

Minutes of Board Meeting
January 21, 2015
10:00 a.m.

Present

Trummie Patrick, Chairman
Jeff Wigington
Anthony Heath
Todd Cowan
Lynda Coker
Virginia Galloway

Present via teleconference was David Connell and Carolyn Roddy. Attending the meeting from the Office of the Attorney General was Ms. Amy Radley.

Establish Quorum/Call to Order

Chairman Patrick confirmed the presence of a quorum and called the meeting to order at 10:02 a.m.

Approval of Minutes

Chairman Patrick called for a motion regarding the minutes from the November 12, 2014 Board meeting. A motion was made to approve the regular meeting minutes as presented; the motion received a second and was passed with unanimous approval by the remaining Board members.

Commissioner's Report (Given by Deputy Commissioner Spencer Moore)

Deputy Commissioner Moore began by offering his regrets for Commissioner Mikell not being able to be at today's meeting; he was attending a joint budget hearing with the Georgia House and Georgia Senate.

Deputy Commissioner Moore reminded the Board members to submit their Affidavit of Public Officer by the January 31, 2015 deadline which is required by state law.

Deputy Commissioner Moore presented a PowerPoint presentation to the Board acknowledging Ms. Jill Kitchens (District 1) as the Georgia DDS 2014 AAMVA International Driver Examiner Certification of the Year winner. The other nominees were: Michelle Harden (District 2); Melaney Bailey (District 3); Regenia Ruff (District 4); Deborah Williams (District 5); Brad Baker (District 6); Tiffany Hagins (District 7); Dawn Scott (District 8); and Selma Patterson (STARS District).

Deputy Commissioner Moore briefed the Board on the new check-in kiosks that are located in 4 of the CSC's -Conyers, Gainesville, Forest Park and Sandy Springs. He also mentioned the coverage that was done by WSB-TV news station regarding the implementation of the Kiosks. The kiosks will reduce the

wait-time for our customers at the information desk. The goal is to have the kiosks placed into as many high volume centers as the budget will allow.

Bob Griffin, Chief Financial Officer, gave an update on our new facilities projects, which included photos of the progression of the Kennesaw and Marietta locations. These projects are progressing quickly. The interior and exterior of the buildings may be finished ahead of schedule according to the foreman. Mr. Griffin also updated and exhibited pictures of the proposed Atlanta location, which is the old State Employees Credit Union located on Whitehall Street in downtown Atlanta. This facility would be a tremendous improvement from where we are today.

The new Paulding County CSC has not had a lot movement recently. There have been some changes with the engineers; however, the funding has been established for the CSC and DDS expects that we will be able to report new progress soon.

Bob Griffin also gave an update on our FY15 amended budget. A slide show presentation gave an overview of the major cost categories, with personal services being the largest. The presentation gave specific details on how DDS plans to use these funds. We have an overall total budget of \$67 million. The slides showed the current spending of the department for FY15. We are now six months into this fiscal year and remain on track with spending to meet our budget as presented.

Additionally, Deputy Commissioner Moore expressed to the Board how fortunate DDS is that the Governor's recommendation along with OPB for the amended FY15 budget has an increase of \$60,000 for the Sandy Springs location. Our goal is to move Sandy Springs to a new location due to some complications we've had at this facility.

Deputy Commissioner Moore briefed the Board on the CSC performance. We have had 150 consecutive days where the average statewide wait-time has been less than 30 minutes. For the month of December, the average statewide wait-time was 8 minutes and 36 seconds.

Deputy Commissioner Moore gave a brief update on our call center. One critical performance is to answer 85% of the calls within three minutes. In October, 88.25% of all calls were answered within three minutes. In November, 86.78% of all calls were answered within three minutes; and in December, 86.48% of all calls were answered within three minutes. The call center continues to do a phenomenal job.

George Theobald, Director of the Project Management Office, gave an update on the migration of the new phone system for the DDS call center and Help Desk. In December, we successfully migrated from the Avaya phone service system to Platform 28, which was a requirement for several state agencies. He thanked his team for their hard work and dedication in helping to get this project up and running.

Deputy Commissioner Spencer Moore gave an update on the progress of Bulloch County State Court to ensure it has sent all appropriate convictions to DDS. He stated that all records have been submitted and all customers have been informed on what is required to reinstate. We now have 100% reconciliation with the Bulloch court. Additionally, Pine Lake Municipal Court has located approximately

300 unreported convictions to DDS and plans to notify us this week when those convictions will be ready to be transmitted to us. These convictions range from speeding to DUI's. Also, the Atlanta City Municipal Court is starting an amnesty program beginning as early as February 1, 2015 for nine weeks. There are over 100,000 cases being advertised as eligible for the amnesty program. Some records possibly date back as far as 2009. The department has reached out to each of these clerk's offices and the Help Desk is working with them and the customers to resolve these driver records issues.

Deputy Commissioner Moore gave a brief update on the performance audit completed by the Department of Audits in December 2012 in the area of records management. A follow-up of the audit is being performed, and a kick-off meeting was held on January 15, 2015. We expect to receive a draft report of the follow-up within the next 30-45 days.

Lastly, Deputy Commissioner Moore introduced Rick Miller, Chief Investigative Officer, to update the Board on a customer complaint from Albany, Georgia. A copy of the complaint was sent to all Board members by the customer in a letter in November 2014. Chief Miller and his staff interviewed over a dozen staff members and customers who were present at that time. The complainant also provided a video. Chief Miller expects to brief the customer on the findings shortly.

Citizens Petition for Board Waiver

Patricia Borden - She is seeking a driver's license. She has never been licensed in Georgia. She is missing her birth certificate. She was adopted at a young age. Her documents show her birth may have occurred in one of various states. She has a copy of her baptismal certificate, her school record, a marriage certificate, children birth certificates, Florida driver's license, bankruptcy documents, letter of employment, social security card, birth not found record, a W-2, and a utility bill. Mr. Hawkins, Assistant Legal Counsel for DDS, stated that the department does not support the approval of the waiver because we do not have sufficient evidence of an appropriate identity document. Although the customer submitted a Birth Not Found letter from Illinois, he has failed to submit similar letters from California, Florida or New Jersey which according to her own documents, are states in which she may have been born.

Jeff Wigington motioned to deny the waiver; Todd Cowan seconded the motion with unanimous approval by the remaining Board members.

Lisa Chunn – She is seeking a Georgia driver's license. She has a valid Missouri license. Her birth certificate shows a different last name from her current name. She also had a name change due to a marriage and a divorce. She has a copy of her birth certificate, a student ID, a college ID, her children birth certificates, a divorce document, two residency bills, an affidavit, and a Social Security card. Mr. Hawkins stated that the department does not support the approval of the waiver because we do not have sufficient evidence to establish her identity.

Lynda Coker motioned to deny the waiver; Anthony Heath seconded the motion with unanimous approval by the remaining Board members.

Lizzie Harper – She is seeking a Georgia ID. She is missing a copy of her birth certificate. She has presented a birth not found letter from Georgia. She has a copy of school records from Georgia, her child's birth certificate, a health card, a marriage certificate, a baptismal certificate, a medical record, a precinct card and a social security card. Mr. Hawkins stated that the department supports the approval of the waiver.

Todd Cowan motioned to approve the waiver; Virginia Galloway seconded the motion with unanimous approval by the remaining Board members.

Ronald Lewis – He is seeking a Georgia driver's license. His first name is missing from his birth certificate. He is working with New York Vital records to get an amended birth certificate. He has a valid New York driver's license. He has a copy of his diploma, a DD214, a military certificate, an affidavit, a letter from a bank, a Veteran Administration card, and a social security card. Mr. Hawkins stated that the department supports the approval of the waiver.

Virginia Galloway motioned to approve the waiver; Todd Cowan seconded the motion with unanimous approval from the remaining Board members.

Susie Wafford – She is seeking a Georgia ID. Her Georgia driver's license expired in 2012. She is missing her birth certificate. She has a birth not found letter from Georgia. She has a copy of her marriage license, a 1967 census report, an expired Georgia driver's license, a retirement check, a medical appointment document, and a social security card. Mr. Hawkins stated that the department supports the approval of the waiver.

David Connell motioned to approve the waiver; Virginia Galloway seconded the motion with unanimous approval from the remaining Board members.

Christine Wilkins - She is seeking a Georgia driver's license. She is missing her birth certificate. She has a valid Virginia driver's license. She has a copy of her school record, a marriage license, a divorce decree, a medical record, a birth not found letter, a marriage certificate, five residency documents, and a Social Security card. Mr. Hawkins stated that the department supports the approval of the waiver.

Jeff Wigington motioned to approve the waiver; Virginia Galloway seconded the motion with unanimous approval from the remaining Board members.

Rules for Final Approval

375-5-2-.28 Minimum Requirements for Examiners. Amended

375-5-2-.31 Notification Requirements.

Virginia Galloway motioned to approve the final rules for approval; Lynda Coker seconded the motion with unanimous approval by the remaining Board members.

Rule for Initial Approval

1-1-.13 Third Party Tester Program. Amended

Commissioner Mikell arrived at the meeting and presented the request for the amendment to the rule. He stated that DDS recently has been working to provide additional CDL testing slots for the CDL driving schools, private companies, and for the public. The state of Georgia's increase in population and economic development has resulted in an increased demand for commercial trucking and the need for more testing opportunities for new drivers. Currently, Georgia has six entities that are approved as third party CDL testers. Other commercial trucking companies have expressed a desire to become third party employer testers, but questioned the need for their trucks to be registered in Georgia, as opposed to the state of their corporate headquarters, when they already have a significant investment of resources in our state. These companies currently can or will meet all other requirements in the existing rules. DDS weighed this concern, such as by assessing whether an amendment to the current rule would increase or decrease safety on the roads. Because the only proposed change to the rule involves the location of where the trucks are registered, there appears to be no direct or indirect impact to roadway safety. DDS also weighed whether it had the resources to manage an increase in the number of approved third party employer testers, and we believe that we can balance our resources appropriately. Additionally, allowing employer testing will open more CDL testing slots for the driving schools, other companies, and the general public at a number of DDS' nine current CDL testing locations. Representatives from Werner Enterprises and C. R. England were present at the meeting. The represents stated that they agreed with the proposed amendment to the rule, discussed their plans for job growth in Georgia if the rule were to be amended, described the current difficulty with both securing CDL testing slots and traveling to DDS CDL testing locations, and explained how the current rule's requirement of Georgia registrations creates a hardship for them.

Virginia Galloway motioned to approve the initial rule for approval; Carolyn Roddy seconded the motion with unanimous approval by the remaining Board members.

Businesses Petition for Board Waivers

Werner Enterprises – They are seeking a waiver of rule 1-1-.13. They are seeking a waiver under of the requirements under 3 section 2 requirements that a tester have 25 trucks registered in the state of Georgia. Based upon the rule change that was just approved by the board for initial approval, DDS recommended approval of the waiver request for a 180 day waiver, pending final adoption of the rule change being proposed today to 1-1-.13.

Virginia Galloway motioned to approve the initial rule for approval; Todd Cowan seconded the motion with unanimous approval by the remaining Board members.

C. R. England - They are seeking a waiver of rule 1-1-.13. They are seeking a waiver under of the requirements under 3 section 2 requirements that a tester have 25 trucks registered in the state of Georgia. Based upon the rule change that was just approved by the board for initial approval DDS

recommended approval of the waiver request for a 180 day waiver, pending final adoption of the rule change being proposed today to 1-1-.13.

Virginia Galloway motioned to approve the initial rule for approval; Anthony Heath seconded the motion with unanimous approval by the remaining Board members.

Nancy Sills (1st Stop Georgia Teen Driving Academy) – She is seeking a waiver to rule 375-5-2-.27 section 8 which defines a tester as any license driver training school that has been licensed to conduct driver’s license testing through an approved third-party examiner and also requires the driver training school to have been licensed for a minimum of two years prior to applying as a third-party tester. Ms. Cassandra Williams, General Counsel at DDS, stated that the department supports the approval of the waiver. Ms. Sills has been working for 1st Stop for approximately three years as the only behind the wheel instructor and active examiner. Ms. Sills has a good teaching history with no infractions. Ms. Sills has now purchased 1st Stop as the sole owner and has presented proof of purchase.

Lynda Coker motioned to approve the initial rule for approval; Virginia Galloway seconded the motion with unanimous approval by the remaining Board members.

J. Barry Schrenk (Taggart’s Driving School) – He is seeking a waiver of Rule 375-5-2-.18 91) (a) which requires that vehicles used for actual behind the wheel instruction shall be ten years old or less. A waiver of this same request was previously approved by the Board for Taggart on December 5, 2014. At that time the Board approved a 2 year waiver of the rule requirement. Ms. Williams stated that the department supports the approval of the waiver with a two year limit.

Virginia Galloway motioned to approve the initial rule for approval; Lynda Coker seconded the motion with unanimous approval by the remaining Board members.

The Board also stated that it may not be inclined to approve a third waiver request of this nature for these same vehicles when this waiver expires.

New or Old Business

The next Board meeting will be held on February 11, 2015.

Adjournment

There was no further business to discuss; Chairman Patrick called for a motion to adjourn. A motion was made by Virginia Galloway; Anthony Heath seconded the motion with unanimous approval by the Board.

Respectfully Submitted,

Jeff Wigington