

Secretary of the State File Number

6212

Regulation of the
Department of Motor Vehicles
Concerning

Special Operator's Permits

Regulations adopted after July 1, 2013, become effective upon posting to the Connecticut eRegulations System, or at a later date if specified within the regulation.

Posted to the Connecticut eRegulations System on **June 13, 2016**

EFFECTIVE DATE
June 13, 2016

Approved by the Attorney General on
March 23, 2016

Approved by the Legislation Regulation Review Committee on
May 24, 2016

Electronic copy with agency head certification statement electronically submitted to and received by the Office of the Secretary of the State on
June 2, 2016

The text of this approved regulation will be published in the Connecticut Law Journal

Form ICM-ECOPY (NEW 6/2015)
State of Connecticut
Secretary of the State



IMPORTANT NOTICE FOR CONNECTICUT STATE AGENCIES
This form should be used only for regulations first noticed on and after March 23, 2015.

Electronic Copy Certification Statement

(Submitted in accordance with the provisions of section 4-172 of the Connecticut General Statutes)

Regulation of the
Department of Motor Vehicles
Concerning
Special Operator's Permits

Approved by the Legislative Regulation Review Committee: **May 24, 2016**

eRegulations System Tracking Number: **PR2015-151**

I hereby certify that the electronic copy of the above-referenced regulation submitted herewith to the Secretary of the State is a true and accurate copy of the regulation approved in accordance with sections 4-169 and 4-170 of the *Connecticut General Statutes*.

And I further certify that in accordance with the approval of Legislative Regulation Review Committee, all required technical corrections, page substitutions and deletions, if any, have been incorporated into said regulation.

In testimony whereof, I have hereunto
set my hand on **June 2, 2016**.

A handwritten signature in blue ink, appearing to read "Michael R. Bzdyra", written over a horizontal line.

Michael Bzdyra

Commissioner

Department of Motor Vehicles

State of Connecticut
Regulation of
Department of Motor Vehicles
Concerning
Special Operator's Permits

Section 1. Section 14-37a-1 of the Regulations of Connecticut State Agencies is amended as follows:

Sec. 14-37a-1. Definitions

In sections 14-37a-2 through 14-37a-10 the following words shall have the following meanings:

[(1)] [“Accreditation” means the authorization of the Board of Governors of Higher Education, established pursuant to section 10a-2 of the Connecticut General Statutes, to operate a program or institution of higher learning or the equivalent authorization to operate a program or institution of higher learning granted by an equivalent board or authority in another state;]

[(2)](1) “Alcohol-related offense” means a conviction of a violation of section 14-227a of the Connecticut General Statutes, or conviction of a violation involving substantially similar conduct in another state, as reported to the commissioner in accordance with the provisions of section 14-111n [[c]] of the Connecticut General Statutes, or conviction of a violation of section 30-88, [or] 30-89, [or] 53a-56b or 53a-60d of the Connecticut General Statutes;

[(3)](2) “Classes or other required educational activities” means components of a program of higher learning sponsored and conducted by an [accredited] institution of higher education or a private occupational school and attested to by the registrar of such institution of higher education or private occupational school;

[(4)](3) “Commissioner” means the Commissioner of Motor Vehicles or [his or her] the commissioner’s designee;

[(5)](4) “Degree” means any letters or words, diploma, certificate or other symbol or document which signifies satisfactory completion of the requirements of a program of higher learning;

[(6)](5) “Department” means the Department of Motor Vehicles;

[(7)](6) “Education permit” means the special operator’s permit issued to a student for purposes of attending classes at an [accredited] institution of higher education or a private occupational school issued in accordance with section 14-37a of the Connecticut General Statutes;

[(8)](7) “Institution of higher education” means an entity which is licensed [or accredited] to offer one or more programs of higher learning leading to one or more degrees;

(8) “Private occupational school” has the same meaning as provided in section 10a-22a of the Connecticut General Statutes;

(9) “Program of higher learning” means any course of instruction;

(A) [for] For which it is stated or implied that college or university-level credit may be given or may be received by transfer; or

(B) Provided by a private occupational school;

(10) “Registrar” means the officer of an institution of higher education or private occupational school, or such officer’s designee, who creates and maintains records on the enrollment and academic standing of students;

(11) “Student” means a person enrolled in a program of higher learning at an institution of higher education or private occupational school within the United States [but] and does not include a person

enrolled in a secondary school [who is participating in advance placement or similar courses for which college or university level credit is provided], as prescribed in subsection (a) of section 14-37a of the Connecticut General Statutes;

(12) “Work Permit” means the special operator’s permit for purposes of employment issued in accordance with section 14-37a of the Connecticut General Statutes.

Sec. 2. Section 14-37a-3 of the Regulations of Connecticut State Agencies is amended and the following is substituted:

Sec. 14-37a-3. Application for special operator’s permit

(a) Application for a work permit shall be made by the operator on a form approved by the commissioner. Such form may be obtained from the department, and shall contain information required by the commissioner including the following:

- (1) Applicant’s name;
- (2) Applicant’s residence and mailing addresses;
- (3) Applicant’s operator’s license number and date of birth;
- (4) Applicant’s employer and place of employment including a business telephone number where his or her employment can be verified;
- (5) Applicant’s occupation or a description of his or her duties;
- (6) Applicant’s hours of employment;
- (7) The approximate distance from applicant’s present residence to his or her place of employment;
- (8) If applicant’s place of employment [and/or] or hours of employment are not fixed, an explanation of his or her duties and normal work schedule;
- (9) A statement indicating whether any public or alternative form of transportation, such as a car pool or vanpool, is available between the applicant’s residence and place of employment, and, if not, what efforts have been made to secure other transportation;
- (10) An explanation of the significant hardship that would occur if a work permit is not issued;
- (11) The name, signature and phone number of the person’s employer or of a person who can verify his or her employment schedule; and
- (12) The signature of the applicant together with a statement that the application, its attachments, and the statements therein are made under penalty of false statement as provided in sections 14-110 and 53a-157b of the Connecticut General Statutes. If the applicant has more than one employer, such information shall pertain to each employer.

(b) Application for an education permit shall be made by the operator on a form approved by the commissioner. Such form may be obtained from the department, and shall contain information required by the commissioner, including the following:

- (1) Applicant’s name;
- (2) Applicant’s student identification number;
- (3) Applicant’s permanent residence and mailing addresses as well as any non-permanent address that may be applicable relative to the applicant’s status as a student;
- (4) Applicant’s operator’s license number and date of birth;
- (5) The name and address of the institution of higher education or private occupational school at which the applicant is enrolled in classes or other required educational activities;
- (6) The name of the registrar and a telephone number where the applicant’s enrollment and schedule can be verified;
- (7) A certified copy of the applicant’s schedule of classes or other required educational activities

along with a fully executed release allowing such records to be provided to and confirmed by the Department;

(8) The approximate distance from applicant's present residence to the location(s) where classes or other required educational activities are conducted;

(9) The starting and ending dates of the applicant's classes or other required educational activities;

(10) A statement indicating whether any public or alternative form of transportation, such as a car pool or vanpool, is available between the applicant's residence and the location of his or her classes or other required educational activities, and, if not, what efforts have been made to secure other transportation;

(11) An explanation of the significant hardship that would occur if an education permit is not issued; and

(12) The signature of the applicant together with a statement that the application, its attachments, and the statements therein are made under penalty of false statement as provided in sections 14-110 and 53a-157b of the Connecticut General Statutes. If the applicant is enrolled in more than one institution of higher education or private occupational school, such information shall pertain to each such institution or school.

(c) In addition to the requirements of subsection (a) or (b) of this section, a person licensed in another state or country, whose nonresident operating privilege is under suspension in this state, shall present to the commissioner, with his or her application for a special operator's permit a recent certified driving history from his or her licensing state or country showing that he or she possesses a current, valid operator's license issued by such state or country, and listing any violations of motor vehicle laws or regulations. A license and driving history issued in a language other than English must be accompanied by an English translation of the information contained in each document. Said translation must be signed by the translator under penalty of false statement as provided in sections 14-110 and 53a-157b of the Connecticut General Statutes. A nonresident to whom a special operator's permit is issued shall inform the commissioner of any subsequent motor vehicle violations, suspensions, infractions or administrative actions in any state or country subsequent to the date of the certified driving history. The commissioner may require such nonresident to submit, at intervals to be determined in the sole discretion of the commissioner, an updated driving history or similar documentation showing the status of his or her operator's license in his or her licensing state or country.

(d) The application shall state thereon the penalties that could be incurred if a person is granted a special operator's permit and is found to be operating a vehicle for a purpose other than authorized, or for misuse of such permit.

(e) The completed application form and the information required pursuant to subsection (a) or (b) of this section, as applicable, shall be mailed or delivered to the [Operator Control Section] Driver Services Division of the Department of Motor Vehicles. No copy of an application form without original signatures shall be accepted. No application shall be accepted by the department until the date of the suspension of the person's motor vehicle operator's license or nonresident operating privilege is determined.

Sec. 3 Sections 14-37a-6 to 14-37a-7 , inclusive, of the Regulations of Connecticut State Agencies are amended as follows:

Sec. 14-37a-6. [Issuing] Issuance of special operator's permit. Expiration of special operator's permit. Renewal of license during period of suspension.

(a) Upon the granting of an application for a special operator's permit, the department shall issue

such permit by mail to the mailing address as indicated on the application.

(b) The permit shall be validated by the department.

(c) An education permit shall expire: (1) on the last day of examination or classes in the academic period for the program of higher learning at the institution of higher education or private occupational school in which the operator is enrolled, (2) on the eligibility date for the person to have his or her motor vehicle operator's license or nonresident operating privilege restored, or (3) on the date the person's resident or nonresident operator's license expires, whichever is earliest. The permit shall be valid from the effective date through the expiration date, except as provided in subsection (e) of this section.

(d) A work permit shall expire on the eligibility date for the person to have his or her motor vehicle operator's license or nonresident operating privilege restored or the date the person's resident or nonresident operator's license expires, whichever is earlier. The permit shall be valid from the effective date through the expiration date, except as provided in subsection (e) of this section.

(e) A person whose operator's license expires during the period of suspension shall renew his or her license in accordance with law and shall submit proof of such renewal as required by the department. Such person shall thereupon be issued a new special operator's permit with a revised expiration date.

Sec. 14-37a-7. Content of special operator's permit

(a) The special operator's permit shall be on a form approved by the commissioner.

(b) The permit shall contain:

(1) The legend "WORK ONLY" or "EDUCATION ONLY" conspicuously imprinted on the top of said form;

(2) The effective date and expiration date of the permit [. The expiration date of the work permit shall be no later than the eligibility date for the person to have his or her motor vehicle operator's license or nonresident operating privilege restored, or the date the person's resident or nonresident operator's license expires, whichever is the earlier. The permit shall be valid for the period including both said effective date and said expiration date, except as provided hereinafter];

[(3)] [An education permit shall expire no later than the last day of examinations or classes in the academic period for the program of higher learning of the institution of higher education at which the operator is enrolled or no later than the eligibility date for the person to have his motor vehicle operator's license or nonresident operating privilege restored, or the date the person's resident or nonresident operator's license expires, whichever is the earlier. The permit shall be valid for the period including both said effective date and said expiration date, except as provided hereinafter;]

[(4)] [A person whose operator's license expires during the period of suspension shall renew his or her license in accordance with law and shall submit proof of such renewal as required by the department. Such person shall thereupon be issued a new special operator's permit with a revised expiration date;]

[(5)](3) A statement that the permit shall be carried by the operator at all times while operating a motor vehicle on the highways of this state;

[(6)](4) The [specification of the] work schedule, based on the determination of the commissioner as to the normal work hours of the applicant, or the hours applicable to the program of higher learning in which the applicant is enrolled, as attested to by the registrar of the institution of higher education or private occupational school;

[(7)](5) In the case of a work permit, the [name(s)] name and business telephone [number(s)] number of the operator's [employer(s)] employer or [supervisor(s)] supervisor [where the operator's employment may be verified during normal work hours, or of a person] who can verify the person's employment schedule;

[(8)](6) In the case of an education permit, the [name(s)] name and telephone[number(s)] number of the registrar of the institution of higher education or private occupational school [where] who can verify the operator's enrollment and class schedule [may be verified during normal business hours]; and

[(9)](7) A statement of the penalties that may be imposed on the operator by law for operating a motor vehicle without such permit, or for a purpose or at a time or location not permitted by such permit, or for alteration or other misuse of such permit.

[(c)] [The special operator's permit shall be a controlled document having a unique identifying number or other unique identifier.]

R-39 Rev. 02/2012

Statement of Purpose

This regulation is amended as a result of Public Act 2013-271 to allow a private occupational school student to apply for and receive a special education permit for the operation of a motor vehicle for the exclusive purpose of driving to and from such private occupational school. It also clarifies those students who are not eligible for such an education permit. Further changes have been made to streamline the current regulation and remove obsolete language contained therein.

IMPORTANT NOTICE FOR CONNECTICUT STATE AGENCIES

This form is to be used for proposed permanent and technical amendment regulations only and must be completed in full.

AGENCY CERTIFICATION

Department of Motor Vehicles

Proposed Regulation Concerning

"Special Operator's Permits"

eRegulations System Tracking Number **PR 2015-151**

I hereby certify the following:

(1) The above-referenced **regulation** is proposed pursuant to the following statutory authority or authorities: **section 14-37a of the Connecticut General Statutes.**

For technical amendment regulations proposed without a comment period, complete #2 below, then skip to #8.

(2) As permitted by Section 4-168(h) of the *Connecticut General Statutes*, the agency elected to proceed without prior notice or hearing and posted the text of the proposed technical amendment regulation on eRegulations System website on **<<select and enter the date of posting>>**.

For all other non-emergency proposed regulations, complete #3 - #7 below, then complete #8)

(3) The agency posted notice of intent with a specified comment period of not less than 30 days to the eRegulations System website on **January 12, 2016.**

(4) *(Complete one)* ☒ No public hearing held or was required to be held. **OR** ☐ One or more public hearings were held on: **n/a.**

(5) The agency posted notice of decision to move forward with the proposed regulation to the eRegulations System website on **February 26, 2016.**

(6) *(Complete one)* ☒ No comments were received. **OR** ☐ Comments were received and the agency posted the statements specified in subdivisions (2) and (3) of CGS Section 4-168(e) to the eRegulations System website on **n/a.**

(7) The final wording of the proposed regulation was posted to the eRegulations System website on **February 26, 2016.**

(8) Subsequent to approval for legal sufficiency by the Attorney General and approval by the Legislative Regulation Review Committee, **the final regulation shall be effective**

(Check one and complete as applicable)

☒ When posted to the eRegulations System website by the Secretary of the State.

OR ☐ On _____

(Date must be a specific calendar date not less than 11 days after submission to the Secretary of the State)

SIGNED

*(Head of Board, Agency or Commission,
or duly authorized deputy)*

Acting Commissioner

OFFICIAL TITLE

2/26/2016

DATE

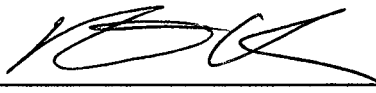
OFFICE OF THE ATTORNEY GENERAL REGULATION CERTIFICATION

Agency Department of Motor Vehicles

REGULATION NUMBER PR2015-151

This Regulation is hereby APPROVED by the Attorney General as to legal sufficiency in accordance with Connecticut General Statutes Section 4-169.

DATE: 3/23/2016

Signed: 
Robert W. Clark, Special Counsel
Duly Authorized

The Connecticut General Assembly

Legislative Regulation Review Committee

Senator Clark Chapin
Senate Chair



Representative Brian Becker
House Chair

Official Record of Committee Action

May 24, 2016

Agency: Department of Motor Vehicles
Description: Specials Operator's Permits
LRRC Regulation Number: 2016-004
eRegulation Tracking Number: PR2015-151

The above-referenced regulation has been

Approved with Technical Corrections

by the Legislative Regulation Review Committee in accordance
with CGS Section 4-170.

Kirstin L. Breiner
Committee Administrator



State of Connecticut
Office of the Secretary of the State

Confirmation of Electronic Submission

Re: Regulation of the Department of Motor Vehicles concerning Special
Operator's Permits
eRegulations System Tracking Number PR2015-151
Legislative Regulation Review Committee Docket Number 2016-004

The above-referenced regulation was electronically submitted to the Office of the Secretary of the State in accordance with Connecticut General Statutes Section 4-172 on June 2, 2016.

Said regulation is assigned Secretary of the State File Number 6212.

The effective date of this regulation is June 13, 2016.

A handwritten signature in black ink, reading "Denise W. Merrill".

Denise W. Merrill
Secretary of the State
June 13, 2016

By:

A handwritten signature in black ink, reading "Kristin M. Karr".

Kristin M. Karr
Administrative Law
Information Systems Manager