

# **MOTOR CARRIER ADVISORY COUNCIL**

## **Connecticut Department of Motor Vehicles**

**60 State Street, Wethersfield, Connecticut**

### **Minutes of May 31, 2012 Meeting**

**Attendees:** James Rio, Sharon Geanuracos, Mike Bzdyra, Lynn Blackwell, Cindy Zuerblis, Mary Santangelo, Lt. Donald Bridge and Vanita Smith, Department of Motor Vehicles; Chuck Hoadley, Department of Administrative Services; Rich Van Allen, Department of Transportation, Sgt. John Netkovick, Connecticut State Police, Rick LaRose, Department of Revenue Services; Karl Boehm, Federal Motor Carrier Safety Administration; Mike Riley, Motor Transport Association of Connecticut; Joan Nichols, Connecticut Farm Bureau; Jean Cronin, Connecticut Bus/COSTA; Kip Bergstrom, Department of Economic and Community Development;

#### **I. Called to Order**

James Rio, Chairman, called the meeting to order at 1:02 p.m.

#### **II. Approval of Minutes**

Sharon Geanuracos, made a motion to accept the minutes of the March 1, 2012 MCAC meeting minutes. Cindy Zuerblis seconded it, and the motion passed unanimously.

#### **III. Chairperson's Remarks**

Jim Rio welcomed all in attendance and introduced Lynn Blackwell, Division Chief of License Administration and Cindy Zuerblis, Division Manager of the Public Endorsement Review Unit. Lynn explained that Cindy was there to answer any questions about Tumbleweed. With Tumbleweed, carriers can access their driver information for public service driver disqualifications by viewing cumulative and daily reports. Lynn also spoke about driver regulations.

Mary Santangelo, MV Branch Manager, added that she has now taken over the IRP (International Registration Plan) Unit.

Jim explained that the Connecticut Department of Transportation contracted the "Connecticut Academy of Science and Engineering" (CASE) to do an independent study of "*Alternative Methods for Safety Analysis and Intervention for Contracting Commercial Vehicles and Drivers in Connecticut.*" CASE released a draft report to the committee that contributed information to the study. A meeting will be held on June 8, 2012 at the ConnDOT Central Lab, 280 West Street, Rocky Hill. The June 8<sup>th</sup> meeting is when the final report will be released. The CASE

reviewed the method by which state agencies evaluated motor carriers to determine suitability for state contract consideration.

#### **IV. Impacts and Implementation of Legislation from the 2012 Session of the Connecticut General Assembly**

##### **State Agencies -**

##### Department of Motor Vehicles

Sharon Geanuracos reported the following:

##### **Public Act 12-81 H.B. 5164, House Amendment A DMV Omnibus Bill**

Four separate DMV bills were combined into H.B. 5164. There were also additional items added to the bill before its final passage that were not proposed by DMV, and are not discussed in this summary. The bill was signed by Governor Malloy on June 6 and it was designated Public Act 12-81. This year, none of DMV's proposals will have a significant impact on the motor carrier industry or school transportation.

##### Section 5-CDL Lifetime Disqualification- Reinstatement Requirements

This section amends section 14-44k of the Connecticut General Statutes, which sets forth a procedure for reinstatement of a CDL after a lifetime disqualification for two alcohol related offenses. The proposed amendment removes a reference to the Substance Abuse Treatment Program. The statute authorizing that program was repealed during the 2011 session. The reference to it in section 14-44k was replaced with "program established and operated by the Department of Mental Health and Addiction Services pursuant to chapter 319j, a program operated through a substance abuse treatment facility licensed in accordance with section 19a-491 or the equivalent of either program offered in another state." This ensures that any CDL holder seeking a reinstatement will have gone through an approved treatment program.

##### Sections 25 and 26- "A" Endorsements

These sections re-establish the "A" endorsement that was removed from section 14-36a last July. The Department intends to establish a training program for persons who drive using only an A endorsement. To correspond to this legislative change, DMV has also removed the "A" restriction from regulations that it promulgated last year.

##### Section 32- Technical Change- Periodic Inspection Requirements

This makes technical changes to the program that was established last year to ensure that periodic inspections are completed in accordance with 49 CFR §396.17. These changes were

recommended by the Legislative Commissioner's Office to clarify the standards for failing to do inspections or for falsifying documents related to the inspections.

#### Section 40- Commercial Driver License Instruction Permits

The DMV has established an adult instruction permit to train for obtaining a Class D license. This corresponds to our current learner's permit which will be referred to as "youth instruction permit" when the legislation becomes effective in January 2013. To correspond to this change in terminology, a CDL "learner's permit" will now be a CDL "instruction permit."

#### Section 49- Background Checks for Public Service Applicants

This section amends section 14-44 to require DESPP to conduct state and national criminal history record checks within 60 days of applying for a public passenger endorsement.

#### Department of Transportation

Rich VanAllen mentioned Sec. 14-262. Width and length of vehicles. Exceptions. Permits.

#### Department of Revenue Services

Rick LaRose reported the cap on gas tax. The new diesel tax is 51.2¢ per gallon.

#### Department of Economic and Community Development

Kip Bergstrom reported that there was a vulnerability bill for slower moving vehicles, which passed in the senate but died in the house. They would like to see something passed.

### **Motor Carrier Industry -**

#### CT Bus/COSTA

Jean Cronin reported that there is a wait time of 16 weeks for the background checks and that is too long. She did try to address the issue with CSP Lt. Colonel Gene Labonte but he is leaving and they will be getting a new person. Jean did say that the Tumbleweed short list was very helpful.

There was no new legislation for buses in the 2012 Legislative Session.

Jean Cronin mentioned there was a delay in getting the new buses inspected because the DOT person assigned to inspect them was out for 2 months. Lt. Donald Bridge spoke up to say that he did get a DMV Inspector to complete the inspections for DOT. She also reported that the inspection stickers have biannual expiration dates and if a reinspection is not performed in time, buses are ticketed at out of state terminals even though an annual inspection is acceptable. She

suggested removing the EXPIRATION DATE on the stickers and just putting the INSPECTED ON date instead. She said having an expiration date on the sticker is a real issue.

Jean also felt that there were problems with FMCSA's CSA scoring as it relates to at-fault vs. not at-fault crashes.

### Motor Transport Association of Connecticut

Mike Riley of the Motor Transport Association of Connecticut (MTAC) reported that they only had one bill that passed this session.

HB 5170 (as amended by House "A")\*

AN ACT STREAMLINING TRAFFIC SAFETY EVALUATIONS.

Summary: This bill creates an Office of State Traffic Administration (OSTA) within the state Department of Transportation (DOT) as the successor to the State Traffic Commission (STC). It transfers most of STC's duties and powers to OSTA.

Mike also mentioned that the bill died to raise property tax that would validate property tax on trucks.

Mike Riley reported that the association was pleased that the General Assembly had passed an amendment which allows all vehicles with snow plows to operate without an over dimension permit as long as the plow is no wider than 12 feet.

The Association's highest priority bill would have established criteria which, if met, would establish an independent contractor relationship between a motor carrier and the owner operator of a vehicle used to transport product for compensation. The bill did not pass but the association plans to take it up again next year.

The association was pleased that bills establishing tolls in Connecticut and installing red light cameras failed to pass.

Mr. Riley reported that Connecticut already had the nation's highest diesel fuel tax and that the increase of 5 additional cents per gallon effective on July 1 would put our tax at 51.2 cents per gallon. MTAC believes that the diesel tax is too high and that it should be capped as is the case with gasoline.

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

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

Karl Boehm of FMCSA reported that the federal DOT shut down 26 bus companies. None of which were Connecticut based companies.

Karl also said that FMCSA needs to hear why CSA is not working and that they are documenting complaints. He wants to know what the problems are with the CSA scoring system. Jean Cronin from COSTA said that she would send him a letter documenting the problems she is finding.

Karl discussed the kind of information that is used to determine a company's score, e.g. "At Fault Crashes." He said that the scoring system is designed for the Federal Compliance Officers to do their company audits.

Mike Riley added that when a company is charged with a violation and they go to court, if the court nollees the charges, the violation will still show-up on the federal website, those violations are not removed.

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

Lt. Donald Bridge, DMV, reported that to date truck inspection personnel statewide have done approximately 9,000 inspections. During the High Priority Grants, 2,000 drivers were stopped for various violations e.g. safety belt, distracted driving, texting while driving. The focus has been in the high crash corridors.

The "High Crash Corridors" are as follows:

1. I-84 & I-91
2. I-91 & I-95
3. Rt. 8 & I-84
4. From Bridgeport south down state.

Lt. Bridge reported that 70% of crashes happen Monday thru Friday, 6 a.m. – 6 p.m. and larger vehicles account for 50%. He said crash statistics are compiled from DMV and CSP reports and added that crash rates have come down.

Lt. Bridge mentioned that Connecticut is number five in the country for crash rates and 90% of crashes happen on an interstate road.

Lt. Bridge reported that DMV will be doing "Road Check 2012" on June 5, 6 and 7 and will be working the high crash areas.

Mike Riley stated that during Road Check, the same truck could be stopped 3 times in different states. Mike said that he would ultimately like to see a bypass. He said that trucks waiting in line could cause the good trucks to be held up unnecessarily which wastes time and money for the companies.

Lt. Bridge said that during "Road Check" the focus is on driver behavior and unsafe trucks. All commercial motor vehicles must stop when the weigh stations are open which is law and unrelated to Road Check.

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

George White was not available to provide a report. Rich VanAllen noted that DriveWyze has been added to the site. You need a smart phone to by-pass weigh stations with this technology.

He said there are 11,051 DOT Self Issuance permits up on the oversize/overweight permit site already. He said the established route is based on the height of the bridges and the weight of the trucks load. If the drivers' credit card is good, they can get a permit automatically. Rich did stress that this is for Pre-established Routes Only.

Mike Riley stated that DriveWyze has been very well received in the trucking industry.

**VI. Other Business**

Jim Rio asked if anyone had any other business to discuss.

Lynn Blackwell, DMV, mentioned that CDL medical certificates need to be updated every 2 years and when CIVLS is fully up and running, which is on track for November 2012, the DMV will start doing them electronically. She did say that some doctors need guidance on how to fill-in the medical certificate for CDL driving.

Vanita Smith asked the group to contact her with any names that should be added or deleted from the MCAC Meetings distribution list.

Jim Rio mentioned that the next Legislative Session starts January 9, 2013 so he will be scheduling the 2013 Motor Carrier Advisory Council meetings as follows:

Thursday, February 28, 2013 and;

Thursday, June 27, 2013

**VII. Adjourn**

Sharon Geanuracos made a motion to adjourn the meeting and Cindy Zuerblis seconded the motion, motion passed unanimously, and the meeting adjourned at 2:10 p.m.