

April 22, 2024

Nadine Morrell, Audit Director  
Office of the State Comptroller  
Division of State Government Accountability  
110 State Street  
Albany, NY 12236

Re: 2022-S-38 Department of Motor Vehicles – Language Access Services  
180-day Follow-up Response

Dear Nadine Morrell:

This letter is in response to the New York State Comptroller’s final audit report number 2022-S-38, Department of Motor Vehicles – **Language Access Services**, dated October 26, 2023.

We provide the following updates to our implementation of all recommendations, and actions we have taken since October 2023, including moving from the Language Line vendor to Propio as of April 1, 2024.

### **Recommendation #1**

*Develop procedures to verify that all State DMVs are complying with the requirements of the Department’s Plan, including:*

- a. Utilizing Language Line for interpretation services where applicable;*
- b. Tracking statistics for interpretation services provided; and*
- c. Obtaining waiver forms when customers choose to rely on their family or friends for interpretation services.*

The New York State Department of Motor Vehicles (DMV) began issuing quarterly reminders to all state and county office staff to use Language Line services when needed, and to maintain a log entry for each use.

See attachments #1 and #1a through #1g, “MB0624 - Quarterly Language Access Policy Services Reminder” sent on 2/15/2024 to all state and county office staff.

See attachment #2, "Language Access Reminder" sent on 2/20/2024 to all state managers.

Audit Services updated its issuing office audit procedures to check for office compliance during all onsite audits beginning in March 2024.

## **Recommendation #2**

*Increase collaboration efforts with County DMVs to provide equal access and consistent services to LEP individuals throughout the State.*

The comprehensive Language Access training module that was sent by the DMV County Clerk Liaison on April 4, 2023, was also sent to all county offices on October 31, 2023, and March 25, 2024, in accordance with DMV's policy of distributing this training to all county offices at least twice per year. Along with the training modules sent on those dates, the County Clerk Liaison also included multi-language posters containing some common statements that office staff use to assist customers who have Limited English Proficiency (LEP). The County Clerk Liaison also sent the comprehensive training module to the county clerk leadership committee on January 25, 2024, who in turn forwarded it to all counties, and encouraged them to use it to train staff.

The County Clerk Liaison further communicated with several counties (Chautauqua, Dutchess, Erie, Monroe, Orange, St. Lawrence, Schuyler, Wayne, and Yates) on a one-on-one basis to answer questions about the comprehensive training, the communications referenced above, and to provide general guidance on Language Access. The County Clerk Liaison also discussed the importance of providing language access at statewide and regional meetings of county clerks.

On March 28, 2024, the County Clerk Liaison sent to all county offices a notice that DMV would be using a new service vendor, Propio, for the language assistance service starting April 1, 2024, which included the new instructions for over the phone interpreting (OPI access) service.

See attachment #5 for the county office email and instructions.

## **Recommendation #3**

*Collect and analyze available language statistics, and collaborate with County DMVs to develop a method to track complete and accurate statistics of non-English languages they serve throughout the state.*

DMV continues to work closely with the NYS Office of Language Access (OLA) and is close to adding the four additional languages (Albanian, Greek, Portuguese, and Japanese) to our language access plan. It should be noted that DMV is not permitted to

add additional languages, regardless of statistics, without the guidance and approval of the NYS OLA.

#### **Recommendation #4**

*Develop procedures to ensure that RFQ expectations for interpretation services are being met.*

The Language Access Coordinator (LAC) is in regular contact with offices that have complaints regarding Language Line, as well as other language access contractors that DMV utilizes. These complaints are forwarded to the NYS OLA in a monthly contractor deficiency report (aka vendor deficiency report). For Language Line issues, the LAC also encourages employees who raise the complaint to also file their complaint directly with the contractor. The LAC has also reminded all DMV offices of the language access tools available to them as well as the complaint and deficiency process.

#### **Recommendation #5**

*Develop procedures to ensure that charges for interpretation services are accurate and appropriate, and recoup any outstanding overpayments.*

Language Access service invoices are forwarded to DMV's Office of Contract Administration, where the invoice is reviewed and verified for compliance with the contracted rates. Once that verification is complete, and providing there is no discrepancy, the invoice is forwarded on to the program area for them to provide an "okay to pay". Once the Office of Contract Administration receives the okay to pay, the approval is sent to the Expenditure Accounting unit along with the PO # to be used.

On April 1, 2024, the Department began using Propio for language interpretation services. State offices call and provide a unique 3-digit code to identify their state office, and county offices use a different telephone number and announce their county to identify their county office. Propio tracks all calls, eliminating the need for each state and county office to maintain separate logs of language service calls. See attachments #3 through #6.

As outlined in our formal agency response to the audit report and confirmed above, DMV has accepted all recommendations contained in the report and has taken all necessary actions to address them. Again, we appreciate the results and recommendations presented in the report and the efforts of the audit team from the Office of the New York State Comptroller.

If you have any questions concerning our response to this audit, please contact me at (518) 473-9324, or Kelly Gardineer, Director of Audit Services, at (518) 474-0881.

Sincerely,



Mark J.F. Schroeder  
Commissioner

See PDF attachments #1a-g through #6:

1. MB0624- Quarterly Language Access Policy Services Reminder Email 2-15-2024
  - a. Language ID Poster
  - b. Waiver of Rights to Free Interpretation Services
  - c. Sample language line log
  - d. Right to File a Language Access Complaint
  - e. Language Access Complaint Form
  - f. How Can I Help You Card
  - g. I Speak Card
2. Language Access Reminder Email 2-20-2024
3. Important - New Over-the-Phone Interpretation Vendor - Effective Beginning of Business April 1 Email 3-26-2024
4. Propio One for Video Remote Interpretation Email 3-26-2024
5. RE Important - New Over-the-Phone Interpretation Vendor - Effective Beginning of Business April 1 for Counties Email 3-27-2024
6. Reminder - New Over-the-Phone Interpretation Vendor - Effective Beginning of Business April 1 Email 3-29-2024