



Senate

General Assembly

February Session, 2014

File No. 183

Senate Bill No. 34

Senate, March 31, 2014

The Committee on Transportation reported through SEN. MAYNARD of the 18th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING THE CERTIFICATION OF HOUSEHOLD GOODS CARRIERS.

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

1 Section 1. Section 13b-392 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2014*):

3 In determining whether or not such a certificate shall be granted, the
4 Commissioner of Transportation shall take into consideration the
5 existing motor transportation facilities and the effect upon them of
6 granting such certificate, [the public need for the service the applicant
7 proposes to render,] the suitability of the applicant, or the suitability of
8 the management if the applicant is a corporation, the financial
9 responsibility and financial stability of the applicant, the ability of the
10 applicant efficiently to perform the service for which authority is
11 requested, the criminal history of the applicant, the condition of and
12 effect upon the highways involved and the safety of the public using
13 such highways. The commissioner shall take into consideration such
14 recommendations as to motor transportation facilities, or highways, or

15 the effect of granting such certificate upon either of them, or the safety
16 of the public using such highways. No such certificate shall be denied
17 solely on the ground that there is an existing rail or household goods
18 carrier service. When it appears that no household goods carrier
19 service is being supplied over the route or routes applied for, public
20 convenience and necessity shall be presumed to require operation of
21 such service.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2014</i>	13b-392
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TRA *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 15 \$	FY 16 \$
Department of Transportation	TF - Potential Cost	250	250
Department of Emergency Services and Public Protection	GF - Potential Cost	750	750

Municipal Impact: None

Explanation

The bill is anticipated to result in an annual cost of \$250 to the Department of Transportation (DOT) and \$750 to the Department of Emergency Services and Public Protection (DESPP) to check the criminal history of applicants who apply for a certificate as a household goods carrier. There are approximately 15 new certificates issued each year.

The estimate is based on: (1) \$16.50 for a federal background check and (2) \$50 for a state background check. DESPP can only charge other state agencies the cost of the federal background check.

The Out Years

The annualized ongoing fiscal impact identified above would remain constant into the future because fees are set by statute.

OLR Bill Analysis**SB 34*****AN ACT CONCERNING THE CERTIFICATION OF HOUSEHOLD GOODS CARRIERS.*****SUMMARY:**

This bill adds an applicant's criminal history and financial stability to the factors the Department of Transportation (DOT) must consider when deciding whether to issue a certificate of public convenience and necessity allowing the applicant to operate a moving company. It eliminates, as such a factor, the public need for the service.

As under current law, DOT must also consider:

1. the applicant's suitability, financial responsibility, and ability to efficiently perform the service;
2. existing motor transportation facilities and the effect on them of granting a certificate; and
3. the condition of, and effect on, the highways involved and the safety of the public using the highways.

The law presumes that the public convenience and necessity requires operation of such a service if it appears that no moving company serves the route or routes an applicant seeks. DOT cannot refuse to issue a certificate solely because another moving company already serves the area.

EFFECTIVE DATE: July 1, 2014

COMMITTEE ACTION

Transportation Committee

Joint Favorable

Yea 32 Nay 0 (03/14/2014)