

- Administration
- **Bureau of Motor Vehicles**
- Emergency Management Agency
- Emergency Medical Services
- Office of Criminal Justice Services
- Ohio Homeland Security
- Ohio Investigative Unit
- Ohio State Highway Patrol



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BMV Study Group Meeting Minutes November 02, 2009

Director Collins-Taylor called the meeting to order at 3:10pm. She thanked everyone for joining them for the fourth and final meeting of the full BMV Study Group. She said she appreciated the investment of time and the input that has shaped the work of the sub-committees and this body.

She said in a short time frame everyone has worked to present a series of recommendations that will enhance the Bureau of Motor Vehicles, aid the Department of Public Safety and its stakeholders and improve service to our citizens. Director Collins-Taylor then asked Ms. Crespo to take roll call.

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, 128th Ohio General Assembly, The Ohio Senate, 24th District; Elise Spriggs, Attorney at Law, Senate Appointed Member of the Public; Michelle Dempsey sat in for 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; Jeffrey Coleman, Assistant Registrar, Ohio Bureau of Motor Vehicles; Terra Goodnight, Governor's office; John Guldin, Associate Legal Counsel, Department of Public Safety; Kim Redfern, RLB Group representing TriVIN; Richard Boylan, TriVIN; Joe Turano, TriVIN; Brad Cole, County Commissioners Association; Bridgett McCall representing the Deputy Registrar's Association; Timothy Amrine, Marietta Deputy Registrar; Kym Nelson, Ohio Treasurer of State, Policy Manager; Becky Cantrell, Ohio Treasurer of State; Patty Tanner, Attorney Generals Office; Terry Flanagan, Parma Deputy Registrar; Karen Cloud, Deputy Registrar; Susan Grove, Deputy Registrar; Andrea Smiesko, Niles Deputy Registrar; Steven Oliver, Lancaster Deputy Registrar; Tim Neal, Wayne County Clerk; Mark Dempsey, Chief Deputy Clerk; and Emily McBane, Majority Policy and Research Aide at Ohio House of Representatives; Vanessa McMahan, Ohio Senate President Harris' Office, 19th District; Tim Lynch, Office of State Senator Tom Patton.

Director Collins-Taylor asked the group to accept the submitted agenda or to propose another one. She said the group has been provided with the minutes from the third full Study Group meeting. She asked if there were any revisions to the minutes and if the group would approve the minutes from the third full Study Group. She said they will move down the provided document item by item and open up the floor for anyone that would like to discuss a recommendation.

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."

After each item they will decide by a majority vote if the Group would like to include this item in the final series of recommendations to the Legislature and to the Governor's Office. When discussing each item she reminded the committee members to keep the budget situation in mind. She stated that the BMV and the State are not in a position to take on additional costs nor have any existing fees redirected for other purposes.

Ms. Crespo said the recommendations from each sub-committee are organized into two separate categories. The first category is legislative recommendations that would require a legislative change, and the second category is administrative recommendations that can be accomplished without a legislative change. The Department of Public Safety has agreed to work with the group that presented the administrative changes to implement these.

She said the TDR sub-committee has a separate document so they began with discussion of the TDR recommendations presented by Mr. Sliwinski (which all were passed).

Mr. Sliwinski stated that the TDR subcommittee identified two main goals and one secondary goal to explore and make recommendations to the larger group.

1. First, the group explored ways to expand coverage to all consumers.
2. Second, the group identified and explored dedicated and stable funding sources for the TDR Fund.
3. Third, a secondary goal was to explore avenues of enforcement against dealers who do not pay into the fund and/or who cause a payout from the fund. This was a secondary goal because enforcement options are dependent on the funding source itself.

He said in light of the time constraints contained within the full BMV Study Group reporting schedule, the sub-committee at this time does not recommend a specific new source of funding. After much discussion, the sub-committee decided it would be better for all stakeholders to continue exploring these issues rather than provide the larger group with an underdeveloped recommendation. The committee did identify three possible funding sources for the TDR Fund, and it has pledged to continue working together on an ongoing basis to further develop and assess these options in order to reach a solution that best addresses the concerns of each stakeholder.

Mr. Sliwinski reviewed the dedicated funding suggestions discussed:

1. The sub-committee will continue to examine options using a fees structure similar to current temporary law where a fee is charged for a title and a separate, stand alone fee is charged for the TDR fund at the time title is issued. Some of the issues that still need to be fleshed out include:
 - a. Uses of a triggering mechanism once the TDR fund reaches a certain level.
 - b. Identifying a baseline amount of money that needs to be in the fund in order to cover all consumers.
 - c. Identifying the amount and source of the stand alone fee.
2. The sub-committee will examine options to require that dealers pay into the TDR fund at the time of license issuance and renewal. Some of the issues that still need to be fleshed out include:
 - a. Uses of a triggering mechanism the TDR fund reaches a certain level.
 - b. Identifying the amount dealers would be charged at issuance and renewal
 - c. Identifying methods of enforcement against dealers who do not pay the TDR fee at issuance and renewal.
3. Combination of the above suggestions and/or evaluation of new ideas.

Ms. Crespo said the recommendations from the BMV Stakeholder and Deputy Registrars Sub-Committees have been consolidated into one document and have been organized as recommendations requiring a legislative change, and recommendations requiring an administrative change.

Ms. Crespo began with recommendations requiring legislative changes:

- Electronic Truck and Trailer Registration

The Study Group recommends providing an electronic method for commercial fleets to register their trucks and trailers. The Ohio Trucking Association (OTA) contends this would provide a convenience to the trucking industry by providing them with another method of registration.

Mr. Filippelli said throughout the sub-committee they were asked if the DR's would also have this opportunity. They were not on the recommendations. Ms. Crespo said that will be added to the final recommendations.

- IRP Fee Structure in 2000 Pound Increments

The Study Group recommends changing the commercial fee structure from the current 4,000 pound increments to 2,000 pound increments.

- Permanent Trailer Plates

The Study Group recommends implementing "permanent" trailer plates. The definition of permanent needs more research, but it would fall somewhere between 5-10 years long.

- Deputy Registrar Fee Increase

The Study Group recommends allowing the deputy registrars to request a per transaction fee increase. The Ohio Deputy Registrars Association's (ODRA) proposal states the current fee should be increased to at least \$5.00.

- Deputy Registrar Cost of Living Increase

The Study Group recommends allowing the deputy registrars to request a cost of living increase mechanism.

- Five Year Contracts for Deputy Registrars

The Study Group recommends increasing the tenure of a deputy registrar contract from the current three years to five years.

- Allow Deputy Registrars to Renew Professional IDs

The Study Group recommends allowing deputy registrars to issue and renew professional IDs.

- Allow Deputy Registrars to Issue Titles

The Study Group recommends allowing the deputy registrars to request to have the authority to issue titles.

She continued with the recommendations requiring Administrative changes.

- Allow Existing Bond of Clerk of Court to Satisfy Deputy Registrar Bond Requirement

The Study Group recommends allowing the existing bond required for the Clerks of Courts to satisfy the bond requirement for the Clerks to act as deputy registrars.

- Accept Electronic Payments for Commercial Registration Transactions
The Study Group recommends accepting electronic payments for commercial registration transactions.
- Vanity Truck Plates
The Study Group recommends allowing commercial truck companies to have special plates with their businesses logo on them.
- Electronic Titling- Anne Vitale
The Study Group recommends providing an electronic titling option. The BMV, along with stakeholders, will look into including an electronic titling option.
- Integrate BASS and BMV System to See Previous Temporary Tags
The Study Group recommends including a function on the current BASS system to allow the user to see how many temporary tags a person has previously had.
- Consistency in Communications from BMV
The Study Group recommends the BMV look into providing consistent answers and information when communicating to their stakeholders.
- System to Report Lost/Stolen Drivers Licenses and Identification Cards
The Study Group discussed providing a system for customers to notify the BMV when their driver license or ID card has been lost or stolen.
- Extend Back Support Hours
The Study Group recommends extending the BMV's back support hours, in order to be able to support DRs, Clerks, and Auditors for the hours they are open.
- Eliminate Minimum Staffing Requirements at Deputy Registrars
The Study Group recommends removing the minimum staffing requirement at deputy registrars.
- Eliminate Yellow Page Advertising for Deputy Registrars
The Study Group recommends removing the requirement for deputy registrars to advertise in the yellow pages.
- Remove Personal Information When Sharing Deputy Registrar RFPs
The Study Group recommends removing personal and competitive information from deputy registrar contracts when sharing them during the RFP process.
- Allow Deputy Registrars to Sell Advertising Space to Businesses
The Study Group recommends allowing deputy registrars and clerks to sell advertising space to businesses.

Ms. Saunders said the Clerks do not want to sell advertising space.

- Allow Deputy Registrars to Issue Hunting and Fishing Licenses
The Study Group recommends allowing deputy registrars to issue hunting and fishing licenses.

- Allow Deputy Registrars to Become Lottery Gaming Agents
The Study Group recommends allowing deputy registrars to become lottery gaming agents. Currently, some deputy registrars act as lottery gaming agents.
- Allow Self-service Kiosks in Deputy Registrar Locations
The Study Group recommends providing self-service kiosks in deputy registrar locations.
- Allow Deputy Registrars and Clerks of Courts to Advertise Services to Customers
The Study Group recommends allowing deputy registrars and clerk of courts to advertise their services to customers. This is currently permitted.
- Allow Deputy Registrars to Have Their Hours of Operations Adjusted
The Study Group recommends allowing deputy registrars to have their hours of operations adjusted.
- Identify Easier Ways to Ask Questions During a Transaction
The Study Group recommends more efficient and less invasive ways to ask transaction questions.
- Include Face to Face Interviews in the Competitive Bid Process
The Study Group recommends including face to face interviews during the competitive bidding process for deputy registrar contracts. BMV currently has authority to do this.
- Allow Swipe Card Machines at Deputy Registrars
The Study Group recommends allowing drivers license swipe card machines at deputy registrars.
- Electronic Titling
The Study Group recommends providing an electronic titling option. The BMV, along with stakeholders, will look into including an electronic titling option.

Anne Vitale said the sub-committee voted on the electronic titling recommendation, but there was some confusion as to what was actually being voted on. Mr. Cannon did make a specific recommendation for electronic titling that Ms. Vitale described.

She said that Mr. Cannon recommended for the State to explore an additional option for dealers to process titles electronically without having to use a third party vendor and for the State to provide it through the new ATPS III system. She said that was the only formal recommendation that was made during the sub-committee meeting; however vendors who can provide the service have been at all the meetings and made presentations. There have been no formal proposals made to explore ETA more generally but some people in the sub-committee thought that is what they were voting on. She opened the floor to the sub-committee to discuss what they actually voted on.

Mr. Cannon said there was only one formal proposal which was his. He believes that sounds like a procedural issue and they may want to entertain polling the sub-committee members now on what they believe they voted on and see what the majority thought.

Senator Patton and Mr. Keith said they were under the impression they were voting on Mr. Cannon's proposal.

Ms. Saunders said she would like to look at all of Mr. Cannon's recommendation.

Ms. Spriggs thought they were general voting and abstains on voting for Mr. Cannon's recommendation.

Mr. Boylan from the audience spoke on behalf of TriVIN. He said they made a detailed presentation at the Stakeholder sub-committee on the issue of electronic titling. One thing he was troubled by is the suggestion that there was nothing else proposed and maybe that is a procedural matter. He touched upon the Wisconsin system and how it did not work because it was a free system. The recommendation didn't come from a committee member and he didn't think it had to in order to be considered.

Mr. Boylan said one of the proposals was to look at an optional fee that could be charged as done in 20 or 30 other States across the country. He said this will not cost the Department anything. He said TriVIN will develop the portal costing over \$1 million to build to allow for a third party vendor. He asked that the Study Group consider the alternative and to make decisions that are right to the people of Ohio.

Ms. Vitale clarified by their presentation it was unclear what they were proposing. She said their proposal would be, along with looking at a State run option, to look at going through a vendor and through a portal and charging a fee to consumers.

Mr. Boylan said their goal is how to expand electronic titling and enhance them for the dealers.

Mr. Cannon said the proposal is work with the Department in conjunction with the stakeholders to explore expanding options to dealers. He said that is the only thing on the floor now and it appears by majority votes that the sub-committee understood that was the only proposal submitted. So procedurally he made a motion to submit it to the full Study Group.

Ms. Spriggs and Ms. Williams abstained from voting in the sub-committee and in the full Study Group.

Mr. Cannon spoke to the full committee asking if anyone wanted to speak on the proposal.

Ms. Vitale asked if all sub-committee members were clear what the proposals were.

Mr. Cannon explained his proposal again.

Mr. Woolum said this proposal is to explore options.

Ms. Spriggs said she is representing the other vendor and wanted to make sure she is appropriately abstaining so she asked Ms. Vitale to go over the actual recommendation. Ms. Vitale reviewed the recommendation again.

Ms. Spriggs, the Bureau of Motor Vehicles and Ms. Dempsey abstained. Ms. Dempsey said that Representative Domenick turned in a formal letter stating he abstains because he supported the original proposal.

Ms. Crespo said there were some recommendations that did not make it to the sub-committee. Ms. Spriggs submitted some written recommendations. She also mentioned the e-mail Linda Stamm sent to several people.

- The recent addition of late fees on certain BMV transactions has caught the public by surprise. BMV should work with stakeholders to determine if other ways exist to collect late fees other than fees due immediately in order to renew documents and implement a revised collection policy – look at how parking ticket fees are collected or sending the customers a bill for their late fees.
- BMV study group meetings have been very useful in getting stakeholders to have dialogue. Ohio's multi-prong system and budget environment have limited the efficiencies in the system. Recommend

that quarterly stakeholder meetings continue so that dialogue can be on-going as the system evolves with particular emphasis on efficiencies and use of technology in the system.

- Public needs a statutory guarantee that charitable donations requested to be made by the BMV officials, such as to the Save Our Sight Fund and Second Chance Trust Fund are used for their intended purpose and not state budgeting.

Ms. Dempsey stated that several constituents have contacted their office with concerns regarding registration period and with the \$20.00 late fee. They feel it should not be on a half year basis.

Ms. Spriggs made some recommendations regarding the late fee. She said there are creative minds that could figure out something else to do.

Senator Patton stated Senator Cates and himself submitted an amendment that would allow for a two week grace period for people renewing their plates. He said perhaps the Department could take a look at expanding the time frame; this has been completely thrust upon the public without any warning. There was no public awareness for this increase that he has seen. He again stated that most people interact with the State once a year when they are renewing their license.

Ms. Saunders added that for four years the Clerks have been asking for a title increase and they had to justify that increase. It has been since 1993 that there has been any sort of increase. In her mind, \$20.00 is a little much because a lot of people have more than one vehicle to renew for.

Director Collins-Taylor reminded the committee that there was a legislative process for the late fee. The Department started off with a \$10.00 increase and the Legislature changed it to \$20.00 and added a grace period.

Ms. Crespo said that the customers receive a renewal notice 90 days in advance with the new information on it. The Department also released a press release two weeks in advance. She said they can only do what their resources allow them to do.

Director Collins-Taylor said at the time the bill passed there was a lot of media attention given to it and then in October when the actual effective date took place, there was a lot of media attention as well. There were advisories also put out by the Department.

Ms. Spriggs made a motion to accept all recommendations except for the electronic titling. It was removed as a separate vote and the recommendations were accepted. The electronic titling recommendation was approved with three abstentions. Ms. Spriggs' first two recommendations were accepted. The third were accepted with one abstention, by Adam Coridan.

Director Collins-Taylor said they have agreed on the recommendations to submit to the Legislature and to the Governor's office. The ODPS staff will prepare the final document due by December 31, 2009. She adjourned the meeting at 4:20pm.