



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO



MERIT RATING BOARD MEETING

Transportation Board Room
10 Park Plaza, Boston, MA
August 19, 2020
1:00 p.m.

This meeting was livestreamed because of the Covid-19 pandemic. The Board members participated remotely by phone.

BOARD MEMBERS: Chair Jamey Tesler, Director Gary Anderson, and Director Glenn Kaplan

OTHER PARTICIPANTS: Paul Franzese, Matthew Landry, Jim Logan, Carolyn McMenemy

Proceedings:

Chair Tesler called the meeting to order at 1:03 p.m. and asked Matthew Landry, Board Counsel, to call the roll in order to establish communications.

Chair Tesler asked if the MRB received any written public comments. There were none.

The first order of business was the approval of the minutes of the April 16, 2020 meeting. Director Kaplan noted that, on page 3, the word "citations" should be "warnings." Chair Tesler agreed.

On motion duly made and seconded, it was by roll call:

Director Gary Anderson
Director Glenn Kaplan
Chair Jamey Tesler

VOTED: to approve the minutes of April 16, 2020, as corrected.

Chair Tesler called upon MRB Director Paul Franzese to give an update.

Mr. Franzese said the MRB was continuing to perform critical traffic citation and insurance service functions nearly exclusively remotely. The MRB team has been extremely successful, and has been processing batches of citations within 2 days of receipt or one business day in the case of paper warnings. The team is also working on inputting 2019 warnings.

Mr. Franzese showed a comparison of citations issued in 2020 versus 2019, which reflected a steady uptick in citations month-to-month. July 2020 versus July 2019 are very close, which shows that the team is working very well under current conditions and is keeping pace with last year's totals. Director Kaplan asked what the data source was for the number of citations issued; Mr. Franzese responded that this data was derived from ATLAS. Director Kaplan then asked how long it takes to get a citation from initial entry through processing, and Mr. Franzese responded that every citation is processed within 1-2 business days: electronically-submitted eCitations are processed overnight, while paper handwritten citations are inputted manually by MRB staff. Mr. Franzese said that the MRB normally receives citations within 5 days of issuance. Director Kaplan asked if police departments hold onto citations and send large batches. Mr. Franzese says it is not normal for police departments to send large volumes of citations to the MRB, but some departments may take longer than others to transmit them. Director Kaplan asked if the July number of citations processed was final, being that it was now the middle of August. Mr.

Franzese responded that perhaps a few citations could come in subsequent to the meeting date, but he did not expect any significant amount.

Mr. Franzese next addressed the findings of an internal audit by the MassDOT Internal Audit Unit covering the period of Jan 2019 to June 2019, and the actions proactively taken by the MRB in response to that audit, which included: reconvening the board at regular meetings, developing closer working relationships between the MRB and law enforcement and the court system. Mr. Franzese informed the board that the MRB is presently working on developing policies/procedures, engaging with MassDOT business intelligence unit, developing new training curriculum, and continuing to enhance relationship with ATLAS support team to increase automatization.

Mr. Franzese next provided a snapshot of the implementation of the recently-enacted hands-free law. Over 21,000 citations (including warnings) have been processed, which included 5 second offenders which triggered the mandatory safe driving class requirement.

At the conclusion of Mr. Franzese's presentation, and on behalf of the board, Chair Tesler thanked Mr. Franzese and the MRB team for all of their work.

The next item was a discussion of the audit. Chair Tesler recognized Jim Logan, head of the MassDOT Internal Audit unit.

Mr. Logan covered the audit team's written report. The audit covered all eight sub-units within the MRB, and examined policies, procedures, controls, data, and cash handling. Mr. Logan remarked that the MRB and RMV leadership have

been very determined and involved in addressing the audit's findings; he stated that leadership has a plan to address each of them. Overall, Mr. Logan concluded that the audit had gone very well.

The Board had no questions for Mr. Logan.

The next agenda item was a presentation of Carolyn McMenemy, associate counsel in the Office of the Inspector General (OIG), to update the work of that office as pertains to the MRB.

Ms. McMenemy explained that OIG was asked to review the MRB in late July/early August, to supplement what Grant Thornton was doing. As that work remained ongoing, Ms. McMenemy offered background and scope, and some initial recommendations which were originally made in January 2020. Ms. McMenemy stated that she looks forward to coming back to a future board meeting soon to discuss OIG's final findings. She further thanked the MRB and RMV teams for their responsiveness and cooperation.

Ms. McMenemy stated that, to date, OIG has met with 18 current and former MRB staff members, with members of the RMV Driver Control Unit, insurance providers, representatives of the Division of Insurance, MassDOT information technology, and fiscal departments. OIG has reviewed a labyrinth of law and regulations, legal framework and legislative history, and all existing MRB policies/procedures. OIG's initial recommendations were: to improve training for citation processing, including monitoring, quality control, and retraining for staff to minimize errors; to develop actionable staff goals and address performance; to

hold regular MRB all-staff meetings to promote inclusion and information sharing, as well as to reiterate MRB goals and function of public safety within the CW; and to develop written policies and procedures for each unit of the MRB.

Director Kaplan thanked Ms. McMenemy and the OIG for being willing to be involved in this process. All directors agreed that it was important to have OIG's perspective. Ms. McMenemy stated that OIG's final report may be ready in the near future.

Chair Tesler asked the board whether there were any other issues to discuss. Director Kaplan said that at a future meeting he may want to raise follow-up issues regarding the DOT audit after further review, but had no other issues now.

With no further business to be discussed,

On motion duly made and seconded, it was by roll call:

**Director Gary Anderson
Director Glenn Kaplan
Chair Jamey Tesler**

VOTED: to adjourn at 1:47 p.m.

Documents relied upon for this meeting:

Minutes from April 16, 2020

Director's Report (slide deck)

Internal Audit team report