

## **NEW JERSEY MOTOR VEHICLE COMMISSION**

Minutes by Board Secretary John G. Donnelly of actions taken at the Open Session of the Regular Meeting of the New Jersey Motor Vehicle Commission (MVC) Board held at Floor 8E, Motor Vehicle Commission Headquarters, 225 East State Street, Trenton, New Jersey on Tuesday, August 11, 2015.

### **Present:**

Raymond P. Martinez, Chairman  
Steve Scaturro, Vice-Chairman  
Scott Kisch, Public Board Member  
Walter Orcutt, Public Board Member  
Miriam Weeks, Transportation Commissioner Designee  
Gary Poedubicky, Attorney General Designee  
James Fruscione, State Treasurer Designee

Board Member Asante had previously advised she would not be able to attend.

Governor's Authorities Unit Assistant Counsel Lisa LeBoeuf and Deputy Attorney General Philip Espinosa participated.

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

**Agenda Approval.** Vice-Chairman Scaturro moved to accept the proposed agenda, Director Weeks seconded the motion and it was unanimously adopted.

### **Chairman's Report**

The Chairman then presented this report of key Commission activities since the June 11, 2015 Board Meeting:

Good afternoon, everyone. I know I probably speak for all of us in the room when I say that this summer season seems to be flying by at record speed. Pretty soon I'll be addressing some of our back-to-school initiatives – probably to the relief of many of the parents in this room – but for now, let's focus on August before it gets away from us.

### **JUST DRIVE / AT&T'S "IT CAN WAIT"**

For much of the summer, through our Just Drive initiative, I've been spreading the word regarding the dangers of texting and talking on a mobile device while behind the wheel, and reminding motorists that no phone call or text message is ever worth losing a life. Last month, we partnered with AT&T's highly publicized and innovative "It Can Wait" national campaign to engage the public at our South Brunswick and West Deptford agencies. We had the opportunity to demonstrate a distracted driving simulator to truly show motorists how easily a crash can happen – and how easily one can be prevented, simply by putting the phone down. I also shared this important message recently with

visitors at Monmouth Park Racetrack in Oceanport, and will be doing so with visitors at Point Pleasant Beach on August 14. I would also like to thank Deputy Chief Administrator Jeanne Ashmore for stepping in for me and handling our Just Drive events at the Trenton Thunder and Somerset Patriots baseball games last week. I understand she did a wonderful job and has quite a pitching arm! We will continue our efforts to spread the word regarding the dangers of texting and talking while driving and have many exciting events planned for the fall.

### **NIKHIL'S LAW**

Keeping our citizens and roadways safe is a priority that affects everyone, and sadly, some more personally than others. Deputy Chief Administrator Jeanne Ashmore joined Lt. Governor Guadagno last week at our Randolph Agency for the signing of "Nikhil's Law." Eleven year-old Nikhil Badlani ("Bahd-LAH-nee") lost his life when a driver failed to stop at a stop sign. The Motor Vehicle Commission will be adding a question to the written portion of the driver's license exam asking potential drivers if they understand the dangers of disobeying traffic laws, and will also be letting them know that they can take the "STOP for Nikhil" safety pledge to show their commitment to safety.

### **AAMVA INTERNATIONAL CONFERENCE**

At the end of the month, I will be heading to Des Moines for AAMVA's 2015 Annual International Conference. This is always an opportunity to showcase New Jersey's success stories, thanks to the hard work of our workforce, as well as our board members. It's also a time of learning and will assist our organization in making the best choices for our future motor vehicle planning and budgetary efforts as they relate to our continued attempts to lower operational costs while maintaining efficient and convenient services. I look forward to coming back to you with new ideas about how the MVC can enhance customer service, safety, and security for the citizens of the State of New Jersey.

### **PERSONNEL UPDATE**

I would like to take this opportunity to introduce you to our new Director of Financial Management, William Kelly. Bill comes to us from the New Jersey Office of Homeland Security and Preparedness where he served as the Chief Financial Officer. Bill's extensive experience and knowledge in finance truly make him the ideal choice for this important position. He will be tasked with ensuring the efficient utilization of our financial resources, developing strategies and plans for the MVC's short and long-term financial and operational goals, and helping to ensure that the MVC remains a fiscally sustainable organization into the future. At this time I would ask Bill to please stand so we can acknowledge him.

The following Agenda Items were presented for approval:

**Minutes: June 11, 2015.** This item is to fulfill the requirements of The Motor Vehicle Security and Customer Service Act and of the Bylaws to approve the Minutes of each MVC Board Meeting, by approving the Minutes of the MVC Board Meeting of June 11, 2015.

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

**1508-01: Waiver Regulation.** This action is to meet the statutory requirement of The Motor Vehicle Security and Customer Service Act that at sections 4 and 40 assigns to MVC the duty to promulgate regulations affecting various programs. Jeff Pistol of the Regulatory and Legislative Affairs Office presented the proposed amendment.

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

**1508-02: Commission Budget.** This item is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act that at section 13b3 that the Board shall review and approve the annual budget as submitted by the Chief Administrator. Financial Management's Steve Beke presented the budget.

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

**1508-03: Licensing Service Regulation.** This action is to meet the statutory requirement of The Motor Vehicle Security and Customer Service Act that at sections 4 and 40 assigns to MVC the duty to promulgate regulations affecting various programs. Jeff Pistol of the Regulatory and Legislative Affairs Office presented the proposed amendment.

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

**Legislative Report.** A briefing was provided by Legislative Liaison Paul Rozenberg, including:

**Signed by the Governor:**

**A-1781** (McKeon D27/Mainor D31/Jasey D27/Wimberly D35/Sumter D35/Codey D27) requires MVC to inform and test drivers on dangers of failing to comply with traffic safety laws and "STOP for Nikhil Safety Pledge." This bill as signed into law requires the Commission to: 1. expand the driver's license examination to include a question asking whether the applicant is aware of the dangers of failing to follow this State's motor vehicle

traffic laws and whether they are aware that they have the option to take the “STOP for Nikhil Safety Pledge;” 2. consult with the Nikhil Badlani Foundation to include in the driver’s manual information explaining the dangers of failing to follow this State’s motor vehicle traffic laws (this information must provide interested drivers with instructions on how to take the “STOP for Nikhil Safety Pledge”) and; 3. ensure that drivers have the option of taking the pledge by filling out a standard form made available at motor vehicle offices or by following instructions publicized by the Commission directing interested drivers to the appropriate website to complete the pledge. This act was signed as P.L.2015, c.78 on August 4, 2015 and takes effect March 1, 2016. The impact to MVC is primarily to IT, Agency Services and Communications; it consists of adding a question on every driver’s exam as to whether the applicant is aware of the “Stop for Nikhil” pledge, include this information in the Driver’s Manual, and publicize the law.

**Bills Sent to Governor’s Desk:**

**S-2508** (Oroho R24/Whelan D2) authorizes certain county veteran identification cards to serve as proof of status for veteran designation on driver’s license or identification card. This bill authorizes a county veteran identification card to serve as satisfactory proof of veteran status for issuance of a veteran designation on a driver’s license or identification card issued by MVC, but only if issuance of the county veteran identification card requires a copy of DD-214 discharge papers or approved separation forms as outlined by all branches of the military and recorded by the county clerk’s office. The Commission has expressed its concerns to the Governor’s Counsel’s Office regarding this bill. The MVC should not be responsible to confirm that each County Clerks’ Office follows the same DD-214 procedures. *It passed the full Senate (37-0) on 6/26/14, and passed the full Assembly (73-0-0) on 6/11/15 and was sent to the Governor’s Desk.*

**A-4613** (Prieto D32/Greenwald D6/Moriarty D4/Coughlin D19/Sumter D35/Mosquera D4/Schaer D36/DeAngelo D14/Gill D34/Rice D28/Sweeney D3/Weinberg D37) establishes "The Democracy Act" to modify various voter registration and voting procedures. This bill establishes “The Democracy Act” to revise various voter registration and voting procedures. Specifically, the bill establishes early voting, online voter registration, automatic voter registration, and allows for the pre-registration of 17-year-olds. The Commission has expressed concerns to Counsel’s Office regarding the automatic voter registration provisions of A-4613. In Section 31 of the bill, we would be required to send over to State electronic records of all driver license/ID card applicants who are eligible to vote. In addition, MVC will not be allowed to submit information of people who are deemed to be ineligible to vote. This puts the onus of determining a person’s qualifications to vote on the Commission. *It passed the full Assembly (45-31-3) on 6/25/15, and passed the full Senate(24-16) on 6/29/15 and was sent to the Governor’s Desk.*

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

**A-387** (Tucker D28/Giblin D34/Wilson D5/Webber R26) makes consent to register with Selective Service part of driver’s license application process for males under age 26. This

bill requires every male United States citizen or immigrant under age 26 who applies for a special learner's permit, an examination permit, a provisional driver's license, a basic driver's license, or a nondriver identification card, or for renewal of a license or identification card, to consent to his registration for the draft in compliance with the requirements of the Military Selective Service Act. Submission of an application to the MVC would serve as an indication that the applicant has already registered with the Selective Service or that he is authorizing the Chief Administrator to forward to the Selective Service the necessary information for registration. The Commission has no objection to this bill. It has been amended to address MVC's concerns by removing the requirement of electronic submission of information to the Selective Service System. *It passed the full Assembly (75-0-0) on 3/9/15, and on 5/11/15 was reported out of the Senate Law and Public Safety Committee and is currently in its 2<sup>nd</sup> reading in the Senate.*

**A-1466** (Diegnan D18/O'Donnell D31/Mainor D31/Garcia D33) allows for waiver of school bus requirements for mobility assistance vehicle technicians who transport students with medical needs to and from school. This bill allows any board of education, governing body of a nonpublic school, or State agency to waive school bus operating requirements for any person certified as a mobility assistance vehicle technician (MAVT) who transports a student with medical needs to and from school. The Commission is opposed to this bill. School bus vehicles and drivers are subject to rigorous federal and state regulation since the safety of children is involved. MVC already has the ability to issue dual use inspection stickers so mobility assistance vehicles can be used as school transportation. In addition, bus drivers undergo certain procedures to get their endorsement, such as background checks, something that MAVTs do not have to do. *It passed the full Assembly (75-0-0) on 3/9/15, and on 5/11/15 was reported out of the Senate Law and Public Safety Committee and is currently in its 2<sup>nd</sup> reading in the Senate.*

#### **Public Comments:**

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

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

#### **Adjournment:**

Since there were no further comments or business, a motion to adjourn was made by Board Member Kisch and seconded by Director Fruscione and unanimously adopted at 3:00 p.m.