

**Approval:**

**Minutes of August 11, 2020**

**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 August 11, 2020 Minutes were delivered on August 11, 2020 to the Governor and became effective upon expiration of the ten day period on August 25, 2020.

**ACTION**

Approval of this item by the Board Members indicates acceptance of the August 11, 2020 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 August 11, 2020 were delivered without delay to the Governor on August 11, 2020; 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 August 11, 2020 Board Meeting are effective as of August 25, 2020; and

**NOW, THEREFORE, BE IT RESOLVED** that the Minutes of actions taken at the August 11, 2020 New Jersey Motor Vehicle Commission Board meeting are hereby approved.

## **NEW JERSEY MOTOR VEHICLE COMMISSION**

Minutes by Board Secretary Chris Hillmann of actions taken at the Open Session of the Regular Board meeting of the New Jersey Motor Vehicle Commission (MVC) Board via TEAMS and conference call on Tuesday, August 11, 2020.

### **Present:**

B. Sue Fulton, Chair and Chief Administrator

Vice Chair Sue Pigula

Amy Mallet, Board Member

Diane Legreide, Board Member

Stephen S. Scaturro, Board Member

Walter Orcutt, Board Member

Eric Heitmann, Director of Highway Traffic Safety and Attorney General Designee

Governor's Authorities Unit Associate Counsel Joy Johnson and Deputy Attorney General Jennifer Jeremback participated.

Chair B. Sue Fulton convened the Open Session at 2:00 p.m. in accordance with the Open Public Meetings Act.

**Agenda Approval.** Board Member Diane Legreide moved to accept the proposed agenda, Steve Scaturro Board Member seconded the motion and it was unanimously adopted.

### **Chair's Report as prepared**

Good afternoon everyone and welcome to the Commission's August Board meeting.

Let's start with a couple of personnel moves.

I'm pleased to announce the promotion of hardworking 33-year MVC veteran Greg Focarino. Greg was recently promoted from coordinator in Agency Central Operations to Manager of the Coordinator and Compliance Units, reporting to Agency Central Ops Director Jim Ferguson. Most recently, Greg was instrumental in deployment and training for our queueing system and **REAL ID** rollouts. I join Director Ferguson and Deputy Administrator DiGiovanni in welcoming Manager Focarino to his new role.

Another established veteran in her field who has **re**-joined the Commission's ranks, is attorney Betty Ng. Betty has been appointed as MVC's Equal Employment Opportunity Officer in our Office of Internal Compliance, under the leadership of Director Noreen Kemether.

Some of you may remember Betty as MVC's EEO Officer from 2014 to 2016. She's also worked as an EEO and Ethics Liaison Officer at other state agencies and spent almost 10 years as a Deputy Attorney General. Betty is a home-grown attorney, having received her JD from Rutgers Law School – Newark. We're delighted to have her back!

Now I'm sure you'd like to hear about our reopening. After closing on March 13, MVC re-started road testing and inspections on June 29, and agencies on July 7.

For perspective, MVC is in an unusual situation: if a business is closed for four months, they lose four months' business. Whether it's a nail salon, a restaurant, or Home Depot, they might get a little back in the first weeks, but most of that business is just lost. At MVC, we lose NO business: we have to make up every single missed transaction.

And IDENTITY CREDENTIALS and PRIVATE VEHICLE SALES require security checks that must be done in person. There's no way around it.

We had three options for reopening:

- Extend hours, which means hiring more people or paying massive overtime – but the state's in a financial crisis so that was just impossible.
- Operate by appointment only – which works for long processes like a road test or written test – but is notoriously inefficient for short processes – you have 30-50% no-shows and too much slack time so you're doing LESS than normal – creating even more backlog. We'd be doing about half the number of transactions that we've been able to do. We'd have people complaining that they can't get an appointment for 6 months. BUT NO \_ We wanted to do as many transactions as we could.
- **Our third option** was to maximize the number of transactions online and limit the number in the agencies. **That's what we did.**

# 1. We added huge numbers of transactions online –

As of February, only 12 of our 53 registration categories were renewable online. Today, that's 32. We relentlessly plugged online transactions in the press and in social media – Even the Governor helped out, encouraging people during some of his COVID-19 press briefings to use our website for Motor Vehicle business.

As a result, total transactions at NJMVC.gov DOUBLED since a year ago

# 2. We extended most documents until at least September 30 – and documents expiring June or later were extended to December 31.

# 3. We limited our agencies to transactions you can't do online.

# 4. We designated agencies as either Licensing Centers or Vehicle Centers to streamline our processes. Those who don't understand Motor Vehicle business don't understand how crucial this change was to making us more efficient. Moving cameras to Licensing Centers means that if one or two customers has a complicated transaction, it doesn't force everyone to wait for that person; they can be called to another available station. And focusing employees on one kind of transaction speeds training and makes them faster.

# 5. We updated our queuing system with the new SMS notification system – so people could leave the agency and come back when they get a text. And we'd check in more people while they were gone.

But we ran into human nature.

Everybody showed up on Day One. And of course, where we used to crowd 100 or 200 people inside, social distancing limits the number to much less than that.

So we had these long lines – and when we took phone numbers and handed out tickets – people refused to leave. So we couldn't get to the rest of the people in the line.

So on Day Two – Day Two! a tribute to the genius and focus of our Agency Ops team led by Kim DiGiovanni – we created special tickets – up to that agency's daily capacity. Customized, using a formula based on staffing, stations, and past performance. And when we reached our capacity – handed out all the tickets – we told people to come back tomorrow. But they wouldn't leave. So that's been an issue.

Let's talk about our current status.

ROAD TESTS are going well. We were able to reassign about 100 Safety Specialists from the inspections unit, train them, and deploy them for road tests. And thanks to colleges in the state system, we added 11 new locations – tripling our capacity. After just five weeks of testing, we have met consumer demand that built up over the previous 16 weeks – in fact, over the past week, only 23% of appointments were filled. We'll be gradually shutting down those supplemental locations over the next several weeks and shift those workers back to bus inspections.

KNOWLEDGE TESTS just re-started in agencies, with proper social distancing. We were worried that appointments might fill up fast, because we are only allowing 30 days in advance; but we are still under capacity, which is good. In addition, starting yesterday, we are offering the CDL knowledge test for "bulk" customers like NJ Transit, NJDOT, school systems, and major driving schools offsite at other state locations. This is similar to the plans we deployed for knowledge testing, with Jim Ferguson in Agency Ops coordinating with state and local agencies for appropriate locations – and will free up more capacity for individual testing inside our Licensing Centers.

Now to the agencies.

Historically, the MVC is an indoor space that serves hundreds of thousands every month. There are few things quite like it: when you are issuing an identity credential, when you have to inspect documents, a lot has to be done in-person. We crowded 50, 100, 200 people into relatively small spaces inside.

The **COVID-19 pandemic has demolished the way we used to do business.**

We have moved most of our business online, but that means new systems and processes – and more importantly, changing the way people are used to working with us. It will take time to get people accustomed to new behaviors, but we will continue to work to make transactions easier and more accessible.

Over the first four weeks since reopening, if you include online and mail transactions which we've been pushing – we did around 500,000 transactions.

Our Vehicle Centers and Licensing Centers aren't hitting capacity until 10 or 11 am. Which means nobody needs to spend the night outside unless they want to be the very first one in the door.

Our agencies were closed for 17 weeks – but we are currently only about 8 weeks behind. Which means we're catching up.

As we've all seen, there's been a lot of news coverage of the long lines that accompanied our reopening, and of course many customers have also vented their frustrations on social media. But I don't want that to overshadow all the good work we're doing out there in the agencies; as I mentioned earlier in terms of our team's amazing work at chopping through the backlog.

So I'd just like to read a couple of the notes of appreciation our staff has received during these most challenging times.

From Shaun Potter on Facebook. Says he arrived at Rio Grande Licensing Center at 11:30 recently and was out by 11:50. He called the tech he worked with "very friendly and very helpful" and noted that she asked Shaun to – quote – "tell everyone to come to their place as they haven't had the lines and the waiting."

Then there was the Randolph customer on Instagram. She said there was an error on her license through no fault of the Commission's and noted that – quoting here – "the very kind manager and woman at the desk were very helpful and compassionate when I was feeling very distraught." Our dedicated employees helped her and she was on her way.

As I've noted, our employees continue to go above and beyond the call of duty each and every day and I greatly appreciate their hard work and professionalism and the respect they show our customers even in the toughest of times.

We have made tremendous progress under difficult circumstances and made changes that will pay dividends well into the future. I couldn't be prouder of the women and men I work with.

I hope that if any Board member has any questions or concerns about what you've heard or read about MVC reopening, that you will give me an opportunity to address that on the record later in our meeting when we give you the floor. There is no question that we are afraid of, no issue we

are unwilling to address in a direct and transparent way to the fullest extent that the law permits us to.

Thank you for your attention, and with that we'll move on to the next order of business for the Board.

The following Agenda Items were presented for approval:

**2008-01: FINAL ADOPTION AUTOBUS AND TROLLEY**

This is a final adoption of current safety regulations of Autobuses and Trolleys. These requirements will continue to afford the traveling public reliable mass transportation by financially responsible operators. Richard DelMonaco of the Office of Legal and Regulatory Affairs, presented the Final Adoption. Director Heitmann moved the resolution, Board Member Legreide seconded it and it was unanimously adopted.

**2008-02: LICENSING SERVICE – DRIVER LICENSE AND REGISTRATION**

This is a Re-adoption to the rules at N.J.A.C. 13:21-9.5 through 9.17, to expand the options for customers to transact business with the Commission without the need to travel to an agency location to do so. Specifically, amendments are proposed to clarify rules regarding registration duplicates and renewals, which are already offered online, and to expand the online options to include eligible driver license and non-driver identification card duplicates and renewals. Kristin Miller of the Office of Legal and Regulatory Affairs, presented these proposed amendments and new rules. Board Member Steve Scaturro moved the resolution, Board Member Walter Orcutt seconded it and it was unanimously adopted.

**2008-03: PENALTY POINTS FROM NON-COMPACT STATES REGULATION**

This is a Rule Proposal. The effect of this item is to promulgate new rules as part of the Commission's penalty points regulations. The purpose of this Rule Proposal is to set forth the procedure concerning penalty points from non-compact States. New Jersey law requires the Motor Vehicle Commission (Commission) to assess penalty points against the driver records of New Jersey drivers for convictions of violations of the motor vehicle laws occurring in New Jersey, or another jurisdiction, pursuant to N.J.S.A. 39:5-30.6. Kristin Miller of the Office of Legal and Regulatory Affairs, presented the Rule Proposal. Board Member Scaturro moved the resolution, Director Heitmann seconded it and it was unanimously adopted.

**2008-04. READOPTION ENFORCEMENT SERVICE REGULATIONS –**

This is a Readoption. The rules have been reviewed and analyzed by the New Jersey Motor Vehicle Commission ("Commission"), and they have been found to be necessary, reasonable and proper for the purpose for which they were originally promulgated. The Commission, therefore, proposes to readopt N.J.A.C. 13:20 without amendment.

Richard Delmanaco, of the Office of Legal and Regulatory Affairs, presented the Proposed Amendment. Board Member Legreide moved the resolution, Board Member Scaturro seconded it and it was unanimously adopted.

#### **2008-05. TITLES TO VEHICLES ABANDONED ON PRIVATE PROPERTY REGULATION**

This is a rule proposal. The effect of this item is to promulgate new regulations as part of the Commission's Licensing Service regulations. The purpose of this Final Adoption is to set forth the procedure required to sell a vehicle abandoned on private property at public auction and subsequently transfer the title of the abandoned vehicle to the purchaser or issue title in the applicant's name if the vehicle cannot be sold at auction. . Director Kate Tasch, of the Office of Legal and Regulatory Affairs, presented the Proposed Amendment. Board Member Mallet moved the resolution, Board Member Orcutt seconded it and it was unanimously adopted.

#### **2008 -06. PROPOSED AMENDMENTS ONLINE ACCESS PROGRAM AND STANDARD DATA FILES PROGRAM**

This is a Rule Proposal. These amendments clarify and codify the responsibilities of persons requesting access to motor vehicle records containing personal information, individually and through the Commission's Limited Online Access Program and Standard Data Files Program. They also clarify that governmental entities continue to be exempt from fees for records and are subject only to administrative fees for overhead costs and system maintenance, and provide that nonprofit and not-for-profit organizations are also exempt from the fees in the section and are subject only to payment of administrative fees for overhead costs and system maintenance. Casandra Berry, of the Office of Legal and Regulatory Affairs, presented the proposed rules. Board Member Legreide moved the resolution, Board Member Orcutt seconded it and it was unanimously adopted.

#### **Public Comments:**

No Public Comments on Agenda Items

#### **Board Comments:**

Sue Pigula – Staff doing remarkable job during a challenging time. Hats off to you.

Eric Heitmann– Thank you Chair, echo those comments. Very familiar with what you had to deal with also mentioned 10<sup>th</sup> anniversary of Kylie's law. 20<sup>th</sup> anniversary of GDL. We have a lot to be proud of

Steve Scaturro– Thank you to all our staff for preserving during the pandemic

Walter Orcutt – Unusual and difficult time. Shout out to Kim. Thank you to all. Keep up the good work.

Amy Mallet– Echo sentiments. Thank you Chief. Staggering numbers. Have done 100s or thousands of transactions, shows how serious all employees are taking their job. MVC has to keep roads safe and now we have to keep everyone safe in other ways. Kudos to Chief and everyone involved.

Diane Legreide – backing up everyone else. I understand the stress level and I think you've done a great job and I think it will continue.

#### **Adjournment:**

Since there was no further business, a motion to adjourn was made Board Member Mallet and seconded by Board Member Orcutt and unanimously adopted at 2:46 p.m.