

MOTOR CARRIER ADVISORY COUNCIL
Connecticut Department of Motor Vehicles
60 State Street, 2nd Floor Multi-Media Room
Wethersfield, Connecticut
Thursday, February 7, 2019
Meeting Minutes

Attendees: MCAC Chairperson Christopher Smith, Lieutenant Donald Bridge, Jim Rio, Jim Carson, Sharon Geanuracos, Cindy Zuerblis, Vanita Smith, Lynn Zelek, Kelly O’Connell, Lori Druan, Adam Grippo, Tiffany Hardwick, DMV; Stacey Manware, Judicial; Chris Henry, Federal Motor Carrier Safety Administration; Joan Nichols, CT Farm Bureau; Joe Scully, MTAC; Joe Miller, Taxicab Livery Council; Steven Shore, Shore Associates

I. Call to Order

Motor Carrier Advisory Council (MCAC) Chairperson Christopher Smith called the meeting to order at 1:02 p.m. and began the meeting with introductions. Chairperson Smith then introduced Acting Commissioner Judeen Wrinn. Commissioner Wrinn welcomed everyone in attendance and thanked Chris Henry/FMCSA for the great partnership and assistance.

II. Approval of June 7, 2018 MCAC Meeting Minutes

Adam Grippo from the Department of Motor Vehicles (DMV) made a motion to approve the minutes of the June 7, 2018 meeting. Sharon Geanuracos from DMV seconded the motion and the motion passed unanimously.

III. Chairperson’s Remarks

Chairperson Christopher Smith turned the remarks over to Jim Rio who announced that Vanita Smith was promoted to Program Coordinator to oversee the ITD program. Iliana Rodriguez from the Commercial Vehicle Safety Division will continue to perform her new entrant audit and federal out-of-service (OOS) order assignments (reporting to Vanita).

IV. Review of the 2018 Legislative Session of the General Assembly

State Agencies

DMV – Attorney Sharon Geanuracos from DMV distributed a summary of DMV’s legislative proposals (a bill number has not been assigned) that would affect the motor carrier, school transportation and taxi/livery industries and highlighted some areas of interest in the handout. She highlighted a proposal to change section 14-34a of the Connecticut General Statutes to be consistent

with an amendment to the International Registration Plan (IRP) that was effective January 1, 2019. This change allows drivers to present electronic cab cards, protects the owner of the device containing the electronic cab cards from any other information on such device being viewed and protects the person inspecting the document from liability for damages to such device. The language is similar to that of the statute regarding electronic insurance cards.

Attorney Geanuracos stated that most of the other proposals are clarifying changes. A proposal to change 14-276 of the Connecticut General Statutes would require school transportation carriers as defined in section 14-212 to register with DMV. If the language in section 14-44(h) that currently requires DMV to ensure that carriers are reviewing the DMV's suspended and revoked driver report two times per month is not revoked as proposed, the changes to section 14-276 will assist DMV with performing the required checks. Attorney Geanuracos also stated that she is willing to share the text of these proposals if requested. DMV's Legislative Liaison and Communications Director, Jim Carson stated that he would provide his contact information in an e-mail.

Judicial – Stacy Manware from Judicial had no legislative updates to provide at this time.

Motor Carrier Industry

Connecticut Farm Bureau – Joan Nichols from Connecticut Farm Bureau had no legislative proposals to discuss at this time.

MTAC – Joe Scully from the Motor Transport Association of Connecticut (MTAC) reported that MTAC would like to restore full funding for rest areas (approximately \$500,000 per year) to allow the rest areas to be open for 24 hours. Additionally, MTAC would like to improve the ability for truck dealers to process online registrations for new trucks. Specifics such as weight limits need to be discussed, but the intent is to keep people out of line at DMV and speed up the process for registering trucks. Attorney Sharon Geanuracos from DMV asked Mr. Scully if MTAC was working with anyone from DMV on this proposal and Jim Rio from DMV asked if MTAC had contacted CARA, but it has not been in contact with either to date. Mr. Scully stated that MTAC's position on tolls has been made clear in the past, and that MTAC would like to see DOT have more of a focus on highways, roads and bridges.

Taxicab and Livery Council – Joe Miller from the Taxicab and Livery Council reported that the Taxicab and Livery Council is watching a few bills related to Transportation Network Companies (TNCs), some of which they will be supporting. One bill would require TNC vehicles to be inspected (currently they are self-inspecting). Jim Rio from DMV asked Mr. Miller if he had an idea of the volume of the vehicles that would need to be inspected. Mr. Miller responded that Uber and Lyft would need to assist with determining the potential volume. Attorney Geanuracos from DMV noted that the TNCs have a transient population of drivers and Mr. Miller commented that there is a safety issue involved. Mr. Rio asked if the current inspection is required to be performed

by a licensed dealer and Mr. Miller clarified that it is not a requirement and is just a self-reporting process. This proposal is a concept at this time and is not a drafted bill yet, but has been assigned bill number HB5157. The bill is on the agenda for next Wednesday. Mr. Miller discussed other bills limiting pricing, which would prevent TNCs from charging over the posted taxi rates. There is also a bill that TNC drivers in Connecticut must be licensed in Connecticut and another to increase insurance requirements for TNCs; however, the current insurance requirement is the same as livery companies.

Mr. Miller also discussed the temporary license for taxi drivers, where they currently have 90 days from submitting paperwork to complete fingerprint background checks. Mr. Miller would like to know if there is a mechanism for date stamping these to start the clock. It was clarified that the drivers need to have an electronic background check done during this 90-day period. Cindy Zuerblis from DMV stated that her only concern would be how to handle the mailed in applications, but she will think about this and reach out to Mr. Miller.

Shore Associates – Steven Shore from Shore Associates had no legislative proposals to discuss at this time.

V. Intelligent Transportation Systems/Commercial Vehicle Operations (ITS/CVO)

Innovative Technology Deployment (ITD) Program

Vanita Smith from DMV reported that part of ITD is the CVO portal, which is a one-stop-shop for all things commercial motor vehicle (CMV). Ms. Smith reported that the coding for the portal was completed, as well as the servers at DAS BEST, and testing on the new portal should begin soon. In regard to the medical certification portion, the coding was completed but the servers from BEST are pending. Ms. Smith also noted that George White from DMV also wanted to thank Chris Henry and FMCSA for the grant funding that allowed the purchase of the new IRP system.

Connecticut Commercial Vehicle Information Systems and Networks (CVISN)/Performance Registration Information Systems Management (PRISM) Safety Program

Vanita Smith from DMV reported in regard to PRISM that the office staff at DMV is suspending for federal out-of-service (OOS) orders and roadside personnel are also putting these carriers OOS. Lieutenant Bridge also reported that oversize/overweight permits (OS/OW) are not issued if there are federal OOS orders. DRS IFTA will be incorporated as well and IRP suspends or revokes for federal OOS orders. Vehicles are towed from the roadside if they are still operating during a federal OOS order and the CT plates are removed.

U.S. DOT Federal Motor Carrier Safety Administration (FMCSA)

Chris Henry from the Federal Motor Carrier Safety Administration (FMCSA) reported that the performance year's stats end in June. There have also been approximately 50 compliance investigations on high risk motor carriers and carriers with complaints. There were 45 notice of claim (penalty) letters for a total of \$135,000 so far in fines. Notice of violation letters are also issued, which provide carriers with an opportunity to correct issues within 45 days or they will receive a fine. FMCSA is using these tools to prevent crashes. There are approximately 7200 interstate motor carriers in Connecticut, and although Connecticut is the third smallest state geographically, it has a large number of companies. In comparison, Maine and New Hampshire have 3500-4000 interstate motor carriers. Mr. Henry also reported that there are approximately 700 new entrant carriers (new carriers or carriers that have changed from intrastate to interstate), most of which are viable companies. Other states that are similar in size have about 300 new entrant carriers. There are two (2) DMV inspectors and Iliana Rodriguez working on new entrant audits and there are no overdue audits. Mr. Henry noted that six (6) years ago there were 350 overdue audits. FMCSA is also working on a project for the inappropriate carriers list, which are carriers that are listed as not leaving Connecticut, but have had inspections performed in other states. First, FMCSA checks to see if the carrier has had a review with FMCSA and if they have not, a notice of violation letter is sent requiring the carrier to submit to an interstate and state audit. If the carrier refuses, they are fined and are still required to update to interstate. If they still refuse, they are placed OOS and investigated.

Concerning grant funding, Mr. Henry reported that the state of Connecticut has \$14.3 million in grant obligations from FMCSA, the bulk of which is at DMV. DOT and UCONN also have a small grant. CSP closed out its grant this fall and does not have any active FMCSA grants at this time. Within the Eastern Service Center, New York has the most grant funding, Pennsylvania is second and Connecticut is third. Mr. Henry reminded the state that it needs to spend its grant funding to continue receiving more funds. For Fiscal Year 2019 opportunities, the high priority safety and ITD grant was presented for Secretary Chao's sign off, as well as the CDL grant. The grants will be posted for applications once approved.

Concerning PRISM, Mr. Henry discussed a program to issue federal OOS orders for unfit carriers, unsafe carriers, failure to pay fines or failure to appear for safety audits. DMV then revokes the registrations. If a carrier is also a dealer, its registration plates are taken, but its ability to sell cars (other than to perform test drives) is not affected. Mr. Henry reported that headquarters is planning to review PRISM in March. He also noted that the ITD grant helped fund the majority of IRP and there have not been complaints with the new system yet. About MCSAP, there was a recent joint electronic logging device training with DMV and CSP at the Union weigh station and there will be a future one-day training refresher for ELDs. Mr. Scully from MTAC asked how the data transfer works for ELDs and Lieutenant Bridge from DMV responded that the majority of carriers are using

the onboard recorder exemption that does not have transfer options, but these carriers need to come over to using ELDs by the end of the year. There is no plugging into anything to perform the data transfer, but the data is uploaded to the system and then downloaded by the inspector real time. Chris Henry added that the majority of the systems sold go to the web, but some carriers do not understand which devices are being used. Mr. Scully then asked how inspectors determine who is exempt and Lieutenant Bridge responded that it is a question and answer process to make sure the carrier meets all the exemptions. Attorney Geanuracos from DMV asked if there are still legal challenges pending in court regarding ELDs. Chris Henry responded that those are all exhausted and Joe Scully from MTAC added that there are some legislative proposals pending regrading ELDs. Mr. Henry added that FMCSA is continuing ELD refresher training for every certified inspector in the state with federal and state SMEs. The state SMEs are Sergeant Rosario and Inspector Devine from DMV.

Connecticut received national recognition for the CDL side of the portal. At some point in the future, the medical certificates will go directly to FMCSA from the doctors instead of the current manual process. The new program will be much easier. In regard to invoicing, Mr. Henry stated that Adam Grippo from DMV has been doing a great job. Mr. Henry also stated that Stacey Manware from Judicial was at a national conference and was recognized for a great presentation on e-citations and online dispositions. Ms. Manware stated that Judicial may begin to apply for grant funding for prosecutors and training staff on the nuances of CMV violations. Sharon Geanuracos from DMV added that this would also be a good opportunity for training judges, and stated that even the National Judicial College offers a free online training on items such as masking. Ms. Manware noted that the prosecutors control plea bargaining and also require this education since they have a lot of control over which cases are nolle, sent to trial, etc. Mr. Henry noted that he would try to get a training set up. Ms. Manware noted that it should be determined who is accessing the system frequently to determine who should be trained. Attorney Geanuracos added that a train-the-trainer method might also be helpful. Mr. Henry thanked everyone for the great job and reminded the industry members that FMCSA is available for outreach.

Connecticut Motor Carrier Safety Assistance Program (MCSAP)

Concerning MCSAP, Lieutenant Donald Bridge distributed a summary regarding Drivewyze for January 2019 and highlighted that there were 9,909 bypasses granted (87.3%) and 1,436 pull-ins given (12.7%). This is a snapshot of when the scale is open, and is a process for electronic screening to allow certain trucks with favorable safety credentials to bypass. For January, Drivewyze resulted in 908 hours, 4,358 gallons of gas, 49 tons of CO₂ and \$101,442 saved. Lieutenant Bridge also reported that last year there were over 17,000 stops of CMVs, resulting in more than 7,900 OOS violations. Drivers were cited more than 1,800 violations for safety belts, nearly 1,800 medical certificate violations, more than 2,400 hours of service violations, more than 400 speeding violations, and nearly 50,000 violations total. The top vehicle violations were:

lighting (over 9,000) and brakes (over 7,000), followed by emergency equipment, tires, etc. Lieutenant Bridge also stated that the Waterford SB scale was destroyed by a car last September and is no longer operating.

Steven Shore from Shore Associates asked Lieutenant Bridge if commercial plates are also pulled after an OOS order and Lieutenant Bridge responded that they are if they fall under the federal MCSAP program. Joe Scully from MTAC had a question regarding inappropriate carriers. Lieutenant Bridge clarified the difference between federal and state roadside OOS orders and Chris Henry from FMCSA added that plates are physically pulled from OOS carriers determined to be unfit (not just the registration).

Lieutenant Bridge added that there is a class for new entrants with Inspector Devine at Tunxis Community College the first Wednesday of each month. The class is a high-level overview of the CMV regulations, preparation for the New Entrant Safety Audit, inspections, and other general information as it pertains to commercial vehicles. The bulletin regarding this class will be sent out with the meeting minutes. Additionally, Lieutenant Bridge provided an e-mail address (DMV.motorcoachinspections@ct.gov) for making motor coach inspection and reciprocity decal appointments.

VI. Other Business

Chairperson Smith reported that the new towing portal for owner and lienholder information is up as of January 14. The portal is working well, other than some confusion by some towers who are not completing the new user form correctly to request access to the portal. Additionally, Chairperson Smith announced that February 28, 2019 was designated as the last day for obtaining owner and lienholder information through the Contact Center.

VII. Adjourn

Chairperson Smith adjourned the meeting at 2:04 p.m.