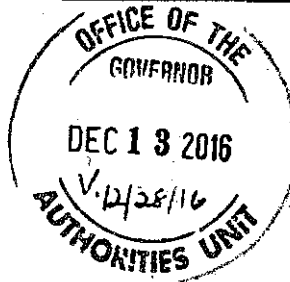


 **New Jersey
Motor Vehicle Commission**

P.O. Box 160
Trenton, New Jersey 08686-0160

STATE OF NEW JERSEY



Chris Christie
Governor

Kim Guadagno
Lt. Governor

Raymond P. Martinez
Chairman and Chief Administrator

December 13, 2016

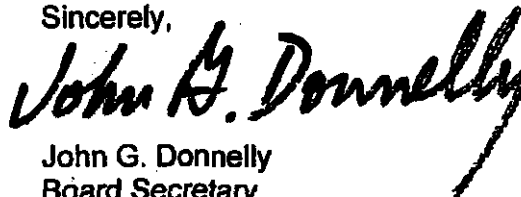
Honorable Chris Christie
Governor, State of New Jersey
State House
125 West State Street
Post Office Box 001
Trenton, NJ 08625-0001

Dear Governor Christie:

In accordance with Section 17 of The Motor Vehicle Security and Customer Service Act of 2003, constituting Chapter 13 of the laws of 2003 of the State of New Jersey, as amended pursuant to P. L. 2007, Chapter 335 and pursuant to P. L. 2009, Chapter 298, I herein transmit the minutes of actions taken at the open session of the Regular Meeting of the New Jersey Motor Vehicle Commission Board at Floor 8E, Motor Vehicle Commission Headquarters, Tuesday, December 13, 2016.

Thank you.

Sincerely,



John G. Donnelly
Board Secretary

Enclosure

NEW JERSEY MOTOR VEHICLE COMMISSION

Minutes by Board Secretary John G. Donnelly of actions taken at the Open Session of the Regular Meeting of the New Jersey Motor Vehicle Commission (MVC) Board held at Floor 8E, Motor Vehicle Commission Headquarters, 225 East State Street, Trenton, New Jersey on Tuesday, December 13, 2016.

Present:

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

Governor's Authorities Unit Assistant Counsel Lisa LeBoeuf participated by speakerphone, and Deputy Attorney General Jennifer Jaremback was present.

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

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

Chairman's Report. Chairman Martinez began by welcoming everyone to the summer season, and updated all attendees on these actions since the November 2 Board Meeting:

Assembly Transportation Committee Hearing

Yesterday I had the opportunity to brief the Assembly Transportation Committee about some of our ongoing and upcoming customer service initiatives such as our Transformation Project, our Skip the Trip Program, our on-line services, the recent renovations and expansions to our facilities, the change in our agency employees' schedule, and the anticipated Mobile Units and PIVS/Queue system. I am pleased to advise that the report was well received by the members of the Committee.

League of Municipalities

Our staff has certainly been busy for the past few months. In November, MVC volunteers were hard at work again at the annual League of Municipalities conference in Atlantic City. A number of our dedicated staff were on hand at the MVC booth to answer motor vehicle-related questions as well as promote the JustDrive.com campaign against distracted driving. Visitors to the booth were invited to spin the prize wheel and take home JustDrive.com gear as well as trying out our virtual reality texting and driving simulator. Thank you to all the volunteers who made this event a success! We have big plans for next year's conference.

JustDrive School Visits

In addition to our presence at the League, our communications team is continuing to bring the JustDrive.com campaign to high schools throughout New Jersey. After a successful trial run at Delran High School last spring, the MVC brought their interactive presentation to more than 800 students at Egg Harbor Township High School. In addition to information about the laws and penalties for distracted driving, the presentation featured a talk by Egg Harbor Township Police and the End Distracted Driving Student Awareness Initiative. The MVC will be returning to Egg Harbor to bring this message to an additional 1,000 students in February 2017. We are excited to bring this presentation to North Brunswick Township High School later this month, and Westwood Regional High School in January. Additionally, we are actively working to promote the program to other districts and generate more interest statewide.

New Year Ad Campaign

With 2017 swiftly approaching, many of you are probably beginning to think about your new year's resolutions. Whether it's eating more vegetables, being more frugal, or spending more time with your family, everyone knows that the promises we make to ourselves every January are important, but tough to keep at times. Here at the MVC, we are up to the challenge and are resolving to improve our customer service for all motorists in New Jersey. To that end, we are planning an ad campaign to highlight our resolution and remind motorists of the many ways that the MVC is working to improve and make things easier for residents. The campaign will highlight the continued success of our "Skip the Trip" program, which has helped more than 1.6 million drivers renew their driver's license through the mail since its inception, and will also promote the many online services available as a convenient alternative to visiting an agency. The campaign will feature print, radio and online ads focusing on the more densely populated areas of New Jersey in order to maximize its impact.

Celebrating our Accomplishments

As we consider our resolution for 2017, it's also important to look back at some of the things we've accomplished in 2016. The MVC has received a good deal of scrutiny this year, but we are ready for the spotlight and like to think of it as an opportunity to highlight the positive things we've been able to achieve. I'd like to take a moment to share some impressive statistics that paint a picture of this year's accomplishments. In 2016, the MVC issued more than two million driver's licenses. That rounds out to an average of almost 36,000 per day. We also issued more than 840,000 driver suspension orders. More than two million emissions inspections were administered at our Centralized Inspection Facilities, and more than 300,000 were performed at Private Inspection Facilities statewide. The MVC also issued nearly three million vehicle titles. Our dedicated customer service staff answered nearly 2.7 million inquires made through our customer service hotline, and our mailroom staff handled just over 13 million documents. We also continued to build on the success of our online services campaign. In 2016, the MVC website received 11.5 million visits, with more than 1.4 million residents renewing their vehicle registrations without ever having to set foot in an agency. While these numbers may sound impressive or even overwhelming, these are the kinds of things that the MVC is expected to do on a daily basis. But in between handling millions of customer transactions per year, our talented staff has also found the time to complete a number of

important projects that will help us to provide even better customer service and convenience moving forward. We've renovated agencies, improved our customer-facing computer systems, waived most online transaction fees, and streamlined agency processes for driver's license renewals – I could go on and on. None of this would be possible without the commitment of the people in this building, and the employees throughout our 39 agencies. So I would like to take this opportunity to thank everyone for helping to make 2016 a success. I hope everyone enjoys a happy and restful holiday season with their families – you certainly have earned it.

The following Agenda Items were presented for approval:

Minutes: October 13, 2016. 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 October 13, 2016.

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

Minutes: November 2, 2016. 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 November 2, 2016.

Board Member Oructt moved the resolution, Chief of Staff Case seconded it and it was unanimously adopted.

1612-01: 2017 MVC Board Meeting Dates. This action is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act to announce MVC Board Meeting Dates annually. Jack Donnelly, Board Secretary, presented the proposed meeting dates.

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

1612-02: Licensing 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 proposed amendment of the Licensing Service and Document Scanning regulation. Jeff Pistol of the MVC Office of Regulatory and Legislative Affairs presented the proposed amendment.

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

1612-03: Petition 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 a new rule for a Petition regulation. MVC Board Secretary Jack Donnelly presented the Final Adoption.

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

Legislative Report. A briefing was provided by Legislative Liaison Laura Hahn, including:

Bills on the Governor's Desk

A-3549/S-2098 (Johnson D37; Zwicker D17; Wisniewski D19; Benson D14; McKeon D27) to exempt hydrogen fuel cell-powered vehicles from certain labeling requirements. This bill exempts hydrogen-powered fuel cell motor vehicles from certain labeling requirements. The MVC sought to amend the bill to be removed from it. As of November 21, 2016, the bill has passed both Houses.

A-2107/S-2350 (Mukherji D33; Holley D20; Gusciora D15; Pintor Marin D29; Wimberly D35; Ruiz D29; Madden D4; Singleton D7; Quijano D20; McKeon D27; Maher-Muoio D15; Chiaravalloti D31; McKnight D31; Eustace D38; Stack D33) to allow homeless people to obtain, duplicate, or renew a non-driver-identification card without paying fees to the MVC. The Commission supports amendments that make the waiver of fees permissive, rather than mandatory, subject to rules and regulations promulgated by the Chief Administrator. As of November 21, 2016, the bill has passed both Houses.

Recent Action on Bills of Note

A-2087 (Mukherji D33; Schaer D36; Downey D11; Quijano D20; Coughlin D19; O'Scanlon R13; Chaparro D33; Conaway D7; Houghtaling D11) to grant drivers additional time to resolve parking violations prior to license or registration suspension. The Commission does not support recent amendments to require the MVC to provide written notice, advising the driver that the suspension is to take effect 30 days after the date on which the Commission sent the written notice. The bill passed the Assembly on November 21, 2016 with a vote of 72-0.

S-165 (Bateman R16; Scutari D22; Turner D15) to clarify when penalty points are to be assessed for convictions of driving in an unsafe manner. The Commission will seek a technical amendment. to reflect the name change of the surcharge program. The bill passed the Senate on November 14, 2016 with a vote of 36-0.

S-2364/A-3946 (Sacco D32; Pennacchio R26; Johnson D37; Zwicker D16; Wisniewski; D19; Benson D14; McKeon D27) to establish a pilot program appointing third party vendors to administer commercial driver license testing. The Commission does not support the bill due to IT and operational impediments. The bill passed the Senate on November 14, 2016 with a vote of 35-0.

Chairman Martinez thanked Laura for the presentation.

Public Comments:

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

Chairman Martinez thanked everyone for their participation today.

Adjournment:

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

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

2:00 p.m., Tuesday, December 13, 2016

FINAL AGENDA

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• 1 – CALL TO ORDER	7797
• 2 – OPEN PUBLIC MEETINGS ACT STATEMENT	7797
• 3 – PLEDGE OF ALLEGIANCE	7797
• 4 – APPROVAL OF AGENDA	7797
• 5 – CHAIRMAN'S REPORT	7797
• 6 – APPROVAL OF MINUTES OF OCTOBER 13, 2016	7803
• 7 – APPROVAL OF MINUTES OF NOVEMBER 2, 2016	7811
• 8 – APPROVAL OF ITEM 1612-01 – BOARD MEETINGS DATES FOR 2017	7814
• 9 – APPROVAL OF ITEM 1612-02 – PROPOSED AMENDMENTS – LICENSING SERVICE AND DOCUMENT SCANNING REGULATION	7817
• 10 – APPROVAL OF ITEM 1612-03 – FINAL ADOPTION – PETITION REGULATION	7836
• 11 – LEGISLATIVE REPORT	7839
• 12 – PUBLIC COMMENTS	7801
• ADJOURNMENT	7801

Approval: Minutes of October 13, 2016

BENEFITS

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

PURPOSE

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

The October 13, 2016 Minutes were delivered on October 13, 2016 to the Governor, and became effective upon expiration of the ten day period on October 27, 2016.

ACTION

Approval of this item by the Board Members indicates acceptance of the October 13, 2016 Minutes.

FISCAL IMPACTS

None.

RESOLUTION

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

WHEREAS, pursuant to section 17 of The Motor Vehicle Security and Customer Service Act , P.L. 2003, c.13, as the enabling statute that created MVC, and as amended by P.L. 2007, c. 335 and by P. L. 2009, c.298, a true copy of the Minutes of the actions taken at the New Jersey Motor Vehicle Commission Board meeting of October 13, 2016 were delivered without delay to the Governor on October 13, 2016; and

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

WHEREAS, Minutes of the October 13, 2016 Board Meeting are effective as of October 27, 2016; and

NOW, THEREFORE, BE IT RESOLVED that the Minutes of actions taken at the October 13, 2016 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 Thursday, October 13, 2016.

Present:

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

Deputy Attorney General Keith Rowan and Governor's Authorities Unit Assistant Counsel Lisa LeBoeuf participated by speakerphone.

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. Transportation Chief of Staff John Case moved to accept the agenda proposed, Board Member Orcutt seconded the motion and it was unanimously adopted.

Chairman's Report

The Chairman then presented this report of key Commission activities since the August 9, 2016 Board Meeting:

REAL ID

I am pleased to report that the U.S. Department of Homeland Security (DHS) has approved the Motor Vehicle Commission for an extension of the Real ID compliance due date. The federal DHS took this action in recognition of the MVC's extraordinary efforts in achieving secure driver licenses. The MVC legal and information technology teams have my thanks for their efforts toward reaching this goal. Not every State has been approved for an extension or been given this recognition.

NO MORE ONLINE CONVENIENCE FEES

When we last met in August, I spoke to you about our efforts to reduce agency wait times and encourage customers to take advantage of our online services. As a part of that effort, I am proud to report that as of October 1, the MVC is no longer charging convenience fees for most online transactions. These fees, while nominal, were

discouraging some customers from utilizing the 20-plus transactions that can be completed online without ever setting foot in an agency. Last year alone, more than 1.5 million people visited an agency simply to renew their vehicle registration. That equals more than 250,000 hours of time spent on transactions that could have been completed from home with just a few clicks. We are continuing to utilize press releases, social media and other avenues to get the word out about this important change, which will help continue to reduce volume and wait times in our busiest agencies.

SKIP THE TRIP HITS MILESTONE

While we're on the subject of reducing volume in our agency locations, I'd like to take a moment to highlight a significant milestone with one of our most successful initiatives – the "Skip the Trip" program. Last month, we reached 1.5 million license renewals completed by mail through the "Skip the Trip" program. This exciting milestone means 1.5 million fewer people at our agencies and countless hours saved for our customers and staff. We are building on this success and will continue to promote Skip the Trip in order to provide excellent service for our customers.

AGENCY RENOVATIONS

Building on that commitment to improve service in our agencies, I'm proud to announce that after more than five months of renovations, the Newark agency is once again open to process Suspension and Restoration transactions. The improvements made during that period will result in a better experience for customers and staff.

Among the renovations completed are:

- A new furniture arrangement that improves employee productivity by providing more workspace and also improves employee safety.
- Panic buttons installed at all employee stations.
- A reception desk and expanded waiting area with 20 customer seats
- An upgraded agency PA system.

While renovations at Newark are now complete, several other expansion and renovation projects are currently underway to improve the customer experience for New Jersey motorists. The Oakland Agency is being expanded by 1,750 square feet to accommodate more customers, and work is nearly finished. The Washington Agency is also being expanded, and will be 1,533 square feet larger when construction is complete. Finally, we recently broke ground on the new Wayne Agency, which will be the largest agency in the State when it is complete in 2017.

JUSTDRIVE.COM 125 AT NASCAR

First off, I'd like to take a moment to thank the many MVC employees who made the trip down to Millville on Saturday, September 17 to support our sponsorship of the NASCAR JustDrive.com 125. Through their efforts, thousands of race fans were exposed to our JustDrive.com campaign which highlights the consequences of talking and texting while driving. The event was a prime opportunity to spread this life-saving message, as well as show New Jerseyans the good work that the MVC is doing to make our roads safer.

REBEKA VEREA FOUNDATION

Continuing our commitment towards educating young motorists about the dangers of reckless driving, the MVC will be participating in the Rebeka Vereia Foundation's 2nd Annual SAY YES TO LIFE Injury Prevention Educational Seminar for Educators and Administrators later this month. The Foundation was formed in honor of a young woman who was tragically killed while riding with a novice driver who was going in excess of the speed limit. The seminar will allow the MVC to bring the message behind our JustDrive campaign to educators and school administrators who are among the most influential individuals in a young person's life.

WEAR RED DAY

Before we move on to the rest of the agenda, I would like to take a few moments today to honor several individuals who have helped the MVC bring attention to the important issue of women's heart health. The first is Patti Harvey-Elphick (ELP-HICK), New Jersey Regional Director of the American Heart Association (AHA). She has been instrumental in providing technical support and knowledge, donation forms, posters, stickers and pins to help us organize our annual "Wear Red Day." In recognition of her efforts, I am proud to present her with a MVC Board Resolution thanking her for helping us raise awareness of heart disease. I would also like to take a moment to recognize Ms. Kelly Lemon, who serves as the Vice President of Development for the American Heart Association. The MVC is proud to partner with you on this important issue and we thank you for joining us today. Now I would like to recognize two of our own employees who are instrumental in putting together MVC's "Wear Red Day." The first is Quiana Dawson (KEE-AH-NAH), who is an MVC Technician and has served as the Chairperson for our MVC "Wear Red Day Committee" for the past three years. The second is Lesley Helmuth (HELL-MOOTH), who is also an MVC Technician and serves as the Co-Chairperson for the "Wear Red Day Committee." Over the past three years, these two employees have helped us triple the amount of funds raised annually for this important cause. In order to meet this challenge, they worked to expand the program to all 39 agencies, and spent every lunch hour for six weeks collecting donations for paper hearts that were then displayed at MVC locations. In recognition of their efforts, I am proud to present Quiana Dawson and Lesley Helmuth with certificates of appreciation for their hard work and dedication to this noble cause.

The following Agenda Items were presented for approval:

1610-01: Awards to American Heart Association of New Jersey Regional Director Patti Harvey-Elphick and MVC Techs Quiana Dawson and Lesley Helmuth. 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 dedicated service provided by the American Heart Association and MVC staff to improve MVC employees' health. The Board approved a resolution to recognize and thank American Heart Association of New

Jersey Regional Director Patti Harvey-Elphick, who provides MVC with technical support and know-how to help raise awareness of heart disease.

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

Chairman Martinez presented Ms. Harvey-Elphick with the framed resolution.

Chairman Martinez then presented Ms. Dawson and Ms. Helmuth each with a Certificate of Appreciation as Co-Chairpersons of the MVC "Wear Red Day" Committee, which raised a record \$3,100 in donations for the American Heart Association this year. As photographs were taken, the Chairman acknowledged their daily efforts and those of their coworkers who volunteer their time and efforts to improve MVC employees' health.

1610-02: Bus-Safety Regulation. This action is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act to promulgate regulations for the proper functioning of the Commission, including this proposed readoption without amendment of the Bus Safety regulations concerning sanctions and penalties for bus safety out-of-service violations. Richard DelMonaco of the Office of Regulatory and Legislative Affairs, presented the regulation.

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

1604-03: ZORF. This action is to meet the statutory requirement of The Motor Vehicle Security and Customer Service Act that at section 98 assigns to MVC the duty to implement the Zone Of Rate Freedom (ZORF) law found at N.J.S.A. 48:4-2.20 to 2.25. Board Secretary Jack Donnelly presented the Final Adoption for 2016.

Board Member Orcutt moved the resolution, Chief of Staff Case seconded it and it was unanimously adopted.

Minutes: August 9, 2016. 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 August 9, 2016.

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

Legislative Report. A briefing was provided by Legislative Liaison Laura Hahn, including a summary of legislative activity since the February 2016 Motor Vehicle Commission (MVC) Board meeting, as follows:

Bills Signed by the Governor

S-1155 (Diegnan D18; Barnes, III D18; Johnson D37). Regulates autocycles as motorcycles. MVC will review the current process for titling and registering autocycles and decide if changes need to be made in order to comply with the new law. This may require the creation of a new registration code and a decision on the type of license plates that would be issued to autocycle owners. Agency Services staff would then need to be educated on how to process these transactions. MVC shall adopt rules and regulations, as are necessary to implement Section 2 of the law, which states that an autocycle shall be registered as a motorcycle, an operator of the autocycle does not need to possess a motorcycle endorsement, and several safety precautions. MVC may also wish to include information in the driver manual and on the website, as is suggested, but not required in the language.

A789/S-1835 (Greenwald D6; Burzichelli D3; DeAngelo D14; Mukherji D33; Whelan D2; Bateman R16). Allows use of rear view backup camera and parking sensors during road test. MVC agency staff and road test examiners will need to be notified that vehicles with backup cameras and parking sensors are allowed to be used for the road test. The MVC website and manual will need to be updated, as both currently state that these new vehicles will not be allowed unless the technology is disabled. Driving schools and high school driver's education programs should be notified of this change.

Recent Action on Bills of Note

A-597 (Lagana D38; Gusciora D15; Webber R26; Mukherji D33; Holley D20; Benson D14; Danielsen D17; Wimberly D35; Downey D11). Establishes crimes of operating school bus with suspended or revoked driving privileges and being involved in accident causing bodily injury; permanently prohibits passenger and school bus CDL endorsements for persons convicted of those crimes.

A-1257 (Caride D36; Jimenez D32; Mukherji D33; Holley D20; Benson D14). Requires school bus transporting students using wheelchairs to be equipped with four-point securement system; requires school bus operator to secure students using wheelchairs.

A-1944 (Coughlin D19; Schaer D36; Eustace D38; Downey D11; Benson D14; Wimberly D35; McKeon D27; Jasey D27; Chiaravalloti D31; Vitale D19; Gill D34). Automatically registers or updates voter registration as part of driver's license application or renewal. The Legislature attempted and failed to override Governor's veto.

A-2053 (Gusciora D15, Wimberly D35). Establishes that payment plan for motor vehicle surcharges is mandatory upon request; extends payment period.

A-3335/S-1585 (Sumter D35; Pintor Marin D29 / Rice D28; Ruiz 29). Establishes program allowing certain applicants to perform community service in lieu of paying motor vehicle surcharges.

A-3955/S-727 (Barclay D5; Wimberly D35; Holley D29 / Cruz-Perez D5; Van Drew D1). "New Jersey Open Data Initiative" to require certain information be provided on Internet to public and State agencies.

S-2350/A-2107 (Ruiz D29; Madden D4 / Mukherji D33; Holley D20; Gusciora D15). Exempts homeless from fee for non-driver identification cards.

S-2364 (Oroho R24; Stack D33). Establishes pilot program appointing third party vendors to administer commercial driver license testing.

S-2378/A-3829 (Van Drew D1 / Houghtaling D11; Downey D11; Andrzejczak D1; DeAngelo D14). Permits issuance of motorcycle endorsement to certain out-of-State military personnel.

Chairman Martinez thanked Laura for the presentation.

Public Comments:

No member of the public offered comments.

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

Adjournment:

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

Approval: Minutes of November 2, 2016

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 November 2, 2016 Minutes were delivered on November 2, 2016 to the Governor, and became effective upon expiration of the ten day period on November 18, 2016.

ACTION

Approval of this item by the Board Members indicates acceptance of the November 2, 2016 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 November 2, 2016 were delivered without delay to the Governor on November 2, 2016; 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 November 2, 2016 Board Meeting are effective as of November 18, 2016; and

NOW, THEREFORE, BE IT RESOLVED that the Minutes of actions taken at the November 2, 2016 New Jersey Motor Vehicle Commission Board meeting are hereby approved.

NEW JERSEY MOTOR VEHICLE COMMISSION

Minutes by Board Secretary John G. Donnelly of actions taken at the Open Session of the Regular Meeting of the New Jersey Motor Vehicle Commission (MVC) Board held at Floor 9W, Motor Vehicle Commission Headquarters, 225 East State Street, Trenton, New Jersey on Wednesday, November 2, 2016.

Present:

Raymond P. Martinez, Chairman (by speakerphone)
Steve Scaturro, Vice-Chairman (by speakerphone)
Scott Kisch, Public Board Member (by speakerphone)
Walter Orcutt, Public Board Member (by speakerphone)
Laurette Asante, Public Board Member (by speakerphone)
John Case, Transportation Commissioner Designee (by speakerphone)
James Fruscione, State Treasurer Designee (by speakerphone)

Governor's Authorities Unit Assistant Counsel Lisa LeBoeuf and Deputy Attorney General Philip Espinosa participated by speakerphone. Highway Traffic Safety Acting Director Gary Poedubicky, Attorney General Designee, was not able to attend.

Chairman Raymond P. Martinez convened the Open Session at 10:05 a.m. in accordance with the Open Public Meetings Act.

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

The following Agenda Item was presented for approval:

1611-01: Boating Regulation. This action is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act to promulgate regulations for the proper functioning of the Commission, including this proposed readoption with amendment of the boating regulation. Jeff Pistol of the Regulatory and Legislative Affairs Office presented the regulation.

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

Public Comments: While six members of the public reported to Floor 9W meeting site as notified, no members of the public sought to make a public comment.

Chair Martinez thanked the Board Members, staff and public for their participation today and noted that Board Meetings are an important means of assuring the public that MVC is working to be responsive to their needs.

Adjournment:

Since there were no further comments or business, a motion to adjourn was made by Board Member Kisch and seconded by Board Member Orcutt and unanimously adopted at 10:20 a.m.

ITEM 1612-01: 2017 MEETINGS**BENEFITS**

The Motor Vehicle Security and Customer Service Act ("Act"), P.L. 2003, c.13, as the enabling statute that created MVC, and as amended by P.L. 2007, c. 335, P. L. 2009, c. 298, and P.L. 2013, c.253, at section 16 provides for meetings of the Commission Board Members.

PURPOSE

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

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

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

ACTION

Adopt the Annual Notice of Meetings for all of the Board Member meetings during Calendar Year 2017, as presented in Exhibit A.

FISCAL IMPACTS

None.

RESOLUTION

WHEREAS, The Motor Vehicle Security and Customer Service Act, P.L. 2003, c. 13 (the "Act"), as the enabling statute that created the Motor Vehicle Commission, and as amended by P.L. 2007, c. 335, P. L. 2009, c. 298, and P.L. 2013, c. 253, at section 16 provides for meetings of the Commission Board Members; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Annual Notice of Meetings for 2017 is adopted as attached in Exhibit A; and

BE IT FURTHER RESOLVED that the Annual Notice of Meetings for 2017 shall be disseminated in accordance with the provisions of the Open Public Meetings Law, P.L. 1975, c. 231.

Exhibit A**ANNUAL NOTICE OF MEETINGS – CALENDAR YEAR 2017****NEW JERSEY MOTOR VEHICLE COMMISSION BOARD**

In accordance with the "Open Public Meetings Law," P.L. 1975, c. 231, the above organization will hold regular meetings, open to the public, at 2:00 p.m. on those Tuesdays and Thursday of every other month as noted below for the period January 1, 2017 through December 31, 2017.

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

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

February 16	(3rd Thurs.)
April 13	(2nd Thurs.)
June 13	(2nd Tues.)
August 8	(2nd Tues.)
October 12	(2nd Thurs.)
December 12	(2nd Tues.)

ITEM 1612-02: LICENSING SERVICE AND DOCUMENT SCANNING 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 these proposed amendments of the regulations concerning the licensing service and document scanning.

PURPOSE

This is a Proposed Amendment. The effect of this item is to amend regulations regarding the licensing service and document scanning.

ACTION

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

MVC Board Chairman and Chief Administrator Raymond P. Martinez has adopted a policy that proposed rules are to be provided by the New Jersey Motor Vehicle Commission as a courtesy to inform the public about pending rules. This version is not the official text of the proposal and may differ from the official published text. The official text of the proposal is published in the New Jersey Register issue for the date indicated. Should there be any discrepancies between this version and the official version of the proposal, the official version will govern. All comments must be made consistent with instructions provided with the publishing of this proposal in the New Jersey Register.

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 these proposed amendments of the regulations concerning the licensing service and document scanning;

NOW, THEREFORE, BE IT RESOLVED that the Chairman is authorized to file with the Office of Administrative Law a notice of the proposed amendments of regulations concerning the licensing service and document scanning, in substantially the form as attached in **Exhibit A**.

MOTOR VEHICLE COMMISSION

EXHIBIT A

Licensing Service and Document Scanning

Proposed Amendments: N.J.A.C. 13:21-8.2A

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

Authority: N.J.S.A. 39:2A-2.j, 39:3-4, 39:3-9c, 39:3-10, 39:3-10f, and 6 CFR 37

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN

Submit comments by , to:

Kate Tasch

Administrative Practice Officer

Regulatory and Legislative Affairs

Motor Vehicle Commission

225 East State Street

PO Box 160

Trenton, NJ 08666-0160

or via e-mail to rulecomments@mvc.nj.gov.

The agency proposal follows:

Summary

The public comment period for this notice of proposal will be 60 days, since the notice is not listed in the agency rulemaking calendar, pursuant to N.J.A.C. 1:30-3.3(a)5.

The Motor Vehicle Commission ("Commission" or "MVC"), having been formed by the Legislature through the Motor Vehicle Security and Customer Service Act, N.J.S.A. 39:2A-1 et seq., was found by the Legislature in N.J.S.A. 39:2A-2 to have failed security systems, contributing to a growing national problem of identity theft that costs the State and the nation millions of dollars each week. The Legislature found that in the past, fraud and corruption could not be addressed due to inadequate funding, training, security, internal controls, and oversight. The Legislature found that the MVC must improve its security system and equipment, and its fraud detection, training, and monitoring so that fraudulent driver licenses such as those used in the furtherance of terroristic activities will be eliminated. Internal audits and controls and investigations were found to be needed to detect patterns of fraud, theft, corruption, identity theft, and mismanagement in the issuance of driver licenses, registrations, and titles because Commission documents must be more resistant to compromise. It had been found that criminals used counterfeit passports, Social Security cards, county identification cards, pay stubs, and W-2 forms to obtain fraudulent driver licenses and non-driver

identification cards in furtherance of identity-theft schemes. N.J.S.A. 39:2A-2.i. The Legislature clearly stated at N.J.S.A. 39:2A-2.j that proper identification must be required at all phases of the licensing and driver testing processes to assure that only those persons qualified to legally obtain licenses do so.

Based on the Legislature's findings, the Commission was formed with the purposes of identifying and regulating drivers and motor vehicles to deter unlawful and unsafe acts, among other things. The Commission is charged with addressing the multitude of functions assigned to it while curtailing fraudulent and criminal activities that present threats to the State's security system. The proposed amendments to N.J.A.C. 13:21-8.2A are in furtherance of, and in compliance with, the purposes and authority of the Commission.

Proposed new N.J.A.C. 13:21-8.2A(k) authorizes the Commission to scan applications, declarations, and documents that are presented by the Commission's customers to satisfy the six-point identification system requirements when obtaining permits, licenses, and non-driver identification cards, in accordance with Department of Homeland Security requirements for the issuance of REAL ID compliant driver licenses and non-driver identification cards. The proposed amendment also indicates that the scanned applications, declarations, and documents will be retained electronically in accordance with Division of Revenue and Enterprise Services (DORES) statutes and retention schedules. The scanning of applications, declarations, and documents is to ensure the integrity of the Commission's six-point identification verification system by

enabling the Commission to conveniently access and verify the application and documents that were submitted by the customer in order to obtain the Motor Vehicle Commission document so that the MVC meets the United States Department of Homeland Security's REAL ID standards for REAL ID compliant driver licenses and REAL ID compliant non-driver identification cards.

In addition, the Commission proposes changes to the documents deemed acceptable as primary documents, and proposes to merge the separate acceptable primary document lists for United States citizens and non-United States citizens into one primary document list for all applicants for REAL ID compliant driver licenses and REAL ID compliant non-driver identification cards, consistent with Department of Homeland Security requirements for the issuance of REAL ID compliant driver licenses and REAL ID compliant non-driver identification cards.

In N.J.A.C. 13:21-8.2A(c)1.i., "unexpired New Jersey digitized driver license issued on or after September 19, 2016" is proposed to be changed to "unexpired REAL ID compliant New Jersey digitized driver license" in accordance with Department of Homeland Security requirements for the issuance of REAL ID compliant driver licenses. "Valid New Jersey non-driver digitized identification card issued on or after September 19, 2016" is proposed to be changed to "valid REAL ID compliant New Jersey digitized driver license" in accordance with Department of Homeland Security requirements for the issuance of REAL ID compliant non-driver identification cards. "Unexpired special learner permit with digital image issued on or after September 19, 2016" is being proposed to be changed to "unexpired REAL ID compliant special learner permit with digital image" in accordance with Department of Homeland Security requirements for

the issuance of REAL ID compliant driver licenses. "Unexpired examination permit with digital image issued on or after September 19, 2016" is being proposed to be changed to "unexpired REAL ID compliant examination permit with digital image" in accordance with Department of Homeland Security requirements for the issuance of REAL ID compliant driver licenses. "Probationary license with digital image issued on or after September 19, 2016," is being proposed to be changed to "REAL ID compliant probationary license with digital image" in accordance with Department of Homeland Security requirements for the issuance of REAL ID compliant driver licenses .

"Refugee travel document (Form I-571)," "United States Re-entry Permit (Form I-327)," "Valid I-94 stamped "Refugee," "Parolee," "Asylee" or "Notice of Action" (Form I-797 approved petition) by USCIS," and "Valid I-94 with attached photo stamped "Processed for I-551..." by USCIS" are being removed from the list of primary documents because they are not listed in 6 CFR 37.11 as acceptable documents to be used towards obtaining a REAL ID compliant driver license or a REAL ID compliant non-driver identification card. These documents may still be used toward obtaining a non-REAL ID compliant driver license or a non-REAL ID compliant non-driver identification card. The photo temporary resident card (Form I-688) is being removed from the list of acceptable documents to prove lawful presence in the United States because it is not listed in 6 CFR 37.11 and because it is an obsolete document. The Commission also proposes to amend its regulations to indicate that the Commission will accept such other documents as the United States Department of Homeland Security may designate by notice published in the Federal Register.

In N.J.A.C. 13:21-8.2A(c)2.i., "valid New Jersey digitized driver license issued on or after September 19, 2016 (a secondary document for non-United States citizens only)" is being proposed to be changed to "valid REAL ID compliant New Jersey digitized driver license" in accordance with Department of Homeland Security requirements for the issuance of REAL ID compliant driver licenses. "Unexpired special learner permit with digital image issued on or after September 19, 2016 (a secondary document for non-United States citizens only)" is being proposed to be changed to "unexpired REAL ID compliant special learner permit with digital image" in accordance with Department of Homeland Security requirements for the issuance of REAL ID compliant driver licenses. "Unexpired examination permit with digital image issued on or after September 19, 2016 (a secondary document for non-United States citizens only)" is being proposed to be changed to "unexpired REAL ID compliant examination permit with digital image" in accordance with Department of Homeland Security requirements for the issuance of REAL ID compliant driver licenses. "Valid probationary license with digital image issued on or after September 19, 2016 (a secondary document for non-United States citizens only)" is being proposed to be changed to "valid REAL ID compliant probationary license with digital image" in accordance with Department of Homeland Security requirements for the issuance of REAL ID compliant driver licenses and non-driver identification cards. "Current photo driver license of any state of the United States including the District of Columbia that meets the requirements of 6 CFR Part 37" is being added as a four point document in accordance with Department of Homeland Security requirements for the issuance of REAL ID compliant driver licenses. "Current photo driver license of any state of the United States including

New Jersey and the District of Columbia issued prior to September 19, 2016" is being proposed to be changed to "current Non-REAL ID compliant photo driver license of any state of the United States including New Jersey and the District of Columbia" because those documents are currently issued and have been issued for quite some time.

Social Impact

The Commission proposes to scan applications, declarations, and documents that are presented by the Commission's customers to satisfy the six-point identification system requirements when obtaining permits, licenses, and non-driver identification cards, in accordance with Department of Homeland Security requirements for the issuance of REAL ID compliant driver licenses and non-driver identification cards.

Having secure database and being able to trace the origins of the information relied on by Commission personnel who issued the initial or renewed Commission documents is beneficial because permits, licenses, and non-driver identification cards issued by motor vehicle authorities have become gold standard identification documents that are used to access many other privileges and benefits including credit cards and bank accounts. It also assures that the Commission knows who it is issuing documents to, who is driving motor vehicles on the public roads and highways, who is incurring violations on the public roads and highways, whose license privileges it is suspending, et cetera. It also helps protect legitimate Commission customers who are the recipients and holders of Commission issued documents such as permits, licenses, and non-driver identification cards from identity theft.

Removing the Refugee Travel Document (Form I-571), the United States Re-entry Permit (Form I-327), the valid I-94 stamped "Refugee," "Parolee," "Asylee," or "Notice of Action" (Form I-797 approved petition) by the United States Citizenship and Immigration Services (USCIS), and the valid I-94 with attached photo stamped "Processed for I-551..." by USCIS because they are not specifically listed in 6 CFR 37.11 as acceptable documents to be used towards obtaining a REAL ID compliant driver license or a non-REAL ID compliant non-driver identification card from the list of acceptable documents may prevent some applicants from obtaining REAL ID compliant driver licenses or non-driver identification documents but these documents may still be used toward satisfying the requirements for non-REAL ID compliant driver licenses or non-driver identification cards. Also, the Commission will accept such other documents as the United States Department of Homeland Security may designate by notice published in the Federal Register. Thus, if the Department of Homeland Security in the future deems these documents acceptable as proof of identity and lawful presence, the Commission will likewise accept these documents as primary documents when applying for a REAL ID compliant driver license or non-driver identification card.

The addition of valid REAL ID compliant photo driver licenses from any state of the United States including the District of Columbia as four point documents should help members of the public to satisfy the six-point ID requirements.

Economic Impact

There will be a cost to acquire the scanning equipment that will be necessary to

allow the Commission to scan applications, declarations, and documents that are required by the Commission's six-point identification system. However, the benefits of having a secure permit, driver license, and non-driver identification system outweigh the costs of the scanning equipment. No additional costs will be assessed to customers who are obtaining or renewing their permits, licenses, or non-driver identification cards.

Federal Standards Statement

The proposed amendments do not cause the rules to, or amend any rule that does, exceed Federal standards or requirements. The proposed amendments meet Federal document retention standards for application, declaration, and source documents.

Federal law specifically permits the respective states to utilize Social Security numbers and to retain applications, declarations, and documents required by the Commission's six-point identification system in the administration of driver license or motor vehicle registration laws. See 6 CFR 37.31 and 42 U.S.C. § 405(c)(2)(C)(i). The changes in document acceptance comport with what is permitted and required in 6 CFR 37.11.

Jobs Impact

The Commission does not anticipate that the proposed amendments in procedure, to authorize the scanning of applications, declarations, and documents that are required by the Commission's six-point identification system, will result in an increase or

decrease of jobs.

Agriculture Industry Impact

The Commission does not believe that the proposed amendments to procedure, to authorize the scanning of applications, declarations, and documents that are required by the Commission's six-point ID system, will have any impact on the agriculture industry of New Jersey.

Regulatory Flexibility Statement

A regulatory flexibility analysis is not required because the proposed amendments that pertain to the scanning of applications, declarations, and documents that are required by the Commission's six-point identification system will not have any impact on small businesses as they are defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. Scanning of documents and determining types of documents accepted only impacts the Commission's business practices, not the business practices of its customers.

Housing Affordability Impact Analysis

The proposed amendments will not have an impact on housing affordability and will evoke no change in the average costs associated with housing because the proposed

amendments, that pertain to the scanning of applications, declarations, and documents that are required by the Commission's six-point identification system, will only authorize the Commission to scan certain documents so that they can be electronically stored.

Smart Growth Development Impact Analysis

The proposed amendments, that pertain to the scanning of applications, declarations, and documents that are required by the Commission's six-point identification system, will have no impact on smart growth development and will not evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan, because they only authorize the Commission to scan certain documents so that the documents can be electronically stored.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

CHAPTER 21

LICENSING SERVICE

SUBCHAPTER 8. DRIVER LICENSES

13:21-8.2A REAL ID document age requirements; proof of identity and date of birth; proof that presence in United States is authorized under Federal law; proof of address

(a) – (b) (No change.)

(c) The following are acceptable documents:

1. Primary documents:

i. [A United States citizen] **An applicant for a REAL ID compliant driver license or non-driver identification card** must submit at least one document from the following list:

<u>Document</u>	<u>Value</u>
United States or United States Territory birth certificate or certified copy filed with a state office of vital statistics or equivalent agency in the individual's state of birth	4
United States Department of State birth certificate (Form FS-545 or DS-1350)	4
United States Department of State Consular Report of Birth Abroad (Form FS-240)	4
Unexpired United States passport	4
Unexpired REAL ID compliant New Jersey digitized driver license [issued on or after September 19, 2016]	4
Valid REAL ID compliant New Jersey non-driver digitized identification card [issued on or after September 19, 2016]	4
Certificate of Naturalization (Form N-550 or N-570)	4
Certificate of Citizenship (Form N-560 or N-561)	4
Unexpired REAL ID compliant New Jersey special learner permit with digital image [issued on or after September 19, 2016]	4
Unexpired REAL ID compliant New Jersey examination permit with digital image [issued on or after September 19, 2016]	4
REAL ID compliant New Jersey probationary license with digital image [issued on or after September 19, 2016]	4
Current photo driver license of any other state of the United States	

including the District of Columbia that meets the requirements of
6 CFR Part 37

4

[ii. A person who is not a United States citizen must submit at least one
document from the following list to establish lawful presence in the United States:

<u>Document</u>	<u>Value]</u>
Current Permanent Resident Card (Form I-551) with expiration date and with United States Citizenship and Immigration Services (USCIS) verification	4
Unexpired foreign passport with USCIS verification and with valid record of arrival/departure (Form I-94)	4
[Refugee Travel Document (Form I-571)	4]
[United States Re-entry Permit (Form I-327)	4]
[Valid I-94 stamped "Refugee," "Parolee," "Asylee" or "Notice of Action" (Form I-797 approved petition) by USCIS	4
Valid I-94 with attached photo stamped "Processed for I-551..." by USCIS	4]
Current photo employment authorization card (Form I-688B or I-766)	3
Current Permanent Resident Card (Form I-551) without expiration date and with USCIS verification	2
[Photo Temporary Resident Card (Form I-688)	2]

Such other documents as the United States Department of Homeland

Security may designate by notice published in the Federal

Register.

2. Secondary documents:

i. United States citizens and persons who are not United States citizens must submit at least one document from the list below.

Document

Value

Valid REAL ID compliant New Jersey digitized driver license [issued on or

after September 19, 2016 (a secondary document for non-United States citizens only)]

4

Unexpired REAL ID compliant New Jersey special learner permit with

digital image [issued on or after September 19, 2016 (a secondary document for non-United States citizens only)]

4

Unexpired REAL ID compliant New Jersey examination permit with

digital image [issued on or after September 19, 2016 (a secondary document for non-United States citizens only)]

4

Valid REAL ID compliant New Jersey probationary license with digital

image [issued on or after September 19, 2016 (a secondary document for non-United States citizens only)]	4
Valid REAL ID compliant photo driver license of any state of the United States including the District of Columbia	4
Legal name change court order signed by a judge or court clerk	3
Civil marriage or civil union certificate or divorce decree	3
United States adoption papers	3
Current United States military photo identification card	3
Current United States military dependent card	3
United States military photo retiree card	3
New Jersey firearm purchaser card	3
Valid United States government employee driver license	2
Valid United States government employee photo identification card	2
United States military discharge papers (DD214)	2
Federal Aviation Administration pilot license	2
United States school photo identification card with transcript or school records	2
United States college photo identification card with transcript	2

Current Non-REAL ID compliant photo driver license of any state of the United States including New Jersey and the District of Columbia [issued prior to September 19, 2016]	1
State professional license	1
New Jersey public assistance card with photo	1
Social Security card with Social Security Administration (SSA) verification	1
High school diploma or GED (general equivalency diploma)	1
Bank statement/record (cannot be submitted in conjunction with ATM card)	1
ATM (automated teller machine) card with preprinted name and applicant's signature (cannot be submitted in conjunction with bank statement)	1
Current health insurance card or current prescription card	1
Current employee identification card accompanied by a printed pay stub	1
Property tax statement, bill or receipt issued by a New Jersey municipality	1
High school certificate (written test waiver)	1
Veteran's Administration universal access photo identification card	1

(d) – (j) (No change.)

(k) The Commission is authorized to scan all applications, declarations, and documents presented or accepted toward satisfying REAL ID document requirements. All scanned documents will be retained electronically in accordance with Division of Revenue and Enterprise Services ("DORES") statutes and retention schedules.

ITEM 1612-03: PETITION REGULATIONS**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 a new rule to allow any person or entity to petition the Commission to adopt a new rule or amend or repeal an existing rule.

PURPOSE

This is a Final Adoption of a new rule. The effect of this item is to adopt a new rule at N.J.A.C. 13:18-4, *et seq.* to implement procedures and Commission actions in response to a petition for a new rule or amendment or repeal of an existing rule consistent with rules of the Office of Administrative Law at N.J.A.C. 1:30-4.

ACTION

Approval of this item will authorize the Chairman to file the petition regulation 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.

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 Adoption of a new rule to allow any person or entity to petition the Commission to adopt a new rule or amend or repeal an existing rule;

NOW, THEREFORE, BE IT RESOLVED that the Chairman is authorized to file with the Office of Administrative Law a notice of this Final Adoption regarding Petitions, in substantially the form as attached in **Exhibit A**.

TRANSPORTATION

EXHIBIT A

MOTOR VEHICLE COMMISSION

Executive and Administrative Service

Rulemaking Petition Procedures

Adopted New Rules: N.J.A.C. 13:18-4

Proposed: August 15, 2016 at 48 N.J.R. 1604 (a)

Adopted: _____, 2017 by the Motor Vehicle Commission,

Raymond P. Martinez, Chairman

Filed: _____, 2017 as R. 2017, d. _____, **without change.**

Authority: N.J.S.A. 39:2A-1 et seq., and 52:14B-1 et seq.

Effective Date: _____, 2017

Expiration Date: March 9, 2018

Summary of Public Comment and Agency Response:

No comments were received.

Federal Standards Statement

A Federal Standards analysis is not required because the rules that are the subject of this adoption are dictated by State statutes and are not subject to Federal requirements or standards.

Full text of the adoption follows:



New Jersey Motor Vehicle Commission

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

STATE OF NEW JERSEY

To: Raymond P. Martinez, Chairman

CC: MVC Board Members

From: Laura Hahn, Legislative Liaison

Date: December 13, 2016

Re: Legislative Report

Chris Christie
Governor

Kim Guadagno
Lt. Governor

Raymond P. Martinez
Chairman and Chief Administrator

This Legislative Report provides a summary of legislative activity since the October 2016 Motor Vehicle Commission (MVC) Board meeting.

Bills on the Governor's Desk

A-3549/S-2098 (Johnson D37; Zwicker D17; Wisniewski D19; Benson D14; McKeon D27)
**Exempts hydrogen fuel cell-powered vehicles from certain labeling requirements.
Substituted by another Bill.**

This bill exempts hydrogen-powered fuel cell motor vehicles from certain labeling requirements. Under current law, a motor vehicle registered or principally garaged in this State and powered primarily or secondarily by a compressed or liquefied gaseous fuel is required to be identified with a weather-resistant diamond-shaped label. The label may be obtained from the New Jersey Motor Vehicle Commission (MVC) or from a gas industry source. The bill excludes motor vehicles powered by a hydrogen fuel cell system from the current labeling requirement if the fuel cell system is installed by the vehicle manufacturer and the vehicle manufacturer includes a badge on the vehicle identifying it as being a fuel cell vehicle.

10/13/2016 – Reported out of Assembly Committee, 2nd Reading

11/21/2016 – Substituted by S2098

11/21/2016 – Passed Assembly (Passed Both Houses) (71-0-0)

Recent Action on Bills of Note

A-2087 (Mukherji D33; Schaer D36; Downey D11; Quijano D20; Coughlin D19;
O'Scanlon R13; Chaparro D33; Conaway D7; Houghtaling D11)

Grants drivers additional time to resolve parking violations prior to license or registration suspension.

This amended bill requires the commission to delay the effective date of a suspension until 30 days after the date on which the commission mailed a suspension notice to the person. The amended bill requires the written notice to provide the reason for the suspension, identify the municipal court that issued the suspension, and inform the person that the suspension may be avoided by contacting the municipal court that issued the notice of

suspension within the 30 day period to resolve the pending parking violation. In addition, the amended bill requires a municipal court to provide a person with a receipt of payment and give electronic notice to the commission when the person resolves pending parking violations, or otherwise satisfies all parking fines or penalties. Under the amended bill, a person's driver's license is not to be suspended if the chief administrator finds that all outstanding fines, penalties, and surcharges have been satisfied prior to the effective date of the suspension.

The amended bill requires the person to seek restoration of the license or registration through procedures adopted by the commission if the commission receives the receipt or electronic notice after the effective date of the suspension. The amended bill also clarifies that a court may permit alternatives to the payment of certain portions of parking fines and penalties based on a person's ability to pay, including allowing the payment of the fine in installments, conversion of the fine to community service, or revoking portions of the fine or penalty.

10/27/2016 – Reported out of Assembly Comm. with Amendments, 2nd Reading
11/21/2016 – Passed by the Assembly (72-0-0)

A-2107/S-2350 (Mukherji D33; Holley D20; Gusciora D15; Pintor Marin D29; Wimberly D35; Ruiz D29; Madden D4; Singleton D7; Quijano D20; McKeon D27; Maher-Muoio D15; Chiaravalloti D31; McKnight D31; Eustace D38; Stack D33)

Exempts homeless from fee for non-driver identification cards.

This bill allows homeless people to obtain, duplicate, or renew a non-driver identification card without paying fees to the Motor Vehicle Commission (MVC). For the fee to be waived, the bill requires a homeless person to submit proof of temporary residence through a social worker or the coordinator of an emergency shelter for the homeless where the person is temporarily residing. Currently, residents who are 14 years of age and older may apply to the MVC for a non-driver identification card, for a fee of \$24. The card is issued solely for the purpose of providing identification and is not a license to drive. The bill makes the waiver of fees permissive, rather than mandatory, subject to rules and regulations promulgated by the Chief Administrator of the Motor Vehicle Commission. The bill takes effect on the first day of the seventh month next following the date of enactment. As reported, this bill is identical to Senate Bill No. 2350 (1R) as also reported by the committee.

11/21/2016 – Received in the Assembly, 2nd Reading on Concurrence
11/21/2016 – Passed Assembly (Passed Both Houses) (72-0-0)

S-165 (Bateman R16; Scutari D22; Turner D15)

Clarifies when penalty points are to be assessed for convictions of driving in an unsafe manner.

This bill revises the manner in which motor vehicle penalty points are imposed for operating a motor vehicle in an unsafe manner. The bill modifies the current penalty structure to prescribe that: upon a third conviction for unsafe operation of a vehicle, penalty points are to be assessed only if that third offense occurred within five years of the second conviction of unsafe driving; and, upon a fourth or subsequent conviction, penalty points are to be assessed only if the offense occurred within five years of the immediately preceding conviction for unsafe driving. The bill further provides that the fine for a fourth or subsequent conviction is \$500. Currently, the fine for fourth and subsequent convictions ranges from \$200 to \$500.

11/14/2016 – Passed by the Senate (36-0)

11/14/2016 – Received in the Assembly, Referred to Assembly Law and Public Safety Committee

S-2364/A-3946 (Sacco D32; Pennacchio R26; Johnson D37; Zwicker D16; Wisniewski D19; Benson D14; McKeon D27)

Establishes pilot program appointing third party vendors to administer commercial driver license testing.

This bill establishes a Commercial Driver License Testing Pilot Program to provide for commercial driver license testing by private third party vendors, and requires the Chief Administrator of the New Jersey Motor Vehicle Commission to authorize third-party administration of commercial testing on a more permanent basis based on an evaluation of the program. The bill establishes the Commercial Driver License Testing Pilot Program within the commission, and directs the chief administrator to implement the program. Under the program, the chief administrator is required to appoint three private third party vendors to administer the knowledge and skills tests for commercial driver licenses or endorsements. Of the three selected, one each is to be located in the northern, central, and southern regions of the State. In implementing the program, the bill requires the chief administrator to develop procedures to identify, and compile a list of, eligible third party vendors to provide testing.

The chief administrator also is required to establish guidelines necessary to establish and oversee the administration of commercial motor vehicle driver testing by private third party vendors, and take any other action necessary to implement the bill. The bill requires the three vendors appointed to participate in the program to be fully operational and to be administering the knowledge and skills tests within 90 days of enactment. Within nine months of enactment, the chief administrator must submit to the Governor and the Legislature an evaluation of the program with recommendations that will facilitate the permanent use of third party vendors. In addition, the bill amends the "New Jersey Commercial Driver License Act" to require the chief administrator, by contract, by appointment, or by licensing, to authorize a third party to administer the knowledge or skills test for a commercial driver license or endorsement, within one year of enactment. The bill requires the appointment of a third party to be based on the evaluation of the pilot program and the recommendations submitted to the Governor by the chief administrator. The bill removes the chief administrator's discretion to terminate third party testing at any time. The "New Jersey Commercial Driver License Act" currently authorizes the chief administrator to appoint a third party to administer the knowledge or skills test for a commercial driver license or endorsement. However, the authorization is permissive, and third parties are not currently utilized for commercial testing purposes. The bill takes effect immediately upon enactment.

11/14/2016 – Passed by the Senate (35-0)

11/14/2016 – Received in the Assembly, Referred to Assembly Law and Public Safety Committee