



PA 18-56—sSB 468
Judiciary Committee

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

SUMMARY: The law allows for service of process (i.e., the initiation of a civil action) on the Department of Motor Vehicles (DMV) commissioner under certain circumstances in cases involving licensed drivers or owners of registered vehicles who cannot be located for in-person service, regardless of their last known address. This act additionally allows such service for certain cases involving unlicensed drivers or owners of vehicles not registered in this state, provided the driver or owner had a last known address in Connecticut.

The act also specifies that, when the DMV issues a driver's license or motor vehicle registration to a driver or owner whose last known address is in Connecticut, the driver or owner must be deemed to have:

1. appointed the DMV commissioner as his or her attorney and
2. agreed that process related to civil damages for his or her alleged negligence, or that of his or her servant or agent, relating to operating a motor vehicle may be served on the commissioner with the same validity as service to the owner or operator, even though he or she has left the state or his or her whereabouts is unknown.

The act also makes a technical change.

EFFECTIVE DATE: October 1, 2018

SERVICE OF PROCESS

Under the act, service may be made to the DMV commissioner if:

1. an unlicensed driver allegedly caused injury to another person or his or her property and cannot be served at his or her last address on file with the DMV or
2. an owner of a vehicle not registered in this state loaned or permitted another driver to use the vehicle, the vehicle caused injury to another person or his or her property, and the owner cannot be served at his or her last address on file with the DMV.

Existing law allows service to the DMV commissioner in such circumstances involving licensed drivers and owners of vehicles registered in the state, respectively. By law, service may be made at least 12 days before the return date by:

1. leaving a true and attested copy of the writ, summons, and complaint at the commissioner's office and
2. sending such a copy by registered or certified mail to the defendant's last

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address on file with the DMV.

By law, the following individuals may serve civil process: a state marshal; a constable; other proper officer authorized by statute; or, under limited circumstances, an indifferent person (i.e., a person not involved in the case) (CGS § 52-50).