

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 14, 2012.

Present:

Raymond P. Martinez, Chairman and Chief Administrator
Stephen S. Scaturro, Vice-Chairman
Scott Kisch, Public Board Member
Laurette Asante, Public Board Member participated by telephone
Walter Orcutt, Public Board Member participated by telephone
Miriam Weeks, Transportation Designee participated by telephone
Gary Poedubicky, Attorney General Designee
James J. Fruscione, Treasury Designee

MVC Chairman and Chief Administrator Raymond P. Martinez convened the Open Session at 2:00 p.m. in accordance with the Open Public Meetings Act, and followed with The Pledge of Allegiance.

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

The Chair then presented the Chair's Report with these highlights since the December 6, 2011 meeting:

General Comments

- Welcome. I hope everyone had a great holiday season and New Year.

What's happening at the MVC?

- I am pleased to report this Administration's record of positive accomplishments continues at MVC.

Bakers Basin Ground Breaking

- Last November, we broke ground on our soon-to-be modernized Bakers Basin Agency.
- It's a 21-month project that not only brings us one of the largest newer facilities (12,000 sq ft), but also a new inspection manager's office and a field house for driver testing.
- I would like to thank the New Jersey Labor & Workforce Development Assistant Commissioner of Labor Planning & Analysis, Dr. Aaron Fichtner and local officials for joining me at a ceremonial ground breaking in November.

- This project has created more than 125 jobs, including carpentry electrical, paving and plumbing. In addition, the project assists in stimulating the local economy.

Investigative Partnerships Lead to 40 Indictments

- A key initiative of this Administration is to hold the public accountable for criminal actions.

- This past December, the combined efforts of our MVC investigators, the State Police and the Division of Criminal Justice led to the indictment of 40 people for their participation in criminal rings. They allegedly illegally sold New Jersey digital driver licenses at five different motor vehicle agencies involving MVC clerks at Lodi, East Orange, Edison, Jersey City and North Bergen.
- Such illegal activities will NOT be tolerated in New Jersey.
- I would also like to acknowledge the hard work and dedication of the staff within our Agency Services Division and Security & Investigations Division related to the various arrests that are being effectuated each week in various agencies around the state.

Specialty Inspection Station Opening

- I am pleased to report that on Dec. 6, we opened the doors to the appointment-only Westfield Specialty Inspection Station in Union County.
- This location replaces the Morristown Specialty Inspection Station that was unfortunately closed after damages sustained by Hurricane Irene.

Distracted Driving

- Distracted driving is a year-round problem and is often ignored. This year at the League of Municipalities and at the Bridgewater Commons Mall, the MVC, along with the New Jersey State Police and the State Division of Highway Traffic Safety, highlighted the dangers of distracted driving.
- By using an interactive booth and a simple Wii gaming module, volunteers were asked to play a driving game while wearing vision impairing goggles and texting a basic message on their cell phones.
- Participants were able to correlate the dangerous similarities of texting and driving and driving while impaired.
- While the demonstration was intended to be fun, driving while distracted is a serious issue and often takes a backseat as a priority.

E-Temp Tags

- The Commission has introduced just this month a new Electronic Temporary Vehicle Registration Tag (eTemp Tag) process to all New Jersey-licensed motor vehicle dealers. The new electronic, print-on-demand system, brings greater efficiency and flexibility to a dealer's vehicle sale process, increases fraud prevention and helps law enforcement catch thieves in real time.
- Paper tags hidden in the back of car windows will now become non-existent within the next three months.

- Dealerships now have the availability to create eTemp Tags 24-hours-a-day; 7-days-a-week, run e-reports for better inventory and will no longer have to visit an MVC agency for bulk temp tag purchases.
- Law enforcement will also greatly benefit from this new efficient process in several ways by giving them the opportunity to verify clearly-displayed vehicle registrations in real time from the comfort and safety of their own squad cars.
- In addition to this enhancement, the Commission also directly benefits. Temp tags can now be easily tracked, more efficiently managed and cost less to produce. Furthermore, and very importantly, these new eTemp Tags will aid toll road authorities in tracking toll violators.

Sports Plate Release – Giants win the Super Bowl

- I know that you all join with me in celebrating the success of our own Giants. The huge victory is a real opportunity for us to once again showcase our FANtastic sports license—and that was exactly what we did last week. In addition to media outreach, we also used our new mode of social media to reach excited sports enthusiasts.
- The public was also reminded of our other available sports plates including our most popular, the Yankees. We have 20 plates for sale including the Mets, Phillies, Devils, Flyers, Nets, Knicks, 76ers and 12 NASCAR plates.
- And now on with the meeting...

The following Agenda Items were presented for approval:

Minutes: November 1 and December 6, 2011. 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 meetings of November 1 and December 6, 2011.

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

1202-01: Vice-Chairman. This action is to meet the statutory requirement of The Motor Vehicle Security and Customer Service Act that 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, 2013. Mr. Scaturro is Director of Consumer Affairs for Ocean County.

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

1202-02: 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.

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

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

1202-03: 2012 Meeting Dates. This item is to fulfill the requirements of the Motor Vehicle Security and Customer Service Act of 2003 and of the Motor Vehicle Commission's Bylaws Article III that the Board adopt the annual notice of meetings at its Annual Reorganization Meeting.

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

1202-04: Licensing Service Regulation. This action is to meet the statutory requirement of The Motor Vehicle Security and Customer Service Act to promulgate regulations for the proper functioning of the Commission, including these proposed amendments of the Commission's regulations regarding the implementation of its various licenses and certificates, which in part permits certain **farm** vehicles to operate on highways on Sundays and holidays. Jeff Pistol of the MVC Office of Regulatory and Legislative Affairs presented this Final Rule.

Board Member Orcutt, who noted that he lived on a dairy farm as a boy and noted the benefit of being able to farm on Sundays particularly with the challenges that farmers face with the weather, moved the resolution, Director Weeks seconded it and it was unanimously adopted.

1202-05: ZORF Regulation. This action is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act to implement the Zone Of Rate Freedom (Z.O.R.F.) law found at N.J.S.A. 48:4-2.20 to 2.25. Kate Tasch of the Office of Regulatory and Legislative Affairs presented this Final Rule.

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

1202-06: Enforcement Regulation. This action is to meet the statutory requirement of The Motor Vehicle Security and Customer Service Act to promulgate regulations for the proper functioning of the Commission, including these amendments pertaining to school buses. Kate Tasch of the MVC Office of Regulatory and Legislative Affairs presented the regulation, and noted the Chairman's policy of making all proposed regulations available at the Board meetings at which they are considered.

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

Presentation – Facial Scrub. A briefing was provided by MVC Director of Security, Investigations and Internal Audit Tom Flarity.

Chairman and Chief Administrator Raymond P. Martinez and Director Flarity hosted a statewide conference for police and other security officials on December 9, 2011 to discuss Facial Scrub 2012, or FS-12, which is a sweeping initiative consisting of an initial, comprehensive examination or “scrub” of the MVC’s 19 million photo images, followed by a broad criminal investigative component, all of which is scheduled to commence this month.

Mr. Flarity explained that the Division of Criminal Justice is working closely with MVC, in response to Board Member Kisch’s question.

Mr. Flarity noted that a visual match will produce also the name and related information of the individual in the photograph, in response to Director Fruscione’s question.

Chairman and Chief Administrator Martinez congratulated Mr. Flarity and his staff on great work. He also noted that local, state and federal partners have followed MVC’s lead on this initiative, and noted that other executive departments of state government are appreciative of the ability to eliminate fraud from their benefit programs due to FS-12.

Legislative Report. A briefing was provided by Legislative Liaison Jonathan Pushman on a number of legislative issues that occurred in the 2010-11 legislative session, which ended January 9, 2012. The 2012-13 legislative session began January 10, 2012 and, to date, no significant action on MVC-tracked bills has occurred in the current session.

Legislative Contact:

Last month, Chief Administrator Martinez sent each new and returning member of the 215th Legislature a letter introducing (or re-introducing) himself. The Chief Administrator took that opportunity to illustrate several initiatives currently underway at the MVC which will improve customer service and security. Along with these letters, the MVC’s Office of Intergovernmental Relations enclosed a packet of various MVC-related materials, which will assist legislators and their staff in responding to constituent inquiries.

Bills Signed by the Governor:

A-4177(Albano / Milam)/S-2909 (Van Drew) to allow MVC to process title transfers of abandoned vessels without court order and with a longer time period required for desertion of vessel to ripen into abandonment. *01/05/12 – Signed by the Governor P.L.2011, c.172.*

A-2845 (Burzichelli / Milam / Albano / Riley)/S-3149 (Whelan) to prohibit MVC from inspecting buses on casino-owned property and designated casino parking, pick-up, or drop-off locations, except under exigent circumstances. Nothing in the new law would, however, limit the authority of the commission, or any duly authorized representative thereof, to demand and examine the bus driver’s operating credentials at any such location. *01/05/12 – Signed by the Governor P.L.2011, c.162.*

Bills Vetoed/Conditionally Vetoed by the Governor:

The following bills passed both houses of the Legislature at the end of the 2010-11 legislative session, but were allowed to expire without gubernatorial approval (also known

as a “pocket veto”). Any bills that received a pocket veto may be re-introduced for reconsideration in the current legislative session.

A-3309 (Wisniewski / Lampitt / Coutinho)/S-3058 (Stack) to expand education requirements for special learner's and examination permits.

S-445 (Turner)/A-1902 (Gusciora) to require vehicle registration to contain issue date.

Bills on Governor's Desk:

No legislation that has a significant impact on the Motor Vehicle Commission has passed the Legislature and is currently awaiting action by the Governor.

Implementation Update:

Abandoned Vessels (P.L.2011, c.172): Pursuant to recently enacted legislation (See A-4177/S-2909 above), the Commission has updated its forms and procedures concerning the transfer of titles to abandoned vessels. Most significantly, the MVC will no longer require applicants seeking to acquire title to an abandoned to obtain a court order directing the MVC to transfer such title. From the MVC's standpoint, all other procedures related to the transfer of titles to abandoned vessels have remained substantively unchanged.

Ban on Inspections on Casino Property (P.L.2011, c.162): The MVC Division of Inspections is responsible for implementing the provisions of this new law (See A-2845/S-3149 above). The law's prohibition on inspections on property owned or controlled by a casino is not expected to impede the MVC's ability to conduct inspections in, or in the vicinity of, Atlantic City. Currently, most inspections of buses travelling to and from Atlantic City are conducted at Bernie Robbins Stadium. Also, MVC inspectors will continue to be able to direct buses from casino property to the baseball stadium or some other designated location.

Public Comments:

Eatontown Borough Council Member Dennis J. Connelly, 84 High Street, Eatontown, NJ noted that he is attending the meeting out of his interest in law enforcement matters. He is a retired police officer and is now with the firm Life Saver Interlock. Chairman Martinez spoke at a business group meeting recently and advised Mr. Connelly that MVC meetings are open to the public.

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.

Since there were no further comments or business, a motion to adjourn was made by Vice-Chairman Scaturro and seconded by Public Board Member Orcutt and unanimously adopted at 3:00 p.m.