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STATE OF NEW JERSEY

**Philip D. Murphy**  
Governor

**Sheila Y. Oliver**  
Lt. Governor

**B. Sue Fulton**  
Chair and Chief Administrator

August 14, 2018

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

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, Tuesday, August 14, 2018.

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 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 14, 2018.

### **Present:**

B. Sue Fulton, Chair and Chief Administrator  
Susan Pigula, Vice-Chair and Transportation Commissioner Designee  
Stephen S. Scaturro, Public Board Member  
Walter Orcutt, Public Board Member (by speakerphone)  
Hannah Good, State Treasurer Designee  
Gary Poedubicky, Attorney General Designee (by speakerphone)

Governor's Authorities Unit Associate Counsel Craig Ambrose and Deputy Attorney General David Kahler participated.

Chair Sue Fulton 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.** Vice-Chair Pigula moved to accept the agenda proposed, Board Member Scaturro seconded the motion and it was unanimously adopted.

### **Chair's Report**

The Chair then presented this report of key Commission activities since the June 12, 2018 Board Meeting:

#### **New Budget**

Since the Board last met in June, Governor Murphy signed into law a new budget for the state of New Jersey for Fiscal Year '19, which began July 1<sup>st</sup>. While there were headlines about the potential for a government shutdown and budget negotiations went right up until the final hours, a shutdown, thankfully, never materialized (though the MVC was fully prepared to deal with it if it did). The Commission's allocation to run all of our operations for Fiscal Year '19 budget is \$430,816,000, pending the Board's approval today. We are a revenue-producing agency for the state of New Jersey. That means we return revenues that are over and above the cost of our operations back to the State's General Fund. So, while we are estimated to bring in just shy of \$444 million from services and other revenues, the MVC will turn \$75.3 million of that over to the State General Fund.

#### **Mobile Units**

Last year we brought Mobile Units 1 & 2 online. For many months, they were used almost exclusively to support agencies overburdened with volume from the South Plainfield closure. But with the June opening of our new South Plainfield facility, we are expanding opportunities. We're developing protocols for community groups and others to get the Units to their areas. We have plans to visit two legislative districts at the request of legislators later this month. And last month, we sent Mobile 1 – which is the larger of the two Units -- by invitation to a REVUP the Vote rally for disabled people outside the State

House. The Units are of course wheelchair-accessible and are state-of-the-art in terms of services and amenities. We actually shot a video of the Unit during that State House stop that we tweeted over our MVC account. The video was then shown to the audience. So, you can see, it's a pretty impressive program and we look forward to ramping up our community engagement with the Mobile Units going forward.

### **JustDrive.com**

Chair Fulton described another program that features community engagement and outreach: our JustDrive.com initiative. This is the initiative that grew out of laws against texting and driving adopted back in July of 2014. The MVC gets a share of fines and we put that toward educational outreach in an effort to stop this dangerous practice. Chair Fulton then introduced Deputy Director of Strategic Communications Mairin Bellack.

Ms. Bellack explained that at the last Board Meeting, Chief Fulton mentioned the MVC would be sponsoring the third annual JustDrive.com 125 NASCAR K & N Pro Series race at the New Jersey Motorsports Park in Millville. She then showed a Public Service Announcement that our public relations partners at Oxford Communications put together for us that features NASCAR drivers talking about the dangers of texting and talking while driving. Ms. Bellack then noted, as a slide show was presented, the following: The race this year was held over Father's Day weekend on Saturday, June 16, 2018; With the help of many MVC volunteers, the JustDrive safety message was delivered to over 7,000 fans who gathered at NJ Motorsports Park on race day; JustDrive signage could be seen throughout the 55-acre park; The MVC had an activation area in the VIP room and an interactive tent located by the starting/finish line; Fans were able to first-hand see the dangers of using a cellphone while driving by using virtual reality goggles, win a JustDrive promotional item on the prize wheel, take a photo with their friends or family using a JustDrive frame and/or look at a crash vehicle that showed what could happen if you drive while being distracted; Bob Grill and myself continued to remind attendees about the JustDrive program with interviews with the PA Announcer and :30 announcements throughout the day; The Press of Atlantic City covered the race and the MVC sponsorship. Ms. Bellack then showed a short clip of another video by NBCSports, which shows our own Bob Grill, Deputy Administrator of Agency Services, waving the green flag to start the race and the winning pit crew wearing JustDrive hats.

Ms. Bellack described the NFL's NY Jets scrimmage at Rutgers University on Saturday, August 4, 2018. Over 20,000 fans were in attendance to enjoy a family fan area with vendors and meet some of the players after the scrimmage. At the JustDrive table the MVC handed out co-branded promotional items with Rutgers/JustDrive and Jets/JustDrive to participants who engaged with JustDrive on social media and spun the prize wheel. The average wait time for the prize wheel was 45 minutes and there was a constant flow of positive engagements with our customers. MVC will be at the next Jets JustDrive preseason game on Sunday, August 19 at the Florham Park Training Facility.

Ms. Bellack pointed out a display table in the Board Meeting room with several promotional items that were distributed at the NASCAR event and during the Jets training camp, and invited today's attendees to look at the items and the trophy that was given to the MVC from NJ Motorsports Park for our partnership.

Ms. Bellack also noted that in addition to the activations with the Jets, Chief Fulton also cut a 30-second JustDrive.com radio spot that aired for the first time this season on ESPN during the pre-season game between the Jets and Atlanta Falcons. ESPN will continue to air the spot throughout the 2018 – 2019 season. The radio spot audio was then played.

### **Organ Donation**

Chair Fulton then resumed her Chair's Report by noting that she was a guest on Steve Aduato's State of Affairs program on Public Television, which aired over the weekend and has two more airings scheduled for tomorrow night and Friday night. It can also be found online. Chair Fulton then showed two videos with her talking with Mr. Aduato. The first video was in regard to our organ donor program and how easy it is to register while getting a driver license. The second video was in regard to MVC technology upgrades that are taking place as our millions of annual customer transactions continue.

### **Pride Month**

Also during our last meeting we told you about our celebration of Pride Month in June with our Straight for Equality program. One of the ways we celebrated was with a poster contest among our agencies. We had some inspiring and imaginative submissions. And the winner was ... drum roll please ... South Brunswick! On the screen here is a picture of Bob Grill and I with the poster. We visited the agency to bring the good news in person. You can see the poster here and we've made key chains from it, which you have in your Board Meeting packets. The winning poster will be reproduced for display in all our agencies for Pride Month next June, when we'll have another contest.

### **Special Recognition**

A note of special recognition here about one of our senior managers. Jim Walker, MVC Director of Business and Government Operations, was recently elected to the International Registration Plan (IRP) Board of Directors. The IRP is a registration reciprocity agreement that involves registration fees for interstate carriers operating in the 48 contiguous U.S. states, the District of Columbia and ten Canadian provinces. Jim will step down from his duties as vice chair of the IRP's Education Committee when his two-year term begins in January 2019.

### **Driver Education Teachers' Conference**

Last week I addressed New Jersey driver education teachers as part of the annual conference of the New Jersey Association of Health, Physical Education, Recreation and Dance. The teachers raised some issues with our written tests and we have agreed to send a revised version of the test. They were pleased to hear we are issuing a Spanish language version of the driver manual. We intend to work closely with the driver educators going forward.

### **Agency Visits**

I've been visiting agencies around the state. We have 39 agencies and 25 inspection stations. Last week, I was at the Somerville agency. I've also visited Newark and South Brunswick. My goal is to bring the Commission closer to the customer as I focus on streamlining our organization. I've met many dedicated MVC employees who are committed to their jobs assisting our customers. Someone else who made a recent visit to one of our agencies was New Jersey 101.5 radio host Judi Franco. She took an

undercover *video* from her phone of her visit to the MVC's Eatontown agency to renew and change her address on her license. Here's a few ways she described her visit and our employees in an [article on the website](#) that accompanies the *video*: After expecting a procedure she likened to getting a "root canal," she instead found that the process was – quote – "simple and painless" and said any lines "weren't bad at all." She called our employees "nice and helpful" and the employee who assisted her directly "a lovely gentleman," who was, quote, "pleasant, well-informed and helpful." Judi's article came out last week, two days after a letter was received in our Somerville agency from an 83-year-old customer who uses a walker. She wrote to thank the staff for treating her with the "utmost respect and courtesy." It just so happens I was at that very agency on the day the letter was posted, and I can tell you our agency employees are in fact terrific.

### Staff Additions

And now adding to that great team, I would like to take a moment to recognize several outstanding individuals who've come aboard since our last meeting: Noreen Kemether, our new Director of Regulatory and Legal Affairs, most recently served as Section Chief/Deputy Attorney General for the Division of Law in the Department of Law and Public Safety. Jennifer Long, a highly decorated U.S. Army veteran who once served as a combat advisor in Afghanistan and retired with the rank of Sergeant Major, is our new Director of Agency Services – North, within the Division of Agency Services. Laurie Lyles-Thompson, who began her career with the MVC in 2004, and most recently was a Training Technician in our Office of Employee Development, is our new Director of the Division of Customer Information and Advocacy. Carlos Merino, a former Deputy Chief of Staff with former Assemblyman Tim Eustace who also has an extensive background in multi-media platforms, comes aboard as a strategic communications associate within our Office of Strategic Communications. Wanda Silva, most recently Press Secretary for the Bronx Borough President and also a former Emmy Award winning newscaster, has joined us as a Deputy Director in our Office of Strategic Communications. Peggy Ezumah, who has experience in both state government and the private sector, and most recently served as an administrative assistant in the Governor's transition office, has joined the MVC as executive assistant to Deputy Administrator Bob Grill. And, finally, Tanya Gauthier, a fellow alum of the U.S. Military Academy at West Point who is studying for a Masters Degree in Public Administration at Kean University, has been interning with us this summer with a concentration on special projects, including the effective deployment of our Mobile Units and the establishment of a parking awareness program for our disabled veterans and Purple Heart recipients. I know you will extend to all of our newest team members your best wishes and support as they tackle these challenging new roles. Welcome all!

The following Agenda Items were presented for approval:

**Minutes: June 12, 2018.** 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 Regular Board Meeting of June 12, 2018.

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

**1808-01: Fiscal Year 2019 Commission Budget.** This action is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act that provides at section 13b3 that the Board shall review and approve the annual budget as submitted by the Chair and Chief Administrator. Director William Kelly of the MVC Division of Financial Management, presented the FY19 Budget in the amount of \$430,816,000.

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

**1808-02: Executive and Administrative Service 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 Readoption with Amendments of the Executive and Administrative Service regulations. Kate Tasch presented the Final Readoption with Amendments.

Vice-Chair Pigula moved the resolution, Director Poedubicky seconded it and it was unanimously adopted.

**Legislative Report.** A briefing was provided by Board Secretary Jack Donnelly on behalf of the Intergovernmental Relations Office, including a summary of legislative activity since the June 2018 Motor Vehicle Commission (MVC) Board meeting, including Governor Murphy's approval of Senate Bill No. 332 (Cruz-Perez/Talliaferro, Gusciora, Jones) to authorize impoundment of all-terrain vehicles and dirt bikes for certain crimes and offenses, as P.L. 2018, c. 65. Chair Fulton thanked Jack for the presentation.

**Public Comments:**

No member of the public offered comments.

**Board Comments:**

Chair Fulton asked each Board member, individually, if they would like to make any public comments. Vice-Chair Pigula thanked the Chair for the lively presentations during the Chair's Report, which provide great insight into the very varied responsibilities and activities of the Commission.

Chair Fulton 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 Scaturro and seconded by Vice-Chair Pigula and unanimously adopted at 2:45 p.m.

NEW JERSEY MOTOR VEHICLE COMMISSION  
REGULAR MEETING OF THE BOARD MEMBERS  
Commission Headquarters, 8<sup>th</sup> Floor East Wing  
225 East State Street, Trenton, New Jersey

2:00 p.m., Tuesday, August 14, 2018

FINAL AGENDA

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**Approval: Minutes of June 12, 2018****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 June 12, 2018 Minutes were delivered on June 12, 2018 to the Governor, and became effective upon expiration of the ten day period on June 26, 2018.

**ACTION**

Approval of this item by the Board Members indicates acceptance of the June 12, 2018 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 June 12, 2018 were delivered without delay to the Governor on June 12, 2018; 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 June 12, 2018 Board Meeting are effective as of June 26, 2018; and

**NOW, THEREFORE, BE IT RESOLVED** that the Minutes of actions taken at the June 12, 2018 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 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, June 12, 2018.

### **Present:**

B. Sue Fulton, Chair and Chief Administrator  
Susan Pigula, Vice-Chair and Transportation Commissioner Designee  
Stephen S. Scaturro, Public Board Member  
Walter Orcutt, Public Board Member (by speakerphone)  
Hannah Good, State Treasurer Designee  
Gary Poedubicky, Attorney General Designee

Deputy Attorney General Jennifer Jaremback and Governor's Authorities Unit Associate Counsel Craig Ambrose participated.

Chair Sue Fulton 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.** Vice-Chair Pigula moved to accept the agenda proposed, Board Member Scaturro seconded the motion and it was unanimously adopted.

### **Chairman's Report**

The Chair then presented this report of key Commission activities since the April 10, 2018 Board Meeting:

#### **South Plainfield Agency**

On June 4, we marked the opening of our new South Plainfield agency with a ceremonial ribbon cutting event. I was very proud to join with local officials and legislators from the surrounding area - as well as our MVC staff - to publicly recognize our return to South Plainfield. The internal layout of the site was designed around our new business process to better serve New Jersey motorists. The new, modernized facility features many enhancements, including additional customer service windows, improved technology with updated phone, data, and security wiring, additional parking, and easy access from major highways. Opening this new agency six months ahead of schedule speaks to the hard work and dedication of our staff, and our commitment to providing excellent customer service for the citizens of New Jersey.

**Straight for Equality**

Moving forward - yesterday we celebrated PRIDE month at the MVC for the very first time with our "Straight for Equality at the MVC" event right here in this room. Our celebration featured two guest speakers, Aaron Potenza and La'Nae Grant, and attendees had the opportunity to hear a bit about their personal stories and to learn how the principles of equality tie in with the MVC's core values of professionalism, integrity, respect, and accountability. If you were unable to attend the event, you can view a video of the proceedings on the MVC's intranet page.

**JustDrive.com 125**

As I mentioned at the last Board Meeting, the MVC will be sponsoring the third annual JustDrive.com 125 NASCAR race at the New Jersey Motorsports Park in Millville, New Jersey this coming Saturday, June 16. Our JustDrive.com campaign, which highlights the consequences of talking and texting on a hand-held device while driving, is sponsoring this large-scale event which is expected to reach 30,000 race fans. I would like to thank all the MVC employees who have volunteered to help spread the life-saving message of "Just Drive" this coming weekend.

**Staff Additions**

I would like to recognize several individuals who have joined the MVC team since our last meeting. Cathleen Lewis is our new Deputy Chief Administrator, Latricia Littles-Floyd is our new Director of Security and Investigations, Dana Foraker is our new Director of Human Resources, El-Rhonda Williams Alston is our new Director of Compliance and Safety, Jim Hooker is our new Director of Strategic Communications, Joe Csolak - who was already a part of the MVC team - is now our new Director of Information Technology, and I would also like to recognize Angela LaBelle, our former Deputy Administrator of Finance and Administration, who I have appointed as my new Chief of Staff. I know you will extend to them your best wishes and support as they take on these new roles.

**Resignation**

Moving on, I would like to take a moment to recognize the service of one of our Board members, Laurette K. Assante. Laurette was appointed by Governor Corzine in 2006, and she has been an instrumental part of the Board up until May 18<sup>th</sup> when she resigned to focus on increasingly demanding business opportunities. Although she is unable to attend today's meeting, we will ensure that she receives a ceremonial resolution, which we will be passing in her honor, in a few short moments. We certainly appreciate her commitment over the past 12 years and wish her the very best in all her future endeavors.

**Employee Recognition**

Before we move on to the rest of our agenda, I would like to mention that the first item on today's agenda is the recognition of the valor of two MVC employees: Edwin Lazaro-Valle and Lionel Borden. Their actions were truly heroic and bring credit to the entire Commission. I wanted to ensure that they were honored by the MVC Board. In a few moments, we will be recognizing each of them individually.

The following Agenda Items were presented for approval:

**PRESENTATION: Recognition of MVC Technicians Edwin Lazaro-Valle and Lionel Borden.** This action is to meet the statutory requirement of 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 2 that MVC inform our customers of the work of MVC, which includes distinguished and invaluable service provided by MVC staff, including heroism demonstrated by two MVC Technicians, Edwin Lazaro-Valle and Lionel Borden.

Chair Fulton described their valor:

"Through their remarkable efforts, they saved another human being.

"As reported by several print and broadcast media outlets, a vehicle accidentally crashed into the first-floor retail-store level of the MVC Headquarters on April 10, 2018.

"Immediately rushing to the scene were Edwin and Lionel, who work in our Management Operations Services office.

"When Edwin and Lionel heard the driver's cry for help, they demonstrated exemplary valor and undertook selfless actions. First, they ran through the damaged store front window. Then, they approached the fiery vehicle, and opened the driver's door. Upon seeing the driver, and observing that she was alone in the vehicle, they entered the vehicle.

"Ignoring significant potential for personal harm to themselves, and perhaps saving the woman's life, Edwin and Lionel worked together to quickly remove the driver from the burning vehicle, which was lodged in a tight space. Upon doing so, they carefully placed her on the sidewalk against the building, away from the crash site and its related hazards (such as fire, fumes, broken glass, vehicle and building debris, etc.). They stayed with her until the arrival of EMS personnel.

"Edwin and Lionel were good Samaritans who rescued an injured woman, and are so very worthy of recognition by MVC for their valor and selfless actions."

Chair Fulton then presented Edwin and Lionel with "THANKS" mounted license plates and an MVC "Challenge Coin" that recognizes those individuals who have risen to the challenge.

The Chair and Edwin and Lionel were then photographed with the MVC Board Members and Deputy Administrator Bob Grill, who also offered their acknowledgements to Edwin and Lionel for their valor and for their daily efforts at MVC on behalf of the residents of the State.

**Minutes: April 10, 2018.** 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 April 10, 2018.

Director Poedubicky moved the resolution, Vice-Chair Pigula seconded it and it was unanimously adopted.

**1806-01: Enforcement Service 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 amendments to the Enforcement Service regulation. Richard DelMonaco of Regulatory Affairs presented the regulation.

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

**1806-02: Zone of Rate Freedom 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 amendments to the ZORF regulation. Board Secretary Jack Donnelly presented the regulation.

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

**1806-03: In Honor of Laurette K. Asante.** This action is to honor the tenure of MVC Board Member Asante, who recently resigned from the Board due to the demands of her professional commitments, having served with notable distinction from September 2006 to May 2018.

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

**Legislative Report.** A briefing was provided by Board Secretary Jack Donnelly on behalf of the Intergovernmental Relations Office, including a summary of legislative activity since the April 2018 Motor Vehicle Commission (MVC) Board meeting, particularly the Senate confirmation and Governor's swearing-in of Chair and Chief Administrator Sue Fulton.

Chair Fulton thanked Jack for the presentation.

**Public Comments:**

No member of the public offered comments.

Chair Fulton 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 Scaturro and seconded by Vice-Chair Pigula and unanimously adopted at 2:25 p.m.

**ITEM 1808-01 FISCAL YEAR 2019 ANNUAL BUDGET**

**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 13b3 that the Board shall review and approve the annual budget as submitted by the Chair and Chief Administrator.

**PURPOSE**

The effect of this item is to fulfill the statutory requirement that the Board review and approve an annual budget and ensure that projected revenues and service charges are sufficient to adequately fund MVC both in the short and long-term. Governor Philip D. Murphy has signed into law the Fiscal Year 2019 Annual Budget for the State of New Jersey, and the appropriation for the MVC, as reflected in the submitted annual budget, is contained in it.

**ACTION**

Approval of this item will set the MVC's Fiscal Year 2019 Annual Budget at \$430,816,000 for implementation by the Chair and Chief Administrator consistent with the Motor Vehicle Security and Customer Service Act, P.L. 2003, c. 13, as amended by P.L. 2007, c. 335 and by P. L. 2009, c. 298.

**FISCAL IMPACTS**

The budget is consistent with the Motor Vehicle Security and Customer Service Act.

**RESOLUTION**

**WHEREAS**, 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, directs at section 13b3 that the Motor Vehicle Commission Board shall review and approve the annual budget as submitted by the Chair and Chief Administrator; and

**WHEREAS**, Governor Philip D. Murphy has signed into law the Fiscal Year 2019 Annual Budget for the State of New Jersey, including the appropriation for the Motor Vehicle Commission that is contained therein; and

**WHEREAS**, the Fiscal Year 2019 Annual Budget for the Motor Vehicle Commission incorporates the final Fiscal Year 2018 individual line items, and the Fiscal Year 2019 Annual Budget individual line items may be adjusted as deemed necessary by the Chair and Chief Administrator in furtherance of the purposes of the Motor Vehicle Commission and in a manner consistent with the Fiscal Year 2019 Annual Budget for the State of New Jersey;

**NOW, THEREFORE, BE IT RESOLVED** that the Chair and Chief Administrator is authorized to expend, in the normal course of business, the funds necessary to meet the Motor Vehicle Commission's obligations, essentially in accordance with this Fiscal Year 2019 Annual Budget until the adoption and approval of the Fiscal Year 2020 Annual Budget; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that there is adopted the final Fiscal Year 2018 individual line items and the Fiscal Year 2019 Annual Budget for the Motor Vehicle Commission in the amount of \$430,816,000 as in the attached **Exhibit A**.

**NEW JERSEY MOTOR VEHICLE COMMISSION**  
**FY 2019 OPERATING BUDGET**  
(Dollars in 000's)

	<b>FY 2018 Budget</b>	<b>FY 2019 Budget</b>
<b>RESOURCES</b>		
MVC Proportional Base	\$ 207,097	\$ 211,239
MVC Dedicated Service Charges	\$ 108,959	\$ 110,048
Digital Driver License (\$6)	\$ 14,606	\$ 14,752
Security Surcharge (\$7)	\$ 43,146	\$ 43,577
Commercial Vehicle Enforcement Fund	\$ 14,320	\$ 14,463
Dedicated MVC Program Revenues	\$ 28,333	\$ 27,427
OMB Approved Net Transfers	\$ 11,346	\$ 7,596
Market Transition Facility	\$ 1,500	\$ -
<sup>1</sup> Re-appropriation	\$ 52,385	\$ 14,831
<b>Total MVC Operating Resources</b>	<b>\$ 481,692</b>	<b>\$ 443,933</b>
<b>EXPENDITURES</b>		
Salaries	\$ 111,273	\$ 113,036
Fringe Benefits	\$ 56,360	\$ 60,305
Overtime	\$ 5,318	\$ 5,318
Total Salaries	\$ 172,951	\$ 178,659
Materials and Supplies	\$ 16,141	\$ 17,151
Services Other Than Personal	\$ 64,005	\$ 64,285
Inspection Contract	\$ 34,782	\$ 38,182
Maintenance and Fixed Charges	\$ 6,301	\$ 6,581
Claims and Indirect	\$ 885	\$ 507
Additions, Improvements, Equipment	\$ 6,157	\$ 9,429
Commercial Vehicle Enforcement	\$ 5,601	\$ 5,512
Dedicated Expenditures	\$ 34,309	\$ 35,189
State Budget Contributions	\$ 125,729	\$ 75,321
<b>Subtotal MVC Expenditure Budget</b>	<b>\$ 466,861</b>	<b>\$ 430,816</b>
<b>Total MVC Operating Expenditures</b>	<b>\$ 466,861</b>	<b>\$ 430,816</b>
<b>Projected Balance Surplus/(Deficit)</b>	<b>\$ 14,831</b>	<b>\$ 13,117</b>

<sup>1</sup>Re-appropriation may be modified for revenue and/or expenditure adjustments. Expenditure reductions may be due to delays with projects.

**ITEM 1808-02: EXECUTIVE AND ADMINISTRATIVE SERVICE 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 Final Adoption of the Executive and Administrative Service regulations.

**PURPOSE**

This is a Final Readoption, with non-substantial changes not requiring additional notice and public comment. The effect of this item is to approve the readoption, with amendments to the original proposal, of the Executive and Administrative Service regulations.

**ACTION**

Approval of this item will authorize the Chair to file the regulations with the Office of Administrative Law (OAL) as a Final Readoption, with non-substantial changes not requiring additional notice and public comment, 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 Final Readoption, with non-substantial changes not requiring additional notice and public comment, of the Executive and Administrative Service regulations;

**NOW, THEREFORE, BE IT RESOLVED** that the Chair is authorized to file with the Office of Administrative Law a notice of the Final Readoption, with non-substantial changes not requiring additional notice and public comment, of the Executive and Administrative Service regulations, in substantially the form as attached in **Exhibit A**.

**MOTOR VEHICLE COMMISSION****EXHIBIT A****Executive and Administrative Service****Readoption with Amendments: N.J.A.C. 13:18**

Authorized By: Motor Vehicle Commission Board, B. Sue Fulton, Chair and Chief Administrator, in consultation with Marlene Caride, Commissioner, Department of Banking and Insurance, as to N.J.A.C. 13:18-6.

Authority: N.J.S.A. 39:2-3, 39:2-3.3 et seq., 39:2A-28; 39:2A-33(c); 39:2A-36.1, 39:3-4e, 39:3-6.12b, 39:3-20, 39:3-43, 39:3-84, 39:5-30, 39:6-25, 39:6-50, 39:6-86.1, 39:6-86.4, 47:1A-1, et seq., 17:33B-41, 52:14B-1 et seq., 52:14B-3(1) and 54:39A-24.

Proposed: October 2, 2017, at 49 N.J.R. 3338(a).

Adopted: August 14, 2018

Filed: as R. d. , **with changes** not requiring additional public notice and comment.

Effective Date:

Expiration Date: N.J.A.C. 13:18 expires on September 5, 2018

**Summary of Public Comment and Agency Response:**

No comments were received.

**Summary of Agency Initiated Changes**

Subchapter 11 was updated to reflect the Commission's current organizational structure.

**Federal Standards Statement**

These amendments are in conformance with Federal regulations. The amendments adopt and/or incorporate the relevant Federal regulations at 23 U.S.C. 127 and 49 U.S.C. 31111. The proposed amendments do not cause the rules to exceed, or amend any rule that does exceed Federal standards or requirements.

**Full text** of the adopted amendments follows (additions to proposal indicated in boldface with asterisks \*thus\*; deletions from proposal indicated in brackets \*[thus]\*):

## SUBCHAPTER 11. ORGANIZATION OF THE MOTOR VEHICLE COMMISSION

## 13:18-11.1 Motor Vehicle Commission organizational structure

(a) The Motor Vehicle Commission consists of the **\*[Chairman] Chair\*** and Chief Administrator and such offices and other organizational units as allowed by law and as necessary to carry out the Commission's statutory mandates. **\*The executive unit is structured as deemed necessary by the Chair and Chief Administrator for the efficient functioning of the Commission.\***

(b) The Motor Vehicle Commission has a Deputy Chief Administrator **\*and a Chief of Staff\***.

(c) **\*[(The Motor Vehicle Commission has four Deputy Administrators, as follows:**

1. Deputy Administrator of Finance and Administration;
2. Deputy Administrator of Agency Services;
3. Deputy Administrator of Legal and Legislative Affairs; and
4. Deputy Administrator of Business and Compliance.

(d) **\*] The Motor Vehicle Commission has \*[15 directors,] Deputy Administrators overseeing organizational units\***, as follows:

1. **\*[Director of Performance Management;]\***
- \*[2. Director of]\* Financial Management;**
- \*[3] 2. [Director of]\* Human Resources;**
- \*[4.] 3. [Director of]\* Compliance and Safety;**
- \*[5.] 4. [Director of]\* Security, Investigations and Internal Audit;**
- \*[6.] 5. [Director of]\* Regulatory and **\*[Legislative] Legal\*** Affairs;**
- \*[7.] 8. [Director of]\* Communications;**
- \*[8.] 9. [Director of]\* Facilities and Support Services;**
- \*[9.] 10. [Director of]\* Business and Government Operations;**
- \*[10.] 11. [Director of]\* Agency Services;**
- \*[11. Director of Agency Support Services;]\***
12. **\*[Director of]\* Information Technology;**
13. **\*[Director of]\* Inspection Services;**
14. **\*[Director of]\* Procurement; and**
15. **\*[Director of]\* Customer Information and Advocacy.**



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

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STATE OF NEW JERSEY

To: Sue Fulton, Chair and Chief Administrator

**Philip D. Murphy**  
Governor

CC: MVC Board Members

**Sheila Y. Oliver**  
Lt. Governor

From: Jack Donnelly, Board Secretary and  
Temporary Legislative Liaison

**B. Sue Fulton**  
Chair and Chief Administrator

Date: August 14, 2018

Re: Legislative Report

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This Legislative Report provides a summary of legislative activity being tracked by the Motor Vehicle Commission (MVC) since the June 12, 2018 MVC Board meeting.

**Bills Signed into Law**

**S- 332** (Cruz-Perez/Taliaferro, Gusciora, Jones) – Authorizes impoundment of all-terrain vehicles and dirt bikes for certain crimes and offenses. Approved P.L.2018, c.65 on July 20, 2018.

**A-1718/S-478** (Vainieri Huttel/Gusciora/Zwicker/Chiaravalloti/Vitale/Weinberg) Revises procedure for issuance of amended birth certificate for person who has undergone change in gender; bill is entitled "Babs-Siperstein Law." Approved P.L.2018, c.58 on July 3, 2018.

**A-1726** (Vainieri Huttel/Eustace/Pinkin/Jasey) / **S-493** (Vitale/Gill) Defines information to be included on death certificates, including gender identification. 7/3/2018 Approved P.L.2018, c.59.

**A-1727** (Vainieri Huttel/Pinkin/Jasey) / **S-705** (Ruiz/Vitale) Establishes Transgender Equality Task Force. Approved P.L.2018, c.60 on July 3, 2018.

**Bills on the Governor's Desk**

**A-3683** (Murphy/McKnight/Jones) / **S-2416** (Madden/Vitale): To create a parking placard program for caregivers. The MVC has provided the Governor's Office with the Commission's concerns and proposed amendments. The bill is currently on the Governor's desk.

**A-2401** (Wimberly) / **S-2618** (Cunningham) Authorizes issuance of Delta Sigma Theta license plates. The Commission has no objections based upon amendments that were accepted.

**Passed one House**

**S-1484** (Singleton) "Antwan's Law"; reduces speed limit on Route 130 near Burlington City High School and Wilbur Watts Intermediate School. This does not directly affect MVC core operations. Passed in Senate, and second reading in Assembly.

**S-1697** (Sarlo/Oroho) Exempts fuel used for operation of certain school buses from petroleum products gross receipts tax and motor fuel tax; clarifies tax treatment of certain dyed fuel thereunder; clarifies determination of taxable estates of certain decedents. This does not directly affect MVC core operations. Passed in Senate.

**A-1223** (McKeon/Benson/Kennedy/Johnson) / **S-1793** (Smith/Greenstein) Concerns low emission and zero emission vehicles; establishes Clean Vehicle Task Force. This does not directly affect MVC core operations. Passed in Senate, and 2<sup>nd</sup> reading in Assembly.

**SR-57** (Cryan) Respectfully urges Motor Vehicle Commission to reopen office in Elizabeth, New Jersey. Passed in Senate. No action on a companion resolution in the Assembly.

**A-579/S-2478** (Moriarty/Jimenez/Pintor Marin/Wimberly/Beach) Requires dealership to notify buyers of recalls on used motor vehicles for sale. Passed in Assembly.

**A-1277** (Tucker, Holley, Lopez) Requires hospitals and homeless shelters to provide information on services and resources to individuals who are homeless or military veterans. Passed in Assembly.

**A-3683** (Murphy/McKnight/Jones) Authorizes parking privileges for certain healthcare workers who render care at patients' home residences. MVC has suggested non-legislative alternatives and sought amendments to address staffing and enforcement issues. Passed in Assembly.

**A-1026** (Johnson/Wimberly/McKnight/Tucker) Prohibits disqualification of certain minority-owned and women-owned businesses for certification. This does not directly affect MVC core operations. Passed in Assembly.

**A-3409** (Armato/Murphy/Lopez) Permits municipality to establish restricted parking spaces for certain volunteer firefighters. Passed in Assembly.

**A-1521** (Zwicker/Holley/Barclay/McKnight/Mukherji) / **S-1218** (Beach/Cruz-Perez) "New Voter Empowerment Act"; permits 17 year olds to vote in primary election if they turn 18 years old before next succeeding general election. Passed in Assembly.

**A-4224** (Benson/Tully/Swain) Directs Commissioner of Education to study safety of school bus passengers in certain emergency situations. Passed in Assembly.

**S-2167** (Pennacchio/Pou) Dedicates \$500,000 annually in revenues from vessel registration and renewal fees to NJ Greenwood Lake Fund. This does not directly affect MVC core operations, but Treasury has expressed concerns. Passed in Senate.

**S-1305** (Pennacchio) - Permits certain applicants to submit personal statement of veteran status, in lieu of determination of veteran status, prior to issuance of civil service eligible list; requires submission of determination of status prior to employment. Passed in Senate.

**Recent Action on Bills of Note**

**S-2848 (Diegnan)** - Requires holders of school bus driver license endorsements age 70 or older to submit a federal Medical Examiner's Certificate annually (instead of every two years) and school bus license holders age 75 or older to submit the Medical Examiner's Certificate every six months. MVC successfully sought amendment to allow the federal "Medical Examiner's Certificate" to be submitted in place of more cumbersome forms, and also received the sponsor's agreement to delete "cognitive" testing. MVC will be tracking A-4346, which is expected to be identical to S-2848. Released from Senate Transportation and referred to Senate Budget.

**NOTE:** - There is an Assembly Democratic bill package on school buses, as follows:

- A-4345 Codifies the State Board of Education regulation on the safety education program;
- A-4344 Requires written verification when any school bus driver's privileges are revoked;
- A-4343 Requires BOE and school bus contractors employ school bus safety personnel;
- A-4342 Requires BOE develop policy requiring students carry ID for off campus activities;
- A-4341 Requires school bus drivers to renew S endorsement upon each CDL renewal;
- A-4339 Aligns state school bus regulations with federal code;
- A-4346 Requires school bus drivers to submit medical examiner certificate.

**S-1688** (Van Drew / O'Scanlon) - Requires driver's manual to include driver's and law enforcement officer's responsibilities during police stop and under "move over" law; requires testing on responsibilities during police stop; authorizes testing on duties under "move over" law. This does not directly affect MVC core operations. 2nd reading in Senate.

**S-2579** (Sweeney) - Concerns use of digital parking meters to monitor parking compliance; establishes fund to encourage designated drivers. 2nd reading in Senate.

**S-2538** (Singleton) - Amends definition of veteran to include one who has been honorably discharged from the National Guard, and authorizes such person to be recognized on their driver license as a veteran via MVC's existing driver license veteran designation. 2nd reading in Senate.

**S-649** (Beach) - Provides primary and school election sample ballots may be sent to registered voter by electronic mail if so requested. 2nd reading in Senate.

**S-756** (Diegnan) - Updates notice of elections requirements to include information for voter to obtain polling place locations. 2nd reading in Senate.

**S-1758** (Weinberg) - Codifies donated leave program for State employees in career, senior executive, and unclassified service. 2nd reading in Senate.