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June 10, 2013

Mr. Frank Randazzo
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Mr. Bruce L. Stein, Esq.
Public Administrator
Office of the Kings County Public Administrator
360 Adams Street, Room 144
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Ms. Ethel J. Griffin
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Office of the New York County Public Administrator
31 Chambers Street, Room 311
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Ms. Lois M. Rosenblatt, Esq.
Public Administrator
Office of the Queens County Public Administrator
88-11 Sutphin Boulevard, Room 61
Jamaica, New York 11435

Mr. Gary D. Gotlin
Public Administrator
Office of the Richmond County Public Administrator
130 Stuyvesant Place, Suite 402
Staten Island, New York 10301

Re: **Letter Report on the Public Administrators' Monitoring of Their Employees Who Drive City-Owned or Personally-Owned Vehicles on City Business (Audit Number 7R13-111AL)**

Dear Public Administrators:

We are sending you this Letter Report regarding the audit of Public Administrators' monitoring of their

employees who drive City-owned¹ or personally-owned vehicles on City business. These entities include the:

- Bronx County Public Administrator
- Kings County Public Administrator
- New York County Public Administrator
- Queens County Public Administrator
- Richmond County Public Administrator

The objective of this audit was to determine if the Public Administrators are effectively monitoring their employees who drive City-owned or personally-owned vehicles on City business.

Conclusion

We found that prior to the start of the audit, the Public Administrators were not aware of New York's "City Vehicle Driver Handbook" (regulations), which covers the monitoring of their employees' driving behavior and the requirements promoting driver safety. We advised them of these requirements prior to the start of audit fieldwork. The Public Administrators then implemented procedures to become compliant with regulations. Each Public Administrator has appointed an Agency Transportation Coordinator (ATC), enrolled its employees in the New York State Department of Motor Vehicles' (DMV) License Event Notification System (LENS) program, and learned how to receive updates and revoke the privileges of those drivers who have a suspended or revoked license in a timely manner as prescribed by the regulations. Additionally, Public Administrators are also now familiar with the regulation to ensure that employees who drive their personal vehicles for City business have the proper insurance. They are also aware of the regulation to provide their employees with the required safety awareness program and are implementing these programs.

Background

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. All agency heads, through the ATC, must ensure that all employees assigned a City-owned vehicle either for full-time use or temporary use are authorized to drive. It is also the ATC's responsibility to ensure that these drivers have valid licenses and insurance (if they are driving their personal vehicles). The driver's license should be a New York State License unless the employee is exempt from City residency requirements. If this is the case, then the authorized driver must have a valid license from the state where he/she resides and must have the appropriate classification for the vehicle which he/she is driving on City business. The regulations further specify that City agencies must establish programs that promote safety along with proper training in the use of motor vehicles.

In following these criteria, City agencies use the New York State Department of Motor Vehicles (DMV) License Event Notification System (LENS). The ATC is responsible for notifying the DMV of all

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For the purposes of this report, "City-owned" refers to vehicles which the Public Administrators lease.

agency-authorized drivers. This enables the DMV's LENS program to notify the ATC of any event that affects the driver's license. This includes: if a license is expiring; points accrued; accidents; driving while impaired; or driving while under the influence. This enables the ATC to ensure that only employees with valid licenses are driving on City business. The City's policy recommends that agencies participate in LENS to monitor the driving behavior of their employees.

There are five Public Administrators (PAs) in New York City, each of whom serves one of the City's five counties and reports to the county Surrogate's Court. Each PA is responsible for administering the estates of individuals in the county who die intestate (those who die without a will) or when no other appropriate individual is willing or qualified to administer the estate.

Scope and Methodology

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. This audit was conducted in accordance with the audit responsibilities of the City Comptroller as set forth in Chapter 5, §93 of the New York City Charter.

The scope period of this audit was as of April 13, 2013.

To meet our objectives, we obtained and reviewed the City of New York "City Vehicle Driver Handbook" issued February 2009 and the subsequent addendum. To determine whether the Public Administrators monitor their drivers in accordance with the regulations, we obtained and reviewed the following: 1) a list of all employees for each agency who were authorized to drive on City business as of April 2013, which included whether a license was necessary to maintain employment; 2) a copy of the agency's initial LENS Report, which lists all the individuals that the agency has authorized to drive on behalf of City business; 3) documentation that the agency has implemented procedures to check the driver's license and insurance coverage of all employees who use a personally-owned vehicle; 4) documentation regarding disciplinary action (if necessary) for DMV notifications of change in driver's license status; and 5) a copy of policies and procedures concerning driving a City- or personally-owned vehicle on City business. We used the initial LENS reports and agency documentation to determine if the agencies were appropriately notifying DMV of drivers who were authorized to drive for City business as well as to determine if agencies were monitoring those drivers' DMV records.

To assess the reliability of the database of authorized drivers received from each agency, we matched the number of drivers on each agency's list with the number of drivers on each agency's LENS report listing.

To determine whether Public Administrators offered driver's safety programs according to the regulations, we requested and reviewed documentation regarding their recently developed safety programs. We also accessed the DMV Dial-In Inquiry to determine the driving status of those employees who resided outside of New York State. We also performed DMV searches for the driving records of those employees.

Based on our positive conclusion, we have no recommendations and do not see the need for a formal exit conference. On May 17, 2013, we submitted a draft letter providing you with an opportunity to formally

respond. The Public Administrators' responses were received by June 4, 2013. In their written responses, all the Public Administrators agreed with the report.

The full text for the Public Administrators' comments are included as addenda to this report.

Respectfully,



Tina Kim

c: Michael R. Fusilli, Deputy Public Administrator
Aaishatu Glover, Deputy Administrator
Joy A. Thompson, Deputy Public Administrator
Susan Brown, Deputy Public Administrator
Michael J. Fusco, Deputy Public Administrator
Elizabeth Weinstein, Director, Mayor's Office of Operations
George Davis III, Deputy Director, Mayor's Office of Operations

PUBLIC ADMINISTRATOR



BRONX COUNTY

FRANK C. RANDAZZO
PUBLIC ADMINISTRATOR

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ESTATE OF:

MICHAEL R. FUSILLI
DEPUTY PUBLIC ADMINISTRATOR

FILE NO:

May 31, 2013

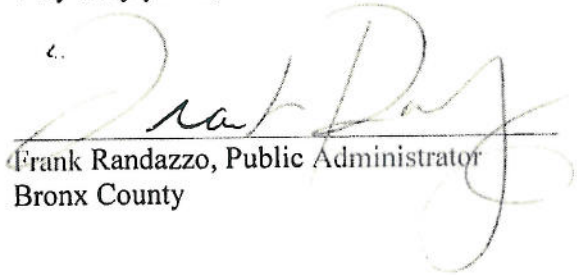
Dear Ms. Kim:

Thank you for your Letter Report of May 17, 2013, regarding Audit Number 7R13-111AL, a copy of which is attached here. As the Letter Report states, we have implemented the following procedures directed by your office regarding our monitoring of our employees' driving behavior and our promoting driver safety:

- We have designated an employee, the Deputy Public Administrator, as an Agency Transportation Coordinator ("ATC");
- We have obtained copies of the driving-related credentials of all of our employees that have same and as to these employees we have enrolled in the New York State Department of Motor Vehicles License Event Notification System ("LENS");
- We distributed to all of our employees a copy of the memo also attached here, a copy of which had been previously submitted to the Comptroller's Office for approval and was approved;

It was our pleasure to have worked with the Comptroller's Office as we did on this effort. Please let us know if we need to do anything further.

Very truly yours,


Frank Randazzo, Public Administrator
Bronx County

*Office of the
PUBLIC
ADMINISTRATOR
Of Kings County*



www.nyc.gov/kcpa

*Bruce L. Stein, Esq.
Commissioner*

*Aaishatu D. Glover, MS, MBA
Deputy Commissioner*

May 24, 2013

H.Tina Kim, Deputy Comptroller
City of New York
Office of the Comptroller
One Centre Street, Room 1100
New York, NY 10007-2341

Re: Public Administrators' Drivers Audit, (7R13-111A)

Dear Ms. Kim,

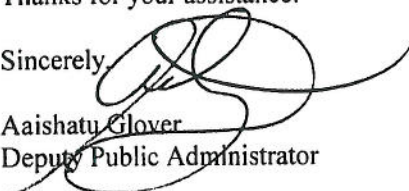
We are in receipt of the Draft Letter Report on the Public Administrators monitoring of their employees who drive city owned or personally owned vehicles on city business dated May 17, 2013:

The Public Administrator of Kings County will continue to monitor and ensure all compliances are adhered to driver behavior and requirements for driver safety in accordance with the guidelines provided by your office. We will also ensure the following items are being reviewed and upheld:

- Documentation that the entity periodically checks each driver's license and insurance coverage of employees who use a personally-owned vehicle.
- Documentation regarding disciplinary actions (if necessary) for DMV notification of change in driver's license status.
- Copy of the LENS annual report. (**LENS is the NYS Department of Motor Vehicle License Event Notification System**)
- Number of Parking Permits Issued to the entity (include permit number and car assigned).
- Number of E-Z passes issued to the entity and the license plates associated with the E-Z pass.
- Copy of policies and procedures concerning driving a city or personally owned vehicle on City Business.

Thanks for your assistance.

Sincerely,


Aaishatu Glover
Deputy Public Administrator



Public Administrator

County of New York

ETHEL J. GRIFFIN, *Commissioner*
Public Administratrix

JOY A. THOMPSON, *Deputy Commissioner*
Deputy Public Administrator

June 3, 2013

BY E-MAIL AND MAIL

H. Tina Kim
Deputy Comptroller
Municipal Building
One Center Street, Room 1100
New York, New York 10007-2341

Re: Letter Report on the Public Administrator's Monitoring of Their Employees Who Drive City-Owned or Personally Owned Vehicles on City Business (Audit Number 7R13-111AL)

Dear Deputy Commissioner Kim:

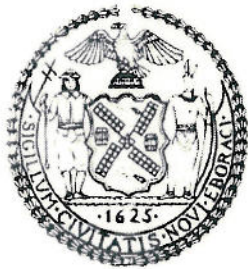
We are gratified by the recognition of your Office that the Public Administrators were unaware of the requirements of the City's Regulations regarding the monitoring of our employees' driving behavior or the requirements promoting driver safety. Your cooperation and analysis of where we can strengthen our internal controls are greatly appreciated, and we are implementing the procedures.

Please contact me if you have any questions regarding this response, and thank you again for your assistance.

Sincerely,

Ethel J. Griffin
Commissioner
Public Administrator - New York County

Public Administrator County of New York
Surrogates Court
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New York, New York 10007
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Queens County Office of the Public Administrator

Lois M. Rosenblatt, Esq.
Public Administrator

Susan B. Brown
Deputy Public Administrator

Gerard J. Sweeney, Esq.
Counsel

May 24, 2013

City of New York
Office of the Comptroller
H. Tina Kim, Deputy Comptroller
One Centre Street, Room 1100
New York, New York 10007-2341

Re: Audit Number 7R13-111AL
Monitoring of Employees who drive for City Business
For Public Administrators

Dear Ms. Kim:

We are in receipt of the Draft letter Report on the Public Administrators' monitoring of their employees who drive city owned or personally owned vehicles on city business dated May 17, 2013.

The Public Administrator of Queens County shall continue to monitor compliance of driver behavior and requirements for driver safety in accordance with the guidelines provided by your office.

Thank you for your guidance so that we may continue to properly monitor employees who drive vehicles on official city business.

Very truly yours,

LOIS M. ROSENBLATT

PUBLIC ADMINISTRATOR



RICHMOND COUNTY

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DEPUTY PUBLIC ADMINISTRATOR

ARTHUR W. DECKER, ESQ.
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RICHARD A. LAROSA, ESQ.
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May 21, 2013

Ms. Ernestine Rivers-Merritt
City of New York
Office of the Comptroller
Bureau of Audit
Municipal Building
One Centre Street, Room 1100
New York, New York 10007-2341

REFERENCE: DRAFT LETTER REPORT REGARDING AUDIT OF
PUBLIC ADMINISTRATORS' MONITORING OF THEIR
EMPLOYEES WHO DRIVE CITY-OWNED OR PERSONALLY-
OWNED VEHICLES ON CITY BUSINESS
(Audit Number 7R13-111AL)

Dear Ms. Rivers-Merritt:

We received your Draft Letter Report in a letter dated May 17, 2013. It was rewarding to participate in your educational conference regarding rules, regulations and auto safety of employees.

We were pleased that no corrective recommendations were made with respect to our participation in this program.

If there is any further information you need, it will certainly be provided upon request.

Very truly yours,

Gary D. Gotlin
Public Administrator
Richmond County

GDG:clg

AUDIT - PAs DRIVERS AUDIT 2013.wpd

cc: Hon. Robert J. Gigante, Surrogate of Richmond County
Tina Kim, Office of the Comptroller