

Regulation of the
Department of Motor Vehicles

Concerning
Issuance of Driver's License with Restrictions

Regulations adopted after July 1, 2013, become effective upon posting to the website of the Secretary of the State, or at a later date specified within the regulation.

Website posted on
September 4, 2013

Effective Date
September 4, 2013

Approved by the Attorney General on
June 12, 2013

Approved by the Legislative Regulation Review
Committee on
August 27, 2013

Received and filed in the Office of the
Secretary of the State on
September 3, 2013

Electronic copy with agency head certification statement
submitted to the Office of the
Secretary of the State on
September 3, 2013

Published in the Connecticut Law Journal on

Purpose and Legal Disclaimer: This form was designed to facilitate submission of the "statement from the department head" required by CGS 4-172(a) as amended by PA 12-92, Section 6. This form does not constitute legal advice. The Office of the Secretary of the State (SOTS) is not authorized to provide legal advice to state agencies. Consult with your agency's legal counsel before completing and submitting this form for filing

Instructions: (1) Save a copy of this document to your computer; (2) To enter data, use the Tab key to move between fields, or click-and-highlight an entire <text field>; (3) When complete, submit to your agency's legal counsel for review and approval; (4) After approval by counsel, PRINT and submit to your agency head for his/her original signature; (5) Scan the originally-signed form and submit it as an email attachment, along with the electronic copy of the regulation that the statement certifies, to regulations.sots@ct.gov; (6) retain the originally-signed copy for your agency's regulation-making record.

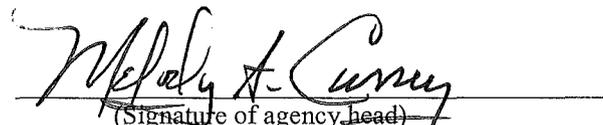
Submit the electronic copy and its certification statement to the Secretary of the State at regulations.sots@ct.gov concurrently with the paper copy of the original regulation, as required by CGS Section 4-172 as amended.

Electronic Copy Certification Statement

I, **Melody A. Currey, Commissioner of the Department of Motor Vehicles**, in accordance with the provisions of Section 4-172 of the *General Statutes of the State of Connecticut*, **do hereby certify:**

That the electronic copy of a regulation concerning "**Issuance of Driver's License with Restrictions**", which was approved by the Legislative Regulation Review Committee on **August 27, 2013**, and which shall be submitted electronically for filing to the Secretary of the State by **Anne F. Howroyd** of this agency on **September 3, 2013**, is a true and accurate copy of the original regulation approved in accordance with Sections 4-169 and 4-170 of the *General Statutes of the State of Connecticut*.

In testimony whereof, I have hereunto set my hand on **September 3, 2013**.


(Signature of agency head)

R-39 Rev. 03/2012
(Title page)

IMPORTANT: Read instructions on back of last page (Certification Page) before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations

State of Connecticut
REGULATION
of

NAME OF AGENCY

Department of Motor Vehicles

Concerning

SUBJECT MATTER OF REGULATION

Issuance of Driver's License with Restrictions

Section 14-36a-2 of the Regulations of Connecticut State Agencies is amended and the following is substituted in lieu thereof:

Sec. 14-36a-2. Issuance of a driver's license bearing restrictions

The commissioner may issue a driver's license bearing one or more of the following restrictions:

["A" – restricts the licensee in the operation of student transportation vehicles to transportation of students to school sponsored activities only;]

"B" – restricts the licensee to operation of motor vehicles only when such licensee is using corrective lenses;

"C" – restricts the licensee to [the] operation of motor vehicles only when such motor vehicles are equipped with special controls or equipment;

"D" – restricts the licensee to operation of motor vehicles only when such licensee is employing a prosthetic aid;

"E" – restricts the licensee to operation of motor vehicles only when such motor vehicles are equipped with an automatic transmission;

"F" – restricts the licensee to operation of motor vehicles only when such motor vehicles are equipped with dual external mirrors;

"G" – restricts the licensee to operation of motor vehicles only during periods of daylight;

"K" – restricts the licensee to [the] operation of commercial motor vehicles within this state as authorized in the Code of Federal Regulations, Title 49, section 383.153(a)(10), including, but not limited to, all licensees who are eighteen years of age or older but younger than twenty-one years of age;

"L" – restricts the licensee to [the] operation of commercial motor vehicles that are not equipped with air brakes, in accordance with the requirements of the Code of Federal Regulations, Title 49, Section 383.95;

“M” – restricts the licensee, in the operation of commercial motor vehicles requiring a passenger (P) endorsement, to only those vehicles listed in Group B or Group C of the Code of Federal Regulations, Title 49, Section 383.91;

“N” – restricts the licensee, in the operation of commercial motor vehicles requiring a passenger (P) endorsement, to only those vehicles listed in Group C of the Code of Federal Regulations, Title 49, Section 383.91;

“R” – restricts the licensee to operation of motor vehicles on roadways that are not limited access highways;

“U” – restricts the licensee to operation of commercial motor vehicles only when such licensee is using an operable hearing aid;

“V” – indicates the existence of a medical variance, issued by the Federal Motor Carrier Safety Administration, on the medical certificate of the operator of a commercial motor vehicle, such as an exemption, Skill Performance Evaluation (SPE) certification, or grandfathering provision in accordance with the requirements of the Code of Federal Regulations, Title 49, Section 391.49 or 391.64, thereby requiring the licensee to have in his or her possession the original or copy of the medical variance documentation at all times while on duty; and

“W” – indicates the licensee has qualified for a medical waiver for the operation of an intrastate commercial motor vehicle based upon medical certification or a Skill Performance Evaluation.

Statement of Purpose

Pursuant to CGS Section 4-170(b)(3), "Each proposed regulation shall have a statement of its purpose following the final section of the regulation." Enter the statement here.

This proposal is a technical revision. After the proposed regulation was Rejected without Prejudice on June 26, 2012, the Department inadvertently re-submitted to the Legislative Regulation Review Committee the wrong version of the previously rejected regulation and it was approved at the meeting of July 24, 2012.

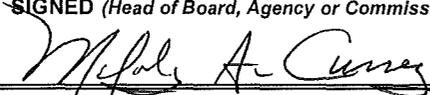
The Department of Motor Vehicles does not issue an "A" restriction on a driver's license, and it should not be among the enumerated restrictions in the recently approved regulation. This new proposal corrects the mistake which was the result of human error by deleting this erroneous restriction.

R-39 Rev. 03/2012
(Certification page—see Instructions on back)

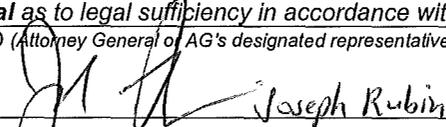
CERTIFICATION

This certification statement must be completed in full, including items 3 and 4, if they are applicable.

- 1) I hereby certify that the above (check one) Regulations Emergency Regulations
- 2) are (check all that apply) adopted amended repealed by this agency pursuant to the following authority(ies): (complete all that apply)
 - a. Connecticut General Statutes section(s) 14-36a.
 - b. Public Act Number(s) _____.
(Provide public act number(s) if the act has not yet been codified in the Connecticut General Statutes.)
- 3) And I further certify that notice of intent to adopt, amend or repeal said regulations was published in the **Connecticut Law Journal** on _____;
(Insert date of notice publication if publication was required by CGS Section 4-168.)
- 4) And that a public hearing regarding the proposed regulations was held on _____;
(Insert date(s) of public hearing(s) held pursuant to CGS Section 4-168(a)(7), if any, or pursuant to other applicable statute.)
- 5) And that said regulations are **EFFECTIVE** (check one, and complete as applicable)
 - When filed with the Secretary of the State
 - OR on (insert date) _____

DATE <u>5/23/13</u>	SIGNED (Head of Board, Agency or Commission) 	OFFICIAL TITLE, DULY AUTHORIZED <u>Commissioner DMEU</u>
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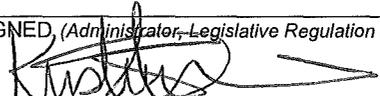
APPROVED by the Attorney General as to legal sufficiency in accordance with CGS Section 4-169, as amended

DATE <u>6/12/13</u>	SIGNED (Attorney General or AG's designated representative)  <u>Joseph Rubin</u>	OFFICIAL TITLE, DULY AUTHORIZED <u>ASSOC. ATTY. GENERAL</u>
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Proposed regulations are **DEEMED APPROVED** by the Attorney General in accordance with CGS Section 4-169, as amended, if the attorney General fails to give notice to the agency of any legal insufficiency within thirty (30) days of the receipt of the proposed regulation.

(For Regulation Review Committee Use ONLY)

- Approved Rejected without prejudice
- Approved with technical corrections Disapproved in part, (Indicate Section Numbers disapproved only)
- Deemed approved pursuant to CGS Section 4-170(c)

By the Legislative Regulation Review Committee in accordance with CGS Section 4-170, as amended	DATE <u>8/27/13</u>	SIGNED (Administrator, Legislative Regulation Review Committee) 
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Two certified copies received and filed and one such copy forwarded to the Commission on Official Legal Publications in accordance with CGS Section 4-172, as amended.

DATE	SIGNED (Secretary of the State)	BY
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(For Secretary of the State Use ONLY)

GENERAL INSTRUCTIONS

1. All regulations proposed for adoption, amendment or repeal, *except* emergency regulations, must be presented to the Attorney General for his/her determination of legal sufficiency. (See CGS Section 4-169.)
2. After approval by the Attorney General, the original and one electronic copy (in Word format) of all regulations proposed for adoption, amendment or repeal must be presented to the Legislative Regulation Review Committee for its action. (See CGS Sections 4-168 and 4-170 as amended by Public Act 11-150, Sections 18 and 19.)
3. Each proposed regulation section must include the appropriate regulation section number and a section heading. (See CGS Section 4-172.)
4. New language added to an existing regulation must be in underlining or CAPITAL LETTERS, as determined by the Regulation Review Committee. (See CGS 4-170(b).)
5. Existing language to be deleted must be enclosed in brackets []. (See CGS 4-170(b).)
6. A completely new regulation or a new section of an existing regulation must be preceded by the word "(NEW)" in capital letters. (See CGS Section 4-170(b).)
7. The proposed regulation must have a statement of its purpose following the final section of the regulation. (See CGS Section 4-170(b).)
8. The Certification Statement portion of the form must be completed, including all applicable information regarding *Connecticut Law Journal* notice publication date(s) and public hearing(s). (See more specific instructions below.)
9. Additional information regarding rules and procedures of the Legislative Regulation Review Committee can be found on the Committee's web site: <http://www.cga.ct.gov/rr/>.
10. A copy of the Legislative Commissioners' Regulations Drafting Manual is located on the LCO website at http://www.cga.ct.gov/lco/pdfs/Regulations_Drafting_Manual.pdf.

CERTIFICATION STATEMENT INSTRUCTIONS

(Numbers below correspond to the numbered sections of the statement)

1. Indicate whether the regulation is a regular or an emergency regulation adopted under the provisions of CGS Section 4-168(f).
2.
 - a) Indicate whether the regulations contains newly adopted sections, amendments to existing sections, and/or repeals existing sections. Check all cases that apply.
 - b) Indicate the specific legal authority that authorizes or requires adoption, amendment or repeal of the regulation. If the relevant public act has been codified in the most current biennial edition of the *Connecticut General Statutes*, indicate the relevant statute number(s) instead of the public act number. If the public act has not yet been codified, indicate the relevant public act number.
3. Except for emergency regulations adopted under CGS 4-168(f), and technical amendments to an existing regulation adopted under CGS 4-168(g), an agency must publish notice of its intent to adopt a regulation in the *Connecticut Law Journal*. Enter the date of notice publication.
4. CGS Section 4-168(a)(7) prescribes requirements for the holding of an agency public hearing regarding proposed regulations. Enter the date(s) of the hearing(s) held under that section, if any; also enter the date(s) of any hearing(s) the agency was required to hold under the provisions of any other law.
5. As applicable, enter the effective date of the regulation here, or indicate that it is effective upon filing with the Secretary of the State. Please note the information below.

Regulations are effective upon filing with the Secretary of the State or at a later specified date. See CGS Section 4-172(b) which provides that each regulation is effective upon filing, or, if a later date is required by statute or specified in the regulation, the later date is the effective date. An effective date may not precede the effective date of the public act requiring or permitting the regulation. Emergency regulations are effective immediately upon filing with the Secretary of the State, or at a stated date less than twenty days thereafter.