

**Connecticut
Motor Carrier Advisory Council
Wednesday, September 26, 2007
1:00 P.M.
Department of Motor Vehicles
60 State Street, 2nd Floor Multi-Media Room
Wethersfield, Connecticut
Minutes**

Attendees

Commissioner Robert Ward, Motor Carrier Advisory Council Chairman Delbert Cornell, Deputy Commissioner John Herman, John Yacavone, Sergeant Donald Bridge Jr., Sergeant Dennis Maurice, Marilyn Lukie, David Ostafin, Bill Seymour, Cindy Zuerblis, Nancy McCorkle, Keith Kennedy, Dennis Walsh and Vanita Smith, Department of Motor Vehicles; Lieutenant Peter Wack and Sergeant Frank Sawicki, Traffic Services Unit, Connecticut State Police; Marc Papandrea, Department of Revenue Services; Jim Mona, Department of Transportation; Michael Riley, Motor Transport Association of Connecticut, Inc.; Steven Reviczky, Connecticut Farm Bureau; Stan Chrzanowski and Greg Wright, Bozzuto's Inc.; Paul Fedeli, Curtin Transportation; and Richard Jukonski, Jukonski Truck Sales, Ltd.

Introductions and Review of Agenda

Chair Del Cornell welcomed all attendees at 1:00 P.M. and self-introductions were made.

Review/Approval of the Minutes of the Friday, June 16, 2006 MCAC Meeting

Jim Mona made the motion to accept the draft minutes of the June 16, 2006 MCAC minutes as distributed, Cindy Zuerblis seconded the motion and the motion passed unanimously.

2007 Session of the General Assembly and Legislative Proposals for the 2008 Session

John Yacavone distributed copies of a two-page handout identifying 2007 Commercial Driver License/Commercial Motor Vehicle legislation, including Sections from Public Act 07-167 (DMV Omnibus Bill) and Section 7 of Public Act 07-232 (DOT Omnibus Bill). He noted that Section 11 of PA 07-167, effective October 1, 2007, addresses extended, higher federal insurance requirements for certain motor carriers not explicitly identified in the federal regulations. He also addressed Public Act 07-224, An Act Concerning Operator's Licenses Bearing a School Bus Endorsement, which requires, among other provisions, that operators of student transportation vehicles other than school buses undergo the same criminal history background checks as school bus drivers and to subject school bus drivers and operators of other student transportation vehicles to random drug and alcohol testing. Paul Fedeli asked a question concerning the testing of drivers of student transportation vehicles every six months for individuals more than seventy years old. It was noted that such a provision is under consideration and may be addressed during technical clean-up activities.

Jim Mona and Lieutenant Peter Wack reported, respectively, that there were no DOT or DPS motor carrier industry-related legislative issues to report.

Marc Papandrea reported that, effective July 1, 2007, the diesel fuel tax increased from 26¢ to 37¢ per gallon, with diesel fuel exempt from the petroleum per gallon excise tax (PPGET) as of July 1, 2007. It was noted that the PPGET increased to 7% on July 1, 2007 and will increase to 7.5% on July 1, 2008.

Michael Riley noted that the 11¢ per gallon diesel fuel tax increase will be balanced by the diesel fuel exemption from the gross receipts tax so that the net effect of the changes for motor carriers is expected to be revenue neutral. He also noted that the legislation will allow for a full refund of the 37¢ per gallon on diesel fuel purchased in Connecticut and consumed in other jurisdictions, although the other jurisdictions shall be entitled to receive the appropriate quarterly fuel use tax payments. He reported that attempts to obtain a sales tax exemption for mobile equipment parts and services for work performed in Connecticut was unsuccessful, as was legislation proposed by others for automated photo-ticketing. Efforts to allow leasing and rental companies to provide the names of persons who receive parking tickets while using their vehicles, thereby allowing parking tickets to be forwarded to lessees/renters rather than to vehicle owners, were successful. He also noted that the MTAC has and will oppose efforts to reinstate tolls on Connecticut's interstate highways and impose congestion pricing. He also noted that the pending Bond Act has funding, not to exceed \$4 million, for Commercial Vehicle Information Systems and Networks (CVISN) preclearance activities for inspection station operations on Interstates 91 and 95.

Intelligent Transportation Systems/Commercial Vehicle Operations Efforts
Commercial Vehicle Information Systems and Networks (CVISN)/Performance and
Registration Information Systems Management (PRISM) Program

Keith Kennedy distributed copies of an 11-page CVISN/PRISM Program Update addressing personnel changes, ongoing activities, transaction statistics and Expanded CVISN Program information, including nine Expanded CVISN project descriptions.

He reported CVISN/PRISM program changes including DMV Commissioner Ward is now serving as the Sponsor, Joseph Amend, the Quality Assurance manager and primary point of contact with motor carrier users, returning to the Office of Policy and Management as of early September, continuing efforts by DMV and ACS State and Local Solutions, Inc. staff to institute Automated Clearinghouse payments processing by the DMV International Registration Plan System for interstate commercial registrations and by DOT and Bentley Systems, Inc. staff to extend DOT Oversize/Overweight (OS/OW) Permits System capabilities to provide for the Internet processing of desired travel routes and of automated permit issuance by authorized motor carriers/service bureaus. He also noted that a maintenance agreement is in place to replace two lanes of weigh-in-motion (WIM) bending plate frames/plates for weighing/screening commercial vehicles at mainline highway speeds at the I-84 westbound inspection station in Union, Connecticut and that plans include repaving the approach area to the mainline WIM.

Expanded CVISN Program Opportunities

Keith Kennedy reported that Connecticut's updated Expanded CVISN Program Plan and Top-Level Design was sent to the U.S. DOT Federal Motor Carrier Safety Administration (FMCSA) in August and that nearly one-half of the \$1 million in federal funding available for Connecticut may be used for allowable DOT OS/OW Permits System-related improvements.

Motor Carrier Safety Assistance Program (MCSAP)

Sergeant/MCSAP Coordinator Don Bridge distributed copies of a MCSAP Overview including DMV Commercial Vehicle Safety Division (CVSD) Avon Mountain-related summary/comparison statistics for inspections, out-of-service orders (OOS) and vehicle/driver OOS violations, Operation Safe Driver Communications Plan information and the *Cutting It Close Can Cut Your Life Short* brochure, and MCSAP inspection statistics for the January 1, 2006 through December 31, 2006 period, including inspection activities (Level 1 – Level 6 inspections), violations by type (driver, vehicle and hazardous materials) and activities conducted in conjunction with inspections.

Sergeant Bridge noted that, although the FMCSA Hours of Service rules are now under appeal, the retention of the 11 continuous hours and the 34-hour reset continue in force. He noted that efforts continue to assess the relationship between commercial vehicle driver behavior and the condition of the company vehicles operated, including tickets/fines related to hazardous moving violations. He also noted efforts to provide safety inspection training, but not certification, for local police department personnel, including the development of memoranda of understanding with interested local departments, such as Avon and West Hartford. Commissioner Ward addressed the continuing need for uniformity when interpreting applicable statutes/regulations and for striking the proper balance between regulatory enforcement activities and motor carrier industry commerce, with the safety of the public always remaining paramount.

Michael Riley noted the need for safe travel considerations for operations on and around Avon Mountain including a definition of no thru trucks, gross vehicle weight rating specificity and the provision of alternative routes information to commercial vehicle operators. Jim Mona reported that the use of variable message signs at the base of Avon Mountain are to provide information and direct commercial vehicle operators. Discussion took place concerning inspection-related operations statistics, such as vehicle/driver out of service reports, including totals compiled from Greenwich Inspection Station activities.

Connecticut Transportation Strategy Board (TSB): Motor Carrier-Related Activities

Michael Riley reported on preliminary DOT *Connecticut Statewide Rest Area and Service Plaza Study* results that identified an overnight truck parking shortage of more than 1,300 spaces that presents a safety issue the DOT wants to address and that noted the need to examine a range of alternative solutions, including a possible expansion of the Stonington rest area. He also noted the efforts of the special working group, the Governor's Commission on the Reform of the Connecticut DOT, which is considering

structural and operational reforms, with recommendations expected in December, 2007. He reported that some of the earlier activities of the TSB have been curtailed and that the TSB now meets approximately every other month.

Other Business

David Ostafin reported about United Carrier Registration (UCR) Program activities and the need for individuals and companies that operate commercial motor vehicles in interstate or international commerce to register their business with their home state and to pay, based on the size of their fleet, an annual fee. He noted that Connecticut-based private motor carriers, haul-for-hire-motor carriers, brokers, leasing companies and freight forwarders should receive notifications in early October for immediate filings for calendar year 2007. Enforcement activities are expected to begin November 15, with a flag included in the federal database to indicate compliance.

Jim Mona reported on a northeast modular homes pilot project to issue oversize/overweight permits for standard envelope vehicles, within maximum limits, to operate on selected Connecticut roads from 9:30 a.m. to 3:00 p.m., weekdays. Sergeant Maurice noted the need for clarifying restrictions regarding inclement weather when permits are issued by the pilot.

Commissioner Ward reported that he has received many comments and suggestions from motor carrier industry representatives since he began serving as DMV Commissioner in early January, 2007 and that additional CVSD inspectors are necessary to pursue a more focused approach. Such an approach is to provide for a fair, level and competitive playing field whereby safety and enforcement activities address unsafe carriers the most, while not serving as an unreasonable detriment to the operations of legal and safe commercial motor carriers and drivers.

Steven Reviczky of the Connecticut Farm Bureau raised regulatory and enforcement issues concerning large farm vehicles including farm-to-farm and field-to-field travel, farm equipment vs. farm operations services and the need, where appropriate, to modify associated statutes/regulations.

Marilyn Lukie addressed commercial driver license medical qualifications requirements including the disqualification, without exception, of persons using methadone and seizures-related issues. John Yacavone noted that options for properly addressing medical waiver-related safety issues are being discussed. Two-year federal certifications, National Registry of Medical Examiners study groups, the Medical Review Board, petitions for medical waivers and the review of thirteen physical requirement "chunks" were also noted.

Adjourn

There being no further business Marc Papandrea made the motion to adjourn, Jim Mona seconded the motion, the motion passed unanimously and the meeting adjourned at 2:30 P.M.

Respectfully submitted, Delbert N. Cornell, Chairman