



Substitute House Bill No. 6495

Public Act No. 13-89

AN ACT CONCERNING THE ISSUANCE OF MOTOR VEHICLE OPERATORS' LICENSES.

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

Section 1. (NEW) (*Effective January 1, 2015*) (a) As used in this section:

(1) "Primary proof of identity" means documentation indicating the identity of an applicant for a motor vehicle operator's license in the form of (A) a valid foreign passport issued by an applicant's country of citizenship that is unexpired or expired for less than three years before an application for such motor vehicle operator's license, (B) a valid, unexpired consular identification document issued by an applicant's country of citizenship, or (C) a consular report of an applicant's birth in a foreign country.

(2) "Secondary proof of identity" means documentation indicating the identity of an applicant for a motor vehicle operator's license in the form of (A) a valid, unexpired motor vehicle operator's license, with security features, issued by another state or country, (B) a valid foreign voter registration card, (C) a certified copy of a marriage certificate issued by any state or territory of the United States, or any political subdivision thereof, including any county, city or town, (D) a certified

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school transcript, or (E) a baptismal certificate or any similar document.

(3) "Proof of residency" means a piece of mail or electronic mail that includes an applicant's name and address, indicates that such applicant resides in the state and is dated, unless otherwise indicated, not earlier than ninety days before an application for a motor vehicle operator's license, from any two of the following sources: (A) A bill from a bank or mortgage company, utility company, credit card company, doctor or hospital, (B) a bank statement or bank transaction receipt showing the bank's name and mailing address, (C) a preprinted pay stub, (D) a property or excise tax bill dated not earlier than twelve months before such application, (E) an annual benefits summary statement from the Social Security Administration or other pension or retirement plan dated not earlier than twelve months before such application, (F) a Medicaid or Medicare benefit statement, (G) a current homeowner's insurance or renter's insurance policy or motor vehicle insurance card or policy dated not earlier than twelve months before such application, (H) a residential mortgage or similar loan contract, lease or rental contract showing signatures from all parties needed to execute the agreement dated not earlier than twelve months before such application, (I) any postmarked mail, (J) a change of address confirmation from the United States Postal Service indicating an applicant's current and prior address, (K) a survey of an applicant's real property issued by a licensed surveyor, or (L) any official school records showing enrollment.

(b) (1) Notwithstanding any provision of the general statutes or any regulation, the Commissioner of Motor Vehicles shall not decline to issue a motor vehicle operator's license to any applicant who meets the licensure requirements provided in section 14-36 of the general statutes but who cannot establish that he or she is legally present in the United States or does not have a Social Security number if such applicant (A)

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submits proof of residency in the state, (B) submits either two forms of primary proof of identity or one form of primary proof of identity and one form of secondary proof of identity, and (C) files an affidavit with the commissioner attesting that such applicant has filed an application to legalize his or her immigration status or will file such an application as soon as he or she is eligible to do so. Any form of primary proof of identity, secondary proof of identity or proof of residency submitted to the commissioner that is in a language other than English shall be accompanied by a certified English translation of such document prepared by a translator approved by the commissioner.

(2) The commissioner shall not issue a motor vehicle operator's license under this section to any applicant who has been convicted of any felony in Connecticut.

(3) The commissioner shall administer a knowledge test to any such applicant after such applicant has submitted proof of residency and proof of identity that satisfy the requirements of this section. Not later than thirty days after such applicant has passed such knowledge test, the commissioner shall determine whether such applicant has been convicted of any felony in Connecticut by searching the electronic criminal record system maintained on the Internet web site of the Judicial Department for convictions matching such applicant's name and date of birth. If such applicant has not been convicted of any such felony, the commissioner shall mail the applicant an adult instruction permit or youth instruction permit. The commissioner shall not refund the application fee of any applicant who fails a knowledge test or has been convicted of any such felony.

(c) Any motor vehicle operator's license issued pursuant to this section shall include an indication on such license that such license shall not be acceptable for federal identification purposes.

(d) Any motor vehicle operator's license issued under this section

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shall expire from three to six years after the date of issuance and may be renewed every three years thereafter. The commissioner shall not renew any such operator's license unless the holder of such operator's license makes personal appearance and demonstrates proof of residency at the time of renewal.

(e) No motor vehicle operator's license issued pursuant to this section shall be used as identification for voting purposes.

(f) The commissioner shall place a restriction on each motor vehicle operator's license issued pursuant to this section, indicating that such motor vehicle operator's license is "for driving purposes only".

(g) The commissioner may adopt regulations in accordance with chapter 54 of the general statutes to implement the provisions of this section.

Sec. 2. Subsection (e) of section 14-36 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(e) (1) No motor vehicle operator's license shall be issued until (A) the applicant signs and files with the commissioner an application under oath, or made subject to penalties for false statement in accordance with section 53a-157b, and (B) the commissioner is satisfied that the applicant is sixteen years of age or older and is a suitable person to receive the license. (2) [An] Except any applicant described in section 1 of this act, an applicant for a new motor vehicle operator's license shall, in the discretion of the commissioner, file, with the application, a copy of such applicant's birth certificate or other prima facie evidence of date of birth and evidence of identity. (3) Before granting a license to any applicant who has not previously held a Connecticut motor vehicle operator's license, or who has not operated a motor vehicle during the preceding two years, the commissioner

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shall require the applicant to demonstrate personally to the commissioner, a deputy or a motor vehicle inspector or an agent of the commissioner, in such manner as the commissioner directs, that the applicant is a proper person to operate motor vehicles of the class for which such applicant has applied, has sufficient knowledge of the mechanism of the motor vehicles to ensure their safe operation by him or her and has satisfactory knowledge of the laws concerning motor vehicles and the rules of the road. The knowledge test of an applicant for a class D motor vehicle operator's license may be administered in such form as the commissioner deems appropriate, including audio, electronic or written testing. Such knowledge test shall be administered in English, Spanish or any language spoken at home by at least one per cent of the state's population, according to statistics prepared by the United States Census Bureau, based on the most recent decennial census. If any such applicant has held a license from a state, territory or possession of the United States where a similar examination is required, or if any such applicant is a person honorably separated from the United States armed forces who applies within two years following the separation and who, prior to the separation, held a military operator's license for motor vehicles of the same class as that for which such applicant has applied, the commissioner may waive part or all of the examination. When the commissioner is satisfied as to the ability and competency of any applicant, the commissioner may issue to such applicant a license, either unlimited or containing such limitations as the commissioner deems advisable, and specifying the class of motor vehicles which the licensee is eligible to operate. (4) If any applicant or operator license holder has any health problem which might affect such person's ability to operate a motor vehicle safely, the commissioner may require the applicant or license holder to demonstrate personally or otherwise establish that, notwithstanding such problem, such applicant or license holder is a proper person to operate a motor vehicle, and the commissioner may further require a certificate of such applicant's condition, signed by a medical authority

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designated by the commissioner, which certificate shall in all cases be treated as confidential by the commissioner. A license, containing such limitation as the commissioner deems advisable, may be issued or renewed in any case, but nothing in this section shall be construed to prevent the commissioner from refusing a license, either limited or unlimited, to any person or suspending a license of a person whom the commissioner determines to be incapable of safely operating a motor vehicle. Consistent with budgetary allotments, each motor vehicle operator's license issued to or renewed by a deaf or hearing impaired person shall, upon the request of such person, indicate such impairment. Such person shall submit a certificate stating such impairment, in such form as the commissioner may require and signed by a licensed health care practitioner. (5) The issuance of a motor vehicle operator's license to any applicant who is the holder of a license issued by another state shall be subject to the provisions of sections 14-111c and 14-111k.

Sec. 3. (*Effective from passage*) (a) There is established a working group to examine methods to verify foreign documents submitted to the Department of Motor Vehicles by applicants applying for motor vehicle operators' licenses, pursuant to section 1 of this act, who cannot establish their legal presence in the United States and who do not have Social Security numbers. Such examination shall include, but not be limited to, a review of methods used for verification of foreign documents by other states and the federal government and an analysis of issues concerning the implementation of a foreign document verification process by the department.

(b) The working group shall consist of the following members:

- (1) One appointed by the speaker of the House of Representatives;
- (2) One appointed by the president pro tempore of the Senate;

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(3) One appointed by the majority leader of the House of Representatives;

(4) One appointed by the majority leader of the Senate;

(5) One appointed by the minority leader of the House of Representatives;

(6) One appointed by the minority leader of the Senate; and

(7) The Commissioner of Motor Vehicles, or the commissioner's designee.

(c) Not less than two members of the working group appointed under subdivisions (1) to (6), inclusive, of subsection (b) of this section shall have expertise in the evaluation and verification of foreign identification documents.

(d) All appointments to the working group shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(e) The speaker of the House of Representatives and the president pro tempore of the Senate shall select the chairpersons of the working group from among the members of the working group. Such chairpersons shall schedule the first meeting of the working group, which shall be held not later than sixty days after the effective date of this section.

(f) Not later than February 1, 2014, the working group shall prepare a report on its findings and recommendations. The working group shall terminate on the date that it prepares such report or February 1, 2014, whichever is later.

Approved June 6, 2013