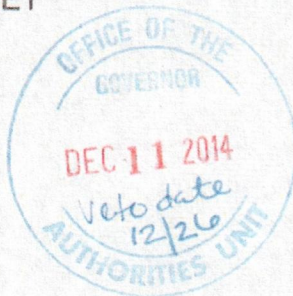


 **New Jersey
Motor Vehicle Commission**

P.O. Box 160
Trenton, New Jersey 08666-0160

STATE OF NEW JERSEY



Chris Christie
Governor

Kim Guadagno
Lt. Governor

Raymond P. Martinez
Chairman and Chief Administrator

December 11, 2014

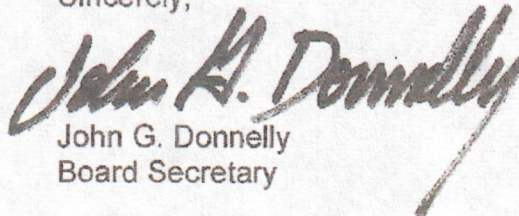
Honorable Chris Christie
Governor, State of New Jersey
State House
125 West State Street
Post Office Box 001
Trenton, NJ 08625-0001

Dear Governor Christie:

In accordance with Section 17 of The Motor Vehicle Security and Customer Service Act of 2003, constituting Chapter 13 of the laws of 2003 of the State of New Jersey, as amended pursuant to P. L. 2007, Chapter 335 and pursuant to P. L. 2009, Chapter 298, I herein transmit the minutes of actions taken at the open session of the Regular Meeting of the New Jersey Motor Vehicle Commission Board at Floor 8E, Motor Vehicle Commission Headquarters, Thursday, December 11, 2014.

Thank you.

Sincerely,


John G. Donnelly
Board Secretary

Enclosure

STATE OF NEW JERSEY

Chris Christie
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Chairman and Chief Administrator

December 11, 2014

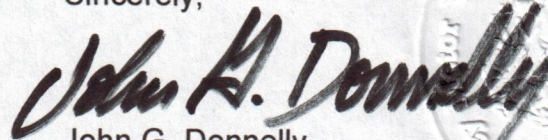
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Thank you.

Sincerely,



John G. Donnelly
Board Secretary



Enclosure

NEW JERSEY MOTOR VEHICLE COMMISSION

Minutes by Board Secretary John G. Donnelly of actions taken at the Open Session of the Regular Meeting of the New Jersey Motor Vehicle Commission (MVC) Board held at Floor 8E, Motor Vehicle Commission Headquarters, 225 East State Street, Trenton, New Jersey on Thursday, December 11, 2014.

Present:

Raymond P. Martinez, Chairman
Scott Kisch, Public Board Member (by speakerphone)
Walter Orcutt, Public Board Member (by speakerphone)
Miriam Weeks, Transportation Commissioner Designee
Gary Poedubicky, Attorney General Designee
James Fruscione, State Treasurer Designee (by speakerphone)

Stephen S. Scaturro, Vice-Chairman previously had advised the Chairman that he would not be able to participate.

Not present:

Laurette K. Asante, Public Board Member

Governor's Authorities Unit Assistant Counsel Tyler Yingling and Deputy Attorney General Philip Espinosa attended.

Chairman Raymond P. Martinez convened the Open Session at 2:05 p.m. in accordance with the Open Public Meetings Act, and led the Pledge of Allegiance.

Agenda Approval. Director Weeks moved to accept the proposed agenda, Board Member Kisch seconded the motion and it was unanimously adopted.

Chairman's Report

The Chairman then presented this report of key Commission activities since the October 14, 2014 Board Meeting:

JUST DRIVE

Good afternoon, everyone. The holiday season is once again upon us and our roadways are expected to be even more congested with many shoppers who are making their holiday lists and hopefully not checking their phones twice while driving.

At least half a million people a year use a handheld device while driving and are the cause of an avoidable crash. This is regarded as one of the most dangerous forms of distracted driving.

As of July 1, 2014, the penalties for talking or texting on a hand-held wireless communications device have increased. First time offenders face a fine of at least \$200, a second offense results in a fine of at least \$400 and people with a third offense face a

fine of at least \$600 with a possible 90-day suspension of their driver's license and the assessment of three motor vehicle penalty points.

The NJMVC has been tasked with creating a public awareness campaign to emphasize the dangers of texting, talking and driving. Within the next, few months our safety message, "Just Drive" will be blasted throughout the State in order to educate drivers and help lower the fatality rate as a result of mobile distractions and driving.

At this year's League of Municipalities Conference, the MVC "road-tested" the message "Just Drive" and received an overwhelming amount of support. As we continue to develop and implement this campaign, we hope to engage more of our partners in order to maximize the effect of our safety message.

Be safe this holiday season and keep the phone down while you are driving, "Just Drive."

PINKY FRAUD INDICTMENT

Last week as an outcome of the effective work of MVC's Security & Investigations, Business and Government Operations and Communications Units, our law enforcement partners were able to take action against the former operator of D & D Auto Sales on Englishtown Road in Old Bridge. He was sentenced to three years in state prison for fraud, selling Superstorm Sandy damaged vehicles as "clean" rather than "salvaged" or "flood damaged" vehicles. This is a classic example of how the NJMVC is more than just a State Commission that gives out licenses. We are committed to securing the confidence of our customers by delivering excellent customer service, protecting the privacy of their documents and working diligently to keep the public safe. We will not stand for those who try to use our agencies in order to victimize individuals.

USED CAR TIPS VIDEO

Unfortunately, too many people have used Superstorm Sandy as a means to profit and have not only left victims financially devastated, but also have put their safety at risk.

Vehicle Safety has and will always continue to be one of our highest priorities here at the Commission. But what is also equally important is the process of buying that vehicle and for some folks, navigating through the purchase of a quality vehicle can be a daunting task. As I've reported to the Board in past, the MVC has now completed a video short to help those who might be in the market for a used car. This infomercial is the first of many we hope to show in our agencies and place on our social media outlets.

The infomercial was then played.

MANAGEMENT ANNOUNCEMENT

At this time, I would like to also update the Board on the MVC's most recent executive staff changes. With great pleasure, I would like to publicly welcome Jeanne Ashmore as our new Deputy Chief Administrator. Ms. Ashmore is from Burlington County and is a great addition to our team. She has already shown that she is truly going to be an asset to advancing the goals of the Commission. Most recently, Ms. Ashmore has served as the Governor's Director of Community and Constituent Relations. We are happy to have her join our team.

I am also pleased to recognize the exceptional accomplishments of Kate Tasch, who has served as our Acting Deputy Chief Administrator for the past year and a half. Ms. Tasch will now be our new Deputy Administrator for Legal and Legislative Affairs overseeing the Office of Legal and Regulatory Affairs, the Intergovernmental Relations Unit and our EEO Office. She is truly an outstanding colleague and we are all grateful to have her as part of the MVC family.

Jeanne Ashmore and Kate Tasch are both talented individuals and I am looking forward in working with both of them in their new roles.

The following Agenda Items were presented for approval:

Minutes: July 21, 2014. This item is to fulfill the requirements of The Motor Vehicle Security and Customer Service Act and of the Bylaws to approve the Minutes of each MVC Board Meeting, by approving the Minutes of the MVC Board Meeting of July 21, 2014.

Director Fruscione moved the resolution, Director Poedubicky seconded it and it was unanimously adopted.

Minutes: October 14, 2014. This item is to fulfill the requirements of The Motor Vehicle Security and Customer Service Act and of the Bylaws to approve the Minutes of each MVC Board Meeting, by approving the Minutes of the MVC Board Meeting of July 21, 2014.

Board Member Kisch moved the resolution, Board Member Orcutt seconded it and it was unanimously adopted.

1412-01: Autobus Regulation. This action is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act to promulgate regulations for the proper functioning of the Commission, including this Readoption without Amendment of the Autobus regulations. Jack Donnelly, Board Secretary, presented the proposed regulation.

Director Poedubicky moved the resolution, Director Weeks seconded it and it was unanimously adopted.

1412-02: MVC Board Meeting Dates for 2015. This action is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act to announce MVC Board Meeting Dates annually. Jack Donnelly, Board Secretary, Office presented the proposed meeting dates.

Director Fruscione moved the resolution, Board Member Orcutt seconded it and it was unanimously adopted.

Legislative Report. A summary of legislative activity since the October 2014 Motor Vehicle Commission (MVC) Board Meeting was provided by Legislative Liaison Donald Dinsmore, as follows:

Bills Sent to Governor's Desk:

A-1993Aca (Watson Coleman D15/Tucker D28) and **S-2280Sca** (Turner D15) that authorizes special Alpha Kappa Alpha license plate. This bill would authorize the creation of a special Alpha Kappa Alpha license plate. The current policy of the MVC is to oppose all new organizational license plate legislation due to the moratorium that results from a lack of needed software and hardware, however, per the October 2012 Agreement of the Governor's Office, MVC and Legislative Leadership, a very worthy organization may be considered for a plate if the legislation includes the 14 Amendments that ensure MVC financial and operational needs are addressed. The Commission sought amendment to allow two years for implementation, but the Sponsor did not give the Commission the additional time necessary to minimize programming challenges.

Bills Near the Governor's Desk:

(Passed one House of the Legislature and reported from committee in second House.)

S-385ScsSca (Scutrai D22/ Whelan D2) and **A-1368AcsAca** (Stender D22/ Caputo D28/ Lagana D38/Benson D14) to revise penalty provisions for certain drunk driving violations, including use of and applicable time periods covering driver's license suspensions and installations of ignition interlock devices on motor vehicles. This bill revises penalties for certain drunk driving offenses and mandates the installation of ignition interlock devices. The MVC staff has concerns regarding this legislation due to programming/re-programming costs and added strains on personnel. The Commission has been providing Governor's Counsels Office with information regarding this legislation; the Office of the Attorney General has been speaking for the Administration on this bill.

- **06/26/14:** A-1368 passed the full Assembly (46-15-14).
- **10/27/14:** S-385/A-1368 reported from Senate Committee, 2nd Reading.

MVC Position: See above.

A-3395Aca (Wisniewski D19) and **S-2294Sca** (Sacco D32) to allow insurer to obtain certificates of ownership or salvage certificates of title for motor vehicles under certain circumstances. This bill creates a process that allows insurers and salvage companies to obtain certificates of ownership or salvage certificates of title for motor vehicles in situations where the insurers are unable to obtain the certificate of ownership or the certificate of ownership is not properly assigned to the insurer. The Commission has concerns regarding this legislation and would like to seek amendment. The bill allows titling of vehicles that are owned by a different owner out of state, allows for breaks in the chain of title, and a process that disregards the MVC's current procedures for establishing if a vehicle has been abandoned on private property. The Commission is collaborating with the Department of Banking and Insurance, the Office of the Attorney General and Governor's Counsels Office to finalize the amendments.

- **06/23/14:** A-3395 passed the full Assembly (77-0).
- **09/15/14:** S-2294/S-3395 reported from Senate Committee, 2nd Reading.

MVC Position: Express Concerns and Seek Amendment.

S-826Sca (Beach D6)

A-387Sca (Tucker D28)

Makes consent to register with Selective Service part of driver's license application process for males under age 26.

This legislation requires every male United States citizen or immigrant under age 26 who applies for a special learner's permit, an examination permit, a probationary driver's license, a basic driver's license, or a nondriver identification card, or for renewal of a license or identification card, to consent to his registration for the draft in compliance with the requirements of the "Military Selective Service Act." The bill requires the MVC to forward the personal information required for draft registration to the Selective Service System. Submission of an application to the MVC would serve as an indication that the applicant has already registered with the Selective Service or that he is authorizing the Chief Administrator to forward to the Selective Service the necessary information for registration. The Chief Administrator is required to print a statement on the application for a permit, driver's license, or nondriver identification card stating that the applicant is consenting to Selective Service registration if required by Federal law or, if under age 18, registration upon attaining age 18.

The bill has been amended to adopt suggestions from the MVC. These amendments remove the requirement that an electronic format be used by the MVC to forward the personal information of certain applicants to the Selective Service System. The amendments also change references to "provisional" driver's license to "probationary" driver's license. In addition, the amendments also change the effective date from the first day of the 7th month after enactment to the first day of the twelfth month after enactment.

- **03/20/14:** A-387 passed the full Assembly (77-0).
- **03/24/14:** S-826/A-387 reported from Senate Cmte. With amendments, 2nd Reading.
- **04/28/14:** S-826/A-387 was referred to Senate Budget and Appropriations Committee.

MVC Position: No objection as amended.

Implementation Update:

Indication of veteran status on driver licenses and identification cards issued by MVC- (P.L. 2013, c. 165): Implementation meetings are ongoing. It is anticipated that this initiative will be rolled out by 3/1/15.

Creation of a special Omega Psi Phi license plate – (P.L.2013, c.273): Implementation meetings are ongoing. A Memorandum of Understanding has been approved by Executive Staff and has been sent to the Fraternity for review and approval. Electronic plate samples have been created and approved by Omega Psi Phi. IT/OIT have provided a time-line to update our comp system to allow for future transactions, and Financial Management is addressing the establishment of Oracle accounts for the new plate transactions.

Increases fine and imposes license suspension for talking or texting on hand-held device while driving – (P.L.2013, c.70): Implementation meetings are ongoing.

Chairman Martinez thanked Donald for the presentation.

Public Comments:

No members of the public sought to make a public comment.

Chairman Martinez then noted that there was no further business before the Board, and thanked the Board Members and staff for their continuing service.

Adjournment:

Since there were no further comments or business, a motion to adjourn was made by Board Member Orcutt and seconded by Board Member Kisch and unanimously adopted at 2:45 p.m.

**NEW JERSEY MOTOR VEHICLE COMMISSION
REGULAR MEETING OF THE BOARD MEMBERS**

Commission Headquarters, 8th Floor East Wing

225 East State Street, Trenton, New Jersey

2:00 p.m., Thursday, December 11, 2014

FINAL AGENDA

	<u>PAGE</u>
• 1 – CALL TO ORDER	7059
• 2 – OPEN PUBLIC MEETINGS ACT STATEMENT	7059
• 3 – PLEDGE OF ALLEGIANCE	7059
• 4 – APPROVAL OF AGENDA	7059
• 5 – CHAIRMAN'S REPORT	7059
• 6 – APPROVAL OF MINUTES OF JULY 21, 2014	7066
• 7 – APPROVAL OF MINUTES OF OCTOBER 14, 2014	7070
• 8 – APPROVAL OF ITEM 1412-01 – READOPTION WITHOUT AMENDMENT COMMERCIAL AUTOBUS REGULATION	7078
• 9 – APPROVAL OF ITEM 1412-02 – BOARD MEETINGS DATES FOR 2015	7081
• 10 – LEGISLATIVE REPORT	7084
• 11 – PUBLIC COMMENTS	7064
• 12 – ADJOURNMENT	7064

Approval: Minutes of July 21, 2014**BENEFITS**

The Motor Vehicle Security and Customer Service Act, P.L. 2003, c.13, as the enabling statute that created MVC, and as amended by P.L. 2007, c. 335 and by P. L. 2009, c.298, provides at section 17 that the actions taken at MVC Board meetings do not become effective until approved by the Governor. Thereafter, the Minutes are presented to the Board Members for approval consistent with the MVC Board Bylaws.

PURPOSE

The Act at section 17 states that "A true copy of the minutes of every meeting of the Board shall be delivered by and under the certification of the Secretary of the Board, without delay, to the Governor. No action taken at the meeting shall have force or effect until ten days, Saturday, Sundays, and public holidays excepted, after the minutes are delivered, unless during the ten day period the Governor approves the Minutes, in which case the action shall become effective upon approval. If, in that ten day period, the Governor returns copies of the minutes with a veto of any action taken by the Board or any Member, the action shall be null and void and of no effect."

The July 21, 2014 Minutes were delivered on July 21, 2014 to the Governor, and became effective upon expiration of the ten day period on August 4, 2014.

ACTION

Approval of this item by the Board Members indicates acceptance of the July 21, 2014 Minutes.

FISCAL IMPACTS

None.

RESOLUTION

WHEREAS, consistent with the Bylaws the Minutes of actions taken at meetings of the New Jersey Motor Vehicle Commission Board are to be approved by the Board Members; and

WHEREAS, pursuant to section 17 of The Motor Vehicle Security and Customer Service Act , P.L. 2003, c.13, as the enabling statute that created MVC, and as amended by P.L. 2007, c. 335 and by P. L. 2009, c.298, a true copy of the Minutes of the actions taken at the New Jersey Motor Vehicle Commission Board meeting of July 21, 2014 were delivered without delay to the Governor on July 21, 2014; and

WHEREAS, those Minutes do not become effective until expiration of the ten day review period or otherwise approved by the Governor; and

WHEREAS, Minutes of the July 21, 2014 Board Meeting are effective as of August 4, 2014; and

NOW, THEREFORE, BE IT RESOLVED that the Minutes of actions taken at the July 21, 2014 New Jersey Motor Vehicle Commission Board meeting are hereby approved.

NEW JERSEY MOTOR VEHICLE COMMISSION

Minutes by Board Secretary John G. Donnelly of actions taken at the Open Session of the Special Meeting of the New Jersey Motor Vehicle Commission (MVC) Board held at Floor 9W, Motor Vehicle Commission Headquarters, 225 East State Street, Trenton, New Jersey on Monday, July 21, 2014.

The meeting was conducted as a conference call by speakerphone, with the public directed to report to Floor 8E of Motor Vehicle Commission Headquarters for sufficient seating and to participate in the meeting.

Present:

Raymond P. Martinez, Chairman
Stephen S. Scaturro, Vice-Chairman
Laurette K. Asante, Public Board Member
Scott Kisch, Public Board Member
Walter Orcutt, Public Board Member
Miriam Weeks, Transportation Commissioner Designee
James Fruscione, State Treasurer Designee

Gary Poedubicky, Attorney General Designee, previously had advised Chairman Martinez that he would not be able to participate today.

Governor's Authorities Unit Assistant Counsel Peter Simon and Deputy Attorney General Philip Espinosa participated.

Chairman Raymond P. Martinez convened the Open Session at 2:00 p.m. in accordance with the Open Public Meetings Act.

Agenda Approval. Board Member Kisch moved to accept the proposed agenda, Vice-Chairman Scaturro seconded the motion and it was unanimously adopted.

Chairman's Report

The Chairman announced that he would defer his report until the next Board Meeting.

The following Agenda Items were presented for approval:

1407-01: ELT Regulation. This action is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act to promulgate regulations for the proper functioning of the Commission, including this Final Adoption of the Electronic Lien Titling regulation. Sarah Miller of the Office of Regulatory and Legislative Affairs, presented the proposed regulation.

Vice-Chairman Scaturro moved the resolution, Director Weeks seconded it and it was unanimously adopted.

1407-02: School Bus Regulation. This action is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act to promulgate regulations for the proper functioning of the Commission, including this proposed amendment to the School Bus regulations regarding "Tour of Duty." Jeff Pistol of the Regulatory and Legislative Affairs Office presented the proposed regulation.

Board Member Orcutt moved the resolution, Board Member Asante seconded it and it was unanimously adopted.

Public Comments:

No members of the public sought to make a public comment.

Chairman Martinez then noted that there was no further business before the Board, and thanked the Board Members and staff for their continuing service.

Adjournment:

Since there were no further comments or business, a motion to adjourn was made by Director Fruscione and seconded by Board Member Orcutt and unanimously adopted at 2:30 p.m.

Approval: Minutes of October 14, 2014**BENEFITS**

The Motor Vehicle Security and Customer Service Act, P.L. 2003, c.13, as the enabling statute that created MVC, and as amended by P.L. 2007, c. 335 and by P. L. 2009, c.298, provides at section 17 that the actions taken at MVC Board meetings do not become effective until approved by the Governor. Thereafter, the Minutes are presented to the Board Members for approval consistent with the MVC Board Bylaws.

PURPOSE

The Act at section 17 states that "A true copy of the minutes of every meeting of the Board shall be delivered by and under the certification of the Secretary of the Board, without delay, to the Governor. No action taken at the meeting shall have force or effect until ten days, Saturday, Sundays, and public holidays excepted, after the minutes are delivered, unless during the ten day period the Governor approves the Minutes, in which case the action shall become effective upon approval. If, in that ten day period, the Governor returns copies of the minutes with a veto of any action taken by the Board or any Member, the action shall be null and void and of no effect."

The October 14, 2014 Minutes were delivered on October 14, 2014 to the Governor, and became effective upon expiration of the ten day period on October 28, 2014.

ACTION

Approval of this item by the Board Members indicates acceptance of the October 14, 2014 Minutes.

FISCAL IMPACTS

None.

RESOLUTION

WHEREAS, consistent with the Bylaws the Minutes of actions taken at meetings of the New Jersey Motor Vehicle Commission Board are to be approved by the Board Members; and

WHEREAS, pursuant to section 17 of The Motor Vehicle Security and Customer Service Act , P.L. 2003, c.13, as the enabling statute that created MVC, and as amended by P.L. 2007, c. 335 and by P. L. 2009, c.298, a true copy of the Minutes of the actions taken at the New Jersey Motor Vehicle Commission Board meeting of October 14, 2014 were delivered without delay to the Governor on October 14, 2014; and

WHEREAS, those Minutes do not become effective until expiration of the ten day review period or otherwise approved by the Governor; and

WHEREAS, Minutes of the October 14, 2014 Board Meeting are effective as of October 28, 2014; and

NOW, THEREFORE, BE IT RESOLVED that the Minutes of actions taken at the October 14, 2014 New Jersey Motor Vehicle Commission Board meeting are hereby approved.

NEW JERSEY MOTOR VEHICLE COMMISSION

Minutes by Board Secretary John G. Donnelly of actions taken at the Open Session of the Regular Meeting of the New Jersey Motor Vehicle Commission (MVC) Board held at Floor 8E, Motor Vehicle Commission Headquarters, 225 East State Street, Trenton, New Jersey on Tuesday, October 14, 2014.

Present:

Stephen S. Scaturro, Vice-Chairman
Laurette K. Asante, Public Board Member (by speakerphone)
Scott Kisch, Public Board Member (by speakerphone)
Walter Orcutt, Public Board Member (by speakerphone)
Miriam Weeks, Transportation Commissioner Designee
Gary Poedubicky, Attorney General Designee
James Fruscione, State Treasurer Designee (by speakerphone)

Chairman Martinez had previously advised of a scheduling conflict today.

Governor's Authorities Unit Assistant Counsels Peter Simon and Tyler Yingling, and Deputy Attorney General Keith Ronan, attended.

Vice-Chairman Scaturro convened the Open Session at 2:05 p.m. in accordance with the Open Public Meetings Act, and led the Pledge of Allegiance.

Agenda Approval. Board Member Asante moved to accept the proposed agenda, Board Member Board Member Kisch seconded the motion and it was unanimously adopted.

Chairman's Report

The Vice-Chairman then presented this report of key Commission activities since the June 12 Regular and July 21 Special Board Meetings:

Good afternoon, everyone. I'm Steve Scaturro, Vice-Chairman of the New Jersey Motor Vehicle Commission Board and I have the pleasure of addressing you all today on behalf of Chairman Martinez.

SKIP THE TRIP HITS ONE MILLION

Around this time last year, we had the pleasure of introducing to you a program that we knew would take a million customers out of our agency lines. Well, today I'm honored to say that our Skip the Trip mail-in license renewal program has surpassed those estimates and over 1.1 million people have elected to stay home and use this program. In these past 13 months, we have witnessed shorter wait times for those who must come into an agency, and much appreciation from our customers for this added convenience.

AGENCY FACELIFTS

And speaking of convenience in the agencies, several of our facilities are currently in the process of being renovated over the next few months.

Wayne is the focus of an upcoming renovation that will bring a new, 20,000 square foot modern facility to the antiquated site on Route 46. We expect to break ground on this much needed space in March of 2015.

Our Eatontown Agency is also expected to get a facelift. We have already gone out to bid and a contract to begin this nine-month construction project will be awarded shortly.

SPREADING A GLOBAL MESSAGE

We don't hide the fact that we strive to be the model for excellence in motor vehicle services, and recently New Jersey has been tapped to help improve the policies and practices of our sister organizations on the other side of the globe.

In June, representatives of the Japanese National Police and the Consulate General spent the day with Chairman Martinez at the Lodi agency to experience first-hand how a passenger and commercial road test on a public course is managed and how a knowledge-based license test is administered; a picture on display here in the MVC Board Meeting Room today showcases this event.

Chairman Martinez also recently hosted transportation officials from the Korea Consulate in an effort to share our experiences in making the roads safer and our practices more secure. A great deal of information was shared and a lot of notes were taken and I am proud to report that everyone who participated in these very important interactions with our colleagues abroad rose to the occasion.

ORGAN DONOR

Also on display here in the MVC Board Meeting Room today is a picture of a recent MVC event highlighting our continuous outreach regarding organ donation. You may express your wish to donate your organs and tissues for transplant by designating the words "Organ Donor" to appear on your NJ driver license or non-driver identification card.

The following Agenda Items were presented for approval:

Minutes: June 12, 2014. This item is to fulfill the requirements of The Motor Vehicle Security and Customer Service Act and of the Bylaws to approve the Minutes of each MVC Board Meeting, by approving the Minutes of the MVC Board Meeting of June 12, 2014.

Board Member Orcutt moved the resolution, Director Poedubicky seconded it and it was unanimously adopted.

1410-01: IFTA Regulation. This action is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act to promulgate regulations for the proper functioning of the Commission, including this Final Adoption of the regulations concerning the International Fuel Tax Agreement (IFTA) by which member jurisdictions track commercial vehicle trips particularly as to motor fuel use. Jack Donnelly, Board Secretary, presented the regulation, and explained that it will increase the number of 'trip permits' that may be provided to a motor carrier from one (1) to ten (10).

Board Member Kisch moved the resolution, Director Weeks seconded it and it was unanimously adopted.

1410-02: IRP Regulation. This action is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act to promulgate regulations for the proper functioning of the Commission, including this Final Adoption of the regulations concerning the International Registration Plan (IRP) by which member jurisdictions track highway trips by commercial vehicles through New Jersey and other member States. Jack Donnelly, Board Secretary, presented the regulation, and explained that it will increase the number of 'temporary authorizations' that may be provided to a motor carrier from one (1) to ten (10).

Director Weeks moved the resolution, Board Member Asante seconded it and it was unanimously adopted.

1410-03: Zone of Rate Freedom (2014) Regulation. This action is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act to promulgate regulations for the proper functioning of the Commission, including this Final Adoption for 2014 of the regulations concerning the Zone Of Rate Freedom (Z.O.R.F.) law found at N.J.S.A. 48:4-2.20 to 2.25. Jack Donnelly, Board Secretary, presented the regulation.

Mr. Donnelly explained in response to Mr. Kisch's question that companies are permitted to adjust their fares once annually per state law and this regulation.

Board Member Kisch moved the resolution, Director Weeks seconded it and it was unanimously adopted.

1410-03: Zone of Rate Freedom (2015) Regulation. This action is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act to promulgate regulations for the proper functioning of the Commission, including this proposed amendment of the regulations for 2015 concerning the Zone Of Rate Freedom (Z.O.R.F.) law found at N.J.S.A. 48:4-2.20 to 2.25. Jack Donnelly, Board Secretary, presented the regulation.

Board Member Orcutt moved the resolution, Director Poedubicky seconded it and it was unanimously adopted.

1410-05: Insulin Dependence Regulation. This action is to meet the statutory requirement of The Motor Vehicle Security and Customer Service Act to promulgate regulations for the proper functioning of the Commission, including this Final Adoption of the regulations concerning recently enacted legislation that permits a holder of a driver license or nondriver identification card to voluntarily request that a notation be placed on his or her driver license or nondriver identification card indicating that he or she is an insulin dependent diabetic. Rebecca Donington of the Office of Regulatory and Legislative Affairs presented the regulation.

Board Member Poedubicky the resolution, Director Fruscione seconded it and it was unanimously adopted.

Legislative Report. A summary of legislative activity since the June 12 Regular and July 21 Special Board Meetings was provided by Legislative Liaison Donald Dinsmore, as follows:

Signed by the Governor:

A-1676Aca (Johnson D37/Bramnick R21/Webber R26/Munoz R21/ Bucco R25/Garcia D33/Casagrande R11) and S-1524Scs (Weinberg D37/Kean R21/Gordon D38) provides that crime victims do not have to pay fees to obtain records relating to the crime and that requests for such records are not public information. The Driver Privacy Protection Act (N.J.S.A. 39:2-3.3 et. seq.) exempts documents from public access unless certain procedures are followed, therefore any request posed to MVC for personal information is shielded by section 9 of the Open Public Records Act (N.J.S.A. 47:1A-1 et seq.) This legislation was signed on July 31, 2014, and takes effect on November 1, 2014. Due to the fact that MVC is shielded from disclosure, there should be minimal impact. MVC staff involved with record requests will be advised by the Office of Regulatory and Legislative Affairs not to produce those documents, consistent with Section 9 of the Open Public Records Act.

S-846/S-504Scs (Norcross D5/Holzapfel R10) and A-2725/A-1185Acs (Mukherji D33/Wolfe R10/McGluckin R10/Mainor D31) enhances penalty for leaving the scene of boating accident. This new law for the first time makes boating standards the same as automobile standards for leaving the scene of an accident. Current motor vehicle law makes it a second degree crime to leave the scene of an accident that result in the death of a passenger, and a third degree crime when the accident results in serious bodily injury. A second degree crime is punishable by five to 10 years imprisonment, a fine of up to \$150,000, or both. A third degree crime is punishable by three to five years imprisonment, a fine of up to \$15,000, or both. The new law also enhances the penalties for failure of an operator to assist persons affected by an accident. The penalties for a first offense are a fine of not less than \$200 or more than \$400, imprisonment for a period of not more than 30 days, or both. For a subsequent offense, the new law imposes a fine of not less than \$400 or more than \$600, imprisonment for a period of not less than 30 days or more than 90 days, or both. This legislation was signed on July 3, 2014, and took effect immediately. There will be no impact on the Commission.

Bills Sent to Governor's Desk:

N/A

Bills Near the Governor's Desk*(Passed one House of the Legislature and reported from committee in second House):*

A-3395Aca (Wisniewski D19) and S-2294Sca (Sacco D32) allows insurers to obtain certificates of ownership or salvage certificates of title for motor vehicles under certain circumstances. This bill creates a process that allows insurers and salvage companies to obtain certificates of ownership or salvage certificates of title for motor vehicles in situations where the insurers are unable to obtain the certificate of ownership or the certificate of ownership is not properly assigned to the insurer. The Commission has concerns regarding this legislation and would like to seek amendment. Governor's Counsels Office is reviewing MVC's position. The bill allows titling of vehicles that are owned by a different owner out of state, allows for breaks in the chain of title, and a process that disregards the MVC's current procedures for establishing whether a vehicle has been abandoned on private property. The Commission is collaborating with the Department of Banking and Insurance, the Office of the Attorney General and Governor's Counsels Office to finalize the Amendments. On June 23, 2014, A-3395 passed the full Assembly (77-0), and on September 15, 2014, S-2294/S-3395 was reported from Senate Committee, 2nd Reading.

S-826Sca (Beach D6) and A-387Sca (Tucker D28) makes consent to register with Selective Service part of driver license application process for males under age 26. The bill has been amended to adopt suggestions from the MVC. These amendments remove the requirement that an electronic format be used by the MVC to forward the personal information of certain applicants to the Selective Service System. The amendments also change references to "provisional" driver's license to "probationary" driver's license. In addition, the amendments also change the effective date from the first day of the 7th month after enactment to the first day of the twelfth month after enactment. On March 20, 2014, A-387 passed the full Assembly (77-0). Also, on March 24, 2014, S-826/A-387 reported from Senate Committee with Amendments, 2nd Reading, and on April 28, 2014, S-826/A-387 was referred to Senate Budget and Appropriations Committee.

Implementation Update:

Indication of veteran status on driver's licenses and identification cards issued by MVC- (P.L. 2013, c. 165): Implementation meetings are ongoing. It is anticipated that this initiative will be rolled out by 3/1/15.

Person with diabetes to voluntarily make notation on driver license- (P.L. 2013, c.139): This project was fully implemented on 9/1/14.

Creation of a special Omega Psi Phi license plate – (P.L.2013, c.273): Implementation meetings are ongoing. A Memorandum of Understanding has been presented to Executive Staff for approval. Electronic plate samples have been created and approved by Omega Psi Phi. IT/OIT have provided a time-line to update our comp system to allow for future transactions, and Financial Management is addressing the establishment of Oracle accounts for the new plate transactions.

Increases fine and imposes license suspension for talking or texting on hand-held device while driving – (P.L.2013, c.70): The Implementation team is meeting to review the business and technical requirements for this bill.

Vice-Chairman Scaturro thanked Donald for the presentation.

Public Comment:

Mr. Darryl Garvin, Esq., 36 Central Ave., Midland Park, NJ offered remarks regarding MVC procedures and statutes pertaining to vehicles abandoned at repair facilities.

Vice-Chairman Scaturro then noted that there was no further business before the Board, and thanked the Board Members and staff for their continuing service.

Adjournment:

Since there were no further comments or business, a motion to adjourn was made by Board Member Asante and seconded by Director Fruscione and unanimously adopted at 2:45 p.m.

ITEM 1412-01: AUTOBUS REGULATION**BENEFITS**

The Motor Vehicle Security and Customer Service Act, P.L. 2003, c.13, as the enabling statute that created the New Jersey Motor Vehicle Commission (MVC), and as amended by P.L. 2007, c. 335 and by P. L. 2009, c.298, at sections 4 and 40 assigns to MVC the duty to promulgate regulations affecting various programs, including this Readoption without Amendment of the Autobus regulations concerning the safety of autobuses and their equipment.

PURPOSE

This is a Readoption without Amendment. It is a one paragraph "Notice of Readoption" consistent with N.J.A.C. 1:30-6.4(h). Inspection Services advises that the regulated community of autobus operators have not requested any changes. The chapter expires February 4, 2015, and must be filed at the Office of Administrative Law (OAL) by January 4, 2015 per N.J.A.C. 1:30-6.4(h); therefore, upon expiration of the Governor's veto period for this meeting, it will be sent to OAL on December 29, 2014, which becomes the new effective date.

ACTION

Approval of this item will authorize the Chairman to file the Autobus rule with the Office of Administrative Law (OAL) as a Readoption without Amendment, in substantially the form as attached in Exhibit A.

FISCAL IMPACTS

None, as fees and MVC administrative costs are not changed.

RESOLUTION

WHEREAS, The Motor Vehicle Security and Customer Service Act, P.L. 2003, c.13 (the "Act"), as the enabling statute that created the Motor Vehicle Commission, and as amended by P.L. 2007, c. 335 and by P. L. 2009, c.298, at sections 4 and 40 assigns to the Motor Vehicle Commission the duty to implement regulations affecting various programs, including this Readoption without Amendment governing autobuses;

NOW, THEREFORE, BE IT RESOLVED that the Chairman is authorized to file with the Office of Administrative Law a notice of this Readoption without Amendment pertaining to autobuses, in substantially the form as attached in **Exhibit A.**

MOTOR VEHICLE COMMISSION**EXHIBIT A****Notice of Readoption****Autobuses****Readoption: N.J.A.C. 16:53**

Authority: N.J.S.A. 26:2C-8.47, 27:1A-5, 27:25-8c, 39:2A-35, 48:2-12, 48:2-56, 48:4-2.1a, 48:4-2.1b and 52:14D-6; and October 5, 1978 Executive Reorganization Plan.

Authorized By _____

Raymond P. Martinez, Chairman and Chief Administrator
Motor Vehicle Commission

Effective Date: December 29, 2014.

New Expiration Date: December 29, 2021.

Take notice that pursuant to the provisions of Executive Order No. 66 (1978) and N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 16:53 will expire on February 4, 2015. The rules set out the requirements for safe equipment to be used by autobus operators. The Motor Vehicle Commission has reviewed these rules and has determined that the rules should be readopted without amendment. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1c(1), these rules are readopted and shall continue in effect for a seven-year period.

ITEM 1412-02: 2015 MEETINGS**BENEFITS**

The Motor Vehicle Security and Customer Service Act ("Act"), P.L. 2003, c.13, as the enabling statute that created MVC, and as amended by P.L. 2007, c. 335 and by P. L. 2009, c. 298, at section 16 provides for meetings of the Commission Board Members.

PURPOSE

The effect of this item is to fulfill the requirements of the Act and of the Motor Vehicle Commission Board Bylaws, Article III, that the Board adopt the annual notice of meetings.

Unless otherwise noted on the attached schedule or modified by the Chairman or Board during the year, in accordance with the Open Public Meetings Law, meetings will be held on either a Tuesday or Thursday of every other month noted on the attached Exhibit A at 2:00 p.m. in Training Room A/B, 8th Floor East Wing, Motor Vehicle Commission Headquarters, 225 East State Street, Trenton, New Jersey.

The Open Public Meetings Law, P.L. 1975, c. 231 requires that the public be given adequate notice of meetings of public bodies. Section 13 specifically provides that at least once each year, a public body must provide adequate notice of the schedule of regular meetings to be held during the year. The schedule must contain the location, to the extent known, the time and the date of each meeting.

ACTION

Adopt the Annual Notice of Meetings for all of the Board Member meetings during Calendar Year 2015, as presented in Exhibit A.

FISCAL IMPACTS

None.

RESOLUTION

WHEREAS, The Motor Vehicle Security and Customer Service Act, P.L. 2003, c.13 (the "Act"), as the enabling statute that created the Motor Vehicle Commission, and as amended by P.L. 2007, c. 335 and by P. L. 2009, c. 298, at section 16 provides for meetings of the Commission Board Members; and

WHEREAS, pursuant to the Open Public Meetings Law, P.L. 1975, c. 231, an annual notice of regular meetings must be disseminated; and

WHEREAS, the Annual Notice of Meetings must be prominently posted in one public place reserved for announcements of this type, transmitted to newspapers, filed with the Secretary of State, and mailed to any person who requests it; and

WHEREAS, the Motor Vehicle Commission Board Bylaws, Article III, states that the Board will adopt an annual notice of meetings;

NOW, THEREFORE, BE IT RESOLVED that the Annual Notice of Meetings for 2015 is adopted as attached in **Exhibit A**; and

BE IT FURTHER RESOLVED that the Annual Notice of Meetings for 2015 shall be disseminated in accordance with the provisions of the Open Public Meetings Law, P.L. 1975, c. 231.

Exhibit A**ANNUAL NOTICE OF MEETINGS – CALENDAR YEAR 2015****NEW JERSEY MOTOR VEHICLE COMMISSION BOARD**

In accordance with the "Open Public Meetings Law," P.L. 1975, c. 231, the above organization will hold regular meetings, open to the public, at 2:00 p.m. on those Tuesdays and Thursday of every other month as noted below for the period January 1, 2015 through December 31, 2015.

Unless otherwise noted or modified by the Chairman or Board during the year, meetings will be held at 2:00 p.m. in Training Room A/B, 8th Floor East Wing, Motor Vehicle Headquarters, 225 East State Street, Trenton, New Jersey.

Below, MVC Website users are asked to please click on a specific meeting date to see the Open Public Meetings Act's required Notice and the Proposed Agenda of formal action. Each meeting's Notice and Proposed Agenda is available at least two business days before the meeting.

February 10	(2nd Tues.)
April 14	(2nd Tues.)
June 11	(2nd Thurs.)
August 11	(2nd Tues.)
October 13	(2nd Tues.)
December 10	(2nd Thurs.)



New Jersey Motor Vehicle Commission

P.O. Box 160
Trenton, New Jersey 08666-0160

STATE OF NEW JERSEY

Chris Christie
Governor

Kim Guadagno
Lt. Governor

Raymond P. Martinez
Chairman and Chief Administrator

To: Raymond P. Martinez, Chairman

CC: MVC Board Members

From: Donald Dinsmore, Legislative Liaison

Date: December 12, 2014

Re: Legislative Report

This Legislative Report provides a summary of legislative activity since the October 2014 Motor Vehicle Commission (MVC) Board meeting. The report also describes any new developments on enacted legislation for which the MVC has implementation responsibilities.

Signed by the Governor:

N/A

Bills Sent to Governor's Desk:

A-1993Aca (Watson Coleman D15/Tucker D28)

S-2280Sca (Turner D15)

Authorizes special Alpha Kappa Alpha license plate.

This bill would authorize the creation of a special Alpha Kappa Alpha license plate. The current policy of the MVC is to oppose all new organizational license plate legislation due to the moratorium that results from a lack of needed software and hardware, however, per the October 2012 Agreement of the Governor's Office, MVC and Legislative Leadership, a very worthy organization may be considered for a plate if the legislation includes the 14 Amendments that ensure MVC financial and operational needs are addressed. The Commission sought amendment to allow two years for implementation, but the Sponsor did not give the Commission the additional time necessary to minimize programming challenges.

Bills Near the Governor's Desk

(Passed one House of the Legislature and reported from committee in second House):

S-385ScsSca (Scutrai D22/ Whelan D2)

A-1368AcsAca (Stender D22/ Caputo D28/ Lagana D38/Benson D14)

Revises penalty provisions for certain drunk driving violations, including use of and applicable time periods covering driver's license suspensions and installations of ignition interlock devices on motor vehicles.

This bill revises penalties for certain drunk driving offenses and mandates the installation of ignition interlock devices. The MVC staff has concerns regarding this legislation due to programming/re-programming costs and added strains on personnel. The Commission has been providing Governor's Counsels Office with information regarding this legislation; the Office of the Attorney General has been speaking for the Administration on this bill. 7085

- **06/26/14:** A-1368 passed the full Assembly (46-15-14).
- **10/27/14:** S-385/A-1368 reported from Senate Committee, 2nd Reading.

MVC Position: See above.

A-3395Aca (Wisniewski D19)

S-2294Sca (Sacco D32)

Allows insurer to obtain certificates of ownership or salvage certificates of title for motor vehicles under certain circumstances.

This bill creates a process that allows insurers and salvage companies to obtain certificates of ownership or salvage certificates of title for motor vehicles in situations where the insurers are unable to obtain the certificate of ownership or the certificate of ownership is not properly assigned to the insurer. The Commission has concerns regarding this legislation and would like to seek amendment. The bill allows titling of vehicles that are owned by a different owner out of state, allows for breaks in the chain of title, and a process that disregards the MVC's current procedures for establishing if a vehicle has been abandoned on private property. The Commission is collaborating with the Department of Banking and Insurance, the Office of the Attorney General and Governor's Counsels Office to finalize the amendments.

- **06/23/14:** A-3395 passed the full Assembly (77-0).
- **09/15/14:** S-2294/S-3395 reported from Senate Committee, 2nd Reading.

MVC Position: Express Concerns and Seek Amendment.

S-826Sca (Beach D6)

A-387Sca (Tucker D28)

Makes consent to register with Selective Service part of driver's license application process for males under age 26.

This legislation requires every male United States citizen or immigrant under age 26 who applies for a special learner's permit, an examination permit, a probationary driver's license, a basic driver's license, or a nondriver identification card, or for renewal of a license or identification card, to consent to his registration for the draft in compliance with the requirements of the "Military Selective Service Act." The bill requires the MVC to forward the personal information required for draft registration to the Selective Service System. Submission of an application to the MVC would serve as an indication that the applicant has already registered with the Selective Service or that he is authorizing the Chief Administrator to forward to the Selective Service the necessary information for registration. The Chief Administrator is required to print a statement on the application for a permit, driver's license, or nondriver identification card stating that the applicant is consenting to Selective Service registration if required by Federal law or, if under age 18, registration upon attaining age 18.

The bill has been amended to adopt suggestions from the MVC. These amendments remove the requirement that an electronic format be used by the MVC to forward the personal information of certain applicants to the Selective Service System. The amendments also change references to "provisional" driver's license to "probationary" driver's license. In addition, the amendments also change the effective date from the first day of the 7th month after enactment to the first day of the twelfth month after enactment. 7086

- **03/20/14:** A-387 passed the full Assembly (77-0).
- **03/24/14:** S-826/A-387 reported from Senate Cmte. With amendments, 2nd Reading.
- **04/28/14:** S-826/A-387 was referred to Senate Budget and Appropriations Committee.

MVC Position: No objection as amended.

Implementation Update:

Indication of veteran status on driver's licenses and identification cards issued by MVC- (P.L. 2013, c. 165): Implementation meetings are ongoing. It is anticipated that this initiative will be rolled out by 3/1/15.

Creation of a special Omega Psi Phi license plate – (P.L.2013, c.273): Implementation meetings are ongoing. A Memorandum of Understanding has been approved by Executive Staff and has been sent to the Fraternity for review and approval. Electronic plate samples have been created and approved by Omega Psi Phi. IT/OIT have provided a time-line to update our comp system to allow for future transactions, and Financial Management is addressing the establishment of Oracle accounts for the new plate transactions.

Increases fine and imposes license suspension for talking or texting on hand-held device while driving – (P.L.2013, c.70): Implementation meetings are ongoing.