

**MOTOR CARRIER ADVISORY COUNCIL**  
**Connecticut Department of Motor Vehicles**  
**60 State Street, 2<sup>nd</sup> Floor Multi-Media Room**  
**Wethersfield, Connecticut**  
**Thursday, June 27, 2013**  
**Meeting Minutes**

**Attendees:** MCAC Chairperson James Rio, Sharon Geanuracos, Michael Bzdyra, Lieutenant Donald Bridge, Lieutenant Garfield Green, Lieutenant Chris Smith, Sergeant Ronald Barnard, Lynn Blackwell, Cindy Zuerblis, George White, Joe Ciotto, Rosemary Rivers, Vanita Smith and Tiffany Hardwick, Department of Motor Vehicles; Ellen Pierce, Department of Energy and Environmental Protection, Air Bureau; Jean Cronin, Connecticut Bus/COSTA; Karl Boehm and Chris Henry, Federal Motor Carrier Safety Administration; Rich Van Allen, Department of Transportation, Bridge Operations; Ruth Craig, Judicial, Centralized Infractions Bureau; Marc Papandrea, Department of Revenue Services; Steve Casey, Department of Administrative Services, BEST; Michael Riley, Motor Transport Association of Connecticut; John Butts, Connecticut Construction Industries Association; Greg Guerra, Connecticut State Police (Traffic); Joan Nichols, Connecticut Farm Bureau

**I. Called to Order**

MCAC Chairperson James Rio called the meeting to order at 1:03 p.m.

**II. Approval of Minutes**

Before asking for a motion to approve the February 28, 2013 MCAC meeting minutes, Chairperson James Rio reminded Rich Van Allen of the Department of Transportation (DOT) that a revised number of the DOT Self Issuance permits for the May 31, 2012 meeting minutes is still needed. Marc Papandrea of the Department of Revenue Services (DRS) made a motion to approve the minutes of the February 28, 2013 MCAC meeting and Sharon Geanuracos of the Department of Motor Vehicles (DMV) seconded the motion. The motion passed.

**III. Chairperson's Remarks**

Chairperson James Rio welcomed everyone in attendance and began by stating that the DMV had a busy legislative session this year.

Chairperson Rio reported that there is now an update on the DMV's website regarding the Motor Carrier Review for State Contract Awards in response to the section of the bill changing the way carriers are reviewed for a safety fitness review. This section increases the number of inspections that carriers need to have in order for those inspections to be considered for a review.

In addition, Chairperson Rio reported that the DMV Commercial Vehicle Safety Division has a new computer records management and dispatch system for e-citations and e-tickets. Inspectors will be able

to print out the tickets, which will be legible and the fines will be pre-calculated. Chairperson Rio stated that with this system, efficiency will be much better because the tickets will be electronically transmitted to the Centralized Infractions Bureau and the records management system. He also stated that the most important aspect from DMV's perspective is that the Inspectors will be on the road for a shorter period of time, improving safety for both the driver and the Inspector. Chairperson Rio noted that DMV will most likely be the first agency to be one hundred percent (100%) e-ticket. Ruth Craig from the Judicial Branch, Centralized Infractions Bureau (CIB), commented that the transmission to their office is a five (5) day delay, but that this is still much better than a twenty-five (25) day delay. Chairperson Rio followed up that the e-ticket can still be voided within the five (5) days if there is an error.

Michael Riley from the Motor Transport Association of Connecticut (MTAC) stated that he thinks this is great, but that paper tickets do not always make it back to the fleets from the drivers. Mr. Riley is wondering if there is a way that the e-ticket could go to the registrant directly. Lieutenant Donald Bridge inquired if the carriers are receiving the inspection reports, but just not necessarily the tickets. Mr. Riley responded that he is not sure, but that many times the tickets disappear. Lieutenant Bridge stated that the system in itself should help because the DOT number would ensure that the correct address would be associated with the ticket and any future notices (e.g. suspension notices). Lieutenant Bridge also mentioned that misdemeanors are sent certified mail to the company. Mr. Riley stated that he would like to see the tickets sent electronically to the company when they are issued and would like to get together to follow up on this issue. Lieutenant Bridge agreed that they could meet and he could walk Mr. Riley through the process. Karl Boehm from the Federal Motor Carrier Safety Administration (FMCSA) stated that this extends beyond commercial motor vehicles. Mr. Boehm stated that, for example, it is the responsibility of the CDL holder to notify the employer if they are under suspension.

Chairperson Rio also noted that a chart was distributed showing the correlation between the number of inspections and the number of reportable commercial motor vehicle crashes (there is an inverse relationship).

#### **IV. Review of Legislative Proposals for the 2013 Regular Session of the General Assembly**

##### **State Agencies –**

DMV – Sharon Geanuracos, DMV Agency Legal Director, distributed a summary of the DMV's legislative changes from Public Act 13-271 that affect motor carriers and commented that DMV had a busy session this year. Attorney Geanuracos stated that Michael Bzdyra does much of the legislative work for the DMV and proceeded to summarize each section of PA 13-271 as noted in the summary as follows:

- *Section 4.* Attorney Geanuracos reported that this section is a language refinement and includes technical changes.
- *Sections 5 & 37.* Attorney Geanuracos reported that these sections create a separate violation for commercial motor vehicle operators who are using an electronic device while operating a commercial motor vehicle by adding talking on a hand-held mobile phone. Section 5 also amends the definition of

“serious traffic violation”. Michael Riley asked if CBs are banned and Karl Boehm from the Federal Motor Carrier Safety Administration (FMCSA) responded that under Federal regulations CBs are excluded from the application of cell phone laws. Lieutenant Donald Bridge commented that according to his research, CBs do not apply unless the operators are also distracted.

- *Section 6.* Attorney Geanuracos stated that this section was put in the DMV’s proposal in anticipation of the final rule that will go into effect in 2015 that requires all employees administering CDL knowledge and skills testing to have a criminal background check.
- *Section 17.* This section increased the CDL renewal fee. Attorney Geanuracos stated that the increase was not intended as a means to raise revenue; however, the fee was raised to keep the renewal fee consistent with the fee for a new CDL.
- *Sections 18 & 19.* These sections pertain to the upcoming final rule to clarify that CDL permit holders are to be treated the same as CDL holders in regard to disqualification criteria.
- *Section 26.* This section applies to towing and adds an exemption to allow consensual contract towing by certain businesses.
- *Section 30.* Attorney Geanuracos reported that this section applies technical changes to the language to place Connecticut in compliance with MCSAP audit.
- *Section 32.* This section is a clarification of what vehicles have to stop at weigh stations.
- *Section 33.* This section is a result of a change in Federal law and allows Connecticut law to correspond.
- *Sections 43 & 44.* Attorney Geanuracos reported that these two sections have been in DMV’s legislative package for the past six (6) or seven (7) years and have finally passed. According to these sections, CDL holders who are first time DUI offenders cannot participate in the pre-trial accelerated rehabilitation program or the pre-trial alcohol education program. Attorney Geanuracos stated that Mr. Riley may wish to get the word out in the industry to CDL holders about this change which will occur on January 1, 2014. Attorney Geanuracos also reported that this change was required by an FMCSA CDL program audit and that it is considered “masking” to allow CDL holders to participate in the above programs.
- *Section 57.* This section requires every Student Transportation Vehicle (STV) to display their company name, telephone number and fleet number on the rear and sides of the vehicle, effective July 1, 2013.
- *Section 59.* Michael Riley reported that he put this section in to deal with the fact that his organization was unhappy with the present system for conducting safety fitness reviews of carriers bidding for state contracts. Mr. Riley would like a better representation of inspections based on the number of inspections performed and would like to continue to improve this system.

DRS – Marc Papandrea from DRS reported that the new diesel tax rate, effective July 1, 2013, will be 54.9 cents per gallon and the petroleum products gross earnings tax will increase to 8.1 percent (8.1%), effective July 1, 2013. Mr. Papandrea also reported that DRS is pushing electronic filing for IFTA carriers.

JUDICIAL – Ruth Craig from the Judicial Branch, Centralized Infractions Bureau (CIB), reported that the CIB is monitoring the public acts as they are signed. She also discussed snow on car and commercial motor vehicle roofs becoming an infraction.

DESPP – The Department of Emergency Services and Public Protection (DESPP) has no legislative updates to report at this time; however, Chairperson Rio mentioned a new MOU for the joint staffing of weigh stations by DMV and Connecticut State Police (CSP).

DEEP – The Department of Energy and Environmental Protection (DEEP) has no legislative updates at this time. DEEP's main issue is energy policy.

DOT – DOT reports legislative updates in regard to work zone safety.

DAS – The Department of Administrative Services (DAS) has no legislative updates to report at this time.

### **Motor Carrier Industry -**

MTAC – Michael Riley distributed a hand-out summarizing the MTAC's legislative activity during the session and discussed the following:

- *HB 6151*. Mr. Riley reported that this bill pertains to owner/operators working for motor carriers. This bill was a priority for the MTAC and becomes effective October 1, 2013. These drivers can work for one motor carrier and not be classified as an employee.
- *SB 1095*. MTAC supported this bill which did not pass. SB 1095 was a proposal to eliminate the increase in the petroleum products gross earnings tax.
- *HB 6253*. Mr. Riley reported that his organization supported HB 6253 because it allows motorists to mail in their fine or pay online for an infraction for failure to remove snow or ice from a motor vehicle.
- *HB 975*. Mr. Riley stated that although HB 975 passed, Section 62 is of note because it still needs Congressional approval.
- *HB 6033*. MTAC supported HB 6033 and it passed.
- *SB 190*. Mr. Riley reported that MTAC opposed SB 190; however, it passed.
- *HB 5666*. Mr. Riley reported that HB 5666 was supported by MTAC and passed. His association is part of an organization called Truckers Against Trafficking.
- *HB 698*. MTAC supported this bill, but this proposal did not get much attention. Mr. Riley's association would like to work on this proposal again next year.
- *HB 5907*. MTAC supported this bill and it passed. This bill sets a minimum quality for diesel fuel.

- *HJR 63*. MTAC proposed this amendment to the Constitution. Mr. Riley reported that this resolution was passed by the Transportation Committee but died at the end of the session. He also reported that he will continually propose this amendment.
- *HB 5250*. Mr. Riley reported that MTAC supported this bill and it passed.
- *HB 5102*. Mr. Riley reported that MTAC opposed this bill and it did not pass.
- *HB 6438*. MTAC supported this bill and proposed an amendment to it. MTAC's amendment was not adopted and the bill did not go forward.
- *SB 191*. Mr. Riley reported that MTAC opposed this bill.
- *HB 5554*. Mr. Riley reported that MTAC opposed this bill and it never went beyond a public hearing.
- *HB 6051*. MTAC opposed this bill.
- *HB 6681*. MTAC opposed this bill.

CONNECTICUT FARM BUREAU – Joan Nichols from the Connecticut Farm Bureau reported on the bill for the increase in gross vehicle weight to 100,000 pounds for trucks carrying agricultural products. Ms. Nichols reported that the Connecticut Farm Bureau has communicated to the farmers that this bill still requires Congressional approval. She stated that she cannot guarantee that everyone has heard, but that it has definitely been made clear. Ms. Nichols also reported that this proposal was researched by a series of interviews and recommendations from carriers.

CONNECTICUT BUS/COSTA – Jean Cronin reported in regard to Connecticut Bus that Public Need and Necessity process revisions were aimed at the moving industry and they lobbied to narrow the legislative changes to that industry only. In addition, Ms. Cronin is excited about the Governor's strategic transportation initiative. Ms. Cronin also reported that Connecticut Bus still has concerns about CSA reporting issue; however, they have a member sitting on a special committee established to make revisions to that system.

In regard to COSTA, Ms. Cronin reported that the towns of Shelton and Torrington have purchased propane school buses. She reported that these are not on the road yet; however, they lobbied to include the gross receipts tax exemption in the budget implementation bill for propane school buses. Ms. Cronin asked if the DMV bill added STVs to the vehicles that are required to stop at weigh stations. Sharon Geanuracos and Lieutenant Donald Bridge clarified that STVs are not required to stop at weigh stations, but are required to have inspections.

Ms. Cronin also discussed the background check backlog for passenger endorsement applicants. She stated that the new gun control law has put more people in line from background checks and that the time frames are colliding. Ms. Cronin also stated that there are too many checks and not enough people to

perform them. Chairperson Rio asked if allowing municipal police department to submit applicant fingerprints electronically would help. Cindy Zuerblis and Lynn Blackwell from the Department of Motor Vehicles stated that staffing is the main issue. Cindy Zuerblis added that DESPP is still staying under the sixty (60) day statutory requirement and that they are trying to help reduce the backlog by e-mailing back the results.

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

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

Chris Henry from the Federal Motor Carrier Safety Administration (FMCSA) reported that they have been very active this week. Administrator Anne Ferro visited Connecticut last week to participate on a panel at Mohegan Sun. Mr. Henry met with her at a commercial passenger inspection beforehand and Administrator Ferro was very impressed with the e-ticket program and the State of Connecticut.

Mr. Henry distributed a card reflecting a summary of the hours-of-service (HOS) regulations that become fully effective on July 1, 2013. In addition, Mr. Henry reported on a crack-down on unsafe passenger carrying operations through a project called "Quick Strike". He stated that there are between twenty-five (25) and fifty (50) teams of investigators and there is a seventy percent (70%) enforcement rate. Mr. Henry also reported that several imminent hazard orders have been issued. There is also an educational and outreach portion for non-traditional customers (e.g. religious groups) beginning sometime in August.

Mr. Henry reported that there is new legislation coming up regarding electronic recording devices. Jean Cronin inquired if the "Look Before You Book" hand-out is intended to be educational. Mr. Henry responded that the first two pages of the hand-out are for education and outreach and the third page is legislative information.

### **Connecticut Motor Carrier Safety Assistance Program (MCSAP) -**

Lieutenant Donald Bridge reported that e-ticket, which is a computerized ticket management system, includes e-crash as well. This includes electronic crash updates from CSP for commercial motor vehicles. Lieutenant Bridge is looking to get more town police departments involved with this program.

Lieutenant Bridge also reported that from January 1, 2013 to the present day, there were about 8,700 inspections, of which there were roughly 1,100 driver out-of-service violations. Nearly ten percent (10%) of the total driver violations were for those drivers who were not wearing their safety belt. Out of the 8,700 inspections, the top three (3) violations were for lighting, brakes and tires. These inspections included roughly 1,500 stops for traffic enforcement (e.g. speeding, following too closely, improper lane changes, etc.). Of the 8,700 inspections there were roughly 5,000 out-of-service violations.

Lieutenant Bridge reported that in regard to hours-of-service (HOS), the DMV's training has been completed and a division meeting was just held reinforcing the new HOS.

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

In regards to CVISN, Lieutenant Donald Bridge reported that all of Connecticut's weigh and inspection stations are equipped with Drivewyze. Lieutenant Bridge distributed a copy of an e-mail with numbers showing statistics of pull-ins and bypasses from March 1, 2013 through June 25, 2013. Michael Riley asked who sets the standards for bypass. Lieutenant Bridge responded that the DMV can set the standards and we use the basic standard coming from SAFER. John Butts from the Connecticut Construction Industries Association asked if the carriers apply ahead of time to bypass the weigh stations and Lieutenant Bridge responded that the safety record is reviewed at the time they are approaching the station and request to bypass. Chris Henry from the FMCSA stated that the FMCSA recognizes Drivewyze as an approved CVISN company as of this spring.

Lieutenant Bridge reported that Roadcheck 2013 went well and there were a lot of inspections performed. DMV, CSP and a number of local agencies participated during Roadcheck. DMV is still working at improving the high risk carriers.

George White from the DMV reported that DMV is working to update the top level design of Drivewyze to give more flexibility and connect Drivewyze into the CVIEW system. There is a big push into the CVIEW electronic system. Mr. White reported that he worked with the DRS IFTA electronic payments system. However, one problem is that CVIEW is old and has some issues. Mr. White reported that there is a kick-off session for the future to modernize CVIEW and look at an e-screening process. Mr. White also reported that he worked on a deliverable with Cambridge for the future of CVISN and CVIEW. He is also looking at the possibility of an RFP to replace CVIEW and may look for assistance from Cambridge to modernize. Mr. White also reported that he is now working on the 2012 grants and the grants are current.

Michael Riley stated that MTAC is excited about permits now being available on weekends and thanked DOT for their cooperation. Carriers can now get a two (2) day permit electronically.

**VI. Other Business**

Marc Papandrea from DRS requested that the draft minutes be sent to everyone for review prior to finalizing. Chairperson Rio agreed that this would be done.

Chairperson Rio concluded by reporting that the 2014 legislative session begins on February 5, 2014; therefore, the next MCAC meeting will be on March 6, 2014. The 2014 legislative session ends on May 7, 2014; therefore, Chairperson Rio stated that the second 2014 MCAC meeting will be held on June 12, 2014.

**VII. Adjourn**

Steve Casey from DAS made a motion to adjourn the meeting and Marc Papandrea from DRS seconded the motion. The motion passed unanimously and the meeting adjourned at 2:23 p.m.