



Connecticut Bus Association, Inc.

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Transportation Committee
Public Hearing, March 3, 2021

RE: HB 6484 An Act Concerning Recommendations by the Department of Transportation

Senator Cassano, Representative Lemar, Senator Somers, Representative Carney and distinguished members of the Transportation, my name is Jean Cronin and I am the Executive Director of the Connecticut Bus Association, which is a statewide trade association representing Connecticut's charter bus companies. **I am here today to express our opposition to sections 7 and 8 of HB 6484 "An Act Concerning Recommendations by the Department of Transportation."**

The premise of these sections is to allow DOT the ability to exempt certain entities which contract with them for motor bus services from complying with the statutory requirements in Section 13b-80 to obtain a certificate of public convenience and necessity. The department has been pursuing similar changes now for several years. These attempted changes are designed to codify a DOT practice of awarding bus transportation contracts to an entity that does not comply with these statutory provisions and to circumvent a series of lawsuits that have been filed against the department by impacted parties. These parties are motor bus companies that have owned certificates for bus routes in some cases as long as 100 years.

By way of background, motor bus companies have been regulated in the State of Connecticut since 1921, when the then Public Utilities Commission (PUC-the predecessor of the Department of Public Utility Control (now known as PURA)) was expanded to include the regulation of motor buses.

Motor bus companies had to obtain a certificate of public convenience and necessity to operate a route and had to pay for the right to operate each route. Bus routes, fares, speed, schedules, continuity of services and the convenience and safety of passengers and the public all had to be approved by the PUC, including input by the various municipalities through which the route operated. It was a heavily regulated industry.

There were no public transit operations in those days. The routes were run by family companies that are still operating today, including Collins Bus Company, DATTCO and New Britain Transportation. These companies obtained certificates of public convenience and necessity and purchased rights to operate various routes throughout central Connecticut. In fact, these companies still operate these routes today as commuter runs for DOT, which is what is under contention through this legislation.

The regulation of the motorbus industry was transferred from the Public Utilities Commission to the Department of Transportation in 1979, where it remains today. In the 1970s, the Connecticut Company, one of the family-operated motor bus companies, sold its various routes to the State of Connecticut, which began operating its transportation network that is known today as Connecticut Transit.

Since 2010, the state has been trying to take away the ownership of these three companies' route rights, through condemnation of their certificates of public convenience and necessity, disregarding the certificate process or through changes in legislation. The department should not be allowed to circumvent existing laws and Court rulings and given free rein to grant routes without showing the public need.

Section 7 and 8 of this bill would allow DOT to decide that a company they are contracting with (CT Transit) does not need to comply with the laws everyone else must abide by in order to operate a public motor bus in Connecticut. It allows the department to contract with operators without demonstrating need for the public and without allowing towns and others the opportunity to comment on public need.

As to present owners of these certificates, like these three bus companies, enacting this legislation would in essence deprive the present certificate holders of their rights in the certificates without compensating them for the deprivation.

The question to be answered today is whether the state has the right to essentially take away the companies' certificates by abolishing the certificate system without paying compensation to the certificate owners.

The court case on this issue is still pending. The legislature does not usually intervene in cases that are pending before the court to pass legislation that would impact one party over another. The Connecticut Bus Association urges the Transportation Committee to let this case be resolved by the courts and strike sections 7 and 8 from the bill.

Thank you for your consideration.