

ADVISORY COUNCIL
Connecticut Department of Motor Vehicles
60 State Street, 2nd Floor Multi-Media Room
Wethersfield, Connecticut
Thursday, July 2, 2015
Meeting Minutes

Attendees: Commissioner Andres Ayala, Deputy Commissioner Mike Bzdyra, MCAC Chairperson James Rio, Sharon Geanuracos, Lieutenant Donald Bridge, Lieutenant Garfield Green, George White, Cindy Zuerblis, Bob Sardo, Tyler Fields and Vanita Smith, Department of Motor Vehicles; Deb Arrieta, Department of Administrative Services; Rich Van Allen, Department of Transportation; Ellen Pierce, Connecticut Department of Energy and Environmental Protection; Joan Nichols, Connecticut Farm Bureau; Marc Papandrea, Department of Revenue Services; Chris Herb, Connecticut Energy Marketers Association; Chris Henry, Karl Boehm, Federal Motor Carrier Safety Administration; Mike Riley, Motor Transport Association of Connecticut; Joe Miller, Taxicab and Livery Council of Connecticut; Steven Shore, Shore Associates;

I. Call to Order

Chairperson Jim Rio called the meeting to order at 1:04 p.m. Jim welcomed everyone in attendance and asked everyone to introduce themselves. He mentioned that we may remember Deb Arietta who was the Assistant to Commissioner Currey here at the DMV and is now at the Department of Administrative Services.

II. Approval of February 5, 2015 MCAC Meeting Minutes

Jim Rio asked from a motion from the floor to accept the February 5, 2015 minutes. Sharon Geanuracos moved to approve the minutes of the February 5, 2015 meeting. Ellen Pierce seconded the motion. All were in favor.

III. Chairperson's Remarks

Jim Rio explained that we would be focusing on the impacts of any legislation from the 2015 Legislative Session of the General Assembly that affects the motor carrier industry. He asked that attendees report on any legislation that affected their agency.

For those who have never been to a meeting Jim Rio explained that the Motor Carrier Advisory Council, according to [Section 14-11c](#) of the Connecticut General Statutes, serves as a forum for representatives of the motor carrier industry to meet with representatives of the State agencies responsible for the oversight, enforcement and regulation of the commercial transportation industry.

He gave a brief overview of the statute that governs the Motor Carrier Advisory Council:

- Makes recommendations to eliminate duplication among State agencies and to promote uniform enforcement;
- Encourages the consolidation of State efforts to regulate and oversee the operation of commercial motor vehicles by reviewing the feasibility of consolidating the issuing of the forms, decals, permits, registrations, licenses and approvals centrally;
- Considers the intrastate and interstate effects of State policies on the ability of Connecticut motor carriers to compete with motor carriers based in other states; and
- Considers and makes recommendations concerning any other matter deemed relevant.

Jim mentioned that the department will be launching a new computer system called CIVLS (Connecticut Integrated Vehicle and Licensing System). He said the actual “Go Live” date is August 17 2015. The Branch offices will be closed for registration transactions during the week of August 10th but will be open for license transactions. IRP will be accepting mail-in registrations only during that week. The doors will reopen on August 17th and we expect that it will be busy for at least a short period of time after. We will be reaching out the school bus industry because they are on an annual renewal date which is September 1st of every year. We inspect those buses throughout the year but they wait generally until August 31st to renew. The department will be asking them to renew as soon as possible so that we can get as many renewals done prior to shut down.

Mike Riley asked if CIVLS in any way affects the commercial transportation industry. He asked if it were just passenger cars. Jim stated that it would be affecting all vehicles. Mike asked what he would see on his side and Jim said it should be seamless. IRP runs through a vendor Xerox so they do not foresee any issues. All instate registrations will be under the CIVLS process.

Mike Riley asked what CIVLS actually is. Jim explained that this is our 2nd phase of the computer modernization; the 1st one was with the Dealer Licensing Unit and the driving schools and the 3rd part will be driver licensing.

Jim Rio said right now the department has silos of information so vehicles are not connected to a person’s license information. CIVLS will eventually integrate all information, vehicles and licenses, and there will be more on-line capabilities

Jim said right now we have a paper process for the student transportation vehicle inspections due to the prepay and form validation process. With CIVLS those STV inspections will become electronic which will make it easier for those carriers to do business with us. By February 2016 DMV will begin central issuance of driver’s licenses. When you renew your license you will receive a piece of paper with the digital image of your license which you will hold for about 10 days or so until your license gets mailed to you. This is a security feature which some other states are currently doing. It provides added time to verify identities and to validate addresses because the licenses will be mailed to the operator’s address.

Jim Rio spoke about state contracts and mentioned that the DMV had adjusted the policy and process after the statute was changed requiring at least 10 inspections before they could be used for a safety rating. Jim asked Mike Riley to advise his membership that when carriers get a DNMMR rating (Does Not Meet Minimum Requirements) some are still surprised and upset when they don’t meet the criteria. DMV has found that some aren’t familiar with the Federal Motor Carrier DATAQ process to appeal an

inspection or action taken against them. Some carriers have obtained a favorable safety rating after appealing an inspection so they should be proactive and look at the system so they are prepared before an audit is done.

Mike Riley suggested that maybe in the fall they have a program where Lt. Bridge could come in and explain the process to the carriers. Lt. Bridge suggested getting personnel from the Federal Motor Carrier Safety Administrations to assist.

Jim Rio paused the meeting to introduce Commissioner Ayala and Deputy Commissioner Mike Bzdyra. Commissioner Ayala thanked everyone for attending. He mentioned that a couple of weeks ago he and the Deputy had a chance to tour some of the weigh stations. He said they got a first-hand look at how the operations are run and that he has a greater appreciation for the work that the inspectors do. He said that he got a chance to talk to some of the truckers as well. Commissioner Ayala also said that he appreciates all the work that those in attendance do.

IV. Review of the 2015 Legislative Session of the General Assembly

State Agencies

Department of Motor Vehicles (DMV) Legal Services Director —Attorney Sharon Geanuracos reported that the department’s proposal H.B. 6822 did not pass either chamber so at the end of the session we weren’t sure what was going to happen with any of the provisions that were proposed. Fortunately the majority of the bill was included in the budget implementer. Attorney Geanuracos handed out a chart and said the statute numbers will change with the Public Acts because there were a couple of amendments. The CDL changes for self-certification add language which requires medical certificates from FMCSA-approved medical examiners to all the statutes. There were some technical and performing changes in Section 14-36a which added occupational medicine to the Medical Advisory Board. Attorney Geanuracos said the reason for it is because we have intra-state drivers; CDL drivers who are under our own statutes are required to go to a certified doctor. If one of those needs a variance we have to send those reports to someone who can read them and has a specialty. We are looking for someone who would like to be on the Medical Advisory Board to help with the intra-state drivers.

Attorney Geanuracos mentioned the change in dual registrations for heavy duty trailers. C.G.S. §14-47 will eliminate the need to have two registrations.

Attorney Geanuracos said this was not the department’s submission but-Section 165 provides for “quick clearance” of an accident that occurs on a limited access highway. When a law enforcement officer requests the removal in an emergency situation, the tower is not held responsible for any damages.

Department of Revenue Services (DRS) – Mark Papandrea reported that the Diesel Tax Fuel Rate went down to 50.03 cents per gallon from 54.50 cents. It’s the first decrease in a while.

Department of Energy and Environmental Protection (DEEP) – Ellen Pierce said there was no state legislation to report on but there have been some federal rules that were proposed by NHTSA there are new standards for heavy duty trucks, trailers and engines for reducing fuel consumption for greenhouse gases. It is going to be implemented gradually over several years starting in 2018 going through 2027. The good news is we are all going to get very good reductions in emissions and fuel consumption. The fuel savings will greatly exceed the upfront costs for that period for the heavy duty tractor trailers.

EPA is issuing new ozone standards that are going to be more stringent than the current ones. We are looking for emissions reductions wherever we can find them especially for oxides of nitrogen.

Mike Riley asked if DEEP takes credit for the property tax exemption and the incentive that it provides to truck purchasers who upgrade their fleet as it has for many, many years. Mike said he thinks they don't and they should. Ellen Pierce said that she hadn't heard about that but would discuss it with him further.

Motor Carrier Industry

Motor Transport Association of Connecticut (MTAC) – Mike Riley said that the two important bills they worked on this year were the Unemployment Compensation Bill which is essentially a no back charge to the employer on a CDL driver who loses his CDL license because of driving under the influence conviction in a passenger vehicle. Once he is convicted of DUI in a car he loses his CDL and in the past, at least up until October of this year, the employers' experience has been greatly affected by it and it's like a layoff when all the employer is doing is complying with the law.

Mike said they were in their second year of trying to pass that and they are pleased that it passed this year.

Mike said that Sharon Geanuracos mentioned the Quick Clearance and he does not agree with it. It should have been stopped but he plans to revisit it next year. He doesn't believe that towers should be held completely harmless for damage caused in a reckless manner.

The Governor has appointed a Transportation Finance Authority (TFA) that has met several times. They are charged with the responsibility of proposing revenue sources to fund the 100 billion dollar ambitious Infrastructure Renewal program. Mike said he testified before the Authority in New Haven and they are still a long way from coming up with anything. He said Emil Frankel, former DOT Commissioner, is on the committee along with Cam Staples who is the Chairman.

Mike Riley said there was a bill that passed which will cap-out property tax on motor vehicles. The Governor's proposal also included a "Lock Box" that was to protect the transportation fund from being raided in the future by legislators. The "Lock Box" was proposed as a constitutional amendment that did not go forward. The Legislature passed the bill. If it passes as a bill the next Legislature can repeal the bill. No Legislature can lock another Legislature out so there's no lock on the box. It's just a

box. He is going to ask the Transportation Authority to address it and to propose the Constitutional Amendment.

Mike said finally he wants to report that things aren't as bad here in Connecticut as they are in Rhode Island. The Governor of Rhode Island has proposed a Truck Only toll. It would have cost a truck \$40.00 to travel through the State of Rhode Island. He testified against the bill before the Rhode Island Legislature. It passed the Senate but was stopped by the Speaker of the House.

Taxi Industry – Joe Miller of the Taxicab and Livery Council of Connecticut reported that the Taxi Industry was active last session with transportation network companies.

Mr. Miller reported that transportation network companies (TNCs) are transporting passengers in Connecticut. Uber is one of the TNCs and has been operating in Connecticut for over a year.

Mr. Miller claimed Uber has convinced legislators that they are a technology company and the regulations should not apply. Mr. Miller reported that they provide the same services as the taxi industry because they transport passengers for hire. The difference between Uber and the taxi industry is that Uber can refuse riders and does not have to provide service to every town or city they are operating in. They are an app only company and do not take money or vouchers. People with lower incomes cannot use their service which is discriminatory. TNCs also engage in surge pricing to take advantage of high demand periods.

Jim Rio interjected by asking Mr. Miller to state the point he was trying to make.

Mr. Miller responded with Uber is operating as a for-hire company which is exactly what taxicabs do. He would like Uber to abide by the same rules like background checks, inspections, etc. He said that he would like something to be done between the DOT and DMV.

Jim Rio stated that there was a committee formed between DOT and DMV and that a study was completed. Now that the session is over they will reconvene and talk about how this issue is going to be addressed. Mr. Miller does not believe TNCs should be operating because they are in violation of all statutes and regulations which is not fair to the taxi industry.

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

Federal Motor Carrier Safety Administration (FMCSA)

Mike Riley asked about agency activity regarding CDL testing and manuals. Cindy Zuerblis said the CDL Unit was supposed to have a new CDL manual and tests out for July 2nd but they are behind schedule. There are two working groups; the business and IT groups. A Corrective Action Plan was submitted to FMCSA with a probable finish date of August 2017. Ms. Zuerblis said in the meantime they have drafted a letter to the CDL schools to give them the status. There is going to be a new manual

and new skills test which will require the training of all instructors. DMV is also looking for a new skills test location.

Mike Riley asked Cindy Zuerblis if the department was soliciting input from the industry on the proposed changes. Mike said they would like to have the opportunity to comment because there are concerns. He has heard that the changes in the testing may make the process much longer; without increases in staff this could be a burden on the industry. Cindy said the knowledge test is going to be longer as is the road skills portion. Mike said he would like to sit down and talk about his concerns just so they are aware of what's coming.

Chris Henry of the Federal Motor Carrier Safety Administration said unfortunately it is too late to change anything. It has been approved by AAMVA administrators and FMCSA has been working with the DMV to implement the changes. Chris Henry said that FMCSA will help educate the industry on these changes.

Mike Riley said if it is a longer test it will be more difficult to get a CDL license. He said there should be discussions about DMV staffing so we don't end up with people who have job offers being told they have to wait 5 weeks to get a CDL test.

Chris Henry said that FMCSA is not approving anything beyond what has already been proposed. Chris said DMV has already asked for changes outside of the current model and they were denied. He said the testing procedures and test will all be consistent throughout the country.

Motor Carrier Safety Assistance Program (MCSAP)

Lt. Don Bridge reported on "Road Check" that took place June 2nd - 4th. He said the defects that are found are the same things they find year round. The out of service rate for vehicles and drivers is a little higher. The higher out of service rates for vehicles are likely due to the focus on Level 1 inspections which is a full inspection. In the last 6 months there have been roughly 10,000 inspections on trucks and buses. Approximately 25% of the vehicles were declared out of service and 7% of the drivers were put out of service. The majority of the drivers were put out of service for hours of service violations. Vehicle out of service violations in order of occurrence are: brakes, lighting, load securement and steering components. Lt. Bridge said that carriers need to make sure the vehicles are defect free before they leave the garage.

Lt Bridge stated that when a driver is stopped for cell phone use or not wearing a seatbelt, inspectors are discovering some of these mechanical violations. He said if the driver is doing things he shouldn't be doing this will draw attention to the truck. Lt. Bridge said preventing crashes is what we are all about. He said that inspectors are focused on driver behavior and equipment. Mike Riley wanted to clarify that the out of service stats reflect vehicles that are selected for inspection and not a representation of all commercial vehicles on the road.

Chris Herb asked how long it takes for an inspection to be entered into the federal system. Lt. Bridge said that the majority of inspections are computerized and are immediately uploaded. All law enforcement personnel, including other states and FMCSA personnel, can see the inspection. It takes approximately 30-45 days before the inspection migrates into the system with data corrections sometimes taking up to 60 days before being available.

Chris Herb said the reason he brought it up is in the past few weeks he got calls saying trucks were being pulled over a second time all within 5 days of each other. Lt. Bridge said he tells drivers when they get back to their garage to make a copy of the report and carry it with them in the truck so if they get stopped again they can give it to the law enforcement personnel who are stopping them. Jim Rio added that they should be getting a CVSA sticker if they had a clean inspection. Chris Herb said the driver told the inspector he had just been stopped and the inspector said he didn't see the inspection in the system.

Lt. Bridge said that if a truck is stopped within 10 minutes of the first inspection, the officer should be able to see the first inspection in the system. Chris Henry said it is at the inspector's discretion if they want to pull up the report and check those violations that were previously found.

Marc Papandrea said Revenue Services used to do joint dyed fuel operations with DMV. He reported that they are finding very few instances where dyed fuel is being used in vehicles. Jim Rio said that an MOU was just signed with Revenue to apply for another grant so they will be doing them again. Marc reported that anyone who owns a diesel engine should not be using the dyed fuel because it can damage the engine. He said using a high sulfur dyed fuel for off-road is different.

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

Bob Sardo recapped the February Motor Carrier Meeting saying they applied for a 1 million dollar grant from FMCSA for projects that are still going forward. Some of the PRISM money was used for hardware. He reported that some of the money was for the modernization of the Motor Carrier Service Portal. Bob said that law enforcement and DMV users who use the real time CT CVIEW Plus can see a lot of data.

Lt. Bridge reported that law enforcement can go to this CT CVIEW Plus to see past inspections as well as going to the FMCSA portal. He said that they are working with their mobile data terminal vendor to pull information from CT CVIEW Plus right into their computers so they can search for information.

Mike Riley asked if the data will be used for pre-clearance. Lt. Bridge said it is used for pre-clearance and that all facilities are Drivewyze enabled. Mike asked if they use this to determine carriers that need to be looked at and Bob Sardo said that is what Drivewyze does. Lt. Bridge said the systems are all tied together and is used when drivers are actually stopped.

Bob Sardo said that they have funding to use for pre-clearance or Drivewyze or whatever they choose. Bob also reported that the system will contain information for the motor carriers IRP and GVWR and all data will come from authoritative sources.

Bob Sardo said any authorized state user can request access to this system. He can set them up with permissions to access the data.

Bob referred to the handouts he had given and said that law enforcement can see the past histories of carriers by accessing the CT CVIEW system. He showed a Power Point presentation of what the screens look like. He said that he will be meeting with the vendor and if there is anything that should be delved into he will address it with them.

Bob said from the motor carrier's point of view CVIEW has been available since 2004. The DMV now has a new vendor but they have not changed the look of the site until they can incorporate the CT CVIEW Plus. It is only in the test stages right now. He said there will be a calendar on the new site which will be compatible with many different devices, smart phones, tablets, etc. When a carrier brings up the calendar it will contain all information for that carrier, such as renewal dates, IFTA dates, decals, motor carrier tax, oversize overweight permitting. The calendar will be a read only screen. Right now they are still brain storming but would like input. Bob said that eventually they want the calendar to be able to interface with other systems so if FMCSA wanted to send a message to all carriers there would be a dialog box on the calendar for them to do so. It could contain an Amber Alert, a DMV closure, road closure. They want to make it as informational as possible. The calendar will be built in real time and will also have email capabilities and instant messaging.

VI. Other Business

Jim Rio stated that the meeting dates for 2016 will be March 10th and June 2nd.

VII. Adjourn

Meeting adjourned at 2:05