

Regulation of the
Department of Motor Vehicles

Concerning
**Assessment of Points Against an Operator's
License for Motor Vehicle Law Violations**

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
June 1, 2015

Effective Date
June 1, 2015

Approved by the Attorney General on
March 10, 2015

Approved by the Legislative Regulation Review
Committee on
May 26, 2015

Received and filed in the Office of the
Secretary of the State on
May 28, 2015

Electronic copy with agency head certification statement
submitted to the Office of the
Secretary of the State on
May 28, 2015

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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.

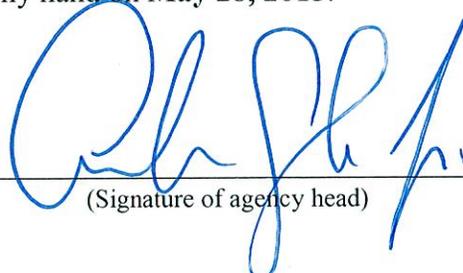
Submit the electronic copy and its certification statement to the Secretary of the State at regulations.sots@ct.gov concurrently with the paper copy of the original regulation, as required by CGS Section 4-172 as amended.

Electronic Copy Certification Statement

I, **Andres Ayala, Jr., 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 "**Assessment of Points Against an Operator's License for Motor Vehicle Law Violations**", which was approved by the Legislative Regulation Review Committee on **May 26, 2015**, and which shall be submitted electronically for filing to the Secretary of the State by **Anne F. Howroyd** of this agency on **May 28, 2015**, 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 **May 28, 2015**.



(Signature of agency head)

REGS-1 Rev. 09/2013
(Title page)

For permanent regulations
First NOTICED ON AND AFTER JULY 1, 2013

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:

Assessment of Points Against an Operator's License for Motor Vehicle Law Violations

Section 14-137a-5 of the Regulations of Connecticut State Agencies is amended and the following is substituted in lieu thereof:

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. 14-296aa—Use of hand-held mobile telephone and mobile electronic devices by motor vehicle operators and school bus drivers; and
- (14) Sec. 14-303—Wrong way on one-way street.

(b) **Two points shall be assessed for:**

- (1) Sec. 14-100a(d)—Failure to use child restraint system or seat belt;
- (2) Sec. 14-212d—Failure to obey highway work zone safety laws;
- (3) Sec. 14-220(a)—Slow speed, impeding traffic;
- (4) Sec. 14-223(a)—Disobeying orders of officer;

- (5) Sec. 14-238—Entering or leaving controlled access highway at other than designated entrance or exit;
- (6) Sec. 14-238a—Entry upon a limited access highway other than a highway intersection or designated point;
- (7) Sec. 14-241—Executing turn from wrong lane or contrary to traffic control devices;
- (8) Sec. 14-249—Failure to obey signal at railroad crossing;
- (9) 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;
- (10) Sec. [14-298a] 14-298—Failure to observe parkway or expressway restrictions;
- (11) Sec. 14-299—Failure to obey traffic control signal light;
- (12) Sec. 14-301—Failure to obey stop sign;
- (13) Sec. 14-302—Failure to obey yield sign; and
- (14) Sec. 14-304—Operating a vehicle through pedestrian safety zone.
- (c) **Three points shall be assessed for:**
- (1) Sec. 14-231—Failure to keep to right when meeting opposing traffic;
- (2) Sec. 14-232—Improper passing or failure to yield to passing vehicle;
- (3) Sec. 14-233—Passing on right;
- (4) Sec. 14-234—Passing in no passing zone;
- (5) Sec. 14-235—Failure to keep to right on curve, grade or when approaching intersection;
- (6) Sec. 14-240—Failure to drive reasonable distance apart;
- (7) Sec. 14-245—Failure to grant right of way at intersection;
- (8) Sec. 14-246a—Failure to grant right of way at junction of highways;
- (9) Sec. 14-247—Failure to yield when emerging from driveway or private road;
- (10) Sec. 14-247a—Failure to grant right of way when emerging from alley, driveway or building;
- (11) Sec. 14-283—Failure to grant right of way to ambulance, police or fire apparatus;
- (12) Sec. 14-300(c)—Failure to grant right of way to pedestrian; and
- (13) Sec. 14-300(d) —Failure to grant right of way to a pedestrian who is blind.
- (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; and
- (3) Sec. 14-279—Passing stopped school bus.
- (e) **Five points shall be assessed for:**
- (1) Sec. 14-281a(a)—Operation of school bus at excessive speed; and
- (2) Sec. 14-222a—Negligent homicide with a motor vehicle.
- (f) **No points shall be assessed for:** an infraction or any violation specified in subsection (b) of section 51-164n of the Connecticut General Statutes for which the person sends payment of the fine and any additional fees or costs established for such infraction or violation to the Centralized Infractions Bureau in accordance with the provisions of subsection (c) of section 51-164n of the Connecticut General Statutes, unless such infraction or violation is subject to an exception specified in section 14-137a of the Connecticut General Statutes.

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.

Early in the drafting phase of this regulation, which became effective on July 2, 2014, one of the enumerated statutory citations was inadvertently changed from section 14-298 to 14-298a. To further complicate the matter, the errant change was not underlined, so it appeared to be existing language, thus escaping notice. This technical amendment to the newly adopted regulation will correct this drafting error. A grammatical correction (adding a preposition) is also included in the proposal.

REGS-1 Rev. 09/2013

(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)** 14-137a.
- 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 December 16, 2014, and posted to the Secretary's regulations website on December 22, 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.)
- 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 January 23, 2015, and posted to the Secretary's regulations website on January 30, 2015; (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)	OFFICIAL TITLE, DULY AUTHORIZED Commissioner of Motor Vehicles	DATE <u>2/2/15</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>3/10/15</u>	SIGNED (Attorney General or AG's designated representative) <u>Joseph Rubin</u>	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>5-26-15</u>	SIGNED (Administrator, Legislative Regulation Review Committee) <u>[Signature]</u>
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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:

REGS-1 Rev. 09/2013
(Instructions page)

GENERAL INSTRUCTIONS

1. All regulations proposed for adoption, amendment or repeal, *except* emergency regulations, must be presented to the Attorney General for 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 Section 4-168, as amended by PA 13-247, section 28, and PA 13-274, and CGS Section 4-170.)
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 this form must be completed, including all applicable information regarding notice submission and website posting 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 Certification Statement page)

1. a) Indicate whether the regulation contains newly adopted sections, amendments to existing sections, and/or repeals of existing sections. **Check all cases that apply.**
b) Indicate the specific legal authority that permits 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.
2. An agency must electronically submit notice of its intent to adopt the regulation to the Secretary of the State at regulations.sots@ct.gov for posting on the Secretary's regulations website. Enter both the date notice of intent was submitted to the Secretary of the State *and* the date the notice was posted on the Secretary's website. For emergency regulations, use Form Regs-1-E instead of this form. For non-substantive technical amendments and repeals adopted without prior notice or hearing as permitted by subsection (g) of CGS 4-168, use Form REGS-1-T instead of this form.
3. CGS 4-168(a), as amended by PA 13-247 and PA 13-274, prescribes requirements for holding a public hearing on proposed regulations. Enter the date(s) of all 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; and enter the date(s) of any public hearing(s) the agency elected to hold voluntarily. If no public hearing was held, mark (X) the check box.
4. **NEW REQUIREMENT:** CGS 4-168(d), as amended by PA 13-247 and PA 13-274, prescribes requirements electronically submitting notice of decision to take action (proceed with adoption) of a proposed regulation for posting to the Secretary's regulations webpage. Enter both the date notice of decision was submitted to the Secretary of the State *and* the date the notice was posted on the Secretary's website.
5. As applicable, enter the specific effective date of the regulation; or indicate that it is effective upon posting online by the Secretary of the State. **Please note the important information below.**
Permanent regulations adopted after July 1, 2013 are effective upon posting online by the Secretary of the State (SOTS), or at a *later* date specified by the agency, or at a *later* date if required by statute. See CGS 4-172(b). An effective date may not precede the date of posting online by SOTS, and it may not precede the effective date of the public act requiring or permitting the regulation.
6. Submit the original proposed regulation to your agency commissioner for signature.