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State of New Hampshire

DEPARTMENT OF SAFETY
OFFICE OF THE COMMISSIONER
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603/271-2791

JOHN J. BARTHELMES
COMMISSIONER

July 12, 2013

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, New Hampshire 03301

#2 Sole Source

Requested Action

1. Pursuant to MOP 1200, Membership, Dues and Licenses and RSA 263:91 Commercial Driver License, authorize the Department of Safety, Division of Motor Vehicles to pay annual membership dues for two years to the American Association of Motor Vehicle Administrators (AAMVA) (VC# 175767 – P001) Arlington, Virginia, in an amount not to exceed \$12,662.00. Effective upon Governor and Executive Council approval for the period of October 1, 2013, through September 30, 2015. Funding source: 100% Highway Funds.

2. Authorize the Department of Safety, Division of Motor Vehicles to pay **sole source** fees for two years to the American Association of Motor Vehicle Administrators (AAMVA) (VC# 175767 – P001) Arlington, Virginia, in an amount not to exceed \$252,000.00 for Commercial Driver License Information System (CDLIS) transactions and for the Programs & Technology and Network Services. Effective upon Governor and Executive Council approval for the period of October 1, 2013, through September 30, 2015. Funding source: 100% Highway Funds.

Funds are available in the FY2014 and FY2015 operating budgets with the authority to adjust between fiscal years and organizational units through the Budget Office if needed and justified.

	<u>FY2014</u>	<u>FY2015</u>
02-23-23-233015-31000000 Dept of Safety – Div. of Motor Vehicles – Admin - DMV 026-500251 Organizational Dues	\$6,331.00	\$6,331.00
02-23-23-233015-23110000 Dept of Safety – Div. of Motor Vehicles – Driver Licensing 103-502664 Contracts for Operational Services	\$124,000.00	\$128,000.00

Explanation

AAMVA is the only provider of the motor vehicle services to all North American jurisdictions making this a **sole source** request. Membership entitles motor vehicle agencies the ability to communicate with all member jurisdictions and key personnel on pending federal and state legislation, pertinent policies and legal issues. AAMVA is the only association in North America dedicated to providing motor vehicle services, support, communication, access to motor vehicle networks, access to motor vehicle databases and guidance to the motor vehicle agencies, departments and jurisdictions in the United States and Canada. Motor vehicle agencies and departments throughout North America belong to AAMVA.

AAMVA allows all member motor vehicle agencies to network and communicate with each other on a variety of topics that are critical to decisions pertaining to legislation and other vital issues. One of AAMVA's vice presidents communicates with all member jurisdictions on a regular basis to ensure that uniformity and consistency are maintained among jurisdictions dealing with motor vehicle issues. This is very beneficial when considering the implementation of a new project or process, preventing jurisdictions from duplicating efforts. In addition, this communication provides jurisdictions with advance notice of impacts of potential legislation of those jurisdictions that have already been through the process.

The CDLIS fees are based on the estimated number of annual New Hampshire commercial driver transactions and inquiries of all types to the CDLIS National Database. The Programs & Technology and Network Services fees are based on an estimated number of annual transactions, maintenance and Social Security On-Line Verification (SSOLV) inquiries. These fees were originally approved as a perpetual agreement by the Governor and Executive Council on February 28, 1990 as item #146. In the 75-year history of AAMVA, no jurisdiction member has formally dropped its membership. Should that happen, the matter would have to go before the AAMVA Board of Directors to establish a new policy on how a non-member jurisdiction should be treated with regard to access to association networks and the jurisdictional and federal databases throughout the

United States and Canada that the jurisdiction was previously granted access to via AAMVAnet by virtue of its membership in AAMVA. The AAMVA Board would establish a new pricing policy for non-member jurisdictional access to networks and databases to offset the usage costs which had previously been covered by membership dues. It is possible that access would be withdrawn completely to networks and databases.

Listed below are answers to standard questions required for Governor and Executive Council organization dues and membership approval submissions:

1. *How long has this organization been in existence and how long has this agency been a member of this organization?* AAMVA was founded 1933. NH has been a member for many years.
2. *Is there any other organization which provides the same or similar benefits which your agency belongs to?* No.
3. *How many other states belong to this organization and is your agency the sole New Hampshire state agency that is a member?* The 50 US states and DC. The DMV is the only NH state agency belonging to AAMVA.
4. *How is the dues structure established? (Standard fee for all states, based on population, based on other criteria, etc.)* Population, network, and database access.
5. *What benefit does the state receive from participating in this membership?* AAMVA provides the State of New Hampshire electronic access to several databases including Social Security On-Line Verification (SSOLV), Problem Driver Pointer System (PDPS), National Driver Register (NDR), National Motor Vehicle Title Information System (NMVTIS) and, most important, Commercial Driver License Information System (CDLIS), which is part of the Motor Carrier Safety Improvement Act (MCSIA). The CDLIS database checks on commercial drivers' national records in all jurisdictions. This program is mandated by federal law and maintained through AAMVA. If AAMVA decides to withdraw access to CDLIS to non-members, federal funds to the State of New Hampshire would be at risk.
6. *Are training or educational/research materials included in the membership? If so, is the cost included? Explain in detail.* AAMVA allows all member motor vehicle agencies to network and communicate with each other on a variety of topics that are critical to decisions pertaining to legislation and other vital issues.
7. *Is the membership required to receive any federal grants or required in order to receive or participate in licensing or certification exams? Explain.* Yes. See question 5.
8. *Is there any travel included with this membership fee? Explain in detail any travel to include the number of employees involved, the number of trips, destination if known and purposes of membership supported trips.* AAMVA provides travel assistance grants for DMV employee(s) to attend the regional and international AAMVA conferences including rooms, meals, air fares (if applicable), and registration fees.
9. *Which state agency employees are directly involved with this organization? (Indicate if they are members, voting members, committee members, and/or officers of the organization.* Richard C. Bailey, Jr., Director of Motor Vehicles; William Joseph, Deputy Director of Motor Vehicles; five (5) DMV bureau supervisors.
10. *Explain in detail any negative impact to the State if the Agency did not belong to this organization.* NH would not have access to networks and databases required to complete motor vehicle transactions.

Respectfully submitted,


John J. Barthelmes
Commissioner of Safety

American Association of Motor Vehicle Administrators



Neil D. Schuster
President and CEO

Stacey K. Stanton, Chair of the Board
Director, Motor Vehicle Division
Arizona Department of Transportation

July 3, 2013

Re: FY 2014 Membership Dues Quote

AAMVA currently provides membership to the New Hampshire Department of Safety.

The American Association of Motor Vehicle Administrators is a tax-exempt, nonprofit organization striving to develop model programs in motor vehicle administration, police traffic services, and highway safety. The association serves as an information clearinghouse for these same disciplines, and acts as the international spokesman for these interests.

Founded in 1933, AAMVA is a voluntary, nonprofit, tax exempt, educational organization. AAMVA represents the state and provincial officials in the United States and Canada who administer and enforce motor vehicle laws.

The association's programs encourage uniformity and reciprocity among the states and provinces, and liaisons with other levels of government and the private sector. Its program development and research activities provide guidelines for more effective public service.

The estimated dues amount for FY2014 will be \$6,331.00.

If you have any questions, please contact Celine Xu at (703) 908-2846 or cxu@aamva.org

Thank you,



Michael Harbour
Controller

An International Safety Association of Motor Vehicle and Law Enforcement Administrators

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TITLE XXI

MOTOR VEHICLES

CHAPTER 263

DRIVERS' LICENSES

Commercial Licensing

Section 263:91

263:91 Commercial Driver License. –

I. The commercial driver license shall be marked "commercial driver license" or "CDL" or "nonresident commercial driver license" or "NRCDL" or "commercial driver learner permit" or "CDLP" and shall be, to the maximum extent practicable, tamper-proof, and shall include, but not be limited to, the following information:

(a) The full legal name and current residential address of the licensee. A post office box number shall not constitute a current residential address;

(b) The licensee's color photograph;

(c) A physical description of the licensee including sex, height, weight, eye and hair color;

(d) Date of birth;

(e) Social security number, if requested by the applicant;

(f) Any number or identifier deemed appropriate by the department;

(g) The licensee's signature;

(h) The class or type of commercial motor vehicle or vehicles which the person is authorized to drive together with any endorsements or restrictions;

(i) The name of this state; and

(j) The expiration date.

II. Before issuing a commercial driver license, the department shall ascertain from the commercial driver license information system and the national driver register (NDR) all available information pertaining to the driving record of the person to be licensed.

III. Within 10 days after issuing a commercial driver license, the department shall notify the commercial driver license information system of that fact, providing all information required to ensure identification of the person.

IV. The department shall maintain copies of all documents including, but not limited to, the application, commercial driver license issued, and any other documents pertaining to the licensee.

V. Within 10 days after suspending, revoking or cancelling a commercial driver license, the department shall notify the commercial driver license information system of that disqualification.

Source. 1989, 319:17, eff. July 1, 1989.