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BMV Study Group Minutes September 1, 2009

The Acting Registrar, Carolyn Williams, called the meeting to order at 3:10pm and stated this committee meeting is being tape recorded. Nancy Crespo began with the roll call of the attending members.

All were in attendance except Tim Bubb, Licking County Commissioner, and John K. Mahoney, Deputy Director, Ohio Municipal League. Carolyn Williams, Acting Registrar, Ohio Bureau of Motor Vehicles, Anne Vitale, Associate Legal Counsel, Ohio Department of Public Safety, Adam Coridan, Budget/Management, Analyst, Ohio Office of Budget and Management, Rae Ann Estep, Director of Consumer Advocacy, Ohio Attorney General's Office, Michael Sliwinski, Assistant Attorney General, Ohio Attorney General's Office, Noreen Saunders, President, Ohio Clerk of Courts Association, Karl Keith, Montgomery County Auditor, Larry Woolum, Director of Regulatory Affairs, Ohio Trucking Association, Aldo Filippelli, President, Deputy Registrar's Association, Joe Cannon, Vice President, Government Relations, Ohio Auto Dealer's Association, Senator Tom Patton's aide Tim Lynch, 128th Ohio General Assembly, The Ohio Senate, 24th District, Elise Spriggs, Attorney at Law, Senate Appointed Member of the Public, Representative John Domenick, 128th Ohio General Assembly, Ohio House of Representatives, House District 95

Ms. Crespo opened the floor for introductions of the attending audience. Cheryl Brickman, BMV Controller, Department of Public Safety, Lindsay Bohrer, Public Information Officer, Department of Public Safety, Jeffrey Coleman, Assistant Registrar, Ohio Bureau of Motor Vehicles, John Guldin, Associate Legal Counsel, Department of Public Safety, Linda Stamm, Identity Crisis Collaborative, Representative Domenick's aide, Kim Redfern, RLB Group, Dick Boylan, TriVIN, Gary Delea, TriVIN, Joe Turano, TriVIN, Jeff Porter, CVR, Ken Mehall, CVR, Brad Cole, County Commissioners Association and Bridgett McCall.

Ms. Williams greeted and thanked everyone for attending the second full BMV Study Group meeting. She stated she will be sitting in as chair for the Director because he was unable to make it. Ms. Williams said everyone's willingness to get recommendations completed from the Sub-Committee's in a relatively short time frame is appreciated.

Ms. Williams announced in the coming weeks, Director Guzmán will be retiring, but the Department of Public Safety is already working with the Governor's Office and internal staff to ensure a smooth transition with the new Director of Public Safety. Upon appointment, the new Director, or his or her designee, will continue to serve as Chairperson for the full BMV Study Group.

Ms. Williams explained that as work progresses, it is important to keep the budget situation in mind when making recommendations. While the BMV does operate on fees charged for its services, these

Mission Statement

"to save lives, reduce injuries and economic loss, to administer Ohio's motor vehicle laws and to preserve the safety and well being of all citizens with the most cost-effective and service-oriented methods available."

fees actually fund a variety of entities and the BMV, like all other state agencies, must live within a strictly constrained budget. It will be in the best interest to come up with solutions that truly can be implemented within the budget framework that currently is in place and it will truly serve the public best if the group is able to develop and implement suggestions that are within our reach.

Ms. Williams expressed the importance of concentrating on ways to retain more of the revenue the BMV produces, or be more efficient within the BMV and reduce the cost of doing business, rather than creating new revenue.

She outlined the format for the next two meetings. This meeting and the next full group meeting will be a forum for each sub-committee to update the full group on the discussions and progress in the sub-committee meetings.

The final full group meeting will act as a forum for each sub-committee to present their recommendations to the full group, and for the full group to discuss and decide on recommendations to send to the Legislature and the Governor's office.

Ms. Crespo explained that the main objectives for the first sub-committee meetings were to decide on what topics to discuss and to present to the full group, and identify any action items that would provide supporting information for these topics.

Mr. Sliwinski began with a summary of TDR and an overview of discussions from the past sub-committees. He continued with areas that the sub-committee will look into:

1. Language for the statute to provide more protection for the consumers.
2. Funding of the TDR fund, how it is funded now and how it could be funded in the future.
3. How to get the motor vehicle dealers to pay into the TDR fund, encouraging them to pay into the fund or penalizing those who have not paid their assessments.

He also went over the three areas of discussion from the TDR Sub-Committee:

1. Funding coverage, looking into allowing the \$.50 title fee to be permanent and how that would affect the ATPS funds, Anne Vitale is looking at the legal side for DPS.
2. Enforcement options such as losing their dealer license, warning letters sent out from the Registrar, enforcement of assessments to the Dealer Board, or a mandatory fee at the time of license issuance.
3. Matching the time frame for the temporary tags, 40 days for dealers versus 30 days for consumers.

Ms. Crespo spoke of the BMV Stakeholder Sub-Committee. The topics of discussion in those sub-committee's were:

1. Expanding electronic titling
2. Additional services deputy registrars can perform
3. Financial responsibility verification

She mentioned that the action items for the BMV Stakeholder Sub-Committee were:

1. Impact of electronic transactions to rural areas
2. Positive and negative financial impacts of electronic transactions
3. Transaction growth for online and mail-in transactions over the past 5 years, cost vs. return
4. Written recommendations sent to BMV by September 8.

Ms. Crespo continued with the Deputy Registrar Sub-Committee. The topics for discussion were:

1. Rules and administrative changes
 - a. Review some aspects of the RFP process, uniform hours, mandatory signage, reduce transaction times, employee benefits, etc.
2. New services
 - a. Adding services deputy registrars can provide, such as issuing passports, check cashing, kiosks, testing, professional licenses, etc.
3. Fee structure
 - a. Suggestions will be discussed in detail in the next meeting
4. Political balance
 - a. Ensure the deputy registrar process maintains its bi-partisan integrity

The action items she reviewed for the Deputy Registrar Sub-Committee's were as follows:

1. Separation of administrative and legislative changes
2. A chart for the distribution of fees
3. The history of why there are reinstatement centers
4. List of deputy registrar recommendations
5. List of the questions asked during transactions

Ms. Crespo said if anyone in the public audience would like to submit recommendations for the sub-committees there is contact information for Justin Long on the back table. She suggested sending them to him and they will be mentioned at the appropriate sub-committee.

Ms. Saunders apologized to the Full Group for missing the first BMV Stakeholder Sub-Committee. She asked permission to read the following statement since she was not present at the BMV Stakeholder Sub-Committee:

"BMV Study Group members and interested parties; I thank you for allowing me as President of the Ohio Clerk of Courts Association to take part in this study group as a requested by the Deputy Registrars' Association and mandated by House Bill 2 which became effective on July 1, 2009.

It is my understanding that the Study Group is to evaluate ways to improve services to the citizens of Ohio and examine processes to achieve these goals to efficiently deliver the best level of services throughout the State of Ohio.

As a Clerk of Court acting as a full authority Deputy Registrar I believe I offer an efficient means to do exactly that, so I'd like to offer the history of our progression to a true one-stop shop for vehicle titling & registration, state ID & drivers' licensing, and watercraft titling & registration.

In 1999-2000, Gallia County remodeled the former State Highway Garage to house the new Gallia County Health Department. At that time I approached the Gallipolis Deputy Registrar to see if she might be interested in co-locating with my Title office in the front part of the same building which formerly housed the State Patrol. We both agreed that it would be mutually beneficial to our customers and to the County as we would lease the available space and alleviate traffic problems at the Courthouse and downtown. The public was very appreciative of the positive changes brought on by our merge.

In 2003 more changes were in store for Gallia County. SB59 was passed which resulted in cross-county titling. Cross-county titling meant certain death for title offices in counties with few car dealers or smaller populations. The Senate could foresee the detrimental effects to those title offices so they passed legislation to allow Clerks of Court in counties of populations less than 40,000 to become full authority deputy registrars, to create a more reliable revenue stream and keep title offices open. Although Gallia County was not struggling at that time, I could see that in three years time my office would be struggling to meet its obligations without a title fee increase. It was the intent of the Senate to allow those Clerks of Courts (with populations under 40,000) to become Deputy Registrars .

And so after much deliberation I decided that I would submit a business plan to Public Safety and become Deputy Registrar for Gallia County. I did not have to bid for the contract. It was not a decision that I took lightly. The annual revenue stream created by the registration side would fill the gaps in the title side and allow me to keep the doors open for my constituents and offer great public service. Excess funds, if any, will go back to local government, back to the services or capital improvements provided at the local level by County government.

The Deputy Registrar and I worked closely together so she knew of SB59 and its threat to her administration of the office. When I finally came to the decision to submit my plan to Public Safety, she was the first person that I informed. I also offered her the position of office manager and decided to hire three of her five employees. The three employees accepted without hesitation as they were offered better wages, health insurance, PERS, sick time, vacation time, and the same benefits as Gallia County employees. The former Deputy Registrar by now works for Gallia County as Office manager over the Registrar duties but makes less than she did as the Contractor. I personally have not been compensated for the additional duties that I acquired.

For some time I ran the Title/BMV as two separate offices separated by a hallway. My Title supervisor would work on the BMV side for 6 months before we started the process of cross training the offices. As the employees became acclimated to the 2 different processes we began to remodel the title office to absorb the registration process and create space for eight cross-trained employees. The only BMV issued registrar equipment that I needed was a T-1 line, 2 printers and the Digimarc printer to issue drivers licenses. I was able to access the programming for registration by using a browser on our ATPS (Title) CPU's thus eliminating the need for duplicate hardware.

Our customers now stand in one line for all of their needs. Each employee performs titling functions for a vehicle, mobile home or watercraft and then can immediately issue a temp tag or registration for the vehicle, issue a driver's license as well as issue renewal registrations for their other vehicles and watercraft. My employees are efficient and can often detect and stop fraudulent transactions that otherwise might be missed by the separate operation of services. My employees are friendly, educated, and much attuned to the needs of our customers. They are the lifeline to public safety and deserve to be compensated for our protection.

Titling duties are only performed by the Clerk of Courts as set by statute. The Clerk of Courts is an arm of the Court and the keeper of the record. We are the checks and balances much like the Recorder is with the deeds to property. For most people, besides home ownership, their vehicle is one of the most expensive items they own. We have been entrusted with titling since its inception in 1939.

The Clerks have always had a close working relationship with the Dept of Public Safety. As an elected Clerk of Court I answer to those I serve. If I perform poorly, I will not be re-elected regardless of periodic evaluations. I believe that fees set by statute are public moneys no different than taxes. We are audited by the Auditor of State annually as well as constant under monitoring by BMV field operations.

Currently there are 8 clerks acting as full authority deputy registrars out of 27 eligible to be FADR's (3 of those are using one terminal to do all transactions) 7 clerks are Limited Authority Deputy Registrars. By Registrar rule a clerk cannot be a LADR if the clerk is collocated with a Deputy Registrar.

The Clerk of Courts can offer streamlined services to the public, keep services local, and save the State of Ohio a great deal of money."

Mr. Cannon expressed his gratitude to Ms. Williams and her staff for helping with the improvement of the operations of the BMV, touching upon the Cash for Clunkers program. He stated in terms of the sub-committees, he is a member of the TDR and the BMV Stakeholder Sub-Committees, in the BMV Stakeholder Sub-Committee the overlap between that sub-committee and the DR Sub-Committee were discussed. Mr. Cannon asked Ms. Williams if she got the chance to look at that to try to delineate it at all.

Ms. Crespo said the suggestion was made at the DR Sub-Committee meeting but at the end of the meeting it was voted upon to have two separate sub-committee meetings because of the amount of information.

Mr. Cannon said he was not suggesting the elimination of a Sub-Committee he thought there was a lot of Deputy Registrar discussion in the BMV Stakeholder Sub-Committee. He was not sure if this is still relevant to that material but it may be something they want to re-visit to try to redirect what is discussed in the meetings.

Representative Domenick asked Ms. Saunders how the Clerks of Court across the state feel about how they are going about business and what they feel they should be doing.

Ms. Saunders responded that Clerks would be willing to acquire more duties if they were compensated for them. Currently some Clerks are working on contracts but some of the contracts have been denied. There are many Clerks in populations over 40,000 that would also like to do the Deputy Registrar services, for the public this just makes sense. She feels that the Clerks are somewhat micromanaged by Public Safety field operations throughout the state. The Clerks are not used to following a specific chain of command and not being able to get things done quickly. For the county this is a good thing. For an example from her budget, she can bring in about \$440,000 this year to Gallia County by combining both services. They will not be using all the revenue so they would donate money back to the counties general fund and allow the County Commissioners to

use those funds for capital improvements. She thinks this is good for the public, out of state people and her constituents. She is not compensated for the services but she knows she will be re-elected by offering the services.

Mr. Filippelli suggested that the Deputy Registrars should be able to offer the same title services as the Clerks of Court. Ms. Saunders said the Clerks are the checks and balances for titling and the keeper of the records, stating it has been this way in statute since 1937.

Mr. Filippelli asked Ms. Saunders why she does not agree with the idea of the Deputy Registrar providing the same titling services. He said that there are more Deputy Registrar locations, cheaper overhead, and the convenience for the customer. He pointed out the Deputy Registrars should have the same type of full services offered as the Clerks to better service the public. Ms. Saunders stated she would not agree with Deputy Registrars offering titling services.

Ms. Spriggs asked Ms. Williams if she had received Ms. Stamm's recommendations which were e-mailed to her and a few others within the BMV. Ms. Williams said that Ms. Stamm's recommendations will be discussed in the DR Sub-Committee and in the BMV Stakeholder Sub-Committee.

Ms. Williams stated that the sub-committees will continue to work towards recommendations to bring to the full group in the coming meetings.

Ms. Williams noted a few closing administrative topics:

- Minutes from each Study Group and each sub-committee are posted on the Study Group's Web site located at www.bmv.ohio.gov.
- In the "contact information" tab in your binders, please remove Rick Barga's name and information. He is no longer with the Department. There is not currently anyone filling his role.
- Tonia Fitros and Justin Long will be assisting with recording the minutes.

She said the two remaining full group meetings will be held at the Vern Riffe Center, rooms South B & C, from 3:00pm to 5:00pm on Thursday, October 1 and Monday, November 2.

She reminded everyone that a master schedule was sent out to each member of the full group. This schedule is intended to clear up any discrepancies in meeting dates, as well as to act as a final schedule for all meetings. If someone is unable to attend a meeting, she asked that they send a representative in their place.

The upcoming sub-committee schedule is as follows:

- TDR Sub-Committee- Friday, September 11, 1:00pm-3:00pm
- BMV Stakeholder Sub-Committee- Monday, September 14, 3:00pm-5:00pm
- Deputy Registrar Sub-Committee- Monday, September 21, 3:00pm-5:00pm

She stated that each sub-committee meeting will be held in Room South A, on this floor, right across the hall. Ms. Williams adjourned the meeting at 3:45pm and thanked everyone for their time and input.