

Minutes by Board Secretary John G. Donnelly of actions taken at the Open Session of the regularly scheduled 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 12, 2013.

Present:

Raymond P. Martinez, Chairman
Stephen S. Scaturro, Vice-Chairman
Scott L. Kisch, Public Board Member by telephone
Laurette Asante, Public Board Member by telephone
Miriam Weeks, Transportation Commissioner Designee
Gary Poedubicky, Attorney General Designee
James Fruscione, State Treasurer Designee by telephone

Walter Orcutt, Public Board Member, previously had advised the Chairman of his inability to attend.

Governor's Authorities Unit Assistant Counsel Nicole Crifo and Deputy Attorney General Philip Espinosa attended.

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

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

Chairman's Report

The Chairman then presented this report of key Commission activities since the December 18, 2012 Board Meeting:

Good afternoon. It's been a busy day here at the TOC.

Operation Facial Recognition

For those of you who couldn't join us earlier today, we had a joint event with Attorney General Jeff Chiesa a few hours ago to highlight Operation Facial Recognition.

Now that we're a year into the use of this technology, I wanted to publicly share our progress, its benefits and give the AG an opportunity to announce the first set of indictments related to cases that stemmed from Operation Facial Recognition.

Those of us in business and government who regularly handle sensitive information always talk about weeding out fraud and abuse, but I'm proud to say the MVC is doing more than talk. We're maintaining a highly secure operation through stringent internal security measures, a robust document fraud detection program, security-enhanced documents such as the Enhanced Digital Driver's License and now -- facial recognition.

In the matches our folks have reviewed, we were able to clean up about 1,200 recording keeping issues while identifying 700 criminal cases. The MVC imposed administrative suspensions on 146 individuals for misstatement of identification. These findings are just the start.

And, we're also continuing to share information with over 20 partners through our AIRS system, which allows other stakeholders to review potential fraud cases as they might impact their individual entities. We've already uploaded about 750 cases for our partners to review.

I'm looking forward to even more progress as we move forward with this valuable security tool.

Flood/Salvage Vehicles

Last week, Consumer Affairs Acting Director Eric Kanefsky and I held a press event to educate consumers about Hurricane Sandy-damaged vehicles that may be coming on the market for sale. The host for our event was Insurance Auto Auctions, a holding site for over 3,000 damaged vehicles awaiting resale to salvagers or recyclers after insurance processing.

Over the last several months, the MVC has experienced a 6,000 percent spike in flood and salvage title processing statewide, which was anticipated given the massive devastation left behind by Sandy.

While it's not illegal for flood damaged vehicles to be sold, we wanted to ensure that consumers are aware of what to look for should they come across this type of vehicle when shopping for a vehicle.

To help, we've partnered with Consumer Affairs to create an online search tool that allows the public to look up vehicles that we've processed as flood or salvage. We also publicly advised what specific markings to look for on a flood title.

Under the law, a seller cannot knowingly sell a vehicle without disclosing to purchasers any damage it may have, but we know that consumers should always enter into any type of transaction from a position of strength and in this case, the strength is gained from knowledge.

I was pleased to have our partners, NJCAR, NJ Independent Auto Dealers and NJ Gasoline, C-Store and Automotive Association join us in our effort to protect consumers by attending the press event.

E-ZPass

Our initial sales of E-ZPass on the Go kits at a few of our agencies has been met with such enthusiasm that we recently announced that three new agencies in South Jersey that will also be selling them.

Joining Hazlet, Manahawkin and Rio Grande as retail locations for the kits are Salem, Turnersville and West Deptford.

To date, we've sold approximately 400 kits at \$31 each.

Dealer Services

Good news for our licensed new and pre-owned vehicle dealers around the state.

This month, we notified them that we have expanded both our Dealer Services Program and Dealer Online Services Program.

For those not familiar with these programs, Dealer Services is essentially a vendor-run messenger service that provides for pick-up and return of dealer paperwork for vehicle sales. The Dealer Online Services is a subscription software service that lets a dealer process their own transactions.

Under our expansion, both of these programs will now be able to process transactions related to motorcycles, ATVs, boats, RVs and low-speed vehicles -- something not previously offered.

Additionally, licensed independent vehicle dealers in good standing will now be able to subscribe to the Dealer Services Program. Those that can meet additional criteria will be permitted to subscribe to the Dealer Online Services Program. Prior to the expansion, these programs were only available to new vehicle dealers.

The overall program expansions will provide a great benefit to the 3,000 or so New Jersey dealers eligible for the Dealer Services Program and/or Dealer Online Services Program.

That's an update of MVC happenings.

The following Agenda Items were presented for approval:

Minutes: December 18, 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 December 18, 2012.

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

1302-01: 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, 2014. Mr. Scaturro is Director of Consumer Affairs for Ocean County.

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

1302-02: 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.

Vice-Chairman Scaturro 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.

1302-03: Autobus Regulations. 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 readoption without amendments regarding autobuses at N.J.A.C. 16:52. 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.

1302-04: School Bus Regulations. 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. Kate Tasch, Manager in the MVC Office of Regulatory and Legislative Affairs, presented the regulation.

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

1302-05: 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 this proposed readoption with amendments and new rule regarding the Licensing Service at N.J.A.C.13:21. Jeff Pistol of the MVC Office of Regulatory and Legislative Affairs, presented the regulation.

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

1302-06: 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 readoption with amendments regarding the Enforcement Service at N.J.A.C.13:20. Kate Tasch, Manager in the MVC Office of Regulatory and Legislative Affairs, presented the

regulation, and acknowledged the efforts of Tom Bednarz, Jim Arose, Emily Armstrong, Donna Pennabere, and other MVC staff.

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

Legislative Report. A briefing was provided by the Commission's new Legislative Liaison Rebecca Donington.

The Governor signed A-2947 (Singleton, Burzichelli, Gusciora) and S-2228 (Allen, Pennacchio) to revise laws concerning disabled person identification cards and placards related to parking privileges. MVC worked with the sponsor and publicly supported this legislation, which is intended to reduce fraud and abuse associated with person with a disability parking placards while increasing the availability of parking spaces for individuals with disabilities.

The Governor also signed A-1753 (Prieto, Mainor, Quijano), the companion bill was S-440 (Sacco, Pennacchio), to exempt certain Office of Emergency Management members from federal commercial driver's licensing requirements.

The Governor conditionally vetoed A-3028 (Greenwald, Benson, Spencer, Gusciora, Ramos), the companion bill was S-2198 (Smith, Greenstein), to establish a Clean Car Commission. The Governor's conditional veto deleted the "Clean Car Commission," which becomes the "Clean Vehicle Task Force," which will study and evaluate low emission vehicles, and deleted all references to the MVC.

S-71 (Codey, Singer) and companion bill A-2037 (Watson Coleman) were sent to the Governor's Desk to establish the "New Jersey Yellow Dot Program" in MVC by which a yellow dot is affixed to rear driver side window would alert emergency responders that medical information is in the glove compartment. The MVC does not oppose the overall intent of this legislation, but has serious concerns about having primary responsibility for administration of a statewide Yellow Dot program.

A-720 (3R) (Ramos, Milam, Wagner, Quijano, Moriarty) and companion bill S-2090 (1R) (Gordon, Oroho) also were sent to the Governor's Desk to require direct deposit for all State employee compensation on and after July 1, 2014; allows county, county college, municipality, and local school district to opt for mandatory direct deposit for all employee compensation on or after July 1, 2014. MVC did not take a position.

A-2555 (Tucker, Milam, Wilson, Conaway) and companion bill S-1681SCS (Beach, Sarlo) are near the Governor's Desk and would permit the MVC Chairman and Chief Administrator to waive CDL skills test for certain applicants with military experience operating commercial motor vehicles.

S-69 (Codey, Madden) and companion bill A-1080 (Quijano, Spencer, Munoz, N., DeAngelo, Fuentes, Moriarty) also are near the Governor's Desk to increase the fine and impose license suspension for talking or texting on hand-held device while driving.

S-2168 (Whelan, Beach, Buono) and companion bill A-2870 (Mosquera, Eustace / Milam, Benson, DeAngelo, Wisniewski) also are near the Governor's Desk to require the Secretary of State to establish a secure Internet website for online voter registration; and, authorizes use of a digitized signature from New Jersey Motor Vehicle Commission database. A-2870 passed the full General Assembly (46-30-3), and S-2168 is advancing in the Senate.

As to implementation of Sara's Law (P.L.2010, c.47), MVC has fully implemented that law by launching an online "Next of Kin Registry" that allow individuals to voluntarily submit and maintain emergency contact information through the New Jersey Motor Vehicle Commission. To date 2218 customers have entered 4187 emergency contacts into the next of kin data base and 372 non driver identification cards have been issued to minors under 16 years of age. Individuals interested in participating in this program can sign up through the MVC website at: <http://www.nj.gov/mvc/Licenses/nextofkin.htm>

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.