

Regulation of the
Department of Motor Vehicles

Concerning
**An Accident Prevention Course for Operators
Who Have Attained the Age of Sixty Years**

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
April 4, 2014

Effective Date
April 4, 2014

Approved by the Attorney General on
January 29, 2014

Approved by the Legislative Regulation Review
Committee on
March 25, 2014

Received and filed in the Office of the
Secretary of the State on
March 28, 2014

Electronic copy with agency head certification statement
submitted to the Office of the
Secretary of the State on
March 28, 2014

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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.

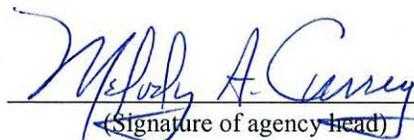
Submit the electronic copy and its certification statement to the Secretary of the State at regulations.sots@ct.gov concurrently with the paper copy of the original regulation, as required by CGS Section 4-172 as amended.

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 **An Accident Prevention Course for Operators Who Have Attained the Age of Sixty Years**, which was approved by the Legislative Regulation Review Committee on **March 25, 2014**, and which shall be submitted electronically for filing to the Secretary of the State by **Anne F. Howroyd** of this agency on **March 28, 2014**, 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 **March 28, 2014**.


(Signature of agency head)

IMPORTANT: Use this form (REGS-1) to submit permanent regulations to the Legislative Regulation Review Committee.
For emergency regulations, use form REGS-1-E instead.
For non-substantive technical amendments and repeals proposed without prior notice or hearing as permitted by subsection (g) of CGS 4-168, as amended by PA 13-247 and PA 13-274, use form REGS-1-T instead.

Please read the additional instructions on the back of the last page (Certification Page) before completing this form. Failure to comply with the instructions may cause disapproval of proposed regulations.

State of Connecticut
REGULATION
of the

NAME OF AGENCY:

Department of Motor Vehicles

Concerning

SUBJECT MATTER OF REGULATION:

**An Accident Prevention Course for Operators Who Have Attained
the Age of Sixty Years**

Section 1. Sections 38a-683-1 to 38a-386-2 of the Regulations of Connecticut State Agencies are amended and the following is substituted in lieu thereof:

Sec. 38a-683-1. Purpose

Section 38a-683-2, section 38a-683-4, section 38a-683-6 and section 38a-683-7 of the Regulations of Connecticut State Agencies are intended to comply with section 38a-683(b) and 38a-683 (c) of the Connecticut General Statutes, concerning the course content and other requirements of an accident prevention course for operators who have attained the age of sixty (60) years.

Sec. 38a-683-2. Definitions

Terms used in this regulation shall have the following meanings:

- (1) "Commissioner" means the Commissioner of Motor Vehicles.
- (2) "School" means an organization or agency that conducts an accident prevention course.
- (3) "Instructor" means an individual who has been trained and appointed by a school for the purpose of conducting an approved classroom accident prevention course.
- (4) "Classroom Accident Prevention Course" means an accident prevention program approved by the commissioner which meets the needs of an operator who has attained the age of sixty (60) years and is conducted in a classroom setting.
- (5) "Internet Accident Prevention Course" means an accident prevention program approved by the commissioner which meets the needs of an operator who has attained the age of sixty (60) years and is offered on the Internet.
- (6) "Certificate" means a document or form issued to all persons who have completed an approved accident prevention course.

Sec.2. Section 38a-683-4 to 38a-683-4a of the Regulations of Connecticut State Agencies are amended and the following is substituted in lieu thereof:

Sec. 38a-683-4. Classroom accident prevention course approval

To be approved, an accident prevention course offered in a classroom setting for operators who have attained the age of sixty (60) years shall meet the following minimum requirements:

- (1) Provide, but need not be limited to, [seven hours of classroom instruction] the amount of time established pursuant to subsection (a) of section 38a-683 of the Connecticut General Statutes.
- (2) Include instruction in problems that confront the operator who has attained the age of sixty (60) years relative to driving frustrations and effects of aging on individual driving behavior;
- (3) Include instruction in the effects of alcohol, drugs or other medication on one's capabilities;
- (4) Include instruction in current accident prevention measures, e.g., proper following techniques and handling unexpected driving emergencies;
- (5) Include instruction in other subject areas including risk acceptance and one's personality as it affects driving, and perceptual problems likely to be encountered in various driving environments; and
- (6) Use only those instructors who have been trained and appointed for the purpose of conducting an approved accident prevention program.

Sec. 38a-683-4a. Internet accident prevention course approval

An accident prevention course offered on the Internet for operators who have attained the age of sixty (60) years shall be submitted to the commissioner for approval. To be approved, an accident prevention course, offered on the Internet for operators who have attained the age of sixty (60) years, shall meet the requirements established in this section:

- (a) The content of a course offered on the Internet shall include the following:
 - (1) Instruction in problems that confront the operator who has attained the age of sixty (60) years relative to driving frustrations and effects of aging on individual driving behavior;
 - (2) Instruction in the effects of alcohol, drugs or other medication on one's capabilities;
 - (3) Instruction in current accident prevention measures, e.g., proper following techniques and handling unexpected driving emergencies; and
 - (4) Instruction in other subject areas including risk acceptance and one's personality as it affects driving, and perceptual problems likely to be encountered in various driving environments.
- (b) The procedure for administering such course offered on the Internet shall include the following:
 - (1) methods to ensure verification of the course enrollee's identity at the time of registration and throughout the duration of such course;
 - (2) methods to ensure verification of the participation of the course enrollee throughout the duration of such course;
 - (3) methods to ensure verification of the completion of such course by the course enrollee within thirty (30) days of his/her registering for such course; and
 - (4) methods to ensure verification of the successful completion of such course by the enrollee.
- (c) The commissioner may periodically review the administration of the course offered on the Internet to determine its compliance with the requirements of subsections (a) and (b) of this section. If the commissioner finds that the content of such course or the procedure for administering such course has not satisfied the requirements of the original approval, he or she may mandate that modifications be made to maintain approval.

Sec. 3. Section 38a-683-6 of the Regulations of Connecticut State Agencies is amended and the following is substituted in lieu thereof:

Sec. 38a-683-6. Certificate of accident prevention course completion

- (a) Each participant successfully completing an approved accident prevention course shall be issued a certificate of course completion, which shall include the following information:
 - (1) Name of student;

- (2) Student's date of birth;
 - (3) Student's address;
 - (4) Date of accident prevention course completion;
 - (5) Name of school;
 - (6) If the course is presented in a classroom, the instructor's signature or ID number;
 - (7) If the course is presented on the Internet, and requires a final examination, the signature or ID number of the school representative administering the final examination, in a classroom setting, to the individual who has successfully completed the approved Internet accident prevention course; and
 - (8) If the course is presented on the [internet] Internet, any information in addition to the applicable requirements of this subsection, that the commissioner may require as a condition of his course approval, as provided for in section 38a-683-4a of the Regulations of Connecticut State Agencies.
- (b) A certificate of accident prevention course completion shall be submitted to the commissioner for approval prior to its use. No school shall use any form which has not been approved.

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.

To comply with the provisions of Public Act 2010-53 and Public Act 2013 -271 by eliminating the Commissioner's authority to establish the number of hours of classroom instruction, as this requirement is now established by the legislative branch of government.

(Certification page—see Instructions on back)

CERTIFICATION

This certification statement must be completed in full.

I hereby certify that the above Regulation(s)

- 1) is/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)** 38a-683.
- b. **Public Act Number(s)** _____.
 (Provide public act number(s) if the authorizing act has not yet been codified in the Connecticut General Statutes.)

And I further certify

- 2) that **Notice of Intent** to adopt, amend or repeal said regulation(s) was electronically submitted to the Secretary of the State on 11/13/2013, and posted to the Secretary's regulations website on 11/15/2013; (Insert dates notice was (a) emailed to the Secretary of the State and (b) posted on the Secretary's website, if notice and posting were required by CGS 4-168, as amended by PA 13-247 and PA 13-274.)
- 3) and that a public hearing regarding the proposed regulation(s) was held on _____ or that no public hearing was held; (Insert date(s) of mandatory public hearing(s) held pursuant to CGS 4-168(a), as amended, or other applicable statute, and/or voluntary hearing, or if no hearing was held, check the box for that statement.)
- 4) and that notice of **Decision to Take Action** on said regulations was electronically submitted to the Secretary of the State on 1/08/2014, and posted to the Secretary's regulations website on 1/10/2014; (Insert dates notice was (a) emailed to the Secretary of the State and (b) posted on the Secretary's website, if notice and posting were required by CGS 4-168, as amended by PA 13-247 and PA 13-274.)
- 5) and that said regulation(s) is/are **EFFECTIVE** (check one, and complete as applicable)
 When posted online by the Secretary of the State.

OR on (insert date) _____.

6) SIGNED (Head of Board, Agency or Commission) <i>Melody A. Gering</i>	OFFICIAL TITLE, DULY AUTHORIZED Commissioner	DATE <u>1/22/14</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>1/29/14</u>	SIGNED (Attorney General or AG's designated representative) <i>Joseph Rubin</i>	OFFICIAL TITLE, DULY AUTHORIZED ASSOC. ATTY. GENERAL

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 in WHOLE or WITH technical corrections deletions substitute pages

DEEMED APPROVED, pursuant CGS 4-170(c), as amended.

Rejected without Prejudice Disapproved, pursuant to CGS 4-170(c), as amended.

By the Legislative Regulation Review Committee in accordance with CGS Section 4-170, as amended	DATE <u>March 25, 2014</u>	SIGNED (Administrator, Legislative Regulation Review Committee) <i>[Signature]</i>
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In accordance with CGS Section 4-172, as amended by PA 13-247 and PA 13-274, one certified paper copy and one electronic copy with agency head certification statement received on the date(s) specified below.

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

Date Posted to SOTS Regulations Website:

Date Electronic Copy Forwarded to the Commission on Official Legal Publications:

SOTS file stamp: