

AUDIT REPORT



CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
BUREAU OF MANAGEMENT AUDIT
WILLIAM C. THOMPSON, JR., COMPTROLLER

Follow-up Audit on How the Public Safety Agencies Monitor Employees Who Use City or Personally Owned Vehicles While Conducting City Business

MJ03-096F

June 24, 2003



THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
1 CENTRE STREET
NEW YORK, N.Y. 10007-2341

WILLIAM C. THOMPSON, JR.
COMPTROLLER

To the Citizens of the City of New York

Ladies and Gentlemen:

In accordance with the Comptroller's responsibilities contained in Chapter 5, § 93, of the New York City Charter, my office has audited five Public Safety agencies to determine whether they have implemented the eight recommendations made in two prior reports. To prevent accidents and injuries, New York City requires that only those employees who exercise reasonable care in operating City or personally owned vehicles be allowed to use them to conduct City business. Our audit resulted in the findings and recommendations that are presented in this report. The findings and recommendations were discussed with City officials; their comments were considered in the preparation of this report.

Audits such as this provide a means of ensuring that City resources are used effectively, efficiently, and in the best interest of the public.

I trust that this report contains information that is of interest to you. If you have any questions concerning this report, please e-mail my audit bureau at audit@comptroller.nyc.gov or telephone my office at 212-669-3747.

Very truly yours,

A handwritten signature in cursive script that reads "William C. Thompson, Jr."

William C. Thompson, Jr.

Report: MJ03-096F
Filed: June 24, 2003

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***The City of New York
Office of the Comptroller
Bureau of Management Audit***

**Follow-up Audit on How the
Public Safety Agencies Monitor Employees
Who Use City or Personally Owned Vehicles
While Conducting City Business**

MJ03-096A

SUMMARY OF FINDINGS AND CONCLUSIONS

This is a follow-up audit to determine whether the recommendations made in two audits issued in 1999 have been implemented by the City agencies covered by those audits, which examined how Public Safety agencies monitor employees who use City or personally owned vehicles while conducting City business. "Public Safety" agencies are categorized as such by the Mayor's Office of Operations in the Mayor's Management Reports. In this report, we discuss the recommendations of the prior audits in detail, as well as the current status of each recommendation.

In Fiscal Year 1999, our office conducted two audits (MJ99-064F, issued June 28, 1999, and MJ99-095A, issued June 30, 1999) that examined how the Public Safety agencies monitor their employees who use City or personally owned vehicles to conduct City business. The objective of the first audit, a follow-up audit, was to determine whether the Public Safety agencies had implemented the ten recommendations made in a previous, 1996, audit on the same subject. The agencies covered in the 1996 report were:

- The Fire Department (FIRE)
- The Police Department (NYPD)
- The Department of Probation (PROB)
- The Department of Juvenile Justice (DJJ)

The objective of the second 1999 audit was to determine how the Department of Transportation (DOT) and the Department of Correction (DOC) monitored department employees who conduct City business while driving City or personally owned vehicles. Although DOC is also a Public Safety agency, it was not covered by the 1996 audit because the agency did not respond to our auditors' requests for driver information. (DOT is not a Public Safety agency and is therefore not covered under this current audit.)

The 1999 follow-up audit of the Public Safety agencies (Public Safety audit) found that since 1996, the agencies had improved their monitoring of employees who are authorized to drive City or personally owned vehicles on City business. In addition, the overall percentage of authorized drivers with poor driving records had decreased. Most of the agencies were taking positive actions to ensure that their drivers were taking driver's safety courses. However, the 1999 audit of DOC's monitoring of its employees (DOC audit) found weaknesses in the agency's oversight. A Department of Motor Vehicles (DMV) check revealed that 3,224 (30%) of 10,836 DOC employees did not have a valid license on record. DOC provided additional evidence indicating that problems were resolved for 1,945 of them, leaving 1,279 (12%) with no record of a valid license. For the remaining 9,557 DOC employees with a valid license, 2,567 (27%) had poor driving records and significant notations on DMV records covering the previous ten years. Finally, that audit found that DOC did not have a driver's safety program, even though City policy required agencies to initiate programs promoting driver safety.

Of the eight recommendations we made in the previous two audits, the Public Safety agencies implemented seven, and one was no longer applicable. The eight recommendations and their status are as follows:

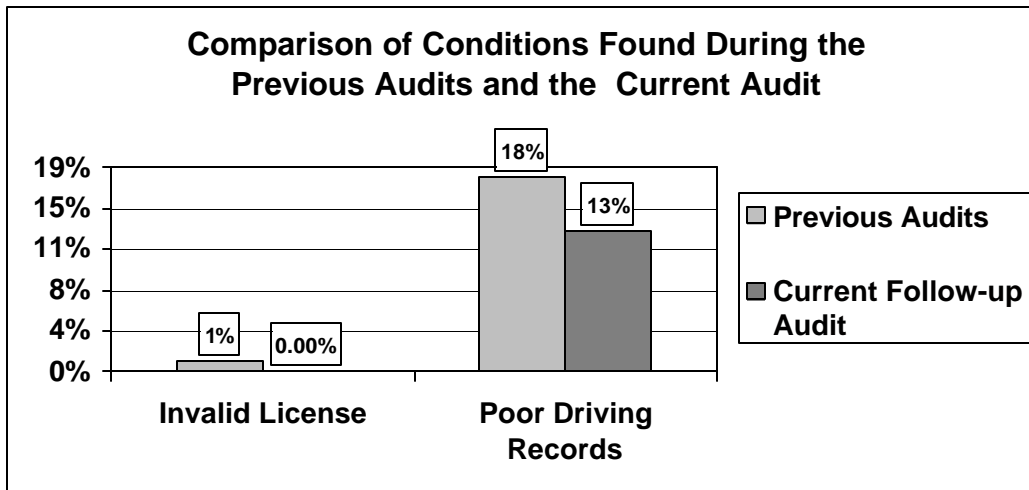
1. "Check (or continue to check) with DMV to verify that all City employees' licenses are valid before granting them driving privileges." **IMPLEMENTED**
2. "Revoke driving privileges from all employees without a valid driver's license." (This recommendation applied to DOC only.) **IMPLEMENTED**
3. "Issue a letter to employees with driving privileges, stating that the employees must inform their employer of license status changes and that they are subject to disciplinary action if they fail to do so." (This recommendation applied to DOC only.) **NO LONGER APPLICABLE**
4. "Follow up more effectively on notifications from DMV informing them that their employees' licenses have been revoked and/or suspended. Agencies should take the appropriate actions to either have employees correct their license status or suspend the employees' driving privileges." (This recommendation applied to FIRE/EMS and NYPD.) **IMPLEMENTED**
5. "Prohibit (or continue to prohibit) employees with unsatisfactory driving records from driving City vehicles or personally owned vehicles on City business, as specified in the criteria defined in the City regulations and the agencies' own regulations." **IMPLEMENTED**
6. "Register (or update) all employees who drive a City or personally owned vehicle while on City business in [License Event Notification Service (LENS)]¹. There is no cost to the agency for participating in LENS or for using the DMV Dial-In Inquiry System. This will ensure that the data supplied to DMV is accurate and current, and

¹ Formerly known as the New York State Critical Driver's Certification Program.

that it reflects the agency's procedures for monitoring employees who drive City vehicles." (This recommendation applied to DOC, FIRE/EMS, and NYPD. **IMPLEMENTED**

7. "Develop a driver's safety program for all employees who drive while on City business." (This recommendation applied to DOC only.) **IMPLEMENTED**
8. "Enroll all employees who drive while on City business in its drivers' safety program at least once a year." (This recommendation applied to DOC only.) **IMPLEMENTED**

This follow-up audit found that the Public Safety agencies improved their monitoring of employees who are authorized to drive City or personally owned vehicles to conduct City business. In addition, the overall percentage of authorized drivers with poor driving records has decreased or has continued to decrease since the previous audits. All of the agencies are taking positive actions to ensure that their drivers take driver's safety courses. The chart below shows a comparison of the findings of this follow-up audit and the previous audits.



To continue the progress that the Public Safety agencies have made, they should continue to monitor the driving behavior of their employees. In this report, we recommend that the agencies should:

- Continue to check with DMV to verify that all City employees' licenses are valid before granting them driving privileges.
- Continue to prohibit employees with unsatisfactory driving record from driving City vehicles or personally-owned vehicles on City business, as specified in the criteria defined in the City regulations and the agencies' own regulations.

- Continue to register (update) all employees who drive a City vehicle or personally owned vehicle on City business in the New York State DMV License Event Notification Service program.

INTRODUCTION

Background

To prevent accidents and injuries, New York City requires that only those employees who exercise reasonable care in operating City or personally owned vehicles be allowed to use them to conduct City business. This requirement is outlined in the “Regulations for City Drivers, Accident Reporting Loss Controls” (Regulations). The Mayor’s Office of Risk Management, a unit of the Mayor’s Office of Operations, administers this policy on behalf of the City. The Regulations state the following:

“All employees who are assigned a City-owned vehicle for either full-time or temporary use, or who use a personally owned vehicle on City business, must be authorized to drive by their agency according to procedures outlined in [Regulations]. Drivers must also comply with any additional requirements imposed by federal, state and local statutes.”

The Regulations require agency heads to establish and enforce their own policies and procedures for monitoring drivers and their driving behavior. Agency heads must ensure consistency between the Regulations and agency procedures as well as applicable provisions of labor agreements. The Regulations further specify that City agencies must establish programs that promote safety and health, along with proper training in the use of motor vehicles.

All personal-injury and property-damage claims against New York City are filed with the Comptroller’s Bureau of Law and Adjustment (BLA). According to a report issued by BLA, the number of personal injury motor vehicle accident claims has decreased in recent years, going from 1,768 in Fiscal Year 2000 to 1,581 in Fiscal Year 2002. The amount paid out has also decreased in those years, going from \$46.8 million in Fiscal Year 2000 to \$42.3 million in Fiscal Year 2002.

Audit Objective

The objective of this follow-up audit was to determine whether Public Safety agencies have implemented the recommendations made in two prior reports, entitled Follow-up Audit on the Public Safety Agencies: How They Monitor Employees Using City or Personally Owned Vehicles to Conduct City Business (MJ-99-064F, issued on June 28, 1999) and Audit on the Department of Transportation and the Department of Correction: How They Monitor Employees Using City or Personally Owned Vehicles to Conduct City Business (MJ 99-095A, issued June 30, 1999).

Scope and Methodology

The scope of this follow-up audit was Fiscal Years 2000 through 2003. Our audit reviewed drivers in five City agencies categorized as “Public Safety” in the Fiscal Year 1994 Mayor’s Management Report. They include the following agencies:

- The Fire Department/Emergency Medical Services (FIRE/EMS)
- The Police Department (NYPD)
- The Department of Probation (PROB)
- The Department of Juvenile Justice (DJJ)
- The Department of Correction (DOC)

This audit reviewed employee driving status based upon the New York State Department of Motor Vehicles records of all authorized drivers in the above agencies who were authorized to drive City vehicles or personally-owned vehicles to conduct City business during the period July 1, 1999-March 1, 2003.

At the entrance conference, to which representatives from all five agencies were requested to attend, we asked each agency representative to provide a current list (on a computer disk, electronically, and on hard copy) of all employees authorized to drive City or personally owned vehicles for City business. We electronically submitted this information to DMV through their License Event Notification Service

The results of the DMV license check provided us the driving histories of all City employees who are on the DMV database. Each DMV history contained such information as license suspensions and revocations, accidents, and license status (valid, conditional, restricted, etc.), accumulation of points, and a list of drunk driving incidents.

We accessed the DMV Dial-In Inquiry System to determine whether authorized drivers listed as residing out of New York City had a New York State Driver's license, and to determine whether there were any discrepancies in the listings provided by the agencies. In addition, we contacted other states Department of Motor Vehicle when appropriate.

During the course of the audit, we notified City agencies of employees who did not have valid licenses and asked them to inform us of any actions taken as a result of that notification. In addition, by using the LENS program, we were notified by DMV (along with the respective agencies) when there was a pending change in an employee's license status.

* * * * *

This audit was conducted in accordance with Generally Accepted Government Auditing Standards (GAGAS) and included tests of their records and other auditing procedures considered necessary. This audit was performed in accordance with the New York City Comptroller's audit responsibilities as set forth in Chapter 5, §93, of the New York City Charter.

Discussion of Audit Results

The matters covered in this report were discussed with officials from the Public Safety agencies during and at the conclusion of this audit. An exit conference and a preliminary draft were not necessary because all agencies were notified of our findings during the course of the audit and were given the opportunity to correct the identified problems before a formal draft was issued. On May 30, 2003, we submitted a draft report to each of the Public Safety agencies with a request for comments. We received written comments from DOC and PROB officials on June 11, 2003, from NYPD officials on June 12, 2003, and DJJ officials on June 13, 2003 and from FIRE/EMS on June 17, 2003. In their responses, the Public Safety officials generally agreed with the audit's findings and recommendations. The full texts of the agencies' comments are included as addenda to this report.

RESULTS OF THE FOLLOW-UP AUDIT AND RECOMMENDATIONS

PREVIOUS AUDIT FINDING: “Too Many Unlicensed City Employees Were Allowed to Drive City or Personally Owned Motor Vehicles to Conduct City Business”

The previous Public Safety audit found a significant improvement in City agencies’ efforts to reduce the number of authorized drivers who do not have valid driver’s licenses. That audit found that 588 (1%) of the 57,107 Public Safety agency employees should not have been allowed to drive while conducting City business—a decrease from the 710 (1.6%) of the 45,439 drivers reported in the 1996 audit. The previous DOC audit, however, found that 3,224 (30%) of the 10,836 DOC employees who would be allowed to drive did not have current valid driver’s licenses on record. The breakdown for DOC was as follows:

- 2,402 employees had no driver’s license on record,
- 274 employees had suspended licenses,
- 295 employees had a permit,
- 188 employees had a non-driver’s identification card, and
- 65 employees had revoked licenses.

In the previous audits we made four related recommendations to the Public Safety agencies concerning these unlicensed drivers. Specifically, we recommended:

Previous Recommendation # 1: “Check (or continue to check) with DMV to verify that all City employees’ licenses are valid before granting them driving privileges.”

Previous Agency Responses: All five agencies covered by this recommendation agreed with (or have already implemented) this recommendation.

Current Status: IMPLEMENTED

According to DMV records, all of the Public Safety employees who were authorized to drive while conducting City business had valid licenses. DOC had the greatest improvement in this area since the 1999 audit that found that 30 percent of DOC employees did not have a valid license.

Previous Recommendation # 2: “Revoke driving privileges from all employees without a valid driver’s license.” (This recommendation applied to DOC only.)

Previous Agency Response: DOC agreed with this recommendation.

Current Status: IMPLEMENTED

As stated above, all DOC employees authorized to drive had valid licenses.

Previous Recommendation # 3: “Issue a letter to employees with driving privileges, stating that the employees must inform their employer of license status changes and that they are subject to disciplinary action if they fail to do so.” (This recommendation applied to DOC.)

Previous Agency Response: DOC agreed with this recommendation.

Current Status: NO LONGER APPLICABLE

DOC now participates in the DMV License Event Notification Service, which notifies DOC when the status of an employee’s license changes. Accordingly, it is no longer necessary for the employee to notify DOC when there is a change in the employee’s license status.

Previous Recommendation # 4: “Follow-up more effectively on notifications from DMV informing them that their employees’ licenses have been revoked and/or suspended. Agencies should take the appropriate actions to either have employees correct their license status or suspend the employees’ driving privileges.” (This recommendation applied to FIRE/EMS and NYPD.)

Previous Agency Responses: “FIRE/EMS and NYPD have agreed with, and have already implemented, this recommendation.”

Current Status: IMPLEMENTED

During the course of this audit and before a formal draft report was submitted to each agency, we notified the agencies of the employees who had no licenses or who had invalid licenses, as was done during the previous audits. We asked to be informed of any corrective actions taken by each agency in response to our letters.

All of the agencies responded, informing us that they had either demanded that their employees correct their problems or that they had revoked the driving privileges of those employees who could not resolve their problems. Because of their participation in LENS, all of the agencies were already aware of the problems and all had taken corrective (and when deemed appropriate, disciplinary) actions before receiving our notifications. All five Public Safety agencies resolved the problems we identified during the audit, thereby reducing to zero the number of authorized drivers with no license or an invalid license who were permitted to drive.

Recommendation

1. The Public Safety agencies identified in this report should continue to check with DMV to verify that employees’ licenses are valid before granting them driving privileges.

Agencies’ Responses: All five agencies covered by this recommendation agreed with, and have already implemented, this recommendation.

PREVIOUS AUDIT FINDING: “Employees with Poor Driving Records Were Allowed to Drive City or Personally Owned Vehicles to Conduct City Business”

The previous Public Safety audit found that 9,551 (17%) of the 57,107 authorized drivers had poor driving records according to DMV records—an overall decrease of six percentage points from the prior audit. The previous DOC audit, however, found that 2,567 (27%) of 9,557 DOC employees had poor driving records and significant notations on DMV records covering the prior 10 years, such as a conviction of driving while intoxicated or a conviction of violations resulting in a conditional or restricted license. In total, 12,118 (18%) of the 66,664 authorized Public Safety drivers from the previous audits had poor driving records.

The City’s policy recommends that agencies participate in LENS to monitor the driving behavior of their employees. LENS, formerly known as the DMV Critical Driver’s Certification Program, enables an agency to supply the DMV with a motorist’s identification number (driver’s license number) and birth date. In return, DMV will notify the participating agency whenever a driver’s license has been suspended or revoked or when an employee has been charged with driving while impaired by alcohol or drugs, or leaving the scene of an accident.

The Mayor’s Office of Operations issued a manual, City of New York Regulations For City Vehicle Drivers Accident Reporting and Loss Control, that states under what conditions an agency may enforce disciplinary action against employees who drive on City business.

In the previous audits, we made two related recommendations to the Public Safety agencies concerning these drivers. Specifically, we recommended:

Previous Recommendation #5: “Prohibit (or continue to prohibit) employees with unsatisfactory driving records from driving City vehicles or personally owned vehicles on City business, as specified in the criteria defined in the City regulations and the agencies’ own regulations.”

Previous Agency Responses: All five Public Safety agencies agreed with this recommendation.

Current Status: IMPLEMENTED

All five Public Safety agencies followed the City Regulations regarding the circumstances under which driving privileges may be suspended (at minimum). The agencies provided documentation that those employees with poor driving records warranting a suspension of driving privileges, according to the City Regulations and agency guidelines, did in fact have their privileges suspended. Furthermore, the percentage of drivers with poor driving records has significantly decreased since the last audit. We reviewed the DMV driving records for 64,221 authorized drivers and found 8,576 (13%) had poor driving records—an overall decrease of five percentage points since the previous audits. DJJ and DOC had the most significant improvements in this category, dropping from 29 percent to four percent and 27 percent to 11 percent, respectively.

Previous Recommendation #6: “Register (or update) all employees who drive a City or personally owned vehicle while on City business in [LENS]. There is no cost to the agency for participating in [LENS] or for using the DMV Dial-In Inquiry System. This will ensure that the data supplied to DMV is accurate and current, and that it reflects the agency’s procedures for monitoring employees who drive City vehicles.” (This recommendation applied to DOC, FIRE/EMS, and NYPD.)

Previous Agency Responses: All three agencies agreed with this recommendation, and FIRE/EMS and NYPD have already implemented it.

Current Status: IMPLEMENTED

As stated previously, DOC, FIRE/EMS, and NYPD participate in LENS. To determine whether these agencies had registered their employees in LENS, we requested a listing of all employees that were registered and submitted these names to DMV by individual agency code. We received daily notification from LENS of changes in driver’s license status at the same time that each agency was notified of the changes. Through these notifications, we found that DOC, FIRE/EMS, and NYPD had registered their employees.

Recommendations

The Public Safety agencies identified in this report should:

2. Continue to prohibit employees with unsatisfactory driving record from driving City vehicles or personally owned vehicles on City business, as specified in the criteria defined in the City Regulations and the agencies’ own regulations.

Agencies’ Responses: All five agencies covered by this recommendation agreed with, and have already implemented, this recommendation.

3. Continue to register (update) all employees who drive a City vehicle or personally owned vehicle on City business in the New York State DMV License Event Notification Service program.

Agencies’ Responses: All five agencies covered by this recommendation agreed with, and have already implemented, this recommendation.

PREVIOUS AUDIT FINDING: “Driver’s Safety Program”

City policy requires agencies to initiate programs promoting driver safety. In the previous Public Safety audit, we found that all four agencies audited either implemented their

own driver's safety program or required that employees with poor driving histories enroll in a defensive driving course at their own expense.

In the previous DOC audit, we issued the agency a questionnaire regarding its monitoring of the agency's drivers. One of the questions we asked was whether the agency offered or was affiliated with a driver's safety program. DOC responded that it did not have a driver's safety program.

In the previous DOC audit we made two related recommendations concerning a driver's safety program. Specifically, we recommended:

Previous Recommendation #7: "Develop a driver's safety program for all employees who drive while on City business." (This recommendation applied to DOC only.)

Previous Recommendation #8: "Enroll all employees who drive while on City business in its driver's safety program at least once a year." (This recommendation applied to DOC only.)

Previous DOC Response: DOC agreed with these recommendations.

Current Status: IMPLEMENTED

To determine whether DOC implemented these recommendations, we requested a copy of the course material used during the driver's safety program. DOC provided copies of the attendance sheets of those employees who attended the safety program in Fiscal Year 2002 and Fiscal Year 2003 (through January 2003). In addition, for those DOC employees whose job titles did not specifically designate them as drivers but who were classified as authorized drivers, we randomly selected several employees by driver's license number and reviewed their current DMV histories to determine whether a driver's safety course had been indicated. We found the selected drivers had participated in a driver's safety course.



POLICE DEPARTMENT

NEW YORK, N.Y. 10038

Office of Management Analysis and Planning
One Police Plaza, Room 1403

June 11, 2003

Mr. Greg Brooks
Deputy Comptroller
The City of New York
Office of the Comptroller
1 Centre Street, Room 1100
New York, N.Y. 10007

**Re: DRAFT:
Follow-up Audit on How the
Public Safety Agencies
Monitor Employees Who Use
City or Personally Owned
Vehicles While Conducting
City Business
(MJ03-096F)**

Dear Mr. Brooks:

We are responding to the above follow-up draft report. We wish to thank the Comptroller for the opportunity to review this report and comment upon the audit's recommendations.

We agree and are pleased with your conclusions as follows: that the NYPD has improved the monitoring of employees who are authorized to drive City or personally owned vehicles to conduct City business; that the overall percentage of authorized drivers with poor driving records has decreased since the previous audits; and that the NYPD has taken positive actions to ensure that their drivers take drivers' safety courses.

The objective of this follow-up audit was to determine whether Public Safety agencies have implemented the recommendations made in the two prior reports (1996 and 1999 audit reports). This audit report concluded that all of the recommendations which applied to the NYPD were implemented. In addition, this audit report contains three recommendations. We agree with all three recommendations and present the following responses:

Recommendation #1: The NYPD should continue to check with DMV to verify that employees' licenses are valid before granting them driving privileges.

NYPD Response: The NYC Police Department will continue to follow its established practice of checking with the NYS Department of Motor Vehicles to verify that members of the service possess valid NYS Driver's Licenses prior to being granted driving privileges.

Recommendation #2: The NYPD should continue to prohibit employees with unsatisfactory driving records from driving City vehicles or personally owned vehicles on City business, as specified in the criteria defined in the City Regulations and the agencies' own regulations.

NYPD Response: The NYC Police Department will continue to prohibit employees with suspended or revoked licenses from driving Department vehicles or personally owned vehicles on City business. Through participation in the LENS program, the Department is notified of changes in each member's license status. A member's driving privilege is suspended when notification is received that his/her license has been suspended or revoked. The driving privilege will not be restored until his/her driver's license has been reinstated by the DMV, or documentation is provided to prove that the notification is erroneous.

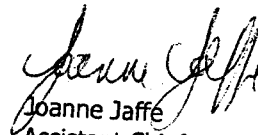
Recommendation #3: The NYPD should continue to register (update) all employees who drive a City vehicle or personally owned vehicle on City business in the New York State DMV License Event Notification Service program.

NYPD Response: The NYC Police Department will continue to participate in the NYS DMV's License Event Notification Service (LENS) program by regularly providing to the DMV updated lists of members of the service who are authorized to operate Department vehicles or personally owned vehicles on City business.

We appreciate the information provided in this audit report and will continue our efforts to closely monitor the license status of our authorized drivers. We hope your office found that the Police Department demonstrated its policy of cooperation with the Comptroller's office during the course of this audit.

If you have any questions concerning this response, please call
Admin. Staff Analyst Kenneth Wesley at (646) 610-8366.

Sincerely,

A handwritten signature in black ink, appearing to read "Joanne Jaffe", written in a cursive style.

Joanne Jaffe
Assistant Chief
Commanding Officer
Office of Management Analysis and
Planning

Copy: K. Wesley
Mayor's Office of Operations

**THE CITY OF NEW YORK
DEPARTMENT OF PROBATION
33 Beaver Street
New York, New York 10004**

OFFICE OF THE COMMISSIONER



June 6, 2003

Mr. Greg Brooks, Deputy Comptroller
The City of New York
Office of the Comptroller
1 Centre Street
New York, New York 10007-2341

**Re: Follow-up Audit on How the Public Safety Agencies Monitor Employees Who Use
City or Personally Owned Vehicles While Conducting City Business - Audit # J03-096F**

Dear Mr. Brooks:

This letter constitutes the response of the New York City Department of Probation (DOP) to the above referenced audit. We have reviewed the draft audit report and agree to its recommendations. Specifically, that DOP will,

- Continue to check with DMV to verify that all DOP employees' licenses are valid before granting them driving privileges.
- Continue to prohibit employees with unsatisfactory driving records from driving City vehicles or personally owned vehicles on City business.
- Continue to register (update) all employees who drive a City vehicle or personally owned vehicle on City business in the New York State DMV License Event Notification Service program (LENS).

I was particularly pleased by the fact that the audit acknowledges the substantial progress made by DOP and the City's other Public Safety agencies to monitor the driving behavior of our employees. Thank you for your efforts in this regard.

If you require additional information or have any questions, our Department contact is Cary Tamler, Director of Internal Audit, who can be reached at (212) 232-0598.

Sincerely,

A handwritten signature in black ink, appearing to read "Martin F. Horn", is written over a horizontal line.

Martin F. Horn
Commissioner of Probation

CREATIVE SOLUTIONS FOR A SAFER CITY; PROTECTING LIVES, CHANGING LIVES AND SAVING LIVES.

TELEPHONE: (212) 361-8977

FAX: (212) 361-8985

c: Edward Carey, Assistant Director, NYC Office of the Comptroller
Susan Kupferman, Director, Mayor's Office of Operations
Richard Levy, First Deputy Commissioner
Judy LaPook, Chief of Staff
Frank Marchiano, Deputy Commissioner Administration
Cary Tamler, Director of Internal Audit
file



NEW YORK CITY DEPARTMENT OF CORRECTION
Martin F. Horn, Commissioner

Office of the Commissioner
60 Hudson Street
New York, NY 10013
212 • 266 • 1212
Fax 212 • 266 • 1219

June 6, 2003

Greg Brooks
Deputy Commissioner
Policy, Audits, Accountancy and Contracts
Office of the City Comptroller
1 Centre Street
New York, NY 10007-2341

Dear Commissioner Brooks:

Attached is the Department of Correction's response to your draft report entitled "Follow-up Audit on How the Public Safety Agencies Monitor Employees Who Use City or Personally Owned Vehicles While Conducting City Business."

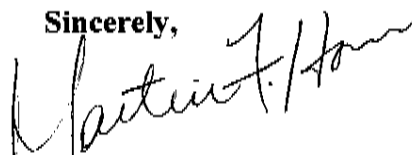
Beginning with the Department's recognition of a need for a fundamental retooling of the drivers' monitoring system, significant progress has been achieved since the prior audit. As a result, we are pleased that this audit report concluded that we have effectively addressed and resolved all the issues raised in the prior audit report.

In this response, we have addressed each of your recommendations regarding continued successful monitoring of the driving behavior of our employees. To that end, the Department will strive to maintain its efforts to ensure a continuing high level of performance.

Please include our entire response as an appendix of the final report.

If you have any questions regarding this response, please contact Leroy Grant, Bureau Chief, Inspectional Services and Compliance Division at (718) 546-8155.

Sincerely,


MARTIN F. HORN

**Follow-up Audit on How the Public Safety Agencies Monitor Employees Who Use City
or Personally Owned Vehicles While Conducting City Business**

MJ03-096F

Recommendation #1:

The Public Safety agencies identified in this report should continue to check with DMV to verify that employees' licenses are valid before granting them driving privileges.

Agency Response:

The Department of Correction fully concurs with this recommendation

Recommendation #2:

The Public Safety agencies identified in this report should continue to prohibit employees with unsatisfactory driving record from driving City vehicles or personally owned vehicles on City business, as specified in the criteria defined in the City Regulations and the agencies' own regulations.

Agency Response:

The Department of Correction fully concurs with this recommendation

Recommendation #3:

The Public Safety agencies identified in this report should continue to register (update) all employees who drive a City vehicle or personally owned vehicle on City business in the New York State DMV License Event Notification Service program.

Agency Response:

The Department of Correction fully concurs with this recommendation.

C: John Antonelli, Senior Deputy Commissioner
Florence Hutner, Deputy Commissioner, Legal Matters
Leroy Grant, Bureau Chief, ISCD

Mayor' Office of Operations
Robert Bernstein, Audit Liaison



FIRE DEPARTMENT

9 METROTECH CENTER

BROOKLYN, N.Y. 11201-3857

NICHOLAS SCOPPETTA
Fire Commissioner



June 16, 2003

Mr. Greg Brooks
Deputy Comptroller
Policy, Audits, Accountancy & Contracts
Office of the Comptroller
1 Centre Street
New York, NY 10007-2341

Re: Follow-Up Audit Report on How Public Safety Agencies Monitor Employees Who Use City or Personally Owned Vehicles While Conducting City Business (MJ03-096F).

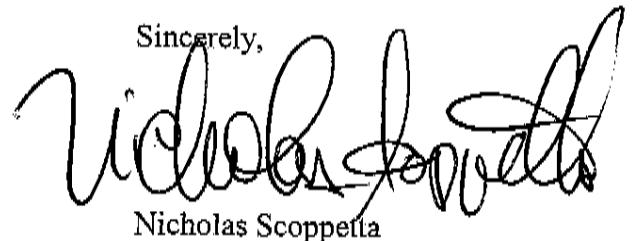
Dear Mr. Brooks:

Attached is a copy of FDNY's response and Agency Implementation Plan (AIP) to the three recommendations made by the Office of the Comptroller in the above-mentioned audit.

Please thank your staff for the time and diligence that they put into this audit – the Department appreciates their efforts, and intends to continue utilizing all their recommendations.

If you have any questions about our response or AIP, please contact our Chief Compliance Office, Frank Buccellato, at (718) 999-2033.

Sincerely,



Nicholas Scoppetta

Attachment

Cc: S. Kavalier

New York City Office of the Comptroller Follow-up Audit Report on
How the Public Safety Agencies Monitor Employees
Who Use City or Personally Owned Vehicles
While Conducting City Business (MJ03-096F)

Audit Recommendations – FDNY Response / Agency Implementation Plan

- 1) **The Public Safety agencies identified in this report should continue to check with DMV to verify that employees' licenses are valid before granting them driving privileges.**

FDNY Response : The Fire Department Agrees – FDNY will continue to do so.

- 2) **The Public Safety agencies identified in this report should continue to prohibit employees with unsatisfactory driving record from driving City vehicles or personally owned vehicles on City business, as specified in the criteria defined in the City Regulations and the agencies own regulations.**

FDNY Response : The Fire Department Agrees – FDNY will continue to do so.

- 3) **The Public Safety agencies identified in this report should continue to register (update) all employees who drive a City vehicle or personally owned vehicle on City business in the New York State DMV License Event Notification Service program.**

FDNY Response : The Fire Department Agrees – FDNY will continue to do so.