



Senate

General Assembly

File No. 834

January Session, 2007

Substitute Senate Bill No. 1271

Senate, May 16, 2007

The Committee on Transportation reported through SEN. DEFRONZO of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING WEIGH STATION OPERATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-270c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2007*):

3 (a) The Commissioners of Public Safety and Motor Vehicles shall
4 staff the official weighing areas as follows:

5 (1) Greenwich: [Eight work shifts in each seven-day period from
6 Sunday through Saturday. No such shifts shall be worked
7 consecutively, except that two shifts may be worked consecutively on
8 not more than three days] Twelve hours per day in four-hour shifts
9 Monday through Friday and eight hours per day in four-hour shifts on
10 Saturday and Sunday;

11 (2) Danbury: [Three work shifts in each seven-day period from
12 Sunday through Saturday. The Commissioner of Public Safety shall,
13 whenever possible, coordinate coverage between this official weighing

14 area and the official weighing area in Greenwich in order to ensure
15 concurrent coverage] Eight hours per day in four-hour shifts Monday
16 through Friday and four hours per day in a four-hour shift on
17 Saturday and Sunday;

18 (3) Union: [Between five and eight work shifts in each seven-day
19 period from Sunday through Saturday. The Commissioner of Motor
20 Vehicles shall coordinate the hours of operation of this official
21 weighing area] Eight hours per day in four-hour shifts Monday
22 through Friday and four hours per day in a four-hour shift on
23 Saturday and Sunday; and

24 (4) Portable scale locations: Ten shifts in each seven-day period from
25 Sunday through Saturday which shall be staggered throughout the
26 four geographical areas established by the Commissioner of Public
27 Safety with concentration in areas that have fewer hours of operation
28 for the permanent weighing areas.

29 (b) The Commissioners of Public Safety and Motor Vehicles shall
30 adjust the work shifts required in subsection (a) of this section on a
31 daily basis in order to effectuate an unpredictable schedule.

32 (c) The Commissioner of Public Safety may assign any remaining
33 personnel in the traffic unit to the permanent weighing areas in
34 Waterford and Middletown or to the portable scale operations.

35 (d) The Commissioner of Public Safety shall assign personnel from
36 the traffic unit to work between nine and twelve shifts in each seven-
37 day period from Sunday through Saturday to patrol and enforce laws
38 relative to the safe movement of all vehicles on the highways of the
39 state.

40 (e) Nothing in this section shall prohibit the Commissioner of Public
41 Safety from reassigning personnel in the traffic unit as he deems
42 necessary in order to ensure public safety.

43 Sec. 2. (NEW) (*Effective July 1, 2007*) (a) Logs shall be maintained for
44 every shift at all weigh stations in Connecticut. Each log shall contain

45 the following information: (1) Location, date and hours of each shift,
 46 (2) the hours the "OPEN" sign is illuminated, (3) the number of
 47 Department of Motor Vehicles and Department of Public Safety
 48 officers or civilian technicians at each shift, (4) the numbers and
 49 weights of all vehicles inspected, (5) the types of vehicles inspected, (6)
 50 the number and types of citations issued, (7) revenues collected, and
 51 (8) operating costs per shift.

52 (b) Not later than January 1, 2008, a written report shall be
 53 submitted to the joint standing committee of the General Assembly
 54 having cognizance of matters relating to transportation. Such report
 55 shall be submitted semiannually, and shall also be posted on the
 56 Department of Motor Vehicles' and Department of Public Safety's web
 57 sites.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2007	14-270c
Sec. 2	July 1, 2007	New section

TRA *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Public Safety, Dept.	GF - Cost	570,000-1.2 million	570,000-1.2 million
Comptroller Misc. Accounts (Fringe Benefits)	GF - Cost	133,000-400,000	133,000-400,000
Department of Motor Vehicles	GF - See Below	See Below	See Below
Public Safety, Dept.	GF - Revenue Gain	Potential Significant	Potential Significant

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill increases the hours of operation that the Danbury, Union, and Greenwich weighing and inspection areas must be staffed by the Department of Public Safety (DPS) and the Department of Motor Vehicles (DMV), and would affect the costs and operations of both agencies.

Department of Public Safety

The increase in the hours of operation will result in additional shifts for DPS, including:

4 shifts per week at the Greenwich weigh station,

4 shifts per week at the Danbury weigh station, and

7 shifts per week at the Union weigh station¹.

¹ Currently, DMV is primarily responsible for staffing the Union weigh station, and DPS is primarily responsible for staffing the Greenwich and Danbury weigh stations. However, the bill removes the language that the DMV Commissioner is solely responsible for controlling operations at Union, and that the DPS Commissioner is

There are three options for covering the additional shifts: (1) hiring 9 additional troopers and 6 weigh and safety inspectors, (2) using overtime, and (3) hiring 3 additional troopers and 2 weigh and safety inspectors, and supplementing the additional hires with overtime.

Option 1 results in a cost of approximately \$1.6 million (\$1.2 million to DPS, and \$400,000 to the Comptroller's fringe benefit account) and requires hiring 9 additional troopers and 6 weigh and safety inspectors. The starting salary for a trooper (including meal money) is approximately \$48,694. Additionally, approximately \$56,900 in supplies and law enforcement equipment is required for each new trooper. The starting salary for a weigh and safety inspector is \$36,958.

Option 2 results in a cost of approximately \$570,000 to DPS and requires staffing the additional shifts with overtime. The additional weigh station shifts will result in an estimated 475 hours of overtime on a bi-weekly basis. The average trooper overtime rate is approximately \$52.77 per hour, and the average weigh and safety inspector overtime rate is approximately \$35.45 per hour.

Option 3 results in a cost of approximately \$762,000 (\$629,000 to DPS and \$133,000 to the Comptroller's fringe benefit account). Option 3 requires hiring 3 additional troopers and 2 additional weigh and safety inspectors, and supplements the additional hires with approximately 200 hours of overtime bi-weekly. The starting salary for a trooper (including meal money) is approximately \$48,694. Additionally, approximately \$56,900 in supplies and law enforcement equipment is required for each new trooper. The starting salary for a weigh and safety inspector is \$36,958. The average trooper overtime rate is approximately \$52.77 per hour, and the average weigh and safety inspector overtime rate is approximately \$35.45 per hour.

In calendar year 2006, DPS issued approximately \$2.2 million in

solely responsible for staffing the Greenwich and Danbury weigh stations, so it is unknown if DPS would be responsible for covering the additional shifts at the Union weigh station.

potential fines² at the Greenwich and Danbury weigh stations. It is anticipated that with the additional hours of operation (an increase of 36 hours, which is a 40.9% increase), DPS would be able to issue an additional \$885,000 in potential fines.

Department of Motor Vehicles:

In order to meet the increased number of hours, including operating shifts on Saturday and Sunday, the DMV will redeploy existing staff from other inspection duties. This will potentially affect the number of safety inspections being performed because staff will be redeployed from shifts where truck traffic is most frequent to cover weekend shifts where such traffic is less frequent.

DMV collected approximately \$1.5 million in fines associated with weigh stations in 2005, and approximately \$1.6 million in 2006.

Data Collection:

Additionally, the bill requires DMV and DPS to track and log information on activity at all weigh stations in the state. The information must be submitted in a written report to the General Assembly, by January 1, 2008. It is anticipated that the tracking of information would result in a workload increase, but would not result in a fiscal impact.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

² It is unknown what portion of the potential fines was collected, since DPS is not responsible for collection. However, it is estimated (given Judicial collection rates) that approximately 80% of such fines would be collected.

OLR Bill Analysis**sSB 1271****AN ACT CONCERNING WEIGH STATION OPERATIONS.****SUMMARY:**

This bill requires that weigh station operation logs containing certain information be maintained for every shift at all Connecticut weigh stations. It also requires that, by January 1, 2008, and semiannually thereafter, a written report be submitted to the Transportation Committee, and posted on the Department of Motor Vehicles' (DMV) and Department of Public Safety's (DPS) websites. The bill also expands the required staffing schedule at the Greenwich, Danbury, and Union weigh stations.

EFFECTIVE DATE: July 1, 2007

WEIGH STATION LOGS

The bill requires that each weigh station log specify:

1. each shift's location, date, and hours;
2. the hours the "OPEN" sign is illuminated;
3. the number of DMV and DPS officers or civilian technicians at each shift;
4. the numbers, types, and weights of all vehicles inspected;
5. the number and types of citations issued;
6. revenues collected; and
7. operating costs per shift.

WEIGH STATION STAFFING SCHEDULES

The bill revises the minimum amount of time that the Greenwich, Danbury, and Union truck weighing and inspection areas must be staffed by DPS and DMV personnel. The current and revised staffing requirements are shown below.

Weighing Area	Current Requirements	Revised Requirements Under the Bill
Greenwich	Eight work shifts in each calendar week. Shifts may not be consecutive except two shifts may be worked consecutively on up to three days per period.	12 hours per day in four-hour shifts on Monday through Friday, and eight hours per day in four-hour shifts on Saturday and Sunday
Danbury	Three shifts in each calendar week, with the public safety commissioner coordinating coverage, whenever possible, with the Greenwich area to ensure concurrent coverage.	Eight hours per day in four-hour shifts Monday through Friday, and four hours per day in a four-hour shift on Saturday and Sunday
Union	Between five and eight shifts in each calendar week. The DMV commissioner must coordinate operation hours for the Union area.	Eight hours per day in four-hour shifts Monday through Friday, and four hours per day in a four-hour shift on Saturday and Sunday

Under the bill, the DMV commissioner would no longer be solely responsible for coordinating the Union area operations, and the DPS commissioner would no longer be expressly responsible for

coordinating coverage between the Danbury and Greenwich areas. Instead, both commissioners would have general responsibility for all staffing.

BACKGROUND

Truck Weighing and Safety Inspection Operations

There are five fixed-site truck weighing and inspection areas in the state—I-84 in Danbury and Union, I-95 in Greenwich and Waterford, and I-91 in Middletown. In addition, there are numerous other areas throughout the state that DPS and DMV may use to conduct weight and safety inspections using portable scales.

Both the State Police and DMV conduct weight and safety inspections, although the programs have different objectives. The State Police program primarily enforces state laws and federal and state safety regulations. It results in significantly more truck weighing than the DMV program, but fewer safety inspections. It also results in more citations. Federal law requires that each state annually certify that it is effectively enforcing its vehicle size and weight laws or face withholding of federal funds for its failure to do so.

The DMV program is run as part of the federal Motor Carrier Safety Assistance Program (MCSAP). The primary goal of MCSAP is to encourage and assure motor carrier compliance with federal safety regulations, which, by reference, have also been adopted as state safety regulations. Thus, DMV inspectors conduct more safety inspections than the State Police and less truck weighing. A portion of the costs for DMV inspectors is borne by an annual federal grant under MCSAP, provided program objectives are being met. By agreement with the State Police, DMV inspection personnel are primarily responsible for weighing and safety inspection activities at the Union facility.

Legislative History

On April 25, the House referred the bill (File 527) to the Transportation Committee. On May 2, the Transportation Committee favorably reported a substitute bill that replaced the original bill. File

527 required that every vessel operating on state waters, including a sailboat, keep out of the way of a law enforcement vessel using an audible signal device or flashing blue lights or a fire department vessel using such audible signal device or flashing lights as may be authorized by law.

Related Bills

sSB 429 (File 265) contains provisions similar to those in File 527 before the Transportation Committee eliminated them.

sHB 7093, File 292, made similar changes to the weigh station schedules in this bill. The House referred it to the Appropriation Committee on April 11, which did not report the bill out.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 39 Nay 1 (03/21/2007)

Judiciary Committee

Joint Favorable Substitute

Yea 36 Nay 2 (04/02/2007)

Transportation Committee

Joint Favorable Substitute

Yea 28 Nay 5 (05/02/2007)