

MOTOR CARRIER ADVISORY COUNCIL
Connecticut Department of Motor Vehicles
60 State Street, 2nd Floor Multi-Media Room
Wethersfield, Connecticut
Thursday, March 1, 2018
Meeting Minutes

Attendees: MCAC Chairperson Christopher Smith, Lieutenant Donald Bridge, Lieutenant Garfield Green, Jim Rio, Millie Torres-Ferguson, Bob Sardo, Sharon Geanuracos, George White, Joe Ciotto, Vanita Smith, Tiffany Hardwick, DMV; Chris Henry, Federal Motor Carrier Safety Administration; David Hiscox, DOT OS/OW; Eric Jackson, UCONN CTSRC; Joan Nichols, CT Farm Bureau; Steven Shore, Steve Berian, Shore Associates; Chris Herb, CT Energy Marketers Association; Nathan Wilson, Department of Agriculture

I. Call to Order

Motor Carrier Advisory Council (MCAC) Chairperson Christopher Smith called the meeting to order at 1:02 p.m., began the meeting with introductions and noted that the Motor Transport Association of Connecticut was not in attendance.

II. Approval of June 29, 2017 MCAC Meeting Minutes

Lieutenant Donald Bridge from the Department of Motor Vehicles (DMV) made a motion to approve the minutes of the June 29, 2017 meeting. Joe Ciotto from DMV seconded the motion and the motion passed unanimously.

III. Chairperson's Remarks

Chairperson Christopher Smith stated that the legislative review would begin with Attorney Sharon Geanuracos from DMV.

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

State Agencies

DMV – Attorney Sharon Geanuracos from DMV distributed a summary of proposed legislation that outlines changes that would affect the motor carrier, school transportation and taxi/livery industries and highlighted some areas of interest in the handout. Attorney Geanuracos reported that the proposed change to section 14-66b of the Connecticut General Statutes expands the statute to permit repairers that perform towing activities to maintain their records in an electronic format. Additionally, changes were proposed to section 14-276 of the Connecticut General Statutes which

would require a school transportation carrier to check the DMV-published driver suspension/revocation list during the first and third week of every month, rather than “twice monthly,” and mandates immediate removal of a suspended or revoked driver (currently the driver must be removed within 48 hours). Lastly, Attorney Geanuracos reported that DMV also proposed changes to section 14-279 of the Connecticut General Statutes to remove the language authorizing the issuance of a written warning for passing a school bus. She stated that no other moving violations have this type of provision outlined in statute.

DOT OS/OW – David Hiscox from the Department of Transportation (DOT) Over-size/Over-weight (OS/OW) did not have any legislative proposals to discuss.

Motor Carrier Industry

Connecticut Farm Bureau – Joan Nichols from Connecticut Farm Bureau had no legislative updates to provide at this time.

Connecticut Energy Marketers Association – Chris Herb from the CT Energy Marketers Association (CEMA) reported that CEMA proposed a bill that would flatten the petroleum tax in order to stabilize a tax that can punish the budget or consumers at times depending on the rises and falls that can occur. Mr. Herb also stated that electric vehicles would be a challenge going forward. Additionally, he noted that CEMA has an extreme appreciation for DMV and FMSCA for the quick action both agencies took this winter to issue hours-of-service (HOS) waivers. Mr. Herb described the issuance process as the perfect collaboration of industry and government.

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

Innovative Technology Deployment (ITD) Program

Bob Sardo from DMV distributed a summary for ITD (formerly CVISN) including project status, grant status and future activity. Mr. Sardo noted that DMV applied for an HP-ITD grant for the following projects: IRP Simplification; Integration Consultant; CTCVIEW Portal Help Desk Consultant; and DOT OS/OW O&M and Hosting Support. DMV received \$1,390,000, of which \$1,190,000 was for the IRP simplification process and \$200,000 was for the Integration Consultant. Mr. Sardo also reported that the current IRP vendor, Conduent (formerly XEROX) has notified the state that it will no longer be providing IRP services as of the end of its contract in December 2018. DMV has been working with Conduent to allow a seamless transition of IRP to a new vendor. Additionally, a Virtual Screening Facility Pilot Project was developed for the CT Commercial Vehicle Law Enforcement program. The Connecticut Academy of Science and Engineering (CASE), to develop a virtual electronic screening (e-screening) and weigh-in-motion (WIM) pilot project, completed a study in November 2017.

The second page of the summary distributed by Mr. Sardo contained a grant status report for DMV's current grants. Mr. Sardo stated that questions regarding the breakdowns were welcome. Concerning future activity, Mr. Sardo stated that several DMV staff would be attending the 2018 MCSAP Planning Meeting and ITD-PRISM Workshop from April 25-27 in Orlando, Florida. The FY2015 CVISN grant will provide funding for the travel costs for this event. Lastly, Mr. Sardo stated that DMV is waiting for an announcement regarding the FY2018 MCSAP/ITD grant application.

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

Chris Henry from FMCSA reported that Administrator Ray Martinez was recently sworn in to lead the Federal Motor Carrier Safety Administration (FMCSA). Administrator Martinez was most recently the DMV Commissioner in New Jersey. Prior to that, he worked for the Department of State and he was the Commissioner of the New York DMV. The FMCSA Deputy Administrator has a background from within the industry and the Chief Safety Officer has a background from the New York State Police. Therefore, Mr. Henry stated that FMCSA has all three areas represented at the top, which allows for a nice blend. Mr. Henry reported that the FMCSA's Eastern Service Center is on track to meet its goals. So far, FMCSA performed 1,300 reviews out of the goal of 1,800 (56 reviews were performed in Connecticut out of a goal of 80). Connecticut has 7,000 active interstate motor carriers according to FMCSA's list and several hundred thousand drivers. Joe Ciotto from DMV added that there are approximately 72,000 CDL holders in Connecticut. Mr. Henry reported that FMCSA issued 33 Notice of Claims on 28 Connecticut carriers and 6 drivers for a total of \$251,000 in fines. FMCSA also issued an N.O.V. to a cargo tank repair facility, the issues noted in which must be corrected within 30 days. If the facility corrects these issues, the facility will not receive any fines. In this instance, FMCSA thought it would be more prudent to have a recall on the cargo tanks and have the tanks retested instead of immediately issuing fines.

Regarding the New Entrant Program, Mr. Henry reported that there are currently 670 new entrants. New entrants are carriers that enter the system for the first time as an interstate motor carrier. He noted that there are two (2) DMV inspectors that work on this program, as well as a program coordinator, who are all doing a great job. There are not many overdue reviews, which is a major improvement from the past. Mr. Henry added that this program is successful and that its purpose is education. If a new entrant fails a review, it has 30 days to correct the deficiencies. Additionally, Mr. Henry distributed an overall summary of grant activity in Connecticut and stated that Connecticut has the second largest grant obligation of the states within FMCSA's Eastern Service Center. He reported that Connecticut has \$15.2 million of grant obligations, of which \$14.7 million is for DMV, \$61,000 is for DOT (which is a pass through grant that Eric Jackson from UCONN carriers out on behalf of DOT) and \$464,000 is for the Connecticut State Police PRISM grant. Mr. Henry also noted that there are pending opportunities for CDL and MCSAP high priority grants, for which he is waiting for sign off. Mr. Henry stated that he reviewed the MCSAP 2018 grant draft for

phase one (1) and he noted that FMCSA is still working under a continuing resolution and there is still no federal budget. Additionally, there is an opportunity for a CDL operators' grant, which is primarily for CDL training schools to use for training military veterans. For the last two (2) years, CT CDL schools have chosen not to apply.

Another goal of FMCSA is to perform outreach and education. Mr. Henry discussed a program that FMCSA would like Connecticut to become involved with as a pilot state. This program would be a 1.5-day workshop for disadvantaged small businesses to help these businesses understand state law. The goal would be to bring agencies together to help these businesses in a seminar. South Carolina and Virginia were the first states to participate in this pilot program, and FMCSA is hoping that Connecticut would become the third pilot state. If these pilot programs are successful, FMCSA will make the program a requirement across the country. FMCSA will also be doing presentations for the CT Construction Industries Association and the Connecticut Professional Timber Producers Association.

Connecticut Motor Carrier Safety Assistance Program (MCSAP)

Concerning MCSAP, Lieutenant Donald Bridge reported that there were more than 16,500 inspections performed during the 2017 calendar year, out of which there were nearly 3,500 vehicle out-of-service (OOS) orders and almost 1,300 driver OOS orders. Lieutenant Bridge also provided a summary of crash and weigh station bypass data. He noted that the top 4 OOS violations are similar to years past (e.g. brakes, lighting, tires, logbooks) and that reducing crashes is the number one mission. The first page of the summary provides a breakdown of crashes and highlights why the program is important. It also includes a heat map from calendar year 2016, where the dark spots are over-concentrated areas of reportable CMV crashes. The second page of the summary highlights the improvements made since the high crash corridor project started. The focus has changed a bit; however, the numbers show a reduction throughout the years. DMV is currently focusing its activity around driver behavior and is utilizing visible patrols. The third page of the summary shows a map of Connecticut highlighting stops for safety belt and distracted driving. The remainder of the summary document discusses Drivewyze statistics, including the number of bypasses vs. pull-ins (where the device is read, safety data is reviewed and the carrier then receives either a bypass or pull-in depending on the safety data on file). Lieutenant Bridge also noted that all weigh stations are fixed sites and that the summary document also highlights the savings and industry benefits from the use of Drivewyze. He also stated that the pull-in rate of the system is set depending on what the screening rule item is. Lieutenant Bridge also noted that this is an excellent system with no cost to the state. Drivewyze provides the equipment; however, the state provides access to the system and makes all decisions including the pull-in rates.

Attorney Sharon Geanuracos from DMV asked Lieutenant Bridge if there is an overview or update regarding the controversy related to Electronic Logging Device (ELD) enforcement. Lieutenant

Bridge responded that ELDs are currently in “soft enforcement” across the country. States are following the regulation, but are not issuing out-of-service (OOS) orders for carriers that are not using ELDs. The new criteria for ELDs begins on April 1, 2018. Attorney Geanuracos asked if there is litigation pending regarding ELDs. Chris Henry from FMCSA responded that the litigation is no longer pending and added that ELD enforcement was controversial until the new federal rule was issued. Mr. Henry added that the only thing that has changed with ELDs is how carriers record their hours. FMCSA has issued many exemptions for ELDs and that the farm bureau is exempt in most instances. Mr. Henry commented that ELDs could prevent carriers from falsifying HOS records. Additionally, he added that some carriers have had major problems with their ELD units not functioning properly.

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

George White from DMV reported that the 2016 grant will be closed out as soon as the Nexgen piece is complete. Lieutenant Donald Bridge added that the new DOT size and weight permitting system checks for OOS carriers before OS/OW permits are issued and that Connecticut is finding 100% of the OOS carriers before issuing the permits. Additionally, DMV IRP receives OOS lists and removes plates from OOS carriers.

VI. Other Business

Chairperson Smith asked all members if they had any additional information to report. Joan Nichols from the CT Farm Bureau reported that Chris Henry from FMCSA recently met with the CT Farm Bureau and that the CT Farm Bureau is excited to do outreach and education for the industry. Dr. Eric Jackson from UCONN CTSRC stated that UCONN will be hosting a commercial motor vehicle crash inspection course regionally using grant funds and that there will be a second autonomous/connected vehicle summit on June 12 and 13 (this time in Windsor, CT).

VII. Adjourn

Chairperson Smith noted that the next meeting will be June 7, 2018 and adjourned the meeting at 1:44 p.m.