

PA10-182

HB5387

House	3505-3517	13
Senate	4116, 4125-4127	4
Transportation	194, 195-197, 260-261, 271- 274, 278-280, 291, 293, 331, 332	17
		34

H - 1083

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2010**

**VOL.53
PART 11
3318- 3572**

ckd/gbr
HOUSE OF REPRESENTATIVES

539
May 1, 2010

THE CLERK:

The House of Representatives is voting by roll call. Members to the chamber. The House is voting by roll call. Members to the chamber.

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? Please check the roll call board to make sure your vote's been properly cast. If all the members have voted, the machine will be locked. The Clerk will please take a tally.

Will the Clerk please announce the tally.

THE CLERK:

House Bill 5533 as amended by House "A."

Total Number Voting 137

Necessary for Passage 69

Those voting Yea 137

Those voting Nay 0

Those absent and not voting 14

SPEAKER DONOVAN:

The bill, as amended, is passed.

Will the Clerk please call Calendar 135.

THE CLERK:

On page 35, Calendar 135, Substitute for House Bill 5387, AN ACT CONCERNING THE REMOVAL OF SNOW AND

ckd/gbr
HOUSE OF REPRESENTATIVES

540
May 1, 2010

ICE FROM MOTOR VEHICLES, favorable report of the committee on Judiciary.

SPEAKER DONOVAN:

The House chair of the Transportation Committee, Representative Tony Guerrero, you have the floor, sir.

REP. GUERRERA (29th):

Good morning, Mr. Speaker.

Mr. Speaker, I move acceptance of the joint committee's favorable report and passage of the bill.

SPEAKER DONOVAN:

Question's on acceptance of the joint committee's favorable report and passage of the bill?

Will you remark?

REP. GUERRERA (29th):

Yes, Mr. Speaker, the Clerk has an amendment, LCO 5008. I would ask the Clerk please call it, and I'd be allowed to summarize.

SPEAKER DONOVAN:

Will the Clerk please call LCO Number 5008, which will be designated House Amendment Schedule "A."

THE CLERK:

LCO Number 5008, House "A," offered by
Representative Guerrero.

SPEAKER DONOVAN:

Representative seeks leave of the chamber to summarize. Is there an objection? Hearing none, Representative Guerrero, you may summarize.

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

Mr. Speaker, a few years back. I took on a bill that was the DOT aircraft carrier and the name of that bill was the removal of snow and ice from motor vehicles. And our good friend the Minority Leader Representative Cafero stood up and asked me, Did that bill have anything to do with the removal of snow and ice? And my answer to him was no.

Well, today, Representative Cafero, I can tell you that this bill does have something to do with the removal of snow and ice on motor vehicles.

What this bill does is, basically, tells motorists that they have to remove their snow and ice from the hood and trunk of their car and the fine will levied of \$75. It also imposes a fine of -- an enhanced fine if the snow and ice causes

ckd/gbr
HOUSE OF REPRESENTATIVES

542
May 1, 2010

property damage or bodily injury. But it does not, ladies and gentlemen, require them to remove the snow and ice while the vehicle still in -- if there's a storm still out there that they don't have to remove the snow and ice until the storm has ended.

And, Mr. Speaker, what this also does is that it pushes the effective date to December 31st of 2013 to allow this -- to have some type of training sessions out there and an educational piece to make sure that people understand this. So I move acceptance of the amendment -- adoption of the amendment. I'm sorry, Mr. Speaker.

SPEAKER DONOVAN:

Question's on adoption of House Amendment
Schedule "A."

Will you remark?

Representative Scribner.

REP. SCRIBNER (107th):

Thank you. Good morning, Mr. Speaker.

SPEAKER DONOVAN:

Good morning, sir.

REP. SCRIBNER (107th):

I rise in support of the amendment and the bill

before us. Surprise, surprise. I would like to thank Chairman Guerrero and members of the Transportation Committee for bringing this forward one more time and certainly for Representative Cafero's leadership behind the proposal.

One of the things that we focus heavily upon in our deliberations in Transportation is the focus on any kind of improvements to road safety. This has been a chronic issue for our motorists for a number of years, and we've had many instances that really caused bodily harm to people. We've tried to work with industry, particularly, the trucking industry to allow them time be prepared for the imposition of a fine that would require them to remove the snow from their vehicles, and I think we've been very generous and tolerant in giving that time. The time has come.

I would urge the support of the chamber members to improve the safety of our roadways. Thank you.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Miller.

REP. MILLER (122nd):

Through you, Mr. Speaker.

Just one question. I do plan to support the bill, but handicap drivers. Was there any allowance made for handicap drivers? If not, if may be in the future maybe we can do something.

SPEAKER DONOVAN:

Representative Guerrero.

REP. GUERRERA (29th):

Through you, Mr. Speaker.

I believe there is not but that is something that, obviously, we can talk about. This bill does go out to 2013, and it's something we can discuss.

SPEAKER DONOVAN:

Representative Miller.

REP. MILLER (122nd):

Thank you very much.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Holder-Winfield.

REP. HOLDER-WINFIELD (94th):

Thank you, Mr. Speaker.

Just a quick question to the proponent. Am I to understand that this includes removal from the roof of the car?

SPEAKER DONOVAN:

ckd/gbr
HOUSE OF REPRESENTATIVES

545
May 1, 2010

Representative Guerrero.

REP. GUERRERA (29th):

Through you, Mr. Speaker, yes.

SPEAKER DONOVAN:

Representative Holder-Winfield.

REP. HOLDER-WINFIELD (94th):

Thank you, Mr. Speaker. And through you, Mr. Speaker, to the proponent of the bill, in terms of removal, are we talking about 100 percent removal? Or is there -- I'm concerned about sports utility vehicles.

SPEAKER DONOVAN:

Representative Guerrero.

REP. GUERRERA (29th):

Through you, Mr. Speaker, I believe it would be to make sure that it does not impose any danger to any motor vehicles or pedestrians on the highways or the streets of the state of Connecticut.

REP. HOLDER-WINFIELD (94th):

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Holder-Winfield.

REP. HOLDER-WINFIELD (94th):

Thank you.

SPEAKER DONOVAN:

Care to remark further on the amendment? Would you care to remark further on the amendment? If not, let me try your minds.

All those in favor please signify by saying aye

REPRESENTATIVES:

Aye.

SPEAKER DONOVAN:

Opposed, nay.

The ayes have it. The amendment is adopted.

Remark further on the bill as adopted -- as amended?

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

And I thank Representative Guerrero for bringing out this bill.

Ladies and gentlemen, I don't know if you've experienced this. I travel from Norwalk when we come up here, and I also happen to practice law in the City of Hartford so I do a heck of a lot of driving. And certainly during those winter months, I have been victim to what I call those slow motion nightmares. When you are driving along and you see

ckd/gbr
HOUSE OF REPRESENTATIVES

547
May 1, 2010

in slow motion this sheet of ice heading for your windshield or your car, or what have you. I've actually been a victim of being struck by those sheets of ice and seen others and, actually, witnessed a very serious accidents as a result of those things. My wife was traveling from Westchester into Connecticut and her entire front window was smashed while she was doing about 60 miles an hour.

When I first introduced this bill many years ago, I can't tell you the amount of emails that I got of people who were seriously injured, and, in some cases, actually died because of accidents of massive amounts of snow coming off vehicles that were in front of them. The unfortunate thing is there was no way to even, you know, try to track who was responsible because obviously they were flying on ahead.

This isn't a problem that's unique to Connecticut, needless to say. This law that we have before us is modeled after one that exists in the state of New Jersey. There is also similar provisions in the state of New Hampshire, New York, and Pennsylvania. I think the time has come. We

are very respectful to those in the trucking industry that realize that they do need to some time to address this problem, and that's why the bill's effective date with regard to that has been pushed off to December 31, 2013.

Again, I thank Representative Guerrera, Representative Scribner for working on this, and I would hope the chamber would support this measure.

Thank you Mr. Speaker.

SPEAKER DONOVAN:

Remark further on the bill?

Representative O'Brien?

REP. O'BRIEN (24th):

Thank you, Mr. Speaker.

Through you, a question to the proponent of the bill.

SPEAKER DONOVAN:

Please proceed, sir.

REP. O'BRIEN (24th):

Through you, Mr. Speaker, just for legislative intent, if the operator of the motor vehicle makes a reasonable effort to clear the snow and ice even though all of it is not removed. Like say, for example, there's ice that's difficult to remove. Is

ckd/gbr
HOUSE OF REPRESENTATIVES

549
May 1, 2010

it the intention of the bill that the operator has to fulfilled their legal responsibility? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Guerrero.

REP. GUERRERA (29th):

Through you, Mr. Speaker, I would hope that the individual is trying to remove the snow and ice, does a fairly good job, and I think the officer would make that determination.

SPEAKER DONOVAN:

Representative O'Brien.

REP. O'BRIEN (24th):

Thank you.

Through you, Mr. Speaker, so if there was for example, ice left -- left on the vehicle that later became dislodged even despite the effort of the operator to remove it, that it would be the intention of this that -- that the reasonable effort of the operator to remove it would be sufficient to fulfill the requirements of this law.

SPEAKER DONOVAN:

Representative Guerrero.

REP. GUERRERA (29th):

Through you, Mr. Speaker, again, I would have to say I'd have to leave that up to the officer that pulled that individual over. If they made their case that they tried to do it, and so forth. So I cannot speak in regards to that type of circumstance. I would think that any individual who knows that they have ice on their vehicle that could cause a major accident or end up killing something -- someone on the highway because they didn't remove that, would have to be more diligent in trying to remove it.

SPEAKER DONOVAN:

Representative O'Brien.

REP. O'BRIEN (24th):

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Would you care to remark further on the bill as amended? Would you care to remark further? If not staff and guests please come to the well of the House. Members take their seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll

call. Members to the chamber. The House is voting by roll call. Members to the chamber, please.

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? Please check the roll call board to make sure your votes have been properly cast. If all the members have voted, the machine will be locked.

The Clerk will please take a tally.

Will the Clerk please announce the tally.

THE CLERK:

House Bill 5387, as amended, by House "A."

Total Number Voting	136
Necessary for Passage	69
Those voting Yea	135
Those voting Nay	1
Those absent and not voting	15

SPEAKER DONOVAN:

The bill, as amended, is passed.

Representative Merrill.

REP. MERRILL (54th):

Yes, Mr. Speaker. I move that we immediately transmit all items that need further action by the Senate to the Senate.

S - 610

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2010**

**VOL. 53
PART 13
3842 - 4128**

cd
SENATE

562
May 5, 2010

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 18, Calendar 548, House Bill 5533,
move to place on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 18, Calendar 549, House Bill 5387,
move to place on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 19, Calendar 522, House Bill 5163,
move to place on the consent calendar.

THE CHAIR:

Excuse me. Senator Looney, could you repeat that
one please?

SENATOR LOONEY:

Oh, yes, Mr. President. It's calendar page 19, I
believe the Calendar may be 552.

cd
SENATE

571
May 5, 2010

Calendar page 10, Calendar 461, House Bill 5207;
Calendar 483, House Bill 5244.

Calendar 484, on page 11, House Bill 5383; Calendar
487, House Bill 5220; Calendar 488, House Bill 5297;
Calendar 490, 5425 -- House; Calendar 496, House Bill
5497; Calendar 509, House Bill 5126.

Calendar page 14, Calendar 511, House Bill 5527;
Calendar 514, House Bill 5426; Calendar 516, House Bill
5393.

Calendar page 15, Calendar 520, House Bill 5336;
Calendar 521, House Bill 5424; Calendar 523, House Bill
5223; Calendar 525, House Bill 5255.

Calendar page 16, Calendar 531, House Bill 5004.

Calendar page 17, Calendar 533, House Bill 5436;
Calendar 540, House Bill 5494; Calendar 543, House Bill
5399.

Calendar page 18, Calendar 544, House Bill 5434;
Calendar 547, House Bill 5196; Calendar 548, House Bill
5533; Calendar 549, House Bill 5387; Calendar 550, House
Bill 5471; Calendar 551, House Bill 5413; Calendar 552,
House Bill 5163; Calendar 553, House Bill 5159.

Calendar page 19, Calendar 554, House Bill 5164.

cd
SENATE

572
May 5, 2010

Calendar page 20, Calendar 556, House Bill 5498;
Calendar 557, House Bill 5270; 559, House Bill 5407; 562,
House Bill 5253; and House Bill -- Calendar 563, House
Bill 5340; Calendar 567, House Bill 5371; and Calendar
573, House Bill 5371.

Mr. President, I believe that completes the items

THE CHAIR:

Mr. Clerk, could you please give me on Calendar 567,
do you have 5516, sir?

THE CLERK:

What -- what calendar?

THE CHAIR:

567 on page 22.

THE CLERK:

It's 5516.

THE CHAIR:

Yes, sir. Okay.

Machine's open.

THE CLERK:

An immediate roll call vote has been ordered in the
Senate on the consent calendar. Will all Senators please
return to the chamber. Immediate roll call has been ordered in the Senate on the
consent calendar. Will all Senators please return to the chamber.

cd
SENATE

573
May 5, 2010

THE CHAIR:

Have all Senators voted? Please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion is on adoption of Consent Calendar Number 2.

Total number voting	35
Necessary for Adoption	18
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

THE CHAIR:

Consent Calendar Number 2 passes.

Senator Looney.

SENATOR LOONEY:

Yes, Mr. President.

Mr. President -- Mr. President, before moving to adjourn, I would like to ensure the entire chamber will wish Laura Stefon, Senator McDonald's aide, my former intern, a happy birthday.

And with that -- and with that, Mr. President, I would move the Senate stand adjourn

**JOINT
STANDING
COMMITTEE
HEARINGS**

**TRANSPORTATION
PART 1
1 – 252**

2010

REP. GUERRERA: Thank you for answering those questions. You did a great job.

JOHN MAGOVENY: Thank you very much, Sir. Thank you.

REP. GUERRERA: Thank you.

Bill Moore.

WILLIAM MOORE: Thank you, Representative Guerrero, Senator DeFronzo, honorable members of the Transportation Committee. My name is William D. Moore. I'm the Executive Director of Connecticut School of Transportation Association. And I'm here to speak on two bills, Senate Bill 340 concerning public service license endorsements activity vehicles and definition of carrier and student transportation vehicle. And 5387, AN ACT CONCERNING REMOVAL OF SNOW AND ICE FROM MOTOR VEHICLES. I've already submitted testimony so I'm not going to bore you with reading it.

However I can assure you the testimony is quite brilliant and I encourage you to review it.

We are supportive of the measure to eliminate the category of activity vehicle and consolidate it into student transportation vehicles for all of the requirements that would be -- that would fall under that. The primary reason for this is our concern about safety. As you know activity vehicles are exempt from the Connecticut regulations requiring training. And we believe that since these vehicles are the same types of vehicles -- the activity vehicles are virtually the same types of activity -- vehicle as the student transportation vehicle.

Those drivers should be required to undergo training on an annual basis similar to the STV drivers so that they can safely drive children to and from the activities to which they're taking them. The State Department of Motor Vehicles has specific courses if you will that they require the STV driver to take. We don't think it would be a hardship for anybody whose interested in safety to require their drivers to go through them.

Regarding Bill 5387, removal of snow and ice from motor vehicles, we request to be exempted from this. It's very difficult for us to be able to clear the tops of school buses from accumulated snow and ice. We can't put ladders up alongside of them to climb up to get the snow and ice off because that's an OSHA violation on safety. You can't drive them under a device that might scrape the snow and ice off of the tops of the school bus because unlike tractor trailers and other vehicles there's emergency exits on the top of the school bus and the device that scrapes the snow and ice off will also pull those emergency exits right off the top of the bus. So we respectfully request to be exempted from that portion of the -- of the -- from the law.

Having said that I'll conclude my presentation and be happy to take any questions that anybody might have.

REP. GUERRERA: Yeah, Bill, just real quick. What do you mean you're going to pull the exits off of the school bus on the top?

WILLIAM MOORE: On the rooftops there's escape hatches.

REP. GUERRERA: Yeah.

WILLIAM MOORE: And if you put some type of a scraper as it goes along it just scrapes right along at a flat level. The escape hatches are about four or five inches above that level and they're not on all that securely. That scraper is just going to rip those hatches right off the top.

REP. GUERRERA: I mean is -- what if it's a brush system though and if the brush is say ten inches high which would just brush right over that.

WILLIAM MOORE: If it's -- if the brush is ten inches high you're not going to get the snow on the top of the vehicle. It's actually got to go right down on the top of the -- on top of the bus. You know, unlike a trailer for instance --

REP. GUERRERA: No, I'm saying. Say -- so if you're telling me that -- if this is the system and that's the bus why can't that just go right over it? And it doesn't effect by ripping the hatch. The brush is just bent backwards and go right over that.

WILLIAM MOORE: I'm not sure that device exists because it would have to mount the -- it would have to raise itself up and then drop itself back down. I think the brushes that are out there are, you know, for tractor trailers or for the trailer.

REP. GUERRERA: Yeah.

WILLIAM MOORE: And I -- I'm not sure that they would effectively clear off the snow on a school bus.

REP. GUERRERA: Well we don't know if they exist then you're saying.

77
law/gbr TRANSPORTATION COMMITTEE

March 3, 2010
11:00 A.M.

WILLIAM MOORE: I don't know that they even do exist.

REP. GUERRERA: Okay.

WILLIAM MOORE: If they do.

REP. GUERRERA: So if they did it would work then.

WILLIAM MOORE: I don't think it would work on the school bus. No. The school bus by the way -- the heat inside the school bus raises through -- goes through the roof and helps to keep that snow melted once the buses are driving. So we really don't have that many instances of snow falling off the school bus. We don't get up to speeds that really push the snow off the roofs of the school bus.

As you know the maximum speed for a school bus on any highway is 50 miles an hour. And so, you're really not getting to that threshold that's going to force that snow off the top of the school bus. I'm really not aware of a device that will scrape or brush the snow off of the top of a vehicle. If they're out there I just don't know of them.

REP. GUERRERA: Okay.

Any other questions?

Thank you, Bill.

WILLIAM MOORE: Thank you, Mr. Chairman.

REP. GUERRERA: Andrew Schneider followed by David Evans.

ANDREW SCHNEIDER: Good afternoon, Senator DeFronzo, SB345 SB346
Representative Guerrero and members of the

**JOINT
STANDING
COMMITTEE
HEARINGS**

**TRANSPORTATION
PART 2
253 – 519**

2010

is that it's not a mandate. It is municipality driven. So it is, you know, if municipalities want to apply for this pot of funding they can do so and the State isn't forcing this new -- them to do certain projects with the -- this -- this new pot of money.

It's mainly just a, you know, community driven and municipality and would definitely build upon the complete streets bill. And I think -- I like the testimony earlier from my -- I believe it was Mr. Mador about perhaps prioritizing some -- some projects that would be regional in scope and be beneficial regionally because it doesn't make sense to build a sidewalk from one, you know, down a mile and then have to stop and then have a mile of empty road with sidewalk and then have to build another sidewalk. It's better to coordinate regionally on that issue. Thank you.

SENATOR DeFRONZO: Any other questions?

Thank you for your testimony.

RYAN LYNCH: Thank you, Senator.

SENATOR DeFRONZO: I appreciate it.

Mike Riley.

MIKE RILEY: Thank you, Mr. Chairman and members of the Committee. I'm Mike Riley from the Motor Transport Association of Connecticut. I'd like to testify on three bills, the red light and the speed camera bill and the snow and ice bill. Briefly on the snow and ice bill last year we brought you in report that was generated in no small measure by this Committee's interest in the snow and ice issue two years ago. That report has been circulated around the country and has generated activity

SB 345
SB 346
HB 5387

in this area. And our testimony indicates to you some of the things that have been happening around the country. This is not an easy fix. It's not going to be something that we can do in a year.

The real solution to this is going to have to be in the design of vehicles so that snow and ice does not accumulate on them and that's going to take some -- yeah, I think like even teflon or heat or some -- some mechanism that engineers can figure out better than I can. But I think you can take credit for the fact that you kicked the ball onto the field and it is moving although it may not be moving as fast as some people might like. It is -- it is heading in the right direction.

I'd like to testify on the other two bills which are 345 and 346 pretty much together because they are similar in -- in nature and the same arguments can be used against them. We've submitted detailed testimony which I won't subject you to. But let me just point out that one of the big problems with this red light camera bill is that it picks up people who roll through an intersection on a right on red situation.

If you roll through that thing according to the information that I've obtained from the internet and other sources you get a red light ticket. If you are delayed in the middle intersection in taking a left hand turn because of oncoming traffic that holds you there until that red light flips, you get a red light camera. And I -- and I represent tractor trailers that have 53 foot trailers entering an intersection which can be slowed down by other traffic and if they get stopped in that intersection, they get a red light ticket. So,

151
law/gbr TRANSPORTATION COMMITTEE

March 3, 2010
11:00 A.M.

have to say and we'll certainly take it into consideration.

MIKE RILEY: Thank you.

SENATOR DeFRONZO: So thank you very much.

Representative Scribner.

REP. SCRIBNER: Thank you.

Good afternoon, Mike.

MIKE RILEY: Good afternoon.

REP. SCRIBNER: you're always so patient.

MIKE RILEY: I like to stay late so that I can correct the inaccuracies of those that proceed me.

REP. SCRIBNER: I thought it was because you got paid by the hour.

MIKE RILEY: But it's not about money.

REP. SCRIBNER: Now that's it's been publicly acknowledged that you do benefit from the industry that you represent so thoroughly and so well, I might add. And I do appreciate your experienced knowledge being brought forward as part of our consideration. And I know as you sat and listened to many of the others proceeding you, there's -- there's a variety of concerns and issues that have been also brought forward for our consideration in each of the bills that you talked about today.

One of the ones that I wanted to focus upon does have to do with the snow and ice removal. And like others that is one that has been before us year after year and I want to thank

HB 5387

Representative Cafero for his diligence and his passion about that issue which is in large part based on a very unfortunate tragedy that did take place. We've had discussions not just during a public hearing debate on that issue previously and I think that we've considered the pros and cons of the continuation of that debate.

Can you enlighten us as to any progress that may be made within the industry to address it because I know there's a number of other states, some of the them that are close by and surround us that have either -- the trucking industry has voluntarily made improvements by implementing snow removal programs from commercial vehicles and in many cases these states have implemented very significant fines for commercial vehicles that don't remove snow which then becomes a very hazardous issue on our -- our highways and streets. Can you enlighten us a little bit on what progress may have been made since we last had this debate?

MIKE RILEY: Yeah. This issue has arisen at the national level as a result of that study. It's actually created an acronym now. Snow and ice on vehicles is known as SNICE in the -- in the trucking industry so SNICE gets talked about a lot. That study presented some plans to short-term, midterm, long-term ways to deal with it.

The American Trucking Association has issued press release and is working on a brochure to -
- to distribute to truckers and to passenger car vehicles that suggest that they remove snow and ice from vehicles to the extent that they can and to be aware of vehicles in front of you where snow or ice could dislodge and cause some damage. There is a -- this issue is going to be taken up at the American

Trucking Association's safety taskforce this spring.

It is also on the agenda for technical advisory group which are the -- the guys who do the vehicles; the designers and the mechanical guys. And they meet with vehicle manufacturers so the discussion then begins about what can you guys do so that we don't have this problem.

There's an acknowledgment of the problem which is not something that was not available before. The New Jersey Trucking Association was -- was approached by a manufacturer of a product that claims will inhibit the accumulation of snow and ice. And there's an effort underway in New Jersey to okay that volunteer company that will use that and see how they like it.

We had a manufacturer of a snow removal company come to our annual meeting in Bristol this fall and show his -- he couldn't bring his product. It's a big brush thing. But he had videos and he talked to members about it. The problem with this -- the in place solution is it's expensive and you don't use it that often. So it's not economically viable.

You know, you're not go out and spend \$60,000 on this big gantry with brushes on it that's only going to be used five or six times a year. And every truck in the state's going to try to get through it all at the same time. So, some larger companies have put facilities into their terminals where they have, you know, multiple trucks coming in and out every day and they do a pretty conscientious job at keeping them -- keeping them clean.

And -- and we have also through the commercial vehicles information system in Connecticut initiated a -- an inquiry through the federal

government to see if there was any way that we could figure out to get federal funds to maybe help us put a public facility in at a scale house in Connecticut perhaps and see how that might -- how that might work. Maybe get somebody to charge a fee or something.

But -- so there's -- there's -- it's -- we're a long way from solving but there are a lot of people thinking about it and there are a lot of proposals that are being advanced. So, that's the best I can do for you on that at this stage of the game but it's a lot -- it's a lot more than we were two years ago.

REP. SCRIBNER: As always, thank you.

SENATOR DeFRONZO: Senator McDonald.

SENATOR McDONALD: Thank you, Mr. Chairman.

Good afternoon, Mike. I -- I have to tell you I'm always amazed how much information you can learn at public hearings. I had no idea you were compensated for your work. I thought -- I thought you only did this out of the goodness of your heart and the dedication to the cause.

MIKE RILEY: I have a good heart but I have a -- I have an Irish wife.

SENATOR McDONALD: Well -- well, I got to -- I got to say, you know, I was upstairs chairing a Judiciary Committee meeting but I heard that you had concerns about judicial process in this piece of legislation so I certainly wanted to be here to let you know that we in the Judiciary Committee after this bill comes out of this Committee are certainly prepared to address your concerns.

SB345

sound like we were tilling new ground here that has already been tilled many times before.

MIKE RILEY: We are returning to a field that was done away with in the 1950s where each town had municipal courts which dealt with traffic violations generated by the local constabulate. That's what is new. I agree that there's, you know, technically there is a -- some sort of dispute resolution -- resolution mechanism for parking although I'm not real familiar with it. But what I see here is much more than that.

SENATOR McDONALD: Okay. Well, and, you know, just one quick point. You asked about what could be used -- what uses the photos could be put to and I can tell you that many people know that Easy Pass records are very similar and they're regularly subjects of court proceeding. They're oftentimes have helped prosecutors prove crimes that when somebody has an alibi and says that they weren't some place and you have an Easy Pass record that shows that they were some place, it's putting people in prison for violating -- for serious offenses.

And I think the exact same argument could be made in this situation that if you actually had a photograph of a vehicle going through an intersection at a particular time could actually be a very useful tool to -- to law enforcement officials as well. Just an observation. But I just wanted to point out -- or ask you about the other bill -- about the removal of snow and ice and it's certainly not a new issue for this Committee or for you.

But the last time you and I at least had an opportunity to talk about these issues I was -- I was confidently assured that the industry was moving rapidly to address the issue proactively so that the legislation we had before us we

HB 5387

were told in prior years was unnecessary. But as we sit here today there's still no effective technology that's been adopted by the industry, that is making people safer on the roads of Connecticut and the country. Is that what your testimony is?

MIKE RILEY: There are technologies that have been popping up here and there. There is no standard. There is no federal requirement. There is no uniformity in the construction of vehicles that would address this -- this issue and there really -- no one has proven that any one of these technologies that's popped up is the one that's going to work. You know, deciding you can't do because of environmental. Ice gets up there and you can't brush it off. It's not an -- it's not an easy thing. If anyone thought that we were going to say in two years that this one's done, you're under the wrong impression.

SENATOR McDONALD: Well, I guess -- would you -- would you agree or disagree that if we passed this legislation the industry might have more of an incentive to more readily adopt and adapt their technology to the needs of -- of the public to make sure that fines aren't levied against motor carriers?

MIKE RILEY: Well it may make the industry to require drivers to get on ladders and to go to the top of trucks with shovels during blizzards and shovel them off in violation of OSHA rules, subjecting them to the dangers of doing that. And it may result in the industry paying more in fines but charging people to do something they can't do is not a fair way for government to treat an industry that's trying to be fair about this. We don't have the answer but we're working on it.

SENATOR McDONALD: Well thank you, Mr. Chairman.

And thank you, Mike. You've earned your paycheck today.

REP. GUERRERA: Any other questions?

Senator McDonald, thank you. It's just, Senator McDonald, I would -- I do want to say this that it's amazing that we can send people to the moon and to mars but you know we can't get snow off of trucks. It's unbelievable.

Senator Boucher.

MIKE RILEY: Maybe they just need the right incentive, Mr. Chairman.

REP. GUERRERA: I think you hit the nail right on the head. The right incentive. And I see that happening.

MIKE RILEY: It's as easy as counting a budget, Mr. Chairman.

SENATOR BOUCHER: Mr. Chairman, on that note, since we have you here. In fact, the issue of liability with regards to, you know, missiles of ice falling off of trucks. Has that been a problem though for -- I mean I'm just saying from the industry standpoint, does it behoove them just from a liability standpoint to work in this direction just so that they aren't a target of a lawsuit where something dangerous has occurred.

MIKE RILEY: Yes. That's a very real consideration.

REP. GUERRERA: Thank you. Any other questions?

Thank you, Michael.



Connecticut School Transportation Association

171 Market Square Suite 209 Newington, CT 06111-2930 860-953-2782 (P) 860-953-804 (F)

Statement by
 William D. Moore
 Executive Director
 Connecticut School Transportation Association
 Before the
 Transportation Committee
 March 3, 2010

**S. B. No. 340 (RAISED) AN ACT CONCERNING PUBLIC SERVICE LICENSE
 ENDORSEMENTS, ACTIVITY VEHICLES, AND THE DEFINITIONS OF
 "CARRIER" AND "STUDENT TRANSPORTATION VEHICLE"**

**H.B. No. 5387 (RAISED) AN ACT CONCERNING THE REMOVAL OF SNOW AND
 ICE FROM MOTOR VEHICLES**

Sen. DeFronzo, Representative Guerrero, Honorable Members of the Transportation
 Committee:

My name is William D. Moore. I am the Executive Director of the Connecticut School
 Transportation Association – COSTA. COSTA is a trade association comprised of owners and
 operators of school buses, student transportation vehicles and other associate members. Our
 membership of more than 125 companies and Boards of Education includes nearly all of the
 providers of student transportation in Connecticut. Our industry safely operates more than
 10,000 school buses and student transportation vehicles (STVs) that safely transport nearly
 500,000 children to and from school safely every day.

I am appearing before you today regarding Raised H.B. No. 5272, An Act Concerning
 Evidence of Failure to Stop for a School Bus. COSTA supports this measure and respectfully
 requests that the Judiciary Committee report it out favorably. This measure provides that a still
 or video image of a vehicle passing a stopped school bus may constitute sufficient proof of the
 registration number of such vehicle so as to allow the owner thereof to be deemed the operator
 and charged with a violation.

The industry takes school bus safety very seriously. The safe transportation of children
 to and from school and to and from school activities is the most important priority for our
 members. Student transportation providers are well aware that the passengers that they are
 carrying are more valuable than anything else that anyone can transport.

SAFETY • SERVICE

Regarding H.B. No. 5387 (RAISED) An Act Concerning the Removal of Snow and Ice from Motor Vehicles, we respectfully urge the Committee to exempt school buses from the measure.

Simply put, there is no equipment that can be used to clear the school buses of snow and ice from the roofs of school buses. There is no real way to safely clear rooftops. You cannot put a ladder on snow or ice – that is an OSHA violation. There are no manual scrapers that would completely remove snow, and definitely not ice. As the members of this Committee know, the roofs of school buses have emergency exits. As a result, when driven under one, drive-through scrapers rip the emergency hatches off the top of the bus. School buses generally do not reach speeds that cause the snow and ice to fly off the roofs.

For these reasons, we respectfully request to be exempted from the bill.

Thank you very much for the opportunity to appear before you.

I will be happy to answer any questions that you might have.



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

Testimony of the Division of Criminal Justice

Joint Committee on Transportation
March 3, 2010

HB 5387

The Division of Criminal Justice respectfully submits the following testimony concerning bills on the agenda for today's public hearing:

S. B. No. 345 (RAISED) AN ACT AUTHORIZING MUNICIPALITIES TO CONDUCT A PILOT PROGRAM FOR THE USE OF AUTOMATED TRAFFIC CONTROL SIGNAL ENFORCEMENT DEVICES AT CERTAIN INTERSECTIONS.

S. B. No. 346 (RAISED) AN ACT CONCERNING THE INSTALLATION OF SPEED DETECTING CAMERAS ON HIGHWAYS.

Both of these bills offer worthwhile concepts that require additional refinement before they would produce a system that would be an effective tool for law enforcement. The Division applauds the public safety intentions of these bills, but also must stress the need for language that will allow for effective enforcement. The Division believes this is an area ripe for consideration but still too short on specifics to provide for effective enforcement and the efficient use of limited law enforcement resources.

H. B. No. 5384 (RAISED) AN ACT PROHIBITING OPEN ALCOHOLIC BEVERAGE CONTAINERS IN MOTOR VEHICLES.

The bill suffers from many of the same defects as cited in past years. For example, and of particular note, the so-called tailgating exemption provided in section 2 of the bill would allow an operator to drive with the open container for the entire length of the expansive parking lot at Rentschler Field as long it happened six hours before or two hours after a sporting event. Further, while such conduct would be legal at Rentschler since it is under control of the state, it would not be legal in the parking area of a private college or university. Such a distinction raises obvious legal problems. Barring major revisions, the bill should be rejected.

H. B. No. 5385 (RAISED) AN ACT CONCERNING THE USE OF IGNITION INTERLOCK DEVICES IN MOTOR VEHICLES.

This bill would only further complicate the already complicated state of DUI law in Connecticut. The Division would recommend an alternative to the approach proposed

in H.B. No. 5385, namely that section 14-215 (c) of the general statutes be amended to require that whenever an operator is stopped and his or her license is determined to be under suspension that an interlock device must be used upon termination of the suspension. Such an approach would avoid the issue of having to coordinate the IID requirements under section 14-227a, the driving while intoxicated statute. Requiring the interlock device would not depend on the number of DUI convictions - the device in fact could be required for as few as one conviction. If the purpose of requiring an ignition interlock device is to prevent recidivism and to require all 14-215 (c) violators to be within the scope of the statute, then the preferred approach would be accomplished by requiring the devices pursuant to section 14-215 (c).

H. B. No. 5387 (RAISED) AN ACT CONCERNING THE REMOVAL OF SNOW AND ICE FROM MOTOR VEHICLES.

This bill as currently written would be virtually impossible to enforce. A more appropriate means for addressing the issue at hand would be to require the operators of specified vehicles (i.e., large trucks, buses, etc.) to remove snow and ice from the vehicle before operation and to attach sanctions to the failure to do so.

Respectfully submitted,

Kevin T. Kane
Chief State's Attorney