

10/5/16

MEMORANDUM

TO: Office of the Governor – Legal Department / MassDot Legal Department
FROM: Erin Deveney – Registrar of Motor Vehicles
Tom Bowes – Merit Rating Board – State Director
Keith Costantino – Driver Control Unit – State Director
DATE: October 7, 2016
RE: Out-of-State Motor Vehicle Citation Surcharge Points

In an effort to maintain public safety nationwide, the Massachusetts RMV and fellow motor vehicle agencies participate in an information sharing network that relays certain motor vehicle citation data. While there are some jurisdictions that relay motor vehicle citation data electronically, Massachusetts receives a large volume of this data via a paper-based reporting system. As such, the Massachusetts RMV is responsible for posting in-state and out-of-state motor vehicle citation data to an operator's driving record. For the purposes of this memorandum, the RMV will be addressing the out-of-state motor vehicle citation data entry component only.

As the result of new developments, the unit designated specifically to accomplish this task of entering and posting out-of-state citation data to a driving record will be the Merit Rating Board. The RMV's Driver Control Unit has identified a backlog of paper-based out-of-state citations that have yet to be entered on the driving records of Massachusetts operators. These citations point to Massachusetts operators who have been cited and found either responsible or guilty of committing certain motor vehicle traffic violations in fellow jurisdictions. In an effort to responsibly and equitably resolve this data entry backlog of out-of-state citation data, the RMV has partnered with the Merit Rating Board to mitigate this current data entry impediment. The RMV has further consulted with the Division of Insurance to explore the impact of attaching surchargeable points to an operator's insurance policy with the addition of out-of-state motor vehicle citations.

The RMV has identified a pathway towards resolution and recommends a specific protocol to reach its objective of speedy data entry of out-of-state citations. First, the RMV has undertaken the steps necessary to identify and properly scope the programmatic changes that would be required to institute timely posting of out-of-state motor vehicle citation data. Second, the RMV has secured the financial and human resources to meet this data entry backlog challenge. Third, the RMV is estimating that the effort needed to clear the out-of-state citation data backlog is approximately three to six months. Fourth, the statutory and regulatory requirements surrounding the posting of out-of-state citation data to a driving record may result in insurance premium adjustments, however, the ability to properly assess risk by the insurer and public safety mitigate this consumer impediment. Fifth, the license suspension and financial impact arguments made by aggrieved operators moving forward are moot, as the posting of out-of-state citation data will occur within statutory timeframes and in a routine and timely manner.

With some 5 ½ million licensed operators in the Commonwealth of Massachusetts, the RMV is seeking approval of its' out-of-state citation data entry remediation plan. The RMV has weighed the institutional, financial and consumer impact against the public safety mandate articulated by this administration and is confident that an expeditious resolution is at hand. The RMV is requesting your support and cooperation in moving this project towards execution.