

Sec. 14-37a-2. Eligibility for special operator's permit

(a) Except as provided in subsection (b), any person whose motor vehicle operator's license or nonresident operating privilege is suspended pursuant to any provision of chapter 246 or 248 of the Connecticut General Statutes may make application for a special operator's permit.

(b) The following persons shall not be eligible for a special operator's permit:

(1) A person whose motor vehicle operator's license or nonresident operating privilege is under suspension pursuant to section 14-215 of the Connecticut General Statutes;

(2) A person whose motor vehicle operator's license or nonresident operating privilege is under suspension pursuant to section 14-140 of the Connecticut General Statutes;

(3) A person whose motor vehicle operator's license or nonresident operating privilege is under suspension pursuant to subsection (i) of section 14-227b of the Connecticut General Statutes, if such person's operator's license or nonresident operating privilege has been suspended previously pursuant to subsection (i) of section 14-227b of the Connecticut General Statutes;

(4) A person whose motor vehicle operator's license or nonresident operating privilege is suspended due to a second or subsequent violation committed after a prior conviction pursuant to section 14-227a of the Connecticut General Statutes or section 14-111n(b)(2) of the Connecticut General Statutes.

(c) The commissioner shall not issue a special operator's permit in the following situations unless the person has a driving history, including motor vehicle violations, license suspensions and accidents, which indicates in the sole discretion of the commissioner that the person is a safe and responsible driver, and the commissioner finds that denial of a special operator's permit will cause a significant hardship to such person or his or her dependents:

(1) A person whose motor vehicle operator's license or nonresident operating privilege is under suspension for a violation of section 14-222 of the Connecticut General Statutes, or for a violation of section 14-223(b) of the Connecticut General Statutes, or for a violation of section 14-224 of the Connecticut General Statutes, and such person has on his or her official driving history, as maintained at the department, either two or more moving violations, as defined in section 14-111g of the Connecticut General Statutes or included in section 14-137a-5 of the Regulations of Connecticut State Agencies, or any previous violation resulting in an operator's license suspension, where such moving violation or such suspension occurred prior to the violation which resulted in the operator's license suspension of the person;

(2) A person whose motor vehicle operator's license or nonresident operating privilege is under suspension for a violation of 53a-56b of the Connecticut General Statutes, or for a violation of section 53a-60d of the Connecticut General Statutes, or whose suspension has been specifically recommended by a judge of the superior court pursuant to the provisions of section 14-141 of the Connecticut General Statutes following the conviction of any other violation related to the safe operation of a motor vehicle;

(3) A person to whom a special operator's permit has previously been issued in connection with an alcohol-related suspension of his or her operator's license or non-resident operating privilege;

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(4) A person who has on his or her official driving history three (3) or more moving violations included in section 14-111g of the Connecticut General Statutes or section 14-137a-5 of the Regulations of Connecticut State Agencies;

(5) A person who, at the time of application for the special operator's permit has on his or her official driving history an operator's license suspension for an indefinite period, except that upon resolution of such indefinite suspension, such person may be issued a special operator's permit if he is otherwise qualified; or

(6) A person whose driving history indicates that such person has been convicted of more than one alcohol related offense.

(d) In exercising the discretion granted in section (c) of this section, the commissioner may consider a conviction of an offense in another state, if the commissioner determines that the essential elements of such offense are substantially the same as any of the offenses enumerated in section (c) of this section.

(Adopted effective May 5, 2000; Amended April 13, 2007; Amended November 3, 2010)