

Legislative History for Connecticut Act

PA 16-55

HB5412

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
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Through you, Madam President. And I -- I believe that to be as the ranking member of Labor, I am on the understanding that there is an existing database that could be collaborated and co-opted with the Veterans Affairs system, therefore, I believe that's why there is no fiscal note.

So, with that clarification, I want to thank the proponent of this bill and -- and I want to thank all members of the Veterans Affairs Committee for their work on behalf of veterans and I want to thank -- again -- Senator Markley and Representative Carpino for the Amendment to incorporate those two new additional areas. Thank you, Ma'am.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? If not, Senator Flexer.

SENATOR FLEXER (29TH):

Madam President, if there's no objection, I move that we place this item on our Consent Calendar. Seeing no objection, so ordered, ma'am.

Mr. Clerk.

THE CLERK:

Page 30, Calendar 563, Substitute for House Bill Number 5412, AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF MOTOR VEHICLES REGARDING HAZARDOUS MATERIALS, CAR DEALERS, ELECTRONIC REGISTRATION, STUDENT TRANSPORTATION VEHICLE OPERATORS, DIVERSION PROGRAMS, MOTOR VEHICLE INSPECTORS AND MINOR

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REVISIONS TO THE MOTOR VEHICLE STATUTES. As amended
by House Amendment Schedule "A", LCO 5619.

THE CHAIR:

Senator Leone, good afternoon, sir.

SENATOR LEONE (27TH):

Good afternoon, Madam President. It's always a
pleasure to see you up there.

THE CHAIR:

Same here, sir.

SENATOR LEONE (27TH):

Thank you, Madam President. I move acceptance of
the Joint Committee's favorable report and passage
of the bill and current -- in concurrence with the
House of Representatives.

THE CHAIR:

The motion is on acceptance and passage in
concurrence. Will you remark sir?

SENATOR LEONE (27TH):

Yes, Madam President. This is the agency bill for
the Department of Motor Vehicles. It makes several
technical changes. This is a bill that the
Transportation Committee, with the chairs and
ranking members have worked on quite diligently to
put in all the proper procedures for the agencies
for this ongoing year, but also there was a -- a few

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changes through an amendment, so I'd like to articulate that as well.

So, Madam President, the clerk is in possession of LCO Amendment Number 5619, and I would ask for the clerk to call.

THE CHAIR:

Sir, excuse me, sir. That's already incorporated in 'cause it's a House Amendment, so it's already in the Bill. Thank you, sir.

SENATOR LEONE (27TH):

Thank you for that clarification. It's been a while since we've had to do this, so I appreciate that.

THE CHAIR:

No problem.

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SENATOR LEONE (27TH):

So, as amended -- thank you -- the amendment actually, what it does is it adds a provision for the DMV to contract with municipal departments as well as other automobile associations to conduct a certain motor vehicle transactions and increase the fees from \$3 to \$5 for those off-site type of transactions.

This would allow the ability for the DMV to have other types of transactions that don't have to be at a DMV office but other like-minded offices. It alleviates the pressure at the agency and would -- it actually would foster some good healthy competition as well.

It also allows for electronic registration by car rental firms and title companies and it requires a DMV to issue title certificates for vehicles 20 model years older upon request. So, along with other technical type of transactions, this is again, a Department of Motor Vehicles agencies bill.

I would ask that we have support for this moving forward, and I would urge my members -- and I just want to give a lot of credit to the chairs and the ranking members and my good colleague Senator Boucher -- she has always been a pleasure to work with as we've worked through issues to make this bill as strong and as good as possible, and I'm happy to go through the bill a little bit more if there are any other questions.

Through -- through you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Senator Boucher.

SENATOR BOUCHER (26TH):

Thank you very much, Madam President. Madam President, I rise to support this bill and also to thank our very distinguished chairman from the Senate of the Transportation Committee, Senator Leone, who has been really a -- a joy and pleasure to work with. We have an excellent committee as can be seen by nearly everything that we put out has the chairman's name on it as well as the ranking members. There isn't anything that we don't sit down and we thoroughly go over together and as was just mentioned and I'll briefly also review for support the various sections -- about 10 sections of this bill.

Actually, it's probably one of the shortest DOT bills that we've probably brought out in many, many years, but very briefly, I guess the substantial part of this has to do with allowing the fee for convenience being charged by those doing some of the functions of the DMV from \$3 that it is currently, to \$5 as well as making sure that -- that there are requirements for the transport of hazardous material on state highways that have properly displaying placards announcing what they are, as well as making sure that motor vehicle dealer criminal history records checks are in there and requires that new license applicants submit to state criminal history record checks. That is very important given the work that they do, as well as making sure there is an addressing of issues with the motor vehicle dealerships and repair shops that requires dealers

and repairers proposing business locations and municipalities of any size to obtain the approval of a local building official and fire marshal.

Additionally, it seeks to make sure that the bill requires the -- the police to notify a DMV and to submit a written report to the department if they charge a driver with DUI in connection with an accident. I think there's a number of items here that go a long ways to making sure that the public is protected. There's no question.

And an interesting one here as well, it actually does reduce the amount of -- of physical exams from twice a year to once a year for student transportation drivers. If -- and only if -- they are seen by a federally certified medical examiner, which will help both the driver and the schools with regards to those individuals that transport some of our handicapped students.

Additionally, there are some very important protections in this that have to do with DUI or being charged with DUI or in the second degree assault with a motor vehicle, and finally, those that are charged with DUI that are younger than 21 years of age.

It prohibits a court from waving ineligibility for anyone charged with any of these three crimes. So -
- and particularly for those that are going to be operating a commercial motor vehicle for sure.

Additionally, it does address some of the issues that have been a concern to dealers and car rental companies when they're registering motor vehicles so that it allows them to register seven of them per

month and then use an electronic system. I think it will go a long way to helping out DMV as well as our dealerships as well.

And also allowing for older vehicles -- 20 year model vehicles or older -- to be able to get a title for their -- their vehicles and lastly, we all know the issues we've been having in the last year with the Department of Motor Vehicles and all the complaints we've been having -- all of us -- that is of a concern and that is the wait times at motor vehicles.

This at least gives us, starting in January of next year, 2017 -- a reporting requirement to our committee on the wait times and identifying specific goals that are acceptable for wait times and summarizing steps that are taken to achieve these goals and I think that's something that we are looking for and I think the department will probably be wanting to provide us, because they are going through a very major reorganization and they're really focused on improving both what is the -- that entire process for the public, as well as regaining a reputation for functioning more efficiently, and we look forward to that on our committee and I look forward to if we all do come back in the following session, working together to bring you that information, the Senate and the general assembly. For that reason, Madam President, I fully support this and I -- again -- pass this on to my good chairman of the transportation committee to conclude our presentation. Thank you.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? Senator -- Senator Leone.

SENATOR LEONE (27TH):

Thank you, Madam President, and I -- I -- I do want to give a really heartfelt thanks to my ranking member, Senator Boucher, who has always been a pleasure to work with and has always brought some very on target issues and we've always worked very well as a team to come to these really thoughtful conclusions and as she so eloquently has stated, this has been a good agency bill to streamline a lot of the processes to make it easier for people to visit DMV and conduct their transactions and it has -- it's -- it's ended up with this bill that I think has good bipartisan support and I just wanted to thank her for all her efforts in helping me get to this point and help craft this bill the way it is, so I just wanted to say that as a thank you. As well as to my chair and rankings down in the House. They have been just as -- just as wonderful. So with that, I would urge support and if there is no objection, I would be happy to put this on Consent.

THE CHAIR:

Senator Linares. [inaudible crosstalk 5.56.34]

SENATOR LINARES (33RD):

Thank you, Madam President. Thank you to Senator Leone and Senator Boucher for your work on this bill. It is a very large DMV bill. I -- I've actually just had a few questions about fees as I think there was a mention of a change in fees and so

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I just wanted to be sure that we understand if there was an increase in any fees related to the DMV.

Through you, Madam President.

THE CHAIR:

Senator Leone.

SENATOR LEONE (27TH):

Through you, Madam President. There is an increase in fees for the type of transactions that would go to -- either through the municipalities or an automobile association. Right now people can go to a AAA to conduct -- say, getting a photo ID license. That transaction costs \$3 but in the willingness of that organization as well as any other that might want to participate, the fee would move up to \$5 for all the additional business that may come their way, so it would be a slight increase from \$3 to \$5.

THE CHAIR:

Senator Leone -- I'm sorry.

SENATOR LINARES (33RD):

Thank you, Madam President.

THE CHAIR:

It's not -- Senator Linares. Sorry.

SENATOR LINARES (33RD):

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Thank you. Thank you, Madam President, and just to clarify. So that fee increase will be through any exterior private enterprise other than the DMV, so for example, any AAA branch that helps create a license and/or certification, we will see a \$2 increase. But will we -- could we clarify that and then also will we see an increase in -- in the fees at the DMV itself?

Through you, Madam President.

THE CHAIR:

Now Senator Leone.

SENATOR LEONE (27TH):

Thank you, Madam President. The OFA fiscal report does have a potential cost to the judicial department, but there's also a potential revenue gain to the general fund and that would only be with -- to the extent that they're offenders prosecuted under the pretrial drug and alcoholic program. There could be an increase there but other than that, the answer would be, strictly the \$3 to \$5 for the -- the private transactions.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Thank you, Senate -- to the good Senator Leone and just a follow up question on the drug and alcohol

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program. Is there currently -- are there currently funds that are used in helping to -- trying to prevent drug and alcohol related accidents and is that part of this bill?

Through you, Madam President.

THE CHAIR:

Senator Leone.

SENATOR LEONE (27TH):

Through you, Madam President. Participants now pay a fee of \$550 to \$700 for the pretrial drug and alcoholic education program to cover their cost, but this amendment would preclude the court from granting eligibility to that program for drivers who hold a commercial driver's license and then are charged with certain crimes. So instead, these offenders would receive a criminal fine, probation or incarceration, so to the extent those offenders are prosecuted, there could be a potential cost, so that would be how the program runs as stated in the report.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Thank you, Senator Leone. Thank you, Madam President. Is there anything in this bill related to texting and driving? I see that we -- I think

all of our colleagues got a bumper sticker from a Darien group, Drop It and Drive, related to texting and driving. Is there anything related to that in - in this DMV bill? Through you, Madam President.

THE CHAIR:

Senator Leone.

SENATOR LEONE (27TH):

Through you, Madam President. I don't recall. I don't think so at the moment, but I'd have to go through that. I could get that information to you, but I -- I know the DMV as an agency and we as a legislature are continually articulating that point and I'm sure if -- as we move forward, we will develop those types of programs, but in here, I don't believe that is in here at the moment.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Thank you, Madam President. Thank you to the good Senator Leone for answering my questions. Obviously, the DMV plays a huge role in all of our lives. We have all sat in line at the DMV, waited for our licensing and permitting and so it's important that we fully understand this -- this very large bill and -- and also from a -- you know, the test -- texting and driving perspective, I think that down the road, maybe in the next legislative

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session, we can be proactive in finding way to incorporate new technologies to [throat clearing] -- finding ways to incorporate new technologies so that we can prevent that and I know that it's -- it's a habit that has -- has distracting driving is -- is a bad habit and ultimately hopefully, we can -- we can overcome that.

There seems to be more -- more car -- car accidents from that than anything else and so there's -- I think as an assembly next year, we can take a look at that. With that said, I appreciate the -- the good Senator's answers to my questions and his -- his work with Senator Boucher in a bipartisan effort to -- to get this aircraft carrier style bill through the legislature. And that's all I have to say. Thank you, Madam President.

THE CHAIR:

Will you remark further? Senator Cassano. Good afternoon, sir.

SENATOR CASSANO (4TH):

Good afternoon, Madam President. Just a point of clarification. Senator Linares and Senator Leone both indicated the term private. I believe that municipalities are included in this bill?

THE CHAIR:

Senator Leone.

SENATOR LEONE (27TH):

Through you, Madam President. That is correct. It would be the ability for any other entity such as a automobile association as well as a municipality could contract with DMV to provide these type of services if that municipality is -- ability to do that is vetted through the Commissioner.

Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President. Through you, I want to say thank you for the clarification. I think that's important because what this bill really does is it enables citizens to do much of their registration in their communities, if in fact the private sector or the municipality in their communities choose to do so.

I had a car dealer tell me that he pays somebody full time just to wait in line at the DMV to register cars. There are several that have indicated basically the same thing and you've addressed this well and I -- I applaud the -- the leadership of the committee for doing this and quite honestly, the new commissioner has jumped in with both feet and he's made bold changes and I think he will be quick to implement these kinds of -- of changes.

As to the fees on the texting and driving, I would assume Judicial would be dealing with that because that would be in their prerogative and I think it

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would need to address. So I think the bill goes a long way. I think it's a good bill for the State of Connecticut. It's gonna' help end the tie ups and the -- and the problems that we have at Motor Vehicles and I would hope everyone would support the bill. Thank you.

THE CHAIR:

Will you remark further? Will you remark further?
Senator Leone.

SENATOR LEONE (27TH):

Again, Madam President. If there are no objection,
I would ask for it to be on the Consent Calendar.

THE CHAIR:

Seeing no objections, so ordered, sir. Mr. Clerk.

THE CLERK:

On Page 31, Calendar Number 565, Substitute for
House Bill Number 5534, AN ACT CONCERNING A
COMMITTEE ON THE PRACTICE OF NATUROPATHY. As amended
by House Amendment Schedule "A" LCO 5311.

THE CHAIR:

Senator Gerratana. Good afternoon, again, ma'am.

SENATOR GERRATANA (6TH):

Good afternoon, again, Madam President. Madam
President, I move acceptance of the Joint

Senate Bill 351, on page 2, Calendar 157, Senate Bill 69. Page 4, Calendar 341, Senate Bill 328, page 5, Calendar 375, House Bill 5296, page 6, Calendar 384, House Bill 5393. Also on page 6, Calendar 383, House Bill 5430. On page 7, Calendar 385, House Bill 5254. Page 8, Calendar 393, House Bill 5255, page 11, Calendar 440, House Bill 5252. On page 14, Calendar 475, House Bill 5627, Page 15, Calendar 477, House Bill 5072. Page 18, Calendar 498, House Bill 5513, Page 19, Calendar 502, House Bill 5526. Page 20, Calendar 504, House Bill 5403. Page 22, Calendar 516, House Bill 3 -- I'm sorry -- 5358. Page 22, Calendar 519, House Bill 5053. On page 24, Calendar 533, House Bill 5605, Calendar 532, House Bill 5335, Calendar 530, House Bill 5498, and Calendar 534, House Bill 5621. On page 27, Calendar 549, House Bill 5416. Also on page 27, Calendar 546, House Bill 5571. Page 28, Calendar 552, House Bill 5180. On page 30, Calendar 563, House Bill 5412. Page 31, Calendar 567, House Bill 5537. Page 31, Calendar 569, House Bill 5620. On page 32, Calendar 571, House Bill 5435. Page 34, Calendar 583, House Bill 5400. On page 35, Calendar 586, House Bill 5521. Page 36, Calendar 169, Senate Bill 266. Page 37, Calendar 207, Senate Bill 327. Page 39, Calendar 361, Senate Bill 15. Page 41, Calendar 246, Senate Bill 88. Also on page 41, Calendar 464, House Joint Resolution Number 38. Calendar 465, House Joint Resolution 43. On page 42, Calendar 466, House Joint Resolution 99. Page 42, Calendar 467, House Joint Resolution 121. Also on page 42, Calendar 468, House Joint Resolution Number 133, and on page 43, Calendar 470, House Joint Resolution Number 136.

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Okay. The clerk shall announce pendency of a roll call vote on the Consent Calendar. The machine is open. Please cast your vote.

THE CLERK:

Immediate Roll Call has been ordered in the Senate. Immediate Roll Call on today's Consent Calendar has been ordered in the Senate.

THE CHAIR:

Have all members have voted? Have members have voted? Please check to see that your votes have been properly recorded. If so, the machine shall be closed and the clerk shall announce the tally.

THE CLERK:

On today's Consent Calendar.

Total number voting	36
Necessary for Adoption	19
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

Consent Calendar is done. Senator Duff, for what reason do you rise?

SENATOR DUFF (25TH):

Many reasons, Madam President, thank you. Madam President, I move that all items that require action

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department, this is always very important, so unfortunately we did go over, we over extended the length there for a while there, but I'm glad that you waited, and we have some important questions I'm sure to ask you. Thank you for being here.

COMMISSIONER MURPHY: Thank you, Mr. Chairman, no problem. So we're here to, and I'll have my compatriots introduce themselves please.

MIKE BZDYRA: Deputy Commissioner Mike Bzdyra, DMV.

SHARON GEANURACOS: Good afternoon, Sharon Geanuracos. I'm the legal counsel for DMV.

REP. GUERRERA (29TH): Commissioner, before you start, I do want to say this, and I mean this sincerely. You do have a fantastic staff. I want to say that. They have been the utmost, always giving I think everyone here whenever we needed information always on time and, you know, I know you got Millie out there, you got Mike, and especially Sharon, who is always, I'll tell you, as long as I've been here and having her as your attorney to clarify the issues both to Tony and I and to other people here, my hat's off, because I'll tell you, it makes our jobs a lot easier. As you can hear from Senator Boucher, she said the same, so.

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COMMISSIONER MURPHY: Thank you. Thank you for that. I've been at the agency for two weeks or so, and I've learned exactly that, that they're, they're the highest quality. So we're here to talk about House Bill 5055, which is an act decreasing wait times at the Department of Motor Vehicles. Good morning, Chairman Guerrero and Maynard, ranking members Boucher and O'Dea and other members of the committee here. Thank you for this opportunity to testify in support of House Bill 5055.

usually results in two visits to a DMV branch office, further attributing to longer wait times. It also places additional stress on the Department's employees when they are challenged by a customer regarding a tax issue over which we, they, the employees have no knowledge or control.

The Department appreciates your consideration of these three initiatives proposed by Governor Malloy, and we continue our efforts to streamline our processes, decrease our wait times, and provide an enhanced customer experience for your constituents and the people of Connecticut.

We also have before you, Mr. Chairman, House Bill 5412, which is our technical bill. If you have questions on 5055 or the technical bill without objection I would not read that into the record. It's extensive, but I have people a lot smarter than me here on either side that will answer questions to those bills.

REP. GUERRERA (29TH): Thank you, Commissioner. All right. I'm sure we're going to have quite a few questions on this one to Commissioner Murphy. Let's talk about the Governor's bill here, what the lines here and so forth and about moving the taxes back to municipalities for them to grab. When did the Department, and I don't know if you know this Commissioner, maybe Sharon or Mike might know, when did DMV start that process in regards, how many years ago, collecting motor vehicle taxes?

COMMISSIONER MURPHY: Don't quote me, but I believe it was in the early '90's, is that correct, Sharon?

MIKE BZDYRA: Well just to comment on the nature of your question, we don't collect the taxes.



STATE OF CONNECTICUT DEPARTMENT OF MOTOR VEHICLES

60 STATE STREET WETHERSFIELD, CONNECTICUT 06161
<http://dmvct.org>



#2
Official

Testimony of the Department of Motor Vehicles Acting Commissioner Dennis Murphy

Transportation Committee
February 29, 2016

HB 5412 - An Act Concerning Recommendations by the Department of Motor Vehicles Regarding Hazardous Materials, Car Dealers, Student Transportation Vehicle Operators, Diversion Programs and Motor Vehicle Inspectors.

Good morning Chairmen Guerrero and Maynard, Ranking Members Boucher and O'Dea and other members of the Transportation Committee. Thank you for the opportunity to testify in support of House Bill 5412.

This proposed bill seeks to enhance customer convenience by streamlining some Department processes. In particular, section five expands the scope of online registration transactions that will be conducted by car dealers. It also provides some additional options for dealers that are unable to do online processing due to a hardship or low sales volume. It contemplates that a not-for-profit dealer association will act as a "hub" through which a small dealer may conduct online transactions for a modest fee to be paid to the dealer association (as currently written, the bill has the fee going to the Department, but this is not the intent, and presumably this language will be re-drafted). While not currently in the bill as drafted, the Department will also be requesting a similar change to expand the scope of online registrations that are conducted by Leasing Companies and Registration and Titling Services. This type of expansion serves to reduce the number of car dealers and other business entities that will be required to stand in line at our Branches, while also reducing the wait times for other types of customer transactions.

Section one of the bill establishes penalties for violations of the Federal Hazardous Materials Regulations (HMRs) on the state's roadways. On January 1, 2015, section 29-341 of the Connecticut General Statutes was repealed. That section prescribed penalties for violations of regulations "concerning the safe storage, transportation by any mode and transmission by pipeline of hazardous chemicals." The regulations to which this section referred comprised the state's fire prevention code (Code), which included the HMRs by reference. The Code was recently overhauled and all enforcement became the responsibility of the State Fire Marshal, resulting in the repeal of the statutory penalty provision. However, the detection of HMR violations on the roadways requires specialized training and enforcement which is not within the scope of the State Fire Marshal's duties. There are comprehensive federal sanctions for violations, but presently the state has no sanctions.

Certain motor vehicle inspectors and state and municipal law enforcement officers have received specialized training through the National Training Center of the Federal Motor Carrier Safety Administration (FMCSA) on the detection and enforcement of HMR violations. This proposed section in the Department's bill separates minor violations, which are infractions from more serious violations that carry criminal sanctions

Section three would improve the process for DMV to conduct criminal history checks. The department is currently required to provide criminal checks on all prospective dealers. We currently rely on the judicial website to complete these checks. A dealer's license is subject to approval or non-renewal if the dealer has certain convictions on its record and therefore the DMV would like to require dealers to obtain their own non-fingerprint criminal background checks.

Also, a certificate of approval for the location of a repair facility is statutorily required. The local zoning commission or boards of appeals certify that all ordinances have been followed. Additionally, the approval of the local chief of police is required. Section four of bill 5412 would remove the approval of the local police chief and replace the approval with that of a local building official and local fire marshal. DMV believes the local police chiefs would welcome this change since they often contact the DMV to inquire why they are part of this process.

Section nine changes the physical examination requirements for the operator of a student transportation vehicle who is 70 years old or older. These operators hold a "V" endorsement on their regular Class D licenses, but do not hold Commercial Driver Licenses (CDLs). As currently written, the law requires the operator to have a physical examination every six months. However, Connecticut has adopted the federal regulations that establish the physical qualifications of CDL holders, and applies them to all persons who operate public service vehicles in the State. Under these standards, an operator is required to be examined by a certified medical provider who is registered with the Federal Motor Carrier Safety Administration. These certified medical providers are trained specifically on the requirements for commercial drivers. This proposed revision requires the operator to be examined at least annually or more frequently if directed by the certified medical provider.

Section ten changes section 17a-696 which authorizes the suspension of prosecution for a criminal offense (other than a Class A, B or C felony) and a treatment program for persons who have alcohol or drug dependency. The statute requires that the court make a specific finding that the accused was an alcohol or drug dependent person at the time of the offense. It also indicates that a person charged with a DUI offense is ineligible, but the court may waive the ineligibility provisions. The Federal Motor Carrier Safety Administration has notified the State that it would consider the use of this program by a person with a DUI offense as "masking" in violation of federal law if the accused was operating a Commercial Motor Vehicle (CMV) or held a CDL or Commercial Learner's Permit (CLP) at the time of the offense. The frequency with which a CDL holder, CLP holder or CMV operator is allowed to use this program after a DUI offense is unclear, particularly because of the requirement that the accused be declared drug or alcohol dependent. However, FMCSA has indicated that as written, this provision could adversely affect our highway funding. For this reason, the proposal changes the statute to bar the program for CDL and CLP holders and CMV operators who are charged with DUI and assault 2nd with a motor vehicle.

Section eleven exempts Motor Vehicle Inspectors from the prohibitions applicable to weapons on school grounds. DMV Inspectors are certified as police officers by the Police Officer Standards and Training Council pursuant to sections 7-294a to 7-294e, inclusive. DMV Inspectors have statutory and regulatory authority to inspect student transportation vehicles and to enforce related statutes, often times on school grounds. In spite of the fact that they are required to carry a firearm while on the job, there is no exception for DMV Inspectors to be able to carry these firearms on school grounds making both requirements seem contradictory.

Thank you for your consideration. I will be happy to answer any questions.

**STANDING
COMMITTEE
HEARINGS**

**JUDICIARY
PART 9
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2016



Testimony of Eric W. Gjede
Assistant Counsel, CBIA
Before the Judiciary Committee
March 23, 2016

Testifying on SB 467

AN ACT CONCERNING MUNICIPAL IMPLEMENTATION OF CRIMINAL JUSTICE REFORMS

Good afternoon Senator Coleman, Representative Tong, Senator Kissel, Representative Rebimbas and members of the Judiciary Committee. My name is Eric Gjede and I am assistant counsel at the Connecticut Business and Industry Association (CBIA), which represents more than 10,000 large and small companies throughout the state of Connecticut.

CBIA has concerns regarding SB 467, but we are happy to work with the committee on this issue.

Criminal background checks are a legitimate way for businesses, particularly small businesses, to screen job applicants. In fact, there are at least four bills (HB 5466, HB 5412, HB 5400 & HB 5306) proposed this session that preserve and expand the state's and municipalities' ability to use these background checks. Employers, both public and private, are under incredible pressure to ensure the safety of the workplace for employees. Criminal background checks are one tool utilized by businesses to ensure this safety. However, we also understand and support individuals that have learned from past mistakes and wish to reenter the workforce.

We do have concerns about SB 467, a few of which I will list below:

1. This language does not allow for an employer to ask about convictions once the interview process has begun. It also is silent regarding what happens if information regarding previous convictions is volunteered at the interview by the prospective employee.
2. This bill does not include language that preempts the few Connecticut municipalities that already have ban the box laws. Uniformity of these laws are critical for businesses – particularly those businesses with multiple locations.
3. This bill also does not take into account that some crimes should automatically exclude a person from a job in a particular industry, regardless of how long ago the crime occurred. For example, a person with repeated drunk driving convictions should rightfully be screened out from jobs requiring them to drive a vehicle.

Thank you for allowing us to testify on SB 467. We look forward to working with the committee on this issue.