

# **NEW JERSEY MOTOR VEHICLE COMMISSION**

Minutes by Board Secretary John G. Donnelly of actions taken at the Open Session of the Annual Reorganization 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, February 10, 2015.

## **Present:**

Raymond P. Martinez, Chairman  
Laurette Asante, Public Board Member  
Scott Kisch, Public Board Member  
Walter Orcutt, Public Board Member (by speakerphone)  
Miriam Weeks, Transportation Commissioner Designee  
Gary Poedubicky, Attorney General Designee  
James Fruscione, State Treasurer Designee

Vice-Chairman Steve Scaturro previously had advised the Chairman that he would not be able to attend.

Governor's Authorities Unit Assistant Counsel Tyler Yingling and Deputy Attorney General Keith Ronan attended.

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.** Board Member Kisch 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 December 11, 2014 Board Meeting:

### Ambitious 2015

Good afternoon, everyone. I know this may seem a little late, but I'd like to wish everyone a happy new year. 2015 is going to be a very ambitious year for the MVC and I look forward to sharing many new initiatives and improvements with you as the year goes on. Now you might notice that our vice-chair Steve Scatturo is not with us here today. Steve is currently dealing with some health issues, so please join me in wishing him well as he recuperates.

### Welcome Legislative Liaison

Before we begin our official agenda, I want to formally welcome our new Legislative Liaison, Paul Rozenberg. Paul comes to us after working as an aide to Governor Christie in the Office of Community and Constituent Relations, where he oversaw many issues related to the Commission -- as well as our partners at the Department of Transportation,

and Turnpike Authority, among others. He will be overseeing our Office of Intergovernmental Relations. We look forward to having him on the team.

#### Veterans Designation

And speaking of legislative matters, on March 1<sup>st</sup>, a new law will be implemented that allows veterans to request that their former military status be indicated on their driver's license. This law also allows for the designation on non-driver ID cards. Governor Christie signed this law in September of 2013 as a show of support and acknowledgment of New Jersey citizens who have proudly served our country. I would like to extend my thanks to the project sponsor, Patti Perez, the project manager, Gina Sine, and the members of their team, for their outstanding work on this initiative.

#### National Wear Red Day

I also want to acknowledge that February 6<sup>th</sup> marked the recognition of National Wear Red Day. This annual campaign led by the American Heart Association puts the importance of heart health – especially in women – right in front of our eyes. Heart disease and stroke kill an estimated 1 in 3 women, and yet it is preventable in 80% of the cases. I want to extend my gratitude to our staff from the Office of Employee Development and the Division of Human Resources for organizing a campaign that exceeded their fundraising goal. Their efforts brought in over \$1000 that was donated to the American Heart Association. Not only that, they helped rally our staff in the Trenton Office Complex -- as well as throughout our agencies -- to show their support for this great cause.

#### JUSTDRIVE.com

At our last meeting, I had the pleasure of telling you about another great cause. The Motor Vehicle Commission is about to embark on a legislatively-mandated public awareness effort to help put an end to talking and texting behind the wheel. Tomorrow, we will be holding a press event in Randolph to kickoff our JUSTDRIVE.com campaign. Not only have we created billboards, print ads, digital media, but we have two components that we are extremely proud of. The first is a highly-interactive website that showcases the dangers and penalties for talking and texting while driving. It also provides an outlet for New Jersey citizens to share their own stories and tell us about their personal experiences. The second is our television commercial that hits home a message that while we love staying connected, when we are behind the wheel, put the phone down. I'd like to take a moment to share this commercial with you here today. (The film was then shown.) You know, five seconds is the average time your eyes are off the road while texting. That's enough time to cover the length of a football field blindfolded. It is an epidemic. We are not simply trying to get a message out. Our mission is to change behavior. This is not your typical campaign and we are very proud of being able to share this powerful message on such a large stage. You will see this spot during many of your favorite programs, on channels such as A&E, AMC, VH1, Bravo, the Discovery Channel, and more.

And now on with the rest of the agenda...

The following Agenda Items were presented for approval:

**Minutes: December 11, 2014.** 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 December 11, 2014.

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

**1502-01: Vice-Chairman.** This action is to meet the statutory requirement of The Motor Vehicle Security and Customer Service Act that the MVC Board appoint a Vice-Chairman, by designating Stephen S. Scaturro to serve as Vice-Chairman of the New Jersey Motor Vehicle Commission Board through January 1, 2016. Mr. Scaturro is Director of Consumer Affairs for Ocean County.

Board Member Orcutt moved the resolution with appreciation for Mr. Scaturro's lengthy and valuable years of service, Director Poedubicky seconded it and, after the Chairman's recognition of Mr. Scaturro's unwavering dedication to the Commission, it was unanimously adopted.

**1502-02: Board Secretary.** This item is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act for a MVC Board Secretary "who need not be a Board Member," by appointing a current MVC employee, John G. Donnelly, Esq.

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

Mr. Donnelly thanked the Board members for the honor of being reappointed Secretary of the Board.

**1502-03: IFTA 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 Rule amending the regulations concerning the International Fuel Tax Agreement (IFTA) by which member jurisdictions track commercial vehicle trips particularly as to motor fuel use. Jack Donnelly, Board Secretary, presented the Final Rule.

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

**1502-04: Advertising 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 Rule concerning the MVC's authority to contract for the sale of advertising. Bob Weinstein of the Regulatory and Legislative Affairs Office presented the Final Rule.

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

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

**Signed by the Governor:**

**A-1993Aca** (Watson Coleman D15/Tucker D28)/ **S-2280Sca** (Turner D15) authorizes the creation of a special Alpha Kappa Alpha license plate. The law includes MVC and Legislative leadership's 14 amendments that ensure MVC financial and operational needs are addressed. This act was signed on January 9, 2015, and took effect immediately, although it will remain inoperable until the first day of the seventh month following the date in which all of the requirements of the bill have been met.

**Bills Sent to Governor's Desk:**

**A-1368AcsAca** (Stender D22/Caputo D28/Lagana D38/Benson D14)/**S-385ScsSca** (Scutari D22/Whelan D2) revises penalties for various drunk driving offenses. These revisions include mandating the installation of an ignition interlock device in the one or more motor vehicles owned, leased, or principally operated by the offender. The Commission has expressed concerns. *It passed the full Assembly (46-15-14), and passed the full Senate (31-4) on 2/5/15.*

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

**S-1946ScaAa** (Sacco D32/Pennacchio R26)/**A-3441AcaAa** (Jimenez D32/Prieto D32/Sumter D35/Pintor Marin D29) would permit school districts to request from the Motor Vehicle Commission a motor vehicle record including personal information for use in verifying a student's eligibility for enrollment in the school district. Under the provisions of the bill the Motor Vehicle Commission is authorized to disclose the information to the school district in accordance with section 2 of P.L.1997, c.188 (C.39:2-3.4), which implemented the federal "Drivers' Privacy Protection Act of 1994," Pub.L.103-322. The bill has been amended to adopt suggestions from the MVC. These amendments limit the information MVC is required to disclose to only the parent's or guardian's name and address. In addition, MVC will only have to disclose this information in the event of a dispute between a school district and the parents or guardians of a student. *It passed the full Senate (40-0), passed the full Assembly (74-3-0) and was referred back to the Senate to concur with Assembly amendments.*

**A-3905AcaAa** (Coughlin D10/Eustace D38/Garcia D33)/**S-2680** (Gill D34) provides that an insurance identification card may be displayed or provided in either paper or electronic form. Under current law, an operator of a motor vehicle who is asked to provide proof of insurance may display to a police officer or judge only an insurance identification card in traditional, paper form. For the purposes of the bill, “electronic form” means the display of images on an electronic device, such as a cellular telephone, tablet or computer. This legislation has been amended to adopt suggestions from the MVC. These amendments give the Department of Banking and Insurance the responsibility of drafting regulations, in consultation with the MVC. *It passed the full Assembly (70-0-1), and was referred to the Senate Commerce Committee.*

**Implementation Update:**

**Indication of veteran status on driver's licenses and identification cards issued by MVC- (P.L. 2013, c. 165):** Implementation meetings are ongoing. It is anticipated that this initiative will be rolled out by March 1, 2015.

**Creation of a special Omega Psi Phi license plate – (P.L.2013, c.273):** A Memorandum of Understanding has been approved by executive staff and has been sent to the fraternity for review and approval. Electronic plate samples have been created and approved by Omega Psi Phi. IT/OIT have provided a timeline to update our COMP system to allow for future transactions to be followed by in-house testing, and Financial Management has created the Oracle accounts in preparation of the new plate transactions. The Commission still needs the 500 applications and checks from Omega Psi Phi.

**Increases fine and imposes license suspension for talking or texting on hand-held device while driving – (P.L.2013, c.70):** In December, Chief Administrator Martinez announced a public awareness campaign for talking or texting while driving. This campaign will go live this month. In addition, a form of notice to be sent to repeat offenders is being finalized.

**Authorizes special Alpha Kappa Alpha license plate – (P.L. 2014, c.90):** The Commission is waiting for the initial \$25,000 from AKA to begin the process.

Chairman Martinez thanked Paul for the presentation.

**Public Comments:**

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

Board Member Walter Orcutt then noted that Chairman Martinez was nominated by Governor Christie to lead the Motor Vehicle Commission five years ago this month. He also recounted the significant accomplishments and record of success of MVC with the Chairman's leadership. All assembled then joined together in a lengthy round of applause. Chairman Martinez thanked everyone and stated that he looks forward to the Board and staff continuing their efforts with him to provide excellence in motor vehicle services.

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 Asante and seconded by Director Fruscione and unanimously adopted at 3:00 p.m.