

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

Commission Headquarters, 9th Floor West Wing

**October 13, 2009 – 10 a.m.
PROPOSED AGENDA OF FORMAL ACTION**

- **1 – CALL TO ORDER**
- **2 – OPEN PUBLIC MEETINGS ACT STATEMENT AND ROLL CALL**
- **3 – ACTING CHIEF ADMINISTRATOR’S REPORT**
- **4 – APPROVAL OF MINUTES OF AUGUST 4, 2009**
- **5 – APPROVAL OF ITEM 0910- 01 – PROPOSED READOPTION –
DRIVING SCHOOL**
- **PUBLIC COMMENTS**
- **ADJOURNMENT**

Minutes by Acting Commission Secretary Steve Robertson, on behalf of Commission Secretary John G. Donnelly of actions taken at the Open Session of the 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 Tuesday, October 13, 2009. This meeting was conducted by telephone conference call.

Present:

Shawn Sheekey, Acting Chief Administrator
Laurette K. Asante, Board Member
Walter S. Orcutt, Board Member
Stephen S. Scaturro, Vice Chair
John Fuller, Assistant Commissioner, Transportation Designee
Debra Bell, Deputy Treasurer, Treasury Designee
Pamela S. Fischer, Director, Attorney General Designee

Stephen S. Scaturro convened the Open Session at 10:05 a.m. in accordance with the Open Public Meetings Act.

Board Member Laurette K. Assante arrived at 10:15 a.m.

The Acting Chief Administrator then presented the Acting Chief Administrator Report's with these highlights since the August 4, 2009 meeting:

General Comments

- Welcome to everyone
- Welcome Walter Orcutt
 - Resident of Warren County
 - Executive Vice President of NVE Pharmaceuticals

Facilities Update (extremely busy)

- Opened our new Flemington site
- Broke ground on:
 - Randolph
 - Rahway
 - Will break ground on Lodi site this coming Thursday
 - All agencies slated to open in 2010
- Talk benefits of customers service (wise investments)

Service Update (more convenience)

- Certified Driver History Abstracts
 - Now available at all 43 agencies
- Online Forms (now customers can prepare in advance of visit)
 - Abstract Applications
 - Reg Renewal Applications

- Title Applications
- Dealership Problems
 - You may have heard in the media
 - A number of dealership customers facing problems
 - MVC working with Consumer Affairs to help
 - Many are legal/ownership issues, but our staff is providing all available assistance

Safety Update

- Held “Back to School” event to highlight school bus inspections
 - NJ can be proud of its strict standards
 - **AAMVA Update**
- Attended International Conference in August
- I was named to the International Board of the American Association of Motor Vehicle Administrators
 - Keeps MVC on the national scene
 - Role in developing national policy
 - Good for NJ
- Our NJ Inspections public education campaign (joint w/DEP) was awarded AAMVA’s first ever Environmental Leadership Award
 - Ours was one of 13 entries from around the country
 - Ours received top honors

The following Agenda Items were presented for approval:

Minutes: August 4, 2009. 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 4, 2009.

Assistant Commissioner Fuller moved the resolution, Board member Orcutt seconded it and it was unanimously adopted.

0910-01: Proposed Readoption – Driving School The Motor Vehicle Security and Customer Service Act (“Act”), P.L. 2003, c.13, as the enabling statute that created the MVC, at sections 4 and 40 assigns to the MVC the duty to implement regulations affecting various programs, including this proposed readoption with amendments of regulations pertaining to driving schools and driving school instructors, which are codified at N.J.A.C. 13:23. These regulations must be readopted prior to their expiration on November 5, 2009.

Emily Armstrong of MVC’s Legal & Regulatory Affairs described the proposed readoption with amendments to N.J.A.C. 13:23, concerning the licensing of driving schools and driving school instructors, the administration of the MVC-approved written driver examination, and the MVC-approved eye examination, set forth N.J.S.A. 39:12-1 et seq.

During discussion Deputy State Treasurer Bell voiced her concern on the restricted use of answering services as overly restrictive. Emily Armstrong explained that this was for the protection of the consumer and to avoid problems with driving schools operating without a business location. Director Fischer indicated that this restriction was supported by the Driving School Association. Deputy State Treasurer Bell asked for clarification on the one student and instructor rule. Emily Armstrong confirmed that the rule was for one on one instruction with one student – one instructor. Director Fisher stated that the Teen Driver Study Commission heard testimony from parents that as many as three students at a time would be in an instructor's vehicle accumulating their required hours. A parent or guardian may observe but only one student may receive instruction with the instructor. Director Fisher noted that service agreements must be signed by a parent or guardian of an underage student. Deputy State Treasurer Bell questioned the possible regulation of driving school fees as they may be too expensive for many new drivers. Director Fisher responded that this is market driven and will be helped by the service agreement requirement. Teens who desire to obtain a permit at age 16 are required to receive 6 hours of instruction. If they cannot afford the fees at age 16, they are able to obtain a permit at age 17 without the instruction requirement.

Director Fischer moved the resolution, Board member Orcutt seconded it and it was unanimously adopted.

Public Comments: No member of the public came forward to address the Board.

Member Comments:

1. Director Fischer asked whether online requests for abstracts will be promoted to show parental access for underage drivers. Shawn Sheekey indicated there would be further discussion on this topic.
2. Shawn Sheekey informed the Board that Sonia Delgado regretfully informed him of her intent to resign from the Board.

Since there were no further comments or business, a motion to adjourn was made by Director Fischer and seconded by Deputy State Treasurer Bell and unanimously adopted at 10:35 a.m.