



**Substitute Senate Bill No. 468**

**Public Act No. 18-56**

**AN ACT CONCERNING SERVICE OF CIVIL PROCESS ON A MOTOR VEHICLE OPERATOR OR THE OWNER OF A MOTOR VEHICLE.**

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

Section 1. Section 52-63 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2018*):

(a) Any [operator or owner of] person whose last-known address is located in this state and who owns or operates a motor vehicle, at the time of issuance of [his] such person's license or registration shall be deemed to have appointed the Commissioner of Motor Vehicles as his or her attorney and to have agreed that any process in any civil action against [him] such person on account of any claim for damages resulting from his or her alleged negligence or the alleged negligence of his or her servant or agent in the operation of any motor vehicle in this state may be served upon the commissioner as provided in this section and shall have the same validity as if served upon the owner or operator personally, even though the person sought to be served has left the state prior to commencement of the action or his or her present whereabouts is unknown.

(b) Service of civil process may be made on a motor vehicle operator

***Substitute Senate Bill No. 468***

who (1) is licensed under the provisions of chapter 246, or (2) is unlicensed and has a last-known address in this state by leaving a true and attested copy of the writ, summons and complaint at the office of the Commissioner of Motor Vehicles at least twelve days before the return day and by sending such a true and attested copy at least twelve days before the return day, by registered or certified mail, postage prepaid and return receipt requested, to the defendant at his or her last address on file in the Department of Motor Vehicles if [(1)] (A) it is impossible to make service of process at the operator's last address on file in the Department of Motor Vehicles, and [(2)] (B) the operator has caused injury to the person or property of another.

(c) Service of civil process may be made on the owner of a motor vehicle [registered under the provisions of chapter 246] who (1) has registered such motor vehicle in this state under the provisions of chapter 246, or (2) has not registered such motor vehicle in this state and whose last-known address is located in this state by leaving a true and attested copy of the writ, summons and complaint at the office of the Commissioner of Motor Vehicles at least twelve days before the return day and by sending such a true and attested copy at least twelve days before the return day, by registered or certified mail, postage prepaid and return receipt requested, to the defendant at his or her last address on file in the Department of Motor Vehicles if [(1)] (A) it is impossible to make service of process at the owner's last address on file in the Department of Motor Vehicles, [(2)] (B) the owner has loaned or permitted his motor vehicle to be driven by another, and [(3)] (C) the motor vehicle has caused injury to the person or property of another.

(d) If service of process is made at the office of the Commissioner of Motor Vehicles pursuant to subsection (b) or subsection (c) of this section, the officer making such service shall certify on the process that [he] such officer has made a diligent effort to obtain service at the

***Substitute Senate Bill No. 468***

address of the owner or operator on file in the Department of Motor Vehicles and has been unable to make such service.

(e) Service of process pursuant to this section shall be sufficient to confer jurisdiction of any such action upon the court to which the process is returnable. The court may proceed to determine the issues in the action and render final judgment but the court may, in its discretion, require further order of notice to the operator or owner.

(f) The officer serving such process upon the Commissioner of Motor Vehicles shall leave with the commissioner, at the time of service, a fee of fifty dollars, which fee shall be taxed in favor of the plaintiff in his or her costs if [he] the plaintiff prevails in the action. The Commissioner of Motor Vehicles shall keep a record of each such process and the day and hour of service.

Approved June 6, 2018