

NEW JERSEY MOTOR VEHICLE COMMISSION

Minutes by Board Secretary Chris Hillmann of actions taken at the Open Session of the Regular Board meeting of the New Jersey Motor Vehicle Commission (MVC) Board via TEAMS and conference call on Friday, January 15, 2021.

Present:

B. Sue Fulton, Chair and Chief Administrator
Vice Chair Sue Pigula - DOT
Amy Mallet, Board Member
Diane Legreide, Board Member
Stephen S. Scaturro, Board Member
Eric Heitmann – AG
Hannah Good – Treasury

Absent: Walter Orcutt – Board Member

Governor's Authorities Unit Associate Counsel Joy Johnson and Deputy Attorney General Philip Espinosa participated.

Chair B. Sue Fulton convened the Open Session at 10:01 a.m. in accordance with the Open Public Meetings Act.

Agenda Approval. Board Member Diane Legreide moved to accept the proposed agenda, Eric Heitmann seconded the motion and it was unanimously adopted.

Chair Remarks, 1/15/2021

Welcome to members of the Board and to our guests.

Board members: This Chair Report will focus your attention on an important area of concern in the New Jersey Motor Vehicle Commission.

In December 2019, Governor Murphy signed the bill to allow us to license drivers in New Jersey without regard to immigration status.

I strongly supported this bill. As I have always said: Our roads are safer when drivers are TRAINED, TESTED, LICENSED, and INSURED.

We acknowledge and respect the hundreds of thousands of immigrants in the state of NJ who are working, paying taxes, contributing to our economy and to our rich culture – but do not qualify as “legally present” in the US.

Part of our task here today is to finalize the rules supporting the issue of driver's licenses to all New Jerseyans regardless of immigration status. We will also be proposing an amendment to those rules that will address a shortcoming that was identified in the original proposed rules.

I'd like to speak briefly about a requirement in the original proposed rules that has caused a great deal of confusion.

Some have inferred that these rules would require undocumented New Jerseyans to go to the Social Security administration to get a letter in order to get a New Jersey driver's license. This is not true, nor do we recommend that you do that. That option is only for a small segment of the population who are legally present but have no work authorization.

The existing proposal, up for final adoption, requires instead an Individual Taxpayer ID number, or ITIN, in lieu of a social security number.

We know that hundreds of thousands of our undocumented population have ITINs, issued by the Internal Revenue Service, or IRS. And that per the National Immigration Law Center, the IRS has strong privacy protections in place protect undocumented applicants.

That said, we do not wish to see large segments of our community excluded from the opportunity to drive legally. After lengthy consultation with the Governor's office, the office of the Attorney General, and discussions with our motor vehicle partners in other states, we have made a determination that we can offer the additional option of an affidavit for those who have neither a Social Security number or an ITIN. That is the proposed amendment before you today.

I am proud of the hard work of our MVC Team in getting us to this point today, despite the major setbacks presented by the COVID-19 pandemic.

Thanks for your attention.

Minutes: December 8, 2020. 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 8, 2020.

Board member Scaturro moved the resolution, Vice-Chair Pigula seconded it and it was unanimously adopted.

2101-01: Designation of Vice-Chair. This action is to meet the statutory requirement of the Motor Vehicle Security and Customer Service Act that the MVC Board appoint a Vice-Chair, by designating Susan Pigula to serve as Vice-Chair of the NJMVC Board through January 1, 2022. Ms. Pigula is the Department of Transportation board designee. Board member Scaturro moved the resolution, Member Mallet seconded it and it was unanimously adopted.

2101-02: Designation of Board Secretary This item is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act for a Board Secretary “who need not be a Board Member,” by appointing the Director of Legislative Affairs, Christopher Hillmann. Board member Legreide moved the resolution, AG designee Eric Heitmann seconded it and it was unanimously adopted.

2101-03: Final Adoption: Status Neutral Licensing Regulations

The Motor Vehicle Commission (Commission) is responsible for ensuring that all New Jersey residents who are of legal age to drive and are driving New Jersey’s roads are properly trained, tested, licensed, and insured in accordance with New Jersey laws. The Commission’s regulations list the requirements for the issuance of driver licenses, permits, and non-driver identification cards. P.L.2019, c.271 declared that the State could improve roadway safety and automobile insurance coverage by making driver licenses and permits available to any safe driver irrespective of immigration status who meets all of the requirements relating to the driver’s ability to safely operate a motor vehicle, and who provides proof of identity, qualifying age, and New Jersey residency. Kristen Miller, of the Office of Legal and Regulatory Affairs, presented the Final Adoption. Vice-Chair Pigula moved the resolution, Board Member Legriede seconded it and it was unanimously adopted.

2101-04: Amendments to adopted Status Neutral Licensing Regulations These amendments to the adopted SNL regulations remove the requirement of a letter from the Social Security Administration to show ineligibility and adds a requirement that an affidavit be supplied on a form supplied by the MVC attesting to the person’s ineligibility to receive Social Security number.

Public Comments:

The following people spoke in favor of 2101-04.

Elsa Salazar, Theodore Fetter, Katherine Sastre, Alejandra Sorto, Madelyne Ryterband, Ellen Lichtig, Rochelle Borsky, Gloria Blanco, Kevin Escobar, Charlene Walker, Byram Augustine

Board Comments:

Amy Mallet – Important action today is about access to basic needs and safer roads. Thanks all that helped this to fruition today. Good health and stay safe.

Diane Legreide – Board and Commission deserves credit for all their hard work on SNL regulations. Congrats to the board for getting this done. Stay safe.

Steve Scaturro – Echo comments. Happy New Year

Eric Heitmann – From a traffic safety standpoint, hopeful that this will improve safety of our roads.

Hannah Good – Echo comments. Thank you all for hard work.

Sue Pigula – echo comments. It’s clear the staff worked hard on these regulations. Thank you for designation as Vice Chair.

Sue Fulton – Appreciate the work of the Board. Grateful to Legal staff and everyone who assisted. Thank you public for being engaged.

Adjournment:

Since there was no further business, a motion to adjourn was made Board Member Mallet and seconded by Board Member Legreide and unanimously adopted at 11:18 a.m.