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BMV Stakeholder Sub-Committee Minutes **October 13, 2009**

Ms. Atwell called the meeting to order at 3:10pm. Ms. Atwell stated that this sub-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. Carolyn Williams, Acting Registrar, Bureau of Motor Vehicles; Anne Vitale, Associate Legal Counsel, Department of Public Safety; Aldo Filippelli, President, Ohio Deputy Registrars Association; Larry Woolum, Ohio Trucking Association; Elise Spriggs, Attorney at Law, Senate Appointed Member of the Public; Joe Cannon, Vice President, Government Relations, Ohio Auto Dealer's Association; Karl Keith, Montgomery County Auditor; Noreen Saunders, President, Ohio Clerk of Courts Association; Michelle Dempsey sat in for Representative John Domenick, 128th Ohio General Assembly, Ohio House of Representatives, House District 95; Senator Tom Patton, 128th Ohio General Assembly, The Ohio Senate, 24th Senate District.

All attending audience members were: Terry Flanagan, Parma Deputy Registrar; Laureen Massucci, Geneva Deputy Registrar; William Predovich, Maple Heights Deputy Registrar; Tim Lynch, aide to Senator Patton; Timothy Amrine, Marietta Deputy Registrar; Susan Grove, Columbus Deputy Registrar; Joe Turano, with TriVIN; Kim Redfern representing TriVIN; Jeff Porter representing CVR; Darlene Middlebrooks-Smith, Columbus Deputy Registrar; Kim Nelson, Ohio Treasurer of State, Policy Manager.

Jeff Porter with the Law Firm of Kegler, Brown and Ritter representing Computerized Vehicle Registrations (CVR) passed out a couple of hand-outs to the sub-committee members. He explained that CVR handles point of sale titling and vehicle registration currently in 24 states and 2 under development. They have been listening to the sub-committees and Study Group with great interest and they would like to provide some help with titling and registration of vehicles in the near future. His client operates under a collaborative approach with the stakeholders who currently operate in the state (Dealers, DRs, Clerk of Courts) to come up with a collaborative approach with the BMV to provide point of sale titling and registration. He said other states operate under a fee system and those fees are distributed to the various stakeholders.

Mr. Porter went on to explain that CVR is owned jointly by ADP Dealer Services and the Reynolds & Reynolds Company. Reynolds & Reynolds is an Ohio company that has been here since 1866 in Dayton and currently employees 1700 people in Ohio. ADP and Reynolds & Reynolds operate 90% of the population of dealership computing systems in the US. Additional agreements with the remaining dealer management systems providers bring the total to over 95% of today's vehicle volume being processed through one of these system providers.

Mr. Porter said he believes they can offer a service to Ohio that is beneficial not only to the customers who are the main concern but can also work with the stakeholders.

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."

Ms. Atwell moved onto topics of action items from the last meeting. The first topic was about fees relating to IVR and OPlates.

Ms. Brickman said that she had preliminary documents with the data, but they were still being double checked. She would have the documents sent out via e-mail in a few days.

Ms. Saunders recapped The Ohio Clerk of Courts Association (OCCA) offers the following recommendations to improve services to the public in regard to services related to vehicle registrations, drivers license and state ID's, and vehicle title issuance:

- Since the Clerk of Courts performs the function of vehicle titling (ORC Ch. 4505, 4519 and 1548), allow the Clerk of Courts to present a business plan to offer registration services in conjunction with vehicle titling and watercraft registration without the need to competitively bid as was originally intended by Senate Bill 59. The Registrar should renew said contract without the need to competitively bid.
- Remove the current 40,000 population cap for the Clerk of Courts to become a full authority Deputy Registrar (ORC 4503.03(A)(1) (b)).
- Compensate the Clerk of Courts for providing Full or Limited Authority Services. Compensation not considered an "in-term" raise. This compensation precedent has already been set for Clerks who perform dual functions of Clerk of Courts of Common Pleas and as Municipal Court Clerks
- Allow the Clerks of Court the ability to advertise services and do mail-in registration renewals for the zip codes that fall within County jurisdiction.
- Clarify statute to allow the existing bond of the Elected Clerk of Court to satisfy the bonding requirement of a contracted Deputy Registrar
- Exempt the Clerk of Courts from the required Annual Political Contribution Report as the office does not make political contributions. The Limited Authority Clerks of Court are currently exempted from filing this report or paying associated fees.
- Allow Limited Authority Deputy Registrars (LADR) the ability to print on-demand stickers as part of the registration process. In addition the LADR should be able to issue the metal plate upon registration so the State of Ohio does not have to mail it to the consumer. Limited Authority, since it has been tested and proven effective, needs to be expanded to more Clerks in order to allow Clerks to expand efficiency of customer service.

She said the OCCA currently has seven of its members performing the duties of Full Authority Deputy Registrar and eleven members performing Limited Authority transactions. The implementation and consolidation of services has been fully tested for a period of at least six years. They have already met the BMV Study Group Guiding Principles of consolidation of services, improved process efficiencies, improved customer service, improved business practices and our Titling income is their main alternate source of income.

She said the Clerk of Courts has been the keeper of the records of vehicle ownership since 1937 and has maintained an ongoing relationship with the Ohio Department of Public Safety since its inception. As elected officials they are directly accountable to the public we serve and have strict mandatory ethics and records training. They are audited annually by the State and independent auditors.

Ms. Saunders added that not all Clerks want to do this but those that do would like to have that.

Ms. Atwell continued on with the chart provided to the members.

Mr. Woolum spoke on the electronic truck and trailer registration. He said the truck owner could register both their truck and trailer from their desktop at work. He said this could be done electronically either by contacting the DR of his choice or by working directly with the BMV.

He then spoke on the 2000 pound increments issue. He said this will make Ohio more competitive with neighboring states. He said neighboring states offer the IRP truck registration for 2000 pound increments which gives more flexibility to the consumer when registering the vehicle.

Lastly, he spoke on the permanent trailer plate recommendation. He said this recommendation also competes with neighboring states that offer this service which is very valuable to the industry.

Mr. Keith asked about the requirement of proof of insurance at vehicle registration. Ms. Crespo said it came from House Bill 73.

Ms. Vitale asked why the vanity truck plates are under the administrative section and not the legislative. She will look into that.

Ms. Saunders said the existing bond is already being done by the Clerks and offered clean up language for the code. She said when they originally did Senate Bill 59 they are exempted from the annual political contribution report. She does not feel the county should have to pay a fee to do that.

Ms. Williams asked Mr. Keith to expand on the system to report lost/stolen driver license and identification cards.

Mr. Keith said someone mentioned a 1-800 number to call in a previous meeting and he was unaware of that number. He said the top three things are communication related issues that could be resolved. He said he and Mr. Filippelli were speaking about the recent changes to the required documentations for proof of residency and the problems that have been created for them.

Mr. Keith said when he left his work, there were about 20 people in line and most of them will get turned away because they do not have the proper documentation with them. This goes back to the issue of communication and marketing throughout the state and how this causes frustration and anger to the citizens. He said he is bringing this up as a need to develop a marketing plan statewide. He also suggests better training and preparing the agents for those types of issues and for the general public as well.

Ms. Williams apologized again and reassured they will do a much better job at communicating issues.

Mr. Cannon recommends including the legislative and administrative changes to the BMV Study Group for recommendation since they are also being presented to the Governor's office.

Ms. Atwell asked if everything within the first three categories will be submitted as recommendations.

Mr. Filippelli said he did not agree. In regards to the legislative issues, the vehicle registration, remove population of 40,000 cap, LADR to print on demand registration stickers, LADR to issue license plates, he recommends spending some time on them and looking at the ramifications they could cause to a deputy

registrar. He said what is being looked at right now could take a major part of their revenues which could cost them their existence.

He said it is not fair to the citizens of Ohio that deputy registrars cannot duplicate and provide the same type of services as the Clerk of Courts such as issuing titles. He would like to be on record stating his opposition.

Mr. Cannon said he thought the initial question was to exclude the administrative related proposals and he would not want those excluded.

Ms. Atwell said the idea was to find out what the sub-committee does not want to be submitted as a recommendation.

Senator Patton said he has had some discussions with some deputy registrars. He said for most Ohioans, their only interaction with the state is when they get their driver license renewed or their license plates. From his part of the world that also incorporates E-Check so conceivably some people on a Saturday could be forced to go to three different places. He is very sensitive to the comments Mr. Filippelli makes.

Senator Patton agrees that these recommendations need to be more vetted out because at the end of the day this past General Assembly put in the budget a \$20.00 late fee and he heard from a couple dozen people say they were a few days late waiting for their child to get home from school and were charged \$20.00 extra. This is because it was not marketed to people. If there is additional information like proof of residency which went into affect last Thursday and he said he didn't know about that and he is a member of the Senate.

He said the purpose of this study group is getting together to try to make this easier for the people of the state of Ohio. He said if he is hearing from the person representing the deputy registrars that there is a problem then he has problems with it as well.

Mr. Cannon said in the proof of insurance legislation, there are some requirements for dealers throughout the state as well. He asked if Mr. Keith would consider deferring to the legislature as he suspects its going to bring in a host of other interested parties that are impacted by that.

Mr. Keith answered yes and they can remove that from the table.

Ms. Atwell said the BMV will put together all the recommendations to present to the Study Group on November 2nd. The document will be sent out to the sub-committee first for approval.

Ms. Crespo needed clarification for the removal of the proof of insurance recommendation. She asked if the sub-committee is tabling the recommendation.

Ms. Vitale said if the clerks remove the 40,000 cap then the clerks would do everything the deputy registrar does then the deputy registrar would do everything the clerks do.

Mr. Filippelli said they need to make their services more transparent. With the tough economic times and people out of jobs it is not right to send customers to several different places. He concurs with the Senator in that they should be able to provide as many services as they can at one stop. There is a reason why the population is capped at 40,000 and they stand by the original proposal. He said integrity should be maintained across the board.

Mr. Keith had a procedural question, are they to present everything that is recommended even if recommendations are brought in from other sub-committees because he sees a lot of competing interests between the clerks and the deputies. He asked if everything recommended will be submitted to the Study Group or are they not including some of the recommendations.

Ms. Eaton said the point of the sub-committee is to present the recommendations to the larger group so administratively it makes sense to submit the entire list but then make recommendations to focus on from that list. That way they can see the entire list discussed at the sub-committee and then they can see what the recommendations are.

Senator Patton asked if the report should include the recommendations which are not supported.

Ms. Eaton said with the sub-committee's approval, they should submit the entire list of recommendations including supported and not supported so the Study Group can see all that was discussed by the sub-committee.

Senator Patton said he suggests submitting items discussed and conclusions otherwise the time spent as a committee should have been just for an idea collection forum. He said if the sub-committee is not able to ferret out ideas as a collaborative group at this level, to expect those ideas to be brought forward at a more expansive level seems to be redundant of the sub-committee's time. He suggests that the sub-committee should determine which items to submit.

Ms. Dempsey said that there was information that Representative Domenick had requested on numbers for smaller rural areas and they are still waiting on that data. Once the information is received, the Representative would like a day or so to look at the data and go over the recommendations from the sub-committee.

Mr. Long said he will send the requested information to Representative Domenick on Friday, October 16th.

Mr. Keith asked for a BMV representative to speak on the four items under the "can't support" section and why the BMV can not support them.

Mr. Coleman spoke on behalf of the BMV. He said the clerks requested all four items.

Ms. Saunders said that she would like the ability to have constituents mail-in their renewal forms to her office. She feels like they can open the mail and process each registration.

Mr. Coleman said the process is much more complex than that and there are a whole host of issues why the BMV does not support this recommendation.

Ms. Saunders said her constituents should still have an option to mail it to local agencies.

Ms. Eaton said that the customer service center has the ability to track exactly what happened with each application if a customer were to inquire about it. If deputy registrar's or Clerks started processing them, the BMV would lose that accountability.

Ms. Williams asked Ms. Brickman if that change would also affect the revenue stream and the budget.

Ms. Brickman stated that change would definitely affect the two.

Mr. Coleman spoke on the non-competitive bidding recommendation stating that the BMV strongly supports competitive bidding and they would be against removing that process.

Next, Ms. Saunders addressed the LADR and FADR compensation for additional services provided. There was some back and forth discussion between Ms. Williams, Ms. Crespo and Ms. Saunders about the \$3.50 transaction fee and where the money goes.

Ms. Saunders stated that Clerks do not get compensated for the additional duties they took on. Mr. Filippelli and Ms. Saunders spoke back and forth on this issue and Senator Patton asked Ms. Saunders for an example of additional services the Clerks took on.

Ms. Spriggs said there are ethical issues with what Ms. Saunders recommended. She said Ms. Saunders is not explaining her issue very well.

Ms. Williams said the County Commissioner would have concerns with money being taken away from the locals to compensate clerks.

Mr. Keith spoke on behalf of the seven county auditors in the State that act as deputy registrars. He said it is difficult to ask for compensation for additional duties and duties they took on since 1992. With people being laid off, the elimination of jobs, and wage freezes they are put in a difficult position.

Ms. Saunders asked the committee to take the recommendation off completely.

Mr. Coleman spoke on the idea of being exempt from the annual political contribution report. He said the BMV can not support this because all must file a form for any money contributed because it is in contract and in statute.

Mr. Cannon brought up the electronic titling suggestion and asked to deter it to the legislature.

Mr. Keith asked for the mail-in cost analysis and Ms. Brickman said it will be put together and sent out to the sub-committee.

Ms. Atwell announced the full Study Group meeting is on November 2nd from 3:00pm to 5:00 in rooms South B and C. The meeting was adjourned at 4:09pm.