

**CONNECTICUT
MOTOR CARRIER ADVISORY COUNCIL
Department of Motor Vehicles
60 State Street, 2nd Floor Multi Media Room
Wethersfield, Connecticut
Thursday, February 24, 2011
Meeting Minutes**

Attendees: DMV Commissioner Melody Currey, DMV Deputy Commissioner Victor Diaz, MCAC Chairperson James Rio, Michael Bzdyra, Lieutenant Donald Bridge, Jr., Sergeant Garfield Green, Marilyn Lukie, George White, David Ostafin, Bob Sardo, Dennis Walsh and Vanita Smith, Department of Motor Vehicles; Lieutenant Buddy Conroy and Sergeant Frank Sawicki, Department of Public Safety; Marc Papandrea, Department of Revenue Services; John Krewalk and Richard Van Allen, Department of Transportation; Ruth Craig, Judicial Branch; Steve Casey and Michael Krochmalny, Department of Information Technology; Mike Riley, Motor Transport Association of Connecticut, Inc.; Joe Miller, Taxi Cabs of Connecticut; and Steven Shore, Shore Associates

I. Call to Order

MCAC Chairperson James Rio called the meeting to order at 1:10 P.M. and noted that DMV Commissioner Currey had reappointed him as her designee to serve as the Council Chairperson. DMV Commissioner Currey welcomed all present. She expressed her expectations to have positive working relationships with representatives of motor-carrier-related industries and her belief in providing customer services more efficiently and effectively. DMV Deputy Commissioner Victor Diaz noted his emphasis on serving in partnership with customers – including motor carriers - to use technology for improving access to government services.

II. Approval of June 10, 2010 MCAC Minutes

Copies of the minutes, as posted on the DMV MCAC website, were distributed. Marc Papandrea, DRS Audit Division Manager, made the motion to accept the minutes as presented, John Krewalk, DOT Director - Office of Information Systems, seconded the motion and the motion passed unanimously.

III. Chairperson's Remarks

Chairperson Rio, Division Chief of the DMV Commercial Vehicle Safety Division (CVSD), reviewed Section 14-11c of the Connecticut General Statutes that addresses the establishment of the MCAC to serve as a forum for representatives of the agencies responsible for the oversight, enforcement and regulation of the commercial transportation industry to meet with representatives of the motor carrier industry. He noted that although today's meeting will primarily discuss motor carrier industry-related proposals from the State agencies and industry representatives, attendees should also address other matters deemed relevant.

Chairperson Rio addressed Governor Malloy's proposed FY 2012-2013 Biennial Budget that includes a recommended change whereby a consolidation of weigh and inspection stations under

the DMV would take place and noted that discussions between the DMV and the Department of Public Safety are underway to address the proposed reorganization. He noted that a CVSD Motor Vehicle Inspector has been added – there are now two - to conduct Motor Carrier Safety Assistance Program (MCSAP) New Entrant Safety Audits at U.S. DOT Federal Motor Carrier Safety Administration (FMCSA) Connecticut Division Offices in Glastonbury. Chairperson Rio reported that since August, 2010 CVSD enforcement personnel have, as authorized under Section 14-35a of the *Connecticut General Statutes*, suspended 28 commercial vehicle registrations issued to Connecticut motor carriers identified by the FMCSA as being under a Federal out-of-service order. He also noted that the registrations of 80 school bus vehicles had been suspended, after a second notice was sent, for failure to return a completed Inspection Repair Report prior to the due date. There are currently no registration suspensions in progress - which indicates the process is achieving the desired results.

IV. Review of Legislative Proposals for the 2011 Regular Session of the General Assembly

Mike Bzdyra, DMV Executive Assistant to DMV Commissioner Currey, distributed, on behalf of DMV Counsel Sharon Geanuracos, a two-page listing of DMV legislative proposals concerning motor carriers and school transportation. Mr. Bzdyra, who will be handling all legislative duties and will be working with Ms. Geanuracos, reviewed DMV proposals affecting motor carriers. The proposals include: two audit items requiring actions from a 2009 Commercial Driver's Licensing (CDL) Audit that would make the disqualification periods for a person who violates an out-of-service order the same as the ones in 49 CFR § 383.51 and updates the civil penalties for driver violations of out-of-service orders to be consistent with those in 49 CFR § 383.53 – not less than \$2,500 for a first conviction and not less than \$5,000 for a second or subsequent conviction. Concerning other proposed revisions, items reviewed included: the incorporation of the federal penalties into State law for texting while operating a commercial vehicle; clarifications that any commercial vehicle required to be registered in another state must be registered to operate on Connecticut roadways and that fines are assessed based upon the gross vehicle weight rating – as opposed to the gross weight of the offending vehicle; a prohibition for a motor carrier from operating any motor vehicle on the roadways of the State when the U.S. DOT Federal Motor Carrier Safety Administration (FMCSA) has issued an order that the motor carrier cease operations, the FMCSA has revoked the motor carrier's U.S. DOT Number or the motor carrier is operating without operating authority or beyond the scope of that authority; establishment of a procedure for reinstatement of a CDL holder who is disqualified for life due to an alcohol-related offense – along with the establishment of retention requirements that conform to federal law for certain violations that appear on a CDL holder's record; the establishment of a penalty for an employer that knowingly requires or allows an employee to drive a vehicle outside of the classification of his or her license; a change in the fee structure for commercial registration by calculating fees based upon 1,000 pound increments – rather than 100 pound increments – and a late fee of \$150 for an International Registration Plan (IRP) interstate registration that has expired for more than 5 days; a clarification to statutory language concerning gross weight and axle weight; and the establishment of penalties for persons and motor carriers that fail to conduct periodic inspections of commercial motor vehicles as required by federal law, and for persons, motor carriers and licensed motor vehicle dealers who falsify documents relating to periodic inspections of commercial vehicles.

Ruth Craig, Judicial Branch Centralized Infractions Bureau Program Manager, noted that proposed motor carrier industry-related legislation is being monitored, especially fines issued for infractions. She reported about the eCitation Program – a program implemented in conjunction with the Department of Public Safety and the Capitol Region Council of Governments. She noted that 50 new printers were recently installed in Connecticut State Police (CSP) cruisers – bringing CSP to a total of approximately 70 cruisers equipped for eCitation. The software has also been deployed and is in use in several towns – including Enfield, Farmington and New Britain and soon, West Hartford. She reported that new software to address overweight-related e-citations will soon be deployed for State Police. Ms. Craig also addressed the Centralized Infraction Bureau's Online Infraction Ticket Processing System that has been in operation since October, 2010 and processes credit card e-payments for “complaint” tickets for infractions and violations using VISA, MasterCard and Discover. Approximately 3,000 e-payments, worth about \$500,000, have been processed since October, 2010. A phase 2 is expected in the early summer of 2011 where defendants may plead not-guilty and pay all tickets with one transaction. Mike Riley inquired about system user fees and was informed that no surcharges are currently passed along to users.

Rich Van Allen, DOT Manager of Bridge Operations, Bureau of Engineering and Highway Operations, addressed various DOT legislative proposals, including: statutory changes clarifying towing vs. towed motor homes; changes to Section 14-267a, subsection (k) to address commercial vehicles exiting a highway before a weigh and inspection station and parking on nearby roads; changes to Section 14-270, subsection (h)(2) to address the forgery of permits for nonconforming (over dimension) vehicles by increasing the minimum fine for operating a vehicle under a false or fraudulent permit from \$1,500 to \$2,500; a proposal concerning automobile carrier transporters; and proposed fee changes for permits of nonconforming (over dimension) vehicles addressed in Section 14-270, subsection (d), whereby the fee for each permit identified in 14-270(d)(1) would increase from \$23 to \$152.30, the transmittal fee for each permit issued and transmitted via transceiver or facsimile equipment would increase from \$3 to \$5, and an additional engineering fee would be charged for each permit - \$50 for a single unit vehicle, \$100 for a vehicle weighing 160,000 pounds or more, or 15' in width, or 15' in height, or 130' in length, and \$200 for vehicle combinations weighing 200,000 pounds or more.

Lieutenant Buddy Conroy, DPS-Division of State Police, Traffic Services Unit, reported that under the eCitation Program, the time to issue citations has been reduced from 10 minutes to three minutes.

Marc Papandrea, DRS Audit Division Manager, noted that the DRS proposed that Connecticut statutes address, as found in Federal IRS regulations, sanctions regarding the use of dyed fuel in a motor vehicle. These violations would be in the form of a fine payable by mail - similar to a traffic ticket. He also addressed the proposed 2¢ per gallon tax increase for diesel fuel and 3¢ per gallon increase for gasoline. He also noted that the Connecticut motor vehicle fuels tax rate on the sale or use of diesel fuel - based upon the wholesale prices during the April 1, 2010 to March 31, 2011 period – is expected to increase from the current 39.6¢ per gallon as of July 1, 2011.

Mike Riley, President of the Motor Transport Association of Connecticut, Inc., distributed a two-page memorandum to Senate and House members that addressed Raised Committee Bills. The

Bills listed included: the identification by DOT of areas - in proximity to interstate highways - to serve as refuge areas during inclement weather; allowing operators of vehicles with over dimension permits to leave a designated route to seek refuge during inclement weather and to continue on the route after the inclement weather has ended - even if the completion of the trip is at a different time than authorized in the permit; allowing operators of vehicles with over dimension permits that are unable to complete the approved trip due to congestion or incident-caused delays to complete the trip after the congestion or incident has ended - even if the completion of the trip is at a different time than authorized in the permit; a requirement for the Commissioners of the Departments of Motor Vehicles, Transportation and Revenue Services to submit quarterly Commercial Vehicle Information Systems and Networks (CVISN) Program progress reports addressing the implementation of electronic application, payment and issuance of International Registration Plan (IRP) interstate vehicle registrations, International Fuel Tax Agreement (IFTA) interstate licenses and over dimension permits to the Joint Committee on Transportation; the non-disqualification of companies to perform under State contracts because of the results of any preliminary evaluation of that company's commercial vehicle safety record without a re-inspection of that company's fleet; and the submission of a report by the DOT Commissioner that addresses the effects of chemical road treatments on vehicles, roads, bridges, other infrastructure and the environment. Mr. Riley also addressed legislative proposals that his Association will work against including: red light cameras for the automated issuance of infractions, the institution of tolls on Connecticut roadways, the per gallon tax increases for diesel fuel and gasoline, some of the increases in the permit fees for over dimension vehicles; and \$10 increases in infraction violations to provide municipalities with increased revenues.

Joe Miller of Taxicabs of Connecticut noted the length of time – 8 to 9 weeks – to receive background check results for “F” endorsement and “V” endorsement license applicants. Discussion took place concerning Department of Public Safety efforts to reduce the turnaround time and the need to obtain the results on a timely basis in order to get interested drivers on the road.

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

Connecticut Motor Carrier Safety Assistance Program (MCSAP)

Lieutenant Donald Bridge, State MCSAP Coordinator, DMV Commercial Vehicle Safety Division (CVSD), distributed a two-page report indicating roadside inspection/enforcement activity for the January 1, 2010 – December 31, 2010 period, Federal Out-of-Service (OOS) order registration suspensions and 2009 and 2010 Safety Fitness Reviews (SFRs). Lieutenant Bridge reviewed the report, including: the more than 19,000 roadside MCSAP inspections performed on vehicles/drivers specifically selected for inspection during calendar year 2010, noting that the OOS percentages represent those vehicles selected for inspections, not all vehicles; the 28 commercial vehicle registrations suspended since August, 2010 were for Connecticut motor carriers identified by FMCSA as being under a Federal OOS order; the 473 SFRs conducted by CVSD staff during 2009 and 2010 to evaluate the safety fitness of any firm that operates commercial motor vehicles (CMV) and is seeking to perform contractual services for any State of Connecticut Agency; and significant positive reductions in the number of CMV reportable accidents over the past nine years, particularly from 2007 (1,165) to 2009 (746) - while the number of truck inspectors and the number of inspections performed have remained relatively constant.

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

Bob Sardo, CVISN/PRISM Program Manager and DMV Division Manager, distributed a four-page Program Update identifying personnel changes and accomplishments since the June 10, 2010 MCAC meeting, expected activities before the next MCAC meeting and calendar year 2010 usage statistics. He reported that: Commercial Vehicle Information Exchange Window (CVIEW) System-required changes were successfully completed to address the FMCSA Comprehensive Safety Analysis 2010 Initiative, including Behavior Analysis Safety Improvement Category scores; Electronic Screening Modernization Project research continues to address deployment options and estimated costs; discussions continue regarding Oversize/Overweight (OS/OW) Permitting System enhancements for the Automated Bridge Analysis and Local Road Routing Projects; a \$900,000 FFY 2010 CVISN Safety Program grant application was developed for four Projects and an FMCSA notice was received that no awards would be made; a \$250,000 100% federal share FFY 2011 FMCSA PRISM Safety Program grant application - developed to further automate the electronic identification of unsafe motor carriers and their vehicles at the Union, Connecticut Weigh and Inspection Facility – was not submitted due to uncertainty regarding future State costs; CVISN/PRISM funding was included in President Obama’s Proposed FFY 2012 Budget for Motor Carrier Safety CVISN/PRISM Data and IT Grants to States; and CVISN funding was included in both years of Governor Malloy’s proposed FY 2012-2013 Biennial Budget. Mr. Sardo noted that, as of the end of January, 2011, there were: 3,995 registered CVISN Commercial Vehicle Operations (CVO) Portal users, with 3,359 carrier, 323 service bureau, 281 law enforcement and 32 State users.

Mr. Sardo reviewed CVISN/PRISM Calendar Year 2010 transactions usage statistics for the CVIEW System, the CVO Portal, Conn DOT OS/OW permits, DMV International Registration Plan and Unified Carrier Registrations, and DRS International Fuel Tax Agreement licenses and Motor Carrier Road Tax registrations. He noted that the Connecticut CVISN CVO Credentialing System can be accessed at <https://www.cvisn.ct.gov> to establish an account – in order to obtain commercial vehicle operating credentials.

Mr. Sardo also addressed upcoming DMV IRP improvements – including improved information on the DMV website and webinars – to expand access to electronic credentialing services.

VI. Other Business

Chairperson Rio noted that the next MCAC meeting is scheduled for Thursday afternoon, June 30, 2011 beginning at 1:00 P.M. at DMV Offices, 60 State Street, Wethersfield, Connecticut in the second floor Multi-Media Room. This meeting is to address the impacts and implementation of legislation affecting the motor carrier industry from the 2011 General Assembly session.

VII. Adjourn

Marc Papandrea made the motion to adjourn, Ruth Craig seconded the motion, the motion passed unanimously and the meeting was adjourned at 2:30 P.M.

Respectfully Submitted,

James V. Rio, Chairperson
Motor Carrier Advisory Council