

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 Thursday, April 18, 2024.

Present:

Board Member Steve Scaturro
Board Member Walter Orcutt
Board Member Diane Legreide
Joe Bertoni (Dept. of Transportation designee)
Jenna Rodriguez (Treasurer designee)
Director, NJ Division of Highway Traffic Safety – Michael Rizol, Jr. (Attorney General designee)
Associate Counsel, Dorian Smith, Governor’s Authorities Unit
Acting Chair Latrecia Littles-Floyd

Deputy Attorney General Jennifer Jaremback participated.

Latrecia Littles-Floyd convened the Open Session at 2:04 p.m. in accordance with the Open Public Meetings Act.

Agenda Approval. Board Member Scaturro moved to accept the proposed agenda, Designee Bertoni seconded the motion, and it was unanimously adopted.

Chair Remarks 4/18/2024

Board members, members of the public, and staff. Thank you for joining us. As you all are aware, this is our first meeting of the year.

We last met on August 31, 2023, when we amended commercial driver licensing and the mandatory lifetime of a person’s commercial motor vehicle driving privileges the Zone of Rate Freedom.

Today, we will consider Final Adoption of proposed Licensed Motor Vehicle Dealers Rules Amendments and the Final Adoption of Zone of Rate Freedom 2024.

We will have more on that in a moment from our Legal Affairs Unit.

Thanks again for taking time out of your busy schedules to join us today...

Minutes: August 31, 2023. 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 August 31, 2023.

Board Member Walter Orcutt moved the resolution, Board Member Steve Scatturo seconded it.

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2404-01: Designation of Vice Chair

Acting Commissioner of the Department of Transportation was appointed as Vice-Chair for 2024.

Board Member Scatturo moved the resolution, Board Member Legriede seconded it.

2404-02: Designation of Board Secretary

Christopher Hillmann was designated as Board Secretary for 2024.

Board Member Scatturo moved the resolution, Board Member Orcutt seconded it.

Went out of order by accident....

2404-04: Final Adoption - Zone of Rate Freedom 2024 (ZORF)

The Motor Vehicle Commission (Commission) proposes to amend the provisions at N.J.A.C. 16:53D, Zone of Rate Freedom to fulfill its statutory responsibility to establish an annual Zone of Rate Freedom (ZORF) for regular route private autobus carriers providing service within the State, pursuant to N.J.S.A. 48:4-2.21. The ZORF is the maximum permitted percentage increase adjustment and the maximum permitted percentage decrease adjustment that a private autobus carrier may make to its rate, fare, or charge for intrastate regular route service without first having to petition the Commission for approval. If the autobus carrier's fare adjustments remain within the designated ZORF percentage range, the carrier need only give notice to the Commission and the bus-riding public of the rate, fare, or charge adjustment. However, should a regular route private autobus carrier seek a percentage fare adjustment other than that allowed by the ZORF, the carrier will be required to file a petition with the Commission and comply with the notice procedures set forth at N.J.A.C. 16:51-3.10 and 3.11. In proposing the ZORF for calendar year 2024 the Commission took into account several factors relevant to changes in the average costs of operating bus services, fares charged by public transportation, and the interests of the public who use private regular route bus services.

Board Member Scatturo moved the resolution, Board Member Legriede seconded it.

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2304-03: Final Adoption – Licensed Motor Vehicle Dealers Rules Amendments

The Motor Vehicle Commission (Commission) deleted the definition of “leasing dealer,” as the Commission has deemed the definition unnecessary and redundant, in light of the fact that “leasing dealer” is already defined by statute, in N.J.S.A. 56:12-61, as referenced in N.J.S.A. 39:10-19. The Commission amended N.J.A.C. 13:21-15.2(l) to reflect that applicants can provide liability insurance with split liability limits or a policy with a combined single liability.

The Commission deleted the term “controlling person” throughout N.J.A.C. 13:21-15.5(a)(4) and added “person with a controlling interest” so as to remain consistent with the rest of the proposal and in response to a public comment.

The Commission amended N.J.A.C. 13:21-15.5(a)(14) to clarify its intent that off-site sales permitted by statute are not grounds for suspension, revocation, or refusal to issue or renew a license.

Board Member Orcutt moved the resolution, Board Member Legriede seconded it.

Public Comments: None at this time

Board Comments: None

Adjournment:

Since there was no further business, a motion to adjourn was made by Board member Legriede and seconded by Designee Bertoni and unanimously adopted at 2:16 p.m.