messages, WRONG WAY signs and on Interstate route markers; as a legend color for YIELD signs, parking prohibition signs, the circular outline and diagonal bar prohibitory symbol.

(b) Black is used as a background on ONE WAY signs, certain weigh station signs and night speed limit signs as specified herein. Black is used as a message on white, yellow and orange signs.

(c) White is used as the background for route markers, guide signs, the Fallout Shelter Directional sign, and regulatory signs, except STOP signs, and for the legend on brown, green, blue, black and red signs.

(d) Orange is used as a background color for construction and maintenance signs and shall not be used for any other purpose.

(e) Yellow is used as a background color for warning signs, except where orange is specified herein, and for school signs.

(f) Brown is used as a background color for guide and information signs related to points of recreational or cultural interest.

(g) Green is used as a background color for guide signs (other than those using brown or white), mileposts, and as a legend color with a white background for permissive parking regulations.

(h) Blue is used as a background color for information signs related to motorist services (including police services and rest areas) and the Evacuation Route Marker.

(i) Wherever white is specified herein as a sign color, it is understood to include silver-colored reflecting coatings or elements that reflect white light.

(Effective November 3, 1981)

Sec. 14-298-509. Dimensions

(a) The sign dimensions prescribed in these regulations shall be standard for application on public highways. Increases above these standard sizes are desirable where greater legibility or emphasis is needed.

(b) In expressways and freeways, special designs or large signs are prescribed.

In the enlargement of signs, standard shapes and colors shall be used and standard proportions shall be retained insofar as practicable. Wherever practicable, the overall dimensions of the sign plates should be increased to 6-inch increments.

(Effective November 3, 1981)

Sec. 14-298-510. Illumination and reflectorization

Regulatory and warning signs, unless excepted in the standards covering a particular sign or group of signs, shall be reflectorized or illuminated to show the same shape and color both by day and night. All overhead sign installations should be illuminated where an engineering study shows that reflectorization will not perform effectively.

(Effective November 3, 1981)

Sec. 14-298-511. Sign borders

All signs shall have a border of the same color as the legend, at or just inside the edge. A dark border should be set in from the edge, while a white border should extend to the edge of the panel.

(Effective November 3, 1981)

Sec. 14-298-513. Supplemental beacons

A hazard identification beacon may be used only to supplement an appropriate warning or regulatory sign. The beacon shall not be included within the border of the sign, except school speed limit signs.

(Effective November 3, 1981)

Sec. 14-298-514. Height

(a) Signs erected at the side of the road in rural districts shall be mounted at a height of at least 5 feet, measured from the bottom of the sign to the near edge of the pavement.

(b) In business, commercial and residential districts where parking and/or pedestrian movement is likely to occur or where there are other

obstructions to view, the clearance to the bottom of the sign shall be at least 7 feet. The height to the bottom of a secondary sign mounted below another sign may be 1 foot less than the appropriate height specified above.

(c) Directional signs on expressways shall be erected with a minimum height of 7 feet (from the level of the near edge of the pavement to the bottom of the sign). If, however, a secondary sign is mounted below another sign, the major sign shall be at least 8 feet and the secondary sign at least 5 feet above the level of the pavement edge.

(d) All route markers and warning and regulatory signs on expressways shall be at least 6 feet above the level of the pavement edge. However, where signs are placed 30 feet or more from the edge of the nearest traffic lanes for increased roadside safety, the height to the bottom of such signs may be 5 feet above the level of the pavement edge.

(e) Overhead signs shall provide a vertical clearance of not less than 17 feet over the entire width of the pavement and shoulders except where a lesser vertical clearance is used for the design of other structures. The vertical clearance to overhead sign structures or supports need not be greater than 1 foot in excess of the minimum design clearance of other structures.

(Effective November 3, 1981)

Sec. 14-298-515. Lateral clearance

Signs shall have the maximum practical lateral clearance from the edge of the traveled way.

(Effective November 3, 1981)

Sec. 14-298-516. Position of signs

(a) A warning sign is placed in advance of the condition to which it calls attention.

(b) A regulatory sign normally is placed where its mandate or prohibition applies or begins.

(c) Guide signs are placed, where needed, to keep drivers well informed as to the route to their destination.

(Effective November 3, 1981)

Sec. 14-298-517. Erection

Signs should be mounted approximately at right angles to the direction of, and facing, the traffic that they are intended to serve.

(Effective November 3, 1981)

Sec. 14-298-518. Maintenance

(a) All traffic signs should be kept in proper position, clear and legible at all times.

(b) Damaged signs should be replaced without undue delay.

(Effective November 3, 1981)

B

Regulatory Signs

Sec. 14-298-519. Application of regulatory signs

(a) Regulatory signs shall be used to inform highway users of traffic laws or regulations that apply at given places or on given highways, disregard of which is punishable by law.

(b) Regulatory signs shall be erected at those locations where the regulations apply, and shall be mounted so as to be easily visible and legible to the motorist whose actions they are to govern. The message on the sign shall clearly indicate the requirements imposed by the regulation.

(c) Signs that have been erected but are no longer applicable shall be removed.

(Effective November 3, 1981)

Sec. 14-298-520. Classification of regulatory signs

(a) Right-of-way series:
1. Stop sign
2. Yield sign

(b) Speed series

(c) Movement series:
1. Turning
2. Alignment
3. Exclusion
4. One Way

(d) Parking series

(e) Pedestrian series

(f) Miscellaneous series

(Effective November 3, 1981)

Sec. 14-298-521. Design of regulatory signs

All regulatory signs shall be reflectorized or illuminated to show the same shape and color both by day and by night, unless excepted in the standards covering a particular sign or group of signs.

(Effective November 3, 1981)

Sec. 14-298-522. Stop signs

(a) STOP signs are intended for use on roadways where traffic is required to stop.

(b) The STOP sign shall be an octagon with white message and border on a red background.

(c) The standard size shall be 30 inches by 30 inches. Where greater emphasis or visibility is required, a larger size is recommended. On low-volume local streets and secondary roads with low approach speeds, a 24-inch by 24-inch size may be used.

(d) At a multiway stop intersection, a supplementary plate should be mounted just below each STOP sign. If the number of approach legs to the intersection is three or more, the numeral on the supplementary plate shall correspond to the actual number of legs, or the legend ALL-WAY may be used. The supplementary plate shall have white letters on a red background and shall have a standard size of 12 inches by 6 inches or 18 inches by 6 inches.

(e) A STOP sign beacon or beacons may be used in conjunction with a STOP sign.

(f) Secondary messages shall not be used on STOP sign faces.

(Effective November 3, 1981)

Sec. 14-298-523. Application of stop sign

(a) STOP signs should never be used on the through roadways of expressways.

(b) STOP signs shall not be erected at intersections where traffic control signals are operating.

(c) Where two main highways intersect, the STOP sign or signs would normally be posted on the minor street to stop the lesser flow of traffic.

Traffic engineering studies, however, may justify a decision to install a STOP sign or signs on the major street.

(d) For other than emergency purposes portable or part-time STOP signs shall not be used.

(e) STOP signs shall not be used for speed control.

(Effective November 3, 1981)

Sec. 14-298-524. Yield sign

(a) The YIELD sign assigns right-of-way to traffic on certain approaches to an intersection.

(b) Vehicles controlled by a YIELD sign need stop only when necessary to avoid interference with other traffic that is given the right-of-way.

(c) The YIELD sign shall be a downward pointing, equilateral triangle having a red border band and a white interior and the word YIELD in red inside the border band; the border band to be 5 inches for the 36-inch sign, 6 inches for the 48-inch sign and 8 inches for the 60-inch sign.

(Effective November 3, 1981; amended December 9, 1999)

Sec. 14-298-525. Location of stop sign and yield sign

(a) A STOP sign should be erected at the point where the vehicle is to stop or as near thereto as possible, and may be supplemented with a STOP line and/or the word STOP on the pavement.

(b) A YIELD sign should be erected in the same manner, at the point where the vehicle is to stop if necessary to yield the right-of-way. Where there is a marked crosswalk on the pavement, the sign should be erected approximately 4 feet in advance of the crosswalk line nearest to approaching traffic.

(c) Where only one sign, STOP or YIELD, is used, it shall be on the right-hand side of the traffic lanes to which it applies.

(d) At an intersection where a wide throat exists on the signed approach, observance of the sign may be improved by the erection of an additional sign on the left side of the approach road, and by the use of a STOP line.

(e) Where two lanes of traffic are subject to the STOP sign, a second sign should be placed where it is visible to traffic in the inner lane. At certain channelized intersections, the additional sign may be effectively placed on a channelizing island.

(f) In no instance shall one STOP or YIELD sign be mounted above another on the same post.

(g) Where two roads intersect at an acute angle, the STOP or YIELD sign should be positioned at an angle, or shielded, so that the message is out of view of traffic to which it does not apply.

(h) In the event the visibility of a STOP sign or a YIELD sign at any location is restricted, the sign shall be located as specified, and a STOP AHEAD sign or a YIELD AHEAD sign shall be erected in advance of the STOP or YIELD sign.

(Effective November 3, 1981)

Sec. 14-298-526. Speed limit sign

(a) The Speed Limit sign shall display the limit established by law, or by regulation, after an engineering and traffic investigation has been made in accordance with established traffic engineering practices.

(b) The speed limits shown shall be in multiples of 5 miles per hour.

(c) No more than three speed limits should be displayed on any one speed limit sign or assembly. Where a special speed limit applies to trucks or other vehicles, the legend TRUCKS 40, or such similar message as is appropriate, shall be shown below the standard message or on a separate plate. When used independently, the Truck Speed sign should carry a reference to SPEED or MPH.

(d) Minimum speeds shall be displayed only in combination with the posted speed limit.

(e) The standard Speed Limit sign shall be 24 inches by 30 inches. On express ways the sign should be at least 36 inches by 48 inches, with 48 inches by 60 inches prescribed for use on freeways.

(Effective November 3, 1981)

Sec. 14-298-527. Minimum speed sign

Driving slower than the minimum limit is illegal except when necessary for safe operation or in compliance with the law. The minimum speed shall be displayed only in combination with the posted speed limit, and if desired, these two signs may be combined. The Minimum Speed sign shall have a standard, and minimum, size of 24 inches by 30 inches.

(Effective November 3, 1981)

Sec. 14-298-528. Location of speed limit sign

(a) Speed Limit signs, indicating speed limits for which posting is required by law, shall be located at the points of change from one speed limit to another. These signs shall not be erected until the speed limits are approved and officially authorized.

(b) At the end of the section to which a speed limit applies, a Speed Limit sign showing the next speed limit shall be erected. Additional signs shall be installed beyond major intersections and at other locations where it is necessary to remind motorists of the limit that is applicable.

(Effective November 3, 1981)

Sec. 14-298-529. Turn prohibition signs

(a) Turn prohibition signs should be used to indicate the turns that are prohibited or restricted at a particular intersection. These signs should be placed where they will be most easily seen by drivers intending to turn.

(b) The standard and minimum size of the NO RIGHT TURN sign, the NO LEFT TURN sign and the NO TURNS sign shall be 24 inches by 24 inches.

(c) The NO RIGHT TURN sign shall be placed at the near right-hand corner of the intersection.

(d) Where NO LEFT TURN or NO TURNS signs are required, two shall be used - one at near right hand corner and one at the far left hand corner facing traffic approaching the intersection.

(Effective November 3, 1981)

Sec. 14-298-530. U-Turn prohibition sign

(a) The NO U TURN sign is intended for use at or between intersections to indicate locations where U turns are prohibited.

(b) The sign shall have a standard size of 24 inches by 24 inches.

(c) The word message, NO U TURN, on a 24'' x 30'' panel may be used as an alternate.

(Effective November 3, 1981)

Sec. 14-298-531. Lane-use control signs

(a) Lane-Use Control signs shall be used where turning movements are required or where unconventional turning movements are permitted from specific lanes at an intersection.

(b) The standard size of these signs shall be as indicated in the most current catalog of signs maintained by the Connecticut Department of Transportation.

(c) Signs for overhead mounting shall be mounted over the lanes to which they apply.

(d) The Mandatory Movement sign shall show a single arrow and the regulatory word message ONLY.

(e) The optional movement sign shall show a straight-through and a curved arrow with the lower ends of their shafts superimposed, to indicate that either of the movements symbolized is permissible.

(f) The optional movement sign shall not be used alone to effect a turn prohibition.

(g) The mandatory turn sign designed for post mounting shall carry the message Right (or Left) Lane Must Turn Right (or Left).

(h) Double-turn signs for post mounting may be needed at such locations as at the right curb (for double right turns) or on the left side of a one-way street or on the median of a divided highway (for double left turns). The post-mounted double-turn signs should carry side by side on the same plate, two arrow symbols similar to the designs for the overhead signs.

(i) Lane-use signs are not required at signalized intersections where separate turn signals and turning bays are provided.

(Effective November 3, 1981; amended December 9, 1999)

Sec. 14-298-532. Applications of lane-use control signs at intersections

Lane-use Control signs shall be used at intersections whenever it is desired to require vehicles in certain lanes to turn, or to permit turns from an adjacent lane.

(Effective November 3, 1981)

Sec. 14-298-533. Location of lane-use control signs

(a) Overhead lane-use control signs shall be placed over the lanes to which they apply.

(b) When post-mounted lane-use control signs are used, one sign shall be placed at the intersection. A second lane-use control sign shall be placed at an adequate distance in advance of the intersection so that motorists can select and properly enter the appropriate lane.

(c) Supplementary pavement markings should be used with mandatory turn signs.

(Effective November 3, 1981; amended December 9, 1999)

Sec. 14-298-534. Do not pass sign

The standard DO NOT PASS sign shall be 24 inches by 30 inches in size, with a minimum size for minor roads of 18 inches by 24 inches.

(Effective November 3, 1981)

Sec. 14-298-535. Slower traffic keep right

(a) The SLOWER TRAFFIC KEEP RIGHT sign may be used on multiple-lane roadways to reduce unnecessary weaving. It should be erected just beyond the beginning of a multiple-lane pavement, and at selected locations on the median strip of a divided highway where there is a tendency on the part of the motorist to drive in the left-hand lane (or lanes) below the normal speed of traffic. It should not be used on the approach to an interchange or through an interchange area.

(b) This sign shall have a standard, and minimum, size of 24 inches by 30 inches. Because it is not used on secondary roads, no small design is

provided. On expressways the sign should be at least 36 inches by 48 inches, with 48 inches by 60 inches prescribed for freeways.
(Effective November 3, 1981)

Sec. 14-298-536. Signs for uphill traffic lanes

(a) Where an extra lane has been provided on an upgrade for slow-moving traffic, it should be preceded by a sign directing such traffic into this ``climbing'' lane. The SLOWER TRAFFIC KEEP RIGHT sign is applicable for this purpose, or more specific messages such as TRUCKS USE RIGHT LANE and/or SLOW VEHICLES KEEP RIGHT may be used.

(b) The standard, and minimum, size of these signs shall be 24 inches by 30 inches.
(Effective November 3, 1981; amended December 9, 1999)

Sec. 14-298-537. Keep right sign

(a) The Keep Right sign should be used within and at the ends of medians, parkways, loading islands, and refuge islands, at traffic islands, and at underpass piers, where traffic is required to keep to the right.

(b) The Keep Right sign shall have a standard size of 24 inches by 30 inches. On expressways the sign should be at least 36 inches by 48 inches, with 48 inches by 60 inches prescribed for use on freeways. A smaller size of 18 inches by 24 inches is permissible for use on narrow medians and at median openings to serve entering cross traffic and to remind through traffic of the regulation.
(Effective November 3, 1981)

Sec. 14-298-538. Do not enter sign

(a) The DO NOT ENTER sign shall be a 30-inch white square on which is inscribed a 29-inch diameter red circle, with a white band 5 inches in width placed horizontally across the center of the circle.

(b) The legend DO NOT ENTER shall appear in white letters with the words DO NOT above the band and ENTER below the band. Larger sizes are prescribed for use on major streets or on expressways with one-way ramp or roadway connections.
(Effective November 3, 1981)

Sec. 14-298-539. One way sign

(a) The ONE WAY sign shall be used when required to indicate streets or roadways upon which vehicular traffic is allowed to travel in one direction only.

(b) The sign shall be either a white arrow, right or left, on a black horizontal rectangle of a standard, and minimum, size of 36 inches by 12 inches with the words ONE WAY centered in the arrow; or a vertical rectangle of a standard, and minimum, size of 18 inches by 24 inches with black lettering and a right or left arrow on a white background.

(c) One Way signs shall be placed on the near right-hand and the far left-hand corners of the intersection so as to face traffic entering or crossing the one-way street. Where the intersection is signalized, the signs should be placed near the appropriate signal faces. One Way signs should also be placed parallel to the one-way street directly opposite the exits from alleys and other public ways.
(Effective November 3, 1981)

Sec. 14-298-540. Parking and stopping signs

(a) The legend on parking signs shall state whatever regulations apply.

(b) Parking signs shall display the following information as is appropriate, from top to bottom of the sign, in the order listed: 1. restriction or prohibition. 2. time of day it is applicable, if not at all hours. 3. day of week applicable, if not every day.

(c) Parking prohibition signs shall have red letters and border on a white background.

(d) Parking restriction signs shall have green letters and border on a white background.

(e) Parking signs shall have a minimum standard size of twelve inches by eighteen inches.

(f) Handicapped parking by permit signs shall have white letters and border on a blue background.

(Effective November 3, 1981)

Sec. 14-298-541. Emergency parking signs

(a) These signs are designed as horizontal rectangles and shall have a black legend on a white background.

(b) A size of 48 inches by 36 inches is prescribed for use on freeways.

(Effective November 3, 1981)

Sec. 14-298-542. Traffic signal signs

The Pedestrian Actuated Sign shall be 9 inches by 12 inches in size and shall be mounted immediately above or incorporated in the pedestrian push-button unit.

(Effective November 3, 1981)

Sec. 14-298-543. Keep off median sign

The KEEP OFF MEDIAN sign shall have a standard, and minimum, size of 24 inches by 30 inches. On expressways it should be at least 36 inches by 48 inches, with 48 inches by 60 inches prescribed for freeways.

(Effective November 3, 1981)

Sec. 14-298-544. Road closed sign

(a) The Road Closed sign shall have a standard, and minimum, size of 48 by 30 inches.

(b) Where the sign faces through traffic, it shall be preceded by an Advance Road Closed warning sign and, if applicable, an Advance Detour warning sign.

(Effective November 3, 1981)

Sec. 14-298-545. Local traffic only sign

(a) The Local Traffic Only sign should be used where through traffic must detour to avoid a closing of the highway for construction or maintenance work or for a temporary emergency some distance beyond, but where the highway is open for traffic up to the point of closure.

(b) It shall carry the legend ROAD CLOSED (10) MILES AHEAD-LOCAL TRAFFIC ONLY, or optionally for urban application, ROAD CLOSED TO THRU TRAFFIC. Both signs shall be designed as horizontal rectangles.

(c) The words BRIDGE OUT (or similar message) may be substituted for ROAD CLOSED where applicable.

(d) Where the sign faces through traffic, it shall be preceded by an Advance Road Closed warning sign with the secondary legend AHEAD and, if applicable, an Advance Detour warning sign.
(Effective November 3, 1981)

Sec. 14-298-546. Weight limit sign

(a) A Weight Limit sign shall be located immediately in advance of the section of highway or the structure to which it applies.
(b) The standard, and minimum, size shall be 24 inches by 30 inches but a larger size is desirable on major roads and streets.
(Effective November 3, 1981)

Sec. 14-298-547. Weigh station signs

(a) Trucks and other classes of vehicles shall stop at weighing stations.
(b) A regulatory sign is required to direct the concerned traffic into the weigh station.
(Effective November 3, 1981)

Sec. 14-298-548. Two way left turn only signs

(a) TWO WAY LEFT TURN ONLY signs shall be used where a lane in the center of a highway is reserved for the exclusive use of left-turning vehicles in either direction and is not used for overtaking.
(b) Pavement markings shall be used in conjunction with these signs. Overhead mounted signs should be used, but a post-mounted sign may be used as an alternate to or a supplement to the overhead mounted sign.
(Effective November 3, 1981)

Sec. 14-298-549. Preferential lane signing

(a) Preferential lanes are lanes where usage is limited according to class of vehicle or vehicle occupancy. Signing for these lanes should follow the standard regulatory signing principles - black legend on white background, rectangular shape, and reflectorized or illuminated if applicable during periods of reduced visibility.
(b) The diamond lane marking symbol used to designate preferential lanes should be incorporated in the body of the signs, as a white symbol on a black background.
(c) The signs are intended for use with a preferential lane to indicate the particular restrictions applying to that lane.
(d) Signs should be located adjacent to the preferential lane or should be mounted directly over the lane.
(e) The message format of a bus-carpool lane for overhead signs should have the following sequence.
(1) top lines-lane (5) applicable (e.g. center lane, curb lane, right two lanes, this lane)
(2) middle lines-applicable vehicle (e.g. buses only, buses and carpools, buses and right turns only)
(3) bottom lines - applicable time and day (e.g. 7:00 to 9:00 a.m., 4:00 to 6:00 p.m., Monday through Friday)
(f) The message format of signs post mounted should have this sequence:
(1) top lines - applicable vehicles (e.g. buses only, buses and carpools, buses and right turns only)
(2) bottom lines - applicable time and day (e.g. 7:00 to 9:00 a.m., 4:00 to 6:00 p.m., Monday through Friday); the time and day are separated from a down arrow.
(g) The diamond symbol on these signs preferably should appear in the top

left quadrant.

(h) When overhead lane use control signals or changeable message signs are used to convey the preferential lane-use restrictions, signs are not mandatory but may be used to supplement other controls.

(i) Pavement markings for these lanes shall be used in conjunction with these signs.

(j) Advance notification of preferential lane-use roadways is desirable ``Restricted Lane Ahead'' signs may be used for this purpose.

(k) At the end of a signed section of preferential lanes, a ``Restricted Lane Ends'' sign shall be used.

(Effective November 3, 1981)

Sec. 14-298-550. Wrong way

(a) The WRONG WAY sign may be used as a supplement to the DO NOT ENTER sign.

(b) The WRONG WAY sign shall have a white legend and red background with a white border.

(c) The standard and minimum of this sign shall be 36 inches by 24 inches.

(Effective November 3, 1981)

Sec. 14-298-551. No turn on red

(a) The NO TURN ON RED sign shall be used to indicate that a right turn on red is not permitted.

(b) The sign should be erected near the appropriate signal head.

(Effective November 3, 1981)

Sec. 14-298-552. Other regulatory signs

Other miscellaneous regulatory signs as may be needed shall be of a design and size approved by the state traffic commission.

(Effective November 3, 1981)

C

Warning Signs

Sec. 14-298-553. Application of warning signs

Warning signs shall be used for the purpose of warning traffic of existing or potentially hazardous conditions either on or adjacent to the road.

(Effective November 3, 1981)

Sec. 14-298-554. Design of warning signs

(a) All warning signs in this part with the following exceptions shall be diamond shaped (square with one diagonal vertical) with black legend on a yellow background.

(1) large arrow sign - horizontal rectangle with large black single or doublehead arrow and black border on yellow background.

(2) chevron alignment sign - vertical rectangle with black chevron symbol on a yellow background.

(3) stop ahead sign - a solid red octagon with white border located below a black vertical arrow on a yellow diamond with a black border alternate for black legend stop ahead on yellow diamond with a black border.

(4) yield ahead sign - a downward pointing, equilateral triangle having a red border band and a white interior located below a black vertical arrow on a

yellow diamond with a black border: alternate for a black legend yield ahead on a yellow diamond with a black border.

(5) signal ahead sign - a red, yellow, green and black signal ahead on a yellow diamond with a black border.

(6) supplemental plaques - a horizontal rectangle with black legend and border on a yellow background.

(7) advisory speed plate - a square with black legend and border on a yellow background.

(8) advisory exit speed or ramp speed signs - a vertical rectangle with black legend and border on a yellow background.

(9) No passing zone - sign - pennant shaped with black legend and border on a yellow background.

(10) railroad advance warning sign - round with black legend and border on a yellow background.

(11) school advance warning and school crossing signs - pentagon shaped with black symbol and border on a yellow background.

(12) weight limit advance warning signs - square or rectangular with black legend and/or symbols and border on a yellow background.

(13) further exceptions to the above shall be based on competent engineering study.

(b) All warning signs having significance during hours of darkness shall have a fully reflectorized background or be illuminated.

(Effective November 3, 1981)

Sec. 14-298-555. Placement of warning signs

Repealed, December 9, 1999.

Secs. 14-298-556--14-298-599. Reserved

Part II

Markings

A

General Provisions

Sec. 14-298-600. Legal authority

Markings as described in sections 14-298-601 to 14-298-636, inclusive, shall be placed or caused to be placed only by the traffic authority having jurisdiction over the regulating, warning and guiding of traffic.

(Effective November 3, 1982)

Sec. 14-298-601. Standardization

(a) All markings used on public and private highways shall conform as prescribed in these regulations, except those markings that are used on Interstate system shall conform to Interstate standards. Any exceptions to these regulations shall be based on an engineering study and subject to the approval of the State Traffic Commission.

(b) All dimensions in this part are expressed in English units. Connecticut Department of Transportation standards, manuals and guidelines have been developed in metric dimensions and are considered equivalent.

(Effective November 3, 1982; amended December 9, 1999)

Sec. 14-298-602. Materials

Reflectorized paint, plastic or other suitable materials used as pavement markings shall conform to the color, reflectorization, dimensions, and other specifications set forth in these regulations.
(Effective November 3, 1982)

Sec. 14-298-603. Colors

Pavement markings shall be yellow, white or red. The use of black is permitted in combination with the above colors where the pavement itself does not provide sufficient contrast.
(Effective November 3, 1982)

Sec. 14-298-604. Longitudinal pavement markings

Longitudinal pavement markings shall conform to the following basic concepts:

(1) Yellow lines delineate the separation of traffic flows in opposing directions or mark the left boundary of the travel path at locations of particular hazard.

(2) White lines delineate the separation of traffic flows in the same direction.

(3) Red markings (other than paint) delineate roadways that shall not be entered or used by the viewer of those markings.

(4) Broken lines are permissive in character.

(5) Solid lines are restrictive in character.

(6) Width of line indicates the degree of emphasis.

(7) Double lines indicate maximum restrictions.

(8) Pavement markings shall be reflectorized and shall be visible at night.

(Effective November 3, 1982)

Sec. 14-298-605. Widths and patterns of longitudinal lines

The widths and patterns of longitudinal lines shall be as follows:

(1) A normal width line is 4'' to 6'' wide.

(2) A wide line is usually twice the width of a normal line.

(3) A double line consists of two normal width lines separated by a discernible space.

(4) A broken line is formed by segments and gaps, usually in the ratio of 1:3. On rural highways, a commonly used standard is 10 foot segments and 30 foot gaps. Other dimensions in this ratio may be used as best suit traffic speeds and need for delineation.

(5) A dotted line is formed by short segments, normally two feet in length, and gaps, normally four feet or longer.

(Effective November 3, 1982)

Sec. 14-298-606. Types of longitudinal lines

(a) A normal broken white line shall be used to delineate the edge of a travel path where travel is permitted in the same direction on both sides of the line.

(b) A normal broken yellow line shall be used to delineate the left edge of a travel path where travel on the other side of the line is in the opposite direction.

(c) A normal solid white line shall be used to delineate the edge of a travel path where travel in the same direction is permitted on both sides of the line but crossing the line is discouraged and as a right pavement edge marking. A wide solid white line is used for emphasis where the crossing requires unusual care.

(d) A double solid white line shall be used to delineate a travel path where travel in the same direction is permitted on both sides of the line, but crossing the line is prohibited.

(e) A double line consisting of a normal broken yellow line and a normal solid yellow line delineates a separation between travel paths in opposite directions where overtaking and passing is permitted with care for traffic adjacent to the broken line and is prohibited for traffic adjacent to the solid line. This is a one direction no-passing marking. It is used on a two-way, two and three-lane roadways to regulate passing and to delineate the edges of a lane in which travel in either direction is permitted. In the latter application, the markings are to be placed with the solid lines on the outside and the dashed lines on the inside of the lane. Traffic adjacent to the solid line may cross this marking with care only as part of a left-turn maneuver.

(f) A double line consisting of two normal solid yellow lines delineates the separation between travel paths in opposite directions where overtaking and passing is prohibited in both directions. This is a two direction no- passing marking. Crossing this marking with care is permitted only as part of a left-turn maneuver.

(g) A double normal broken yellow line delineates the edge of a lane in which the direction of travel is changed from time to time in such a way that the line serves as the centerline during some period. Its use is for a reversible lane.

(h) A normal dotted line shall be used to delineate the extension of a line through an intersection or interchange area. It shall be the same color as the line it extends.

(i) A solid yellow line delineates the left edge of a travel path to indicate a restriction against passing on the left or delineates the left edge of each roadway of divided streets or highways, one-way roadways and ramps, in the direction of travel.

(Effective November 3, 1982)

Sec. 14-298-607. Transverse markings

Transverse markings including shoulder markings, word and symbol markings, stop lines, crosswalk lines, and parking space markings shall be white except that:

(1) Transverse median markings shall be yellow.

(2) Markings visible only to traffic proceeding in the wrong direction on a one-way roadway may be red.

(Effective November 3, 1982)

B

Pavement and Curb Markings

Sec. 14-298-608. Center lines

A centerline separates traffic traveling in opposite directions. It need not be at the geometrical center of the pavement. The centerline markings on two-lane, two-way highways shall be either:

(1) a normal broken yellow line where passing is permitted; or

(2) a double line consisting of a normal broken yellow line and a normal solid yellow line where passing is permitted in one direction, or

(3) a double line consisting of two normal solid yellow lines where passing is prohibited in both directions.

The centerline on undivided highways, where four or more lanes are always available, shall be a double solid yellow line. On a three-lane highway, two lanes shall be designated in one direction.

(Effective November 3, 1982)

Sec. 14-298-609. Lane lines

Lane lines shall be used to separate lanes of traffic traveling in the same direction.
They shall be used:
(1) On all multi-lane highways.
(2) At congested locations where the roadway will accommodate more lanes of traffic than would be the case without the use of lane lines.
Lane lines shall be normally broken white lines which permit lane changing with care.
A normal solid white line may be used as the lane line in critical areas where it is advisable to discourage lane changing and to separate through traffic lanes from special secondary lanes.
A double solid white line shall be used when lane changing is prohibited.
(Effective November 3, 1982)

Sec. 14-298-610. No passing zone markings

Where center lines are installed, no-passing zones shall be established on two-lane highways where an engineering study indicates passing must be prohibited because of inadequate sight distances or other special conditions.
A no-passing zone shall be marked by either a one direction, no-passing marking ((e) Sec. 14-298-606) or a two direction, no-passing marking ((f) Sec. 14-298-606).
(Effective November 3, 1982)

Sec. 14-298-611. Application of no passing zone markings

On a two-lane highway the no passing marking shall be parallel to and extended along the centerline throughout the no passing zone.
In addition to the pavement markings here prescribed, no passing zone signs may be used to emphasize the existence of a no passing zone.
The no passing marking shall also be used on two-way roadways at pavement width transitions and on approaches to obstructions which must be passed on the right. It shall also be used on approaches to railroad grade crossings. It may also be used at other locations where passing should be prohibited.
(Effective November 3, 1982)

Sec. 14-298-612. Warrants for no passing zones at curves

A no-passing zone at a horizontal or vertical curve is warranted where the sight distance, based on engineering study, is less than the minimum necessary for safe passing at the prevailing speed of traffic.
(Effective November 3, 1982)

Sec. 14-298-613. Pavement edge lines

Pavement edge lines shall be used only as a supplement to and not as a substitute for standard center and lane lines.
Edge lines should be provided on all Interstate Highways and may be used on other classes of roads. The lines shall be white except on the left edge of each roadway of divided streets and highways, and one-way roadways in the direction of travel they shall be yellow.
(Effective November 3, 1982; amended December 9, 1999)

Sec. 14-298-614. Pavement marking extensions through intersections or inter changes

Where road design or reduced visibility conditions make it desirable to provide control or to guide vehicles through an interchange or intersection, (such as at offset, skewed, complex multi-legged intersections or where multiple turn lanes are used) a dotted line may be used to extend markings as necessary through the interchange or intersection area. Where a greater degree of restriction is required, solid lane lines or channelizing lines may be continued through intersections.
(Effective November 3, 1982)

Sec. 14-298-615. Lane reduction transitions

Where pavement markings are used, lane reduction markings shall be used to guide traffic at points where the pavement width changes to a lesser number of through lanes. No-passing markings shall be used to prohibit passing in the direction of the convergence, throughout the transition area.
(Effective November 3, 1982)

Sec. 14-298-616. Channelizing line

The channelizing line shall be a wide or double solid white line. The channelizing line may be used to form traffic islands where travel in the same direction is permitted on both sides. Other markings in the island area such as crosshatching shall be white.
(Effective November 3, 1982)

Sec. 14-298-617. Median islands formed by pavement markings

Two double yellow lines shall be used to form continuous median islands where these islands separate travel in opposite directions. Other markings in the median island such as crosshatching shall be yellow.
(Effective November 3, 1982; amended December 9, 1999)

Sec. 14-298-618. Marking of interchange ramps

For exit ramps, channelizing lines should be placed along both sides of the neutral area between the main roadway and the exit ramp lane. With a parallel deceleration lane, a lane line should be extended from the beginning of the channelizing line for a distance of approximately one-half the length of the full width deceleration lane. White markings may be placed in the neutral area for special emphasis.

For entrance ramps, a channelizing line should be placed along the side of the neutral area adjacent to the ramp lane. With a parallel acceleration lane, a lane line should be extended from the end of the channelizing line for a distance approximately one-half the length of the full width acceleration lane. With a tapered acceleration lane, a lane line may be placed to extend the channelizing line, but not beyond a point where the tapered lane meets the near side of the through traffic lane.
(Effective November 3, 1982)

Sec. 14-298-619. Combination lane and center line markings for unique appli cations

(a) For reversible lane markings, each edge of the lane shall be marked by the use of a normal broken double yellow line with the gaps and segments adjacent to one another. Signs and/or signals shall be used to supplement the pavement markings.

(b) A two-way left-turn lane is a lane reserved in the center of a highway for exclusive use of left-turn vehicles and shall not be used for passing and overtaking or travel by a driver except to make a left turn. The lane may be used by drivers making the left turn in either direction. A two-way left-turn lane shall be marked by a single direction, no passing marking on each edge of the lane.

(Effective November 3, 1982; amended December 9, 1999)

Sec. 14-298-620. Approach to an obstruction

(a) Pavement markings shall be used to guide traffic on the approach to fixed obstructions within a paved roadway. An obstruction may be so located that all traffic must keep to the right of it or it may be between two lanes of traffic moving in the same direction. The markings in either case shall be designed to guide traffic away from the obstruction. The use of channelizing lines or no-passing markings are generally effective.

(b) Obstruction approach markings for bridge supports, refuge islands, median islands and channelizing islands shall consist of a diagonal line (or lines) extending from the center line of a lane line to a point one to two feet to the right side or to both sides of the approach end of the obstruction.

(c) If traffic is required to pass only to the right of the obstruction, the marking shall consist of a no-passing marking at least twice the length of the diagonal portion. Yellow markings may be placed in the triangular area so formed.

(d) If traffic may pass either to right or left of the obstruction, the markings shall consist of two channelizing lines diverging from the lane line, one to either side of the obstruction. In advance of the point of divergence, a wide, solid white line or double white line shall be extended in place of the broken lane line for a distance equal to the length of the diverging lines. It may be desirable where traffic is permitted to pass to both right and left of an obstruction, to place additional white markings in the triangular area between the markings.

(Effective November 3, 1982)

Sec. 14-298-621. Stop lines

(a) Stop lines are solid white lines, normally 12 to 24 inches wide, extending across all approach lanes.

(b) Stop lines should be used in both rural and urban areas where it is important to indicate the point, behind which vehicles are required to stop, in compliance with a STOP sign, traffic signal, officers' direction, or other legal requirement.

(c) Stop lines, where used, should ordinarily be placed 4 feet in advance of the nearest crosswalk line. The stop line should be placed perpendicular to the centerline of the roadway on which the traffic is required to stop. In the absence of a marked crosswalk, the stop line should be placed at the desired stopping point, not more than 50 feet or less than 4 feet from the nearest edge of the intersection roadway.

(d) If a stop line is used in conjunction with a STOP sign, it should ordinarily be placed in line with the STOP sign. However, if the sign cannot be located exactly where vehicles are expected to stop, the Stop line should be placed at the stopping point.

(Effective November 3, 1982; amended December 9, 1999)

Sec. 14-298-622. Crosswalk and crosswalk lines

(a) Crosswalk lines shall be solid white lines marking both edges of a crosswalk. They should not be less than six inches in width and should not be spaced less than six feet apart.

(b) Crosswalks should be marked at all intersections where there is substantial conflict between vehicle and pedestrian movements. Marked crosswalks should also be provided at other appropriate points where pedestrians could not otherwise recognize the proper place to cross. For added visibility, the area of the crosswalk may be marked with white diagonal lines or with white longitudinal lines. These lines should be approximately 12 inches to 24 inches wide and spaced 16 inches to 24 inches apart. When diagonal or longitudinal lines are used to mark a crosswalk, the transverse crosswalk lines referred to in subsection (a) may be omitted. School crosswalks shall use 24 inch wide longitudinal lines, spaced 24 inches apart.
(Effective November 3, 1982; amended December 9, 1999)

Sec. 14-298-623. Speed measurement markings

A speed measurement marking is a transverse marking placed on the roadway for the purpose of assisting in the enforcement of speed regulations. Speed measurement markings shall be white and shall not be greater than 24 inches wide. They may extend approximately 2 feet on either side of the centerline or edgeline of the paved surface at ¼ mile intervals over a one-mile length of roadway. Advisory signs may be used in conjunction with these signs.
(Effective November 3, 1982)

Sec. 14-298-624. Parking space markings

Parking space markings shall be white.
(Effective November 3, 1982)

Sec. 14-298-625. Pavement word and symbol markings

(a) Word and symbol markings on the pavement may be used for the purpose of guiding, warning, or regulating traffic. They shall be limited to not more than a total of three lines of words and/or symbols. They shall be white in color.

(b) The words ``STOP'' shall not be used on the pavement unless accompanied by a stop line and STOP sign.

(c) The word STOP shall not be placed on the pavement in advance of a stop line, unless every vehicle is required to stop at all times.
(Effective November 3, 1982)

Sec. 14-298-626. Preferential lane markings

(a) When a lane is assigned full or part time to a particular class or classes of vehicles, the preferential lane markings should be used. The marking is intended to convey that a restriction on the class or classes of vehicles permitted to use the lane exists, and it is supplemental to signs or signals conveying the specific restrictions. Signs or signals shall be used with the preferential lane markings.

(b) The preferential lane markings shall be the elongated diamond detailed in the Standard Alphabets for Highway Signs and Pavement Markings. The diamond shall be formed by white lines at least 6 inches in width, shall be at least 2½ feet in width and 12 feet long and shall be placed coincident with the longitudinal center of each restricted lane.
(Effective November 3, 1982)

C

Object Markings

Sec. 14-298-627. Object marker design

When obstructions within or adjacent to the roadway require marking, the marker should consist of an arrangement of one or more of the following designs:

Type 1-Either a marker consisting of nine yellow reflectors, each with a minimum dimension of approximately 3'', mounted symmetrically on an 18'' yellow or black diamond panel, or an all yellow reflective diamond panel of the same size. Type 1 markers may be larger if conditions warrant.

Type 2-Either a marker consisting of three yellow reflectors, each with a minimum dimension of approximately 3'', arranged either horizontally or vertically; or an all yellow reflective panel, 6'' x 12''. Type 2 markers may be larger if conditions warrant.

Type 3-Striped marker consisting of a vertical rectangle approximately 1 foot by 3 feet in size with alternating black and reflectorized yellow or white stripes sloping downward at an angle of 45Þdg toward the side of the obstruction on which traffic is to pass. The minimum width of the yellow or white stripe should be 3 inches. A better appearance can be achieved if the black stripes are wider than the yellow or white stripes.

(Effective November 3, 1982)

Sec. 14-298-628. Objects in the roadway

Obstructions within the roadway, should be marked with a Type 1 or Type 3 object marker.

(Effective November 3, 1982)

Sec. 14-298-629. Objects adjacent to the roadway

Objects not actually in the roadway may be so close to the edge of the road that they need a marker. Type 2 or 3 object markers are intended for use at such locations. The inside edge of the marker should be in line with the inner edge of the obstruction.

(Effective November 3, 1982)

Sec. 14-298-630. End of roadway

The marker for the end of a roadway, at which point there is no alternate vehicular path, should be either a marker consisting of nine red reflectors, each with a minimum dimension of approximately 3'', mounted symmetrically on an 18 inch square, red or black panel; or an 18 inch square reflectorized red-panel. More than one marker or a larger marker may be used at the end of the roadway where conditions warrant. The minimum mounting height of this marker should be four feet. Appropriate advance warning signs should be used.

(Effective November 3, 1982)

D

Delineation

Sec. 14-298-631. Design

Delineators should consist of reflector units capable of clearly reflecting light under normal atmospheric conditions from a distance of 1,000 feet when illuminated by the upper beam of standard automobile lights. Reflective elements for delineators should have a minimum dimension of approximately 3 inches.

(Effective November 3, 1982)

Sec. 14-298-632. Curb markings for delineation

Reflectorized solid yellow markings should be placed on the curbs of islands located in the line of traffic flow where the curb serves to channel traffic to the right of the obstruction. Reflectorized solid white markings should be used when traffic may pass on either side of the island.
(Effective November 3, 1982)

Sec. 14-298-633. Delineator application

(a) The color of delineators shall, in all cases, conform to the color of edge lines.
(b) Delineators used on through two-lane, two-way roadways shall be single white reflector units on the right side. Single white reflector units may be placed on the left side of the two-way roadway, particularly at sharp right-hand curves.
(c) Single delineators shall be provided on the right side of expressway roadways and on at least one side of the interchange ramps.
(d) Single delineators should be provided on the outside curves on the interchange ramps.
(e) Double or vertically elongated delineators should be installed at 100 foot intervals along acceleration and deceleration lanes.
(f) Delineation shall be optional on sections of roadway between interchanges where fixed-source lighting is in operation.
(Effective May 28, 1982)

Sec. 14-298-634. Delineator placement and spacing

Delineators, if used, should be mounted on suitable supports so that the top of the reflecting head is about 4 feet above the near roadway edge. They should be placed not less than 2 or more than 6 feet outside the outer edge of the shoulder, or if appropriate, in the line of the guardrail.
(Effective November 3, 1982)

E

Colored Pavements

Sec. 14-298-635. Colored pavements
Repealed, December 9, 1999.

Sec. 14-298-636. Colors

The use of the following colors for pavements shall be limited to the purposes noted:
(1) Red shall be used only on the approaches to a STOP sign which is in use 24 hours a day.
(2) Yellow shall be used only for medians separating traffic flows in opposite directions.
(3) White shall be used for delineation on shoulders, on channelizing islands where traffic flows pass on both sides in the same general direction, and for crosswalks.
(Effective November 3, 1982)

Secs. 14-298-637--14-298-699. Reserved

Part III

Signals

A

General Provisions

Sec. 14298-700. Legal traffic authority

Traffic control signals shall be installed or caused to be installed only by the traffic authority having jurisdiction to install, operate and maintain traffic control signals on public highways in accordance with section 14-299 of the general statutes.
(Effective November 3, 1981)

Sec. 14-298-701. Standardization

(a) All traffic control signals used on public highways shall conform as noted in these regulations. Any exception to these regulations shall be based on an engineering study and shall be subject to approval by the State Traffic Commission. Traffic control signals of nonstandard design or application in operation of in use on the effective date of these regulations may continue to operate, but shall be replaced as soon as feasible, by traffic control signals to conform with section 14-298-700 through section 14-298-741 of these regulations.

(b) All dimensions in this part are expressed in English units. Connecticut Department of Transportation standards, manuals and guidelines have been developed in metric dimensions and are considered equivalent.
(Effective November 3, 1981; amended December 9, 1999)

Sec. 14-298-702. Installation and operation of signals

Traffic control signals shall be installed and operated only when: the warrants for installation as determined by competent engineering study completed in conjunction with the Manual on Uniform Traffic Control Devices (latest edition) are satisfied, and said signals are approved by the State Traffic Commission.
(Effective November 3, 1981; amended December 9, 1999)

Sec. 14-298-703. Area of control

A traffic control signal shall control traffic only at the intersection or mid-block location where the installation is placed.
(Effective November 3, 1981)

Sec. 14-298-704. Portable traffic control signals

Portable traffic control signals shall conform to the standards and requirements as set forth in these regulations.
(Effective November 3, 1981)

Sec. 14-298-705. Meaning of signal indications

The following meanings shall be given to highway traffic signal indications, except those on pedestrian signals:

(a) Green indications shall have the following meanings:

(1) Traffic facing a circular green may proceed straight through or turn right or left except as such movement is modified by lane-use signs, turn prohibition signs, lane markings or roadway design. But, vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk, at the time such signal indication is exhibited.

(2) Traffic facing a green arrow, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow or such other movement as is permitted by

other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other trade lawfully using the intersection.

(3) Unless otherwise directed by a pedestrian signal, pedestrians facing any green indication, except when the sole green indication is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(b) Steady yellow indications shall have the following meanings:

(1) Traffic facing a steady circular yellow or yellow arrow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection.

(2) Pedestrians facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian signal, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown, and no pedestrian shall then start to cross the roadway.

(c) Steady red indications shall have the following meanings:

(1) Vehicular traffic facing a steady circular red signal alone shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection and shall remain standing until an indication to proceed is shown except as provided in (2) below.

(2) Except when a sign is in place prohibiting a turn, vehicular trade facing any steady red signal may cautiously enter the intersection to turn right after stopping as required by (1) above. Such vehicular traffic shall yield the right-of-way to pedestrians and other vehicles lawfully using the intersection.

(3) Unless otherwise directed by a pedestrian signal, pedestrians facing a steady circular red signal alone or red arrow signal alone shall not enter the roadway.

(4) Vehicular traffic facing a steady red arrow signal shall not enter the intersection to make the movement indicated by the arrow and, unless entering the intersection to make a movement permitted by another signal, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection and shall remain standing until an indication permitting the movement indicated by such red arrow is shown except as provided in (2) above.

(d) Flashing signal indications shall have the following meanings:

(1) Flashing red (stop signal) - when a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a ``Stop'' sign.

(2) Flashing yellow (caution signal) - when a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

(3) Flashing red arrow and flashing yellow arrow indications have the same meaning as the corresponding flashing circular indications; except they apply only to drivers of vehicles intending to make the movements indicated.

(Effective November 3, 1981; amended December 9, 1999)

Sec. 14-298-706. Application of signal indications

Basic displays used in signal operations are the steady circular red, circular yellow or circular green indication, used on each of the approaches. The application for these signal indications shall be as follows:

(a) A steady circular red indication:

(1) Shall be given when it is intended to prohibit traffic, except pedestrians directed by a pedestrian signal, from entering the intersection or other controlled area.

(2) May be displayed with the appropriate green arrow indications when it is intended to permit traffic to make a specified turn or turns and to prohibit traffic from proceeding straight ahead through the controlled area. This display is not required where it is physically impossible for traffic to go straight ahead, as at the head of a ``T'' intersection.

(b) A steady circular yellow indication:

(1) Shall be given following a circular green indication in the same signal face, except if the signal face controls an exclusive left-turn lane and the circular green indication is to be followed by a green arrow indication.

(2) Is an optional alternative to a yellow arrow indication following a green arrow indication in a separate signal face used exclusively to control a single directional movement.

(c) A steady circular green indication shall be given only when it is intended to permit traffic to proceed in any direction which is lawful and practical.

(d) Steady red arrow, yellow arrow and green arrow indications may be used in lieu of the corresponding circular indications at the following locations:

(1) On an approach intersecting a one-way street.

(2) Where certain movements are prohibited.

(3) Where certain movements are physically impossible.

(4) On an intersection approach which has an exclusive lane for turning movements.

(5) Where turning movements are ``protected'' from conflicting movements by other indications or by the signal sequence.

(6) Where all the movements on the approach do not begin or end at the same time and where the indications for the turning movements will also be visible to trade with other allowable movements.

(e) Steady arrow indications are used as follows:

(1) A steady yellow arrow indication shall be used following a green arrow indication which has been displayed simultaneously with a circular red indication in the same signal face, except in the following case. When a green right turn arrow (or left turn arrow displayed to one-way traffic) is followed immediately by a circular green indication shown alone, during which time no prohibitions are in effect for the indicated turn, the yellow arrow display is not desirable.

(2) A steady yellow arrow indication or optional circular yellow shall follow a green arrow indication in a signal face which is used exclusively to control a single directional movement.

(3) A steady yellow arrow indication may be used to indicate the clearance interval following the termination of a green arrow indication which has been displayed simultaneously with a continuing circular green indication in the same signal face.

(4) A steady green arrow indication shall be used only to allow vehicular movements which are completely protected from conflict with other vehicles moving on a green indication or with pedestrians crossing in conformance with a ``Walk'' or flashing ``Don't Walk'' indication.

(5) A steady left green arrow indication shall be used as the green display on a signal face which controls an exclusive left turn lane, if that left turn movement is protected by the signal sequence.

(f) The following combinations of signal indications shall not be simultaneously displayed on any one signal face:

(1) Circular green with circular yellow.

(2) Straight-through green arrow with circular red.

(3) Circular red with circular yellow.

(4) Circular green with circular red.

(g) The above combinations shall not be simultaneously displayed in different signal faces on any one approach unless:

(1) One of the faces is a turn signal controlling only an exclusive turn lane and a sign ``Left'' or ``Right Turn Signal'' is located adjacent to each such signal face.

(2) One of the faces is a turn signal controlling only an exclusive turn lane and consists entirely of arrow indications.

(3) The signal faces are shielded, hooded, louvered, positioned or designed so that the combination is not confusing to approaching drivers.

(h) When a traffic control signal is put on flashing operation, normally a yellow indication should be used for the major street and a red indication for the other approaches. Yellow indications shall not be used for all approaches. The following applications shall apply whenever signals are placed on flashing operation:

(1) A circular yellow indication shall be flashed instead of any yellow arrow indication which may be included in that signal face.

(2) No circular green or green arrow indication or flashing yellow indication shall be terminated and immediately followed by a steady red or flashing red indication without the display of the steady yellow change indication; however, transition may be made directly from a circular green or green arrow indication to a flashing yellow indication.

(3) All signal faces on an approach shall flash the same color, either yellow or red (circular or arrow), except separate signal faces for separately controlled turn movements may flash the other color. The requirements of other sections of these regulations regarding shielding or positioning of conflicting displays apply to flashing indications as well as steady indications. The flashing yellow signal indication for through traffic does not have to be shielded or positioned to prevent visual conflict for drivers in the left turn lane.

(Effective November 3, 1981; amended December 9, 1999)

Sec. 14-298-707. Number of lenses per signal face

Each signal face, except in pedestrian signals, shall have at least three lenses, but not more than five. The lenses shall be red, yellow or green in color and shall be given a circular or arrow type of indication. Allowable exceptions to the above are:

(1) Where a single section green arrow lens is used alone to indicate a continuous movement.

(2) Where a variable indication signal section is used to display alternately a green arrow and a yellow arrow.

(Effective November 3, 1981)

Sec. 14-298-708. Size and design of signal lenses

(a) The aspect of all signal lenses, except in pedestrian signals, shall be circular. There shall be two sizes for lenses, eight inches and twelve inches nominal diameter.

(b) Arrows shall be pointed vertically upward to indicate a straight-through movement and in a horizontal direction to indicate a turn at approximately right angles. When the angle of the turn is substantially different from a right angle, the arrow should be positioned on an upward slope at an angle approximately equal to that of the turn.

(c) Each arrow lens shall show only one arrow direction. The alternate display of two arrow indications in the same lens, a green arrow or a yellow arrow shall be permitted. The arrow shall be the only illuminated part of the lens visible.

(d) In no case shall letters or numbers be displayed as part of a vehicular signal indication.

(Effective November 3, 1981)

Sec. 14-298-709. Arrangement of lenses in signal faces

(a) The lenses in a signal face shall be arranged in a vertical or horizontal straight line except that in a vertical array lenses of the same color may be arranged horizontally adjacent to each other at right angles to the basic straight line arrangement. Such clusters shall be limited to two identical lenses or to two or three different lenses of the same color.

(b) In each signal face, all red lenses in vertical signals shall be located above and in horizontal signals shall be located to the left of all yellow and green lenses.

(c) The relative positions of lenses within the signal face shall be as follows:

(1) In a vertical signal face from top to bottom:
Circular red
Left turn red arrow
Right turn red arrow
Circular yellow
Circular green
Straight through green arrow
Left turn yellow arrow
Left turn green arrow
Right turn yellow arrow
Right turn green arrow

(2) In a horizontal signal face from left to right:
Circular red
Left turn red arrow
Right turn red arrow
Circular yellow
Left turn yellow arrow
Left turn green arrow
Circular green
Straight through green arrow
Right turn yellow arrow
Right turn green arrow

(3) In a cluster, identical signal indications may be repeated in adjacent vertical or horizontal locations within the same signal face. If adjacent indications in a cluster are not identical, their arrangement shall follow paragraph 1 or 2 above, as applicable.

(Effective November 3, 1981; amended December 9, 1999)

Sec. 14-298-710. Illumination of lenses

Each signal lens shall be illuminated independently.

(Effective November 3, 1981)

Sec. 14-298-711. Number and location of signal faces

(a) The primary consideration in signal face placement shall be visibility.

(b) A minimum of two signal faces for each approach shall be provided and should be continuously visible from a point determined by a competent engineering study based on speed and visibility distances.

(c) Separate signal faces should be used when protected only turning movements are controlled by green arrows.

(d) Where physical conditions prevent drivers from having a continuous view of at least two signal indications, as determined above, a ``Signal Ahead'' sign shall be erected to warn approaching traffic. Hazard identification beacons may be surmounted upon these signs to emphasize the

message. Special warning signs may be used to indicate driver action in adverse situations.

(e) A single signal face is permissible for the control of an exclusive turn lane. Such signal face shall be in addition to the minimum of two signal faces for the through traffic. When the circular red and yellow indications of a separate signal face or faces controlling an exclusive turn lane will also be visible to traffic with other allowable movements, a ``Left'' or ``Right Turn Signal'' sign shall be adjacent to each signal face controlling the exclusive lane.

(f) At least one and preferably all of the signal faces required should be located within the range of forty to one hundred twenty feet from the stop bar, except at intersections where multi-lane cross streets or other conditions make it physically impractical. However, in no case shall this distance exceed one hundred fifty feet.

(g) Where both of the signal faces required are post mounted, they shall be on the far side of the intersection one on the right and one on the left or on the median island if practical, except as noted in (i) below.

(h) Where all signal faces are suspended by span wire or mast arm, they shall be visible from the lane of approach but shall not be to the left of the centerline. Where conditions warrant, exceptions may be permitted. On one-way streets, it is permissible to erect signal faces on both sides of the medial line.

(i) When deemed to be required, near-side postmounted signals should be located as near as practicable to the stop line unless substantially greater visibility may be achieved by locating it elsewhere.

(j) Where a signal face controls a specific lane or lanes of an approach, its transverse position should be unmistakably in line with the path of that movement.

(k) Required signal faces for any one approach shall not be less than eight and should not be more than twenty feet apart measured horizontally between center of faces.

(l) Supplemental signal faces should be used when an engineering study has shown that they are needed to achieve either advance or immediate intersection visibility. When used, they should be located to provide optimum visibility for the movement to be controlled. The following limitations apply:

(1) Left turn arrows shall not be used in near right faces.

(2) Right turn arrows shall not be used in far left faces. A far side median mount signal shall be considered as a far left signal for this application.

(Effective November 3, 1981; amended December 9, 1999)

Sec. 14-298-712. Height of signal faces

(a) The bottom of the housing of a signal face, not mounted over a roadway, shall not be less than eight feet nor more than fifteen feet above the sidewalk or, if none, above the pavement grade at the center of the highway.

(b) The bottom of the housing of a signal face suspended over a roadway shall not be less than fifteen feet nor more than nineteen feet above the pavement grade at the center of the roadway.

(Effective November 3, 1981)

Sec. 14-298-713. Vehicle change interval

(a) A yellow vehicle change interval shall be used following each circular green interval and, after each green arrow interval if the movement is terminated.

(b) In no case shall a circular yellow indication be displayed in conjunction with the change from circular red to circular green.

(c) The exclusive function of the steady yellow interval shall be to warn traffic of an impending change in the right-of-way assignment.

(d) Yellow vehicle change intervals should have a range of three to six seconds.

(e) The yellow vehicle change interval should be followed by a short all-way red clearance interval of sufficient duration to permit the intersection to clear before cross traffic is released.

(f) A clearance interval shall be provided between the termination of a green arrow indication and the showing of a green indication to any conflicting traffic movements.

(Effective November 3, 1981)

Sec. 14-298-714. Coordination of traffic control signals

Traffic control signals should normally be coordinated with one another when the normal travel time between the intersections is less than thirty seconds.

(Effective November 3, 1981)

Sec. 14-298-715. Flashing operation of traffic control signals

(a) The illuminating element in a flashing signal shall be flashed continuously at a rate of not less than fifty nor more than sixty times per minute.

(b) The illuminated period of each flash shall be not less than half and not more than two-thirds of the total flash cycle.

(Effective November 3, 1981)

Sec. 14-298-716. Continuity of operation

(a) A traffic signal installation shall be operated as a stop-and-go device or as a flashing device.

(b) When a signal installation is not in operation it shall be hooded, turned or taken down to clearly indicate that the signal is not in operation.

(e) When a traffic signal installation is being operated in the stop-and-go or flashing manner, at least one indication in each signal face shall be illuminated.

(Effective November 3, 1981)

Sec. 14-298-717. Traffic signals near grade crossings

When a railroad-highway grade crossing actuated traffic control device is within 200' of a highway intersection controlled by traffic control signals, the two signal systems should be coordinated.

(Effective November 3, 1981)

Sec. 14-298-718. Emergency operation of traffic signals

Systems in which traffic control signals are preempted by emergency vehicles shall operate to permit a normal change interval to take place in the change from green to yellow to red (or flashing red) before arrival of the emergency vehicle at the preempted location.

(Effective November 3, 1981)

Sec. 14-298-719. Maintenance of traffic control signals

A record of the operation, malfunction and maintenance of an approved traffic control signal shall be kept by the permitted.

(Effective November 3, 1981)

Sec. 14-298-720. Painting

The insides of visors (hoods) and the entire surface of louvers, and fins, and the front surface of backplates shall have a dull black finish to minimize light reflection to the side of the signals. To obtain the best possible contrast with the visual background, it is desirable to paint signal head housings highway yellow.
(Effective November 3, 1981)

Sec. 14-298-721. Auxiliary signs

(a) Signal instruction signs used with traffic signals may be located adjacent to the signal face to which they apply.

(b) Stop signs shall not be used in conjunction with any signal operation except:

(1) when the indication flashes red at all times or

(2) when a minor street or driveway is located within or adjacent to the controlled area of an extreme complex signalized intersection, but does not warrant separate signal control.

(c) When used in conjunction with traffic signals, illuminated signs shall be designed and mounted in such a manner as to avoid glare and reflections that seriously detract from the signal indications.
(Effective November 3, 1981; amended December 9, 1999)

B

Pedestrian Signals

Sec. 14-298-722. Meaning of pedestrian indications

The meanings of pedestrian signal indications either lettered or symbolized are as follows:

(a) the don't walk indication, steadily illuminated, means that a pedestrian shall not enter the roadway in the direction of the indication.

(b) the don't walk indication, while flashing, means that a pedestrian shall not start to cross the roadway in the direction of the indication, but that any pedestrian who has partly completed his crossing during the steady walk indication shall proceed to a sidewalk, or to a safety island.

(c) the walk indication, steadily illuminated, means that pedestrians facing the signal indication may proceed across the roadway in the direction of the indication and shall be given the exclusive right of way by the drivers of all vehicles.

(d) the walk indication, while flashing, means that there is a possible conflict of pedestrians with vehicles.
(Effective November 3, 1981)

Sec. 14-298-723. Application of pedestrian signal indications

Pedestrian signal indications shall be installed in conjunction with vehicular traffic signals under any of the following conditions:

(a) when a traffic signal is installed under the pedestrian volume or school crossing warrant as referred to in sections 4c-5 and 4c-6 respectively of the Manual on Uniform Traffic Control Devices (latest edition).

(b) when an exclusive interval or phase is provided or made available for pedestrian movement in one or more directions, with all conflicting vehicular movements being stopped.

(c) when vehicular indications are not visible to pedestrians such as on one-way streets, at ``T'' intersections: or when the vehicular indications are in a position which would not adequately serve pedestrians.

(d) at established school crossings at intersections signalized under any warrant.
(Effective November 3, 1981)

Sec. 14-298-724. Design of pedestrian signals

(a) Pedestrian indications should attract the attention of and be readable to the pedestrian (day and night) at all distances from ten feet to the full width of the area to be crossed.

(b) All pedestrian indications shall be rectangular in shape and shall consist of the lettered or symbolized messages ``Walk'' and ``Don't Walk''. Only internal illumination shall be used. Symbol designs are set forth in the ``Standard Highway Signs'' booklet.

(c) When illuminated, the ``Walk'' indication shall be lunar white. All except the letters or symbols shall be obscured by an opaque material.

(d) When illuminated, the ``Don't Walk'' indication shall be portland orange with all letters or symbols obscured by an opaque material.

(e) When not illuminated, the ``Walk'' and ``Don't Walk'' messages shall not be distinguishable by pedestrians at the far end of the crosswalks they control.

(f) The letters shall be at least three inches high or the symbols shall be at least six inches high for a crossing where the distance from the near curb to the pedestrian signal indication is sixty feet or less. For distances over sixty feet, the letters should be at least four and one half inches high and the symbols should be at least nine inches high.

(Effective November 3, 1981)

Sec. 14-298-725. Location of pedestrian signals

(a) Pedestrian signal faces shall be mounted with the bottom of the housing not less than eight feet nor more than ten feet above the sidewalk level, and so there is a pedestrian indication in the line of pedestrian's vision which pertains to the crosswalk being used.

(b) The don't walk indication shall be mounted directly above or integral with the walk indication.

(c) The pedestrian signal head shall be so positioned and adjusted as to provide maximum visibility at the beginning of the controlled crossing.

(d) When mounted with other signal heads there shall be a physical separation between the two heads.

(Effective November 3, 1981)

Sec. 14-298-726. Pedestrian intervals and phases

(a) A pedestrian clearance interval shall always be provided where pedestrian signal indications are used. It shall consist of a flashing don't walk indication.

(b) When a traffic signal installation is being operated as a flashing device, the pedestrian indications shall not be illuminated.

(Effective November 3, 1981)

C

Other Highway Traffic Signals

Sec. 14-298-727. Hazard identification beacon

(a) A hazard identification beacon is one or more sections of a standard traffic signal head with a flashing circular yellow indication in each section.

(b) A hazard identification beacon shall be used only to supplement an appropriate warning or regulatory sign or maker.

(c) The hazard identification beacon shall not be incorporated within the border of the sign except for school speed limit signs. The edge of the housing

should normally be located no closer than twelve inches outside the nearest edge.

(d) Hazard identification beacons, when used at intersections, shall not face conflicting vehicular approaches.

(Effective November 3, 1981)

Sec. 14-298-728. Speed limit sign beacon

(a) A speed limit sign beacon is two circular yellow lens sections each having a visible diameter of not less than six inches, or as an alternate, one or more circular yellow lenses, each having a visible diameter of not less than eight inches.

(b) Where two lenses are used, they shall be vertically aligned, and they shall be alternately flashed.

(Effective November 3, 1981)

Sec. 14-298-729. Intersection control beacon

(a) An intersection control beacon consists of one or more sections of a standard traffic signal head, having flashing circular yellow or circular red indications in each face.

(b) They are installed and are used only at an intersection to control two or more directions of travel.

(c) Application shall be limited to:

(1) Yellow on one route and red for remaining approaches

(2) Red for all approaches

(d) A stop sign should be used with a flashing red intersection control beacon.

(e) Flashing yellow indications shall not face conflicting vehicular approaches.

(Effective November 3, 1981)

Sec. 14-298-730. Stop sign beacon

(a) A stop sign beacon is one or two sections of a standard traffic signal head with a flashing circular red indication in each section.

(b) Where two lenses are used, they shall be not less than eight inch nominal diameter size, aligned horizontally and they shall be flashed simultaneously.

(c) The bottom of the housing of a stop sign beacon shall be not less than twelve nor more than twenty-four inches above the top of a stop sign.

(Effective November 3, 1981; amended December 9, 1999)

Sec. 14-298-731. General design and operation of beacons

(a) Flashing beacon units and their mountings shall follow the general design specifications for traffic control signals, which shall include the following:

(1) Each signal unit lens shall have a visible diameter of not less than eight inches, except for speed limit beacons as described above.

(b) Beacons shall be flashed at a rate of not less than fifty nor more than sixty times per minute. The illuminated period of each flash shall not be less than one-half and not more than two-thirds of the total cycle.

(Effective November 3, 1981)

Sec. 14-298-732. Hazard identification beacon location

The hazard or other condition warranting hazard identification beacons should largely govern their location with respect to the roadway. If used alone and located at the roadside, the bottom of the beacon unit shall be at least eight feet and not more than twelve feet above the pavement. Hazard

identification beacons should not normally be suspended over the roadway, however if this mounting is used, clearance above the pavement shall be not more than nineteen feet nor less than fifteen feet. In no case should they be mounted on pedestals in the roadway unless the pedestal is within the confines of a traffic or pedestrian island.
(Effective November 3, 1981)

Sec. 14-298-733. Intersection control beacon location

An intersection control beacon should normally be suspended over the center of an intersection; however it may be mounted by other means if this is necessary to increase the visibility of the beacon. If suspended over the roadway, the clearance above the pavement shall be at least fifteen feet but not more than nineteen feet. If pedestal mounting is used, the bottom of the signal head shall be at least eight feet but not more than fifteen feet above the pavement. In no case should it be mounted on a pedestal in the roadway unless the pedestal is within the confines of a traffic or pedestrian island.
(Effective November 3, 1981)

Sec. 14-298-734. Meaning of lane-use control signal indications

The meanings of lane-use control signals are as follows:

(a) A steady downward green arrow means that a driver is permitted to drive in the lane over which the arrow signal is located.

(b) A steady red x means that a driver shall not drive in the lane over which the signal is located, and that this indication shall modify accordingly the meaning of all other traffic controls present.

(c) A steady yellow x means that a driver should prepare to vacate in a safe manner the lane over which the signal is located because a lane control change is being made, and to avoid occupying that lane when a steady red x is displayed.
(Effective November 3, 1981)

Sec. 14-298-735. Design of lane-use control signals

All lane-use control signal indications shall be in units with rectangular faces. Nominal minimum height and width of each face shall be twelve inches for typical applications. Each lane to be reversed shall have signal faces with a downward green arrow on an opaque background, and a red x symbol on an opaque background. Signal faces with a yellow x symbol on an opaque background may be provided.

Each nonreversible lane immediately adjacent to a reversible lane shall have a downward green arrow displayed to traffic traveling in the permitted direction and a red x symbol displayed in the opposite direction. Other nonreversible lanes on any street so controlled may also be provided with these indications.

The indications provided for each lane may be in separate units or may be superimposed in the same unit. When in separate units, the red x symbol shall be on the left, the yellow x symbol, if used, shall be in the middle and the downward green arrow symbol shall be on the right.
(Effective November 3, 1981)

Sec. 14-298-736. Location of lane-use control signals

Lane use control signal units shall be located approximately over the center of the lane controlled. All lane-use control indications shall be located in a straight line across the roadway at right angles to the roadway alignment. The bottom of any lane-use control signal unit shall be not less than fifteen feet nor more than nineteen feet above the pavement grade.

(Effective November 3, 1981)

Sec. 14-298-737. Operation of lane use control signals

During changeover periods, a steady yellow x may follow the termination of the steady downward green arrow. The steady red x shall follow the steady yellow x, when used, or at the termination of the steady downward green arrow. A clearance period of appropriate length shall be provided, during which the steady red x shall be shown in both directions over the lane, before the steady downward green arrow indication is shown for traffic in the opposite direction. When used, lane-use signals shall be operated continuously.
(Effective November 3, 1981)

Sec. 14-298-738. Application of traffic signals at drawbridges

Drawbridge signals shall always be used in conjunction with gates and other types of protection commonly employed at drawbridges.
(Effective November 3, 1981)

Sec. 14-298-739. Design of movable bridge signals and gates

(a) The signal heads and mountings of movable bridge signals shall follow the standard design specifications for traffic control signals.

(b) Nominal eight-inch signal indications are standard. However, if prevailing approach speeds are in excess of 25 mph or when considerations such as roadway width or geometries, signal locations, conflicting lights or objects in the background, etc., indicate the need for greater signal effectiveness, signal heads with twelve-inch diameter lenses should be provided.

(c) Movable bridge signals may be supplemented with bells to provide additional warning to drivers and pedestrians. The standard three color (red, yellow and green) traffic signal indications shall be utilized.

(d) A ``Drawbridge Ahead'' warning sign shall be used in advance of movable bridge signals and gates to give advance warning to motorists, except in urban conditions where such signing would not be practicable. Such signs may be supplemented by a hazard identification beacon.

(e) If the movable bridge is close to a railroad grade crossing and there is a possibility that traffic may be stopped on the crossing as a result of the bridge opening, a traffic control device should be provided to give notification to the driver not to stop on the railroad tracks. Extreme care should be used in planning such installations to avoid creating confusion or hazardous conditions.

(f) Signals on adjacent streets and highways should be interconnected with the drawbridge control, if indicated by engineering considerations.
(Effective November 3, 1981)

Sec. 14-298-740. Location of movable bridge signals and gates

Two signal indications shall be provided for each approach to the movable span. Insofar as practicable, the height and lateral placement of signals should conform to the requirements for other traffic control signals. They should be located not more than fifty feet in advance of the warning gate or other barrier. Warning gates, where used, shall extend at least across the full width of roadway.
(Effective November 3, 1981)

Sec. 14-298-741. Operation of movable bridge signals and gates

(a) Traffic control devices at movable bridges shall be coordinated with the movable span so that signals, gates and movable span are controlled by the bridge tender through an interlocked control.

(b) The green signal indication shall be illuminated at all times between bridge opening periods, except that when the bridge is not expected to be open for continuous periods in excess of five hours a flashing yellow indication may be used. The signal shall display continuous red when traffic is required to stop.

(c) The yellow interval between the display of green and red shall be predetermined and shall be displayed normally approximately three to six seconds.

(Effective November 3, 1981)

Secs. 14-298-742--14-298-799.

Reserved.

Part IV

Traffic Control for Highway Construction and Maintenance Operation

Sec. 14-298-800. Responsibility

The provisions for public protection established herein are for application by:

(1) The Department of Transportation, and municipal forces performing construction or maintenance operations on roads or streets.

(2) Contractors employed in road or street construction or maintenance under contract to any governmental authority and

(3) All others, including employees of public utility companies, performing any work on highways or so closely adjacent as to create hazards for the public or for themselves.

(Effective November 3, 1981)

Sec. 14-298-801. General requirements

(a) All traffic control devices used on road or street construction or maintenance work shall conform to the applicable specifications of these regulations.

(b) Traffic control devices shall be installed at the inception of construction or maintenance operations and shall be properly maintained and/or operated during the time such special conditions exist. They shall remain in place only as long as they are needed and shall be removed immediately thereafter. Where operations are performed in stages, there shall be in place only those devices that apply to the conditions present.

(c) Signs that do not apply in existing conditions shall be removed, covered, or turned so as not to be readable by oncoming traffic.

(d) All dimensions in this part are expressed in English units. Connecticut Department of Transportation standards, manuals and guidelines have been developed in metric dimensions and are considered equivalent.

(Effective November 3, 1981; amended December 9, 1999)

B

Signs

General

Sec. 14-298-802. Design

(a) Special construction and maintenance signs follow the basic standards for all highway signs as to shape. Warning signs in construction areas shall have a black legend on an orange background. Existing yellow warning signs

already in place within these areas may remain in use. Color for other signs shall follow the standard for all highway signs.

(b) The use of standard orange flags or yellow flashing warning lights in conjunction with signs is permitted so long as they do not interfere with a clear view of the sign face.

(Effective November 3, 1981)

Sec. 14-298-803. Illumination and reflectorization

All signs shall be reflectorized or illuminated. Street or highway lighting is not regarded as meeting the requirements for sign illumination.

(Effective November 3, 1981)

Sec. 14-298-804. Position of signs

(a) Signs shall be placed in positions where they will convey their messages most effectively and placement must therefore be accommodated to highway design and alignment. Signs shall be so placed that the driver will have adequate time for response.

(b) As a general rule, signs shall be located on the right-hand side of the street or roadway. Where special emphasis is deemed necessary, dual installations may be made which consist of duplicate signs opposite each other on the left and right sides of the roadway.

(c) For signs mounted on portable supports or barricades, the bottom of the sign shall not be less than one foot above the pavement.

(d) Where open highway conditions prevail on the approach to the work site, advance warning signs should be placed approximately 1,500 feet in advance of the condition to which they are calling attention. When a series of advance warning signs are used, the warning sign nearest the work site should be placed approximately 500 feet from the point of restriction with the additional signs at 500-1000 foot intervals. On expressway and limited access facilities, the advance warning distance should be increased to one-half mile or more.

(Effective November 3, 1981)

Regulatory Signs

Sec. 14-298-805. Authority

The use of regulatory construction and/or maintenance signs shall be authorized by the public body or official having jurisdiction.

(Effective November 3, 1981)

Sec. 14-298-806 Design

All regulatory signs shall conform to the standards prescribed in Part 1 of these regulations.

(Effective November 3, 1981)

Warning Signals

Sec. 14-298-807. Design and application

(a) Warning signs for construction and maintenance shall be diamond shaped (square with one diagonal vertical), having a black symbol or message on an orange background except as provided for herein.

(b) The square advisory speed plate shall have a black message and border, and shall have an orange background when used in conjunction with an orange background sign and shall have a yellow background when used with a yellow background sign. It shall have a minimum 24'' x 24'' size. On secondary

roads or city streets where speeds are low, the use of plates 6 inches smaller on a side than the standard size, but not less than 24 inches, may be used for warning signs having short word messages or clear symbols.

(c) Where any part of the roadway is obstructed or closed, construction approach warning signs are required to alert traffic well in advance of these obstructions or restrictions to normal traffic flow. Because of their importance, these signs shall have a standard size of 48 inches by 48 inches when used on expressways and limited access facilities and shall be the standard diamond shape for warning signs, except as provided for above.

(d) Where speeds and volumes are relatively low, a minimum size of 36 inches by 36 inches may be used for Construction Approach Warning Signs, provided that a minimum letter size of 5 inches can be accommodated on this size with the appropriate legend.

(Effective November 3, 1981)

Guide Signs

Sec. 14-298-808. Function and design of information and guide signs

The following informational signs are required at construction and mainte nance sites:

(1) Standard directional signs and route markings, to the extent that temporary route changes are necessary.

(2) Special information signs relating to the work being done. These signs shall have a black message on an orange background.

(Effective November 3, 1981)

C

Barricades and Channelizing Devices

Sec. 14-298-809. Barricade design

(a) Markings for barricade rails shall be alternate orange and white stripes, sloping downward at an angle of 45 degrees in the direction traffic is to pass.

(b) The entire area of white and orange stripes shall be reflectorized so as to be visible under normal atmospheric conditions from a minimum distance of 1,000 feet when illuminated by the low beams of standard automobile headlights. The predominant color for other barricade components shall be white.

(Effective November 3, 1981)

Sec. 14-298-810. Cone design

(a) Cones shall be a minimum of 18 inches in height with a broadened base.

(b) Orange shall be the predominant color on cones.

(c) For nighttime use they shall be reflectorized or equipped with lighting devices for maximum visibility.

(Effective November 3, 1981)

Sec. 14-298-811. Drum design

(a) Drums used for traffic warning or channelization shall be approximately 36 inches in height and a minimum of 18 inches in diameter.

(b) The markings on drums shall be horizontal, circumferential, orange and white reflectorized stripes four to eight inches wide, using a material that has a smooth, sealed outer surface which will display the same approximate size, shape and color day and night.

(c) There shall be at least two orange and two white stripes on each drum. If there are non-reflectorized spaces between the horizontal orange and white stripes, they shall be no more than two inches wide.
(Effective November 3, 1981; amended December 9, 1999)

Secs. 14-298-812--14-298-899.
Reserved.

Traffic Control Systems for Railroad-Highway Grade Crossings

A

General Provisions

Sec. 14-298-900. Functions

Traffic control systems for railroad-highway grade crossings include all signs, markings, signals, control or warning devices, and illumination devices and their supports along highways approaching and at railroad highway crossings at-grade.
(Effective November 3, 1981)

Sec. 14-298-901. Legal authority

The determination of need and selection of devices at a grade crossing shall be made by the public agency with jurisdictional authority.
(Effective November 3, 1981)

Sec. 14-298-902. Standardization

(a) Subject to such determination and selection, the design, installation and operation shall be in accordance with standards contained herein.
(b) Where a railroad track has been abandoned or its use discontinued, all related traffic control signs, markings, signals and devices shall be removed, and the tracks should be removed or covered to provide a safe roadway.
(c) All dimensions in this part are expressed in English units. Connecticut Department of Transportation standards, manuals and guidelines have been developed in metric dimensions and are considered equivalent.
(Effective November 3, 1981; amended December 9, 1999)

B

Signs and Pavement Marks

Sec. 14-298-903. Railroad crossing sign (crossbuck)

(a) The railroad crossing sign, commonly identified as the ``crossbuck'' sign, shall be white reflectorized with the words ``Railroad Crossing'' in black lettering.
(b) As a minimum, one crossbuck sign shall be used on each roadway approach to every grade crossing, alone or in combination with other traffic control devices. If there are two or more tracks between the signs, the number of tracks shall be indicated on an auxiliary sign of inverted T-shape mounted below the crossbuck.
(c) The crossbuck sign shall be installed on the right-hand side of the roadway on each approach to the crossing. Where an engineering study finds restricted sight distance or unfavorable road geometry, additional crossbuck signs should be installed. Crossbuck signs should be located not less than 12' from the centerline of the nearest track and as near thereto as possible. Where

crossing signals are used, the crossbuck is an integral part of the signal assembly.
(Effective November 3, 1981)

Sec. 14-298-904. Railroad advance warning sign

(a) The railroad advance warning sign shall be yellow reflectorized background with black legend.
(b) A railroad advance warning sign shall be used on each roadway in advance of every grade crossing except on low volume, low-speed roadways crossing minor spurs or other tracks which are infrequently used and which are flagged by train crews, in the business districts of large cities where active grade crossing traffic control devices are in use or where physical conditions do not permit even a partially effective display of the sign. On divided highways it is desirable to erect an additional sign on the left side of the roadway.
(c) Placement of the sign shall be normally 750 feet or more in advance of the crossing in rural areas and 250 feet in advance of the crossing in urban areas except that in a residential or business district where low speeds are prevalent the sign may be placed a minimum distance of 100 feet from the crossing. If there is a street intersection within 100 feet, an additional sign or signs may be placed to warn traffic approaching the crossing from each intersected street.
(Effective November 3, 1981)

Sec. 14-298-905. Turn restriction sign

(a) At a signalized highway intersection within 200 feet of a grade crossing, where the intersection traffic control signals are preempted by the approach of a train, all existing turning movements toward the grade crossing should be prohibited by proper placement of a ``No Right Turn'' sign or a ``No Left Turn'' sign or both. In each case these signs shall be visible only when the restriction is to be in effect.
(b) The signs shall be black and white and have a standard size of 24 inches by 30 inches.
(Effective November 3, 1981)

Sec. 14-298-906. ``Do not stop on tracks'' sign

(a) Whenever an engineering study determines that the potential for vehicles stopping on the tracks is high, a ``Do Not Stop on Tracks'' sign should be used. The sign should normally be placed on the far right side of the grade crossing. On multi-lane roads and one-way roadways, a second sign should be placed on the far left side of the grade crossing.
(b) The sign shall be white reflectorized with the words ``Do Not Stop on Tracks'' in black lettering.
(Effective November 3, 1981)

Sec. 14-298-907. Pavement markings

(a) Pavement markings in advance of a grade crossing shall consist of an X, the letters RR, a no-passing marking (2-lane roads), and certain transverse lines.
(b) Identical markings shall be placed in each approach lane on all paved approaches to grade crossings where grade crossing signals or automatic gates are located and at all other grade crossings where the prevailing speeds of highway traffic is 40 mph or greater.
(c) The markings shall also be placed at crossings where engineering studies indicate there is a significant potential conflict between vehicles and

trains. At minor crossings or in urban areas, these markings may be omitted if engineering study indicates that other devices installed provide suitable control.

(Effective November 3, 1981)

C

Crossing Signals

Sec. 14-298-908. Application

(a) Flashing Light Signal-When indicating the approach or presence of a train, the flashing light signal shall display toward approaching highway traffic the aspect of two red lights in a horizontal line flashing alternately. The typical flashing light signal assembly on a side of the roadway location includes a standard crossbuck sign and where there is more than one track an auxiliary ``number of tracks'' sign, all of which indicate to vehicle operators and pedestrians at all times the location of a grade crossing. A bell may be included in the assembly.

(b) The flashing light signals should normally be placed to the right of approaching highway traffic on all roadway approaches to a crossing. At crossings of a highway with traffic in both directions, back-to-back pairs of lights shall be placed on each side of the tracks. On one-way streets and divided highways, signals shall be placed on the approach side of the crossing normally on both sides of the roadway and may be equipped with back lights. Where required for better visibility to approaching traffic, cantilever-mounted flashing light signals should be used. Additional signals may be mounted on the same support and directed toward roadway approaches other than the principal highway.

(c) Gate-A gate is a traffic control device used as an adjunct to flashing lights. The device consists of a drive mechanism and a fully reflectorized red and white striped gate arm with lights and which, in the down position, extends across the approaching lanes of highway traffic about 4 feet above the top of the pavement. The flashing light signal may be supported on the same post with the gate mechanism or separately mounted. In its normal upright position when no train is approaching or occupying the crossing, the gate arm should be vertical or nearly so. Minimum clearance is 2 feet from face of vertical curb to closest part of signal or gate arm in its upright position for a distance of 17 feet above the crown of the roadway. Where there is no curb, a minimum horizontal clearance of 2 feet from edge of a paved or surfaced shoulder shall be provided with a minimum clearance of 6 feet from the edge of the traveled roadway.

(Effective November 3, 1981)

Sec. 14-298-909. Operation

(a) Sequence of Operation (Flashing Lights)-The flashing lights shall operate for a minimum of 20 seconds before arrival of any train. The operation shall continue until the train clears the crossing.

(b) Sequence of Operation (Gates)-The flashing lights and lights on the gate shall operate for a minimum of 20 seconds before arrival of any train. The gate shall start its downward motion a minimum of 3 seconds after the lights begin to operate and shall reach its horizontal position a minimum of 12 seconds before the arrival of any train. When the train clears the crossing and no other train is approaching, the gate shall ascend to its upright position in not more than 12 seconds, following which the flashing lights and lights on the gate shall cease operation.

(c) Sequence of Operation (Bell)-The bell, when used, shall begin ringing when the flashing lights begin operation and should continue ringing until the lights cease operation or until a gate begins its upward motion after the train clears the crossing.

(Effective November 3, 1981)

Sec. 14-298-910. Motorist response to railroad-highway grade crossing signals

Whenever a clearly visible electric or mechanical device is activated, a crossing gate is lowered or a flag-man gives or continues to give a signal indicating the approach or passage of a railroad train, the driver of an approaching vehicle shall:

(a) stop within 50 feet, but not less than 15 feet, from the nearest rail of such railroad and shall refrain from proceeding until the train shall have passed;

(b) not drive any vehicle through, around or under any gate or barrier at a railroad crossing while such gate or barrier is in a horizontal position across the approaching traffic lanes or is being lowered or raised.

(Effective November 3, 1981)

Sec. 14-298-911. Tragic signals at or near grade cross

(a) When highway intersection traffic control signals are within 200 feet of a railroad grade crossing equipped with an active traffic control system, the normal sequence of highway intersection signal indications should be preempted upon approach of trains to avoid entrapment of vehicles on the crossing by conflicting aspects of the highway traffic signals and the grade crossing signals. Where multiple or successive preemption may occur from differing modes, train actuation should receive first priority and emergency vehicles second priority.

(b) Highway traffic control signals shall not be used on mainline railroad crossings in lieu of flashing light signals. However, at industrial track crossings and other places where train movements are very slow (as in switching operations), highway traffic control signals may be used in lieu of conventional flashing light signals to warn vehicle operators of the approach or presence of a train.

(Effective November 3, 1981; amended December 9, 1999)

Notice Required to Owners and Lienholders of Motor Vehicles Upon Towing by Police or Traffic Authority and Upon Sale or Other Disposition of Motor Vehicles

Sec. 14-307-1. Definitions

As used in Sections 14-307-1 to 14-307-8, inclusive, the following words and phrases shall have the following meanings:

(1) ``Commissioner'' means the Commissioner of Motor Vehicles or his designee;

(2) ``DMV'' means the Department of Motor Vehicles;

(3) ``Market value'' means the average trade-in value, appearing in the current month's issue of the N.A.D.A. Official Used Car Guide, Eastern Edition;

(4) ``Motor vehicle'' or ``vehicle'' means a motor vehicle as defined in section 14-1 of the general statutes;

(5) ``Police officer'' means any officer attached to an organized police department or a member of the Division of State Police within the Department of Public Safety;

(6) ``Storage facility'' means a registered place of storage for motor vehicles for which a schedule of storage charges has been filed by a tower, in accordance with section 14-66 of the general statutes;

(7) ``Tower'' means a person, firm or corporation licensed as a dealer or repairer and engaged in the business of towing or transporting motor vehicles for compensation, as provided in accordance with section 14-66 of the general statutes.

(Adopted, effective October 8, 1997)

Sec. 14-307-2. Notice to owner and lienholders upon nonconsensual tow

(a) If a motor vehicle is towed by order of a police officer or traffic authority, the state or municipal agency employing such police officer or such traffic authority, or the designee of such agency or authority, as permitted by statute, shall notify the owner and all lienholders of record in the manner provided by subsection (b) of this section.

(b) The agency or authority shall complete the designated portions of DMV Form, ``Motor Vehicle Notice of Tow'' and mail a copy of said form by certified mail, return receipt requested to the owner and all lienholders of record not more than forty-eight (48) hours from the time of the tow. Such form shall be mailed to the most current address or addresses shown on the records of DMV. Such notice shall include all the information contained in subdivisions (1) to (4), inclusive, of subsection (e) of section 14-150 of the general statutes. The DMV shall, upon request by a licensed tower or storage facility made by telephone or telecommunications system, immediately provide to such tower or storage facility such registration and/or title information contained in its records pertaining to any towed motor vehicle as may be necessary for completing DMV Form ``Motor Vehicle Notice of Tow'' and providing notice of a tow to the owner and all lienholders of record. The tower or storage facility shall maintain in its files a record of each such request, including the date of the request and the information given by the tower or storage facility to the DMV in making such request.

(c) This section shall not be construed to require a police agency, traffic authority or tower to notify the owner and all lienholders of record in any case where the owner or other, duly authorized person has claimed the motor vehicle, or made satisfactory arrangements to claim the vehicle, within forty-eight (48) hours of the time of tow.

(Adopted, effective October 8, 1997)

Sec. 14-307-3. Opportunity for hearing

An opportunity for a hearing shall be provided to the owner of record of each motor vehicle towed by order of a police officer or traffic authority, in accordance with the provisions of subsection (f) of section 14-150 of the general statutes, and sections 14-150-1 to 14-150-4, inclusive, of the Regulations of Connecticut State Agencies.
(Adopted, effective October 8, 1997)

Sec. 14-307-4. Lien by tower or storage facility

Each tower and/or storage facility which stores a motor vehicle towed by order of a police officer or traffic authority shall, subject to the provisions of subsection (f) of section 14-150 of the general statutes, regarding a determination of liability for the expenses of an unauthorized tow, have a lien upon such motor vehicle for its towing and storage charges.
(Adopted, effective October 8, 1997)

Sec. 14-307-5. Sale or other disposition of unclaimed vehicle

(a) Any sale by a tower or storage facility of a towed motor vehicle, in order to collect towing charges or storage charges, or both, shall comply with the provisions of subsections (g), (h) and (i) of section 14-150 of the general statutes, including notification by certified mail, return receipt requested, to the motor vehicle owner and to the commissioner. Notice of intent to sell shall be provided to the commissioner by completing and returning, with the signature of the tower or storage facility under penalty of false statement, the DMV ``Notice of Intent to Sell''. The notice to the commissioner shall include evidence that notice has been given to the owner at least five (5) days before the date of the sale. Upon receipt of the ``Notice of Intent to Sell'', the commissioner shall make such notice available as a public record.

(b) Any tower or storage facility which sells a motor vehicle in accordance with subsection (a) of this section shall report such sale to the commissioner as provided in section 14-150-5 of the Regulations of Connecticut State Agencies. The tower or storage facility shall also issue to the purchaser of the motor vehicle a completed and executed DMV Form ``Affidavit of Compliance''. DMV shall not register or title any such motor vehicle sold by a tower or storage facility unless the application for registration and title is accompanied by the duly executed ``Affidavit of Compliance''.
(Adopted, effective October 8, 1997)

Sec. 14-307-6. Provision of notice of sale to lienholders of record

Each tower or storage facility shall, not later than the date of filing with the commissioner of the DMV Form ``Notice of Intent to Sell'', provide notification of the pending sale or disposition of a motor vehicle to all lienholders listed on the Certificate of Title. The notice shall be given by certified mail, return receipt requested, addressed to each such lienholder at the address or addresses maintained in the records of the DMV. Each tower or storage facility shall maintain in its records a copy of each such notice indicating the date and time of mailing. The provisions of this section shall apply to all titled motor vehicles which have been subject to a transfer of ownership or the filing of a lien since July 1, 1992.
(Adopted, effective October 8, 1997)

Sec. 14-307-7. Provision of owner and lienholder information

In providing owner and lienholder information, with respect to any towed or stored vehicle to a tower, storage facility or bailee for the purpose of providing written notice to an owner, and for providing notice by certified mail, return receipt requested, to any lienholders of record on the title of such motor vehicle in the custody of such tower, storage facility or bailee,

the commissioner shall provide and use that information which appears on the official registration and title records of the DMV, as of the date of each inquiry and/or transmittal of information.

(Adopted, effective October 8, 1997)

Sec. 14-307-8. Value of motor vehicle

The commissioner shall require any tower or storage facility which files with the commissioner the DMV Form ``Notice of Intent to Sell'' to state on such form the market value of the motor vehicle which it intends to sell, where such value is greater than five hundred dollars ($500.00). Such statement of value shall be under penalty of false statement. If the tower or storage facility claims that the market value is not an accurate estimate of the value of the motor vehicle, then a reasonable estimate of current market value may be provided together with a statement of the facts on which such estimate is based.

(Adopted, effective October 8, 1997)

Certificate of Operation

Sec. 14-312-1. Certificate of operation

(a) Within the context of sections 14-311 and 14-311a of the General Statutes of Connecticut, any open air theater, shopping center or other such development generating large volumes of traffic shall mean any development providing two-hundred or more parking spaces, or a gross floor area of 100,000 square feet or more.

(b) Application for Certificate for such developments shall be made on the forms provided by the state traffic commission and shall contain all the data required by the commission.

(Effective April 11, 1984)

Motor Fuel Quality Testing Standards

Sec. 14-327d-1. Definitions

As used in Sections 14-327d-1 to 14-327d-10, inclusive:

(a) ``ASTM'' means the American Society for Testing and Materials.

(b) ``Approved denaturant(s)'' means materials used for denaturing ethyl alcohol for use as a motor fuel which have been approved by the U.S. Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms and the Director.

(c) ``Approved lead substitute'' means an EPA registered gasoline additive formulated to reduce valve seat recession in engines designed to operate on leaded gasoline and which has been approved by the Director. Such approval shall be based upon the submission of scientific documentation acceptable to the Director.

(d) ``Cetane number'' means the relative ignition quality of diesel fuels determined by the ASTM Cetane Method D-613.

(e) ``Commissioner'' means the Commissioner of Consumer Protection.

(f) ``Denatured fuel ethanol'' means ethanol meeting the provisions of ASTM D-4806, ``Standard Specification for Denatured Fuel Ethanol to be Blended with Gasolines for Use as an Automotive Spark-Ignition Engine Fuel.''

(g) ``Director'' means the Director of the Weights and Measures Division of the Department of Consumer Protection.

(h) ``Distributor'' means any person who imports or causes to be imported into this state motor fuel for sale or use in this state or any person who produces, refines, blends, manufactures or compounds motor fuels within this state for sale or use in this state and includes any affiliate of either such person who purchases motor fuel for sale, consignment, or distribution to another or receives motor fuel on consignment for consignment or distribution to his own motor fuel accounts or to accounts of his supplier, but does not include any person who is an employee of, or merely serves as a common carrier providing transportation service for, such supplier.

(i) ``EPA'' means the United States Environmental Protection Agency.

(j) ``Gasoline-oxygenate blend'' means a blend consisting primarily of gasoline and a substantial amount of one or more oxygenates. This definition includes, but is not limited to, the following designations:

(1) Gasohol meaning any motor fuel containing a nominal ten volume percent anhydrous denatured ethanol and 90 volume percent unleaded gasoline, regardless of other name, label, or designation.

(2) Any gasoline-oxygenate blend which meets the EPA's ``Substantially Similar'' rule.

(3) Any gasoline-oxygenate blend for which there is an existing Clean Air Act waiver issued by EPA.

(4) Any gasoline-oxygenate blend which is not subject to EPA fuel requirements, but for which approval has been granted by the Department of Consumer Protection.

(k) ``Leaded'' means any gasoline or gasoline-oxygenate blend which contains not less than 0.05 gram lead per U.S. gallon (0.013 gram lead per liter) or contains an approved lead substitute which provides a lead equivalent of at least 0.10 gram lead per U.S. gallon (0.026 gram per liter).

(l) ``Motor fuel'' means (1) all products commonly or commercially known or sold as gasoline, including casinghead and absorption or natural gasoline, regardless of their classification or uses, and (2) any liquid prepared, advertised, offered for sale or sold for use, or commonly and commercially used, as a fuel in internal combustion engines, including any liquid commonly referred to as ``gasohol'' which is prepared, advertised, offered for sale or sold for use, or commonly and commercially used, as fuel in internal combustion engines, but excluding aviation fuel and liquified petroleum gases.

(m) ``Motor Octane Number'' means the number describing the relative anti-knock characteristic of a motor fuel determined by ASTM Motor Method (D-2700).

(n) ``Octane Index'' means the number obtained by adding the research octane number and the motor octane number and dividing the sum by two.

(o) ``Oxygenate'' means an oxygen containing ashless organic compound, such as an alcohol or an ether, which may be used as a fuel or a fuel supplement.

(p) ``Oxygenated fuel'' means a liquid which is a homogeneous blend of hydrocarbons and oxygenates.

(q) ``Qualitative word or term'' means any word or term used in a brand name which by definition or customary usage indicates a level of quality, classification, grade, or designation.

(r) ``Research Octane Number'' means the number describing the relative antiknock characteristic of a motor fuel determined by ASTM Research Method (D-2699).

(s) ``Retailer'' means any person engaged in the business of selling motor fuel to the general public for ultimate consumption.

(t) ``Substantially Similar'' rule means the U.S. Environmental Protection Agency's ``Substantially Similar'' rule, Section 211 (f) (1) of the Clean Air Act (42 U.S.C. 7545 (f) (1)).

(u) ``Total alcohol'' means the aggregate total in volume percent of all alcohol contained in any fuel defined in this Chapter.

(v) ``Total oxygenate'' means the aggregate total in volume percent of all oxygenates contained in any fuel defined in this Regulation.

(w) ``Unleaded'' means any gasoline or gasoline-oxygenate blend to which no lead or phosphorus compounds have been intentionally added and which contains not more than 0.05 gram lead per U.S. gallon (0.013 gram lead per liter) and not more than 0.005 gram phosphorus per U.S. gallon (.0013 gram phosphorus per liter).

(Effective April 29, 1992)

Sec. 14-327d-2. Standard specifications of motor fuel

(a) The Commissioner adopts by reference ASTM D-4814 ``Standard Specifica-tions for Automotive Spark-Ignition Engine Fuel'' for gasoline.

(1) The minimum lead content for gasoline registered and/or labeled as ``leaded'' or ``regular'' shall be as defined in Section 14-327d-1 (k).

(2) Reid vapor pressure and vapor/liquid ratio seasonal specifications shall be as listed in the Connecticut Department of Environmental Protection Regulations 22a-174-20 (a) (5).

(3) Octane rating shall not be less than the Octane Index certified on the Form of Registration for Spark Ignition Motor Fuel required by Public Act 91-322.

(4) The minimum Octane Index (R+M)/2 of gasoline offered for sale shall not be less than the following:

(A) Regular Unleaded 87

(B) Regular Leaded 89

(C) Mid Grade Unleaded 89

(D) Premium Unleaded 91

(E) Premium Leaded 93

(b) The Commissioner hereby adopts by reference in accordance with ASTM D-4814, ``Standard Specification for Automotive Spark-Ignition Engine Fuel'' as standard specification for gasoline/oxygenate blends with the following modifi-cations:

(1) A vapor pressure test tolerance not exceeding 0.5 pounds per square inch may be allowed for gasohol, leaded gasohol, and gasoline-oxygenate blends;

(2) Reid vapor pressure and vapor/liquid ratio seasonal specifications as listed in the Connecticut Department of Environmental Protection Regulation 22a-174-20 (a) (5).

(3) Distillation range-the minimum temperature at 50 percent evaporated shall be 158 degrees F (70 degrees C) as determined by ASTM Test Method D-86.

(4) The minimum lead content for gasoline/oxygenate blends registered and/or labeled as ``leaded'' or ``regular'' shall be as defined in Section 14-327d-1 (k).

(5) Octane rating shall not be less than the octane index certified on the Form of Registration for Spark Ignition Motor Fuel required by Public Act 91-322.

(6) The minimum Octane Index, (R+M)/2 of gasoline-oxygenate blends offered for sale shall not be less than the following:

(A) Regular Unleaded 87

(B) Regular Leaded 89

(C) Mid Grade Unleaded 89

(D) Premium Unleaded 91

(E) Premium Leaded 93

(7) Gasohol and leaded gasohol shall contain 10 plus/minus 0.5 volume percent denatured fuel ethanol.

(8) Gasoline-oxygenate blends not otherwise defined in the regulations, may contain, maximum or minimum as appropriate, the percentage and type of oxygenates as certified on the registration as required by Form of Registration for Spark-Ignition Motor Fuel required by Public Act 91-322 subject to compliance with other specifications as provided in this section.

(9) The Commissioner hereby adopts by reference, ASTM D-975, ``Standard Specification for Diesel Fuel Oils'' as standard specification for diesel motor fuels with the following modification: For diesel motor fuel grade 2-D, the minimum flash point as determined by ASTM Test Method D-56 shall be 115 degrees F. (46 degrees C.).

(c) In addition to meeting all specification requirements as set forth in these regulations, each fuel must be suitable for the intended use.

(d) ASTM documents adopted by reference herein are available for inspection in the Office of the Director of the Weights and Measures Division and may be obtained by contacting the Director.

(Effective April 29, 1992)

Sec. 14-327d-3. Quality of motor fuels

(a) A motor fuel shall be of the quality specifications as registered with the Commissioner.

(b) If any quality specification is displayed on a dispenser or in any public location where motor fuel is sold and said specification exceeds the quality specifications registered, the displayed specification shall become the legal minimum for all motor fuels so labeled or advertised.

(c) Any octane number or rating displayed shall be the octane index and no other number or rating.

(d) All other specifications displayed must be identified by name or designation except that the octane index may be used as part of a brand name after compliance with Public Act 91-322.

(Effective April 29, 1992)

Sec. 14-327d-4. Sale of gasoline

(a) All gasoline sold at wholesale or retail in Connecticut shall be sold under the label, name, or brand name under which the gasoline was first purchased for resale in Connecticut, except as provided in subsection (b) of this section.

(b) The owner of any gasoline purchased for sale or resale in Connecticut may sell such gasoline under a label, name, or brand other than that under

which the gasoline was purchased provided that the new label, name, or brand is filed with the Commissioner.
(Effective April 29, 1992)

Sec. 14-327d-5. Evidence of original purchase

The invoice, bill of sale, bill of lading, terminal ticket, or other evidence of the purchase of gasoline, including but not limited to computer produced documents, shall state the name and address of the seller and buyer, the date and time of sale, the label, name or brand under which it was sold and the number of gallons sold. All such evidence of purchase shall be signed in ink or other indelible substance by the seller.
(Effective April 29, 1992)

Sec. 14-327d-6. Labeling of dispensing devices

(a) For the purpose of product identity, each dispensing device used in the retailing of any motor fuel shall be plainly and conspicuously labeled with the following:
(1) for gasoline, the registered brand name;
(2) for diesel fuel, the registered brand name plus a descriptive or generic label if the registered brand name does not adequately identify the type and/or grade of product;
(3) for gasoline-oxygenate blends containing at least one percent by volume of ethanol, methanol, or combination, the registered brand name plus an additional label which states that the blend ``contains ethanol,'' ``contains methanol,'' or ``contains methanol/cosolvent.''
(b) Labels shall be consistent with Section 16a-15-8 (c) of the Regulations of Connecticut State Agencies:
(1) for fuels not covered by an EPA waiver, the additional label shall identify the percent by volume of ethanol and/or methanol in the blend.
(2) if a dispenser is so designed that two or more hose/nozzles which are connected to a common housing dispense more than one type or grade of product, means shall be provided to clearly indicate the identity of the product being dispensed from each hose/nozzle.
(Effective April 29, 1992)

Sec. 14-327d-7. Registration and branding

(a) All motor fuels offered for sale, sold or delivered to a purchaser in the State of Connecticut shall be branded, and each and every brand name shall be registered, together with quality specifications, with the Commissioner on forms provided by the Director. In her discretion, the Commissioner:
(1) May require written certification or other satisfactory evidence of compliance for any motor fuel which is subject to federal waiver requirements or other applicable laws or regulations; and
(2) May require any person desiring to register a motor fuel for which there exists no generally recognized classification, basic quality standards, or performance record, to submit, in writing, the following:
(A) Certified test data and performance evaluations; and
(B) Detailed chemical and physical characteristics.
(b) This information shall be from independent sources of recognized qualification or otherwise satisfactory to the Commissioner, and shall be submitted before an application for registration will be considered.
(c) Any brand name registration under this section shall in no way supersede federal Trademark Law.
(Effective April 29, 1992)

Sec. 14-327d-8. Octane range number of commercial gasoline

No number within the octane range of commercial gasolines shall be used as a prefix, suffix, or any part of a brand name, unless the registered octane index is at least equivalent to said number.
(Effective April 29, 1992)

Sec. 14-327d-9. Cetane range of commercial diesel fuels

No number within the cetane range of commercial diesel fuels shall be used as a prefix, suffix, or any part of a brand name, unless the registered cetane number is at least equivalent to said number.
(Effective April 29, 1992)

Sec. 14-327d-10. Registration provisions

(a) Any person who registered a brand name for a motor fuel and fails to or discontinues to sell or deliver the registered product shall notify the Commissioner within 60 days after registration or last invoice or delivery ticket. Failure to notify shall automatically terminate and cancel the registration of the brand name and the quality specifications.

(b) The Commissioner may establish and maintain a normal prevailing range of quality specifications of motor fuels for similar or customary classifications, grades, or designations motor fuels intended for the same use or application. For automotive gasolines and gasoline/oxygenate blends, the minimum octane index shall be 87. For those designated as ``Mid-Grade'' or ``Premium'' or by a word or term of equivalent meaning, the minimum octane index shall be 89 and 91 respectively.
(Effective April 29, 1992)

Sec. 14-327d-11. Weights and measures sampling procedure for motor fuel octane and oxygenated levels

(a) **Containers and Seals**

Departmental inspectors shall use uncontaminated one-gallon steel containers, soldered on the outside to prevent contamination of the sample to obtain octane samples. Each container shall have an uncontaminated metal security seal. Departmental inspectors shall use uncontaminated one-pint aluminum containers, soldered on the outside to prevent contamination of the sample to obtain oxygenate samples. Each container shall have an uncontaminated plastic security seal. Each container shall have an official State of Connecticut sticker containing a sample number.

(b) **Collection of Samples**

All samples shall be drawn from the dispenser nozzle. For octane testing the inspector shall draw 0.8 gallons. For oxygenate testing the inspector shall draw 0.09 gallons. When drawing samples from blend dispensers or any dispenser with multiple products available from a single shared nozzle the inspector shall flush 0.5 gallons through the dispenser before drawing the sample. After obtaining the samples the inspector shall fill out a report form provided by the department. The inspector shall have the person in charge of the station at the time of the inspection sign a copy of the report. The inspector shall give the person in charge of the station at the time of the inspection a copy of the signed report. After each sample is taken the inspector shall place the container in a locked plastic cooler that is kept in the inspector's vehicle.

(c) **Transportation and Storage of Samples**

At the end of the day the inspector shall deliver the samples to the testing laboratory and shall obtain a receipt from the laboratory showing the date brought to the laboratory, the condition of each sample and the sample number. In lieu of bringing the samples to the testing laboratory the inspector may bring the samples back to the department where the samples shall be logged in and stored in a suitable locked area for future pick-up by the laboratory.

(d) **Custody of Stored Samples**

When picking up the samples from the department the laboratory shall give the departmental employee making the transfer a receipt showing the date picked up by the laboratory, the condition of each sample and the sample number. The laboratory shall provide to the department on a monthly basis a report showing the chain of custody for each sample from pick up to testing by the laboratory.

(e) **Laboratory Reports**

If the sample fails to pass the minimum standards or levels a retest shall be made. The laboratory shall notify the department of the results of each test for each sample in writing. The department may require the laboratory to send by facsimile transmittal the results when a sample fails both tests. The sample shall fail the test if the octane level is 0.7 octane less than the posted figure for the product being tested.

(Effective December 6, 1995)

Sale of Gasoline and Motor Oil

Sec. 14-332-1. Petroleum products excluded from ``fuels''

Commercial solvents, industrial naphthas and industrial distillates not prepared, advertised, offered for sale or sold for use as or commonly and commercially used as a fuel in internal combustion engines shall not be considered ``fuels'' as defined in subsection (11) of section 14Ã1 of the general statutes and shall not be subject to the sales restrictions and other provisions of chapter 250 of the general statutes. If such commercial solvents, industrial naphthas and industrial distillates are prepared, advertised, offered for sale or sold for use as fuel or used as a fuel in internal combustion engines, the provisions of said chapter shall apply.
(Effective December 6, 1995)

Sec. 14-332-2. Transfer of permit. Survey of premises to be filed

In cases of transfer of ownership of a retail gasoline station, when a survey of the premises has not been previously filed with the department, a survey shall be filed. Such survey shall be drawn to a scale of at least one inch equals 20 feet and shall be certified to an accuracy of a class A-2 survey, as defined in the ``recommended standards for surveys and maps in the State of Connecticut'' as prepared and adopted by the Connecticut Association of Land Surveyors, Inc. on September 3, 1984 and as may be amended from time to time. Such survey shall show the layout of the dispensers, drives, width of street or road, location of property line, names of the adjoining property owners and the bounding property within three hundred feet, together with all the buildings thereon. The transferor shall also file a copy of the certificate of occupancy.
(Effective December 6, 1995)

Sec. 14-332-3. Transferor to surrender license certificate

The transferor shall surrender his license certificate after a written request for transfer to another owner has been received by the department of Consumer Protection and before such transfer is approved. Where a certificate cannot be located, a letter from the owner of the property stating that the old lease has been terminated and a new lease has been granted to the person applying for such transfer and the previously licensed person's whereabouts are unknown shall be accepted in lieu thereof.
(Effective December 6, 1995)

Sec. 14-332-4. Parking of motor vehicles at retail gasoline station

Parking of any motor vehicle at a retail gasoline station on a state highway is prohibited if such parked vehicle in any way obstructs the view of vehicle operators entering or leaving the driveways of such location.
(Effective December 6, 1995)

Sec. 14-332-5. Signs at retail gasoline stations

Permanent or movable signs that in any way obstruct the view at the driveways at retail gasoline stations are prohibited. Where stations are located on state highways, a permit is required for all signs located on highway property. Such signs shall carry the permit number granted by the commissioner of transportation.
(Effective December 6, 1995)

Sec. 14-332-6. Location of dispenser

Pursuant to the provisions of section 14Ã320 of the general statutes, the commissioner shall not issue a certificate unless the location of the dispensers has been specifically approved by the building official as to compliance with the state building code and by the fire marshal as to compliance with the state fire safety code. In addition, where the commissioner feels necessary, barriers shall be placed in front of the dispenser in order to protect the public safety.
(Effective December 6, 1995)

Sec. 14-332-7. Waivers

The commissioner, upon request and after determining that the public health and safety shall still be protected may waive Sections 14-332-1 through 14-332-6 of these regulations for dealers who do not operate a service station, filling station, store or garage.
(Effective December 6, 1995)

Operation of Retail Service Stations by Producers or Refiners for Limited Time Periods

Sec. 14-344c-1. Operation of retail service stations by producers or refiners for limited time periods

After July 1, 1980 a producer or refiner may operate a retail service station previously dealer operated for a period not to exceed 90 days if the dealer has died (if sole proprietor), vacated the station in breach of the lease, been evicted by the producer or refiner for cause. No producer or refiner shall operate any retail service station pursuant to this regulation without first obtaining a license pursuant to Section 14-319 of the General Statutes. Upon determination by the commissioner that a dealer or refiner is entitled to operate a retail service station pursuant to this regulation the commissioner shall issue a certificate of authority to operate a licensed retail service station for the time period indicated.

(Effective May 29, 1980)

Snowmobiles

Sec. 14-389-1. Registration requirements

The commissioner shall not register any snowmobile owned by any person under sixteen years of age and shall not register any snowmobile owned by any person between sixteen and eighteen years of age unless such person files proof of financial responsibility in accordance with the provisions of section 14-112 of the general statutes, as amended, together with a certificate signed by the spouse, being eighteen years of age, of a married minor applicant, or by either or both of the parents, as the commissioner may require, or the legal guardian of such person, approving or requesting the registration of such snowmobile.
(Effective May 31, 1974)

Sec. 14-389-2. Display of registration plate

Each snowmobile required to be registered in this state shall have the registration plate conspicuously displayed on the rear.
(Effective September 30, 1969)

Sec. 14-389-3. Temporary registration

Each snowmobile dealer shall keep a record of each temporary registration issued by him. Such record shall include the name, address and date of birth of the owner, the year of manufacture, make and factory identification number of the snowmobile and the date and number of the temporary registration issued. Such dealer within forty-eight hours of the issuance of a temporary registration shall submit all necessary applications for a permanent registration to the commissioner of motor vehicles.
(Effective September 30, 1969)

Sec. 14-389-4. Lighting requirements

Each snowmobile while being operated during the period from sunset to sunrise and at any other time when, due to insufficient light or unfavorable atmospheric conditions, visibility is reduced to less than three hundred feet shall display the following lighting equipment:

(1) At least one but not more than two lighted headlamps which shall illuminate persons and vehicles at a distance of at least two hundred feet in front of such snowmobile;

(2) When crossing any highway in the manner provided by law, shall display on each side a lighted red lamp and red reflector. Such red lamp shall emit a red light plainly visible from a distance of one thousand feet to the side. Such red reflector may be part of the lamp or separate and shall be of such size and characteristics and so mounted as to be visible at night at a distance of three hundred and fifty feet;

(3) Shall have on the rear a lighted red tail lamp or red reflector. Such red reflector shall be of such size and characteristics and so mounted as to be visible at night at a distance of at least seventy-five feet when directly in front of the beam or beams of the headlamp or lamps required to be displayed by snowmobiles.
(Effective March 11, 1974)

Sec. 14-389-5. Steering mechanism

Each snowmobile shall be equipped with a steering or guidance mechanism which shall permit the operator to have complete directional control of the vehicle.
(Effective September 30, 1969)

Sec. 14-389-6. Retention of lessor and dealer records

All records required to be kept by lessors of and dealers in snowmobiles under the provisions of the general statutes or the regulations of Connecticut state agencies shall be retained by such dealer or lessor for a period of one year and be available for inspection by authorized enforcement officers during regular business hours.

(Effective September 30, 1969)

DEPARTMENT OF PUBLIC SAFETY

Operation of a Rotational System For Summoning Wreckers

Sec. 29-23a-1. Definitions

As used in Sections 29-23a-1 to 29-23a-17, inclusive:

(1) "GVWR" means gross vehicle weight rating;

(2) "Light-duty service wrecker operator" means a wrecker operator with a wrecker of 11,000 pounds or greater GVWR and a one-car carrier of 14,500 pounds or greater GVWR;

(3) "Heavy-duty service wrecker operator" means a wrecker operator with two wreckers of 31,000 pounds or greater GVWR and boom capacity of 25 tons and 20 tons, respectively; and

(4) "Wrecker operator" means a wrecker operator participating in the rotational system established by Sections 29-23a-1 to 29-23a-17, inclusive.

(Adopted effective April 30, 1999)

Sec. 29-23a-2. Equipment requirements for light-duty and heavy-duty service wrecker operators

(a) A wrecker of the type referred to in subdivision (2) of Section 29-23a-1 shall be equipped with a single winch and wheel lift. Such winch shall have a minimum capacity of 8,000 pounds.

(b) In addition to the requirements set forth in subdivision (3) of Section 29-23a-1, a heavy-duty service wrecker operator shall have available at least one wrecker with an under-reach axle lift. Such wrecker shall be capable of towing a loaded tractor-trailer unit. This requirement may be satisfied by a third dedicated under-lift vehicle without a boom. A heavy-duty service wrecker operator shall also have available sufficient auxiliary equipment to right overturned vehicles and perform other vehicle recovery operations.

(c) A wrecker operator shall not tow a motor vehicle if the load the towed vehicle places on the wrecker boom assembly exceeds the wrecker's rated boom capacity, or if the weight of the wrecker and the load exceeds the maximum weight rating of the wrecker's axle assemblies as set forth in subsection (b) of Section 14-267a of the Connecticut General Statutes.

(Adopted effective April 30, 1999)

Sec. 29-23a-3. Rotational system for summoning wreckers

State police troop commanders may prepare separate rotational lists for light-duty and heavy-duty service wrecker operators for each municipality within the geographical area covered by each state police troop. If there is no wrecker service within municipal borders, the troop commander shall establish a rotational list of wrecker operators from adjoining municipalities.

(Adopted effective April 30, 1999)

Sec. 29-23a-4. Placement on rotational lists

(a) A wrecker operator seeking placement on any rotational list shall apply to the troop commander of the state police troop whose jurisdiction includes the municipality where the wrecker operator's business is located.

(b) A wrecker operator may hold only as many places on a rotational list as it has locations licensed by the Commissioner of Motor Vehicles under authority of sections 14-51 to 14-65j, inclusive, of the Connecticut General Statutes, and Sections 14-63-1 to 14-63-49, inclusive, of the Regulations of Connecticut State Agencies.

(c) The state police troop commander or his or her designee shall confirm that each wrecker operator is able to provide prompt and efficient service and meets all requirements of sections 14-12(h), 14-51 to 14-65j, inclusive, and 14-66 of the Connecticut General Statutes, and Sections 14-63-1 to 14-63-49, inclusive, of the Regulations of Connecticut State Agencies, which pertain to vehicle safety and mechanical standards, dealer/repairer licensing and wrecker licensing.

Sec. 29-23a-5. Performance standards

Wrecker operators shall be available 24 hours per day, seven days per week, and shall respond to calls for service on limited-access highways no later than 20 minutes after notification by state police, 30 minutes in all other locations. Where traffic conditions warrant, required response times may be reduced at the discretion of the state police troop supervisor on duty or his or her designee. Where a shorter response time is required, the wrecker operator shall be so advised when notified of the call for service.

(Adopted effective April 30, 1999)

Sec. 29-23a-6. Qualifications of drivers

Six months after the effective date of Sections 29-23a-1 to 29-23a-17, inclusive, drivers for wrecker operators participating in the state police rotational system shall successfully complete the National Driver Certification program of the Towing and Recovery Association of America or a certification program approved by the Commissioner of Public Safety. Thereafter, drivers shall be certified in accordance with the provisions of this section six months after they begin work for a wrecker operator participating in the state police rotational system. Drivers who can demonstrate that they have at least 10 years of experience operating wreckers need not be certified. Applications may prove that they have the requisite experience by providing the Commissioner of Public Safety with an employment history.

(Adopted effective April 30, 1999)

Sec. 29-23a-7. Operation of the system

(a) The state police troop supervisor on duty or his or her designee shall use rotational lists to arrange the towing or transportation of disabled motor vehicles if the vehicle owner or operator is incapacitated, unavailable or leaves the procurement of wrecker service to the trooper at the scene.

(b) If the vehicle owner or operator is present and able to respond, the trooper shall inquire whether he or she wishes to choose a wrecker service. If he or she wishes to do so, the troop shall notify the wrecker operator selected, except as set forth in subsection (c) of this section.

(c) If the wrecker operator chosen in accordance with subsection (b) of this section cannot be contacted, or is unable or unwilling to respond within the response times set forth in Section 29-23a-5, the next available wrecker operator on the rotational list for the type of towing operation required shall be summoned to the scene to provide service.

(Adopted effective April 30, 1999)

Sec. 29-23a-8. Emergencies

(a) In the event of emergency, the state police troop supervisor on duty or his or her designee shall determine the most expeditious method of obtaining wrecker service. In making such determination, consideration may be given to weather conditions, traffic density and speed, the number of other calls for police services and the availability of police personnel.

(b) If a wrecker operator is summoned out of rotational sequence due to an emergency, the wrecker operator summoned shall be considered to have received the next rotational call.

(Adopted effective April 30, 1999)

Sec. 29-23a-9. Responsibilities of wrecker operators

(a) All wrecker operators shall meet the response times set forth in Section 29-23a-5. The wrecker operator receiving the call for service shall perform the required service. The call for service may not be delegated to another wrecker operator.

(b) Wrecker operators shall promptly and efficiently remove from the roadway designated vehicles, associated debris and spills of fluids used in vehicle operations, such as gasoline, oil or antifreeze. Vehicles shall be removed to the wrecker operator’s place of business, an alternate storage location approved by the Commissioner of Motor Vehicles, a location requested by the vehicle owner or operator, or a facility under state police control in furtherance of a criminal investigation. Debris shall be removed to the wrecker operator's place of business, unless directed otherwise by state police, or employees of the Connecticut Departments of Environmental Protection or Transportation.

(c) The wrecker operator shall obtain the approval of the trooper at the scene prior to departing from the scene of the call for service. The trooper at the scene shall confirm that the roadway has been substantially cleared of all debris prior to releasing the wrecker operator from the scene.

(d) The wrecker operator shall be responsible for safe removal of the vehicle, its contents and occupants, except where an an occupant cannot be legally transported, an arrest has been made or where other arrangements have been made for transportation of occupants. Where the wrecker operator cannot transport all vehicle occupants because of occupancy limitations in the wrecker, the trooper at the scene may assist in providing transportation. Where the trooper at the scene cannot assist in providing transportation, the state police troop supervisor on duty or his or her designee shall make such arrangements as are necessary to safety remove vehicle occupants from the roadway. In order to minimize the likelihood that the wrecker operator cannot transport vehicle occupants because of occupancy limitations, the wrecker operator shall not respond with passengers to a call for service.

(e) The wrecker operator shall provide the troop with a telephone number allowing contact on a 24-hour, seven-day-per-week basis. No more than one such number each for normal duty hours and other than normal duty hours shall be accepted by the troop.

(f) A wrecker operator shall notify the appropriate troop before responding to a request for service not transmitted by state police, if such call causes the wrecker operator to perform the service on a road under state police jurisdiction.

(g) A wrecker operator shall notify the troop whenever a vehicle is removed from the highway pursuant to a rotational call for service, if there is not trooper at the scene at the time the vehicle is to be removed from the highway.

(h) In addition to the equipment required by section 14-66 of the Connecticut General Statutes, a light-duty service wrecker operator responding to a scene shall be equipped with communications equipment, such as a two-way radio or wireless telephone, a second rear spot light, three triangle

reflectors and shovels, brooms and any other equipment necessary to clear the roadway of debris.

(i) In addition to the equipment required by section 14-66 of the Connecticut General Statutes, a heavy-duty service wrecker operator responding to a call for service shall be equipped with communications equipment, such as a tow-way radio or wireless telephone, a second rear spot light, a total of 10 flares, 10 triangle reflectors, two shovels (one round, one square), one heavy-duty push broom, two pry bars, one bolt cutter, 10 large T-bolts and shut off fittings for buses. Heavy-duty service wrecker operators shall also be capable of providing air to the towed vehicle to facilitate brake system operation.

(j) Vehicle storage facilities shall be used and maintained in accordance with section 14-66 of the Connecticut General Statutes and Sections 14-63-34 to 14-63-37b, inclusive, of the Regulations of Connecticut State Agencies.

(Adopted effective April 30, 1999)

Sec. 29-23a-10. Discharge from a scene

(a) Whenever the trooper at the scene finds that the wrecker operator is incapable of safe removal of the vehicle, or that the actions of the wrecker operator are a hazard to any person or property, he or she may order that the wrecker operator leave the scene.

(b) Whenever a wrecker operator is ordered from the scene, the trooper who took such action shall submit a written report to the troop commander regarding the circumstances of the incident and the reasons for discharge of the wrecker operator from the scene.

(Adopted effective April 30, 1999)

Sec. 29-23a-11. Additional equipment at the scene

When the wrecker operator at the scene of a call for service determines that additional equipment is necessary to effectuate removal of the vehicle, the wrecker operator shall inform the trooper at the scene that additional equipment is necessary. If the wrecker operator cannot obtain the necessary equipment within a reasonable time of such notification, then the trooper at the scene shall inform the state police troop supervisor on duty or his or her designee of the additional equipment requirements. Such equipment then may be obtained from the nearest known provider able to furnish the equipment requested. The provisions of this section shall not relieve a wrecker operator of the obligation to respond to a call for service with the equipment required by subsections (h) or (I) of Section 29-23a-9.

(Adopted effective April 30, 1999)

Sec. 29-23a-12. On-site repairs

The trooper at the scene of a call for service may request that the wrecker operator provide on-site repairs including, but not limited to, starting the vehicle’s ignition or changing a tire. The wrecker operator may refuse to perform such repairs if he or she reasonably believes that remaining at the site is likely to result in unnecessary risk of physical harm or property damage.

(Adopted effective April 30, 1999)

Sec. 29-23a-13. Troop procedures for summoning wreckers

(a) The state police troop supervisor on duty or his or her designee shall contact wrecker operators by telephone in accordance with the requirements of this section. If there is no answer after 10 rings, or the person placing the call encounters a busy signal, the number shall be dialed a second time to ensure that it is correct. If there is no answer a second time,

the call shall be logged and the next wrecker operator on the rotational list shall be contacted. In the event of a busy signal, the state police troop supervisor on duty or his or her designee shall attempt to reach the wrecker operator two more times after the initial call before contacting the next wrecker operator on the rotational list. If the state police troop supervisor on duty or his or her designee placing the call reaches an answering service, answering machine or pager system, he or she shall leave a message. Where traffic conditions require a more immediate response, the state police troop supervisor on duty or his or her designee may contact the next wrecker operator on the list after the first call is met with a busy signal, answering service, answering machine or pager system. Any wrecker operator that cannot be reached when contacted shall be placed at the end of the rotational list.
(Adopted effective April 30, 1999)

Sec. 29-23a-14. Unsatisfactory service

The trooper at the scene of a call for service who observes unsatisfactory service by a wrecker operator shall file a written report of such unsatisfactory service with the troop commander.
(Adopted effective April 30, 1999)

Sec. 29-23a-15. Waiver

The Commissioner of Public Safety shall grant variations or exemptions from, or approve equivalent or alternate compliance with, Sections 29-23a-1 to 29-23a-17, inclusive, where strict compliance with such provisions would entail practical difficulty or unnecessary hardship or is otherwise adjudged unwarranted, provided any such variation, exemption, approved equivalent or alternate compliance shall, in the opinion of the Commissioner of Public Safety, secure the public safety.
(Adopted effective April 30, 1999)

Sec. 29-23a-16. Removal from list

(a) A wrecker operator may be removed from one or more rotational lists for failing to meet the requirements of Sections 29-23a-1 to 29-23a-17, inclusive, or for violating any statute or regulation concerning the operation of a motor vehicle repair, towing, or storage facility, or any statute or regulation concerning the operation of a motor vehicle.

(b) Before a wrecker operator may be removed from a rotational list, the state police troop commander responsible for such list shall forward to a hearing officer designated by the Commissioner of Public Safety to conduct removal proceedings a written complaint specifying the reasons that removal is sought. Removal proceedings shall be conducted as required by Section 29-23a-17.
(Adopted effective April 30, 1999)

Sec. 29-23a-17. Hearings

Proceedings to remove a wrecker operator from any rotational list shall be conducted in accordance with the requirements of Chapter 54 of the Connecticut General Statutes, the Uniform Administrative Procedure Act, and the regulations of the Department of Public Safety concerning hearings, Sections 29-2-1 to 29-2-10, inclusive.
(Adopted effective April 30, 1999)