



New Jersey Motor Vehicle Commission

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

STATE OF NEW JERSEY

Phillip D. Murphy
Governor

Sheila Y. Oliver
Lt. Governor

B. Sue Fulton
Chair and Chief Administrator



October 10, 2019

Honorable Philip D. Murphy
Governor, State of New Jersey
225 West State Street
Post Office Box 001
Trenton, NJ 08625-0001

Minutes
Date: 10/10
Meeting: 10/10
Veto: 10/25
Memo: 10/18

Dear Governor Murphy:

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, October 10, 2019.

Thank you.

Yours truly,

Chris Hillmann
Board Secretary

NOTE: Please email the veto date to Ella.Crane@mvc.nj.gov and marykelly.ardente@mvc.nj.gov

Enclosure

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

**Commission Headquarters, 8th Floor East Wing
225 East State Street, Trenton, New Jersey**

11:00 a.m., Thursday, October 10, 2019

MEETING TO BE CONDUCTED BY SPEAKERPHONE WITH THE PUBLIC AT THE LOCATION LISTED ABOVE

FINAL AGENDA

- **1 – CALL TO ORDER**
- **2 – OPEN PUBLIC MEETINGS ACT STATEMENT**
- **3 – APPROVAL OF MINUTES FROM August 13, 2019**
- **4 – APPROVAL OF ITEM 1910-01--FINAL ADOPTION - MOTORCYCLE SAFETY REGULATION PROGRAM**
- **5 – PUBLIC COMMENTS**
- **6 – ADJOURNMENT**

Approval: Minutes of August 13, 2019

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 13, 2019 Minutes were delivered on August 13, 2019 to the Governor and became effective upon expiration of the ten day period on August 27, 2019.

ACTION

Approval of this item by the Board Members indicates acceptance of the August 13, 2019 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 13, 2019 were delivered without delay to the Governor on August 13, 2019; 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 13, 2019 Board Meeting are effective as of August 27, 2019; and

NOW, THEREFORE, BE IT RESOLVED that the Minutes of actions taken at the August 13, 2019 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 held at Floor 8E, Motor Vehicle Commission Headquarters, 225 East State Street, Trenton, New Jersey on Tuesday, August 13, 2019.

Present:

B. Sue Fulton, Chair and Chief Administrator
Stephen S. Scaturro, Board Member (by speakerphone)
Walter Orcutt, Board Member (by speakerphone)
Diane Legreide, Board Member
Hannah Good, Assistant Director and State Treasurer Designee
Sue Pigula, Vice Chair Dept of Transportation
Eric Heitmann, Highway Traffic Safety and Attorney General Designee

Deputy Attorney General Jennifer Jaremback participated.

Chair B. Sue Fulton convened the Open Session at 2:15 p.m. in accordance with the Open Public Meetings Act, and led the Pledge of Allegiance.

Agenda Approval. Board Member Diane Legreide moved to accept the proposed agenda, Sue Pigula, Vice Chair Transportation Designee seconded the motion and it was unanimously adopted.

Chair's Report

The Chair then presented this report of key activities since the June 18th MVC Board Meeting:

Good afternoon everyone.

I'd like to welcome you all to our August Board meeting.

We've had a whirlwind couple of months here at the Commission since we last met back in June, and I have a rather long report for you today.

So let's get right to it, and the great strides we've made as we move toward implementation of **REAL ID**: the new federal standard for identification that will take effect in October, 2020.

The initiatives we've completed as we tackle **REAL ID** Readiness are many; and I thank the entire MVC team for our success to date.

Here are the highlights of what we've delivered on so far -

- We've replaced every Escala server, which were all at end-of-life, in each of our 39 agencies.
- We've replaced our entire Point-of-Sale function with a cloud-based system like you would find in major commercial retail operations. We had to do this under incredible time pressure as the

contract was expiring – many thanks to Alyssa Rosenlicht and her team for overcoming impossible odds to get this done right.

- Our DARTSS Driver Testing system has been made faster and more reliable.
- Online services have been expanded and word is getting out to the public
 - Since they were activated in May, more than 57,000 customers have opted for these new online services: 40,343 license renewals – up to about 4,000 per week; 9,040 replacement licenses; and 8,084 replacement or duplicate registrations.
- Our new “take-a-ticket” queuing system is operating in NINE agencies. One of them is Trenton Regional, a short walk from here, if you’d like to see it in action.
- And as promised, we’ve hired 300 new full-time employees since June 1. Almost all our part-time employees chose to go full-time in this move. This is great for them – they get reliable hours and full-time pay & benefits. And it’s great for the customer – they are fully trained, so they’ve already filled our ranks and moved our weekday window staffing from 60% to close to 100%.
- Our new hours took effect July 6,
 - We’ve consolidated our weekday hours and added an extra 2 hours on Saturdays
 - and in my visits to over a dozen agencies on Saturdays since then, I’ve heard nothing but positive comments from our employees.

That’s what we’ve completed so far. In the works –

- We’re currently engaged in Rapid Recruitment for another few hundred *part-time* employees to get to 100% staffing on Saturdays
 - We’ve got 500 applicants already, and we interviewed 180 last week. Our interviewers – senior staff and experienced managers – were very impressed with the quality of the applicants!

We’ve been beta testing for REAL ID for over a month now.

- During that time, IT Director Joe Csolak and his team have found and fixed 90+ bugs they uncovered.
- One example of why beta testing is important: As you know, REAL ID requires that we scan all identity documents. We discovered in the very first beta-test issuing a REAL ID that the scanners purchased by the last administration for REAL ID would not process a modern passport.

- ~~Our nimble IT folks and the Deputy Chief figured out a work-around with color copiers, but we still had to get new scanners.~~
- Thanks to **Jose Estrella-Grullon**, **Jeff Foster**, and the consultant team, they figured out how to reconfigure 40 scanners sitting in our warehouse to work for the test locations and keep us going.
- We also had to rapidly procure NEW scanners for ALL our agencies. I have to call out too-often-unsung hero **Jim Ballard**, Director of Procurement, who made it happen. Not to mention the amazing **Angela LaBelle** who's been fixing something every day to get us to this point.
- Our team has been doing the impossible every week to keep us moving, and I couldn't be prouder.
- We determined through testing that not only queuing, but APPOINTMENT SYSTEMS should be in place before full public availability
- Appointments allow us to ramp up – start slow, then speed up as we understand how long the process takes, how many questions customers have, and to accelerate as our employees get faster and faster at processing.
- We had not included appointment systems in our original plan because our plate was so full, and because we planned to do it with the Q-Matic queuing system. However, once again, our heroic IT team came up with an idea.
- They wrote the code for an entire stand-alone appointment system, set it up, and it is currently operating for REAL ID beta testers. Kudos to Deputy IT Director **Kevin McSherry**, **Pat Papp**, **Ted Gaydos**, and our Online Applications team.

Look, I admit that REAL ID testing is taking longer than I wanted.

But it's a delay I'm comfortable with because it will help the customer.

- I don't want us to come up against some of the bad experiences of other states, such as closing agencies for re-training or recalling thousands of REAL IDs already issued.

I went over much of this material with NJTV Chief Political Correspondent Michael Aron during a sit-down interview with him that was aired in two parts last week.

Here's a clip from the interview:

(ROLL VIDEO CLIP)

CUSTOMER OUTREACH

We're currently doing customer outreach for REAL ID through a partnership with Lambertville-based Oxford Communications.

~~Senior Director of Communication Analytics Tom Miskulin has done a great job taking the lead on this project, working with myself and Deputy Chief Administrator Angela LaBelle.~~

- Social media posts and online advertisements have been rolled out over the past few months and focus on educating the driving public about our online services, and about REAL ID.
- The posts point the customer to our REAL ID micro-site – REALIDNJ.com – that has the best and most current information on REAL ID.
- And we will be updating it as we go along. As part of the next update, we will include an informational video.

(Roll Video) --

And we have a :15 second version that we will use online, and ultimately on TV.

(Roll Video) --

- Meanwhile, our Skip the Trip messaging encourages customers to do their transactions online, thus reducing foot traffic at the agencies.
In the coming months, we'll be adding signage at our agencies as well as additional advertising.
All of this is to serve several ultimate objectives...
1. All eligible customers "Skip the Trip": use online services rather than come to the agency.
 2. Everyone asked at the door to MVC, "Real ID or standard license?" can choose correctly which one they want.
 3. Every customer visit is successful. No one gets sent home for not having the right documents.
- If we accomplish that, REAL ID in NJ will be as smooth and stress-free as possible.

TRANSITION FROM REAL ID TO OTHER TOPICS

Now I'd like to move us on to a number of other areas where we've been active since we last met.

SAMI'S LAW BILL SIGNING

Governor Murphy held a public bill signing of Sami's Law on June 20th.

For those of you who are unfamiliar with the story, Sami's Law legislation was drafted in response to the tragic death of a college student from Robbinsville, Samantha Josephson, who was murdered in South Carolina in March after getting into a vehicle she mistook for her Uber.

~~This bill mandates that the ride-sharing industry put more customer safeguards in place, like QR codes and identification markers.~~

I testified in support of this bill to a Joint Committee of the State Legislature, representing the Governor's Cabinet. Regrettably, I was unable to attend the bill-signing. I'd like to thank our Director of Legislative Affairs, Board Secretary Chris Hillmann, for representing the Commission at the signing.

(Roll video Governor/Hillmann remarks taken from our June 20 social media post)

CONGRESSIONAL TESTIMONY –

On July 26, I had the privilege of testifying before the House Transportation and Infrastructure Committee in Washington D.C. on a number of initiatives New Jersey has undertaken to ensure school bus safety.

Chris Hillmann and Donna Pennabere, Deputy Administrator of Safety, Inspections, and Business Operations joined me for the trip.

The national lens focused on our State as a model for steps taken to make our school buses safer. Unfortunately, these changes were also spurred by tragedy – in this case, last year's school bus crash in Mount Olive that claimed the lives of 10-year-old Miranda Vargas and fifth grade teacher Jennifer Williamson.

I reported to the Congressional committee on the 8 new statutes Governor Murphy signed into law to improve safety, including three-point seatbelts, additional medical testing for drivers over 70, and several educational measures.

Here's a clip of part of my message to Congress.

(Roll Video)

SPANISH LANGUAGE INITIATIVES

You've heard me say it before - service is at the core of everything we do here at the NJMVC. And we are always looking to improve on that service.

Since Day One, I've been working with our team and devoting resources to see that we improve our outreach to the sizeable Latinx population in our state.

We've taken a number of steps in this regard.

- We published the first Spanish-language version of our driver manual in over a decade, in print and online.
- We translated all our vehicle inspection-related pamphlets and other materials to Spanish.

- ~~Our Mobile Units include Spanish-speaking staff – as well as our multilingual Manager of Community Engagement, Tanya Gauthier, fluent in French and Creole, to engage with our many residents from Haiti.~~
- We regularly post on social media in Spanish, and all our press releases are in Spanish and English – under the direction of our bilingual Director of Media Operations, Wanda Silva.

So you can imagine how proud I was last month, when the Governor's Communications Office issued a directive, calling on all state government agencies to step up their Spanish-language outreach. Our Comms and Community Engagement teams are way ahead of the curve on this; and we've pledged to do even more to support the Murphy Administration's outreach efforts – and to help other agencies catch up to us!

We're building on our success, adding Spanish versions of:

- Mobile Unit Event Notifications
- Skip the Trip and Real ID Ad Campaigns
- New Agency Signage and
- Messaging on our in-Agency Television Monitors.

We're also increasing our Spanish-language social media presence.

Nos sentimos orgullosos de que el estado de Nueva Jersey sea uno de los estados más diverso en la nación; y queremos que nuestros hermanos y hermanas hispanohablantes se sientan siempre bienvenidos.

We are proud that New Jersey is one of the most diverse states in the Union; and we always want our Spanish-speaking brothers and sisters to feel welcome.

Here's one of the social media posts we put up at the beginning of this month –

(Roll Spanish Language Video from 8/5)

Great job there by Director of Media Operations Wanda Silva in the field. We look forward to many more such posts in the future.

NJAHPERD

Last week, I joined the New Jersey Association for Health, Physical Education, Recreation and Dance, in Monroe Township, to update the members on the latest from MVC.

I always welcome any opportunity to speak with driver educators because they are on the front lines, teaching our next generation of drivers the rules of the road.

I closed out my time with a lengthy Q & A – we always get great input from our educators, and value them as partners. That's why Deputy Administrator of Agency Operations Kim Abatto is a

~~regular member of the New Jersey Driver Education Committee, a group of stakeholders invested in training safe drivers for our future.~~

(Photos and potential video)

TAIWAN

On June 20th, I had the privilege of meeting with the director general of the Taipei Economic and Cultural Office, Ambassador Lily Li-Wen Hsu ("Shee"), at the State House, to sign a first-ever full driver license reciprocity agreement between Taiwan and New Jersey. Under the agreement, Taiwan driver license holders can obtain a New Jersey driver license without written or road testing, and vice versa.

Kate Tasch, our Director of Legal and Regulatory Affairs, put several years into hammering out the language of this historic agreement. Kate joined me at the ceremony, and we at the Commission appreciate all her hard work.

(Roll video – Soundbites from Ambassador and Chief from social media post)

On a side note, that video we just watched took on viral status, reaching more than 7,000 Facebook users.

EDISON RENOVATIONS

I've got an agency expansion to report that was completed last week in Edison.

This project – completed in two phases - is aimed at easing congestion at this very busy agency.

We took the original agency footprint of 5,400 square feet and expanded it to 9,000 square feet. We relocated our driver testing area, created additional service windows, and an improved driver license section, equipped with 11 cameras.

My thanks go out to our Facilities Director Angela Sperrazza, Planning and Engineering Manager Dean Stout, and their team for bringing this project in on time and within budget.

MOBILE UNITS

I'm happy to report that over the last two months, our previously-mentioned Mobile Units have been on the road more than at any time in the history of the program, sometimes visiting as many as four communities around the state in a single week.

Community Engagement Manager Tanya Gauthier and her dedicated staff are on track to complete 3,000 transactions and 50 stops this summer. And no matter where we park our units, they draw the same delighted reaction from our customers. Roll video.

(ROLL VIDEO; including News12 clip from last month)

~~Our Mobile Units under Tanya's direction are going strong and have become a special point of pride for the Commission.~~

INSPECTIONS

Another unit that's turned in some stellar work recently is our Inspections Services unit headed by Director Tom Bednarz. This unit ensures the safety of any vehicle that transports the public, from buses to limousines to taxis.

On July 27, our team worked 16th Avenue in Belmar, a busy downtown hub for bars, restaurants, and night life *Down the Shore*. Working with Belmar police, inspectors conducted roadside checks from 7pm to 2am, and intercepted two noncompliant transport vehicles – one of which you see here (photo).

This is just another way our MVC works to protect the safety of the public. Thanks to Manager of Inspections Joe Spinelli and his team for the great work.

TUITION REIMBURSEMENT

Finally, I'd like to highlight a new program that offers the promise for our employees to broaden their horizons.

Beginning in just a few short weeks, we will make a new tuition-reimbursement program available to about 100 eligible full-time employees. Thanks to the Commission's new partnership with Fairleigh Dickinson University, spearheaded by Director of Human Resources Dana Foraker, our employees have new opportunities to pursue higher education. Many turned out for an informational meeting here at the TOC last month.

We hope to announce other similar partnerships in the very near future.

This tuition assistance program stands apart from others. There will be a tuition discount. But where in the past, the employee has been responsible for payments up-front before being reimbursed – often out of their reach - now the university will await payment directly from the MVC.

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:

Minutes: June 18, 2019 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, including June 18, 2019. Board Member Orcutt moved the resolution, Board Member Diane Legreide seconded it and it was unanimously adopted.

1908-01: ENFORCEMENT SERVICE DIESEL VEHICLE INSPECTION 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 to the Enforcement Service regulation concerning the diesel vehicle inspection Rules. The effect of this item is to add Medium Duty Vehicle Duty Vehicles (MDDV) to the heavy duty diesel vehicles subject to MVC's roadside inspection program, so they will be inspected for visible smoke, the presence of emission control apparatus, and emission equipment tampering. Director Kate Tasch of the Office of Legal and Regulatory Affairs, presented the Final Adoption. Board Member Legreide moved the resolution, Vice Chair Transportation Designee Pigula seconded it and it was unanimously adopted.

1908-02: ZONE OF RATE FREEDOM (ZORF) 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. The effect of this rule for ZORF for 2019 is to fulfill the statutory requirement that MVC set a percentage limit or "zone" within which private bus companies are free to adjust their rates (or fares or charges) for in-state bus routes. The authority for private bus companies to make these adjustments is found at P.L. 1983, c.517. Of over 100 such companies, typically up to five exercise that freedom annually and notify MVC, which confirms any adjustment is within the ZORF. Regulatory Officer Richard DelMonaco of the Office of Legal and Regulatory Affairs, presented the Final Adoption. Board Member Orcutt moved the resolution, Board Member Legreide seconded it and it was unanimously adopted.

1908-03: LICENSING SERVICE – DRIVER LICENSE AND REGISTRATION
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. 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. Regulatory Officer JoAnne Sutkin of the Office of Legal and Regulatory Affairs, presented the Final Adoption. Vice Chair, Transportation Designee Sue Pigula moved the resolution, Hannah Good Treasurer Designee seconded it and it was unanimously adopted.

Legislative Report. A briefing was provided by Director Chris Hillmann, as follows:

~~S-824 – As passed by the legislature in June, interlock devices will be required for all drunk driving offenses. MVC has been in touch with Governor's counsel to express our thoughts regarding implementation of the legislation as passed. We await action by the Governor.~~

A-5693 – This bill would change the application process for emergency warning lights. Currently, MVC Chief Administrator has to sign off on all applications and this bill would eliminate that step in the application process, leaving the approval to other entities.

S-2538 – NJ National Guard members with NGB-22 forms will be eligible for certain veteran benefits. This bill was sent to the Governor unanimously by both houses.

A-5461 – This bill allows licensed motor vehicle dealers to offer motor vehicle subscription services to consumers. MVC is monitoring and researching this legislation and how this kind of program currently works across the nation.

Public Comments:

None

Board Secretary Comments:

None

Board Comments:

Eric Heitmann, Highway Traffic Safety -excellent presentation
Chair Fulton
Walter Orcutt, Board Member -Noticed Facebook activity and getting word out has kicked up and has been done well. Congrats

Board Member Diane Legreide -This reminds me of going through Digital licensing and how the staff stepped up to get it done. Congrats to Chair Fulton for getting everything done and ahead of schedule.

Adjournment:

Since there was no further business, a motion to adjourn was made by Board Member Diane Legreide and seconded by Eric Heitmann, Highway Traffic Safety Board Member Orcutt and unanimously adopted at 2:50 p.m.

ITEM 1910-01: MOTORCYCLE SAFETY REGULATION PROGRAM**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, assigns to MVC the duty to promulgate regulations affecting various programs, including this is a Final Adoption to the Motorcycle Safety Education Program.

PURPOSE

This is a Final Adoption. The effect of this item is to introduce a reimbursement program that would allow providers of the Motorcycle Safety Education Program to be reimbursed for certain specified expenses incurred while running training classes.

ACTION

Approval of this item will authorize the Chair to file the regulations with the Office of Administrative Law (OAL) as a Final Adoption, in substantially the form as attached in Exhibit A.

FISCAL IMPACTS

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

The Final Adoption will provide financial assistance for certain costs associated with running an MVC approved motorcycle safety education program. The fiscal impact for the entities providing the class will be positive and that, in turn, should benefit those taking advantage of the class offerings.

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, assigns to the Motor Vehicle Commission the duty to implement regulations affecting various programs, including this Final Adoption in the Motorcycle Safety Education Program;

NOW, THEREFORE, BE IT RESOLVED that the Chair is authorized to file with the Office of Administrative Law a notice of this Final Adoption regulation concerning the Motorcycle Safety Education Program, in substantially the form as attached in **Exhibit A**.

TRANSPORTATION

EXHIBIT A

MOTOR VEHICLE COMMISSION

Motorcycle Safety Education Program

Adopted Amendment: N.J.A.C. 13:85-5.1

Proposed: June 3, 2019 at 51 N.J.R. 6(1)

Adopted: , by the Motor Vehicle Commission, B. Sue Fulton, Chair and Chief Administrator

Filed: , as . ,d. , without change

Authority: N.J.S.A. 27:5F-36, 39, and 39:3-10.31; and Reorganization Plan No. 001-2005.

Effective Date:

Expiration Date: October 7, 2020

Summary of Public Comment and Agency Response:

No comments were received.

Federal Standards Statement

No comparable Federal law or regulation exists; therefore, a Federal standards analysis is not required for the adopted amendments.

Full text of the adopted amendments follows: