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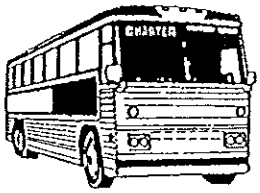

Statement before
The Labor & Public Employees Committee
Tuesday, February 28, 2012

RE: SB 149 AAC The Denial of Unemployment Compensation Benefits to Certain Drivers Who Are Unemployed as a Result of a Drug or Alcohol Test.

Sen. Prague, Rep. Zalaski and members of the Labor and Public Employees Committee, my name is Jean Cronin and I am the Executive Director of the Connecticut Bus Association, a statewide trade organization representing Connecticut's charter bus companies. I am here today to speak in strong support of SB 149, "AAC the Denial of Unemployment Compensation Benefits to Certain Drivers who are Unemployed as a Result of a Drug or Alcohol Test."

All charter bus drivers in Connecticut must possess both a Commercial Drivers' License (CDL) and a public passenger endorsement in order to be able to transport passengers. The CDL license and the passenger endorsement must be renewed every four years.

When charter bus companies first hire a driver, by law, they have to perform a background check and drug test on that prospective driver, as well as make sure that the person obtains a CDL and a passenger endorsement if they do not already have one. The prospective driver remains on a probationary period subject the obtaining those licenses, and is not formally hired until he becomes licensed. If he fails to obtain the licenses for whatever reason, the company does not hire him because the available job is for a driver. Without a CDL and passenger endorsement, a person cannot drive a charter bus.

Unfortunately, the rules change a little bit if an existing employee fails to obtain a renewal of his CDL or passenger endorsement or has his permit suspended. By federal law, a driver cannot operate a motor bus without a CDL and corresponding passenger endorsement. A company can fire or terminate a driver who fails to obtain his license renewal, but the driver is allowed to file for unemployment and the company must pay it.

There are a number of reasons why a person can fail to obtain a CDL or license renewal, including medical issues, excessive speeding tickets, DWI violations, evading responsibility, following too closely, and driving recklessly, none of which are the fault or responsibility of the employer. I have included a list from the DMV of motor vehicle violations which can result in the suspension of a public passenger endorsement.

When a driver cannot obtain his license renewal, or his license becomes suspended for a violation, he can no longer drive a passenger bus. He can no longer perform the job for which he was hired, and therefore the company has no choice but to terminate his employment.

Current law allows that person to collect unemployment, so the bus company endures the added cost of paying for unemployment as well as the cost of hiring a new driver who does have the appropriate license and endorsement to replace the one who lost his.

These costs can really add up for charter bus companies as the length of time that a person can collect unemployment has been extended dramatically in recent years. In these difficult economic times, this is a heavy financial burden for some companies.

Changing this law will put the responsibility on the driver to ensure that his driving record and his health are good. People who drive for a living know that they need to be careful or their livelihood will be impacted.

Charter bus operators have a great responsibility and liability for the customers they serve. They must ensure that their passengers are transported to and from their destinations safely with responsible drivers, because their reputation is riding on it. When a driver does not live up to this responsibility because he cannot obtain his license renewal or worse, loses his license as a result of a suspension, the company should not be penalized.

The Connecticut Bus Association urges you to pass this bill and bring some needed financial relief to charter bus operators in the state.