

SB 807

PA 827

1971

Transportation

390-395

House

6030-6032

Senate

2880, 2888

**JOINT
STANDING
COMMITTEE
HEARINGS**

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**PART 2
338-674**

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Rep. Truex: Thank you very much, Mr. Chairman. And I apologize for my lack of preparedness, as it is of no way lack of interest in the bill, I assure you. I thought I had it with me, but the pressure of other hearings is sometimes a little overwhelming, too. Thank you very much for letting me speak very briefly on H. B. 5506, which is the famous flashing green light bill, and has been before you many times before. This is a bill which simply permit volunteer ambulance companies drivers, who are approved by the associations involved; to display flashing green lights going to the place where their ambulances are garaged. In order to allow them to get there very quickly. I am not one who favors seeing a lot of flashing lights on the highway. I think they are a source of concern. However, I think that this is real emergency measure. I feel it would not be abused in any way, would not be used a great deal but when it is necessary, it could be very helpful. We had an occasion, one time, in our own family, to use the facilities of the volunteer ambulance company in our town; when someone was injured playing football, our son. And, I can tell you it was a great comfort to know that they were there, could be reached quickly and could get to the scene of the accident quickly. And, I would urge that you consider this carefully and, if in your wisdom you feel that it could be passed; I would be very grateful.

There is another bill, also, H. B. 5571, oh, thank you, 5511. has my name on it, too. Which has to do with insignia on hearses which have been sold, and use now as private cars. This was put in as a request of a (it is not a request bill, I should not imply that) but was at the suggestion of some parents, who lost a son in an accident and there was such a hearse involved, I believe, it is one of those things which could cause an emotional situations, where a family who has lost a member, does not like to see a vehicle, which is used at a time of sadness, such as a funeral; used in a way that is not in keeping with its original use. This is a small bill, but, again, I would commend it to you for your consideration. Thank you very much.

Chairman O'Dea: Thank you, Rep. Truex. Is there anyone to comment on S. B. 791?

Mr. John Blasko: I am Executive Vice President of the Motor Transport Association of Connecticut. Appearing here in opposition of 791. if, for no other reason, the fact that it is ambiguous; doesn't state the provisions that it is intended to provide and further; if anything, it is actually needless. I don't see any purpose to be accomplished. However, if it is the feeling of the Committee such identification is desirable, I would refer you to S. B. 380, in which the provisions are rather implicit. Thank you.

Chairman O'Dea: Thank you, Mr. Blasko. Anyone else to comment on this bill? If not, the hearing is closed on 791.

We now have 807 (Sen. Fauliso) AN ACT CONCERNING MOTOR CARRIERS OF PROPERTY FOR HIRE IN INTERSTATE COMMERCE. Along which we have

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Chairman O'Dea(continued): also S. B. 815, which covers interstate commerce. Anyone to speak in favor of either one of these bills?

Mr. Peter Lostocco: I am appearing on behalf of the Public Utility Commission. These were Commission sponsored bills and such were proposed to provide uniform standards for the purpose of enforcing the economic and safety laws and regulations of the various states concerning highway transportation by truck. The bills contain standards which are similar to those which have been promulgated by the ICC pursuant to Public Law 89-170, which was enacted by the Congress of the United States on September, 6, 1965.

Public Law 89-170, provided that the National Association of railroad and Utility Commissioners shall determine the standards as contained in bills 807 and 815 and the standards must become effective by all Commissions in states requiring the regulation and registration of motor carrier operating within their states. The PUC has regulated transportation over Connecticut highways since the inception of the transportation statutes in 1935 and effective on January 1, 1972, all states; including Connecticut, if they intend to regulate interstate commerce within their states, must abide by the standards contained in these bills.

Public Law 89-170, also provides that in the event that a state requiring regulation of interstate operation in the respective states does not comply with the standards, that state will no longer be able to regulate interstate commerce, within their state.

The provisions of the standards contained in these bills, closely parallels the present method of regulation of interstate and intrastate transportation, as provided in Chapter 285 of the General Statutes and the principal change is the amount of the fee for a decal, which these standards provide for \$5.00, plus an additional fee for \$5.00, to be used solely for regulatory purposes, for each truck, in lieu of the present statutory charge of \$20.00 per plate.

The intent of the standard regulations, which will be standard for all states, is for uniformity in all respects in the filing of an application to the size of the decal to legalize the truck operation on Connecticut's highways.

Bill 815 is similar to bill 807 and is also sponsored by the Commission. The intent of this bill is to provide for similar rules regulations, standards and fees for those motor carriers of property operating intrastate solely within Connecticut. It would not be practicable to have the present rules, regulations and also the fees apply to the intrastate carriers and different regulations for those operating in interstate commerce within Connecticut. At present, the motor carriers are required by Statute to pay a fee of \$20.00 per vehicle and under these bills, the fees will be reduced to \$10.00 which fees were effective for several years, and until two years ago, when they were increased to \$20 per vehicle. The standards, as proposed in bill 807, provides

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Mr. Lostocco(continued): for an additional fee of \$25.00 for any new application filed for operating authority and an additional fee of \$10.00 for each supplemental change filed by reason of additional authority being acquired by the Interstate Commerce Commission. Upon passage of these bills, effective January 1, 1972, trucks operated into Conn. and throughout the country will no longer be displaying metal plates which you have seen for many years on the front of those trucks. A one inch square decal will accomplish the same purpose by being affixed to a cab-card, which will be carried on the inside of the truck.

In connection, further with these bills, the Commission expects to issue for the year 1971, 100,000 Public Utilities Commission plates and we expect for 1972, under these proposed regulations that the Commission will issue, again, approximately 100,000 decals. Of this amount, 95% represent fees obtained from carriers operating in Conn. and through Conn., in interstate commerce.

Revenues on this basis will be decreased by approximately one million dollars but the changes are necessary in order that the State of Connecticut may continue to regulate interstate commerce within this state.

The Commission requests earnestly that your Committee rule favorably on these bills so the State of Conn. may continue to enforce economic regulations with in Connecticut.

Chairman O'Dea: Thank you, Mr. Lostocco. Any questions?

Rep. Reinhold: One quick question, Mr. Chairman. Mr. Lostocco, I am Rep. Reinhold, of the 171st. District; has this regulation already been passed by many of the States in the country?

Mr. Lostocco: Yes, sir. All of them will have to comply by January 1, but at present, we believe that there are 20 states that have used them. Some of used them for two years, and others have for one year. Yes?

Rep. Cretella: Mr. Lostocco, I noticed that this is repealing section 16-298. I noticed that the original language is printed in there; leaves some of the original language, but doesn't seem to make sense. Right now does it read " that they must apply to the Conn. Public Utility Commission for a permit of registration"? Is that where the line starts? Do you see where I am talking about?

Mr. Lostocco: Is it in the first paragraph? Right now they don't apply for a permit of registration. This does provide for that. This is what this will actually cover; a certificate of registration on the interstate part of it. And in section 16-298-----

Rep. Cretella: What did the section provide, before this, that is what I wanted to know?

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Mr. Lostocco: Just an application to provide interstate transportation on Connecticut highways to the PUC.

Chairman O'Dea: Thank you, Mr. Lostocco. Rep. O'Neill, do you want to speak on a bill?

Rep. O'Neill: Mr. Chairman and members of the Committee; I am from the 52nd. District. I am here this morning to speak on behalf of H. B. 8051. This particular bill, Ladies and Gentlemen of the Committee, would allow the antique car "buffs" - the people who are doing such an excellent job in restoring the antiques to their full, authentic original status - to use license plates that were originally issued for the year of the vehicle. Per se, if we had a 1910 automobile, and the man had a 1910 Conn. license plate, it would be applicable to that automobile. And, he could use it on that car. Now, this would not mean any loss of revenue to the state, they would expect to pay the same registration fee. The automobile would not be used for normal highway transportation, only to and from the various events and functions where the automobiles are displayed and at rallies. I think that it is a good bill, Mr. Chairman, and I think that it goes a long way in keeping Connecticut well aware of its past history, in the transportation and automotive field. I do not want to go into great detail on the bill, but I know that there are people here this morning who have examples of these original plates and I think for sure that they will go into detail and explain fully, the bill to you. And I hope you will give it favorable consideration.

Chairman O'Dea: Thank you very much. Is there anyone else to speak in favor of bills 807 and 815?

Mr. John Blasko: I am Executive Vice President of the Motor Transportation Association of Connecticut, appearing here in support of bills 807 and 815. These bills have come about as a result of Public Act 89-170, reflecting the concern of the state Regulatory Commissioners, the Interstate Commerce Commission and the U. S. Congress, relative to the barriers being built by the states in restraint of interstate commerce. These bills are the first step in the direction of restoring a degree of uniformity in the regulation of motor carriers and should be passed. The PUC plate fee is not in any way related to use of the highways and in many states, and Connecticut, is levied under the guise of making certain that carriers are in compliance with insurance requirements, fundamentally - an unnecessary duplication, since insurance requirements of all interstate carriers, are also filed with the interstate commerce commission and rigidly enforced.

However, In Connecticut, we have a PUC plate fee, on top of the motor carrier road tax, on top of a registration fee; all in addition to fuel and property taxes and the ordinary taxes such as corporation, sales and use taxes which are paid by all businesses. Similar taxes are levied under various names by all the states

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Mr. Blasko(continued): and necessarily so. Severe and costly complications arise in the various means of application, of, as well as the level of state taxes on business and industry doing business in more than one state. Though this is a problem for all business and industry, I am most particularly concerned with motor carriers and can best illustrate the ridiculous nature of the problem with just a couple of examples of application of what are commonly known as third structure taxes - taxes levied by the state above and beyond the basic registration fee and fuel taxes.

A Connecticut for-hire carrier, operating in surrounding states, has to do the following: In Massachusetts, (taking a couple of examples) register each truck with the Massachusetts Department of Public Utilities; pay a plate fee of \$5.00 per vehicle and all vehicles entering the state with over 20 gallons of fuel; secure a license \$1.00 per fleet, and an additional of \$1.00 per unit for diesel units; keep a record of all mileage in that state and either purchase enough fuel in the state to cover his mileage there or pay the tax thereon, without getting the fuel; In Vermont, he has to register each unit at \$10.00 each and pay \$5 per round trip; in New York, all units over 9 tons gross weight, register with tax department at \$5 per unit, keep record of mileage, paying from .6 to 3.5 cents per mile and in addition, purchase fuel to cover the mileage or pay the tax thereon. In New Jersey (and this is really a beauty) only trucks with more than two axles have to register for fee of \$3.00, keep mileage records and purchase equivalent fuel or pay the taxes thereon. In addition, New Jersey, which does not regulate interstate for-hire carriers at all, has what they call a counterpart fee which in essence provides that New Jersey will impose on out of state trucks, equivalent fees, which are imposed by other states on New Jersey vehicles - thus the Connecticut carrier is levied with a \$20 PUC plate fee per vehicle in spite of the fact interstate carriers are not regulated in New Jersey.

In recognition of this growing problem of increasing barriers to interstate commerce, and not restricted just to motor carriers, Senator Ribicoff on January 27, 1971 introduced S. B. 317, with these comments, and I quote:

"Mr. President; I am once again introducing the Interstate Taxation Act; a measure designed to bring order into the present chaotic system of taxing interstate commerce. It seems almost anachronistic that in the year 1971, we still have impediments to the free flow of commerce between 50 states. But with the present diversity and proliferation of individual state taxation programs, there is just too much red tape involved for those seeking to conduct interstate business. The difficulties are far more serious when the businesses concerned are too small to absorb the added costs of trying to conform to the multiplicity of tax regulations and requirements.

When the founding fathers granted the power to the Congress to regulate interstate commerce, they recognized that in order for

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Mr. Blasko(continued): this nation to prosper, manufacturers, wholesalers and retailers from all parts of the country must have free access to each and every state. But with the increasing demands placed on state and local governments for public services, new sources of revenues have had to be created. The increased burdens of providing schools, roads, sewage systems, and fire and police protection have led to the imposition of a variety of local taxes on commerce to meet these needs.

As a result of the creative imagination of the tax collecting bodies, the burden of taxation has become overwhelming. When a business today seeks to sell a number of states, it is faced with a formidable array of rules, regulations, and procedures which serve to inhibit smaller businesses from expanding into new areas."

I am enclosing the full text of Sen. Ribicoff's remarks, as well as Maryland's Senator Mathias's supporting statement. The two bills under consideration here do not eliminate the problem - but they do represent a major step forward toward uniformity, as directed by Public Act 89-170, and I earnestly urge recommended approval by this Committee.

Chairman O'Dea: Thank you, Mr. Blasko. Anyone else in favor?

Mr. John Hedges: I am Staff Member, Connecticut Business and Industry Association. I have been the Traffic Manager for the Manufacturers Association of Connecticut for the last 15 years. I, too, would like to support these two bills, 807 and 815, because we, already, in the very nature of regulating the transportation, have enough complexity built in. Anything that enables the motor carriers serving our people, our business and industry here in Connecticut more efficiently, cuts down a little bit of the red tape, the paper work - we most strongly support. We would hope that this Committee will favorably report these two bills. Thank you.

Chairman O'Dea: Thank you, Mr. Hedges. Is there anyone else in favor? Is anyone opposed to 807 and 815? The hearing is closed.

We will now hear S. B. 816 (Sen. Rudolf) AN ACT CONCERNING THE REGISTRATION OF COMMERCIAL MOTOR VEHICLES. Anyone in favor? Anyone opposed?

Mr. Edward Carroll: Representing Department of Motor Vehicles, we are opposed to 816. The basis of our opposition is that there are nine million dollars in registration fees involved here and we are fearful that we will lose some of those fees. Thank you.

Chairman O'Dea: Thank you, Mr. Carroll. Anyone else opposed?

Mr. Joseph Scheyd: Mr. Chairman and Members of the Committee; I represent the Connecticut Association of Assessing Officers. My appearance today, is to register opposition to bill 816. The primary concern of our association, has been and continues to be the erosion of the local tax base.

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HOUSE**

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PART 13
5555-6226**

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1837, an Act reinstating the corporate existence of Davis Acoustical Co., Inc. EFH

WILLIAM F. RYAN:

Mr. Speaker, I move acceptance of the Joint Committee's favorable report and passage of the Bill.

MR. SPEAKER:

The question's on acceptance and passage. Will you remark.

WILLIAM F. RYAN:

Yes, Mr. Speaker. This Bill is necessitated unfortunately because the Davis Acoustical Company, Inc. failed to print their annual report within the time period limited by law, and this, in fact, would allow them to reinstate their corporate existence. I move that it's a unfortunately a necessary Bill, and I would urge its passage.

MR. SPEAKER:

Will you remark further on the Bill. If not, the question's on acceptance and passage. All those in favor will indicate by saying "aye". Opposed. The Bill is passed.

MR. SPEAKER:

Will the Clerk please call Calendar No. 1649.

THE CLERK:

Calendar No. 1649, Substitute for S.B. No. 807, an Act concerning motor carriers of property for hire in Interstate Commerce.

FRANK M. REINHOLD., SR.:

Mr. Speaker, I move acceptance of the Joint Committee's

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favorable report and passage of the Bill.

EFH

MR. SPEAKER:

Question's on acceptance and passage. Will you remark.

FRANK M. REINHOLD, SR.:

Yes, Mr. Speaker. This Bill is one requested by the Public Utilities Commission concurred in by the Department of Transportation and the Motor Vehicles Department. It results from an Act of Congress which was passed in February of last year, and since Congress controls the Interstate Commerce Commission, the State of Connecticut has no alternative except to comply with their regulations. The regulation is one which calls for the Public Utility Commission, working in cooperation with the Department of Transportation, to agree upon routes and terminals within the State of Connecticut where interstate motor carriers operate. Keep in mind this does cover interstate. The Bill calls for each company who so operates to make an application to the Motor Vehicle Department, which would be accompanied by a fee of \$25.00, and if the application were in compliance with the regulations, they would be granted stamps, each stamp requiring a fee of \$5.00, these stamps being affixed to each vehicle which each such company operates within the State of Connecticut. The real purpose is to make sure that all such vehicles are registered and identified. As I said earlier, it ties in with an Act of Congress, an Interstate Commerce regulation, and the State of Connecticut is required to comply. I urge approval of the Bill.

MR. SPEAKER:

Will you remark further on the Bill. If not, the

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question's on acceptance of the Joint Committee's favorable report and passage of the Bill in concurrence. All those in favor will indicate by saying "aye". Opposed. The Bill is passed. EFH

PETER W. GILLIES:

On Page 14, Mr. Speaker,...yes, Mr. Speaker...on Page 14, Calendar No. 1643. That was passed temporarily. We passed an Amendment. We are now prepared to go forward with the Bill.

THE CLERK:

Calendar No. 1643, Substitute for S.B. No. 1699, an Act concerning the Membership of the Board of Registration for Professional Engineers and Land Surveyors. As amended by Senate Amendment Schedule "A". Earlier today, the House adopted Senate Amendment Schedule "A".

RICHARD J. YEDZINIAK:

Mr. Speaker, I move acceptance of the Committee's favorable report and passage of the Bill as amended by Senate Amendment Schedule "A".

MR. SPEAKER:

Question's on acceptance and passage. The Clerk please call Senate "A". The Chair stands corrected. Senate "A" has been adopted. The question now is on acceptance and passage as amended by Senate "A". Will you remark.

RICHARD J. YEDZINIAK:

Mr. Speaker, briefly, the Bill provides that two land surveyors would be added to the current Board of Registration for Professional Engineers and Land Surveyors. There is no provision for land surveyors to be on this Board of Registration. Other

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THE CLERK:

The following bills were passed on a Consent Motion by Senator Caldwell with the approval of the Minority Leader;

GOVERNMENT ADMINISTRATION AND POLICY: Substitute House Bill 8682. House Bill 5854. JUDICIARY: Substitute House Bill 7495. House Bill 5662; Substitute House Bill 851. GOVERNMENT ADMINISTRATION AND POLICY: Senate Bill 652; Senate Bill 1145; JUDICIARY Senate Bill 1788; Senate Bill 805; Substitute Senate Bill 1093; Substitute Senate Bill 868; Substitute Senate Bill 1441; BANKS AND REGULATED ACTIVITIES: Substitute Senate Bill 467; GOVERNMENT ADMINISTRATION AND POLICY: Senate Bill 1833; JUDICIARY Substitute Senate Bill 1296; TRANSPORTATION: Senate Bill 1115; Substitute Senate Bill 255; ELECTIONS: Substitute Senate Bill 508; JUDICIARY: Substitute Senate Bill 1022; Substitute Senate Bill 1543; TRANSPORTATION: Substitute Senate Bill 1807; JUDICIARY Substitute Senate Bill 550; substitute senate bill 823; JUDICIARY: Senate Bill 898. TRANSPORTATION Substitute Senate Bill 807; FINANCE: Substitute Senate Bill 1576; Senate Bill 1570; Substitute Senate Bill 1572; Substitute Senate Bill 1549; Substitute Senate Bill 1549; Substitute Senate Bill 1625; Substitute Senate Bill 1045; TRANSPORTATION: Substitute Senate Bill 815; EDUCATION: Substitute Senate Bill 1840; GOVERNMENT ADMINISTRATION AND POLICY: House Bill 6870; House Bill 9249; INSURANCE AND REAL ESTATE: House Bill 6995; GOVERNMENT ADMINISTRATION AND POLICY: House Bill 9242.

THE CHAIR:

Is there any objection to the passage of the bills, as called by the Clerk? If not, Senator Fauliso, do you move the passage of all said bills?

THE CLERK:

DISAGREEING ACTION:

LABOR AND INDUSTRIAL RELATIONS: Favorable report Substitute Senate Bill 429 An Act Concerning the Retirement Salaries of Certain Workmen's Compensation Commissioners. Tabled for the Calendar.

EDUCATION: Substitute House Bill 5615. An Act Concerning Membership of the State Board of Education and Services for the Blind. Tabled for the Calendar.

RECALL: Favorable report of the joint committee on Transportation: House Bill 5245. An Act Repealing the Requirement that Motorcyclists Wear Headgear. This is Public Act 353. Tabled for the Calendar.

JUDICIARY: House Joint Resolution No. 232. Resolution Confirming the Nomination of George Saden, to be a Judge of the Superior Court. Calendar.

Clerk is ready to proceed with the Calendar.

SENATOR CALDWELL:

Mr. President, we have several more Consent Matters, I'll take those up first. I move that the favorable reports of the joint committees, be accepted and the following bills passed: On page 6, Cal. No. 1001, File on our desks, Substitute Senate Bill 807. An Act Concerning Motor Carriers Property for Higher Inter-State Commerce. On page 9, Cal. 1061; file 1517, Substitute Senate Bill 1575. An Act Requiring Furnishing of Regular Monthly Financial Statements for the State's General Highway Fund. On page 10, Cal. 1071. Senate Bill 1570, File 1505, An Act Concerning the Requirement that the Auditors of Public Accounts Report any Unauthorized Handling or Expenditures of State Funds to the Legislative Management Committee as well as the Governor. Cal. 1072, File 1506, Substitute Senate Bill 1572. An Act Concerning Standard-