



General Assembly

February Session, 2006

Raised Bill No. 511

LCO No. 2520



Referred to Committee on **TRANSPORTATION**

Introduced by:  
(TRA)

**AN ACT CONCERNING THE TOWING OF UNREGISTERED VEHICLES  
AND SPECIAL LICENSE PLATES.**

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

- 1 Section 1. Section 14-150 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2006*):
- 3 (a) Any person who abandons any motor vehicle within the limits of  
4 any highway or upon property other than such person's own without  
5 the consent of the owner thereof for a period longer than twenty-four  
6 hours shall have committed an infraction and shall be fined not less  
7 than eighty-five dollars. The last owner of record of a motor vehicle  
8 found abandoned, as shown by the files of the Department of Motor  
9 Vehicles, shall be deemed prima facie to have been the owner of such  
10 motor vehicle at the time it was abandoned and the person who  
11 abandoned the same or caused or procured its abandonment.
- 12 (b) Any inspector of the Department of Motor Vehicles, any officer  
13 attached to an organized police department, any enforcement officer of

14 a parking authority authorized under an ordinance adopted pursuant  
15 to section 7-204a to enforce parking regulations in the municipality in  
16 which it is located or any state police officer upon discovery of any  
17 motor vehicle, whether situated within or without any highway of this  
18 state, which is a menace to traffic or public health or safety, shall take  
19 such motor vehicle into such inspector's or officer's custody and cause  
20 the same to be taken to and stored in a suitable place.

21 (c) Any inspector of the Department of Motor Vehicles, any officer  
22 attached to an organized police department, any enforcement officer of  
23 a parking authority authorized under an ordinance adopted pursuant  
24 to section 7-204a to enforce parking regulations in the municipality in  
25 which it is located or any state police officer, upon discovery of any  
26 motor vehicle apparently abandoned or a motor vehicle without  
27 proper registration or insurance, whether situated within or without  
28 any highway of this state, shall, [affix] at his or her discretion, either:  
29 (1) Affix to such motor vehicle a notification sticker in a manner so as  
30 to be readily visible. This notification sticker shall contain the  
31 following information: [(1)] (A) The date and time the notification  
32 sticker was affixed to the motor vehicle; [(2)] (B) a statement that  
33 pursuant to this section, if the motor vehicle is not removed within  
34 twenty-four hours of the time the sticker was affixed, it shall be taken  
35 into custody and stored at the owner's expense; [(3)] (C) the location  
36 and telephone number where additional information may be obtained;  
37 and [(4)] (D) the identity of the affixing officer. If the motor vehicle is  
38 not removed within such twenty-four-hour period, the affixing  
39 department or parking authority shall take such motor vehicle into its  
40 custody and cause the same to be stored in a suitable place, except that  
41 such department or parking authority shall make a reasonable attempt  
42 to notify the owner of any such motor vehicle which is determined to  
43 be stolen prior to taking such vehicle into its custody and shall allow  
44 such owner to make arrangements for removal of such vehicle, or (2)  
45 take such motor vehicle into such inspector's or officer's custody and  
46 cause the same to be taken to and stored in a suitable place.

47 (d) If the motor vehicle has no registration marker plates or invalid  
 48 registration marker plates, and if such inspector or officer makes a  
 49 determination in good faith that (1) the motor vehicle is apparently  
 50 abandoned, (2) the market value of such motor vehicle in its current  
 51 condition is five hundred dollars or less, and (3) the motor vehicle is so  
 52 vandalized, damaged, or in disrepair as to be unusable as a motor  
 53 vehicle, title to such motor vehicle shall, upon taking custody of such  
 54 motor vehicle, immediately vest in the municipality in which the  
 55 motor vehicle was discovered. [Within] Not later than forty-eight  
 56 hours [of] after the time that such motor vehicle is taken into custody,  
 57 the affixing department or parking authority shall notify the  
 58 Commissioner of Motor Vehicles, in writing, of the vehicle  
 59 identification number and a description of the motor vehicle. Upon  
 60 sale or other disposition of the motor vehicle, the affixing department  
 61 or parking authority shall give written notice by certified mail to the  
 62 person who was the owner of such motor vehicle at the time of  
 63 abandonment, if known, which notice shall state that the motor vehicle  
 64 has been sold or otherwise disposed of. The proceeds of the sale or  
 65 disposition, or the fair market value of the motor vehicle in its current  
 66 condition, whichever is greater, less the towing and sale or disposal  
 67 expenses and the amount of any fines due, shall be paid to such person  
 68 or such person's representatives, if claimed by such person or them  
 69 [within] not later than one year [from] after the date of sale. If such  
 70 balance is not claimed within such period, it shall escheat to the  
 71 municipality. If the expenses incurred by the municipality for towing  
 72 and the sale or disposition of such motor vehicle and any such fines  
 73 exceed the proceeds of such sale or disposition, such person shall be  
 74 liable to such municipality for such excess amount.

75 (e) [Within] Not later than forty-eight hours [of] after the time that a  
 76 motor vehicle is taken into custody and stored pursuant to subsection  
 77 (b) or (c) of this section, the affixing department or parking authority  
 78 shall give written notice by certified mail to the owner and any  
 79 lienholders of such motor vehicle, if the same appears on the records of  
 80 the Department of Motor Vehicles, which notice shall state (1) that the

81 motor vehicle has been taken into custody and stored, (2) the location  
82 of storage of the motor vehicle, (3) that, unless title has already vested  
83 in the municipality pursuant to subsection (d) of this section, such  
84 motor vehicle may be sold after fifteen days if the market value of such  
85 motor vehicle does not exceed one thousand five hundred dollars or  
86 after forty-five days if the value of such motor vehicle exceeds one  
87 thousand five hundred dollars, and (4) that the owner has a right to  
88 contest the validity of such taking by application, on a form prescribed  
89 by the Commissioner of Motor Vehicles, to the hearing officer named  
90 in such notice [within] not later than ten days [from] after the date of  
91 such notice. Such application forms shall be made readily available to  
92 the public at all offices of the Department of Motor Vehicles, parking  
93 authorities authorized under an ordinance adopted pursuant to section  
94 7-204a to enforce parking regulations and state and local police  
95 departments.

96 (f) (1) The chief executive officer of each town shall appoint a  
97 suitable person, who shall not be a member of any state or local police  
98 department, to be a hearing officer to hear applications to determine  
99 whether or not the towing within such municipality of such motor  
100 vehicle was authorized under the provisions of this section. Two or  
101 more towns may join in appointing such hearing officer; provided any  
102 such hearing shall be held at a location which is as near to the town  
103 within which such motor vehicle was towed as is reasonable and  
104 practicable. The commissioner shall establish by regulation the  
105 qualifications necessary for hearing officers and procedures for the  
106 holding of such hearings. If it is determined at such hearing that the  
107 vehicle was not a menace to traffic, abandoned or unregistered, as the  
108 case may be, the owner of such motor vehicle shall not be liable for any  
109 expenses incurred as a result of the taking and storage of such motor  
110 vehicle, the lien provisions of this section shall not apply to such  
111 owner, and the department which took and stored such motor vehicle  
112 shall be liable for such expenses. If the owner, prior to such  
113 determination, pays such expenses and the storage charges of such  
114 motor vehicle, and it is determined at such hearing that the motor

1067

115 vehicle was not a menace to traffic, abandoned or unregistered, as the  
116 case may be, the department or parking authority which took such  
117 motor vehicle shall be liable to such owner for the amount paid by  
118 such owner. Any person aggrieved by the decision of such hearing  
119 officer may, [within] not later than fifteen days [of] after the notice of  
120 such decision, appeal to the superior court for the judicial district  
121 wherein such hearing was held.

122 (2) The chief executive officer of each municipality shall designate a  
123 suitable person who shall be responsible for the collection of data  
124 concerning abandoned motor vehicles within such municipality and  
125 the preparation and submission of periodic reports to the  
126 Commissioner of Motor Vehicles which shall contain such information  
127 as the commissioner may require.

128 (g) The owner or keeper of any garage or other place where such  
129 motor vehicle is stored shall have a lien upon the same for such  
130 owner's or keeper's storage charges. Unless title has already vested in  
131 the municipality pursuant to subsection (d) of this section, if the  
132 current market value of such motor vehicle as determined in good  
133 faith by such owner or keeper does not exceed one thousand five  
134 hundred dollars and such motor vehicle has been stored for a period of  
135 not less than fifteen days, such owner or keeper may, unless an  
136 application filed by the owner pursuant to subsection (e) of this section  
137 is pending and the owner of such motor vehicle has notified such  
138 owner or keeper that such application for hearing has been filed, sell  
139 the same for storage and towing charges owed thereon, provided a  
140 notice of intent to sell shall be sent to the commissioner, the owner and  
141 any lienholder of record of such motor vehicle, if known, five days  
142 before the sale of such vehicle. If the current market value of such  
143 motor vehicle as determined in good faith by such owner or keeper  
144 exceeds one thousand five hundred dollars and if such motor vehicle  
145 has been so stored for a period of forty-five days, such owner or keeper  
146 shall, unless an application filed by the owner pursuant to subsection  
147 (e) of this section is pending and the owner of such motor vehicle has

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SECTION

148 notified such owner or keeper that such application for hearing has  
149 been filed, sell the same at public auction for cash, at such owner's or  
150 keeper's place of business, and apply the avails of such sale toward the  
151 payment of such owner's or keeper's charges and the payment of any  
152 debt or obligation incurred by the officer who placed the same in  
153 storage, provided if the last place of abode of the owner of such motor  
154 vehicle is known to or may be ascertained by such garage owner or  
155 keeper by the exercise of reasonable diligence, notice of the time and  
156 place of sale shall be given to such owner and any lienholder of record  
157 by mailing such notice to such owner in a registered or certified letter,  
158 postage paid, at such last usual place of abode, at least five days before  
159 the time of sale. At any public auction held pursuant to this subsection,  
160 such garage owner or keeper may set a minimum bid equal to the  
161 amount of such owner's or keeper's charges and obligations with  
162 respect to the tow and storage of the motor vehicle. If no such bid is  
163 made, such owner or keeper may sell or dispose of such vehicle.

164 (h) The garage owner or keeper shall report the sales price, storing,  
165 towing and repair charges, if any; buyer's name and address;  
166 identification of the vehicle and such other information as may be  
167 required in regulations which shall be adopted by the commissioner in  
168 accordance with the provisions of chapter 54, to the commissioner  
169 [within] not later than fifteen days after the sale of the motor vehicle.  
170 The proceeds of such sale, after deducting the amount due such garage  
171 owner or keeper and all expenses connected with such sale, including  
172 the expenses of the officer who placed such motor vehicle in storage,  
173 shall be paid to the owner of such motor vehicle or such owner's legal  
174 representatives, if claimed by such owner or them at any time within  
175 one year from the date of such sale. If such balance is not claimed  
176 within said period, it shall escheat to the state.

177 (i) If the owner of such motor vehicle placed in storage in  
178 accordance with the provisions of this section does not claim such  
179 motor vehicle within thirty days, the owner of such garage or other  
180 place of storage shall, within forty days of the date such motor vehicle

1067

181 was placed in storage with such owner, send a written notice to the  
182 commissioner, stating the make, engine number and chassis number of  
183 such motor vehicle, the date such motor vehicle was left with such  
184 owner for storage and by whom and the registration number thereof if  
185 any number plates are on such motor vehicle, which notice shall be  
186 placed on file by the commissioner and shall be subject to public  
187 inspection. The fee for filing such notice shall be five dollars. Any sale  
188 under the provisions of this section shall be void, unless the notice  
189 required by this section has been given to the commissioner.

190 (j) The Commissioner of Motor Vehicles shall adopt regulations, in  
191 accordance with the provisions of chapter 54, (1) specifying the  
192 circumstances under which title to any motor vehicle abandoned  
193 within the limits of any highway may be transferred to any person,  
194 firm or corporation towing such vehicle, and (2) establishing the  
195 procedure whereby such person, firm or corporation may obtain title  
196 to such motor vehicle.

197 Sec. 2. Section 14-253a of the general statutes is repealed and the  
198 following is substituted in lieu thereof (*Effective July 1, 2006*):

199 (a) For the purposes of this section:

200 (1) "Special license plate" means a license plate displaying the  
201 international symbol of access in a size identical to that of the letters or  
202 numerals on the plate and in a color that contrasts with the  
203 background color of the plate;

204 (2) "Removable windshield placard" means a two-sided, hanger-  
205 style placard which bears on both of its sides: (A) The international  
206 symbol of access in a height of three inches or more centered on such  
207 placard and colored white on a blue background; (B) a unique  
208 identification number; (C) a date of expiration; and (D) a statement  
209 indicating that the Connecticut Department of Motor Vehicles issued  
210 such placard;

211 (3) "Temporary removable windshield placard" means a placard  
212 that is the same as a removable windshield placard except that the  
213 international symbol of access appears on a red background.

214 (b) The Commissioner of Motor Vehicles shall accept applications  
215 and renewal applications for special license plates and removable  
216 windshield placards from (1) any person who is blind, as defined in  
217 section 1-1f; (2) any person with disabilities which limit or impair the  
218 ability to walk, as defined in 23 CFR Part 1235.2; (3) any parent or  
219 guardian of any blind person or person with disabilities who is under  
220 eighteen years of age at the time of application; and (4) any  
221 organization which meets criteria established by the commissioner and  
222 which certifies to the commissioner's satisfaction that the vehicle for  
223 which a plate or placard is requested is primarily used to transport  
224 blind persons or persons with disabilities which limit or impair their  
225 ability to walk. Such applications shall be on a form prescribed by the  
226 commissioner and shall include certification of disability from a  
227 licensed physician or advanced practice registered nurse, licensed in  
228 accordance with the provisions of chapter 378, or of blindness from an  
229 ophthalmologist or an optometrist. In the case of persons with  
230 disabilities which limit or impair the ability to walk, the application  
231 shall also include certification from a licensed physician, an advanced  
232 practice registered nurse, licensed in accordance with the provisions of  
233 chapter 378, or a member of the handicapped driver training unit  
234 established pursuant to section 14-11b that the applicant meets the  
235 definition of persons with disabilities which limit or impair the ability  
236 to walk, as defined in 23 CFR Section 1235.2. The commissioner, in said  
237 commissioner's discretion, may accept the discharge papers of a  
238 disabled veteran, as defined in section 14-254, in lieu of such  
239 certification. The commissioner may require additional certification at  
240 the time of the original application or at any time thereafter. If a person  
241 who has been requested to submit additional certification fails to do so  
242 within thirty days of the request, or if such additional certification is  
243 deemed by the commissioner to be unfavorable to the applicant, the  
244 commissioner may refuse to issue or, if already issued, suspend or



1067

Raised Bill No. 511

245 revoke such special license plate or removable windshield placard. The  
246 fee for the issuance of a temporary removable windshield placard shall  
247 be five dollars. Any person whose application has been denied or  
248 whose special license plate or removable windshield placard has been  
249 suspended or revoked shall be afforded an opportunity for a hearing  
250 in accordance with the provisions of chapter 54.

251 (c) Any person who is eligible to obtain a special license plate  
252 pursuant to subsection (b) of this section and who has a motor vehicle  
253 registered in his name as a passenger vehicle, passenger and  
254 commercial vehicle or motorcycle shall be issued, upon approval of the  
255 application, number plates in accordance with the provisions of  
256 subsection (a) of section 14-21b, which shall bear letters or numerals or  
257 any combination thereof followed by the international access symbol.  
258 The commissioner shall not limit the number of sets of special license  
259 plates issued per applicant and shall issue sets of plates for each motor  
260 vehicle the applicant owns. The registration of any motor vehicle for  
261 which a special license plate is issued shall expire and be renewed as  
262 provided in section 14-22 and be subject to the fee provisions of section  
263 14-49, as amended. Any person eligible to obtain a special license plate  
264 pursuant to this section who transfers the expired registration of a  
265 motor vehicle owned by him and replaces his number plate with a  
266 special license plate shall be exempt from payment of any fee for such  
267 transfer or replacement. Any special license plate issued pursuant to  
268 this section shall be returned to the commissioner upon the subsequent  
269 change of residence to another state or death of the person to whom  
270 such special license plate was issued.

271 (d) Any removable windshield placard issued pursuant to this  
272 section shall be displayed by hanging it from the front windshield  
273 rearview mirror of the vehicle when utilizing a parking space reserved  
274 for persons with disabilities. If there is no rearview mirror in such  
275 vehicle, the placard shall be displayed in clear view on the dashboard  
276 of such vehicle. Upon request and payment of a fee prescribed by the  
277 commissioner, one additional placard shall be issued to applicants

278 who do not have special license plates.

279 (e) Vehicles displaying a special license plate or a removable  
280 windshield placard issued pursuant to this section or by authorities of  
281 other states or countries for the purpose of identifying vehicles  
282 permitted to utilize parking spaces reserved for persons with  
283 disabilities which limit or impair their ability to walk or blind persons,  
284 shall be allowed to park in an area where parking is legally  
285 permissible, for an unlimited period of time without penalty,  
286 notwithstanding the period of time indicated as lawful by any (1)  
287 parking meter, or (2) sign erected and maintained in accordance with  
288 the provisions of chapter 249, provided the operator of or a passenger  
289 in such motor vehicle is a blind person or a person with disabilities. A  
290 removable windshield placard shall not be displayed on any motor  
291 vehicle when such vehicle is not being operated by or carrying as a  
292 passenger the blind person or a person with disabilities to whom the  
293 removable windshield placard was issued. Vehicles bearing a special  
294 license plate shall not utilize parking spaces reserved for persons with  
295 disabilities when such vehicles are not being operated by or carrying  
296 as a passenger the blind person or a person with disabilities to whom  
297 such special license plate was issued.

298 (f) Only those motor vehicles displaying a plate or placard issued  
299 pursuant to this section shall be authorized to park in public or private  
300 areas reserved for exclusive use by blind persons or persons with  
301 disabilities, except that any ambulance, as defined in section 19a-175,  
302 which is transporting a patient may park in such area for a period not  
303 to exceed fifteen minutes while assisting such patient. Any motor  
304 vehicle parked in violation of the provisions of this subsection for the  
305 third or subsequent time shall be subject to being towed from such  
306 designated area. Such vehicle shall be impounded until payment of  
307 any fines incurred is received. No person, firm or corporation engaged  
308 in the business of leasing or renting motor vehicles without drivers in  
309 this state may be held liable for any acts of the lessee constituting a  
310 violation of the provisions of this subsection.

311 (g) The State Traffic Commission, on any state highway, or local  
 312 traffic authority, on any highway or street under its control, shall  
 313 establish parking spaces in parking areas for twenty or more cars in  
 314 which parking shall be prohibited to all motor vehicles except vehicles  
 315 displaying a special license plate or a removable windshield placard  
 316 issued pursuant to this section. Parking spaces in which parking shall  
 317 be prohibited to all motor vehicles except vehicles displaying such  
 318 special plate or placard shall be established in private parking areas for  
 319 two hundred or more cars according to the following schedule:

T1	Total Number	Number of Special
T2	Of Parking Lot Spaces	Parking Spaces Required
T3	0 - 200	Exempt
T4	201 - 1000	1.0%
T5	1001 - 2000	10 plus 0.8% of spaces over 1000
T6		
T7	2001 - 3000	18 plus 0.6% of spaces over 2000
T8		
T9	3001 - 4000	24 plus 0.4% of spaces over 3000
T10		
T11	4001 or more	28 plus 0.2% of spaces over 4000
T12		

320 All such spaces shall be designated as reserved for exclusive use by  
 321 handicapped persons and identified by the use of signs in accordance  
 322 with subsection (h) of this section. Such parking spaces shall be  
 323 adjacent to curb cuts or other unobstructed methods permitting  
 324 sidewalk access to a blind or handicapped person and shall be fifteen  
 325 feet wide, including three feet of cross hatch, or be parallel to a  
 326 sidewalk. The provisions of this subsection shall not apply (1) in the  
 327 event the State Building Code imposes more stringent requirements as  
 328 to the size of the private parking area in which special parking spaces

329 are required or as to the number of special parking spaces required, or  
330 (2) in the event a municipal ordinance imposes more stringent  
331 requirements as to the size of existing private parking areas in which  
332 special parking spaces are required or as to the number of special  
333 parking spaces required.

334 (h) Parking spaces designated for the handicapped on or after  
335 October 1, 1979, and prior to October 1, 2004, shall be as near as  
336 possible to a building entrance or walkway and shall be fifteen feet  
337 wide including three feet of cross hatch, or parallel to a sidewalk on a  
338 public highway. On and after October 1, 2004, parking spaces for  
339 passenger motor vehicles designated for the handicapped shall be as  
340 near as possible to a building entrance or walkway and shall be fifteen  
341 feet wide including five feet of cross hatch. On and after October 1,  
342 2004, parking spaces for passenger vans designated for the  
343 handicapped shall be as near as possible to a building entrance or  
344 walkway and shall be sixteen feet wide including eight feet of cross  
345 hatch. Such spaces shall be designated by above grade signs with  
346 white lettering against a blue background and shall bear the words  
347 "handicapped parking permit required" and "violators will be fined".  
348 Such sign shall also bear the international symbol of access. When such  
349 a sign is replaced, repaired or erected it shall indicate the minimum  
350 fine for a violation of subsection (f) of this section. Such indicator may  
351 be in the form of a notice affixed to such a sign.

352 (i) Any public parking garage or terminal, as defined in the State  
353 Building Code, constructed under a building permit application filed  
354 on or after October 1, 1985, and prior to October 1, 2004, shall have  
355 nine feet six inches vertical clearance at a primary entrance and along  
356 the route to at least two parking spaces which conform with the  
357 requirements of subsection (h) of this section and which have nine feet  
358 six inches' vertical clearance unless an exemption has been granted  
359 pursuant to the provisions of subsection (b) of section 29-269. Each  
360 public parking garage or terminal, as defined in the State Building  
361 Code, constructed under a building permit application filed on or after

(1067)

Raised Bill No. 511

362 October 1, 2004, shall have eight feet two inches' vertical clearance at a  
363 primary entrance and along the route to at least two parking spaces for  
364 passenger vans which conform with the requirements of subsection (h)  
365 of this section and which have eight feet two inches' vertical clearance  
366 unless an exemption has been granted pursuant to the provisions of  
367 subsection (b) of section 29-269.

368 (j) The commissioner may suspend or revoke any plate or placard  
369 issued pursuant to this section when, after affording the person to  
370 whom such plate or placard was issued an opportunity for a hearing in  
371 accordance with chapter 54, the commissioner or his representative  
372 determines that such person has used or permitted the use of such  
373 plate or placard in a manner which violates the provisions of this  
374 section.

375 (k) Nothing in this section may be construed to allow a blind person  
376 or a person with disabilities who is a bona fide resident of the state to  
377 park in a public or private area reserved for the exclusive use of  
378 handicapped persons as provided in this section if such person does  
379 not display upon or within his vehicle a plate or placard issued  
380 pursuant to this section.

381 (l) Violation of any provision of this section shall be an infraction,  
382 provided the fine for violation of the provisions of subsection (f) of this  
383 section shall be not less than eighty-five dollars.

384 (m) The Commissioner of Motor Vehicles shall adopt regulations in  
385 accordance with the provisions of chapter 54, to carry out the  
386 provisions of this chapter and to establish a uniform system for the  
387 issuance, renewal and regulation of special license plates, removable  
388 windshield placards and temporary removable windshield placards.  
389 Such plates and placards shall be used only by persons to whom such  
390 plates and placards are issued.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2006</i>	14-150
Sec. 2	<i>July 1, 2006</i>	14-253a

**Statement of Purpose:**

To clarify when police can tow unregistered vehicles and to increase the number of special license plates issued per applicant.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*