

PA 11-031

HB6484

|               |  |           |
|---------------|--|-----------|
| House         | 821-826, 3793-3797                         | 11        |
| Public Safety | 1119-1132, 1141-1156, 1161-1163, 1171-1179 | 42        |
| <u>Senate</u> | <u>1840-1842, 1941-1943</u>                | <u>6</u>  |
|               |  | <b>59</b> |

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**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
2011**

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PART 3  
705 – 1039**

rgd/mb/gbr  
HOUSE OF REPRESENTATIVES

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April 13, 2011

Representative Klarides.

Deputy Speaker Kirkley-Bey in the Chair.

DEPUTY SPEAKER KIRKLEY-BEY:

The House will please come back to order. Will staff and guests please come to well.

Will the Clerk please call Calendar Number 197.

THE CLERK:

On page 19, Calendar 197, substitute for House Bill Number 6484, AN ACT CONCERNING THE AVAILABILITY OF ACCIDENT RECORDS OF THE STATE POLICE, favorable report by the Committee on Public Safety.

DEPUTY SPEAKER KIRKLEY-BEY:

The Chair recognizes Representative Dargan. You have the floor, sir.

REP. DARGAN (115th):

Good morning. Thank you, Madam Speaker.

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

DEPUTY SPEAKER KIRKLEY-BEY:

The question before us is acceptance of the joint committee's favorable report and passage of the bill.

Will you remark further?

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It's not up on the board, sir. One ninety-seven.

We're just waiting for it to be put up on the board so Representative Dargan can go on. One, nine, seven. Calendar 197.

We have been experiencing technical difficulties. They have been resolved.

And Representative Dargan, when he gets back to his seat, will please proceed. You have the floor, sir.

Thank you for your help, Representative Dargan.

REP. DARGAN (115th):

Thank you, Madam Speaker.

This bill just simply deals with accident reports compiled by the Department of Public Safety that they would be giving back to the person that was involved in that accident in a timely manner within 30 days from -- from an accident. That's basically the overview of what this bill does.

Thank you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you, Representative Dargan.

Will you remark? Will you remark further on the bill that is before us?

Representative Johnson.

REP. JOHNSON (49th):

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Thank you, Madam Speaker.

And I want to thank the Public Safety Committee for bringing this bill forward. I think it will work very well to make sure that attorneys who are in the process of litigation will be able to move their cases forward. The discovery part of the litigation will be able to move and will really help unclog the court systems so I really appreciate the -- Representative Dargan for bringing the case -- the bill forward.

Thank you so much.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you, Representative.

Representative Giegler, you have the floor.

REP. GIEGLER (138th):

Thank you, Madam Speaker.

I, too, rise in support of the bill that's before us. It was unanimously passed out of the Public Safety Committee, and it will forward individuals a timely manner in securing their accident reports for insurance claims. And I thank you.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you. Thank you for your remarks.

Will you remark further on the bill that's before us?

Will you remark further?

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If not, staff and guests please come to the well.  
Members take your seat. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call.  
Members to the chamber. The House is taking a roll call  
vote. Members to the chamber, please.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you for visiting us, Representative Lawlor.  
This is our first vote of the day. Have all members  
voted?

I know. I know. I'm just making people remember  
that they have to vote.

THE CLERK:

The House of Representatives is voting by roll call.  
Members to the chamber. The House is taking a roll call  
vote. Members to the chamber, please.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Gonzalez, for what reason do you rise,  
ma'am? Representative Gonzalez.

Oh, okay. You're not pushing your button, madam.  
Okay. Are you all right, Representative Gonzalez? Okay.

Will the Senate please be seated as quietly as  
possible. We're in the middle of a vote.

The House of Representatives is in the middle of a

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vote. If you haven't voted, please take your seat and vote.

And will the Senators please be seated so we can finish our proceedings. Thank you.

Have all members voted? Have all members voted?

Please check the board to see that your vote has been properly cast. / The machine will be locked and the Clerk will prepare the tally.

Okay. All right. I see you.

Representative, for what reason do you rise? You want to be -- marked in the affirmative? It's still open. You can push your button, ma'am. Push your button.

She did? Okay.

Have all members voted? Please check the board to see that your vote has been properly cast. The machine will be locked and the Clerk will prepare the tally.

I don't see any hands waiving at me so I'm assuming we're done.

Will the members take their seats.

I know that. I'm just saying I want to get them out of the aisle.

Will the Clerk please prepare the tally. Will the Clerk please announce the tally.

THE CLERK:

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House Bill 6484.

Total Number voting 128

Necessary for adoption 65

Those voting Yea 128

Those voting Nay 0

Those absent and not voting 22

DEPUTY SPEAKER KIRKLEY-BEY:

The bill, as proposed, passes.

I will now turn it back to the Speaker.

Speaker Donovan in the Chair.

SPEAKER DONOVAN:

Any announcements or introductions?

Representative Godfrey.

REP. GODFREY (110th):

Thank you, Mr. Speaker. Good morning.

SPEAKER DONOVAN:

Good morning, sir.

REP. GODFREY (110th):

Every year, ladies and gentleman, I -- the Connecticut General Assembly hosts the YMCA Youth and Government Program. We had it here a few weeks ago toward the end of March and I'm very pleased to be joined by the



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Senate Bill 933 in concurrence with the Senate.

Total Number voting 144

Necessary for adoption 73

Those voting Yea 142

Those voting Nay 2

Those absent and not voting 7

DEPUTY SPEAKER ARESIMOWICZ:

The bill passes.

Will the Clerk please call Calendar 197.

THE CLERK:

On page 47, Calendar 197, Substitute for House Bill Number 6484, AN ACT CONCERNING THE AVAILABILITY OF ACCIDENT RECORDS OF THE STATE POLICE, favorable report of the Committee on Public Service.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Dargan.

REP. DARGAN (115th):

Thank you, Mr. Speaker.

I move for acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate.

DEPUTY SPEAKER ARESIMOWICZ:

The question is on acceptance of the joint committee's favorable report and passage of the bill

in concurrence with the Senate.

Representative Dargan, you have the floor.

REP. DARGAN (115th):

Thank you very much, Mr. Speaker.

Just a brief background on this, just some legislative history. This bill has already been before us. On April 13th it was voted out of this Chamber unanimously. And then on May 12th the Senate took this bill up.

Just a brief summary of the bill: it deals with accident reports that must -- that are compiled by the state police, that will be given in a timely manner within 30 days.

At that time, Mr. Speaker, the Clerk -- the Senate took up Senate Amendment "A." May he please call and I be allowed to summarize LCO Number 5971?

DEPUTY SPEAKER ARESIMOWICZ:

Will the Clerk please call LCO Number 5971, which will be designated as Senate Amendment "A."

THE CLERK:

LCO Number 5971, Senate "A," offered by Senator Hartley.

DEPUTY SPEAKER ARESIMOWICZ:

The Representative seeks leave of the Chamber to

;

;

summarize the amendment. Is there objection to summarization? Is there objection to summarization? Hearing none, Representative Dargan, you may proceed with summarization.

REP. DARGAN (115th):

Thank you very much, Mr. Speaker.

The amendment just simply states if there is a criminal investigation or there's a death because of a motor vehicle accident, that sometimes it takes more than that 30 days and that's the intent of the amendment.

And I move for its adoption.

DEPUTY SPEAKER ARESIMOWICZ:

The question before the Chamber is on adoption of Senate Amendment Schedule "A." Will you remark on the amendment?

Representative Giegler, you have the floor, madam.

REP. GIEGLER (138th):

Thank you, Mr. Speaker.

I too rise in support of the amendment before us. As representative Dargan referred to is -- this is a bill that we passed out of here 128 to nothing. And this amendment that the Senate proposed actually makes

it better to deal with criminal investigations. And I urge my colleagues' support.

Thank you.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, madam.

Will you remark further on the amendment before us? Will you remark further on the amendment before us? If not, let me try your minds. Those in favor of the amendment, please signify by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ARESIMOWICZ:

Those 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? If not, staff and guests please come to the well of the House. Members take your 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.

DEPUTY SPEAKER ARESIMOWICZ:

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Have all the members voted? Have all the members voted? Will the members please check the board to ensure that their vote has been properly cast. If all the members have voted the machine will be locked and the Clerk will take a tally. The Clerk would please announce the tally.

THE CLERK:

House Bill Number 6484 as amended by Senate "A" in concurrence with the Senate.

|                             |     |
|-----------------------------|-----|
| Total Number voting         | 143 |
| Necessary for adoption      | 72  |
| Those voting Yea            | 143 |
| Those voting Nay            | 0   |
| Those absent and not voting | 8   |

DEPUTY SPEAKER ARESIMOWICZ:

The bill as amended is passed in concurrence with the Senate.

Will the Clerk please call Calendar 234.

THE CLERK:

On page 39, Calendar 234, Substitute for House Bill Number 6227, AN ACT CONCERNING A REGIONAL STRUCTURE FOR THE DEPARTMENT OF CHILDREN AND FAMILIES AND MISCELLANEOUS CHANGES TO THE GENERAL STATUTES CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES,

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Although the installation cost of home sprinkler systems would be project specific, I would guess on average that it would cost no more to the homeowners than installing central air conditioning. And the benefits of the sprinkler installation could be far more comforting considering the life-saving properties of sprinklers.

Additionally, it could be possible for many homeowners to realize a savings on their insurance premiums with the sprinkler installation systems.

I hope I've offered some valuable observations on this notable matter. And again I thank you for allowing me the time to address you.

REP. DARGAN: Thank you, Brian.

Questions from committee members? Questions?

Thank you very much.

Next presenter is Jonathan Miller.

JONATHAN MILLER: Good morning, honorable members of HB6484 the Public Safety and Security Committee. Thank you so much for this opportunity to address you.

We have what we think is great good news for the State of Connecticut; something that's a win-win for everyone involved and especially for the people of the State of Connecticut.

My name is Jonathan Miller. I represent Connecticut Public Safety Consortium, which is part of the national organization. Our organization and partners are active both nationally and internationally. Some members have been involved here in Connecticut for



decades. In fact, we're still trying to get the actual head count.

We have approximately 1,000 employees in the State of Connecticut. G4S alone has 6 offices; two of them here in Hartford. We plan to create additional jobs and solve many problems.

We're here today to provide a short overview regarding an offer made specifically for the State of Connecticut. That offer requires no government funds. It does not involve taxes or fees. There is no requirement for any government agency to pay for anything. This is a common-sense solution and long overdue.

It will address vehicle-compliance issues. It simply helps insure the collection of money that is owned -- owed or which will be owed to government based on the support of existing laws, not new laws.

What is offered includes a complete public safety upgrade at no cost to Connecticut. Automation of compliance issues allows law enforcement to be safer and far more efficient. Law enforcement has so much pressure on them now they simply cannot deal with, and should not be expected to deal with, issue that are so easily automated.

This system also supports -- fully supports the insurance industry. Any format the insurance industry wishes to use or an individual insurance company wishes to use -- including something called IICMVA -- is fully supported. It gives the individual insurer the facility and the flexibility to do it their way.

There are many formats and protocols. We embrace and we support them all. We have been involved with vehicle insurance verification for almost 12

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years. One of the sister companies does vehicle -- does insurance verification for 49 million Americans. There's nothing remotely strange, or risky, or new that's being presented here today.

We can generate hundreds of millions of dollars for the State of Connecticut. The Consortium will provide a financial guaranteed structure that insures \$100 million without risk or liability of any kind to the state. We protect property, but we also protect privacy. No names or addresses are maintained in the system.

It has a portal for the ACLU. It has the support of the largest NAACP Chapter in United States, which is Detroit. We embrace privacy, consumer, and minority advocates. The system is fully transparent in the same way that we totally embrace and support the rule of law and the law enforcement community.

The system we're proposing today is the accepted national standard by Inlets, which is the system that links every law enforcement officer in the nation together. Thank you. I'll wait for these other things.

Out of respect I don't want to keep speaking unless you have questions.

REP. DARGAN: Sorry -- the presenter next to you -- his name?

JONATHAN MILLER: Well, let me suggest this -- Dan Himes, who's the director of Adesta, which is G4S --

REP. DARGAN: He's next on the list though.

A VOICE: Yes.

REP. DARGAN: If he -- if he would just like to speak, then we could ask questions together; if that's okay.

JONATHAN MILLER: Yes. Well, thank you so much.

REP. DARGAN: Okay.

JONATHAN MILLER: We protect privacy and property. We do both things, and we're very proud of that. We insure --

REP. DARGAN: Is Dan going to speak next or?

JONATHAN MILLER: Dan had a family emergency.

REP. DARGAN: Oh, okay.

JONATHAN MILLER: He's on a plane by now to Miami.

REP. DARGAN: Well, who's the individual next to you then?

JONATHAN MILLER: This is Roy -- this is Mr. Roy Stepanian who is going to speak for Dan Himes with Adesta.

REP. DARGAN: Okay. Okay.

JONATHAN MILLER: So I'll just -- refer my other (inaudible). And thank you so much.

ROY STEPANIAN: Thank you very much for your time today. I'm speaking on behalf of Adesta and the new company now formed called G4S Technologies.

We're currently a company that has employees here in Connecticut. We currently employ approximately 1,000 people here in Connecticut. We have six offices throughout the state of which

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two of them are here in Hartford.

On a global basis G4S Technologies has a footprint in over 125 nations throughout the -- throughout the world. We -- on global basis we employ over 650,000 people. G4S is the largest security company in the world.

Currently, G4S employs hundreds of people in Raleigh, North Carolina. And these people currently only deal with insurance fraud issues and work directly with many of the insurance companies that are located and based right here in Hartford.

Specific to Connecticut, G4S operates and maintains your digital microwave communication system that is employed with your law enforcement throughout the state.

The Connecticut Telecommunications System, CTS, is operated by G4S on a 24 by 7 basis. It manages the network and maintains all the equipment and operates the CTS help desk for Connecticut currently. The service that we provide assists the troopers, the state troopers, and dispatchers within the state trooper organization and your law enforcement organization.

I will cut my remarks shorter than Dave to give you the opportunity to ask some questions.

Thank you.

REP. DARGAN: Thank you.

Questions from committee members?

Senator.

SENATOR CASSANO: Yes; just one quick question.

Now you both explained the company and its role, what is the purpose of the proposal before us? What will it do for Connecticut?

JONATHAN MILLER: It's actually an insurance -- vehicle insurance and registration compliance system.

Every law enforcement officer in Connecticut is connected to every other law enforcement agency and officer in the country through what is called the Inlet Network. This is the Inlet system for vehicle insurance verification.

It will effectively give -- and registration -- it will actually allow a law enforcement officer here at roadside to know the current registration and vehicle insurance -- strictly compliance issues.

We don't -- we don't care if Mickey Mouse is driving the car. It has nothing to do with the driver of the car. But it will allow verification of those compliance issues for a vehicle that's Connecticut, or from Massachusetts, or from Texas, or from any other state. But it's an interstate system so there's equal protection in enforcement under the law.

It's totally noninvasive because the system has no names or addresses. It doesn't need them. And it's a system that is really there for the support of the law enforcement community. This is really a law enforcement public safety issue. And that's what this is about.

SENATOR CASSANO: And by identifying an unregistered motor vehicle, which your technology does, then you would go through what process?

JONATHAN MILLER: Well, what happens, and I want -- thanks for that question, because it's a great question.

What I want to stress is this is not Big Brother. This is not cameras on poles. We want nothing to do with red light -- this is, I mean, we're not making a value judgment, but this is a vastly different approach.

What happens here is that a law enforcement officer -- we upgrade the equipment in the law enforcement vehicle. We provide support for them. What happens is that when they see -- when the system would see -- which would be a scanner that would be in their vehicles replacing their cop cams -- current cop cams -- when it sees a licensed plate, it's running that licensed plate. If the vehicle is compliant, that drops. The file drops. We cannot track a vehicle. We can't track anyone's movements around town.

We don't want anything to do with any sort of a Big Brother mentality. But what does happen is, is that if the vehicle is noncompliant, we know that in 1.2 seconds or less and a citation will be issued. But even when the citation is issued, the citation must be issued by a sworn law enforcement officer.

The chain of command never changes. This is only about law enforcement; there's no robots or staff people doing these things. We must pay all those salaries. We cover all those costs.

There's no fiscal, no funding (inaudible) or any requirement on the part of the state. The initial implementation would actually require \$37.5 million in investment just to put the equipment in.

I hope I'm answering your question properly.

A VOICE: Thank you.

REP. DARGAN: Further questions?

Representative Davis.

REP. DAVIS: So, would the officers not need to pull over the person at that point? It would be like a red-light camera where it would send them the fee in the mail?

JONATHAN MILLER: Actually, there's -- let me suggest this -- if it's okay, Roy?

ROY STEPANIAN: Yeah.

JONATHAN MILLER: There are two parts of that answer.

If the law enforcement officer pulls the vehicle over, everything happens the way it always happens now; there's no change.

(Inaudible) except for the fact that when they pull the vehicle over, the system will see the license plate; they're not having to interface; they're not making mistakes. They've got a lot on their plate.

A VOICE: Uh-huh.

JONATHAN MILLER: The last thing they need is to have to get on the radio and call things in or get on their laptops and try to put things in. So it does that for them, and things start appearing on screen right away automatically without them having to do anything.

But we don't want to interfere with how law

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enforcement does its business and the decisions that they make at roadside, so that doesn't change. Only when the vehicle is now pulling away, it's now in drive, and it's out on the roadway, and it's -- and the system is then seeing license plates.

That's the only thing that's really changing here, but it will see a great many license plates, obviously, in the span of a day and through the various shifts. But we have to -- to make that work we have to upgrade, frankly, at our cost, the law enforcement vehicles.

Which, of course, law enforcement love this because their role now becomes much safer; they're not having to approach a car in the dead of night wondering, you know, what they're looking for in the glove box or whatever it is. It's just a much -- it's a strong safety issue for law enforcement.

ROY STEPANIAN: Can I just jump on?

A VOICE: Sure. Go ahead.

ROY STEPANIAN: I think I can enhance your answer.

JONATHAN MILLER: Yeah, please.

ROY STEPANIAN: What's happening is that the scanner on the cruiser is scanning the cars as it passes.

And when there is a car that is not in compliance, that information is sent through our system, so the law enforcement person does not have to pull that car over. It's all done through the electronic transfer system.

JONATHAN MILLER: But it also goes to a law enforcement officer sitting by a screen seeing



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that image, because only a sworn officer can actually generate a citation.

REP. DAVIS: And this is in their cruiser they'd be -- it would pop up on their screens?

A VOICE: Yes.

REP. DAVIS: So, currently, right now they have the ability just to input the license information while they're driving around and seeing these cars. I mean, I guess --

JONATHAN MILLER: They -- they truly --

REP. DAVIS: -- what would be the benefit of doing this other than it is automated and then it sends a ticket to the person it chooses to?

JONATHAN MILLER: Well, there's several major advantages. One -- the most obvious in this particular case is that they're only seeing between 3.5 percent and 5 percent of the vehicles on the road each year. And they're only seeing -- and they're only dealing with instate vehicles. So it's really -- if you think about it, really kind of unfair.

Because there's a different standard that the citizens and residents of Connecticut are being addressed -- being held to. This would see 80 percent. We would guarantee that it would see at least 80 percent of the vehicles within every 12-month period. And it's seeing all the vehicles.

So it's a -- all kinds of vehicles -- so it's a -- really a very different approach.

REP. DAVIS: So it can scan multiple vehicles at the same -- is it at the same time?

JONATHAN MILLER: It can.

ROY STEPANIAN: Yes. Yeah. And we're talking about vehicles in general. That includes trucks that don't carry the proper tariffs --

REP. DAVIS: Uh-huh.

ROY STEPANIAN: -- to pay -- to traverse the state. We'll be able to identify that as well.

JONATHAN MILLER: It has a lot of additional advantages. I probably shouldn't go off of this, but it -- there's -- in each unit there's weather sensors, smog sensors, traffic count sensors. There's a great many additional benefits for DOT -- intelligent -- you know, Homeland Security, there's lots of other things that it does, but the principal focus is the things that Roy and I are talking about.

REP. DAVIS: All right. Thank you.

REP. DARGAN: Further questions?

Just a few; it's interesting when we have these conversations to get different points of view, and I see that the Property Casualty and Insurance Association of America is opposed to the bill and Insurance Association of Connecticut has some concerns.

And I know in the past we've had bills here -- traffic lights; signals. Different communities now try to go after license plates dealing with owed taxes -- car taxes -- within those communities. With the understanding -- I remember a number of years ago that we changed the law here -- car insurance -- no fault. And still, you know, figures that I've seen that

there's still 10 to 16 percent of people that are uninsured in our state when everybody's supposed to be insured.

So Steve Dargan gets his car registered from Smith Insurance Company, pays that premium, and then drops it and really doesn't do anything until the next two years, until the registration is due.

Also with the understanding that I know that we have a system in place where that agent is supposed to report that to our Department of Motor Vehicles Unit, and also with the understanding that they have a fraud unit within the Department of Motor Vehicles, how would this assist us then in getting that 10 to 16 percent of uninsured off the roads?

JONATHAN MILLER: Thank you, Chairman.

There's actually a number of different ways, and it will really depend on how the system gets fully implemented.

I wanted to just emphasize one other thing before I go off and just answer that directly, but it is that the insurance -- the various insurance organizations, whether it's (inaudible) or whoever is the insurance federation, we've had a lot of attempts to try and have a conversation about this.

The truth of the matter is, is that we're actually accommodating what they have said that they would like. I think there's maybe some communication problems there, because they don't realize that we have agreed to do it exactly the way they wish, so I hope that that will change.

In answer to your question, however, there's a

number of different things that are happening. First off, we're seeing both instate and out-of-state vehicles. There's much more regular and controlled reporting. It's a national system, so we're seeing -- we're being able to verify the systems and the vehicles through multiple channels, and the reporting is a lot more regular.

If there's no reporting, if there's no file in place, then what happens is we use the IICMVA system. It will actually ping the vehicle insurer automatically -- web enabled -- at that moment in time to verify status at that point; there's time lags that are involved and so forth; there's a number of things that technically allow us to make that happen.

And I think the other part of it is this -- is that we have teams, large teams of actuaries. We have a great many people who are involved in this project, and we're here to guarantee \$100 million. I can -- I can give you technical documentations which show you exactly how we make this work, but the truth of the matter is, is that we really kind of put our money where our mouth is, and we've been around here for 30 years, and we're very serious about this.

But the reality here is that our approach regarding the reporting is much enhanced over what's currently in place in the State of Connecticut. It's not a once a week sort of a thing. It's an online realtime system. That makes -- it makes a huge difference.

REP. DARGAN: Further questions?

Thank you very much for your testimony here.

JONATHAN MILLER: Thank you so very much. We really

appreciate our time here.

REP. DARGAN: Thank you.

Next presenter is Robert Duval.

ROBERT DUVAL: Good afternoon, members of the committee.

And yes, I am Robert Duval. I'm sorry to disappoint you if you saw the name on the roster and you thought the Robert Duval was going to be here. (Laughter).

Good afternoon. I'm here to speak on House Bill 6378, and I'll try to paraphrase as best I can. You have my written testimony in front of you and there have been other speakers on this bill.

My name is Robert Duval. I'm the New England Regional Manager and Senior Fire Investigator for the National Fire Protection Association, as well as a state resident in the Town of Plainfield, Village of Wauregan where I serve on the Volunteer Fire Department as a Deputy Chief there.

I'm here on behalf of the NFPA to go on record with our support for residential sprinkler requirements in one and two-family dwellings as part of the state building code in the State of Connecticut.

As mentioned earlier, all of the model-building codes now in use in the United States require, as part of the original model code, require residential sprinklers and then each individual state can amend certain items out of the building code. And then many states have chosen to amend it out, or have delayed the implementation, and I'll go over a list later in my testimony.

There are actually more towns than I've outlined here, but I just thought just for the, you know, beginning here to outline some of these more egregious towns. They ask for credit information, certified reference letters, bank statements, and a host of other documentation that is absolutely not required by state law to obtain a permit.

They also make the applicant wait several months when the process should only take eight weeks. These towns should have to adhere to a standard for permit application, and I would even add a provision for municipalities to be fined for purposefully obstructing an applicant from obtaining a permit.

There are many people whose right to obtain a permit has been intentionally made more cumbersome, and I don't think that's right. I think you as a committee should -- should do something to rectify that situation. And I thank you for listening today.

REP. DARGAN: Thank you, Judy, for your testimony.

Questions from committee members? Any questions?

Thank you, Judy.

JUDY ARON: Appreciate it.

REP. DARGAN: Thank you.

Next presenter is John Hollis.

JOHN HOLLIS: Good afternoon, Representative Dargan, and members of the Public Safety Committee.

It's an honor and a privilege to come before you today in support of House Bill 6484, AN ACT

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ESTABLISHING AN AUTOMATIC INSURANCE  
IDENTIFICATION ENFORCEMENT SYSTEM.

My name is John Hollis. I represent the Teamsters of Connecticut. I also represent the Veterans of Foreign Wars nationally and here in Connecticut.

A mutual friend -- a couple of month's -- introduced me to Mr. Miller, and I was asked to -- my opinion. And I looked into the technical capabilities of this wonderful company and determined that there's a tremendous opportunity to capture -- no pun intended -- the 15 percent to 20 percent that are driving uninsured in the streets, and the byways, and highways of Connecticut.

My concern as a Trucker is the safety issue. You know, there are many out there that are driving uninsured and a little bit fast and loose. You know, it's an honor to recognize the truckers and the owners that belong to the association that are doing a tremendous job, you know, complying, and they have their vehicles legal -- driven by truckers and many of those Teamsters that are CDL certified, DOT physicals, and making all the compliances. I suspect this technology is not even going to identify those people because they're going to be legal. We have so many other vehicles that are driving these highways that can create havoc in our fine State of Connecticut. So those are the things that I thinking we should be looking at.

And then even in the private sector, my son -- I live in East (inaudible) -- was driving down Burnside -- it's like two hours -- two minutes away from the house and somebody backed up and hit him in the side of his car.

And he called me immediately. I went down there, and he was okay. My granddaughter was okay. And the young lady that backed into him was okay. Then she announces -- no insurance. How many of us have dealt with that? One in five; 20 percent; one in five is driving uninsured.

In the State of Connecticut -- with the DMV, our public safety officers, and the insurance agencies, you know, working together -- and they truly are, and they're all good agencies. But we're still missing the bulk of those groups that are -- that are getting insurance just to register the car and not pay the second premium and do that for two years to jeopardize the entire State of Connecticut.

I don't want to see more work put on the public safety. I don't want to see more work at motor vehicle, and I don't want to add more work to insurance, but I think we need something that's going to work. And I think this is something that we can seriously take a look at.

What I would ask this committee to do, as I've done so many times as a Teamster, sometimes -- if I may continue, Mr. Chairman? Sometimes the, you know, the newness of a bill, it's just here, and you know, I'd like to see this get out probably to another committee; it may go to insurance; it may go to judiciary; it may go to finance; it may go to transportation -- whatever it is.

I'd like to see this have an opportunity to get out there. JF it out there, so we can really see what this is all about. I truly believe when this group of people are telling me that I'm going to hold them accountable, that they can put \$100 million or more into a well needed general fund here in Connecticut, I'm going to listen, and I'm going to ask them to prove it.



Because I'm a guy that you don't just tell me something. I want to see it. They've shown me documentations. They showed me materials that I truly believe. It's serious. And they're not intrusive.

Listen, you talk about all these things. I'm a guy, you know, that don't like all this Big Brothers and so forth, but they convinced me this is not intrusive. They're using existing technology to enhance it; to make it better and to make it work. That gets my attention. You know, it's interesting to note though, we walked down this hallway -- I think the only place without cameras -- in the men's room, and I'm getting a little suspicious that they may have that too.

And you know, I really believe -- we carry the GPS, our cellphones, and we go through these lanes on the highways, believe me, they can find out where we are at any minute of the day. So all I'm asking you is give this a good look-see.

If you'd be kind enough to JF it out of this committee, I'm confident moving down the road that this technology will work. We'll save our fellow officers. And our public safety is doing a tremendous job in the State of Connecticut, and I support them 100 percent to provide them the opportunity to do the things that is necessary to keep these criminals and these other violators off the highways.

I think this technology works. I think it's identifiable. It's very simple. And they're working with the top agencies in the State of Connecticut. And it's sole source. And they're scanning -- they're capable of scanning over 3,000 cars an hour. And as I heard in the

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testimony, 80 percent of these vehicles in Connecticut will be scanned by that point in time.

Let's look at the insurance company, and maybe we're part of the reason they sit in objection, and I don't want to take on that battle. I don't have a horse in that race.

But listen, part of our premiums are predicated on the insurance of people that are uninsured. Now if we can capture those, and get those to comply, maybe we can bring down some of those premiums that we need here in Connecticut. And there's a number of things that we can (inaudible) from this technology from this fine group.

That's my pitch. If there's any questions I'll answer them, but I hope you can JF this out of committee.

REP. DARGAN: Thank you, John.

Questions?

Representative Davis.

REP. DAVIS: Thank you for coming in this afternoon.

Now, no system is 100 percent accurate. Do you -- and you've done a lot of research on this topic -- does this system -- what is the percentage that it's inaccurate that they somehow think that one is uninsured but, in fact, they are insured?

JOHN HOLLIS: You know -- and I'm 69 years old -- and I'm just happy with the ATM machines. And with all this technology, I mean -- these kids -- the technology now when they get it out, it so often

changes that it's antiquated a week later.

These folks have convinced me that they have the technology. And one year is going to capture 80 percent. That's not going to be picked up on other ways -- of the noncompliance -- those uninsured.

I truly believe that we've reached a percentage of getting that -- to answer that question.

A VOICE: (Inaudible). It's not a no-insurance citation.

JOHN HOLLIS: It's a -- not a insurance citation.

A VOICE: (Inaudible).

JOHN HOLLIS: Yeah; citation for no proof.

REP. DAVIS: So there's 6 percent of people that are going to receive a ticket when they, in fact, have insurance and do not -- should not be receiving this ticket, otherwise it's outside of (inaudible) --

JOHN HOLLIS: It's a letter. It's a letter that's going to go out, and it's a very soft letter. They're going to say -- if you insured -- if your agency did not report your insurance, then send a letter of proof; end of issue.

REP. DAVIS: So before you send a ticket to the individual, or the police department, they would send them a letter first in

JOHN HOLLIS: Yes.

REP. DAVIS: Saying, we've caught you. You're (inaudible), but we're not going to fine you yet.

JOHN HOLLIS: The letter would include -- the first -- giving them the opportunity to verify whether or not they've got insurance. Then if they say my agency -- faxes them something -- finished business. If they're not, there's a fee included -- and get your insurance, and 70 percent of that first letter to those groups respond.

REP. DAVIS: So G4S would send the letter or the police department would send the letter?

JOHN HOLLIS: Through you, Mr. Chairman, may I have him answer that, Mr. Chairman?

A VOICE: Hit the button over there.

JONATHAN MILLER: And I apologize. I didn't mean to be rude. I just would love to answer that if I could.

REP. DAVIS: Oh, yeah. No problem. That's fine.

JONATHAN MILLER: The -- there's a number of companies. They're all very large corporations. The largest corporation in the world that deals with intelligent transportation systems is a company called Telvent, T-E-L-V-E-N-T. They're also a Consortium member.

And what they do here in America, Austin, Denver, Oregon, all over the world, is that they handle those citations that you're talking about. So the citation goes out. It's very respectful, as John said, and basically says mistakes can be made. We certainly hope there's a mistake here. This is a citation for no proof -- not no insurance.

REP. DAVIS: Uh-huh.

JONATHAN MILLER: We're just asking you to help us

correct the record. We'd really like it if you would do that. It has a help desk that operates 24/7 -- multiple languages. I mean this is what Telvent does all day every day.

A VOICE: Yeah.

JONATHAN MILLER: So this was -- this is the backup. That's how that system works. But there's lots of respectful pieces here. This is meant to be a positive system. We can't even send that out if there's not absolute documented evidence that there is no current insurance on that particular vehicle.

REP. Davis: Well, because my concern is that some -- a member of the public is going to get this letter from some unknown company that they've never heard of before, and then say, I don't know what this is -- this is a piece of junk mail and throw it away.

And what would be the importance of investing \$3.7 million into a system where the general public is just going to take the letter and throw it away and not care.

JONATHAN MILLER: It's --

REP. DAVIS: I mean, they may have this guilt feeling that, oh, you know, somebody caught me that I don't have insurance. But what would be the difference of just doing a sweep through the system that the DMV currently has, and then just sending out letters through the DMV instead of investing into this system that perhaps could catch 6 percent of the wrong people?

JONATHAN MILLER: Mr. Chair, can I answer that?

What happens is -- first off the initial

investment for us is \$37.5 million here.

REP. DAVIS: Oh, \$37.5 million?

JONATHAN MILLER: \$37.5 million. That's just the beginning of it.

REP. DAVIS: Of course. (Inaudible).

JONATHAN MILLER: And, but what happens is that there are laws on the books. In various states it's a different situation, but, I mean, the registration would be terminated. If you are driving a vehicle that is uninsured or unregistered, then the vehicle registration would be -- would be pulled.

REP. DAVIS: Yes.

JONATHAN MILLER: Since September '07, we also have the NRVC. And that happens if the vehicle is here from Ohio. It's the same thing. It will go back. And, in fact, that particular vehicle owner will owe money to the State of Connecticut but also then have to pay additional fines and fees to their home state before they can get their driver's license or their vehicle registration renewed, so there's a real big (inaudible) there.

What's happening is that Telvent would do it under the authority of the government. Because, effectively, we're acting as an agency of the government to make these things happen.

A private company sending it out -- we can do all those things, but there has to be code and statute that's referenced. People receiving that need to take it seriously and understand that there'll be repercussions or there will be ramifications if they don't respond.

REP. DAVIS: All right.

Thank you, Mr. Chairman.

JONATHAN MILLER: You're so very welcome.

REP. DARGAN: Representative Adinolfi.

REP. ADINOLFI: Thank you, Mr. Chairman.

A quick question for you; I've been aware of some people that have taken out insurance policies on -- and paid for it on a monthly basis. So they got their card -- put it in the car to show that -- their identification that they're insured and then they stopped payment the next month.

Now is the insurance company required to notify Motor Vehicle, or do they get away with it?

JOHN HOLLIS: My understanding is that they are, but --

REP. ADINOLFI: But do they?

JOHN HOLLIS: -- the system is not working. I mean there's a breakdown between the -- I mean everybody is doing their job.

The insurance companies are doing a good job. The Motor Vehicle is doing a good job. The public safety officers, but there's some stuff falling through the cracks. And there's that group out there -- that 20 percent that is just doing it.

And there's many people -- from my now speaking with a number of folks between the last two months -- they've asked me to check some things out. They'll buy that premium and then

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(inaudible) -- I ain't going to pay for it because I've got two years to play around.

REP. ADINOLFI: Yeah.

JOHN HOLLIS: And then they go two years later to buy another premium. So those are the ones that are playing fast and loose.

REP. ADINOLFI: That's not uncommon?

JOHN HOLLIS: It's not uncommon.

REP. ADINOLFI: Okay. Thank you.

JOHN HOLLIS: Yes, sir.

REP. DARGAN: Further questions?

SENATOR CASSANO: Just a quick follow up. Would you explain the out-of-state plates?

If you find somebody that's not insured in whatever state, how does that actually work?

JOHN HOLLIS: Through you, Mr. Chairman. (Inaudible). Go right ahead.

JONATHAN MILLER: Thank you, Mr. Chairman. Sir, what happens is the (inaudible).

I'm sorry. There it goes. The citation would go out just as though it were going out to a Connecticut resident or citizen, but it would actually, obviously, be addressed through the Inlet's Network.

The Inlet's Network is connected to every state. It's connected to every DMV. It's actually then pulling -- once the vehicle is identified as a noncompliant vehicle, then a name and address



will then get associated from that file and that piece of mail will go out through Telvent. And it will go to Jim Smith who lives in Ohio. Jim Smith will receive it. The terminology will still be the same.

You know we hope that a mistake has been made. Human mistakes can happen. Please notice this is not a citation for no insurance but only for no proof, but you are required to show proof, and here's the citation and so forth and here's also the statutes for Ohio. So you will need to pay this fine -- here's the details.

There'll be an actual photo of the back of the vehicle, but only the very -- the trunk lid, and a close-up of the actual license plate number itself, and the date and time stamp, and all the information of where exactly that took place, so all that information is going to be there.

There's not going to be a lot of wiggle room. There's also language there that says, it doesn't matter who the driver may be; as the vehicle owner your responsibility is to be sure that the vehicle is properly registered and insured. But it happens exactly the same way.

And then at the end of the day there's four different notices that will go out. A citation can only be issued once every 72 hours. We don't want to have a mistake where a spouse comes back and one thought the bill was paid -- the other -- I mean, it was a legitimate problem, but we don't want, you know, lots of citations going out. We don't want bad press. We don't want to be onerous or pushy.

But, anyway, what happens then is that the citation would also stipulate in the 45 days we're going to send you four notices. Here's all

these ways for you to correct this. You know the internet and the site, a telephone number, 800 line number, help-desk support, multiple languages whatever you want; please help us help you correct this record.

On the other hand, if you are the owner of an uninsured vehicle, please purchase insurance so that you can properly protect other people on the road. And, by the way, send your money to the following address. The money then goes to the Government, not to us. It's all banked and organized. We can't touch -- we process the money, but it all goes to the bank account. And then once each month you would provide us with a small part of that money. But everything else goes to the Government without any cost or obligations.

SENATOR CASSANO: Which Government in this case -- Ohio's Government or Connecticut's? Why --

JONATHAN MILLER: All -- yeah -- a very good point.

All the money goes to Connecticut because it happened on your roads and surfaces, so it's your money. It's not Ohio's money.

SENATOR CASSANO: And so by statute you're telling me that anybody that drives through this state, whether they have insurance and are required in their home state or not, must have insurance to drive through the State of Connecticut.

JONATHAN MILLER: I am, sir.

SENATOR CASSANO: Okay.

JONATHAN MILLER: That's exactly the truth.

SENATOR CASSANO: All right. That answers the

question. Thank you.

REP. DARGAN: Further questions?

You know, just from the legislative standpoint, any time there's any new technology, or vendors, the Legislature doesn't get involved with preferred bidding and all.

You have to do that through DAS, and I'm sure that there's other vendors that do similar things that you're looking to do. So I just -- just for your edification on that.

Thank you very much.

Further questions?

Representative Boukus.

REP. BOUKUS: Just to clarify your last statement there. So people in a state that has no requirement for insurance -- coming from Canada -- that's not a state -- but Canada, New Hampshire, the states that don't have requirements; I don't know about Canada; I know about New Hampshire.

They're coming through Connecticut. They get photographed, right? They have to have insurance coming into Connecticut?

JONATHAN MILLER: That's always been the law. What happens here -- by the way, New Hampshire has -- they've actually made some changes. Wisconsin has also now incorporated.

Technically speaking, every state in America has mandatory liability insurance coverage, including, technically, New Hampshire. I should also say that Inlets is connected through

(inaudible) to all Canadian provinces. And we also get the data from Canadian provinces as well.

But if they're driving on your streets and roads, they have an obligation when they cross over that state border to abide by your laws. They can't speed on your roads. If they do, they'll be given a citation from Connecticut, and they have to pay Connecticut. Anything that they do on the roads here they're subject to your laws.

REP. DARGAN: Further questions?

REP. BOUKUS: Just a follow up to that. So -- oh, it just went right out of my head.

They have to handle the laws of the state coming through from Motor Vehicles, whatever they may be.

A VOICE: (Inaudible).

REP. BOUKUS: What -- does it happen in any other states?

I mean, I've never heard of anybody coming back and saying I got a citation from so and so because I didn't have this, but it does happen?

JONATHAN MILLER: Yeah. That --

REP. BOUKUS: (Inaudible).

JONATHAN MILLER: Yes. I'm sorry. Representative, that -- but that is the law in every state in America. You are subject to the laws and rules and regulations of the roads in which you travel, and that's an understood. It's simply understood that that's the case.

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If you speed in North Carolina -- but it doesn't matter what it is, if it's a traffic citation of any kind, you are liable. You must pay it.

And we've had -- we have three different organizations Driver's License Compact, Driver's License Association, nonviolator resident compact, but those compacts exist now with all states, and Connecticut's actually a member of all three.

REP. DARGAN: Further questions? Hearing none.

Thank you very much for your testimony.

The next presenter is E. --

JOHN HOLLIS: Thank you, Mr. Chairman.

JONATHAN MILLER: Thank you so much.

REP. DARGAN: The next presenter is E. Jonathon Hardy -- or Hady -- or Handy.

A VOICE: Hardy.

REP. DARGAN: Hardy.

E. JONATHON HARDY: Good afternoon -- back again for more of the firearms legislation.

I'm starting to get to know some of you pretty well by this point. My name is Jonathon Hardy. I'm an NRA certified firearms instructor in Middletown, Connecticut. And I also assist people through various organizations navigating the myriad of the permitting process to obtain their permit.

I'm testifying on behalf of a few bills. We'll go with the short ones first.

SB 966  
HB 6376  
SB 967  
HB 6377

A VOICE: (Inaudible). (Laughter).

SUSAN GIACALONE: I know. I'm crushed.

A VOICE: (Inaudible).

SUSAN GIACOLONE: For the record, my name is Susan Giacalone. I'm here on behalf of the Insurance Association of Connecticut.

I'm here in opposition to House Bill 6484.

I have submitted some written testimony, so I'm going to kind of try to address some of the comments that you've heard earlier from the previous speakers.

Obviously, the industry is opposed to this concept. Right now the industry is already reporting uninsured motorists, or when people lapse their coverage or drop their coverage with a carrier, to DMV. There's a system in place.

You heard numbers of 15 to 20 percent of uninsured; that's not correct. The standard in Connecticut runs anywhere from 8 to 10 percent; even with the systems we have in place, and the changes, that's a consistent number. There's going to be a number of people you just can't get to. And it doesn't sound like their numbers any better. They're at 80 percent where we're at 90 percent and better.

DMV already sends out a notice to someone when they get a letter (inaudible) in the (inaudible) report system from insurers. They already get a letter. They send a letter out to the individual saying, hey, you need to up your insurance information with us. I think a letter from DMV is going to do a lot more to get someone insured than a letter from some vendor.

And then another letter from another vendor -- who I think -- it sounds like might be collecting the motor vehicle fines for DMV. I'm not really sure.

This is not a system the industry advocates in any way whatsoever. There's written comments also from PCI, which is a national association of insurers, that's opposed to this bill.

The system that we have implemented with DMV -- it's a very complicated system. It cost a lot of money, both to the state and the industry, to implement it when it was implemented years ago.

I don't know how this is going to cost no money to anyone. There's not only the implementation fee, but there's maintenance fees, there's ongoing fees. And their website -- they say no cost to the government, no cost to the public, who's paying for it? I don't know (inaudible) because it's our industry that's going to be impacted on premiums.

Yeah, we would like to get more people off the roads. If it's a matter of DPS and DMV talking and sharing that information, you know, we've been advocating that for years. Get together, and let's see if we can come up with something in that regard, but this is not the way to go.

And mandating that we as an industry now have to share our private information to a third outside vendor who then shares it with I don't know how many more vendors.

Again, I just can't stress enough this is not a system that we support as an industry. We already have a system that's in place, and if it's something that we need to tool and rework,

we're constantly working with DMV on that.

Thank you.

REP. GIEGLER: Thank you, Susan, for your testimony.

Does anyone have any questions?

All right. Thank you very much.

Next on the list is Amy Stegall.

AMY STEGALL: Members of the committee, my name is Amy Stegall, and I believe I'm your last speaker today, so hopefully we won't be very long.

My testimony has been submitted, so I won't read it. I just would like to make some comments, particularly since a lot of the issues have been addressed.

But first and foremost, I'd like to thank the committee very sincerely for raising some of these bills which would benefit law-abiding gun owners.

I know Legislators now are getting a lot of flak for various things, including some of the other gun bills, so I just wanted to take a moment and let you know that it is appreciated. A lot of people are supportive of this but just can't make the hearing because of vacation schedules and work and things.

That being said, I would like to touch on the preemption issue and the issue with the town's requirements. Just to give you some background -- I don't believe that everyone's as familiar with firearms as -- on the same level, but if you can imagine it from the terms of if you have driver's license, and you had to apply

SB 966  
SB 967  
HB 6376  
HB 6377



*Statement*

*Insurance Association of Connecticut*

Public Safety Committee

March 3, 2011

HB 6484, An Act Establishing An Automated Vehicle Insurance  
Identification And Enforcement System

The Insurance Association of Connecticut, IAC, supports the concept of reducing the number of uninsured motorists on Connecticut's roads, however the industry is opposed to HB 6484, An Act Establishing An Automated Vehicle Insurance Identification And Enforcement System. HB 6484 is redundant, overly burdensome, unduly vague and will result in unnecessary enforcement against law abiding citizens.

HB 6484 seeks to require insurers to transmit to the Commissioner of Public Safety their database of motor vehicles owned and leased that are insured by that company, as often as the Commissioner deems necessary.

The insurance industry already provides information regarding the insured status of private passenger motor vehicles to the Department of Motor Vehicles on a monthly basis. This is a system that has been functioning for decades and is updated to adapt to changing technology. Based upon on the reporting requirements to DMV, and the current competitive marketplace for auto insurance in Connecticut, the rate of uninsured motorists has dropped over the most recent years. Only 10% of the roughly 2 million vehicles on Connecticut's roads are uninsured. Connecticut enjoys one of the lowest rates of uninsured motorists in the country. HB 6484 would do little to change those numbers. Requiring insurers to provide potentially the same information to another agency is unnecessarily duplicative, burdensome with no demonstrated benefit.

Additionally, it is unclear what information will be required of the industry, how frequently, or for how long. HB 6484 provides no parameters regarding the information required or the duration of the request, yet potentially leaves the authority to make all such decisions to an outside vendor. Implementing the system to provide DMV the information required was an extremely costly endeavor for the industry and requires ongoing capital and administrative outlays each month for monitoring and compliance. It appears that HB 6484 will also be a costly endeavor for the industry and the state to implement and maintain, the very reason the Department of Public Safety opposed this very concept the last time it was raised in 2009.

Also inherent in the language of HB 6484, is that the private proprietary information an insurer would be required to provide to the Commissioner of Public Safety could be shared with an outside vendor. An outside vendor is not subject to the privacy provisions contained within Connecticut statutes governing information provided to agencies. As such, Connecticut residents' private information will be shared with a third party without any privacy safeguards.

Finally, most commercially available matching systems on the market today create a presumption that a car is uninsured which results in numerous false positives causing consumers to receive tickets that they may not deserve. Most of these systems use cameras to identify uninsured motorists via a photo and include a presumption of guilt if the system cannot identify an insurer. Such presumption is coupled with a very high standard for a wronged party to overcome. These camera systems are extremely costly to create, install and maintain potentially costing the state millions in development and judicial resources. Additionally, such systems ignore several realities of the insurance industry and the information this industry can provide. An individual can be self

insured and as such would never be matched with insurance and could be falsely identified as uninsured. Commercial vehicle insurance policies do not collect the same data as private passenger motor vehicles, which too could lead to a false positive. Finally, an individual may drop coverage with one carrier because they have switched to another carrier. Due to the inherent time lag between capturing the dropped policy and matching it to a new carrier that individual too might be wrongly identified as uninsured.

The Department of Public Safety should work in conjunction with the Department of Motor Vehicles to provide law enforcement personnel access to the data DMV already has to better assist law enforcement personnel to identify uninsured motorists.

The Insurance Association of Connecticut urges your rejection of HB 6484.



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**To: Public Safety and Security Committee Members**

**From: David J. McGuire, ACLU-CT Staff Attorney**

**Written Testimony Opposing  
Raised Bill No. 6484  
An Act Establishing an Automated Vehicle Insurance Identification System**

This testimony summarizes the ACLU of Connecticut's concerns about the use of Automated License Plate Recognition Systems (ALPRs). The use of ALPRs, even for verifying vehicle insurance, puts innocent citizens' privacy at risk and raises due process concerns.

ALPRs identify, catalogue, and store the license plate numbers of every vehicle in their range, regardless of whether the operator of that vehicle is engaged in or suspected of a wrongful act or not. The newest ALPRs can process one plate per second or nearly 30,000 plates for every eight-hour shift. The information from ALPRs can be used to track the location and path of a vehicle, providing whomever can access the data with far more information than whether a vehicle is insured.

The vast majority of vehicles and vehicle operators on the road are not engaged in illegal activity. This proposed data mining is not based upon any indication of suspicious conduct and does not adequately serve legitimate law enforcement interests. The potentially broad and abusive use of data collected by ALPRs, which has occurred in other U.S. jurisdictions, threatens innocent citizens with unnecessary and intrusive surveillance thus invading their right to privacy. The significant privacy and due process risks make ALPRs an improper law enforcement tool.

Maine<sup>1</sup> and New Hampshire<sup>2</sup> have laws restricting or limiting the use of ALPRs. Under Maine law police can only keep data for 21 days, police can only enter license numbers for searching based on reasonable suspicion or official bulletins, data captured by ALPR is confidential, and there is a penalty for misuse of technology. New Hampshire prohibits the use of automated number plate scanning devices.

ALPRs are a perfect example of how technology has gotten ahead of our law. It demonstrates the need for comprehensive privacy legislation in Connecticut. Please feel free to contact me if you have any questions about our position on this matter or would like additional information.

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<sup>1</sup> <http://www.mainelegislature.org/legis/statutes/29-a/title29-Asec2117-A.html>

<sup>2</sup> <http://www.gencourt.state.nh.us/rsa/html/xxi/261/261-75-b.htm>



Property Casualty Insurers  
Association of America  
Shaping the Future of American Insurance  
2600 South River Road, Des Plaines, IL 60018-3200

## STATEMENT

### PROPERTY CASUALTY INSURERS ASSOCIATION OF AMERICA (PCI)

#### H.B. No. 6484 – AN ACT ESTABLISHING AN AUTOMATED VEHICLE INSURANCE IDENTIFICATION AND ENFORCEMENT SYSTEM

#### COMMITTEE ON PUBLIC SAFETY AND SECURITY

March 3, 2011

The Property Casualty Insurers Association of America (PCI) appreciates the opportunity to comment on H.B. 6484 which would establish and automated vehicle insurance identification and enforcement system. PCI is a national property casualty trade association comprised of over 1,000 member companies, representing the broadest cross-section of insurers of any national trade association. PCI member companies write approximately 50 percent of the private passenger automobile insurance sold in Connecticut.

PCI opposes this legislation and other similar legislation establishing insurance coverage verification systems for several reasons. First and foremost, they simply don't work. Experience in other states shows that these types of programs, started with the best of intentions, have a negligible impact on the uninsured rate. In addition to simply not working, the costs associated with reporting coverage data to these programs inevitably are passed on to insured drivers in the form of higher premiums or fees or both. The state of Missouri, for example, scrapped its Motorist Insurance Identification Database when it reached an annual cost of \$3.7 million. Not once during the program's years of operation did the uninsured motorist rate go below the national average.

Although HB 6484 does not specify what type of system will be used, bill language does grant the Commissioner of Public Safety the authority to require insurers to "transmit an electronic copy of its database of motor vehicles" to the state. Should the commissioner utilize this authority, the state would need to create a database to store such information. There is no reason to believe, however, this database would prove any more effective than other database programs in reducing the uninsured motorist rate. Database systems are necessarily handicapped by the fact that the information contained in a database is only as current as the last upload. This coupled with the inevitable mismatches between insurance coverage information and state vehicle registration data lead to a very large number of insured drivers receiving tickets for not having insurance. The consumer outrage resulting from receiving unwarranted tickets for driving without insurance should not be underestimated.

While we oppose insurance coverage verification systems in general, we do understand and recognize there is a strong interest on the part of legislators to do something to reduce the number of uninsured drivers. We encourage you to consider adopting measures that specifically target uninsured motorists rather than attempt to track insurance coverage for all drivers all the time. A

good example of this would be Indiana's Previously Uninsured Motorist Registry, a database of motorists convicted of driving without insurance who are subject to random verification checks for three years following the conviction. Beyond that, we would encourage you to consider adopting an on-line insurance verification system similar to what is currently in operation in Oklahoma and Wyoming. Also known as web services, on-line verification involves the verification of coverage information directly with the insurers, bypassing the need for the state to maintain a database. We would be happy to provide you with more information about this system should you be interested.

For the foregoing reasons, PCI urges your Committee to not favorably advance H.B. 6484.

**MvVeriSol response HB 6484 3.3.11****Data Reporting Programs**

- Until 2006, almost all programs were data reporting from the insurance companies to the state
  - Data reporting programs are expensive and difficult to implement and maintain requiring IT and admin infrastructure and software development and maintenance for both insurers and state
    - Data integrity is questionable - high rate of errors - VINs don't match - outdated information
  - Almost all programs lack enforcement due in part to unavailable or unreliable data
  - Burden for insurers and insured motorists
    - higher insurance rates
    - many who have insurance are accused of not having it
- Administrative time is wasted handling errors and complaints
- The insurance industry opposes these programs
  - the high costs have to be passed on to their customers in increased insurance premiums

**Online Verification**

- Event Based Verification
  - Law enforcement – traffic stop, accident
  - Motor vehicle administration – registration, renewal, inspection
  - Courts – as of date of citation
- Ongoing Verification
  - Automatically checks for cancellations and gaps in coverage

**Key Differences between Reporting Systems and Online Verification**

- Reporting Systems –
  - State is responsible for
    - Maintaining data
    - Matching insurer data to registration records
    - Related infrastructure and administrative costs including high upfront costs
- Online Verification –
  - Insurers (and the vendor) are responsible for
    - Maintaining data
    - Matching registration records to insurer data
    - Related infrastructure and administrative costs
    - Plus the insurer has the incentive to make the customer happy
  - State has benefits by
    - Avoiding high upfront costs
    - Having immediate positive cash flow
    - Uninsured motorists paying fines and reinstatement fees

**How Online Verification Works**

- An event occurs
- A verification request is made through existing systems without keying any additional information
- Software routes request to insurance company and responds immediately confirmed or unconfirmed
- Every vehicle is periodically checked automatically
  - If no coverage is found for specified period of time, a letter campaign begins
- Runs on jurisdiction's system or at an external facility
- Does not require input of additional data
- Interfaces easily with other applications
- Performs an online request via Web services based on IICMVA, ANSI, and ACORD specifications – the only approach fully supported by the insurance industry
- Obtains an immediate response
- Transfers minimal data – detailed personal and policy information is optional, but not required
- Maintains complete audit log of transactions
- Achieves highest accuracy – obtains the same results as calling the insurance company





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**S - 617**

**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
2011**

**VOL. 54  
PART 6  
1735- 2085**

djp/gbr  
SENATE

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May 12, 2011

very much. Through you, Madame President.

THE CHAIR:

Thank you. Will you remark? Senator Hartley.

SENATOR HARTLEY:

Yes, thank you, Madame President. If there is no objection, I would ask that this be put on the Consent Calendar, Madame.

THE CHAIR:

Seeing no objection, so ordered.

Mr. Clerk.

THE CLERK:

Madame President, on page 12, Calendar 334, substitute for House Bill 6484, AN ACT CONCERNING THE AVAILABILITY OF ACCIDENT RECORDS OF THE STATE POLICE, Favorable Report of the Public Safety Committee and the Clerk has an amendment.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Thank you, Madame President. I move acceptance of the joint committees Favorable Report, Madame, and passage of the bill.

THE CHAIR:

Acting on approval of the bill, will you remark

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further?

SENATOR HARTLEY:

Yes, thank you, Madame. The underlying bill addresses the situation where unfortunately there may be an accident or a fatality on our interstate highways and individuals are seeking to get the accident records in a timely manner. So, it's simply sets up a 30 day deadline for which the state police would provide the accident reports in such a case. As the Clerk indicated, Madame, there is an amendment. It is LCO 5971 and I ask that the Clerk please call.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Madame President, the Clerk is in possession of LCO 5971, which shall be designated Senate Amendment, "A", copies of which have been distributed.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Thank you, Madame President. I move adoption, Madame.

THE CHAIR:

The question is on adoption, will you remark?

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SENATOR HARTLEY:

Yes, indeed, thank you. This amendment simply helps to refine the bill by saying that in the instance that there is an on-going criminal investigation that may in some way be jeopardized by an accident report being issued during the 30 day time period, that shall be denied. I move adoption.

THE CHAIR:

The question is on adoption. All in favor of adopting the amendment please say aye.

SENATORS:

Aye.

THE CHAIR:

Opposed?

The amendment has been adopted.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Thank you, Madame President. I would ask at this time if there is no objection, that this might also be added to the Consent Calendar.

THE CHAIR:

Seeing no objections, so ordered.

SENATOR HARTLEY:

the Clerk might call the items on the second Consent Calendar so that we might move for a vote on that second Consent Calendar.

THE CHAIR:

Mr. Clerk, please call the bills.

THE CLERK:

Madame President.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Starting on page 4, Calendar 102, page 5,  
Calendar 125, page 6, Calendar 191, page 7, Calendar  
104, page 9, Calendar 187, page 11, Calendar 287, page  
12, Calendar 240, page 12, Calendar 328, page 12,  
Calendar 334, page 14, Calendar 366, page 17, Calendar  
318, page 18, Calendar 338, page 24, Calendar 472,  
page 34, Calendar 176, page 37, Calendar 90, page 43,  
Calendar 197, page 46, Calendar 251. These are the  
items that the Clerk has on the second Consent  
Calendar.

HB6176  
SB153  
SB1078  
SB1069  
HB6445  
HB6484  
SB38  
HB6481  
SB958

THE CHAIR:

Mr. Clerk will you now call for a roll call vote and the machine will be open on Consent Calendar two.

THE CLERK:

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An immediate roll call vote on Consent Calendar two has been ordered in the Senate. Will all Senators please return to the Chamber? An immediate roll call vote on Consent Calendar two has been ordered in the Senate. Will all Senators please return to the Chamber?

THE CHAIR:

Mr. Clerk will you please call the roll call vote again, please?

THE CLERK:

An immediate roll call vote on the second Consent Calendar has been ordered in the Senate. Will all Senators please return to the Chamber? An immediate roll call vote on the second Consent Calendar has been ordered in the Senate. Will all Senators please return to the Chamber?

THE CHAIR:

Have all members voted? Have all members voted? The machine will be locked and the Clerk will call the tally.

Do you want to call it again and this time we'll all -- we're going to recall that vote.

THE CLERK:

An immediate roll vote call has been ordered in

the Senate. Will all Senators please return to the Chamber?

THE CHAIR:

The machine will be open.

Have all members voted? All the members voted the machine will be locked and will the Clerk please call the tally.

THE CLERK:

Madame President,

|                     |    |
|---------------------|----|
| Total Number voting | 34 |
|---------------------|----|

|                        |    |
|------------------------|----|
| Necessary for adoption | 18 |
|------------------------|----|

|                  |    |
|------------------|----|
| Those voting Yea | 34 |
|------------------|----|

|                  |   |
|------------------|---|
| Those voting Nay | 0 |
|------------------|---|

|                             |   |
|-----------------------------|---|
| Those absent and not voting | 2 |
|-----------------------------|---|

THE CHAIR:

The Consent Calendar number two has been adopted.

Senator Looney.

SENATOR LOONEY:

Thank you, Madame President. Madame President that will conclude our business for today but at this point would yield the floor for any members for purposes of announcements of committee meetings or other points of personal privilege.

THE CHAIR: