



The Baker-Polito Watch (formerly the Baker Dossier)

Documenting the Baker-Polito Administration's Leadership and Management Failures

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Registry of Motor Vehicles: Serious management failures endanger public safety

The Baker-Polito Administration's Registry of Motor Vehicles (RMV) has been engulfed by a series of scandals that are emblematic of the serious management failures apparent across state government. Despite Governor Baker and his Administration's selling of themselves as hands-on, down-in-the-details, excellent managers, there doesn't appear to be any systemic attention to ensuring that the state is executing critical functions consistently and well. Whenever failures become evident the Governor and his appointees claim they knew nothing about the circumstances leading to the problem. In the case of the RMV's multiple, serious failures, Governor Baker and his Secretary of Transportation, Stephanie Pollack, are pleading ignorance. The head of the RMV has indicated she was aware of some of the problems in 2015 and a 2016 memo noting a problem of backlogged driver violations addressed to the Governor's legal counsel and the Department of Transportation's (DOT) legal office apparently never left the RMV. In April 2019, a DOT auditor wrote a memo warning of unprocessed notices of driving violations from other states. Nonetheless, Baker and Pollack say they knew nothing. When agency scandals emerge, the buck never seems to land, let alone stop, on the Governor's desk. (Editorial, 8/12/19, "Lawmakers should keep pressing RMV," The Boston Globe; Vennoch, J., 8/1/19, "With agency scandals, the buck never stops with Baker," The Boston Globe; Editorial, 7/21/19, "After death of bikers, state needs to scrutinize its data-sharing," The Boston Globe)

Here is a summary of the current RMV scandals that emerged after the June 2019 revelation that tens of thousands of notices from other states of serious motor vehicle violations were in boxes and had never been processed. One of those was a Connecticut arrest in May for driving under the influence and refusing a breath test that should have resulted in suspension of the individual's MA commercial driver's license. One month later, that individual, driving a truck in NH, plowed into a group of motorcyclists, killing seven people. The head of the RMV resigned after this incident, on June 25, 2019, as the scale of the scandal was just emerging. (Hilliard, J, 6/26/19, "Leader quits after RMV failure in crash," The Boston Globe)

Failure to exercise sound management practices in our state government is a hallmark of the Baker-Polito Administration. At the RMV, that failure has cost lives.

New information about the dysfunction at the RMV continues to be uncovered, so this summary will likely need updating.

A. The Baker-Polito Administration’s Registry of Motor Vehicles (RMV) had failed to process tens of thousands of notices from other states reporting Massachusetts drivers who have violated driving laws in their states.

1. Beginning in 2014, the RMV stopped systematically processing notices of drivers convicted of traffic violations in other states. Over 540 MA drivers should have had their licenses suspended after arrests for driving under the influence in other states, and a total of over 2,400 MA drivers should have had their licenses suspended for this and other reasons. These numbers could increase as the investigations are completed. The RMV’s failure involved not only personal driver’s licenses, but a failure to monitor commercial driver’s licenses as well, where there was a backlog of about 10,000 notices at one point. The Merit Rating Board is responsible for processing the out-of-state notifications, having taken over this job in 2016 when the previous processing unit fell behind and had a substantial backlog. In some cases, RMV workers who looked at these notices were not trained or tasked to post the violations to MA drivers’ records. As it scrambled to process the recent backlog, its head (paid \$114,455 annually) was on vacation in Europe. An initial outside auditor’s report found that efforts to remedy the backlog had been inconsistent. The RMV has announced plans to hire a chief compliance officer, six new workers, and to create a new unit to handle out-of-state notifications. Clearly, the RMV has been under-funded and under-staffed, as well as plagued by poor management. (Coleman, V., & Crimaldi, L., 8/17/19, “RMV aide reviewed alert on driver,” The Boston Globe; Crimaldi, L., 8/16/19, “RMV late in alerting states to thousands of offenses,” The Boston Globe; Coleman, V., & Crimaldi, L., 7/20/19, “Baker pushing a tougher law for some drivers,” The Boston Globe; Stout, M., 7/19/19, “Leader of RMV unit at center of scandal was far away as it erupted,” The Boston Globe; Crimaldi, L., Rocheleau, M., & Coleman, V., 7/13/19, “RMV suspends hundreds more licenses,” The Boston Globe; Stout, M., & Miller, J., 7/3/19, “Crash exposes weaknesses in notification system,” The Boston Globe; Stout, M., & Rocheleau, M., 7/2/19, “Registry ignored thousands of alerts,” The Boston Globe)

a) **In March 2018, the RMV completely stopped processing the notices from other states (let alone processing its backlog) when it was struggling to install a new computer system and implement a new format for driver’s licenses.** As a result of these two changes, wait times for customers at RMV offices skyrocketed. Reduced wait times at the RMV had been a high-profile accomplishment of the Baker Administration, which the Governor frequently touted. At a public hearing, legislators questioned whether the politics of shorter waiting times pushed aside the importance of processing out-of-state driving violations and the public safety issues that they represented. (Stout, M., & McDonald, D., 7/31/19, “RMV was warned about backlog,” The Boston Globe; Leung, S., 7/4/19, “Shorter lines at RMV are nice, but safety takes priority,” The Boston Globe)

2. **When the Legislature’s Transportation Committee scheduled an oversight hearing on July 24 to review the problems at the RMV, they requested that seven individuals appear to testify. However, only three showed up and explained they would limit their statements** because of an on-going audit to assess what went wrong. The Committee abruptly adjourned the hearing as a waste of time and demanded the attendance of all the requested individuals. In an editorial, the Globe labeled this failure of four officials to attend “an exercise in executive obfuscation,” and declared that an audit “has become an all-too-convenient dodge” for the Baker-Polito Administration. The hearing was rescheduled and held on July 30. (Editorial, 7/25/19, “DOT slighting of the RMV oversight hearing: unacceptable,” The Boston Globe)
 - a) When the Transportation Committee hearing finally took place **on July 30, it was disclosed that an internal auditor at the RMV had notified its head in March that there was a backlog of almost 13,000 notices from other states of driving violations. RMV officials had knowingly stopped processing the notices in March 2018** because, with the troubled installation of new software, they **needed to catch up on a backlog of up to 27,000 in-state driving citations. Requests for additional staff were rejected** by the head of the RMV, despite the reality that the unit was down five employees from 2016. Moreover, during the Baker-Polito Administration, the RMV had never processed any out-of-state notices until responsibility for them was moved to the Merit Rating Board in 2016. The head of the unit previously responsible for processing out-of-state notices noted the presence of a significant backlog in a 2016 memo addressed to the Governor’s legal counsel and the Dept. of Transportation’s legal office. It appears that this memo was never circulated outside of the RMV. (Crimaldi, L., 8/16/19, “RMV late in alerting states to thousands of offenses,” The Boston Globe; Stout, M., & McDonald, D., 7/31/19, “RMV was warned about backlog,” The Boston Globe)
 - b) **Overall, the seven-hour hearing on July 30, 2019, documented that poor management decisions at the RMV and a lack of support from beyond the agency had resulted in a serious level of dysfunction.** Governor Baker, who campaigned as a skilled manager and promotes his knowledge of the nuts and bolts of state government, along with his Secretary of Transportation, say that they first learned about the backlog of out-of-state driving violation notices when the story was publicly reported in late June. (Stout, M., 8/1/19, “Registry lapses were surprise, Baker says,” The Boston Globe; Stout, M., & McDonald, D., 7/31/19, “RMV was warned about backlog,” The Boston Globe)
3. **In the legislature’s investigation of the failures at the RMV, the Baker-Polito Administration has been slow, and perhaps resistant, in turning over requested records.** Multiple requests and threats of subpoenas have been issued in attempts to get the records needed to determine what happened and who bears responsibility. The investigation has uncovered numerous communications between RMV and DOT officials about failures

to process driving violations, but, apparently, the important information in them was ignored and repeatedly failed to make its way to either Secretary Pollack or Governor Baker. (Editorial, 8/12/19, “Lawmakers should keep pressing RMV,” The Boston Globe)

4. **The oversight panel of the RMV’s Merit Rating Board agency met for the first time since at least 2015 on Sept. 20, 2019, and voted unanimously to fire the agency’s director, Thomas Bowes.** He had decided in March 2018 to stop processing notices of out-of-state driving violations. In addition, he had ignored a backlog of such notices transferred to his agency in early 2017. He stated he did not have enough staff to process them but apparently had done nothing to obtain additional personnel. Investigators questioned whether his agency and its staff, which primarily performs clerical processing of insurance claims, had the expertise and training to process the out-of-state driving violation notices. (Stout, M., 8/21/19, “Key figure in RMV scandal is fired,” The Boston Globe)

- B. **For many years, the Baker-Polito Administration’s RMV has failed to notify other states when their drivers broke the law in Massachusetts.** It is now mailing notices to other states for **45,000 convictions and suspensions since March 2018.** It appears that Massachusetts is the only state that hadn’t been sending an electronic or mail notification of violations to other states. (Crimaldi, L., 8/16/19, “RMV late in alerting states to thousands of offenses,” The Boston Globe; Crimaldi, L., Rocheleau, M., & Coleman, V., 7/13/19, “RMV suspends hundreds more licenses,” The Boston Globe)

- C. **For many years, the RMV has not consistently sent written notifications to local police departments, as required by a law signed by Governor Baker, of suspensions or revocations of licenses of residents of that community.** The intent of the law is to alert local police so they can arrest a local driver with a suspended or revoked license if they witness that individual driving. (Crimaldi, L., & Stout, M., 7/21/19, “Another omission on records at Registry,” The Boston Globe)