

File No. 642

(Reprint of File No. 167)

House Bill No. 5418  
As Amended by House  
Amendment Schedule "A"

Approved by the Legislative Commissioner  
April 30, 1998

AN ACT CONCERNING THE OFFICIAL WEIGHING AREAS.

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

- 1 Section 1. (NEW) (a) The Commissioners of  
2 Public Safety and Motor Vehicles shall staff the  
3 official weighing areas as follows:  
4 (1) Greenwich: Eight work shifts in each  
5 seven-day period from Sunday through Saturday. No  
6 such shifts shall be worked consecutively, except  
7 that two shifts may be worked consecutively on not  
8 more than three days;  
9 (2) Danbury: Three work shifts in each  
10 seven-day period from Sunday through Saturday. The  
11 Commissioner of Public Safety shall, whenever  
12 possible, coordinate coverage between this  
13 official weighing area and the official weighing  
14 area in Greenwich in order to ensure concurrent  
15 coverage;  
16 (3) Union: Between five and eight work shifts  
17 in each seven-day period from Sunday through  
18 Saturday. The Commissioner of Motor Vehicles shall  
19 coordinate the hours of operation of this official  
20 weighing area; and  
21 (4) Portable scale locations: Ten shifts in  
22 each seven-day period from Sunday through Saturday

23 which shall be staggered throughout the four  
24 geographical areas established by the Commissioner  
25 of Public Safety with concentration in areas that  
26 have fewer hours of operation for the permanent  
27 weighing areas.

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

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

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

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

47 Sec. 2. Not later than January 1, 1999, the  
48 Division of State Police within the Department of  
49 Public Safety, in cooperation with the Departments  
50 of Motor Vehicles and Transportation, shall report  
51 to the joint standing committee of the General  
52 Assembly having cognizance of matters relating to  
53 transportation, on the participation and  
54 involvement in truck safety and truck weight  
55 monitoring in relation to a weigh station to be  
56 located on the Connecticut and Rhode Island  
57 border.

\* \* \* \* \*

"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF 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 HOUSE THEREOF FOR ANY PURPOSE."

\* \* \* \* \*

**FISCAL IMPACT STATEMENT - BILL NUMBER HB 5418**

STATE IMPACT	Cost, Can Be Absorbed, see explanation below
MUNICIPAL IMPACT	None
STATE AGENCY(S)	Departments of Public Safety, Transportation and Motor Vehicles

**EXPLANATION OF ESTIMATES:**

STATE IMPACT: The passage of this bill would result in additional costs to the State that could be absorbed within anticipated resources. The bill establishes minimum requirements for the operations of the Department of Public Safety (DPS) weight and traffic enforcement units. It requires 3 of the 5 State's permanent fixed weigh stations to be operated a total of 16 to 19 shifts per week (Sunday through Saturday). This includes the operation of the Union weigh station 5 to 8 shifts per week, to be coordinated by the Department of Motor Vehicles (DMV). It also sets the minimum number of hours for the use of portable scales by DPS at 10 shifts per week, and sets the minimum number of hours for the operation of the DPS traffic enforcement unit at 9 to 12 shifts per week.

Costs for meeting these operational requirements could be absorbed by DPS if an increase to the FY '99 budget is adopted. The revised FY '99 DPS budget as reflected in SHB 5021 (the Appropriations Act as favorably reported by the Appropriations Committee) includes the addition of 20 positions and about \$1.4 million to the truck weight and traffic units. This additional funding will expand the operation of the permanent weigh stations, the use of portable weigh scales, and the

traffic enforcement unit. Currently, there are 28 positions and about \$2.0 million committed to these programs. (A revenue increase is anticipated from the increase in enforcement, but this is the result of the budget and not of the bill.) The DMV can also meet these requirements within available resources.

The bill also requires the Commissioners of the Departments of Transportation, Motor Vehicles and Public Safety to prepare a report on the feasibility of locating a permanent weigh station on the Connecticut and Rhode Island border. The report is to be provided to the Transportation Committee no later than January 1, 1999. These State agencies would incur minimal, absorbable costs in the preparation of the report. Note that costs for the construction of a new weigh station would be borne by the Department of Transportation (DOT) through its bonding program.

House Amendment "A" replaces a provision requiring the motor vehicles commissioner to establish operating hours for the fixed scale facilities by regulation, including that two facilities be open for eight hours each day, with the staffing requirements summarized above. It also adds the Department of Transportation to the requirement for a progress report on a possible weigh station on the Connecticut/Rhode Island border. It reduces the potential cost of the original bill.

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#### **OLR AMENDED BILL ANALYSIS**

HB 5418 (as amended by House "A")\*

#### **AN ACT CONCERNING WEIGH STATIONS**

**SUMMARY:** This bill requires the public safety and motor vehicles commissioners to provide specific levels of enforcement activity at the state's six fixed scale truck weighing locations and elsewhere using portable scales. It requires staffing of the fixed scale locations as follows:

1. I-95 in Greenwich--eight work shifts in each seven-day period from Sunday through Saturday, with two shifts worked consecutively on no more than three days during the period;

2. I-84 in Danbury--three work shifts in each seven-day period from Sunday through Saturday with the public safety commissioner, whenever possible, coordinating coverage between this facility and the Greenwich facility to ensure concurrent coverage; and
3. I-84 in Union--between five and eight work shifts in each seven-day period from Sunday through Saturday, with the motor vehicles commissioner coordinating operating hours.

In addition, the bill requires operation of 10 shifts in each seven-day period from Sunday through Saturday using portable scales, staggered throughout the four geographical areas established by the public safety commissioner and concentrating in areas that have fewer operations at the fixed scale locations. The two commissioners must adjust the required work schedules daily in order to maintain an unpredictable enforcement schedule.

The bill also (1) allows the public safety commissioner to assign any remaining personnel in the department's traffic unit to the fixed scale locations on I-95 in Waterford or I-91 in Middletown, or to portable scale operations; (2) requires him to assign between nine and 12 shifts in each seven-day period from Sunday through Thursday to patrol and enforce laws relative to the safe movement of motor vehicles; and (3) specifies that the commissioner is not prevented from reassigning traffic unit personnel as he deems necessary to ensure public safety.

Finally, the bill requires the State Police, in cooperation with the Department of Motor Vehicles and the Department of Transportation, to report to the Transportation Committee by January 1, 1999 on the participation and involvement in truck weight and safety monitoring with respect to a weigh station to be located on the border between Connecticut and Rhode Island.

\*House Amendment "A" replaces a provision requiring the motor vehicles commissioner to establish operating hours for the fixed scale facilities by regulation, including that two facilities be open for eight hours each day, with the staffing requirements summarized

above. It also adds the Department of Transportation to the requirement for a progress report on a possible weigh station on the Connecticut/Rhode Island border.

EFFECTIVE DATE: October 1, 1998

## **BACKGROUND**

### **Commercial Vehicle Weight and Safety Inspection Programs**

Connecticut has fixed locations for weighing and inspecting commercial motor vehicles on I-95 northbound in Greenwich, I-84 eastbound in Danbury, I-91 northbound in Middletown, I-84 westbound in Union, and on both sides of I-95 in Waterford.

The State Police commercial vehicle inspection squads perform vehicle weight and safety inspections at these facilities using fixed scales and also perform similar inspections at various other locations, sometimes in conjunction with these fixed facilities, using portable scales. The DMV performs safety inspections under the federally supported Motor Carrier Safety Assistance Program (MCSAP) and some vehicle weighing, primarily at the Union scale facility. While both the State Police and MCSAP inspectors enforce federal motor carrier safety standards, the inspection procedures differ slightly. Both inspection programs can declare vehicles "out-of-service" for certain types of violations. The State Police enforce compliance with state laws and safety regulations through issuing citations. MCSAP inspectors issue citations in some instances but also attempt to achieve carrier compliance through follow-up auditing to assure that required repairs have been performed.

### **Legislative History**

The House referred the bill to the Public Safety Committee on April 1 and the committee reported it favorably without change on April 8. It was referred to the Appropriations Committee on April 14 and reported favorably on April 16 with no changes. It was then referred to the Legislative Management Committee on April 18 and reported favorably without change on April 22.

**COMMITTEE ACTION**

Transportation Committee

Joint Favorable Report  
Yea 23      Nay 0

Public Safety Committee

Joint Favorable Report  
Yea 14      Nay 5

Appropriations Committee

Joint Favorable Report  
Yea 30      Nay 15

Legislative Management Committee

Joint Favorable Report  
Yea 15      Nay 6