

Minutes by Board Secretary John G. Donnelly of actions taken at the Open Session of the regularly scheduled meeting of the New Jersey Motor Vehicle Commission (MVC) Board held at Floor 8E, Motor Vehicle Commission Headquarters, 225 East State Street, Trenton, New Jersey on Tuesday, August 14, 2012.

**Present:**

Raymond P. Martinez, Chairman  
Stephen S. Scaturro, Vice Chairman  
Laurette Asante, Public Board Member  
Scott L. 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

Governor's Authorities Unit Assistant Counsel John Cascarano attended. A partial malfunction in the speakerphone prevented meeting attendees from hearing Mr. Orcutt's votes in support for each of the agenda items.

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

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

**Chairman's Report**

The Chairman then presented this report of key Commission activities since the June 5, 2012 Board Meeting:

Commercial Bus Safety

I had the honor to welcome Administrator Anne Ferro of the Federal Motor Carrier Safety Administration to Liberty State Park this summer for a passenger bus safety event. With all the travel during the summer season, it was the perfect time to again bring attention to passenger safety. Our mobile inspection teams highlighted the great work they do all year round to ensure that buses, both local and out-of-state, are well maintained and safe for the highways. Administrator Ferro had the opportunity to unveil the FMCSA's new mobile phone app "Safer Bus," which gives riders a new tool to easily check the safety record of a bus before they even get on board.

Woodbridge Fire

Some of you may have heard about a devastating apartment fire in Woodbridge last month. A great number of residents were impacted; losing valuables, including important personal documents. I want to commend our folks here at the Trenton Office Complex and at the South Plainfield Agency who jumped into action to assist these residents in need as a part of a response team.

### Motorcycle Safety

To promote motorcycle safety this summer, we took a different approach and partnered with NJ Travel & Tourism on a joint commercial. The end result was a fantastic 30 second piece that not only highlights some great areas of our state, but also encourages motorists to safely share the road with riders. And, it also has a cameo by our West Deptford Agency manager Jeff Sanders. Chairman Martinez then had the commercial shown on the large wall screen for all attendees. The commercial has been airing on a number of stations since last month. The entire project was funded by a federal grant received through our partners at the Division of Highway Traffic Safety (thanks Gary), as well as monies from the NJ Motorcycle Safety Education Fund.

### AAMVA

Last month Denise Coyle and I attended the Region I conference of the American Association of Motor Vehicle Administrators in Connecticut. Once again it was a great opportunity to learn what other state Motor Vehicle departments are doing, discuss best practices and see the latest technologies that can improve our services. I also participated in a panel on organ donation where I had the opportunity to highlight the MVC's strong efforts to encourage customers to sign on as donors.

### Organ Donor

And speaking of organ donation, Governor Christie recently signed legislation in support of organ donation, and I was invited by the NJ Sharing Network to participate in their event at University Hospital in Newark last week. Recent data shows a marked increase in the number of donor registrations at MVC Agencies.

- 10 percent spike statewide in the first six months of 2012
  - Greatest increase was at the Newark Agency (19%)
- 28 percent increase in online registrations (2011 to 2012)

And, given that it was National Minority Donor Awareness Week, we also brought attention to the need to increase donors among the African American Community. Minorities comprise 56 percent of individuals on the U.S. transplant waiting list, while only representing 33 percent of living and deceased donors. I'm proud that the MVC can be a part of such a worthy cause.

### Senior Outreach

Finally, tomorrow we will officially kick off our new senior outreach program Wisdom Behind the Wheel at the 55 KIP Senior Center in Rutherford. This is a mature driver safety program that brings together the MVC, Highway Traffic Safety, DOT, medical professionals and AAA for an informative discussion about remaining safe behind the wheel at any age. The program is a reminder that senior driving discussions shouldn't just be about when to give up your license, which essentially is a loss of freedom. We take the approach that all of us should be able to stay on the road as long as it's safely possible. We discuss recognizing the effects of aging, making adjustments to driving habits, maintaining a safe vehicle and other useful information. We've been invited to a host of senior centers around the state and I'm looking forward to being on the road for these.

That's an update of MVC happenings.

The following Agenda Items were presented for approval:

**Minutes: June 5, 2012.** This item is to fulfill the requirements of The Motor Vehicle Security and Customer Service Act and of the Bylaws to approve the Minutes of each MVC Board Meeting, by approving the Minutes of the MVC Board Meeting of June 5, 2012.

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

**1208-01: Enforcement 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 this Final Rule regarding school buses at N.J.A.C. 13:20-50B, 13:20-51. Kate Tasch, Manager in the MVC Office of Regulatory and Legislative Affairs, presented the regulation.

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

**1208-02: Enforcement 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 this Proposed Amendment regarding school buses at N.J.A.C. 13:20-30.5, 30.7, 30.8. Kate Tasch, Manager in the MVC Office of Regulatory and Legislative Affairs, presented the regulation.

Vice-Chairman Scaturro moved the resolution, Board Member Asante seconded it and it was unanimously adopted.

**1208-03: 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, Manager in the Office of Regulatory and Legislative Affairs, presented the proposed regulation.

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

**1208-04: Budget.** This action is to meet the statutory requirement of The Motor Vehicle Security and Customer Service Act at section 13b3 that the Board shall review and approve the annual budget as submitted by the Chief Administrator. Financial Management Director Carol Hollows presented the budget.

Vice Chair Stephen S. Scaturro moved the resolution, and Director Weeks seconded it. In response to: 1) Vice-Chairman Scaturro's question, Chairman Martinez explained that over 500,000 criminal referrals have resulted from MVC's Facial Scrub Operation that compares all photographs in the MVC database for duplicates, and other state and federal agencies have used this information to ensure program eligibility and other

matters, and; 2) Mr. Kisch's questions, Director Hollows explained that there is again in FY13 a State contribution that benefits other agencies and the General Fund, and Chairman Martinez noted how the budget continues to meet core mission responsibly and efficiently. The motion was then unanimously adopted.

**Legislative Report.** A briefing was provided by Legislative Liaison Jonathan Pushman on a number of legislative issues, including Governor Christie signed into law A-1074/S-1616 known "Kulesh and Kubert's, and Bolis Law;" to establish the violation of the hands-free cell phone law as reckless under vehicular homicide and assault by auto statutes. Bills affecting MVC that are receiving legislative action include: S-717 to require driver's licenses to indicate veteran status and A-691 / A-2030 to provide for indication of veteran status on driver's licenses and identification cards issued by MVC; A-2555 /S-1681 to permit transfer of certain military commercial driver licenses to commercial driver license in certain circumstances; A-2947 to make various revisions to laws concerning disabled person identification cards and placards related to parking privileges; A-1571 to expand education requirements for special learner's and examination permits; S-1533 to permit health care providers to report certain patient health problems to MVC; A-1844 to make discretionary driver's license suspension for first offense of driving without motor vehicle liability insurance.

Chairman Martinez noted that some proposed legislation impacts MVC due to computer system constraints, but MVC is communicating to our stakeholders that we are undertaking a significant technology upgrade to address legislative and operational needs.

Mr. Pushman responded to Board Member Kisch and Vice-Chairman Scaturro, both of whom noted with regard to S-717 that they are both veterans, that the legislation has an operational impact but that as Chairman Martinez had just noted, MVC is working on a significant technology upgrade to address legislative and operational needs. Also, Mr. Pushman noted that U.S. Form DD-214 honorable discharge would likely be accepted based upon the customer's assertion as to its validity.

#### **Public Comments:**

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 Director Weeks and seconded by Vice-Chairman Scaturro and unanimously adopted at 2:55 p.m.