

**CONNECTICUT  
MOTOR CARRIER ADVISORY COUNCIL  
Department of Motor Vehicles  
60 State Street, 2<sup>nd</sup> Floor Multi Media Room  
Wethersfield, Connecticut  
Thursday, June 30, 2011  
Meeting Minutes**

**Attendees:** Commissioner Melody Currey, MCAC Chairperson James Rio, Sharon Geanuracos, Lieutenant Donald Bridge, Jr., Marilyn Lukie, Bob McGarry, Bob Sardo, Dennis Walsh and Vanita Smith, Department of Motor Vehicles; Sergeant Frank Sawicki, Department of Public Safety; Marc Papandrea, Department of Revenue Services; John Krewalk and Richard Van Allen, Department of Transportation; Steve Casey, Department of Information Technology; Mike Riley, Motor Transport Association of Connecticut, Inc.; Jean Cronin, Connecticut School Transportation Association and Connecticut Bus Association; Joan Nichols, Connecticut Farm Bureau Association; Carroll Hughes, Connecticut Police Chiefs Association; 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 1:05 PM. DMV Commissioner Currey welcomed all in attendance, expressed her hope that today's Special Session of the General Assembly would be productive and noted that the DMV continues to work to provide improved customer services for Connecticut's motor carrier industry.

**II. Approval of the February 24, 2011 MCAC Minutes**

Marc Papandrea, DRS Audit Division Manager, made the motion to accept the minutes as distributed, Steve Casey, DOIT Director, Business Development – Safety and Judicial, seconded the motion and the motion passed unanimously.

**III. Chairperson's Remarks**

Chairperson Rio, Division Chief of the DMV Commercial Vehicle Safety Division (CVSD), addressed several motor carrier industry-related issues including the identification of an April, 2011 revision, as available on the DMV web site under "Commercial Vehicles," to the commercial motor carrier safety fitness review (SFR) process used by DMV CVSD personnel - when requested by State agencies - to evaluate carriers seeking to perform contractual services. The revised process now incorporates the review of U.S. DOT Federal Motor Carrier Safety Administration (FMCSA) Safety Management System (SMS) data when performing an SFR. He also noted that the Connecticut Academy of Science and Engineering, Inc. is conducting an *Alternative Methods for Safety Analysis and Intervention for Use by Conn DOT for Contracting Vehicles and Drivers for Transportation Projects and Services* study to examine, among other issues, the use of SMS data for making contracting selection decisions and the identification, as appropriate, of alternatives for accomplishing State truck and highway safety goals. The study is to be completed by the end of June, 2012.

Chairperson Rio noted that as of July 1, 2011, the DMV shall be responsible to staff and coordinate coverage and hours of operation at weigh and inspection stations. Department of Emergency Services and Public Protection (formerly the Department of Public Safety) troopers trained in commercial motor vehicle enforcement shall perform - in addition to assigning nine (9) troopers to the weighing area enforcement activities - roaming enforcement activities, including portable scale operations. Chairperson Rio expressed his thanks for the interagency cooperation exhibited by the DMV and the Department of Public Safety during the transition discussions and noted his expectation that the transition will appear seamless for commercial motor vehicle operators.

Chairperson Rio offered his congratulations to Motor Transport Association of Connecticut, Inc. President Mile Riley who, on July 1, will mark the beginning of his 25<sup>th</sup> year of serving as the MTAC President. He thanked Mr. Riley for his many years of service to the motor carrier industry in Connecticut and for his contributions at Motor Carrier Advisory Council meetings.

#### **IV. Impacts and Implementation of Legislation from the 2011 Session of the Connecticut General Assembly**

DMV Legal Counsel Sharon Geanuracos distributed a Summary of Legislative Changes. She reviewed *Public Act 11-213: An Act Making Revisions to Motor Vehicle Statutes* and addressed the following Sections: Section 41 that changes the requirement from 10 days to 48 hours that a motor carrier has, after reviewing a report containing the names of suspended/revoked operators, to remove any such an employee from driving duties; Section 43 that establishes standards and penalties for dealers and motor carriers that fail to conduct or falsify documents related to the periodic inspections required by federal law; Sections 51 and 53 that codify new federal requirements that address texting while operating a commercial motor vehicle, adding texting to the definition of "serious traffic violation" for the enforcement to CDL penalties and directing law enforcement to charge texting under a separate section. *Public Act 11-6: An Act Concerning the Budget for the Biennium Ending June 30, 2013, and Other Provisions Relating to Revenue* was reviewed, including: Section 138 that addresses increased fees for a Commercial Driver License (CDL) and imposes a late fee of \$25 for a late renewal of a CDL; Section 139 that raises various registration fees and imposes a \$150 late fee for apportioned registrations that are not renewed within five days of expiration; and Section 140 that increases commercial registration fees based upon 1,000 pound increments (vs. 100 pound increments), increases the minimum fee from \$44 to \$47 and increases various other registration fees, including for miscellaneous commercial vehicles. Ms Geanuracos noted Sections 38-41 of *Public Act 11-51: An Act Implementing the Provisions of the Budget Concerning the Judicial Branch, Child Protection, Criminal Justice, Weigh Stations and Certain State Agency Consolidations* that shifts responsibility for weigh stations to the DMV, assigns a State Trooper to each weigh area working shift and requires roaming commercial vehicle enforcement by State troopers, along with requiring, beginning in 2012, reports and making technical changes. She also addressed Section 6 of *Public Act 11-213* that allows dealers to register commercial motor vehicles, recreation vehicles, trailers, service and school buses electronically through the DMV Dealer On-Line System. It was noted that the dealers will be allowed to register commercial vehicles, but not commercial vehicles with apportioned registrations to travel interstate. Chairperson Rio noted that Mike Bzdyra, DMV Executive Assistant to DMV Commissioner Currey, is unable to attend today's meeting as he is at the Special Session of the General Assembly.

Jean Cronin, Executive Director of the Connecticut Bus Association and Connecticut School Transportation Association representative, asked how often the report containing the names of suspended/revoked operators is updated and James Rio responded that the listing is updated weekly, on Sunday nights, at 2:00 AM. It was noted that the report includes a listing of new names that have been added since the last report, along with the total, updated, “master” list of names. It was noted that the listing should be reviewed regularly in order to track new additions. Ms. Cronin noted that the legislation providing paid sick leave days for some employees will adversely impact the bus industry. She addressed Section 1 of *Public Act 11-130: An Act Exempting Certain New School Buses from the First Annual Inspection Following the Registration of Such Buses* that exempts from a first inspection new school buses that are inspected prior to registration, and are registered between August 1<sup>st</sup> and the start of the new school year. Also discussed was the annual inspection of school buses in May/June, rather than in August. She noted that meetings are taking place with DMV to address various issues relating to safety training for “activity” vehicles and that cooperative efforts are underway with Conn DOT to address antiquated motor bus regulations. Ms. Cronin expressed her concern regarding anticipated State employee layoffs and the expected resulting service reductions.

Marc Papandrea, DRS Audit Division Manager, reported that the base rate for the Connecticut motor fuels excise tax rate per gallon of diesel fuel sold or used will increase on July 1, 2011 from 26¢ to 29¢ per gallon. Along with this increase, there is a 3¢ per gallon “floor” tax imposed on entities licensed to sell fuel on their diesel fuel inventories available as of the close of business on June 30, 2011. He also reported that the motor vehicle fuels tax rate per gallon on the sale or use of diesel fuel - based upon the wholesale prices of diesel fuel during the April 1, 2010 to March 31, 2011 period - will increase, for the 12-month period beginning July 1, 2011, from 39.6 ¢ to 46.2¢ per gallon – a 6.6¢ increase from the prior fiscal year. Mr. Papandrea also discussed Section 64 of *Public Act 11-61: An Act Implementing the Revenue Items in the Budget and Making Budget Adjustments, Deficiency Appropriations, Certain Revisions to Bills of the Current Session and Miscellaneous Changes to the General Statutes* that addresses the use of dyed diesel fuel, including associated fines. He noted that the DRS web site contains tax information that impacts the motor carrier industry, along with exemptions regarding new taxes on services provided. He asked that he be called at (860) 541-3228 concerning any additional motor-carrier industry-related issues. Mr. Papandrea made special note of the very pleasant experience he recently had when performing a vehicle registration-related transaction at the DMV branch office in Wethersfield.

Rich Van Allen, Conn DOT Manager of Bridge Operations, Bureau of Engineering and Highway Operations, noted Section 40 of *Public Act 11-213* that addresses subsection (b) of 14-267a of the *Connecticut General Statutes* and clarifies axle and weight limitations. He also noted, from Bill Number 6540, Amendment A (Public Act 11-256): *An Act Concerning Highway Safety, State Facility Traffic Authorities, Municipal Building Demolition, State Traffic Commission Certificates, At Grade Crossings, The Naming of Roads and Bridges in Honor or in Memory of Persons and Organizations, and a Train Station in Niantic*, the following changes: Section 1 that adds language to comport with Federal regulations, including the designation of Conn DOT to administer the highway safety program and coordinate highway safety activities within Connecticut; Section 11 that changes 14-262b and clarifies, for the issuance of permits, the lengths of towing vehicles/mobile homes; Section 12 that changes 14-267a and adds a violation for parking on a limited access

highway near a scale or safety inspection site to avoid such inspection; Section 13 that adds 14-270 (i) that creates a maximum minimum penalty of \$10,000 for a person operating a vehicle under a forged permit, which is falsely made, completed or altered, with vehicles impounded until the fine is paid or ordered to be released by the Superior Court. Discussion took place concerning Section 10 that identifies the length of maximum permitted loads and now includes the length of the load.

Steve Casey, DOIT Director, Business Development – Safety and Judicial noted that new DOIT Chief Information Officer (CIO) Mark Raymond has experience with the American Association of State Highway and Transportation Officials (AASHTO) and that former DOIT Deputy CIO Rick Bailey has retired. He also noted a pleasant experience he recently encountered when transacting motor vehicle business at the DMV branch office in New Britain.

Lieutenant Donald Bridge, State MCSAP Coordinator, DMV Commercial Vehicle Safety Division (CVSD) addressed Section 11 of *Public Act 11-213* that clarifies 14-35a so that a motor carrier is prohibited from operating in Connecticut if the carrier has lost or has exceeded its operating authority or is subject to a federal out-of-service order.

Mike Riley, President of the Motor Transport Association of Connecticut, Inc., reported that the Session provided limited good news for the Connecticut motor carrier industry. He noted that tax increases, new taxes and an increase in the surcharge on many tickets for moving violations from \$10 to \$15 are expected to create difficulties for the industry. He also noted that some of the changes – including the new sales taxes on packing and creating services, livery services and towing services – will not apply to industry-provided services. Mr. Riley noted that the MTAC, Inc. supported recommended CDL-related changes and provisions for providing more severe penalties for texting while operating a commercial motor vehicle. He noted that the MTAC, Inc. also supported legislative efforts to increase the fees for certain “super load” permits to address the substantial Conn DOT costs associated with issuing these permits. Mr. Riley also noted that several efforts – including the elimination of the property tax exemption on new commercial vehicles, increased registration fees for commercial vehicles, the imposition of tolls, the installation of red light cameras, the banning of “jake” brakes, the closing of highway rest areas and the imposition of fee increases for over dimension permits – were defeated. He stated that other legislative actions taken will adversely impact the amounts available for Special Transportation Fund appropriations.

## **V. Commercial Vehicle Operations/Intelligent Transportation Systems**

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

Lieutenant Donald Bridge reviewed the past six months of safety inspection statistics, including 8,500 inspections conducted with slightly less than 2,000 vehicles declared out-of-service (OOS) and slightly more than 1,000 operators declared OOS. He also addressed the results of the 72-hour international Roadcheck 2011 – sponsored, in part, by the Commercial Vehicle Safety Alliance and the FMCSA - conducted June 7 to June 9 by the DMV Commercial Vehicle Safety and the Department of Public Safety – Connecticut State Police. It was reported that more than 600 vehicles were inspected, with approximately 20% of the inspected vehicles declared OOS – with brakes, lights, log books and tires the most prevalent violations – and approximately 10% of the operators declared OOS and taken off the road. Lieutenant Bridge reported that FMCSA Deputy

Administrator Bill Bronrott visited Connecticut during Roadcheck 2011. CVSD Division Chief James Rio noted that there was a special emphasis this year on motor coach inspections, with many of the inspections performed at Connecticut casinos. Discussion took place concerning vehicles that travel through multiple states during Roadcheck and are pulled in to be inspected more than once. It was noted that a vehicle that passes a MCSAP Level I roadside inspection usually has a CVSA decal affixed in order to display that the vehicle did not have any violations. It was recommended that commercial vehicle operators retain a copy of the most recent inspection and present the report to roadside enforcement personnel.

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

Bob Sardo, CVISN/PRISM Program Manager and DMV Assistant Information Technology Manager, distributed a four-page Program Update identifying a personnel change, accomplishments since the February 24, 2011 MCAC meeting and expected Program activities before the next MCAC meeting. He reported that Section 68 of *Public Act No. 11-61* includes \$239,818 for 2011-2012 and \$296,289 for 2012-2013 for CVISN – funding for IT systems maintenance and operations support services provided by Cambridge Systematics, Inc. and DOIT. He reported that on May 5, 2011 the U.S. Government Accountability Office issued the report *Federal Motor Carrier Safety Administration (FMCSA) Improper CVISN Motor Carrier Grant Obligations* that found that Connecticut, along with 22 other states, had no Anti-Deficiency Act violations cited for CVISN grants. Mr. Sardo also reported that Connecticut is eligible to apply for up to \$1,000,000 in FFY 2011 FMCSA CVISN Safety Program Grant Application funding, with FMCSA to consider applications received after June 30, 2011 on a case-by-case basis. He reported that the FMCSA granted an extension for Connecticut's \$575,000 FFY 2008 CVISN Safety Program Grant until August 31, 2011 and that an extension request beyond the August 12, 2011 expiration date for Connecticut's \$325,000 FFY 2009 FMCSA CVISN Safety Program Grant is expected to be submitted. Mr. Sardo reported about: CVISN/DRS efforts to extend electronic payment capabilities for ACH debit payments from the CVISN Commercial Vehicle Operations (CVO) Credentialing System Portal for Motor Carrier Road Tax decals, International Fuel Tax Agreement (IFTA) decals, IFTA Quarterly Tax payments and IFTA bill payments; the completion of the *Electronic Screening Modernization Study* that documents the State's preferred operational concept for electronically screening the vehicles of commercial motor carriers at Connecticut's fixed weigh and inspection facilities – including the costs associated with deployment and maintenance; and the issuance of a purchase order for the Conn DOT SUPERLOAD Alternative Routing Project. John Krewalk, DOIT Director, Office of Information Systems, Conn DOT and Conn DOT Manager of Bridge Operations Rich Van Allen noted that the Project is to provide a solution whereby motor carriers and service bureaus will be able, through the CVISN CVO Portal, to electronically apply for, pay for and obtain System-issued permits for oversize/overweight vehicles on-line on a 24/7/365 basis for pre-established and defined trip routes for vehicles that comport with pre-specified dimensions. Other issues identified in the report included: efforts to address, by August 31, 2011, PRISM-required changes to the DMV International Registration Plan (IRP) interstate commercial vehicle registration system for the elimination of the US DOT Number "Registrant-Only" classification; and the development of a CVISN hardware needs listing that includes the replacement of the Commercial Vehicle Information Exchange Window (CVIEW) System servers – some of which are eight years old and beyond typical replacement age.

## **VI. Other Business**

Chairperson Rio noted that upcoming MCAC meetings are scheduled for Thursday afternoons, on March 1, 2012 and May 31, 2012, beginning at 1:00 P.M. at DMV Offices, 60 State Street, Wethersfield, Connecticut in the second floor Multi-Media Room. The March meeting is to include a review of legislative proposals for the 2012 Session of the Connecticut General Assembly.

Joan Nichols, Connecticut Farm Bureau Association Government Relations Specialist, reported that the FMCSA has extended until August 1, 2011 the public comment period for its May 31, 2011 notice concerning regulatory guidance on the applicability of the Federal Motor Carrier Safety Regulations to operators of certain farm vehicles and off-road agricultural equipment - including whether off-road farm equipment or implements of husbandry operated on public roads for limited distances should be considered commercial motor vehicles.

## **VII. Adjourn**

Marc Papandrea made the motion to adjourn, John Krewalk seconded the motion, the motion passed unanimously and the meeting was adjourned at 2:15 P.M.

Respectfully Submitted,

James V. Rio, Chairperson  
Motor Carrier Advisory Council