



**Office for People With  
Developmental Disabilities**

**ANDREW M. CUOMO**  
Governor

**THEODORE KASTNER, MD, MS**  
Commissioner

December 12, 2019

The Honorable Andrew M. Cuomo  
Governor of New York State  
NYS State Capitol Building  
Albany, NY 12224

Dear Governor Cuomo:

Attached is the Office for People With Developmental Disabilities' comments on the Office of the State Comptroller's Final Audit Report 2018-S-42 entitled "Accountability and Surplussing of Vehicles."

This response is being submitted to you in accordance with Section 170 of the Executive Law.

Sincerely,

A handwritten signature in blue ink, appearing to read "Theodore Kastner", written over a light blue horizontal line.

Theodore Kastner, MD, MS  
Commissioner

**Office for People With Developmental Disabilities’  
Response to the Office of the State Comptroller’s  
Final Audit Report (No: 2018-S-42):  
“Accountability and Surplussing of Vehicles”**

The New York State Office for People With Developmental Disabilities (“OPWDD”) provides services and support to over 130,000 individuals with developmental disabilities throughout New York State. OSC’s review focused on the use of 484 state-owned vehicles in the New York City region. These vehicles are used to transport individuals with developmental disabilities, to bring maintenance crews to OPWDD offices and residences, and to assist managerial staff in providing necessary oversight and supervision.

OSC’s audit findings and recommendations concern accountability and surplussing of State vehicles in OPWDD’s fleet. OPWDD recognizes the need for improved recordkeeping to provide greater assurance that vehicles are being used exclusively for business purposes and that their disposal is fully documented and performed in a timely manner. OPWDD has already implemented a number of initiatives and is in the process of refining its policies to address OSC’s recommendations, as discussed below:

**RESPONSE TO OSC’S RECOMMENDATIONS**

**Recommendation #1:** Ensure vehicle logs are maintained for each vehicle, and that they are collected, reviewed, and approved as required by the Policy.

Response: OPWDD implemented the use of a new statewide vehicle log on June 26, 2019. The log requires local supervisors to review and sign each completed log. This review will be conducted to ensure accountability by requiring documentation of appropriate business use, as well as complete, legible, and accurate record keeping.

**Recommendation #2:** Establish a standard vehicle log that captures all required trip information, as per the Policy.

Response: As stated above, OPWDD issued a new vehicle log on June 26, 2019 for statewide implementation. This new log is used in every OPWDD vehicle throughout the state. Employees operating an OPWDD vehicle are required to complete the new log for each trip and to include all required trip information on this log

**Recommendation #3:** Follow up on the instances of unrecorded vehicle usage identified in this report to determine whether they occurred during official State business, and take appropriate action, as needed.

Response: OPWDD’s priority is to monitor current and future vehicle logs to better ensure the completeness of records going forward. To that end, OPWDD has hired an individual with experience in both fleet and statewide asset management to oversee OPWDD’s fleet

management. Further, OPWDD plans on hiring additional staff in its Central Office Transportation unit to improve oversight of all fleet management functions.

**Recommendation #4:** Issue guidelines that require DDSOs to conduct periodic inventories to account for the location and status of their vehicles.

Response: OPWDD agrees that a more formal periodic inventory should be conducted at each local district and Central Office. During the past few months, a significant amount of time and effort was undertaken on a major project to switch the license plates on over 2,700 OPWDD vehicles to State plates, which also required a mass update of all corresponding fuel cards. Consequently, staff time constraints precluded the completion of other desired improvements. However, OPWDD will complete preparation of improved inventory procedures. OPWDD has also just completed a comparative analysis between inventories listed in the OGS FleetWave system and the OPWDD inventory system. The analysis is currently under review and any necessary updates will be entered into the FleetWave system upon completion of the review.

**Recommendation #5:** Research the missing vehicle assigned to the Bernard M. Fineson DDSO to determine its whereabouts and its correct status.

Response: OPWDD research determined this vehicle was repurposed for use by the maintenance department in a different DDSO. The vehicle inventory documents are being updated to reflect its current location.

**Recommendation #6:** Review the OPWDD employee's purchase of vehicles to determine whether any policies or laws were violated and take appropriate action.

Response: Consistent with the findings presented by OSC in this report, OPWDD has not identified any laws or OPWDD policies that have been violated with respect to employees' purchasing of surplus vehicles. However, as recommended by OSC, OPWDD will draft a new surplussing policy which will prohibit employees from purchasing surplus items in the future. This will be included in an update to the fleet policy document.

**Recommendation #7:** Establish surplussing policies and procedures that address the deficiencies identified in this report, including the purchase of surplus vehicles by employees (and their family members) and the time frames for sending surplus vehicles to auction and returning their license plates.

Response: As indicated in Response #6 above, OPWDD will establish policies and procedures to correspond with those of OGS for surplussing its vehicles. Improvements will also include procedures for the timely return and surrendering of license plates. It should be noted that several difficulties arose regarding the timing associated with disposal of surplus vehicles. For example, OGS requires all manufacturer recalls be addressed prior to surplus sale. However, OPWDD had instances where the vehicle was determined to be inoperable and auto dealers refused to perform the recall work.

**Recommendation #8:** Determine whether each DDSO (including its transportation office) has the correct number of vehicles based on need and identify those that should be surplussed or reassigned.

Response: OPWDD continues to work with district staff to review fleet levels and reassign or surplus vehicles as appropriate. However, OPWDD does require additional vehicles that serve as “reserve or pooled” vehicles for administrative use and for temporary substitutions for vehicles requiring repair or replacement. OPWDD provides transportation to approximately 6,300 residents living in group homes statewide and must ensure that staff have access to vehicles 24 hours a day in order to safeguard the health and safety of individuals in OPWDD’s care. Pooled vehicles may appear relatively idle at times, but they must be maintained at sufficient levels to provide coverage at all times