

Legislative History for Connecticut Act

2011 Bill Index

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Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate
and House of Representatives Proceedings

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2011**

**VOL.54
PART 19
6188 - 6484**

pat/gbr
HOUSE OF REPRESENTATIVES

370
June 1, 2011

The Chamber will stand at ease.

(Chamber at ease.)

REP. CAFERO (142nd):

Mr. Speaker, we don't have copies of the Amendments.

We'll wait though, okay, bye.

SPEAKER DONOVAN:

In honor of former Representative Phil (inaudible) he was the best at that.

The House will please come back to order. Will the Clerk please call Calendar 261.

THE CLERK:

On Page 40, Calendar 261, Substitute for House Bill Number 6581 AN ACT MAKING REVISIONS TO MOTOR VEHICLE STATUTES. Favorable Report of the Committee on Public Safety.

SPEAKER DONOVAN:

The Chairman of Transportation, Antonio Guerrero, you have the floor, sir.

REP. GUERRERA (29th):

Good evening, Mr. Speaker. Mr. Speaker, I move acceptance of the Joint Committee's Favorable Report and passage of the Bill.

SPEAKER DONOVAN:

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The question is on acceptance of the Joint Committee's Favorable Report and passage of the Bill.

REP. GUERRERA (29th):

Thank you, Mr. Speaker. Mr. Speaker, the Clerk has an Amendment, LCO 8044. I would ask the Clerk please call the Amendment and that I be granted leave of the Chamber to summarize.

SPEAKER DONOVAN:

Will the Clerk please call LCO 8044, which will be designated House Amendment Schedule "A".

THE CLERK:

LCO Number 8044, House "A", offered by Representatives Guerrero and Scribner.

SPEAKER DONOVAN:

The Representative seeks leave of the Chamber to summarize. Any objection? Hearing none, Representative Guerrero, you may proceed.

REP. GUERRERA (29th):

Thank you, Mr. Speaker. Mr. Speaker, this is obviously the DMV technical revision Bill, and it just has many statutory changes that allow savings and increased efficiencies between the Department of Motor Vehicle and also has changes that improve the safety of our roadways and highways, and also has a Section 15 that allows a state

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resident in the U.S. Armed Forces outside the U.S. and acting in military duty to get a driver's license or an ID card, as long as they meet certain requirements.

I move acceptance.

SPEAKER DONOVAN:

The question is on adoption of the Amendment. Will you remark further on the Amendment? Representative Scribner.

REP. SCRIBNER (107th):

Thank you, Mr. Speaker, good evening.

SPEAKER DONOVAN:

Good evening, sir.

REP. SCRIBNER (107th):

I rise in support of the Amendment before us, which obviously is a strike-all of the underlying Bill.

As you can see, a 61-section complex document, this really does help to increase and streamline motor vehicle statutes and is our annual omnibus Bill.

I'd like to particularly thank Chairman, Representative Guerrero for his leadership in the Committee. A lot of what is in this Bill are individual initiatives that were brought forward by Legislators and we held public hearings on 170 Bills during this Session.

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Many of those initiatives have found their way into this Bill.

But it's all been done in a fully vetted process where we worked it through and worked out the technical revisions that needed to be made. I really believe in large part this will help to streamline the Department and improve the efficiency of service to all of the constituents that we serve and I strongly support and urge its adoption.

Thank you.

SPEAKER DONOVAN:

Thank you, Representative. Would you 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 of the Amendment please signify by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER DONOVAN:

Opposed, Nay. The Ayes have it. The Amendment is adopted.

Will you remark further on the Bill as amended? Will you remark further on the Bill as amended?

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If not, staff and guests please come to the Well of the House. Members take their seats. The machine will be opened.

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.

(Deputy Speaker Aresimowicz in the Chair.)

DEPUTY SPEAKER ARESIMOWICZ:

Have all the Members voted? Have all the Members voted? Will the Members please check the board to see that their vote's been properly cast.

If all the Members have voted, the machine will be locked and the Clerk will take a tally.

The Clerk will please announce the tally.

THE CLERK:

House Bill 6581 as amended by House "A".

| | |
|-----------------------|-----|
| Total Number Voting | 147 |
| Necessary for Passage | 74 |
| Those voting Yea | 147 |
| Those voting Nay | 0 |

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2011**

**VOL. 54
PART 22
6915-7208**

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HOUSE OF REPRESENTATIVES

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June 1, 2011

Those absent and not voting 4

DEPUTY SPEAKER ARESIMOWICZ:

The Bill as amended is passed.

Representative Olson of the 46th, for what purpose do you rise, madam?

REP. OLSON (46th):

Thank you, Mr. Speaker. Mr. Speaker, I move for the immediate transmittal to the Senate of all Bills acted upon, which require further action in the Senate.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you, madam. The question before the Chamber is on immediate transmission to the Senate. Is there objection to transmittal? Is there objection? Hearing none, so ordered.

Are there any announcements or introductions?

Will the Clerk please call Calendar Number 232.

THE CLERK:

On Page 38, Calendar 232, Substitute for House Bill Number 6200 AN ACT CONCERNING THE ESTABLISHMENT OF TOLLS FOR THE EXTENSION OF ROUTE 11. Favorable Report of the Committee on Finance, Revenue and Bonding.

DEPUTY SPEAKER ARESIMOWICZ:

cd/lg/sg/mhr/gbr
SENATE

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June 8, 2011

SENATOR LOONEY:

Thank you, Madam President.

Continuing on Calendar page 15, Calendar 595,
House Bill 5263; Madam President, move to place this
item on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Also Calendar page 15, Calendar 594, House Bill
5508; Madam President, move to place the item on the
Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Moving now, Madam President, to Calendar page 16,
Calendar 606, House Bill 6581; Madam President, move
to place the item on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

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Immediate roll call 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.

Madam President, the items placed on the first Consent Calendar begin on Calendar page 10, Calendar Number 478, House Bill 6488; Calendar 480, House Bill 5256.

Calendar page 11, Calendar 513, substitute for House Bill 6557.

Calendar page 12, Calendar Number 535, substitute for House Bill 6226; Calendar 555, House Bill 6259.

Calendar page 13, Calendar 560, substitute for House Bill 5368; Calendar 567, substitute for House Bill 6157.

Calendar page 14, Calendar 574, substitute for House Bill 6410; Calendar 578, House Bill 6156.

Calendar page 15, Calendar 591, House Bill 6263; Calendar 594, substitute for House Bill 5508; Calendar 595, substitute for House Bill 62 -- 5263.

Calendar page 16, Calendar Number 606, substitute for House Bill 6581; Calendar 609, substitute for House Bill 6501.

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Calendar page 17, Calendar 610, substitute for House Bill 6224; Calendar 613, substitute for House Bill 6453.

Calendar page 18, Calendar 614, substitute for House Bill 5068; Calendar 628, substitute for House Bill 5008; Calendars 633, House Bill 6489.

Calendar page 19, Calendar 635, substitute for House Bill 6351; Calendar 640, House Bills, 6559.

Calendar page 20, Calendar 642; House Bill 6595.

Calendar page 21, Calendar 645, substitute for House Bill 6267; Calendar 648, substitute for House Bill 5326; Calendar 650, substitute for House Bill 6344.

Calendar page 22, Calendar 651, substitute for House Bill 6540.

Calendar page 23, Calendar Number 655, substitute for House Bill 6497; Calendar 657, substitute for House Bill 6262; Calendar 658, House Bill 6364; Calendar 659, House Bill 5489.

Calendar page 24, Calendar 660, substitute for House Bill 6449.

Calendar page 36 -- correction -- Calendar page 33, Calendar Number 390, substitute for Senate Bill 1181.

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Calendar page 36, Calendar Number 481, House Bill 5472.

Calendar page 37, Calendar Number 584, substitute for House Joint Resolution Number 34; Calendar 585, substitute for House Joint Resolution Number 54; Calendar 586, House Joint Resolution Number 65, Calendar 587, House Joint Resolution Number 66.

Calendar page 38, Calendar 588, House Joint Resolution Number 80; Calendar 589, House Joint Resolution Number 63; Calendar 590, House Joint Resolution Number 35; Calendar 620, substitute for House Joint Resolution Number 45.

Calendar page 39, Calendar Number 621, substitute for House Joint Resolution Number 47; Calendar 622, House Joint Resolution Number 68; Calendar 623, substitute for House Joint Resolution Number 69; Calendar 624, substitute for House Joint Resolution Number 73.

Calendar page 40, Calendar 625, substitute for House Joint Resolution Number 81; Calendar 626, House Joint Resolution Number 84.

Madam President, I believe that completes the items placed on Consent Calendar Number 1.

THE CHAIR:

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SENATE

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Thank you.

SENATOR LOONEY:

Thank you, Madam President.

THE CHAIR:

Mr. Clerk, please call for a roll call vote, and the machine will be open.

THE CLERK:

The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber. The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber.

THE CHAIR:

Senator Gomes?

If all members have voted; all members have voted? The machine shall be locked.

And, Mr. Clerk, will you please call the tally.

THE CLERK:

Motion is on adoption of Consent Calendar.

Number 1.

| | |
|---------------------|----|
| Total number voting | 36 |
| Those voting Yea | 36 |
| Those voting Nay | 0 |

cd/lg/sg/mhr/gbr
SENATE

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June 8, 2011

Those absent and not voting 0

THE CHAIR:

Consent Calendar passes.

The Senate will stand at ease for a moment.

(Chamber at ease.)

SENATOR LOONEY:

Madam President?

THE CHAIR:

Yes, Senator.

The Senate will come to order.

SENATOR LOONEY:

Yes. Madam President, the Clerk is in possession of Senate Agenda Number 5 for today's session.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Madam President, the Clerk is in possession of Senate Agenda Number 5, dated Wednesday, June 8, 2011.

Copies have been made available.

THE CHAIR:

Senator Looney.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**TRANSPORTATION
PART 5
1283 – 1625**

2011

H - 1110

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lml TRANSPORTATION COMMITTEE

March 14, 2011
10:00 A.M.

and public hearings going on that involve members of this committee so some of us will be going back and forth as -- as best as we can. Thank you.

REP. GUERRERA: Thank you. First off, Commissioner Currey, is she here?

COMMISSIONER MELODY CURREY: Good morning, Senator Maynard, Representative Guerrera, Representative Scribner, and Representative Janowski. It is a pleasure to be here today to testify in relation to House Bill number 6581, AN ACT MAKING REVISIONS TO THE MOTOR VEHICLE STATUTES. This legislation will address a variety of issues regarding effective administration of motor vehicle laws and will resolve inconsistencies in current laws.

HB 6570

As a result, several of these proposed statutory changes would allow for savings in the department and the state of Connecticut as well as improve the safety on the roads and highways.

In an attempt to provide a more readable summary of the bill, my testimony below has collected together various sections under the categories of significant savings, savings enforcement, and federal regulations, licensees, and clerical and technical changes.

Also, please be aware that while the summary is fairly comprehensive, it does not contain every single proposed change.

Vision screening, Section 13 -- as you know this would postpone the date for vision screening with -- to implement it from July, 2011 to 2013. The delay would result in significant savings. Please note the DMV supports the governor's proposed change in

Senate Bill 1081 which would permanently repeal the requirement, not merely postpone that vision screening.

After many years of delayed implementation due to concerns about vision screening costs and effectiveness, the DMV supports the elimination of this program. The projected cost of this program cannot be supported given its questionable benefits and numerous problems associated with it.

There are numerous savings of postage and other savings in Sections 1, 5, 7, 13, 17, 20, 22, 45, and 47. These sections would make various changes to notification requirements that will result in postage cross-savings to the department as well as other savings.

For instance, Section 1 would remove the requirement that DMV Commissioner send an invitation to renew to an identity card holder when the postal service had determined the mail as undeliverable such person at that address.

Shift Responsibilities, Section 2, 4, 13, and 23. These sections provide a shift in responsibilities. For example, Section 13 expands the role of AAA so they would be able -- be able to make duplicate licenses. Section 4 would expand the categories of vehicles that licensed dealers would be able to register.

Simplify and clarify procedures in Sections 3, 10, 18, 19, 23, 29, 32, 33, 34, 46, and 47 -- these sections would simplify various procedures. For instance, Section 3 would remove the requirement that a person show two forms of identification to obtain a document from DMV copy records.

Enforcement. Employers, Section 11 would establish a penalty for employer who knowingly requires or allows an employee to drive a vehicle outside of the classification of his or her license. As you know, there are a number of other ones out here -- a number of sections, and perhaps it would be beneficial just to simply answer questions in regards to it.

I'd also like to testify in relation to House Bill 6570, which is the TEXTING WHILE OPERATING A COMMERCIAL VEHICLE. And this is to conform with federal law and conform to that, and it's actually a serious violation to be texting while driving a truck. And we believe it's appropriate that this be outlawed.

And I'd be happy to answer any questions you might have. I have Sharon Genaracos, our staff attorney here also if there's something she would answer that I don't -- might not know.

REP. GUERRERA: Thank you, Commissioner. Under the licenses, you talk about Section 12 would allow active duty military member whose home state recorded is Connecticut obtain a Connecticut ID card license when certain conditions are met. Do -- can you just briefly tell me what those conditions are?

HB 6581

COMMISSIONER MELODY CURREY: Under Section 12?

REP. GUERRERA: Under your testimony, yeah.

COMMISSIONER MELODY CURREY: Oh, my testimony. I'm sorry.

REP. GUERRERA: Under -- under licensees?

COMMISSIONER MELODY CURREY: Okay. Oh, oh -- that would allow the active military duty member whose home state of record is Connecticut to

obtain a Connecticut ID card or license if certain conditions are met. I'm having Sharon forward. Hold the mike down.

SHARON GENARACOS: Good morning. Those conditions would be the same as anyone who is applying for a license. I'm sorry, Sharon Genaracos. I'm staff attorney for the Department of Motor Vehicles.

Those conditions would be the same for anyone applying for a license so they would have to have a birth certificate and show -- show proof of who they are -- of their identity.

We had -- actually had this situation occur last year. It was a gentleman who lived in the state of Connecticut for many years and went into active service. His parents with whom he had lived for a while and -- and that was his address of record, they moved and he literally didn't have a home state, because as part of the licensing procedure you're required to bring us something with your address on it to show us where you live and to prove that you're -- you're living in Connecticut.

So this is a way for us to assist active military in -- in being able to get credentials that are very much needed when they're not actually in the United States.

REP. GUERRERA: Okay, because I know that this was brought up last year, too, Sharon. Right? Wasn't this -- didn't we talk about this?

SHARON GENARACOS: I think this was new this year based on the case that we had at the -- at the motor vehicle department --

REP. GUERRERA: Okay.

SHARON GENARACOS: -- and the -- actually it would be intervention of, I think, Senator Dodd. I think -- I think that was how this came to be.

REP. GUERRERA: And this -- if you could just -- in regards to the enforcement, you talk about the traffic violations in Section 38 for school busses. It wasn't -- so we're adding school busses to the list of vehicles that are restricted from using the left lane on highways?

SHARON GENARACOS: Right, it's a left-lane prohibition --

REP. GUERRERA: Okay.

SHARON GENARACOS: -- for school busses on a three-lane highway.

REP. GUERRERA: So are they --

SHARON GENARACOS: Or else a -- a highway with more than two lanes.

REP. GUERRERA: Is that a federal requirement now, or is that just something that we're doing?

SHARON GENARACOS: No, that -- that's just -- we're -- we're imposing it in the state. But I'm not aware that it's a federal requirement.

REP. GUERRERA: Okay. Any -- any other comments? Commissioner, good to see you, Melody. Thank you.

COMMISSIONER MELODY CURREY: Thank you, sir.

REP. GUERRERA: Thank you, Sharon.

SHARON GENARACOS: You're welcome.

as problems with the brake valve more so than years ago when they were using just the sand/salt mixture.

SENATOR FRANTZ: Okay. Thank you very much. And thank you, Mr. Chairman.

REP. GUERRERA: Thank you, Senator. Any other comments? Seeing none, thank you for coming today.

THOMAS MCKINNEY: You're welcome.

REP. GUERRERA: Mike Riley.

MICHAEL RILEY: -- rail facilities, thank you. We don't -- we really don't -- we don't know what this means. Does this mean that the -- these agencies could sell Bradley, our Route 8, or the Port of New London, or Connecticut's interest in Metro North, or the Rocky Hill Fairy, or Rocky Neck State Park? Those are all precious asset to the state. We are not interested in seeing those assets go off into private ownership and then be sold back to us in the form of fees.

HB 6569 HB 6570
HB 6571 HB 6572
HB 6573 HB 6578
HB 6581 HB 6580

Five -- 6568 concerning operation of vehicles requiring special permits due to width or length, Section 1 allows permitted vehicles to go off a prescribed authorized route in order to seek shelter during inclement weather. That's the right thing to do. That's the safe thing to do, and then allow that permitted vehicle to go back on its route at the point when that permitted -- that inclement weather is over.

And Section 2 allows the same thing where a permitted vehicle may be delayed in traffic because of congestion or an incident -- allow that vehicle to continue on its approved route

employees should be able to benefit from state work is unfair in our opinion.

So what this bill would say is that before anyone certified that a company that operates trucks should not be allowed to do state work, that there has to be a follow-up inspection of those vehicles, so that at a point in time when they're there we get a true reading of what kind safety -- if they're -- they're not up to par, then fine. They're not up to par. But if they are, good; that should be factored into the equation.

And there's nothing more important than making sure at this stage of the game that Connecticut companies get work from the state of Connecticut, and this would allow that to continue to occur.

Six five seven three, ASK DOT TO IDENTIFY PLACES WHERE MOTOR VEHICLES CAN GO DURING STORMS. When we get hit with these major storms there is really no place for truck -- trucks to go to sit out the storm, and we laid that out in our written testimony.

HB 6573

Six five seven eight says that the state should not -- no agency should charge more to interact with the state in electronic transaction than it does in the old fashioned mail and paper thing, and highway traffic bans -- attempts to identify the circumstances under which traffic bans can and should occur.

HB 6578

And then on 6581 and 6580, those are the two aircraft carriers, we need to meet with those agencies and talk to them more about what their intentions are on some of the provisions of those bills.

That concludes my testimony.

REP. GUERRERA: Well, thank you, Mr. Riley. And I'm -- I'm glad that you need -- that you need to meet with those two agencies to determine if they should go through or not. I like that.

MICHAEL RILEY: Before we -- we give our input (inaudible).

REP. GUERRERA: Oh, okay. Couple comments -- Mike, first of all let me say seriously I appreciate you bringing this to our attention in regards to the corrosion issue and all that. And -- and it's not an easy fix as we all know. Because I -- I think we're all in agree -- agreement here that we want to keep our roads safe. And unfortunately, you know, we need to look at -- hopefully, as I said before, in the future there'd be other things out there that we can put on our roadways --

HB6571

MICHAEL RILEY: Yeah.

REP. GUERRERA: -- that would be less corrosive. And -- and as from what the DOT testified, they would like to put some type of inhibitor in there, but then we get, as you know, the DEP steps in and doesn't allow us to do that.

But going back, Mike, you touched upon the going through the safety inspections and so forth.

HB6572

MICHAEL RILEY: Yes.

REP. GUERRERA: And you're talking about trucks with good records and all that.

MICHAEL RILEY: Yeah.

REP. GUERRERA: So should -- I mean, with all due respect, I think that's what they're supposed

A VOICE: And as the bananas pass along the way somebody says, "Well, let's check that one. It doesn't look quite right." So you take that banana off the conveyor belt and you do find things on there so you reject that banana. But, in the meantime, 5000 bananas have gone by. Is that the analogy?

MICHAEL RILEY: That is the most eloquent description --

A VOICE: Thank you very much.

MICHAEL RILEY: -- I probably -- I have ever had.

A VOICE: Thank you, Mr. Chair.

MICHAEL RILEY: It is now part of my act.

REP. GUERRERA: The bananas and Mr. Riley, that is a good act. That is, for sure. That is a good one. Mike, all kidding aside, just one other comment, though. I note in your -- if you look at -- did you review the DOT -- oh, no. I'm sorry -- the DMV proposal here in regards to Section -- the CDL audit, Section 18?

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1126501

MICHAEL RILEY: You know, I -- I have not, and I've discussed that with our Director of Safety today. And we really want to sit down and go through that bill with a fine-tooth comb. I mean, usually we agree with the DMV on a lot of these things, but I want to make sure that it's all -- it's all the way we want it to be.

REP. GUERRERA: Okay. And if you can back to me, too, on that I'd appreciate it. Is there any other comments? No more conveyor -- conveyor belts here? We're all set?

A VOICE: We're good.

Mandating that all newly-purchased school busses be electric would be -- would make a bad situation at the local level even worse, and CCM urges that the committee oppose House Bill 5941. Thank you. I'll take any questions.

REP. GUERRERA: Thank you, Donna. Any comments? Seeing none, thank you.

DONNA HAMZY: Thank you.

REP. GUERRERA: Heather Smith followed by Jan van Eck, and then Leslie Sheldon, and then Len Greene.

HEATHER SMITH: Hi, good morning.

REP. GUERRERA: Good morning.

HEATHER SMITH: Yes, my name is Heather Smith, and I'm here for the STTAC Association. And I'm here to oppose the Bill number 6581, Section 14-36A, which would add an A Restriction to a V Endorsed license. In the last year the law went through concerning the activity vehicles that all drivers need to have training. So they eliminated the A endorsement. This would add an A Restriction if this law went through and put it just the way it was last year.

The only difference between the A Endorsement right now and the V Endorsement is training. I gave you a packet. Does everybody have the packet? Packet number 35, you have that? And inside it I put basic training requirements that we do for drivers going to and from school.

This is not everything, of course. But we teach drivers about getting the rail crossings; they have to stop at the rail crossings, how to

pick up the students, that they can never allow a child to cross the street because they're different. They're not a school bus. And -- and it goes on and on.

And I know the private schools and a lot of the other companies are opposing a -- want to have an A Restriction added to a B Endorsement so they wouldn't have the training. Well, you know, is it really fair for the drivers or even the companies? The drivers go out there, and if they don't stop at those rail crossings they're subject to fines. But they -- they have no way of knowing any of this.

You know, this training we started doing it for the STV drivers -- I believe it was back in 1999 a law went through. And at first the companies were upset because, you know, what are we going to teach the drivers? They're only driving a car. Well it's a lot more responsibility than that.

And as time had gone by they're, you know, now happy with it. But we started doing them with a four-hour training class, and because they had the road experience. And that we should do the same thing for the activity drivers. You know, if they follow the same procedures, I can't believe the companies or the private schools would be upset.

Because if you weigh the cost of training compared to the safety of the children that we're transporting, you know, the safety has to come first. And, you know, my -- I'm also a mass instructor and I do a lot of training for a lot of different companies.

There is a lot of other instructors out there willing to help the private schools and the private companies until we can get an

instructor program for the STV's, which we don't have right now in curriculum. But we could easily do it. And then open them up so that every private school and company for STV transportation would have their own in-house trainer. And then the cost would go right down.

So if you look at the, you know, big picture and you say, "Well, if this law goes through that we're able to add an A Endorsement, then the drivers are not required to know anything - anything more than what they know now." And I'm just afraid something's going to happen. An accident could very easily happen.

But I'd like to thank you very much. I do have written testimony coming with this package, too.

SENATOR MAYNARD: Thank you. I was just going to ask if -- if we had submitted that. But, thank you. Are there questions from committee members? Seeing none, thank you very much for your testimony.

HEATHER SMITH: Thank you.

SENATOR MAYNARD: Next is Jan van Eck -- Jan, I'm sorry. Jan van Eck.

JAN van ECK: Good morning. My name is Jan van Eck. I've got to get you trained on these immigrant names. All right.

I'm here on a total of four bills, but before I start I might add that my credentials in appearing before you today are precisely zero. So, you can take it from there.

Say again?

HB 5941
HB 6217

JAN van ECK: Okay.

SENATOR MAYNARD: Any questions or comments?

JAN van ECK: Does anyone have any questions?

SENATOR MAYNARD: And did -- did you have testimony you were -- written testimony you were providing?

JAN van ECK: No, I was going to make it all oral.

SENATOR MAYNARD: Okay, thank you very much. Next is Leslie Sheldon.

JEAN CRONIN: Good morning, Senator Maynard and members of the Transportation Committee. My name is Jean Cronin. I'm the lobbyist for the Connecticut School Transportation Association, better known as COSTA. And with me today is Leslie Sheldon, the Operations Manager from All-Star Transportation, a member of COSTA.

We're here today to talk about House Bill 6581, REVISIONS TO THE MOTOR VEHICLE STATUTE, and particularly Section 15, which was addressed by an earlier speaker. But I -- I want to try and clear things up a little bit.

Section 15 deals with CDL's, Commercial Drivers License, and adds in the language about appropriate class endorsement. It then goes on to remove a section about student activity vehicles, which now places these vehicles under student transportation vehicle definition.

You will recall this committee did a similar thing last year in the big motor vehicle department bill that passed. And at that time when it removed that definition it places -- it removes what's called the A Endorsement, and replaces it with a V Endorsement -- I know that

sounds complicated, and Leslie will quickly explain it -- but a V Endorsement requires safety training for those drivers.

Our concern is there's some -- some regulations working their way through the process which kind of changes that a little bit and basically takes the V Endorsement, which you folks had last year, and adds an A Restriction which would remove that safety component. And I want Leslie to explain that a little bit, and then show you some pictures of vehicles that we're talking about.

Sometimes people think we're talking about, you know, the mini-vans that the track coach might be driving the students in somewhere. But there is various definitions, or various categories of student transportation vehicles which is why this is all a little more alarming.

LESLIE SHELDON: I think when everybody thinks about an STV, they think of them based upon (inaudible) very well from there -- basic white mini-vans, and everybody says, well, you know, it's just a van, you know, regular passengers - - parents can use it. So they don't feel training is really a big deal.

The same vehicle here, which is a Type 2 van that holds less than 14 passengers, requires the same license. So, people get confused by the two. So what this -- what is being proposed is to eliminate all training for either one of these vehicles, which we're opposed to.

Obviously this one has a little more detail when you're driving it than those little passenger vans. So we would like to support the current law that requires ten hours of

training to get your STV license, and then it requires six hours per year to maintain that license.

And I think totally the average person -- parent that puts their child on one of these vans assumes that that driver has had some kind of training.

With the new laws they would not have any training. They would still have the criminal background check, the typical -- the FBI fingerprints, but the training piece would be gone. And I don't think ten hours for somebody is a big time commitment to take. It's a basic -- safety things that we're covering.

And six hours to keep your license I don't feel is a big deal either.

JEAN CRONIN: Yeah, so we -- we would actually prefer to see maybe some clarification added to that section that would -- would, you know, state that the V Endorsement does require that -- the safety training mechanism. Can I take any questions?

REP. GUERRERA: Thank you. What kind of recommendations would you like to see on that?

LESLIE SHELDON: I'd like to see it, and COSTA would like to see it stay as is with the ten hours of the in-service training -- pre-service training, and six hours per year, which are the basic topics of, you know, loading and unloading, safety procedures for crossing railroad tracks, emergency procedures for accident management, evacuations. It also has on some of these vehicles on this side could have a handicap lift, and that would require them to have training to operate the lift and secure the passengers.

We'd like to see that all stay in place.

JEAN CRONIN: You have written testimony there from Leslie, but Tony, I think we can provide you maybe with some -- some clear language that might accomplish this.

REP. GUERRERA: Yeah, I would appreciate that. Just so -- basically if we went back to what it was, you'd be okay with that then? But as an industry standard you're saying, Leslie, is that you want to see those training precautions in there.

LESLIE SHELDON: Absolutely, because it's somebody's child inside that vehicle. It's somebody's child inside that vehicle.

REP. GUERRERA: Okay. Any other comments? Thank you both.

LESLIE CRONIN: Thank you.

JEAN CRONIN: We'd be happy to leave these pictures, maybe pass them around to the committee and leave them with the clerk if that's helpful?

REP. GUERRERA: Yeah, without a doubt.

JEAN CRONIN: Thanks.

REP. GUERRERA: All right. Yeah, is Len Greene -- here he is.

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MTAC *MOTOR TRANSPORT ASSOCIATION OF CONNECTICUT, INC.*

President
Motor Transport Association of Connecticut
Before
The Joint Committee on Transportation
March 14, 2011

MICHAEL J. RILEY
 PRESIDENT

HB 6568 HB 6569
HB 6570 HB 6571
HB 6572 HB 6573
HB 6578 HB 6579

I am Michael J. Riley, President of Motor Transport Association of Connecticut (MTAC), a statewide trade association, which represents around 1,000 companies that operate commercial motor vehicles in and through the state of Connecticut. Our membership includes freight haulers, movers of household goods, construction companies, distributors, tank truck operators and hundreds of companies that use trucks in their business and firms that provide goods and services to truck owners.

HB 6217 AN ACT ENCOURAGING PRIVATE INVESTMENT IN THE TRANSPORTATION INFRASTRUCTURE OF THE STATE

MTAC opposes this bill.

This bill allows DOT, DPW and OPM to solicit proposals and enter into contracts with private sector interests to build, finance, operate, maintain, purchase, lease or maintain transportation facilities, including roads, airports, seaports, parking facilities, rail facilities and similar facilities. It also allows these agencies to consider unsolicited proposals to purchase currently owned state assets and to convert them into profit making ventures for private interests. Also, the agencies develop the procurement process and competitive bidding processes. There is no mention of the legislature having any role to play. This is very thin ice. It is impossible to discern from reading this bill what deals might be contemplated. Does this mean that these agencies could get together and sell Bradley Airport, Route 8, the Port of New London, Connecticut's interests in Metro North, or the Rock Hill Ferry? Privatization of state facilities is a risk fraught enterprise and one that requires caution and prudence. This bill does not provide either.



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HB 6579 AN ACT CONCERNING HIGHWAY TRAFFIC BANS CONCERNING HIGHWAY

MTAC supports this bill.

This bill states that the order to close any highway or to ban certain vehicles must be issued by the Governor and that the Governor make efforts to provide notice in advance of such closure, including an estimate of the duration of such closure and any other related information. That the Governor disseminate information, as to the specifics of the closure, to the public through the press, radio, television and other means. Nothing in this bill would affect the ability of law enforcement or emergency personnel to close a specific section of a highway due to an accident or other emergency.

HB 6581 AN ACT MAKING REVISIONS TO MOTOR VEHICLE STATUTES

MTAC would like to work with the Committee and the Department of Motor Vehicles to clearly understand the many provisions of this bill and is prepared to support it, assuming no anticipated problems.

Connecticut School Transportation Association – COSTA

Transportation Committee Public Hearing

March 14, 2011

HB 6581, "An Act Making Revisions to Motor Vehicle Statutes."

My name is Leslie Sheldon and I am the Operations Manager for All-Star Transportation, a school bus company located in Waterbury, CT. I am speaking on behalf of the Connecticut School Transportation Association (COSTA), which is a trade association comprised of owners and operators of school buses, school transportation vehicles (STV) and other associate members. Together, our companies operate more than 10,000 school buses and student transportation vehicles (STV) that transport nearly 500,000 children to and from school safely each day.

I am here to speak on the safety implications of HB 6581, a bill that would allow school children to be transported by drivers without specialized training. **We are particularly concerned about Section 15.** The industry as a whole feels strongly that all children are precious cargo and they should be transported by properly trained drivers. The safe transportation of children to and from school and to and from school activities should consist of the same properly trained drivers and should not be looked at differently. These drivers drive the same roadways and highways and come across the same situations that school bus drivers and school transportation (STV) drivers face each day.

Presently, CT DMV Regulations (Section 14-276a-4) require that all school bus and student transportation drivers (STV) receive a minimum of ten hours of pre-service training. These topics include:

- (1) Training to obtain a commercial driver's license;
- (2) Techniques for conducting a pre-trip safety inspection and completing a driver's vehicle inspection report (DVIR) as required by Section 14-275c-41 of the Regulations of Connecticut State Agencies;
- (3) Loading and unloading procedures;
- (4) Procedures for crossing railroad tracks;
- (5) Emergency procedures, accident management and evacuation, and instruction relative to the location, contents and use of the first aid kit in the school bus;
- (6) Motor vehicle laws and regulations; and
- (7) Use of passenger restraint systems and special equipment for students with mobility impairments if the driver intends to operate a vehicle so equipped.

In addition to these requirements, drivers are also required to have a minimum of six-(6) hours of training annually (Section 14-276a-5). These topics include:

- (1) Seasonal safety problems affecting driving, and loading and unloading procedures;

- (2) Student management;
- (3) Emergency procedures including first aid and universal precautions;
- (4) Substance use and abuse;
- (5) Communication skills;
- (6) Activity trip procedures;
- (7) Characteristics of students with disabilities; and
- (8) Updates of laws, regulations and policies.

We feel that there is no difference between where these children are being transported: school to home, school to activity, or home to daycare. Each child deserves to be transported by a properly trained driver to ensure each child has the safest ride to and from their destination in the state of Connecticut.

Please allow me to explain some of the training a little more in-depth. A pre-trip inspection must be done on any school bus or student transportation vehicle (STV) (Sec. 14-275c-41) prior to it being operated. The driver must inspect the vehicle to assure it is in safe operating condition. The driver must fill out a driver vehicle inspection report (DVIR). As stated in this section the DVIR shall include reference to the following parts of the vehicle:

- (1) Service brakes
- (2) Parking (hand) brake
- (3) Steering mechanism
- (4) Lighting devices and reflectors
- (5) Tires
- (6) Horn
- (7) Windshield wipers
- (8) All mirrors
- (9) Wheels and rims
- (10) Emergency equipment

Highway-Rail Grade Crossing Procedures for STV drivers (CGS 14-250) is another important topic that is covered during training. Before crossing any railroad tracks STV's are also required to stop at-all railroad crossings, whether transporting students or not. There should be no difference in an STV or an activity vehicle. Both vehicles are transporting children; the only thing that is different is the destination. This should mean that an activity driver be required to have the same training as a school bus or STV driver to assure the safety of our children while crossing rail grade crossings in the state of CT.

Loading and unloading students is one of the most trained topics for STV drivers. This is due to the fact that STV's do not have red SOS (Stop On Signal) lights which helps to control traffic and alert motorist that students are loading or unloading. The loading and unloading of children transported in STV's must be done curbside and they also must stop for pickup and drop off on the student's side of the street. In school zones STV's may load or unload in the bus area at school, but they should be aware that they also must obey school bus SOS laws in school parking lots.

Training is provided to drivers so that they are aware of what needs to take place in an emergency or if an accident should occur. Drivers are shown how to use all emergency equipment that is required to be on the vehicle they are driving. The emergency equipment could range from fire extinguishers, first aid kits and triangles but could also include additional items such as seat belt cutter, fire blanket and flash light in some special needs vehicles. Training is provided to drivers to review different types of emergencies as well as different types of evacuations. Training is also provided to help them determine whether to evacuate children from a vehicle or whether they would be safer inside the vehicle. How to evacuate the vehicle and keeping the children safe until help arrives is also reviewed. Activity drivers should be required to have the same training as a school bus or STV driver to assure the safety of our children if an emergency were to take place on any vehicle transporting students in the state of CT.

I could go more in-depth on each topic and explain why an activity driver should receive the same training as a school bus or STV driver is required to receive, but that would take much more time than anyone has today. We (the industry as a whole) believe that it is essential that training be provided to a driver prior to them transporting children and on an annual basis regardless of the destination. Activity drivers are transporting children. Doesn't every parent, guardian or care taker deserve to know that his/her child is being transported by a trained driver? Let's not mislead them and ensure that all drivers receive this essential training that helps make each child's ride safer!

It is for these reasons that we are opposed to **Section 15 HB 6581**, "An Act Making Revisions to Motor Vehicle Statutes" which would eliminate this vital training.



STATE OF CONNECTICUT

DEPARTMENT OF MOTOR VEHICLES

60 State Street, Wethersfield, CT 06161

<http://ct.gov/dmv>



***Testimony of Department of Motor Vehicles Commissioner Melody A.
Currey
Transportation Committee Public Hearing
March 14, 011***

H.B. No. 6581 (RAISED) AN ACT MAKING REVISIONS TO MOTOR VEHICLE STATUTES. (Bill requested by the Department)

Good morning Senator Maynard, Representative Guerrero, Senator Boucher, Representative Scribner and other members of the Transportation Committee. I am pleased to be here today to testify in support of the HB 6581, AN ACT MAKING REVISIONS TO MOTOR VEHICLE STATUTES. This legislation will address various issues regarding the effective administration of motor vehicle laws and would resolve inconsistencies in current laws. As a result, several of these proposed statutory changes should allow for savings for the Department and the state of Connecticut as well as improve the safety on its roads and highways.

In an attempt to provide a more readable summary of the bill, my testimony below has collected together various sections under the categories of significant savings, savings, enforcement, federal regulations, licensees, and clerical/technical changes. Also, please be aware while this summary is fairly comprehensive it does not contain every single proposed change.

Significant Savings

Vision Screening - Section 13 – would postpone the date by which vision screening for license renewals must be implemented from July 1, 2011 to July 1, 2013. This delay would result in significant savings. Please note DMV supports the Governor's proposed changes in SB 1081 which would permanently repeal the requirement, not merely postpone, that vision screening be performed for license renewals. After many years of delayed implementation due to concerns about the vision screening's cost and effectiveness, the DMV supports the elimination of this program. The projected costs of this program cannot be supported given its questionable benefits and the numerous problems associated with it.

Savings

Postage Costs and Other Savings- Sections 1, 5, 7, 13, 17, 20, 22, 45, 47 – These sections would make various changes to notification requirements that would result in postage cost savings for the Department as well as other savings. For instance, section 1 would remove the requirement that the DMV Commissioner send an invitation to renew to an identity card holder when the US Postal Service has determined that mail is undeliverable to such person's address.

Shift Responsibilities – Sections 2, 4, 13, 23 – These sections provide a shift in responsibilities. For example, section 13 expands the role of AAA so they would be able

to make duplicate licenses. Section 4 would expand the categories of vehicles that licensed dealers would be able to register.

Simplify or Clarify Procedures – Sections 3, 10, 18, 19, 23, 29, 32, 33, 34, 46, 47 -
These sections would simplify various procedures. For instance, section 3 would remove the requirement that a person show two forms of identification to obtain a document from DMV copy records.

Enforcement

Employers - Section 11 would establish a penalty for an employer that knowingly requires or allows an employee to drive a vehicle outside of the classification of his or her license.

Driving Schools – Section 25 would establish a penalty for operating a drivers' school that has not been licensed by the Commissioner and **Section 26** would establish a penalty against a person who engages in the business of giving driving instruction for compensation or who gives driving instruction as an employee of a drivers' school when such person has not been licensed by the Commissioner.

Traffic Violation – Section 38 would add school buses to the list of vehicles that are restricted from using the left lane on highways that are more than two lanes.

School Bus – Section 41 would change from 10 days to 48 hours the amount of time in which a school bus or student transportation vehicle operator must be removed from the operation of such a vehicle once his or her employer determines that he or she has a disqualified or suspended license or endorsement.

CMV Inspections – Section 43 would establish penalties for persons and motor carriers that fail to conduct periodic inspections of commercial motor vehicles as required by federal law, and for persons, motor carriers, and licensed motor vehicle dealers who falsify documents relating to periodic inspections of commercial vehicles.

Federal Regulations

CDL Audit – Section 18 attempts to bring Connecticut into compliance with Federal Motor Carrier regulations and were items addressed in a CDL audit.

Licensees

Manufacturer – Section 6 would allow a qualified vehicle manufacturer to use an experimental plate on a vehicle that it is testing.

Military – Section 12 would allow an active duty military member whose home state of record is Connecticut to obtain a Connecticut identity card or license if certain conditions are met.

Suspended Operator – Section 29 would remove obsolete language and remove the provision that allows a person whose license is suspended under the Driver License Compact to request a hearing for reversal or reduction in his or her suspension.

Clarification/Technical

Clarification of existing statutes – Sections 8, 9, 30, 31, 37 – These sections would clarify and make technical changes to certain statutes.

Codifying procedure – Section 27 would allow a vehicle owned or leased by and registered to the Federal Government, Connecticut, or Connecticut municipality to have flashing lights or revolving lights without obtaining a permit.

Technical – Sections 16, 28, 37, 48 – technical changes.

Obsolete – Section 14 would remove a provision that permits the issuance of a license without a photo.

Thank you again for the opportunity to testify in support of one of the Department's bills and I would be glad to answer any questions.