

## Minutes of Board Meeting

September 11, 2019

10:00 a.m.

### **Present**

David Connell, Chairman  
Jeff Markey, Vice Chairman  
Jeff Wigington, Secretary (Phone)  
Bob Pierce  
Hubert Parker  
Wallace Coopwood (Phone)  
Britt Fleck (Phone)

### **Not Present**

Rachel Little  
Jim Cole

Also attending the meeting was Kimberly Daniel (phone) from the State Attorney General's Office and members of the DDS Staff.

### **Establish Quorum/Call to Order**

Chairman Connell confirmed the presence of a quorum and called the meeting to order at 10:00 a.m.

### **Approval of Minutes**

Chairman Connell called for a motion regarding the Minutes from the August 14, 2019 Board meeting. Hubert Parker made a motion to approve the regular meeting minutes as presented; Jeff Markey seconded the motion with unanimous approval by the remaining Board members.

### **Commissioner's Report**

The Chairman thanked Vice Chairman Jeff Markey on behalf of the Board and the DDS staff for an unbelievable tour of the Coca-Cola HQ. The Chairman expressed that it was the best company tour he had attended. The Vice Chairman thanked everyone for coming and enjoying the venue. He stated Coca-Cola really is a great company to work for and a great brand. The Commissioner welcomed the Chairman and Members of the Board to the September meeting. He acknowledged Asia Vance (Medical Review) and Erikah Swift (Communications Intern). Commissioner Moore informed the Board that George Theobald had given an official retirement date, which was at the end of September. The agency will have a retirement celebration on September 18th at 11:30am and welcomed the Board to attend. Melinda Cox (District 1 Manager) also is retiring, and she was able to renew the license of the Speaker of the House as one of her last acts of duty. She was very excited about that. The Commissioner stated the District Managers do a wonderful job and acknowledged Aretha Wright (District 4 manager) who was in the room.

The Commissioner continued with a few more updates:

#### Hurricane Dorian

- Governor Brian P. Kemp was very proactive during the storm. Ahead of Hurricane Dorian, Governor Kemp issued an Executive Order ordering the mandatory evacuation of individuals east of Interstate 95.
- The agency had four centers in that area, and out of an abundance of caution, the agency closed those offices. No DDS team members were impacted by the storm.

#### CPS Celebration

- This was the last event to close out the CPS project on August 26, 2019.

- A DDS celebrity look-alike, lip-sync battle was arranged by Kecia Bivins (Field Operations Director). A host of agency team members participated, with 13 acts scored by a panel of judges. The Commissioner announced some of the talent that performed.

#### Budget Reductions

- The Commissioner discussed recent AJC article, which discussed the budget reductions across state agencies, and reiterated that DDS was not immune to the reduction request.
- He continued to state that the priority for the agency is delivering services to the citizens of Georgia and ensuring the budget reductions do not have a significant impact in that delivery. The Chairman asked about the proposed elimination of the certified mail requirement, which was an item included in the proposed reductions. Although this would require a legislative change during the upcoming session, it would allow DDS to send notices via regular mail verses certified mail and save the agency approximately one million dollars.
- The agency also sends renewal notices (blue post cards) to customers. Since approximately 40 % of DDS's customers have an email address on file, the agency will send notifications via email instead of USPS mail to save postage.
- The driving manuals presently are available online and can be downloaded for easy access. Therefore, DDS has proposed to reduce the printed copies by approximately 80% of the normal total, which will save several hundred thousand dollars without impacting customer service.
- DDS will make other technology changes, as well. When possible, face to face meetings will be handled via Skype. The number of cell phones and land lines also have been reduced. DDS will become as efficient as possible without impacting the service of the agency.
- While the AJC article referenced DDS, the information was obtained through an Open Records Request to OPB and not a direct request to the agency.
- Board Member Bob Pierce asked about mailing legal documents by certified mail. General Counsel McClendon informed him that statute requires for certain things to be sent certified mail. However, the agency will cut back whenever possible.

Mike Mitchell (Regulatory Compliance Director) provided an update on Commercial Driver's License (CDL):

- 2019 Federal Motor Carrier Safety Administration (FMCSA) Annual Performance Review
  - Several representative from FMCSA spent a few months at DDS HQ and in the field, observing operations. Typically, these start in the month of July and are completed toward the end of August.
  - FMCSA samples the driving records and citations that come into the agency. Those records are audited to ensure the citations are processed in a timely manner and that the actions taken against the drivers' commercial privileges were appropriate. DDS did not have any findings again this year and received a lot of accolades from state representatives. Georgia is known as a model state, and FMCSA frequently points to Georgia in terms of best practices.
  - Chairman Connell asked about next steps should findings be cited. Mike said that FMCSA would document the deficiencies, put the agency on notice in writing, and give the agency a specified period to become compliant. FMCSA does not take punitive action immediately; however, findings make the agency look bad, as a copy of the audit is provided to the Commissioner and Governor's Office. The Chairman asked where FMCSA fit into the Federal Governments' structure, and Mike indicated that the agency is a unit within the U.S. Department of Transportation.
  - One item was identified as needing follow up, which was the implementation of the new federal lifetime commercial disqualification for CDL drivers that are convicted of any violations involving human trafficking.

- The agency has two pending CDL grants under review. One is a CDL fraud grant, which includes a critical position that we are attempting to renew. The second is a CDL travel team, which will allow DDS to take the CDL skills test out into the community.
- New Hampshire Fatal Crash
  - On June 21, 2019, Volodymyr Zhukovskyy (age 23) killed seven motorcyclists while operating a commercial motor vehicle while he was under the influence of drugs. This touches the Regulator Compliance Division on two fronts, as the crash involved a Commercial Motor Vehicle and motorcycles. The big tragedy behind this crash is that it was completely preventable.
  - On May 11, 2019, the driver had been arrested in Connecticut for DUI and refused a chemical test. The refusal should have resulted in an immediate disqualification of his commercial privileges. Connecticut officials twice alerted Massachusetts about the earlier drunk driving arrest, but no action was taken.
  - Massachusetts investigators later determined the Registry of Motor Vehicles hadn't been acting on thousands of out-of-state notifications about serious driving violations. This led to the resignation of Commissioner Erin Deveney of Massachusetts. Vice Chairman Markey inquired about the gap in the process of state to state notifications. The Commissioner responded by explaining that, when reports come in through FMCSA, AAMVA, or through the mail, the DDS must have staff to timely record that information to the driver's record. Commissioner Moore speaks often of court situations in which the courts delay sending convictions to DDS. This is problematic because, if a driver has a serious problem but the court does not provide the conviction timely, that person can continue to drive and harm someone. In the agency's mind, that harm is preventable if everyone does his/her administrative functions to ensure only safe drivers are on the road. The Chairman asked if AAMVA would get involved in the situation, and the Commissioner stated that this is a major topic of the International AAMVA Board on which the Commissioner sits. Through the years, AAMVA's goal has been to help states move to electronic transmission of information to ensure proper checks and balances exist. Deputy Commissioner Ricky H. Rich currently is in Florida looking at the State to State initiative that will be implemented with the new DRIVES system, and it will give DDS the ability to immediately post this type of information to the record.
- Columbus Consolidated Government Retests
  - In early 2018, following a federal investigation, FMCSA notified DDS that numerous medical certification cards had been issued fraudulently under the name of a medical examiner licensed in the State of Alabama and to hundreds of CDL holders. This resulted in criminal charges being filed against the involved parties. Information developed during the investigation resulted in a secondary federal investigation of a privately-owned commercial driver training school in Alabama and a CDL third-party examiner employed by Columbus Consolidated Government.
  - The secondary investigation resulted in criminal charges being filed last month against the school's owner and the third-party examiner for bribery and colluding to commit fraudulent acts during the administration of hundreds of third-party CDL skills tests. Although, this criminal case is still pending adjudication, the agent in charge (AIC) of the investigation has recommended to DDS that the students who were improperly tested by the third-party examiner be retested on all parts of the CDL skills test by DDS state examiners.

- A total of 560 CDL holders in need of retesting were identified by the AIC. A review of these CDL holders by DDS has revealed that 52 have transferred their CDL to another state. The remaining 508 continue to hold a Georgia CDL and will require a retest. Vice Chairman Markey asked who would be responsible for the cost to retest the drivers. DDS was asked to track the associated costs, and the FMCSA will try to re-coup that during prosecution. Chairman Connell asked how DDS would retest that many drivers in a few months, and Mike indicated that everyone would pitch in to make it happen.
- Broken Pointers Recognition
  - DDS has not had any pointer mismatches in five years, thanks to the great work of Sankaran (Bala) Balakrishnan (IT), Lisa Gilmore (CDLIS Help Desk), and the entire Help Desk team.
  - Broken pointers occur for several reasons. Bala works weekends to execute tasks with AAMVA to ensure the proper timing occurs to eliminate mismatches. Lisa and the CDLIS Help Desk Team works the IT reports, with other states and customers, to make sure pointers for drivers are moved and updated properly. Board Member Bob Pierce mentioned that, in the past, the court system mistakenly has revoked drivers because other entities failed to do something; in those scenarios, DDS typically gets blamed and not the court system.

The Chairman asked Susan Sports (PR) to provide an update regarding a recent notification about the AAMVA International Conference where the Commissioner was asked to give the keynote address on REAL ID. Georgia is perceived to be the poster child for Real ID compliance, so other states are eager to know how the agency accomplished this. The Commissioner is on the International Board of AAMVA, and the Chairman mentioned that Commissioner Moore is in line to become the Chairman of that Board in the near future. That will be a great honor for the Commissioner and the State of Georgia.

Bob Griffin (CIO) provided an update on Facilities:

- Bob show pictures of the new facility in Gainesville and indicated that the agency is way ahead of the scheduled opening date of December 5th. The building will have 16 counters, which is an upgrade from the 11 we currently have. It also will have 12 kiosks, 20 testing stations, and 3 CDL pads.
- The Atlanta CSC parking lot expansion will be a welcome addition with 26 new parking spaces. The Chairman asked about the total cost per space, and Commissioner Moore stated that the agency received a \$750,000 bond for the expansion but didn't think it would cost the full amount. Chairman Connell mentioned the limited parking is a safety issue, and Commissioner Moore agreed.
- Bob, the Deputy Commissioner, and the City of Jackson met in Butts County to discuss the Jackson CDL project. The proposed building will be about 2,500 square feet and should have six counters. The Chairman thanked Bob for completing projects under budget.

The Commissioner quickly went through the performance numbers and said the Field Operations team was knocking it out of the park. A few locations are struggling, primarily in the metro area due to vacancies. The economy is doing well, and the agency is competing against retail locations, which require a lot less training and patience. The DDS team members take on a lot of stress and anxiety in their job. August volume was down considerably, and the trend of fewer renewal customers should continue through the fiscal year and provide some relief to the centers. Data shows that more customers are being served away from the centers, which is encouraging. The statewide average wait-time is still less than 10 minutes. The service level is not quite at the goal of 95%, but the numbers are going back up. July's performance suffered slightly as the agency completed the CPS project and experienced additional vacancies through the summer, which is a hard time to fill positions.

The Commissioner provided a performance update on Online Services verses the Mobile App. The agency just finished the first full year since the Mobile App was implemented. The number of online transactions is going down, but the Commissioner thinks that is reflective of fewer renewals based on a recent report provided by Jeff Smith (CIO). In August, 68,386 people perform transactions online that didn't have to come into a center. Another 6,711 completed their transactions on the Mobile App. Successfully encouraging customers to complete transactions away from the CSCs will allow DDS to meet some of the agencies budget reductions.

The Mobile App had more than 100,000 logins last month, which is a significant number without any real marketing. The entire team is working on ways to deliver the message through social media and other means.

More than 7,500 customers responded to Customer Satisfaction Surveys in August, but this slight reduction probably is reflective of the fewer customers conducting business in the CSCs. The numbers continue to be high regarding the staff's knowledge, building cleanliness, and short transaction times. Chairman Connell said he continues to receive positive feedback. The Chairman asked if other agencies conduct similar surveys, and the Commissioner indicated that he wasn't aware.

### **Rules for Final Approval**

- **375-5-2-.27** Third Party Tester Program Definitions
- **375-5-2-.29** Minimum Requirements for Testers
- **375-5-2-.32** Denial/Suspension/Revocation/Cancellation of Third-Party Testing Program Certification.

Bob Pierce moved to approve the final rules for adoption; Jeff Wigington seconded the motion, with unanimous approval by the remaining Board members.

### **Citizen Waivers**

1. Michele E. Clark – She is seeking a Georgia Driver's license in the name of Michele E. Clark. She is 66 years old. Her mother's surname is shown on the birth certificate, but she changed to her stepfather's surname as a child. She submitted her birth certificate, school record, HS diploma, marriage certificate (married Robert Leon Clark), children's birth certificates (maiden name shown - father's surname Clark), Passport, birth affidavit of uncle and sister, S/S statement (1969 S/S history shown), husband death certificate, valid New York (NY) driver's license, S/S card and residency document.

Hubert Parker motioned to approve the waiver; Jeff Markey seconded the motion, with unanimous approval by the remaining Board members.

2. Brooksie Lee Elder – She is seeking a Georgia ID card in the name of Brooksie Lee Elder. She is 59 years old. She was common law married, which was recognized by Georgia from 1976 through 1997. She submitted her birth certificate, child's birth certificate (maiden name-Parker), husband's death certificate (Informant – Brooksie Elder - shows Mr. Elder married to spouse Brooksie Parker), expired Georgia (GA) driver's license and S/S card.

Jeff Markey motioned to approve the waiver; Britt Fleck seconded the motion, with unanimous approval by the remaining Board members.

3. Dorothy Collier Johnson – She is seeking a Georgia driver's license in the name of Dorothy Collier Johnson. She is 54 years old. She is missing her birth certificate. New Jersey (NJ) cannot locate her birth certificate in either her mother's maiden name or the name she has used since childhood. She is working with NJ to create a delayed birth certificate, but that process will take 2-3 months. She has had a Georgia license since 1989 in the name of Dorothy Collier Johnson. She submitted her school record, marriage certificate (married Freddie R. Johnson), marriage application, child's birth certificate, divorce decree, voter registration, tax document, valid GA driver's license, diploma and S/S card.

Bob Pierce motioned to approve the waiver; Hubert Parker seconded the motion, with unanimous approval by the remaining Board members.

4. Gloria Jean McClain – She is seeking a Georgia ID card in the name of Gloria Jean McClain. She is 73 years old. She is missing her marriage license, and a county search could not find the document. She was married at 15 years old and is not sure if she applied for a marriage license. She submitted a birth certificate, HS reunion picture, husband's death certificate, benefit check, title application, valid Texas (TX) driver's license and S/S card.

Hubert Parker motioned to approve the waiver; Bob Pierce seconded the motion, with unanimous approval by the remaining Board members.

5. Ralph A. Solli – He is seeking a Georgia driver's license in the name of Ralph A. Solli. He is 73 years old. His parents changed his middle name to his first name around middle school, but the birth certificate was never amended. He currently is retired and unable to afford a court ordered name change. He submitted his birth certificate, HS diploma, marriage certificate, daughter's birth certificate, watercraft certificate, valid Connecticut (CT) driver's license, carry permit, health card, tax return, insurance card, auto insurance document, bank statement, health insurance document, conservation license, sales contract, utility member document, health insurance card, AARP card and S/S card.

Bob Pierce motioned to approve the waiver; Jeff Markey seconded the motion, with unanimous approval by the remaining Board members.

### **New or Old Business**

The next Board meeting will be held on October 9, 2019.

The Board discussed a resolution for McDuffie County.

Bob Pierce motioned to approve the Resolution; Jeff Wigington seconded the motion, with unanimous approval by the remaining Board members.

### **Adjournment**

There was no further business to discuss; Chairman David Connell called a motion to adjourn. A motion was made by Wallace Coopwood and seconded by Bob Pierce, with unanimous approval by the Board.

Respectfully Submitted,

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**Jeff Wigington**