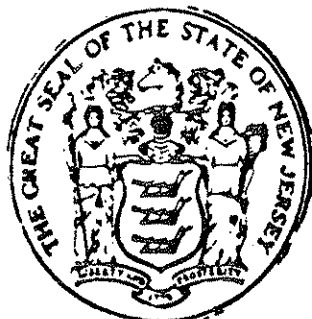


STATE OF NEW JERSEY



July 29, 1991

REFLECTORIZED LICENSE PLATE SELECTION COMMISSION

Supplement to Report of August 1990

Assemblyman Robert E. Littell, Chairman

Senator Francis J. McManimon, Vice-Chairman

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Senator
Robert E. Littell
Chairman

Senator
Francis J. McManimon
vice-Chairman

**NEW JERSEY STATE LEGISLATURE
REFLECTORIZED LICENSE PLATE SELECTION COMMISSION**

State House Annex, CN-068
Trenton, New Jersey 08625
Telephone (609) 984-0231

Steve Adams
Janice Conklin
Charles Walton

July 29, 1991

Mr. Skip Lee
Director, Division of Motor Vehicles
Department of Law and Public Safety
25 South Montgomery Street
CN 160
Trenton, New Jersey 08625

Dear Mr. Lee:

The ReflectORIZED License Plate Selection Commission, created by the provisions of section 2 of P.L.1989, c.202 (C. 39:3-33.9), hereby respectfully submits this supplement to its report of August 2, 1990. That report summarized the deliberations of the commission over a period of six months, described the color scheme and design of the new reflectORIZED registration plate selected by the commission (see attachment) and fulfilled the commission's responsibilities and purpose as set forth in P.L.1989, c.202.

REQUEST TO RECONVENE

In a letter dated March 4, 1991 to Chairman Littell, Attorney General Robert Del Tufo requested that the commission be reconvened for the purpose of considering new information obtained by the Attorney General from the Division of Motor Vehicles and the Department of Treasury. According to the Attorney General, this information showed that (1) the color scheme and design of the registration plate selected by the commission requires reflective sheeting to be pre-printed with graphics in two colors, consequently making the sheet and the final plate costlier than if the color scheme or design required only solid color reflective sheeting; and (2) the December 11, 1990 advertisement to solicit bids from suppliers of reflective sheeting of the color scheme and design selected by the commission resulted in only one bid being submitted.

In response to this request to reconvene, Chairman Littell sent a letter on April 1, 1991 to Douglas Eakeley, First Assistant Attorney General and the Attorney General's representative on this matter. The commission's letter requested answers to 18 questions. The purpose of the letter was to elicit information deemed fundamental to an understanding of why the commission had been asked to reconvene and review its decision. Upon receiving from Mr. Eakeley the answers to these 18 questions and after a necessary period of review, analysis and consideration, Chairman Littell reconvened the commission.

THE MEETING

The meeting was held on June 24, 1991. The commission specifically invited Mr. Eakeley; Mr. Mike Santaniello, Deputy Director of the Division of Motor Vehicles; Mr. Rudy Torlini, Assistant Director of the Division of Motor Vehicles; Mr. John Bender, Deputy Attorney General; and Mr. Len Black, Chief of State Use Industries in the Department of Corrections.

All commission members, except Mr. Charles Walton, were present for this meeting. Mr. Walton was unable to attend; however, he submitted a letter to the commission which is included as an attachment to this supplement.

DISCUSSION

After calling the meeting to order, Chairman Littell summarized the work of the commission during its February to August, 1990 deliberations. The chairman, after stating that the commission had conducted and completed its work within the requirements of P.L.1989, c.202, went on to discuss preliminarily the two matters of concern to the Attorney General, namely the cost of registration plates requiring reflective sheeting pre-printed in the color and design selected by the commission and the number of suppliers of such reflective sheeting.

During his testimony, Mr. Eakeley described for the commission the Attorney General's reasons for requesting the commission to reconvene. In making this request, it was not the Attorney General's intention to attempt to substitute his judgment as to the color scheme and design of the registration plate for that of the commission, Mr. Eakeley explained. He reiterated that the Attorney General's intention had been simply to ensure that the commission had an opportunity to review information obtained by the Attorney General in late 1990 and early 1991 as to plate costs and the supplier situation - information which may not have been available to the commission in early 1990.

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P.L.1989, c.202, the law which created the commission and which requires the production and distribution of reflectorized license plates, also requires the collection of an additional \$.40 per annual motor vehicle registration fee for a period of six years. The revenue thus generated is to pay for the additional cost (the cost in addition to the current cost of producing registration plates) incurred by the Division of Motor Vehicles for the production of the new reflectorized registration plates.

P.L.1989, c.202, as originally passed by both the Senate and General Assembly, required the collection of an additional \$.25 per vehicle registration fee to pay for the additional cost incurred in the production of reflectorized plates. Governor Thomas Kean, upon the advice of the Division of Motor Vehicles, recommended the increase of this fee to \$.40 in his conditional veto message. The conditional veto stated that the division "has carefully studied the program crafted by this bill ... " and to "ensure that the program is on sound fiscal footing ..." the additional fee should be increased.

Consequently, the commission conducted its work under the assumption that the Division of Motor Vehicles, in cooperation with the Department of Corrections, had carefully analyzed the cost of producing and distributing new registration plates which require the use of reflective sheeting pre-printed with graphics. It may be presumed that the cost analysis was based on a color scheme and design utilizing reflective sheeting pre-printed with graphics because the original legislation passed by both the Senate and the General Assembly contained a description of a new reflectorized registration plate which would have required reflective sheeting pre-printed with graphics. (This description for the new plate was removed from the bill on the recommendation of Governor Kean made in his conditional veto message.)

The commission has determined that the additional \$.40 per annual motor vehicle registration fee over six years will provide sufficient revenues to pay for the additional cost of producing the new reflectorized registration plate with the color and design selected by the commission.

According to the commission's calculations based on figures provide by Mr. Eakeley, the \$.40 multiplied by 6,016,000 annual vehicle registrations for six years will generate \$14,438,000. The additional cost of the plate selected by the commission is estimated to be \$1.04 per pair, derived by subtracting the current cost for a pair of registration plates (\$1.32) from the estimated cost for a pair of the plates selected by the commission (\$2.36). The additional cost of \$1.04 multiplied by the 2,000,000 pairs of plates which the Division of Motor Vehicles and the Department of Corrections plan to make annually for six years result in a total additional cost of \$12,480,000. Consequently, the revenue available will be more than adequate to pay for the costs incurred. In fact, a cushion of \$1,958,000 will be available to the Division of Motor Vehicles to cover the administrative costs of a general recall of old plates and a reissuance of new ones, or to meet unexpected cost increases.

During his testimony, Mr. Eakeley confirmed that these calculations are correct and the additional \$.40 being collected annually per motor vehicle registration over the course of six years will be sufficient to cover the additional cost for the production of the license plate selected by the commission.

The Attorney General is concerned that total revenues (revenues generated by the collection of the \$.40 per registration fee plus annual appropriations made in the State budget) over the course of six years will not adequately cover the total cost of the new registration plate (the current cost plus the additional cost of reflectorization). However, any such deficit may be attributable to the basic cost of making plates and/or insufficient annual appropriations by the State budget for registration plate production. These cost considerations are beyond the scope and control of the commission.

The commission discussed with Mr. Eakeley the Attorney General's concerns about the number of suppliers of reflective sheeting. Reflective sheeting pre-printed with graphics requires the use of equipment which ensures that the sheeting is precisely aligned to the metal plate and cut in the proper place. The one bidder who responded to the advertised bid proposal could supply this equipment.

According to the information provided to the commission by Mr. Eakeley, a design using solid color reflective sheeting with no printed graphics, applied to a plate upon which all words, letters and symbols are embossed would eliminate the need for this special equipment and may result in additional bids being submitted by suppliers of reflective sheeting. The information provided to the commission by Mr. Eakeley offered no feasible alternate method of production which would achieve the color scheme and design selected by the commission.

The chairman presented to the commission and Mr. Eakeley a letter addressed to the chairman from Laurie Girton, Product Manager for the Reflective Films Division of the Avery Dennison company in Painesville, Ohio. In that letter dated June 20, 1991, Ms. Girton describes the advantages of Avery L-Series license plate sheeting and also states that the Avery Labeling Machine Division is developing a graphic sheeting laminator. Based on this information, the chairman noted that it is possible for other companies to develop and build the equipment necessary for aligning and cutting reflective sheeting.

CONCLUSION

The commission, using figures provided by Mr. Eakeley, conducted an analysis of the additional cost for the reflectorized registration plate selected by the commission and reviewed the concerns of the Attorney General over the number of possible suppliers of reflective sheeting. The commission has taken this information into consideration within the context of the factors the commission is required by P.L.1989, c.202 to consider.

The members of the commission unanimously reaffirm the color scheme and design originally selected by the commission and described on the August 2, 1990 report. That color scheme and design best meets the mandates of P.L.1989, c.202. The selected plate provides the greatest contrast between the background and the words, letters and symbols on the plate; provides excellent nighttime visibility and legibility essential for law enforcement and highway safety purposes; is aesthetically pleasing being of a tasteful design which projects a positive image of New Jersey; can be produced at a cost which is less than the revenues being collected to pay for it; and can be produced by the corrections system with a minimum of difficulty and change in procedures.

Governor Kean's conditional veto message to the bill which became P.L.1989, c.202 recommended the creation of this commission in order to select a plate that is "as aesthetically pleasing and publicly popular as possible while also achieving the important law enforcement and highway safety goals." It is the belief of the members of the commission that this purpose for which the commission was created has been achieved. By thoroughly considering all the factors set forth in P.L.1989, c.202, the selected plate achieves the goals sought by the enactment of that law.

It is with great satisfaction that the commission heard Mr. Eakeley state during his testimony on June 24, 1991, that the commission had created a "superior design" for the new reflectorized registration plate. We thank the Attorney General's representative for this endorsement of the commission's work.

Although Mr. Walton could not attend this meeting, his letter to the chairman states that he has studied the Attorney General's responses to the commission's 18 questions and found no compelling reason to reconsider the commission's original decision as set forth in the August 2, 1990 report. Barring any new and noteworthy information which may have been provided at the meeting, he indicated his vote should be cast in favor of reaffirming the initial selection which he is convinced best complies with the mandates of P.L.1989, c.202 requiring the consideration of "the needs of law enforcement and highway safety, aesthetics, cost and the continued ability of the corrections system to manufacture the plate."

In conclusion, the commission recommends that the appropriate State officials proceed with the implementation of P.L.1989, c.202 by either advertising another bid proposal for a supply of reflective sheeting, or obtaining a bid waiver and negotiating directly with a supplier if a sole source supply situation is deemed to exist. If the appropriate officials can only obtain a contract price (1) which would result in the revenues collected pursuant to P.L.1989, c.202 being insufficient to cover the additional cost for the new reflectorized registration plates selected by the commission,

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or (2) which is unsatisfactorily high, in the estimation of the officials, as compared with the cost for pre-printed reflective sheeting paid by the numerous other states which use such sheeting for their registration plates, the Attorney General may once again submit to this commission a request to reconvene. At that time, the commission may consider the selection of another color scheme and design, possibly one using solid color reflective sheeting on a plate with embossed words, letters and symbols.


Respectfully submitted,


Assemblyman Robert E. Littell
Chairman


Charles Walton


Senator Francis J. McManimon
Vice-Chairman


Steven Adams


Janice Conklin

Enc: Description of Plate
Letter of June 14, 1991 from Charles Walton

C:
Honorable Jim Florio, Governor
Honorable John A. Lynch, President of the Senate
Honorable Joseph V. Doria, Jr., Speaker of the General Assembly

THE REFLECTORIZED REGISTRATION PLATE
AS SELECTED BY THE COMMISSION

Background Color:

Goldfinch yellow across the top one third of the plate with the color fading to pale yellow over the remaining two thirds of the plate surface.

Color of Words, Symbols, and Alphanumeric Sequence:

Black.

New Jersey:

As a graphic design on the reflective sheeting and centered across the top for all registration plates.

Shape of the State:

Embossed in the center of the plate between the six character alphanumeric sequence for standard passenger automobile plates and omitted on special plates whenever it would interfere with the alphanumeric sequence.

Garden State:

As a graphic design on the reflective sheeting and centered across the bottom for all standard passenger automobile plates. (N.J.S.A.39:3-33.2 requires the words "Garden State" to be imprinted on each passenger automobile registration plate.) When the space across the bottom is needed to designate the vehicle type, a reflective sheeting without the "Garden State" graphic design will be used and, across the bottom, words designating the vehicle type will be embossed.

New Jersey Automobile Dealers Association

Headquarters • 856 River Road • P.O. Box 7510 • Trenton, New Jersey 08628 • (609) 883-5056

PAUL A. LARSON, SR.
Chairman

CHARLES E. WALTON
President

June 14, 1991

Hon. Robert E. Littell, Chairman
Reflectorized License Plate Selection Commission
State House Annex
CN-068
Trenton, New Jersey 08625-0068

Dear Senator Littell:

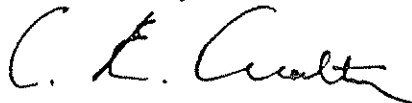
As I informed Ms. Szilagyi, I will be unable to join you and the other members of the Reflectorized License Plate Study Commission on June 24 to discuss our selection of the design for the new license plates required by Chapter 202 of the Laws of 1989.

I have studied the responses to the Commission's 18 questions supplied by the Office of the Attorney General, dated April 12, 1991, and find no compelling reason to reconsider the Commission's original August, 1990, decision. Barring some new and noteworthy information that might come to you, I feel the Commission's original selection should stand.

I hope you will cast my vote in favor of reaffirming our initial selection which I am convinced best follows the mandate of the law that our committee consider "the needs of law enforcement and highway safety, aesthetics, cost and the continued ability of the corrections system to manufacture the plate."

As a public member of the Commission, I believe motor vehicle registrants are entitled to, deserve and expect the best plate the State can provide to them. The Commission's selection does that. Furthermore, in view of the fact that the public has been paying for the new plate for almost one year, I am sure that we all look forward to a return on this investment without further delay.

Sincerely,



Charles E. Walton
President

CEW:aps